

**Yankton County
Commission
6:00 PM, Tuesday, December 19, 2023
Commission Chamber
Yankton County Government Center**

Agenda

**DOCUMENTS WILL BE AVAILABLE AT AUDITOR'S OFFICE FOR
December 15th. COPIES AVAILABLE FOR \$1.00 PER PAGE**

**Meeting chaired
by:**

Don Kettering, Chairman

**01 Call to
order:**

6:00 PM

PLEDGE OF ALLEGIANCE

_____ John Marquardt _____ Dan Klimisch _____ Wanda Howey-Fox

**02 Roll
Call:**

_____ Ryan Heine _____ Don Kettering

AGENDA ITEMS

No.	Time	Item Description	Presenter
03	6:00 PM	Abstain Financial Conflict of Interest (SDCL 6-1-17) Non-Financial Interest-Must State Reason for Abstaining	Chairman Kettering
04	6:03 PM	Approval of Agenda Public comment is a time for persons to address this body on any subject. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. There shall be no personal attacks against the members of this body, county staff, individual, or organizations. The Chair has the authority to enforce this policy. Failure to adhere to these rules may result in forfeiture of the remaining speaking time.	Public Comment
05	6:05 PM	County Liability Insurance	Roger Smith
06	6:10 PM	SD Public Assurance Alliance	Lynn Bren
07	6:15 PM	Yankton Library Foundation	Dana Schmidt Ann Clough

08	6:20 PM	DOT Funding Agreement - Bridge Replacement	Mike Sedlacek
09	6:25 PM	Dust Lock Procedure	Dan Feige
10	6:30 PM	Ordinance Adoption Solar – 2nd Reading	Zoning
11	6:35 PM	West Yankton Transportation Study Final Report	Bill Troe
12	6:40 PM	Beacon Enhancements	Director of Equalization
13	6:45 PM	Wage Discussion	Ambulance
14	6:50 PM	Peterson – Plat Dumont Holdings Preliminary Plat Dumont Holdings – Plat Staudenmaier – Plat Freng – Plat Fear - Plat	Zoning
15	6:55 PM	Appoint Wind Energy Ordinance Task Force	Zoning
16	7:00 PM	December 5, 2023 Minutes	Commission
17	7:05 PM	Claims Auditor/Treasurer Report, Pooled Cash Report 4-H MOU with SDSU	Auditor
18	7:10 PM	Public Comment	
19	7:15 PM	Commissioner Updates	Commission
20	7:20 PM	Executive Session Personnel Issue Pursuant to SDCL 1-25-2(1) Poor Relief Issues Pursuant to SDCL 1-25-2 & 28-13 and 28-13-1.3 Items for Next Meeting	State Attorney



Item 7

COMMISSIONER MEETING AGENDA REQUEST

321 W 3rd, Suite 100, Yankton, SD 57078

E-Mail: patty@co.yankton.sd.us

Submission Deadline: 3:00pm on the Wednesday before scheduled meeting

Date Request Submitted December 1, 2023

Request is for Commission Meeting Dated December 19, 2023

Name: Yankton Library Foundation

Address: 515 Walnut, Yankton

Phone: (605) 668-5275, Cell=(605) 760-1911 (Ann Clough)

E-Mail Address: annclough@gmail.com

Topic to be Addressed and Length of Presentation: Current Activities of the Library Foundation; Funding Request

Specific Purpose for the Request (Please Also Attach Support Documents): _____

The Library Foundation seeks to inform the County Commission of its current activities; and to request funding of \$2,000 to assist in costs associated with a needs assessment/feasibility study to be conducted in 2024.

Person(s) Making Presentation to the Board: Ann Clough, Edtn member; Dana Schmidt, Library Director

Audio/Visual Equipment Needed: NONE

For Office Use:

Approved _____ Denied _____ Reason(s): _____

Signature: _____

Date: _____



Yankton Community Library Foundation, Inc.

515 Walnut Street ♦ Yankton, South Dakota 57078

November 2023

Dear Friends and Library Supporters,

Libraries: they are the 'keys to the past, the gateway to the future'. With that premise in mind, the Yankton Community Library Foundation, Inc. was established in 2009 with a four-fold purpose: 1) to raise money for our community library beyond its City budget; 2) to receive gifts and bequests from the public; 3) to increase public awareness of the services our local library provides; and 4) to increase public awareness of space shortages and structural limitations the current library experiences on a daily basis, which have created the need for a new state-of-the-art facility to better serve the Yankton community.

The Foundation believes now is the time to pursue a campaign for this new facility. To that end, the Board has requested the City of Yankton undertake a feasibility study of the community to ascertain both what the community wants to see in a new facility and if there is enough community support for that facility. The Foundation is committed to raising funds to go toward paying for half of the feasibility study, but we need your help to realize our goal of \$20,000.

A new facility could transform our library into a community destination. Our library creates access points for so many people to build thriving futures for themselves and their families. The library hosted over 350 programs for nearly 7,000 children, teens, and adults in 2022. More spaces to accommodate these programs; innovative areas such as small group areas, a theater, and kitchen space; updated technology; and ample shelving for the library's ever growing collections would unleash the library's potential in our community.

We believe the Yankton Community Library is an essential catalyst, collaborator, and connector in our community. We know that patrons of all ages and backgrounds find ideas, information, and innovative services at the library every single day. Please consider donating to our 501(c)3. It is an investment in our community! Your gift today will live far beyond your lifetime as we serve people of all ages twelve months out of every year. We look forward to answering any questions you might have and traveling with you on our journey to a new library facility. Thank you in advance for your support.

Sincerely,

Yankton Community Library Foundation, Inc.

Board Members: Dani Jo Bierwagen Robin Brooks Ann Clough Chuck Evander Tonya Ferrell
Dennis Menke David Koerner Blaine Meier Mallory Schulte Kathy Wibbels



UNIVERSITY OF
SOUTH DAKOTA
Government Research Bureau

Project Proposal
City of Yankton and Yankton City Library affiliates
Yankton Library Needs Assessment
2 October 2023

Project Scope:

Established in 1903, Yankton Community Library is one of the oldest public libraries in South Dakota. Moving from its Carnegie building location to its current site at 515 Walnut Street in 1973, the Library provides informational, recreational, cultural, and educational needs through a wide variety of materials, services and programs. Patrons have access to library computers as well as Wi-Fi and printer access. In 2021, the library boasted a collection of nearly 75,000 books, as well as 32,704 e-books, 10,018 eAudiobooks, 2,868 CD Audiobooks, and 3,894 DVDs upon adding 5,307 items to their collection in that year. In this year, the YCL saw a circulation over 60,000 books, and nearly 95,000 items overall. Additionally, the library offered public computer use to over 4,000 users, proctored exams and allowed for study room space, as well as hosting both library and non-library meetings. There has been a sense from relevant library affiliates, including the Library Board of Trustees, the YCL Foundation, and the Friends of the Library that the Library (from here on collectively referred to as the YCL) may be reaching or exceeding current capacities and there is a need to assess the community's perceptions and expectations about YCL offerings and capacity for both materials and physical space.

The Government Research Bureau is part of the Political Science department of the University of South Dakota and offers research services for community improvement in South Dakota. Our faculty and student researchers conduct policy analysis, strategic planning, community development, and program evaluation. The Government Research Bureau is committed to helping local and state governments serve their citizens to their best ability. The Government Research Bureau strives to support communities across South Dakota, and we also build a learning environment where students can participate in actual research. In close collaboration with faculty, students will gain practical real-world experience while assisting communities in the state of South Dakota. We strive to offer affordable expert services as part of our mission to public service to the state and our commitment to teaching and mentoring students. [Read more about the GRB and our recent projects on this link.](#)

The Government Research Bureau (GRB) at the University of South Dakota will conduct a needs assessment for of the Yankton City Library. This will include both quantitative and qualitative assessments through three assessments. We will conduct an analysis of the available empirical data such as circulation and traffic data. We will conduct a community-wide survey about the perceptions, expectations, and goals for the YCL. Finally, we will conduct focus groups of both community organizations and the general public.



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This proposal offers various options for analysis depending on both depth and breadth of the scope of the analysis, though all with the inclusion of the development and deployment of an online survey instrument, available data analysis, and focus groups culminating in a final report about the perceived space, materials, and programming needs for the Yankton City Library.

Analytic Task and Proposed Approach: The GRB will work with YCL to develop the sampling frame, survey instruments, and focus group protocol to ensure that the instruments are methodologically sound and fully meet the needs of the YCL. The GRB will conduct an initial meeting with relevant YCL affiliates to clarify and prioritize information needs and process as part of the survey and focus group protocol development process. The GRB will continue to work with YCL in vetting final instruments as they are developed. Broadly speaking, the assessments will ask participants about:

- Materials usage
- Services awareness and usage
- Programming awareness and attendance
- Satisfaction of services, space, programming
- Improvement areas and needs
- Perception of needs and likelihood of support for expansion
- Demographic questions

The final surveys will be designed to take no longer than about 10 minutes to complete in order to maximize response rate. For the relevant population, we'd like to see about 400 valid and random responses to be able to say something meaningful about the population (5% margin of error). It is very challenging to estimate response rates, for paper surveys we may expect at best about a 20% response rate (meaning that we would need to contact 2000 people to get 400 surveys back). Bringing the survey to the people and keeping it short will help us achieve that goal. The focus group protocol will be designed to be completed within a one-hour time frame and will primarily be used to further explain, clarify, and narrow needs and expectations. Although one focus group may be added in addition to stakeholder conversations for survey development purposes. Incoming data will be analyzed by the GRB and the GRB's findings will be delivered in a final project report. The GRB will also be available to answer any additional or continuing questions regarding the analysis after the final project report is delivered.

This proposal offers three *sample* options, a high response option, a moderate mixed-mode option, and an online-only option. **However, the GRB is still open to conversation to finalize an option that meets both needs and constraints.**



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Government Research Bureau

Proposal #2– Extensive Hard copy surveys, tailored focus groups, and complete empirical data collection and report writing

This proposal is intended to generate the highest possible response rates. This proposal includes mailing out postcards to 4000 individuals and paper copies to 2000 individuals with return mailing and follow-up postcards to enhance response rates. This option would also include offering tailored focus groups that use more careful recruitment to various sub-populations (e.g. parents of young children). This proposal also assumes that the GRB will collect available data on materials, services, and usage to analyze.

Item	Cost
Materials and Mailing : <ul style="list-style-type: none">• Printing & postage Costs of postcards• Printing & postage Costs for hard copy survey• Return envelopes and postage• Editing and printing of final report	\$12,608
Focus groups: <ul style="list-style-type: none">• Subsistence and incentives for focus group participants• Travel to/from Yankton for focus groups and meetings	\$440
Labor: <ul style="list-style-type: none">• Sampling frame and survey development, Survey design, distribution, and deployment, Focus group protocol development, Focus group conduction, Data collection and analysis, Report-writing, and administration	\$15,859
Indirect Rate: <ul style="list-style-type: none">• 26% University of South Dakota set rate	\$7,438
TOTAL:	\$36,345

**JOINT POWERS AND FUNDING AGREEMENT
FOR BRIDGE REPLACEMENT
BETWEEN
SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
AND YANKTON COUNTY**

This Agreement is made and entered into by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and Yankton County, South Dakota, referred to in this Agreement as the "COUNTY."

1. JOINT POWERS:

This Agreement does not establish a separate legal entity, as contemplated by SDCL § 1-24-5. The cooperative undertaking described in this Agreement will be financed and conducted under the provisions of this Agreement by the COUNTY and the STATE. Each party has responsibilities under the terms of this Agreement and no joint board or administrator will be used. The COUNTY will be responsible for acquiring, holding and disposing of all real property required in connection with this Agreement.

2. BACKGROUND:

- A. The STATE has limited federal and state funding available for the replacement of eligible local public agency bridges.
- B. The COUNTY has applied for Federal Highway Local Bridge Replacement Program funding ("Federal Funds") for the bridge replacement of structure number 68-030-018, project number BRF-B 6213(15), PCN 09M6, referred to in this Agreement as the "PROJECT."
- C. The Federal Highway Local Bridge Replacement Program provides Federal Funds for 81.95% of the actual total eligible costs of an approved bridge replacement project.

THE STATE AND THE COUNTY MUTUALLY AGREE AS FOLLOWS:

3. TERM

This Agreement is effective upon execution by both parties and its term is perpetual.

4. PROJECT FUNDING AWARD

- A. The COUNTY is awarded Federal Funds for 81.95% of the actual total eligible costs of the PROJECT. The COUNTY is responsible for 81.95% of all expenses deemed by the Federal Highway Administration or the STATE to be non-participating or ineligible for Federal Funds. Ineligible expenses include, but are not limited to, real property acquisition costs, utility relocations, finished roadway surfacing (asphalt, gravel, or concrete), fencing, aesthetics, and off-site environmental mitigation and monitoring costs.
- B. The STATE will be responsible for eighty-one-point nine five percent (81.95%) of eligible PROJECT costs. The COUNTY will reimburse the STATE the COUNTY'S eighteen-point zero five percent (18.05%) required share of the PROJECT costs. The COUNTY will be one hundred percent (100%) responsible for any costs deemed ineligible. The STATE will pay all up-front costs for the PROJECT and then seek reimbursement from the COUNTY for the COUNTY'S required match once the PROJECT is complete. The COUNTY will make reimbursements to the STATE within thirty (30) days of receipt of a billing from the STATE.

5. DESIGN ENGINEERING SERVICES

The STATE will execute and administer the contracts and work orders for design engineering services for the PROJECT, which includes surveys, hydraulic analysis, and preparation of plans and specifications. The STATE will advertise, let to contract, award, and be the contracting party for the construction of the PROJECT. The

COUNTY'S concurrence will not be required for the STATE'S award and execution of the construction contract.

6. CONSTRUCTION ENGINEERING

The STATE will provide construction engineering services for the PROJECT through STATE forces or a consultant selected by the STATE and approved by the COUNTY. If a consultant is retained, the STATE will execute and administer the contracts and works orders for construction administration services for the PROJECT. The reasonable and necessary costs of these services will be an eligible PROJECT expense.

7. PROJECT COSTS

The parties estimate the costs of design, construction engineering and construction of the PROJECT to be fifteen million one hundred fifty thousand dollars, (\$15,150,000), but payment obligations under this Agreement will be based on actual costs. The STATE will pay consultants and contractors for any PROJECT design, construction engineering, and construction costs and bill the COUNTY for ineligible PROJECT costs. The COUNTY will pay within 30 days of receipt of billing from the STATE.

8. WORK PERFORMED PRIOR TO AGREEMENT

It is understood and agreed between the parties that certain PROJECT work pertaining to this Agreement may have been performed by the consultant or contractor hired by the STATE before this Agreement was executed. Further, it was the intent of the parties that certain work be performed by the consultant or contractor and be paid for in accordance with this Agreement. In light of the foregoing, the parties to this Agreement ratify the acts of the consultant or contractor hired by the STATE which may have been performed during this period and agree to pay for these services in accordance with the terms of this Agreement.

9. STRUCTURE MAINTENANCE

Upon completion of the PROJECT, the COUNTY will be one hundred percent (100%) responsible for all work on the structure, including, but not limited to, any inspection, maintenance, repair, rehabilitation, and replacement.

10. REAL PROPERTY ACQUISITION

The COUNTY will obtain all right-of-way and other real property interests necessary for the PROJECT in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended in 1987. The COUNTY will use unaltered STATE forms in obtaining right-of-way and other real property interests necessary for the PROJECT, unless alterations are approved in advance by the STATE.

11. UTILITY ADJUSTMENTS

The COUNTY will arrange for all needed utility adjustments as part of the PROJECT and certify prior to advertisement or letting that all right-of-way and utility adjustments and agreements are in place.

12. CONFLICT OF INTEREST

The COUNTY certifies the COUNTY has a conflict of interest policy and enforces said policy.

13. INTERNAL REVENUE COMPLIANCE

The COUNTY certifies the COUNTY has filed an Internal Revenue Services (IRS) Form 990 in compliance with federal law, if applicable. The COUNTY will display the filed IRS Form 990 on the COUNTY'S website immediately upon filing.

14. INTERNAL CONTROLS

The COUNTY certifies the COUNTY employs an effective internal control system.

15. SINGLE AUDIT ACT

The COUNTY certifies the COUNTY is in compliance with the federal Single Audit Act and the requirements of SDCL § 4-11-2.1, if applicable. The COUNTY further certifies audits are displayed on the COUNTY'S website.

16. INDEMNIFICATION

The COUNTY will indemnify the STATE, its officers, agents, and employees against any and all actions, suits, damages, liability, or other proceedings that may arise as the result of the COUNTY'S performance under this Agreement. This section does not require the COUNTY to be responsible for or defend against claims or damages arising from errors or omissions of the STATE, its officers, agents, or employees. The COUNTY'S obligation to indemnify will survive termination or expiration of this Agreement.

17. CIVIL RIGHTS ACT

The COUNTY will abide by the requirements of Title VI of the Civil Rights Act of 2016, incorporated in and attached to this Agreement as **Exhibit A**.

18. AMERICANS WITH DISABILITIES ACT

The COUNTY will perform under this Agreement in compliance with the Americans with Disabilities Act of 1990 and any amendments.

19. AMENDMENTS

This Agreement may not be amended, except in writing, which writing will be expressly identified as a part of this Agreement and be signed by an authorized representative of each of the parties.

20. FUNDING AVAILABILITY

This Agreement depends upon the continued availability of appropriated funds and expenditure authority from the federal government, Legislature and South Dakota Transportation Commission for this purpose. If for any reason the Legislature fails to appropriate funds or grant expenditure authority, the South Dakota Transportation Commission fails to allocate state highway funds, or funds become unavailable by operation of law or federal funds reductions, the STATE may terminate this Agreement or reduce the Federal Funds or state highway funds paid under this Agreement. Termination or funding reductions for any of these reasons is not a default or breach by the STATE nor does it give rise to a claim against the STATE.

21. TERMINATION

The STATE may terminate this Agreement with or without cause. If this Agreement is terminated prior to completion of the PROJECT, the COUNTY will, within 180 days of termination of this Agreement, repay all Federal Funds and state highway funds expended on the PROJECT.

22. COMPLIANCE WITH LAWS

The COUNTY must comply with all federal, state, and local laws, together with all ordinances and regulations applicable to the work and will be solely responsible for obtaining current information on such requirements. The COUNTY must procure all licenses, permits, or other rights necessary for the fulfillment of its obligations under this Agreement.

23. GOVERNING LAW AND VENUE

This Agreement will be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement will be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

24. SEVERABILITY

If any court of competent jurisdiction holds any provision of this Agreement unenforceable or invalid, such holding will not invalidate or render unenforceable any other provision of this Agreement.

25. ENTIRE AGREEMENT

All other prior discussions, communications, and representations concerning the subject matter of this Agreement are superseded by the terms of this Agreement, and, except as specifically provided in this Agreement, this Agreement constitutes the entire agreement with respect to its subject matter.

26. EMPLOYEE STATUS

Any officer, employee, or agent engaged in joint action under this Agreement will remain an employee with his or her agency during participation in joint action under this Agreement. Each agency will retain exclusive responsibility for its officers, agents, and employees while these officers, agents, and employees are engaged in joint action under this Agreement, including but not limited to responsibility for regular and overtime wages and salaries, unemployment benefits, workers' compensation coverage, health insurance, or other benefits, and liability coverage and indemnity, except as otherwise specifically provided in this Agreement.

27. CERTIFICATION OF NO PROHIBITED STATE LEGISLATOR INTEREST

The COUNTY (i) understands neither a state legislator nor a business in which a state legislator has an ownership interest may be directly or indirectly interested in any contract with the State that was authorized by any law passed during the term for which that legislator was elected, or within one year thereafter, and (ii) has read South Dakota Constitution Article 3, Section 12 and has had the opportunity to seek independent legal advice on the applicability of that provision to this Agreement. By signing this Agreement, the COUNTY hereby certifies that this Agreement is not made in violation of the South Dakota Constitution Article 3, Section 12.

28. SIGNATURE AUTHORITY

The COUNTY has designated its County Commission Chairperson as the COUNTY'S authorized representative and has empowered the Chairperson with the authority to sign this Agreement on behalf of the COUNTY. A copy of the COUNTY'S Commission or Council minutes or resolution authorizing the execution of this Agreement by the Chairperson as the COUNTY'S authorized representative is attached to this Agreement as **Exhibit B**.

This Agreement is binding upon the signatories not as individuals but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the COUNTY to enter into the same.

Yankton County, South Dakota

State of South Dakota
Department of Transportation

By: _____

By: _____

Printed Name: _____

Printed Name: Joel M. Jundt

Its: Chairperson

Its: Department Secretary

Date: _____

Date: _____

Attest:

By: _____

Printed Name: _____

County Auditor/Clerk
(COUNTY SEAL)

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION
STANDARD TITLE VI / NONDISCRIMINATION ASSURANCES
APPENDIX A & E
MARCH 1, 2016**

During the performance of this Agreement, the COUNTY, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

During the performance of this Agreement, the COUNTY, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub- recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).



formulated by



DUST SUPPRESSING AGENT & ROAD SURFACE STABILIZER

MISSION STATEMENT

Our goal is to provide an effective, environmentally safe product and service that deals with dust control and road stabilization in all applications, by promoting the use of organically based, renewable, biodegradable resources.

OVERVIEW

DustLock™ is used as a dust suppressant and road stabilizer. DustLock™ is a naturally occurring by-product of the vegetable oil refining process. It is non-corrosive and friendly to all types of equipment as well as the environment.

ENVIRONMENTALLY SAFE

DustLock™ is a vegetable oil-based product that quickly adheres to the aggregate molecule, does not run off in the rain, and cures out to form a stable road surface. DustLock™ is chemical free, 100% toxic free and not harmful to humans, fish or wildlife. DustLock™ is not corrosive to any equipment.

COST EFFECTIVENESS

DustLock™ offers a quality surface with exceptional road durability that costs pennies on the dollar compared to permanent road surfaces.



AN EFFECTIVE SOLUTION THAT IS ENVIRONMENTALLY RESPONSIBLE.

www.dustlock.com



formulated by



DUST SUPPRESSING AGENT & ROAD SURFACE STABILIZER

DUST SUPPRESSING AGENT & ROAD SURFACE STABILIZER

DustLock™ will eliminate the reoccurrence of washboarding, mud, erosion, and will shed water, providing durability to the road surface.

Preparation includes blading the road surface with a scarifier process to DOT specs, applying DustLock™ at the proper rate, preferably chipping over the top, and roller packing to complete the process.

LONG TERM BENEFITS

DustLock™ is an element that contributes to the longevity of gravel or recycled asphalt roads. This formulation allows the oil to bond with road materials to become extremely "traffic friendly" in high or low traffic volume areas. In its residual form, DustLock™ based material add the opportunity for future road restoration.

CONTACT INFORMATION

DAN FEIGE

Cell: 605-270-1831

Danf@edcmidwest.com

BOB WEERTS

800-797-0033

Info@edcmidwest.com

HEATHER FEIGE

Cell: 605-270-0543

Hlfeige@gmail.com

HELP CONTROL DUST HERE:

- Unpaved roads, alleys, driveways
- Airports
- Public gathering sites
- Quarries and mining sites
- Parking lots
- Public water accesses
- Construction sites
- Race tracks
- Machine sheds
- Truck terminals
- Lumber yards
- Asphalt roads
- Barns
- Utility Sheds
- Feed piles and much more

AN EFFECTIVE SOLUTION THAT IS ENVIRONMENTALLY RESPONSIBLE.

www.dustlock.com



DEFINITIONS

Definitions

For the purpose of this Ordinance, unless otherwise stated, words used in the present tense include the future; the singular number includes the plural and the plural the singular; the word shall means mandatory, not discretionary; the word may is permissive; the word person includes a firm, association, organization, partnership, trust, company or corporation, as well as, an individual; the word lot includes the word plat or parcel; and the words used or occupied include the words intended, designed, or arranged to be used or occupied.

Terms

For the purpose of this Ordinance, certain terms or words used herein shall be interpreted as follows: **(Amended June 21, 2022)**

Abandoned Sign/Billboard - a sign or sign structure that is blank, obliterated or displays obsolete advertising material for a period in excess of twelve continuous months. The twelve-month period for determining if a sign is abandoned commences upon notification of violation to the offender.

Abut - Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

Accessory Agricultural Structure - A structure customarily incidental and necessary to farming and the raising of animals including barns and other animal shelters, corrals and fences, silos and storage sheds for machinery and crops.

Accessory Building - A subordinate building, the use of which is purely incidental to the main building. It shall be unlawful for any person, firm, or corporation in the following Yankton County Zoning Districts: Low Density Rural Residential (R1), Moderate Density Rural Residential (R2), High Density Rural Residential (R3), Manufactured Home Park (MHP), Lakeside Commercial (LC), Rural Transitional (RT), Planned Unit Development (PUD) to use any van body, truck body, semi-trailer, rail car, "shipping crate", and/or any vehicle no longer used for its manufactured purpose as a storage shed, storage building, warehouse, or as living quarters. It shall be unlawful to use manufactured homes for any use other than residential living quarters in all Yankton County Zoning Districts. However, this shall not prevent the lawful parking of vehicles properly licensed, insured, and in regular use for their intended purpose to include 'RVs' and camping trailers. **(Amended May 19, 2020)**

Accessory Use or Structure - A use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure. It shall be unlawful for any person, firm, or corporation in the following Yankton County Zoning Districts: Low Density Rural Residential (R1), Moderate Density Rural Residential (R2), High Density Rural Residential (R3), Manufactured Home Park (MHP), Lakeside Commercial (LC), Rural Transitional (RT), Planned Unit Development (PUD) to use any van body, truck body, semi-trailer, rail car, "shipping

crate”, and/or any vehicle no longer used for its manufactured purpose as a storage shed, storage building, warehouse, or as living quarters. It shall be unlawful to use manufactured homes for any use other than residential living quarters in all Yankton County Zoning Districts. However, this shall not prevent the lawful parking of vehicles properly licensed, insured, and in regular use for their intended purpose to include ‘RVs’ and camping trailers.

Actual Construction - Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially commenced, preparatory to building, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

Addition - Any construction that increases the size of a building such as a porch, attached garage or carport, or a new room.

Administrative Review - A process brought forth by the Zoning Administrator to clarify a provision of the Zoning Ordinance. A review may include policy interpretation or procedural questions but shall not include the appeals process as detailed herein.

Adult Entertainment - Any premises or part thereof in which a principal feature or characteristic is the nudity or partial nudity of any person; to include a place or part thereof where, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

Advertising Sign - An advertising sign, billboard, or poster panel which directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such advertising sign is located or to which it is affixed, but does not include those business signs which direct attention to the business on the premises to a brand name of a product or commodity with which the business is specifically identified and which is sold on the premises.

Agriculture - The planting, cultivating, harvesting and storage of grains, hay or plants, fruits, or vineyards along with the raising and feeding of livestock and/or poultry shall be considered an agricultural use. Grain elevators or Agricultural Product Processing Facilities shall not be considered an agricultural use if such use constitutes the main or principal use on a lot or parcel.

Agribusiness – A business which directly supports the agricultural industry, such as suppliers of feed, seed, chemicals, fertilizer, farm equipment, and equipment parts, farm equipment repair services, veterinary services, drain tile installers, and commercial grain elevators. **(Amended August 19, 2021)**

Agriculture Product Processing Facility - A business activity customarily designed to process raw agricultural products into value added products. Agricultural processing facilities include, but are not limited to; feed mills, ethanol plants, soybean processing facilities, cheese plants, milk processors, packing plants and rendering facilities.

Agrivoltaics: The use of land for both agriculture (crop production, livestock grazing and pollinator habitat) and solar photovoltaic energy generation. This is located underneath solar panels and/or between rows of solar panels.

Aggrieved Person - A person aggrieved is any person directly interested in the outcome of and aggrieved by a decision or action or failure to act regarding a zoning decision thus: **(Amended August 19, 2021)**

1. Establishes that the person suffered an injury, an invasion of a legally protected interest that is both concrete and particularized, and actual or imminent, not conjectural or hypothetical;
2. Shows that a causal connection exists between the person's injury and the conduct of which the person complains. The causal connection is satisfied if the injury is fairly traceable to the challenged action, and not the result of the independent action of any third party not before the court; (3) Shows it is likely, and not merely speculative, that the injury will be redressed by a favorable decision, and; (4) Shows that the injury is unique or different from those injuries suffered by the public in general.

Alley - A way which affords only a secondary means of access to abutting property.

Amendment - A change in the wording or substance of this ordinance or a change in the boundaries or classifications upon the Official Zoning Map.

Amusement Park - A facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment and restaurants and souvenir sales.

Animal Feeding Operation: An animal feeding operation is a lot or facility where 200 or greater animal units, excluding aquaculture, are confined, stabled, fed, or maintained in either an open or housed lot for a total of 45 days or more in any 12-month period. The open lot does not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season. Two or more facilities under common ownership are a single animal operation if they adjoin each other (within one mile), or if they use a common area or system for the disposal of manure. **(Amended August 19, 2021)**

For the purposes of these regulations, Animal Feeding Operations are divided into the following classes:

Class	Animal Units
Class A	<u>500 - 10,000</u>
Class B	<u>200 – 499</u>

Animal Feeding Operation or CAFO, New - An animal feeding operation or CAFO, (see definitions), constructed after the effective date of this ordinance or any subsequent amendment

of applicable Articles or Sections. Operations in existence upon adoption or prior to future amendments may be considered a new operation if the facility is expanded to facilitate an increase of more than three hundred (300) animal units. Any new construction relating to an expansion must comply with the applicable performance standards. The Planning Commission and Board of Adjustment shall have the authority to decrease or waive any standard deemed contradictory to the intent of the zoning ordinance upon review and in accordance with the conditional use and variance process described herein. **(Amended May 19, 2020)**

Animal Units - A unit of measure for livestock equated as follows; one head is equivalent to animal units: **(Amended August 19, 2021)**

Cow, feeder, or slaughter beef animal, including cow/calf pairs	1.0 A.U.
Horse	2.0 A.U.
Mature dairy cattle, excluding dairy calves under 300 pounds	1.4 A.U.
Farrow-to-finish sows	3.7 A.U.
Swine in a production unit	0.47 A.U.
Nursery swine less than 55 pounds	0.1 A.U.
Finisher swine over 55 pounds	0.4 A.U.
Sheep or lambs, goats	0.1 A.U.
Laying hens or broilers	0.033 A.U.
Ducks and/or geese	0.2 A.U.
Turkeys	0.018 A.U.

Animal Waste Facility - A structure designed and constructed to store and/or process animal waste. Animal waste facilities include but are not limited to holding basins, lagoons, pits and slurry stores.

Apartment - A portion of a multiple dwelling used as a separate housing unit and having cooking facilities and a private bath.

Applicant - For purposes of this Ordinance a person shall be deemed to be an applicant if they are the owner of the proposed facility; an officer or director of the owner thereof; or an owner of any interest, direct or indirect, in any company, except a publicly traded company, which is the owner of the proposed development.

Aquaculture - Land devoted to the hatching, raising and breeding of fish or other aquatic plants or animals for sale or personal use.

Arcade - A place of business where an individual, association, partnership or corporation maintains four or more amusement devices for public use.

Auction Barn - Any premises used predominantly as a livestock auction facility and may include the auction of agriculturally related items on an incidental or accessory basis only. The term may also include a building or structure or lands used for the storage of goods and materials which are to be sold on the premises by public auction, and for the sale of the said goods and materials by public auction and on an occasional basis.

Auction Yard - Any premises used predominantly as an auction pavilion or any area dedicated to consignment auctions or similar activities. A yard may include structures, open, and fenced display areas.

Automobile-Machinery Service Station - Building and premises where motor fuel, oil, grease, batteries, tires, and vehicle accessories may be supplied and dispensed at retail, and where, in addition, customary repair services may be rendered.

Automobile Wrecking Yard - Any premises on which two or more self-propelled vehicles not in running order or operating condition are stored in the open. See also Junkyard and Salvage Yard.

Back-To-Back Sign: An off-site or on-site sign consisting of two sign facings oriented in the opposite direction with not more than one face per side.

Bar - A building or part thereof where, in consideration of payment therefore, liquor, beer, or wine or any combination thereof are served for consumption on the premises, with or without food.

Basement - A portion of a building with the floor located below the mean grade level. For the purpose of this ordinance, any such basement with more than four (4) feet above grade level shall be counted as a story. No dwelling unit shall be situated in a basement having less than four (4) feet above grade level.

Bed and Breakfast - A dwelling occupied by a family and used incidentally to provide accommodation and meals to guests for remuneration, but shall not include a boarding house, residential care facility, hotel, motel, or other similar uses.

Billboard - See Sign, Off-Site.

Board of Adjustment - The Yankton County Commission shall serve as the Board of Adjustment.

Bona fide practitioner-patient relationship” means: (Amended November 4, 2021)

- a. A practitioner and patient have a treatment or consulting relationship, during course of which the practitioner has completed an assessment of the patient’s medical history and current medical condition, including an appropriate in-person physical examination;
- b. The practitioner has consulted with the patient with respect to the patient’s debilitating medical condition; and
- c. The practitioner is available to or offers to provide follow-up care and treatment to the patient, including patient examinations;

Buildable Area - The portions of a lot remaining after required yards have been provided.

Building - The word "building" includes the word structure and is a structure that is entirely separate from any other structure by space or by walls in which there is no communicating doors

or windows or similar openings. A principal building including covered porches and paved patios, is a building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the principal building on the lot on which the same is situated.

Building Line, Front - A line parallel to the street, or right-of-way intersecting the foremost point of the building, excluding uncovered steps.

Building Permit - A type of authorization that must be granted by a government or other regulatory body before the construction of a new or expansion of existing building can legally occur. **(Amended August 19, 2021)**

Building Setback Lines - A line parallel or approximately parallel to the lot lines at a specified distance therefrom, marking the minimum distance from the lot line that the building may be erected.

Building Site - A lot or parcel, or portion thereof, whether a lot of record or described by metes and bounds, used or intended to be used as the location of a building for housing one or two families.

Building, Alterations of - Any change or rearrangement of the supporting members (such as bearing walls, beams, columns, or girders) of a building, an addition to a building, or movement of a building from one location to another. See Structural Alterations.

Building, Height of - The vertical distance measured from the average grade of the building level of the highest and lowest elevations of the site covered by the building to the top of the roof or parapet of the highest story.

Building, Principal - A building in which is conducted the main use of the lot on which said building is located.

Bus Depot - A building or premises where commercial motor vehicles pick up and discharge fare-paying, passengers. Accessory uses may include ticket offices, luggage checking facilities and similar uses.

Business Sign - A sign which directs attention to a business or profession conducted or to a commodity, service, or entertainment sold or offered upon the premises on which such sign is located or to which it is affixed. See also on-site and off-site signs.

Camper - See Travel Trailer.

Campground - Any premises where two (2) or more camping units are parked or placed for camping purposes, or any premises used or set apart for supplying to the public camping space for two (2) or more camping units for camping purposes, which include any buildings, structures, vehicles or enclosures, uses or intended for use or intended wholly, or in part, for the accommodation of transient campers.

Camping Unit - Any vehicle, tent, trailer or portable shelter used for camping purposes.

Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not; the seeds thereof; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds. The term does not include fiber produced from the mature stalks of the plant, or oil or cake made from the seeds of the plant, or the resin when extracted from any part of the plant or cannabidiol in a drug product approved by the United States Food and Drug Administration. The term does not include the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis. **(Amended October 21, 2021)**

Cannabis, Allowable amount: **(Amended November 4, 2021)**

- a. Three ounces of cannabis or less;
- b. A quantity of cannabis products with an equivalent cannabis weight as established by rules promulgated by the department under § 34-20G-72;
- d. If the cardholder has a registry identification card allowing cultivation, three cannabis plants minimum or as prescribed by physician; and
- e. If the cardholder has a registry identification card allowing cultivation, the amount of cannabis and cannabis products that were produced from the cardholder's allowable plants, if the cannabis and cannabis products are possessed at the same property where the plants were cultivated;

Cannabis Cultivation Facility: a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment. **(Amended October 21, 2021)**

Cannabis Dispensary: a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials. **(Amended October 21, 2021)**

Cannabis Establishment: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary. **(Amended October 21, 2021)**

Cannabis Establishment, Non-licensed: an entity which would otherwise meet the definition of a cannabis establishment but which is not legally licensed. **(Amended October 21, 2021)**

Cannabis product- any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof, and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils and tinctures. **(Amended November 4, 2021)**

Cannabis Product Manufacturing Facility: a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary. **(Amended October 21, 2021)**

Cannabis Testing Facility: a legally licensed entity legally authorized to analyze the safety and potency of cannabis. **(Amended October 21, 2021)**

Cardholder - a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card **(Amended November 4, 2021)**

Car Wash - An establishment having facilities for washing motor vehicles by production line methods which may include a conveyor system or similar mechanical devices. This definition may also include a self-service operation.

Casino - A room or rooms in which legal gaming is conducted.

Cellar - A portion of a building between two floor levels which is partly or wholly underground and which has more than one-half ($\frac{1}{2}$) of its height, from finished floor to finished ceiling or to the underside of the floor joists of the story next above, as the case may be, below the average finished grade level adjacent the exterior walls of the building.

Cemetery - Land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

Church - A building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship.

Clinic - A building or part of a building used solely for the purpose of consultation, diagnosis and treatment of patients by one or more legally qualified physicians, dentists, optometrists, podiatrists, chiropractors, or drugless practitioners, together with their qualified assistants, and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associate with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

Club - A building owned, leased, or hired by a non-profit association of persons the use of which is generally restricted to due-paying members and their guests. Such club may periodically be rented, or leased, to non-members for gathering such as weddings, anniversaries, and dances, but no portion of the building shall continuously be used for business purposes.

Common Wall - A wall common to but dividing contiguous buildings; such a wall contains no openings and extends from its footing below the finished ground grade to the height of the exterior surface of the roof **(Amended October 18, 2022)**

Company - For purposes of this ordinance the term, “company” includes, but is not limited to, any corporation, partnership, limited liability company, limited liability partnership, limited partnership, business trust and any other business entity.

Comprehensive Plan - Any legally adopted part or element of the Yankton County Comprehensive Plan.

Commissioners - the Yankton County Board of County Commissioners (**Amended November 4, 2021**)

Concentrated Animal Feeding Operation (CAFO): An animal feeding operation that is previously defined meets one or more of the following criteria: (**Amended August 19, 2021**)

1. Contains at least 500 animal units
2. Utilizes a Liquid Manure System (see definitions)
3. Utilizes environmentally controlled housing where the animals are contained in a thermostatically controlled environment
4. Discharges pollutants into waters of the state through man-made ditch, flushing system, or other similar man-made device
5. Discharges pollutants directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in operation

Concentrated Animal Feeding Operation (CAFO) Existing: Concentrated animal feeding operations in existence prior to the effective date of this ordinance or any subsequent amendment of applicable Articles or Sections. (**Amended August 19, 2021**)

Concentrating Solar Thermal Devices (CST's): CST technologies use mirrors to reflect and concentrate sunlight onto a receiver. The energy from the concentrated sunlight heats a high temperature fluid in the receiver.

Conditional Use - A conditional use is a use that would not be appropriate, generally or without restriction, throughout the zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as conditional uses, if specific provision for such conditional use is made in this Ordinance.

Congregate Housing - Housing units that provide a semi-independent living environment, which offers residential accommodations, central dining facilities (where at least one (1) meal a day is provided seven (7) days a week), related facilities, and supporting staff and services to persons of at least sixty-two (62) years of age or with disabilities.

Construction Services - A yard, structure, or combination thereof of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or

assembly work but does not include any other yard or establishment otherwise defined or classified herein.

Contiguous - Next to, abutting, or touching and having a boundary, or portion thereof, which is adjoining.

Contractor - The person who contracts with an individual or developer to construct a building on a parcel of land prepared by a developer.

Convenience Store - A retail store in which articles for sale are restricted to gasoline sales and a limited range of food items such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy. Retail sales may also include the limited sale of magazines, books, house wares, toiletries, bait, alcoholic beverages and tobacco.

Court - Any open space, unobstructed from ground to sky, other than a yard, that is on the same lot with and bounded on two or more sides by the walls of a building.

Covenant - An agreement, convention, or promise of two or more parties, by deed in writing, signed and delivered, by which either of the parties pledges himself to the other that something is either done, or shall be done, or shall not be done. The term is currently used primarily with respect to promises in conveyance or other instruments relating to real estate.

Cul-de-sac - A local right-of-way with only one outlet that terminates in a vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic turnaround.

Cultivation facility - an entity registered with the department pursuant to this chapter that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a medical cannabis establishment. **(Amended November 4, 2021)**

Day Care - The providing of care and supervision of children or adults as a supplement to regular parental or home care, without transfer of legal custody or placement for adoption, with or without compensation, on a regular basis for a part of a day.

Day Care Center - Any type of group day care programs including nurseries for children of working parents, nursery schools for children under minimum age for education in public schools, parent cooperative nursery schools, playgroups for pre-school children, programs covering after-school care for school children provided such establishment is licensed by the State and conducted in accordance with State requirements.

Day Care, Family - The provision of regular care and supervision of no more than twelve (12) children including the provider's own children who are under the age of six (6) years for part of a twenty-four (24) hour period as a supplement to regular parental care.

Day Care, Group Family Home - The provision of regular care and supervision of thirteen (13) to twenty (20) children either in the provider's home or in a facility outside the provider's home for part of a twenty-four (24) hour period as a supplement to regular parental care.

Debilitating medical condition – (Amended November 4, 2021)

- a. chronic or debilitating disease or medical condition or its treatment that produces one or more of the following: cachexia or wasting syndrome; severe, debilitating pain; severe nausea; seizures; or severe and persistent muscle spasms, including those characteristic of multiple sclerosis; or
- b. Any other medical condition or its treatment added by the department, as provided for in SDCL 34-20G-26;

Deck - A structure abutting a dwelling with no roof or walls except for visual partitions and railings that is constructed on piers or a foundation above-grade for use as an outdoor living area.

Department - the Department of Health (Amended November 4, 2021)

Designated caregiver - a person who: (Amended November 4, 2021)

- a. Is at least twenty-one (21) years of age;
- b. Has agreed to assist with a qualifying patient's medical use of cannabis;
- c. Has not been convicted of a disqualifying felony offense; and
- d. Assists no more than five (5) qualifying patients with the medical use of cannabis, unless the designated caregivers' qualifying patients each reside in or are admitted to a health care facility or residential care facility where the designated caregiver is employed

Developer - The owner of the property being platted or replatted or the person designated by the owner as being responsible for the development of the property. The terms "subdivider" and "developer" are synonymous and used interchangeably, and shall include any person, partnership, firm, association, corporation and/or any officer, agent, employee and trustee thereof who does or participates in the doing of any act toward the subdivision of land within the intent, scope and purview of this Ordinance. The developer shall also be defined as the builder or contractor if they are responsible for the construction of buildings and/or structures or permanent improvements.

Directional Sign - A sign erected for the convenience of the public, such as directing traffic movement, parking or identifying restrooms, public telephones, walkways and other similar features or facilities and bearing no advertising in the message.

Disqualifying felony offense - a violent crime that was classified as a felony in the jurisdiction where the person was convicted. (Amended November 4, 2021)

Domesticated Large Animals - Any animal that through long association with man, has been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation or other attributes of the species to an extent that makes it unique and different from wild individuals of its kind. For the purpose of this ordinance the definition shall include,

but is not limited to, animals commonly raised on farms and ranches, such as cattle, horses, hogs, sheep, and mules.

Dormitory - A building or part of a building operated by an institution and containing a room or rooms forming one or more habitable units which are used or intended to be used by residents of the institution for living and sleeping, but not for cooking or eating purposes.

Double Faced Sign - An off-site or on-site sign with two adjacent faces oriented in the same direction and not more than 10-feet apart at the nearest point between the two faces.

Drive-in Restaurant or Refreshment Stand - Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

Due Diligence - Such a measure of prudence, activity, or assiduity, as is properly to be expected from, and ordinarily exercised by, a reasonable and prudent man under the particular circumstances; not measured by any absolute standard, but depending on the relevant facts of the special case.

Dwelling - A building or portion of a building designed for residential purposes, including one and two family dwellings, but not including hotels, motels or lodging houses.

Dwelling Unit - A room or suite of rooms designed for and occupied by one family and having not more than one kitchen facility.

Dwelling, Efficiency Unit - A dwelling unit having only one room exclusive of bathroom, kitchen, laundry, pantry, foyer, communicating corridor, closets, or any dining alcove. An efficiency unit shall be permitted in a multi-family dwelling.

Dwelling, Multiple Family - A residential building designed for, or occupied by, three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single Family - A detached residential dwelling unit other than a manufactured home designed for or occupied by one (1) family only.

Dwelling, Two Family - A building containing two dwelling units designed exclusively for occupancy by two families living independently of each other.

Easement - Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of their property. For the purposes of this Ordinance the term shall primarily be used to describe utility access.

Edible cannabis products - any product that: **(Amended November 4, 2021)**

- a. Contains or is infused with cannabis or an extract thereof;

- b. Is intended for human consumption by oral ingestion; and
- c. Is presented in the form of foodstuffs, beverages, extracts, oils, tinctures, or other similar products;

Employee(s) - In regard to off right-of-way parking requirements, all who work in the enterprise, including owners.

Enclosed, locked facility - any closet, room, greenhouse, building, or other enclosed area that is equipped with locks or other security devices that permit access only by a cardholder or a person allowed to cultivate the plants. Two or more cardholders who reside in the same dwelling may share one enclosed, locked facility for cultivation. **(Amended November 4, 2021)**

Exhibition Areas - A building, group of buildings, or place where art, objects, articles, or livestock or agricultural projects are placed on display for the public.

Extraterritorial Zoning Jurisdiction - The area illustrated within the Official Zoning Map of Yankton County ~~not exceeding one (1) mile in width immediately adjoining the City of Yankton, as described per Article 1 Section 103 Jurisdiction.~~

Facility - A building, piece of land or any combination thereof owned and operated by the same owner and dedicated to a specific use or uses. The term shall include those operations where indoor and outdoor activities may be conducted in concert and are integral or compliment the operation as a whole. An example may be an automobile dealership with office spaces, a small indoor display area, separate maintenance facility, and an outdoor display area.

Fairground - An agricultural fairground where farm produce is on display for judging and for sale, and livestock shows, horseracing and other sports events are held and on occasion for auctions, flea markets and concession stands.

Family - Any number of individuals living together as a single housekeeping unit, in which not more than five (5) individuals are unrelated by blood, marriage or adoption. This definition shall not include foster families as regulated by the State.

Farm Building - All buildings and structures needed in agricultural operation. **(Amended July 20, 2021)**

Farm Drainage Systems - The term shall include all waterways, ditches, flood control, watershed, and erosion control structures and devices provided each individual system or structure comply with the applicable local, state, and federal regulations.

Farm Occupation - A business activity customarily carried out on a farm by a member of the occupant's family without structural alterations in the building or any of its rooms, without the installation or outside storage of any machinery, equipment or material other than that customary to normal farm operations, without the employment of more than two (2) persons not residing in

the home, which does not cause the generation of additional traffic in the area. Farm occupations include, but are not limited to, seed sales and custom combining support facilities.

Farm Unit - All buildings and structures needed in an agricultural operation, including dwellings for owners, operators, and other family members.

Farm, Hobby - An activity carried out in rural residential areas, which includes the planting, cultivating, harvesting and storage of grains, hay or plants, fruits, or vineyards. The raising and feeding of livestock and poultry shall be considered as part of a hobby farm if the area, in which the livestock or poultry is kept, is one (1) acre or more in area for every one (1) animal unit, and if such livestock does not exceed ten (10) animal units.

Farm, Ranch, Orchard - An area of unplatted land, which is used for growing usual farm products, vegetables, fruits, trees, and grain, and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, hogs and sheep, and including the necessary accessory uses for raising, treating, and storing products raised on the premises; but excluding an Animal Feeding Operation. The processing and storage of raw agricultural products, such as grain elevators and ethanol plants, shall not be considered a farm, ranch or orchard if such constitutes the main or principal use on the lot or parcel. **(Amended August 19, 2021)**

Farmstead - A place with empirical evidence of a previous farmstead including at a minimum foundations, structures, or a tree belt. For the purposes of this ordinance the Zoning Administrator or Planning Commission shall determine the eligibility of a farmstead as a building site as described within Section 516. **(Amended August 19, 2021)**

Fence - An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Financial Institutions - The premises of a bank, trust, finance, mortgage, or investment company.

Fireworks, Sales - A building, structure, or place where fireworks are sold, pursuant to all applicable state statutes.

Fishery - As defined by South Dakota Administrative Rules, Sections 74:51:02:02 and 74:51:02:03 (January 17, 1999). Yankton County as described in Section 74:51:02:68.

- Lakes Marindahl and Yankton (Section 74:51:02:03(4)) are warm water permanent fish life propagation waters;
- State or Beaver Lake and Westside Kid's Pond (Section 74:51:02:03(6)) are warm water marginal fish life propagation waters.
- The Missouri River (Section 74:51:03:05(1,4,7,8,11)) is a domestic water supply, warm water permanent fish life propagation waters, immersion recreation waters, limited contact recreation waters, and commerce and industry waters.
- James River (Section 74:51:03:20(5,8)) is a warm water semi permanent fish life propagation waters and limited contact recreation waters;

- Beaver Creek, Mud Creek (Section 74:51:03:20(6, 8)), Clay Creek, and Turkey Creek (Section 74:51:03:25(6, 8)) are warm water marginal fish life propagation waters and limited contact recreation waters.

Flammable or Combustible Liquids, or Hazardous Material - Flammable material is any material that will readily ignite from common sources of heat, or that will ignite at a temperature of 600° F or less. Flammable liquid is any liquid having a flash point below 100°F and having vapor pressure not exceeding forty (40) pounds per square inch (absolute) at 100°F. Combustible liquid is any liquid having a flash point at or above 100°F. Hazardous material includes any flammable solids, corrosive liquids, radioactive materials, oxidizing materials, highly toxic materials, poisonous gases, reactive materials, unstable materials, hyperbolic materials, pyrophoric materials, and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means.

Flood or Flooding - A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of wetlands, lakes, streams, tributaries, or other water bodies; and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM) - The official map issued by the Federal Insurance Administration where the areas of special flood hazard have been designated Zone A.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without an accumulative increase in the water surface.

Food Product Processing Facility - A commercial establishment in which food or food-related products are processed, packaged, or otherwise prepared for human consumption but not consumed on the premises.

Footprint - The land area covered or occupied by a building and a facility as defined herein. The term shall also include any land area dedicated to a use such as outdoor storage or any area utilized for storage, display, or livestock confinement as part of or in support of the building or use.

Game Farm - An area of five (5) acres or more, which is used for producing hatchery, raised game and non-domestic animals for sale to private shooting preserves.

Game Lodge - A building or group of detached, or semi-detached, or attached buildings occupied or used as a temporary abiding place of sportsmen, hunters and fishermen, who are lodged, with or without meals, and in which there are more than two (2) sleeping rooms.

Gaming Device or Gaming Equipment - Any mechanical contrivance or machine used in connection with gaming or any game.

Gaming or Gambling - The dealing, operating, carrying on, conducting, maintaining, or exposing for pay of any game.

Gaming or Gambling Establishment - Any premises wherein or whereon gaming is done.

Garage - An accessory building or portion of a building including a carport which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to the residential occupancy and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

Garage, Public - A building or portion thereof used for the housing or care of motor vehicles for the general public or where such vehicles are equipped or repaired for remuneration or kept for hire or sale. This may include premises commonly known as “gasoline stations” or “service stations”.

Gasoline Station - Any area of land, including structures thereon, that is used for the sale of gasoline or other motor vehicle fuel, and oil or other lubrication substances; and which may include facilities used or designed to be used for polishing, greasing, washing, spraying, dry cleaning, or otherwise cleaning such vehicles.

Golf Course - A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, driving ranges, and miniature golf courses, and similar uses.

Grain Elevator - Grain storage facilities, which are the principal and primary use of the lot. Said facilities are generally equipped with devices for housing and discharging significant quantities of grain. This definition does not include normal farm product storage and warehousing facilities such as grain bins and where such storage is an accessory use to the parcel.

Grandfather - For the purposes of this ordinance the term “grandfather” shall be defined as a lay term used to describe structures, land uses, facilities, operations or similar activities in existence prior to adoption of the zoning ordinance. The term is generally applied to uses not allowed or further regulated within the new ordinance. The act or condition of grandfathered is more fully addressed in the nonconforming Article herein.

Greenhouse, Commercial - A building for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail.

Group Home - See Residential Care Facility.

Highway - Every way or place of whatever nature open to the public, as a matter of right, for purposed of vehicular travel, is a highway. The term “highway” shall also include private access easements and roadways.

Home Occupation - A business activity customarily carried on in the home by a member of the occupant's family without structural alterations in the building or any of its rooms, without the

installation or outside storage of any machinery, equipment or material other than that customary to normal household operations, without the employment of more than two (2) persons not residing in the home, which does not cause the generation of traffic in excess of that experienced on an average right-of-way of similar design, noise, electrical interference, fumes, odors, etc.

Horticulture - The science or art of cultivating fruits, vegetables, flowers, and plants.

Horticulture Sales - The on-site retail sale of farm produce, floral, fauna, or similar items. The majority of the produce sold shall be seasonal in nature and grown on-site. An exception may be a cooperative venture between numerous producers.

Hospital - An institution devoted primarily to the operation of facilities of the diagnosis, treatment, and cure of disease, illness, injury, or other abnormal physical conditions with provisions for keeping patients overnight.

Hotel - An establishment of transient guests having sleeping rooms without individual cooking facilities for more than six (6) persons for compensation and may or may not provide meals.

Interchange - A grade-separated intersection with one (1) or more direct connections for vehicular travel between the intersecting right-of-ways.

Irrigation Systems - This term shall include all canals, ditches, piping, center pivot, and other methods utilized to irrigate cropland. This term does not include systems designed to land apply waste or water from animal feeding operations as defined herein. All irrigation systems shall comply with local, state, and federal regulations.

Junkyard - A place where non-recyclable waste, having no economic values, or waste, which is recyclable, but has no chance of being recycled is deposited.

Kennel - Any place where more than twenty (20) dogs, cats, or other domesticated animals of breeding age are housed, groomed, bred, boarded, trained, harbored, kept, or sold for commercial purposes.

Lagoon - Any pond, basin, or other impoundment made by excavation or earthen fill for storage or treatment of human sewage or animal waste.

Landing Strip - A strip of ground used or capable of being used for the landing and take-off of aircraft.

Loading Area - A completely off right-of-way, space, or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public right-of-way.

Loading Space, Off Right-of-Way - Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off right-of-way loading space is not to be used as off right-of-way parking space in computation of required off right-of-way parking space.

Locker - A meat processing plant and any other facility where meat, poultry or eggs are cooked, cured, smoked, or otherwise processed or packed, provided that all activities are carried out indoors. This term shall not include a delicatessen, stockyard, slaughterhouse, tannery, a poultry killing establishment, an animal food factory, or an animal by-products plant.

Lot - For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public right-of-way, or on an approved private right-of-way, and may consist of a single lot of record; a portion of a lot of record; a combination of complete lots of record, of complete lots of record and portions of lots of record, a parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this ordinance.

Lot Coverage - The percent of the area of a lot occupied by buildings, or structures, including accessory building or structures.

Lot Depth - The average horizontal distance between the front and rear lot lines.

Lot Frontage - The portion of the lot nearest the right-of-way; for the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to right-of-ways shall be considered frontage, and yards shall be provided as indicated under “Yards” in this ordinance.

Lot Frontage, Pie Shaped - A lot usually abutting a cul-de-sac. For the purpose of determining frontage, said distance shall be measured perpendicularly to the said lot lines at a point thirty (30) feet from the front line.

Lot Line - The legally defined limits of any lot.

Lot, Corner - A lot situated at the intersection of two (2) right-of-ways, the interior angle of such intersection not exceeding one hundred thirty five (135) degrees.

Lot, Double Frontage - A lot having frontage on two (2) non-intersecting right-of-ways, as distinguished from a corner lot.

Lot Line, Exterior - The side lot line, which abuts the right-of-way on a corner lot.

Lot Line, Rear - The lot line or point of intersection of the side lot lines farthest from and opposite the front lot line.

Lot Line, Side - A lot line other than a front or rear lot line.

Lot of Record - A lot which is part of a subdivision recorded in the office of the County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so

recorded. For the purposes of this Ordinance, a legally transacted parcel prior to adoption may be considered as a lot of record.

Lot Width - The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth or the same distance measured at the front building line.

Lot, Corner - A corner lot is defined as a lot located at the intersection of two (2) or more right-of-ways. A lot abutting on a curved right-of-way(s) shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

Lot, Interior - An interior lot is defined as a lot other than a corner lot with only one frontage on a right-of-way.

Lot, Through - A through lot is defined as a lot other than a corner lot with frontage on more than one right-of-way. Through lots abutting two right-of-ways may be referred to as double frontage lot.

Lot, Reversed Frontage - A reversed frontage lot is defined as a lot on which the frontage is at right angles or approximately right angles, interior angle less than one hundred thirty-five (135) degrees, to the general pattern in the area. A reversed frontage lot may also be a corner or a through lot.

Main Building – A building in which is conducted the primary or predominant use of the lot on which it is located. **(Added June 21, 2022)**

Major Road Plan - The Transportation Plan in the Yankton County Comprehensive Plan.

Major Recreational Equipment - Major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches, designed to be mounted on automotive vehicles, motorized dwellings, tent trailers, and the like, and case or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Manufactured Home - A moveable or portable dwelling which is eight (8) feet or more in width and thirty-two (32) feet or more in length, constructed on a chassis, and which is designed to be towed, designed for year-round occupancy, primarily to be used without a permanent foundation, but which may sit on a permanent foundation, and designed to be connected to utilities. It may consist of one or more units, separately transportable, but designed to be joined together into one integral unit. Manufactured homes are built according to the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

Manufactured homes are not mobile homes.

The following shall not be included in this definition:

1. Travel trailers, pickup coaches, motor homes, camping trailers, or other recreational vehicles.
2. Manufactured modular housing which is designed to be set on a permanent foundation, and which uses standard sheathing, roofing, siding, and electrical,

plumbing, and heating systems.

Manufactured Home Park - A parcel of land under single ownership, which has been planned and improved for the placement of, manufactured homes for non-transient use.

Manufacturing - The use of land, buildings or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale of any goods, substance, article, thing or service.

Manufacturing Light - The use of land, buildings or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale of any goods, substance, article, thing or service. Light manufacturing shall have no more than ten employees.

Manure System Definitions: (Amended August 19, 2021)

1. Solid Manure System – Any style of manure not conforming to the definition of “Liquid Manure”. Example systems include floor-raised poultry, deep-bedded housing systems, and dry lots. Vast majority (>90%) of excreted manure will be maintained in form that can be handled with a front-end loader and stacked without seepage under normal operating conditions. Example systems include floor-raised poultry, deep-bedded housing systems, and drylots
2. Liquid Manure System – Vast majority (>90%) of excreted manure will be stored in a form that – with or without agitation/mixing – can be handled with a common centrifugal pump under normal operating conditions. Example systems include slatted floor facilities and facilities where manure can be transferred via gravity.

Massage Establishment - Any premises or part thereof where massages are given, offered or solicited in pursuance of a trade or calling, business or occupation provided that the service is rendered by a person duly trained, licensed and registered under the appropriate statute.

Medical use - includes the acquisition, administration, cultivation, manufacture, delivery, harvest, possession, preparation, transfer, transportation, or use of cannabis or paraphernalia relating to the administration of cannabis to treat or alleviate a registered qualifying patient’s debilitating medical condition or symptom associated with the patient’s debilitating medical condition. The term does not include: **(Amended November 4, 2021)**

- a. The cultivation of cannabis by a nonresident cardholder;
- b. The cultivation of cannabis by a cardholder who is not designated as being allowed to cultivate on the card holder’s registry identification card; or
- c. The extraction of resin from cannabis by solvent extraction unless the extraction is done by a cannabis product manufacturing facility

Mobile Home - A transportable, factory-built home, designed to be used as a year-round residential dwelling and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

Modular Home - A structure or building module that is manufactured at a location other than the site upon which it is installed and used as a residence; transportable in one or more sections on a temporary chassis or other conveyance device; and to be used as a permanent dwelling when installed and placed upon a permanent foundation system. This term includes the plumbing, heating, air conditioning, and electrical systems contained within the structure.

Motel - A group of attached or detached buildings on the same lot containing sleeping quarters for rental to transients.

Motor Vehicle Track or Play Area - An area of land utilized for the racing or recreational riding of motor vehicles with or without a defined area or track. The term may include a racetrack with spectators and an established racing affiliation or a day use area utilized by a club, group, or independent individuals. A motor vehicle may include cars, trucks, motorcycles, all-terrain vehicles or similar items. **(Amended May 19, 2020)**

Museum - A building or buildings used, or to be used, for the preservation of a collection of paintings and/or other works of art, and/or of objects of natural history, and/or of mechanical, scientific and/or philosophical inventions, instruments, models and/or designs and dedicated or to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other offices and premises used or to be used in connection therewith.

Navigable Waters - A body of water presently being used or is suitable for use for transportation and commerce, or if it has been so used or was suitable for such use in the past, or if it could be made suitable for such use in the future by reasonable improvements.

Nonconforming Lot - A lot of record existing on the date of passage of this ordinance which does not have the minimum width or contain the minimum area for the zone in which it is located.

Nonconforming Structure - A lawful structure which exists on the date of passage of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yard setbacks, or other characteristics of the structure.

Nonconforming Use - A land use or building or structure or portion thereof lawfully existing at the effective date of this ordinance or at the time of any amendment thereto, which does not conform to the regulations of the zone in which it is located.

Nonresident cardholder - a person who: **(Amended November 4, 2021)**

- a. Has been diagnosed with a debilitating medical condition, or is the parent, guardian, conservator, or other person with authority to consent to the medical treatment of a person who has been diagnosed with a debilitating medical

- condition;
- b. Is not a resident of this state or who has been a resident of this state for fewer than forty-five (45) days;
 - c. Was issued a currently valid registry identification card or its equivalent by another state, district, territory, commonwealth, insular possession of the United States, or country recognized by the United States that allows the person to use cannabis for medical purposes in the jurisdiction of issuance; and.
 - d. Has submitted any documentation required by the department and has received confirmation of registration

Noxious - When used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason or destructive gas or fumes, dust, objectionable odor, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of activity in respect of any land, building or structure.

Nuisance - Any condition existing that is or may become injurious or dangerous to health or that prevents or hinders or may prevent or hinder in any manner the suppression of a disease.

Nursery, Swine - A facility confining a specific number of small and/or young swine averaging ten (10) to fifty five (55) pounds in size. **(Amended August 19, 2021)**

Nursing Home, Rest Home, Convalescent Home - A place which undertakes through its ownership or management to provide maintenance, personal, or nursing care for three or more persons who by reason of illness, physical deformity, or old age are unable to care for themselves.

Obstruction - Any structure or vegetation that blocks the complete vision of people.

Off-Site Sign - A sign/billboard that advertises goods or services not available at the location of the billboard or advertising sign.

Office - A building or part thereof, designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or, where not conducted on the site thereof, the administration of an industry, but shall not include a retail commercial use, any industrial use, clinic, financial institution or place of amusement or place of assembly.

On-Site Sign - A sign identifying an establishment's activities, products or services conducted or available on the property upon which it is located and signs advertising the sale or lease of the property upon which they are located.

Open Sales Area - Any open land or area used or occupied for the purpose of displaying for sale new or secondhand merchandise, including but not limited to, passenger cars or trucks, farm

machinery, construction machinery, motor scooters or motorcycles, boats, trailers, aircraft, and monuments.

Outdoor Storage Area - Any open land or area used for the purpose of storage of any product or part of a product either before, during, or after manufacturing, servicing, or repairing and not displayed for retail sale. This does not include open sales areas.

Owner - The record owners of the fee or a vendee in possession, including any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided.

Ownership Line - A line defining ownership of property under one owner of record.

Parcel - A legally defined piece of property including a platted lot, legally described portion, or similarly described piece of property primarily used as an identifier within taxation.

Park - An area consisting largely of open space, which may include a recreational area, playground, or similar use but shall not include a mobile home park, a campground or trailer park.

Parking Space - An off right-of-way space available for parking of a motor vehicle and which is held to be an area for dimension of which are ten (10) feet by twenty (20) feet or which covers two hundred (200) square feet, exclusive of passageways and driveways appurtenant thereto and giving access thereto. Off right-of-way parking shall be on or adjacent to the property on which the principal use is located.

Parking Space, Off Right-of-Way - For the purposes of this ordinance, an off right-of-way parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a right-of-way and maneuvering room. Required off right-of-way parking areas for three (3) or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any right-of-way, and so that any automobile may be parked and un-parked without moving another. For purposes of rough computation, an off right-of-way parking space and necessary access and maneuvering may be estimated at three hundred (300) square feet, but off right-of-way parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the County.

Pawnshop - An establishment where money is loaned on the security of personal property pledged in the keeping of the pawnbroker.

Performance Standards –

Criterion established for the purposes of:

1. Assigning proposed land uses to proper districts; and

2. Controlling noise, odor, glare, smoke, toxic matter, aesthetics, vibration, fire/explosive hazards generated by, or inherent in, uses of land or buildings.

Permitted Use - A use by right, which is specifically authorized in a particular zoning district.

Permitted Special Use - A use allowed in a zoning district subject to the applicable restrictions of that zoning district and additionally subject to certain restrictions for that specific use. **(Amended August 19, 2021)**

Person - Any individual or group of individuals, or any corporation, general or limited partnership, joint venture, unincorporated association, or governmental or quasi-governmental entity.

Places of Assembly - Places where people gather or congregate for amusement, worship, learning, etc. This includes schools, churches, theaters, playgrounds, etc.

Place of worship - a structure where persons regularly assemble for worship, ceremonies, rituals, and education relating to a particular form of religious belief and which a reasonable person would conclude is a place of worship by reason of design, signs, or architectural or other features. **(Amended November 4, 2021)**

Plat - a map, or representation on paper, of a piece of land subdivided into lots, parcels, tracts or blocks, including roads, commons, and public grounds, if any, all drawn to scale and complete with all irrevocable offers of dedication.

Planning Commission - The Planning Commission of Yankton County. The term Planning Commission shall be synonymous with Planning and Zoning Commission and Commission, but shall not include Board of Adjustment or Zoning Board.

Planning Official: The Planning (Zoning) Administrator and his/her designee charged with the administration and enforcement of the Yankton County Zoning Ordinance.

Plaza - A public square or similar open area.

Portable Processing Plant - Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

Practitioner - a physician who is licensed with authority to prescribe drugs to humans. In relation to a nonresident cardholder, the term means a person who is licensed with authority to prescribe drugs to humans in the state of the patient's residence. **(Amended November 4, 2021)**

Principal Use - The main use of land or structures as distinguished from a secondary or accessory use.

Private Recreation Area - Any open space or recreational area, other than a public park, owned and operated or maintained in whole or in part for profit by a private individual(s), club or fraternal organization for members only, and may include therein one or more of the following activities: swimming, boat facilities, picnic area, tennis courts, outdoor skating rinks, athletic fields, walking, riding and cross-country skiing, snowmobiling, but does not include the racing of animals, motor vehicles, motorcycles or snowmobiles.

Private Shooting Preserves - An acreage of at least one hundred and sixty (160) acres and not exceeding one thousand two hundred and eighty (1,280) acres either privately owned or leased on which hatchery raised game and/or larger game is released for the purpose of hunting, for a fee, over an extended season.

Property Line - The division between two parcels of land, or between a parcel of land and the right-of-way.

Public - Promotion of a public cause or service, including utilities having a franchise from Yankton County or other governmental entity, but excluding other for-profit organizations.

Public Building - Any building which is owned, leased, primarily used, and/or primarily occupied by a school district or municipal, county, state, or federal government, or any subdivision or agency of the school district, municipal, county, state, or federal government.

Publicly Traded Company - For purposes of this Ordinance a “publicly traded company” means a company, the shares or other interests in which are regularly traded on the New York Stock Exchange, the American Stock Exchange, NASDAQ or similar recognized security market.

Qualifying patient - a person who has been diagnosed by a practitioner as having a debilitation medical condition. **(Amended November 4, 2021)**

Quarry - A place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial, or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

Ranch Building - See Farm Building.

Ranch Occupation - See Farm Occupation.

Ranch Unit - See Farm Unit.

Recreational Equipment - The term recreational equipment shall include boats and boat trailers, jet skis, snowmobiles, travel trailers, pick-up campers or coaches, designed to be mounted on automotive vehicles, motorized dwellings, tent trailers, and the like, and case or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Recycling Center - A building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

Registry identification card - a document issued by the department that identifies a person as a registered qualifying patient or registered designated caregiver, or documentation that is deemed a registry identification card pursuant to SDCL 34-20G-29 to SDCL 34-20G-42 inclusive.

(Amended November 4, 2021)

Remote Fuel Depots - A structure, usually unmanned, that is used for the sale of gasoline, diesel, or other motor vehicle fuel.

Rent-All Shop - A building or part of a building where residential and commercial equipment is kept for rental to the general public and includes such things as lawn and garden tools, floor cleaning equipment, masonry tools, painting and decorating equipment, moving tools, plumbing tools and power tools.

Repair Shop, Auto Body - A general industrial establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and, without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include a motor vehicle repair shop, an impounding yard, an automobile service station or a gas station.

Repair Shop, Motor Vehicle - A service commercial or general industrial establishment for the repair or replacement of parts in a motor vehicle and without limiting the generality of the foregoing, shocks, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement, but does not include an auto body repair shop, an impounding yard, an automobile service station or a gas station.

Residential Care Facility - A family home, group care facility, or similar facility for twenty-four (24) hour non-medical care of persons in need of personal services, supervision or assistance for sustaining the activities of daily living or for the protection of the individual.

Restaurant - A business establishment consisting of a kitchen and dining room, whose primary purpose is to prepare and serve food to be eaten by customers seated in the dining room.

Restaurant, Drive-In - A business establishment consisting of a kitchen, with or without a dining room, where food is prepared and packaged to eat either off the premises or within automobiles parked on the premises.

Restaurant, In-House - A private business establishment consisting of a kitchen, with or without a dining room, whose primary purpose is to prepare and serve food to be eaten by employees of the principal employer. For the purposes of this ordinance, the term “cafeteria” shall be synonymous with “Restaurant, In-House.”

Rest Home - See Nursing Homes.

Retail Sales - A building where goods, wares, merchandise, substances, articles, or items are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles, or items sufficient only to service such store.

Retail Store - A building where goods, wares, merchandise, substances, articles or items are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or items sufficient only to service such store.

Retaining Wall - A structure constructed to hold back or support an earthen bank.

Riding Stable - Any place that has more than fifteen (15) stalls or horse spaces to board, train, or provide recreational equine activities.

Right-of-Way ; ROW - An area of land that is legally described in a registered deed for the provision of public access within which there is usually a road or street. The term right-of-way shall include any defined access route or point including but not limited to public and private accesses, road easements, streets, roads, and drives other than a private drive serving a single owner.

Right-of-Way Line - A dividing line between a lot, tract, or parcel of land and the public right-of-way.

Roadside Stand - A structure having a ground area of not more than three hundred (300) square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products produced on the premises, bait, and other approved products.

Rodeo Grounds - A building or place where rodeo events such as roping and riding are done for practice or competition.

Row of Trees - Ten (10) or more trees planted in a line, separated by a distance of forty (40) feet or less.

Running Gear - The parts which allow a manufactured home to be mobile including the tires, wheels, axles, running lights, and hitch. This definition shall include all mobility items exclusive of the parts of the chassis that make up the structural integrity of the manufactured home.

Salvage Yard - The use of more than seven hundred fifty (750) square feet of open storage on any lot, portion of lot, or tract of land for the sale, storage, keeping, or for the abandonment, dismantling, or wrecking of automobiles or other vehicles, machines, or parts thereof.

Satellite Dish/Receiver - A device incorporating a reflective surface that is solid, open mesh, or bar configured and is the shape of a shallow dish or cone designed and used for the reception of television signals related back to earth from a terrestrially and/or orbital based communications satellite.

School, Boarding - A school under the sponsorship of a private agency, corporation, or religious entity, having a curriculum generally equivalent to public elementary or secondary schools, accredited by the State of South Dakota and provides room and board for its students; but excluding private trade or commercial schools. “Day Care Centers” as herein defined, shall not be considered schools as applicable to this definition.

School, Denominational or Private - A school under the sponsorship of a private agency, corporation, or religious entity, having a curriculum generally equivalent to public elementary or secondary schools and accredited by the State of South Dakota; but excluding private trade or commercial schools. “Day Care Centers” as herein defined, shall not be considered schools as applicable to this definition.

School, Public - A school under the sponsorship of a public agency providing elementary or secondary curriculum, and accredited by the State of South Dakota; but excluding private trade or commercial schools.

School, Trade or Commercial - An establishment other than an accredited or licensed public, private or denominational school, offering training or instruction in art, occupation or trade.

Screening - A continuous fence, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting, which would effectively screen the property which it encloses, and is broken only by access drives and walks.

Secondhand Shop - The use of land, or building or structure or part thereof where used goods, wares, merchandise, substances, or articles are offered or kept for sale but shall not include a pawnshop.

Security Dwelling Unit - A building or portion thereof designed for occupancy by a security employee.

Self-Storage Warehouse - A building containing separate, individual self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

Semi-Portable Agricultural Structures - Anything that requires placement on the ground for agriculture related purposes. Semi-portable agricultural structures include, but are not limited to, feed bunks, calving, lambing, or farrowing sheds, and temporary grain storage facilities.

Services - Establishments, primarily engaged in providing services for individuals, business and government establishments and other organizations, including hotels and other lodging places, establishments providing personal business, repair, and amusement services, health, legal, engineering, and other professional services, educational institutions, membership organizations, and other miscellaneous services.

Service Establishment - Establishments primarily engaged in providing services for individuals, business and government establishments and other organizations, including hotels and other lodging places, establishments providing personal business, repair, and amusement services, health, legal, engineering, and other professional services, educational institutions, membership organizations and other miscellaneous services.

Setback - The minimum horizontal distance from a lot line, to a wall of the building, exclusive of permitted projections. The setback shall be measured at right angles to such lot lines.

Shared Wall Structure – A structure that contains two (2) or more units that share common walls (known as party walls). Shared wall structures include: dwellings two family, dwellings multiple families, residential and commercial buildings. **(Amended October 18, 2022)**

Shelterbelt - Five or more rows of trees and/or shrubs that reduce erosion and protects against the effects of wind and storms.

Shelterbelt Restoration - The removal and replacement of two or more rows of trees or of trees totaling one-half acre or more, whichever is greater, in an existing shelterbelt.

Side Wall - The measurement from the highest point of the finished floor at grade to the height of the highest point of wall framing.

Sight Triangle - See “Traffic Visibility Triangle”.

Signs/Billboards - Any sign defined in this ordinance which displays or conveys any identification, description, illustration, or device illuminated or non-illuminated, which directs attention to a product, service, business activity, institution, business or solicitation, including any permanently installed or situated merchandise, or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information, with the exception of window displays.

Sign Structure - The sign face and support members that are permanently affixed to the ground or attached to a structure.

Sign - Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

1. Signs not exceeding one (1) square foot in area and bearing only property numbers, post office box numbers, names of occupants of premises, or other identification or premises not having commercial connotations;
2. Flags and insignias of any government, except when displayed in connection with commercial promotion;
3. Legal notices, identification, informational, or directional signs erected or required by governmental bodies;
4. Integral decorative or architectural feature of buildings, except letters, trademarks, moving parts, or moving lights; and

5. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

Sign, Banner - A temporary sign, which has a maximum area of twelve (12) square feet, composed of lightweight material either enclosed or not in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere (i.e., pennants, twirling signs, balloon, or other gas-filled figures, ribbons, or other similar moving devices) and intended to be displayed for a limited period of time.

Sign, Bulletin Board - An exterior sign, which has a maximum area of thirty-five (35) square feet, used by public, charitable, and religious institutions for the purpose of informing the public about activities of their organization.

Sign, Directional Off-Site - An exterior sign that is generally informational, that has a purpose secondary to the use of the primary use on a property that is not adjacent to the property on which the directional off-site sign exists. Said sign shall include only those signs placed by a political subdivision and shall include those signs standardized by the South Dakota Department of Transportation.

Sign, Directional On-Site - An exterior sign that is generally informational, that has a purpose secondary to the use of the property on which it is located, such as “no parking,” “entrance,” and “loading only.” Said sign shall conform to standards adopted or approved by the regulating public agency.

Sign, Easement and Utility - An exterior sign, which has a maximum area of five (5) square feet, used to identify the location of easements, property lines, utilities, hazards, or otherwise providing notice of restrictions on public access.

Sign, Exterior On-site - An exterior sign relating in subject to the premises upon which it is located, or to products, accommodations, services, or activities on the premises. Exterior on-site signs do not include signs erected by outdoor advertising industry in the conduct of the outdoor advertising business, such as billboards, which are off-site signs.

Sign Facing - That portion of a sign structure upon which advertising is affixed or painted and visible in one direction at one time.

Sign, Flag - Any fabric or bunting containing distinctive colors, patterns, or symbols, which has a maximum area of twenty (20) square feet and is used as a symbol of government, political subdivision, or other entity.

Sign, Ground and Monument - An exterior sign permanently attached to the ground to identify churches, schools, institutional, and public uses. Said sign may also identify a specific neighborhood by displaying the name of the tract. Ground and monument signs:

1. Are generally constructed of concrete or other masonry material;
2. Shall not exceed twenty (20) feet in height above the mean right-of-way centerline or grade;

3. Shall meet a minimum of one-half (½) of the yard requirements for the district in which it is located; and
4. Shall not exceed one hundred (100) square feet on one (1) side or two hundred (200) square feet on all sides of any one (1) premise.

Sign, Mounted Wall - A sign, which has a maximum area of one hundred (100) square feet, that is attached to or erected against a wall of a building and shall project no more than twelve (12) inches from the wall of the building. Said sign is intended to be read from directly in front of the face of the building.

Sign, Name and Address Plate - A sign, which has a maximum area of two (2) square feet, that is affixed to the side of a building informing the public as to the residents, occupation, and/or address of the building.

Sign, Off-Site - A sign other than an on-site sign. Off-site signs are conventionally know as billboards regardless of size.

Sign, Portable - Any sign, which has a maximum area of twenty (20) square feet, not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; menu and sandwich board signs. Signs attached to or painted on vehicles parked and visible from the public right-of-way shall not be included in this definition and shall be prohibited unless said vehicle is used in normal day-to-day operations of the business. Said sign is intended to be displayed for a limited period of time.

Sign, Projecting - Any sign, which has a maximum area of one hundred (100) square feet, that is affixed to a building or wall in such a manner that its face is perpendicular to the face of the building and the sign extends more than twelve (12) inches beyond the surface of such building or wall.

Sign, Real Estate - An exterior sign for the purpose of advertising the sale, rental, lease of real property. Said sign is located on the premises for sale, rental, or lease and shall be of a temporary nature and shall have a maximum area of four (4) square feet except in the Commercial, Highway Commercial, or Industrial Districts where the maximum area shall be thirty-two (32) square feet.

Sign, Roof - Any sign, which has maximum area of three hundred (300) square feet that is erected upon, against, or directly above a roof or on top of the parapet of a building.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy Conversion Systems (SECS): Solar energy conversion systems are any combination of solar panels on a parcel of property.

Start of construction – includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or are not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. **(Amended August 19, 2021)**

Street - A right-of-way established by a recorded plat to provide the primary means of access to abutting property. The term shall also include the term “road” or other similar means of conveyance or access.

Street Line - The right-of-way line of a street.

Street, Arterial - A public street or highway intended to be used primarily for fast or heavy through traffic.

Structure - Anything constructed or erected which requires location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include, but are not limited to, buildings and manufactured homes. This definition does not include semi-portable agricultural structures.

Structural Alterations - Any change in the supporting members of a structure such as bearing walls, columns, beams or girders, foundations and poles. See Building, Alterations of.

Swine Production Unit - An operation confining a specific number of female breeding age swine for the purpose of farrowing. The operation shall farrow no more than an average of one-third (1/3) of the total herd at any one time and the total herd shall not farrow more than an average of two and one-half (2 ½) times within a twelve month period. All farrowed swine shall be relocated to an off-site nursery facility, as defined by this ordinance, at approximately ten (10) pounds or said swine shall be calculated as part of the total animal units.

Tank Farm - A facility having two or more storage containers for the transfer of inorganic liquids or gases and from which wholesale sales of fuel to the public is or may be conducted.

Temporary Construction Facilities - Parcels of land or structures where construction or mining support facilities are constructed or placed at or near a job site to provide materials and support mechanisms for construction or mining projects. The term shall include but is not limited to portable offices, signage, trailers, stationary and mobile equipment, and scales. Common uses

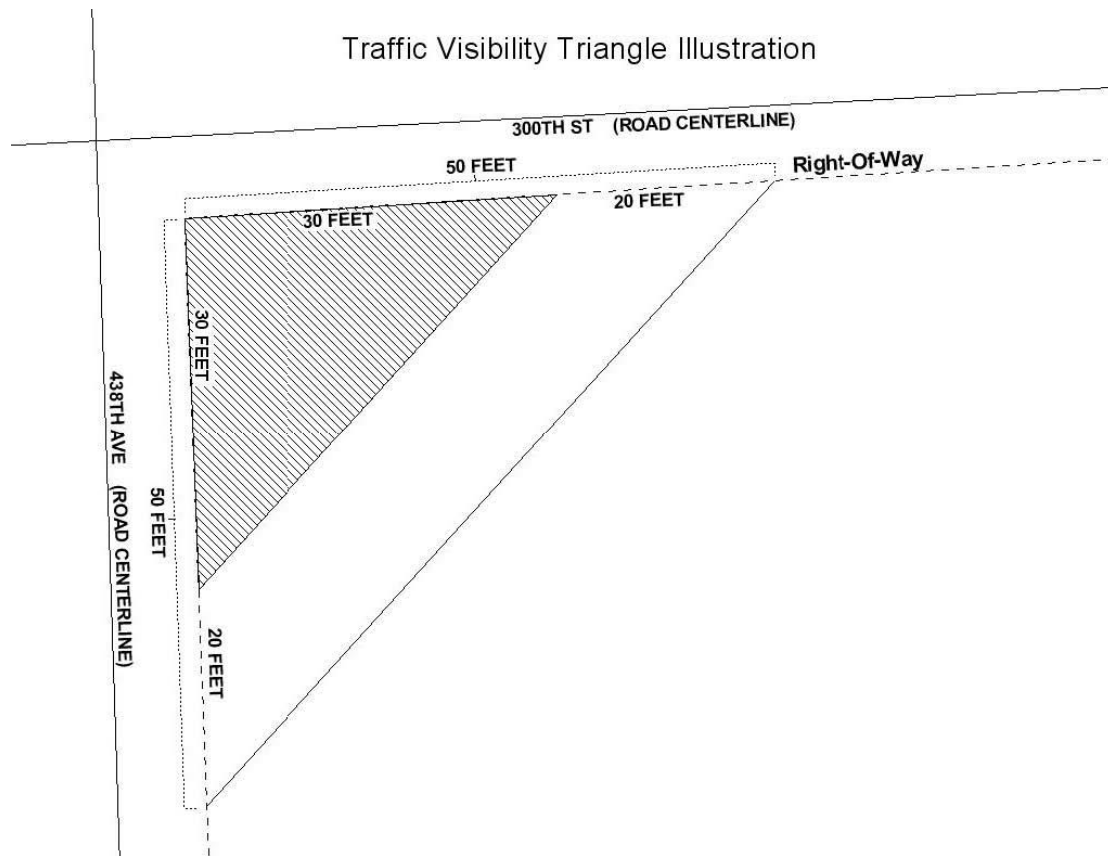
include portable concrete, processing, or asphalt plants, job site trailers, and areas for equipment parking, material storage or stockpiling. The term temporary shall be flexible yet is generally tied to a related construction project with defined start-up and completion times.

Temporary Signs - Signs and sign structures that are temporary in nature used in conjunction with a specific event, that are placed or erected in such a manner to be easily removed from the property and are not permanently affixed. All political signs shall be considered temporary signs. Temporary signs shall not exceed 32 square feet in size.

Thrift Shop - A shop operated by a charitable organization, which sells, donated used merchandise only. All such merchandise shall be displayed and/or stored in an enclosed building.

Tower - A structure situated on a nonresidential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for governmental dispatch communications.

Traffic Visibility Triangle - The triangular space formed by the right-of-way lines of a corner lot and driveways with a line drawn from a point in one right-of-way line to a point in the other right-of-way line, each such point being thirty (30) feet from the point of intersection of the right-of-way lines (measured along the right-of-ways lines). Where the two (2) right-of-way lines do not intersect at a point, the point of intersection of the right-of-way lines shall be deemed to be the intersection of the projection of the right-of-way lines or the intersection of the tangents to the right-of-way lines. In the case of arterial highways intersecting with other arterial highways or railways, the distances establishing the sight triangle shall be increased to fifty (50) feet.



Trailer Park - This definition shall include the following existing trailer courts or parks:

1. Country Acres, legally described as LT C exc LTS H2 & all LT D lane's S/D;
2. Country Liven', legally described as Lot A NE4 SW4 10-93-55;
3. Country View, legally described as LT A & S2 LT B & W30' N2 NE4 NE4 16-93- 55;
4. Sunrise, legally described as Parcel C LT 2 NE4 less LTS H1 & H2 16-93-55;
5. Hansen's Court, legally described as LT D N2 NE4 NE4 less Lot H1 16-93-55;
6. Lakeside Court, legally described as Lakeside SE4 SE4 (10.66 A) 16-93-56;
7. Crosley Court, legally described as Lot 4 truck/trailer S/D 15-93-55;
8. Blue Shak Rentals, legally described as Vera Van Epps Add'n exc Lot H1 & H2 SW4 NW4 (2.47 a) 3-93-55;
9. Marquardt's Trail Acres, legally described as Lots 2-4 trail acres Lot G of Gov LT 1 1- 93-55;
10. Lakeview, legally described as LTS F1 & F2 Fitzgerald Park & E6' W150' orig.

Fitzgerald Park 17-93-56;

11. Black Walnut, legally described as N2 N2 NE4 exc Parcels 17-93-56;

12. Shreve's, legally described as Parcel A LT 5 NW4 SE4 3-93-55;

13. Eastwinds, legally described as Blk 1 Edna's Add'n & Par A W2 SW4 SE4 10-93-55;

14. Country Manor Estates, legally described as LT 2, ex W170' & NW4 NW4 exc E417.4' & S417.4' W482.2' S220' N578.7' & Parcel C exc W170' NW4 NW4 16-93-55; and

15. Larson's Landing, legally described as E2 LT 2 Shore Acres 27-93-56.

Travel Trailer - A moveable vehicle with wheels designed or used as living and sleeping quarters or for recreation or business purposes, and such vehicles that have not had the wheels removed. Including campers, recreation vehicles, and trailer coaches.

Truck or Equipment Terminal - A building, structure or place where six (6) or more commercially licensed trucks are rented, leased, kept for hire, stored, or parked for compensation, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include warehouse space.

Use - Use shall mean the purpose for which a lot or a building or structure, or any portion thereof, is designed, arranged, intended, occupies, or maintained, and "used" shall have a corresponding meaning.

Utility Facilities - Any above-ground structures or facilities, other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities, owned by a governmental entity, a nonprofit organization, a corporation, a private citizen, or any entity defined as a public utility for any purpose and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. **(Amended August 19, 2021)**

Variance - A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for area and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining district or because of conditions created by the landowner.

Veterinary Clinic - A building or part of a building used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention. Such clinics may or may not provide long-term lodging for ill or unwanted animals, or lodging for healthy animals on a fee basis. No outside runs, pens, or facilities shall be permitted.

Veterinary Service - Shall be defined as a veterinary clinic except that outside pens and runs are allowed.

Video Rental Shop - The use of land, building or structure for the purpose of renting video cassette recorders and/or video disc players and/or the rental of video tapes and/or discs.

Vision Clearance - An unoccupied triangular space at the intersection of right-of-ways with other right-of-ways or at the intersection of right-of-ways with railroads. See Traffic Visibility Triangle.

Warehouse - A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, or articles and may include facilities for a wholesale or retail commercial outlet, but shall not include facilities for a truck or transport terminal or yard.

Wholesale - The sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business even if the said trade of business is the consumer or end user of the commodity.

Wind Energy System - A structure or place, such as a wind turbine, designed and constructed to generate power for distribution to off-site users. This definition shall not include private facilities with a single tower or turbine less than seventy-five (75) feet in height and not designed for distribution of power to off-site users.

Windbreak - Any non-opaque manmade structure constructed of any material and erected adjacent to an animal feeding, calving, or other such lot of which its principal use is that of protecting livestock from the effects of the wind.

Written certification - a document dated and signed by a practitioner, stating that in the practitioner's professional opinion the patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptom associated with the debilitating medical condition. This document shall affirm that it is made in the course of a bona fide practitioner-patient relationship and shall specify the qualifying patient's debilitating medical condition. **(Amended November 4, 2021)**

Yard - An open space at grade, other than a court or plaza, between a structure and the adjacent lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward.

Yard, Front - An open, unoccupied space on a lot facing a right-of-way and extending across the front of the lot between the side lot lines; measured from the road right-of-way to the structure.

Yard, Rear - An open, unoccupied space extending across the rear of a lot from one side lot line to the other side lot line.

Yard, Side - An open, unoccupied space on the same lot with a building situated between the building and sideline of the lot and extending through from the front yard to the required rear yard. Any lot line not the rear line or a front line shall be deemed a sideline.

Zero Lot-Line – A common lot line on which a wall of a structure may be constructed.
(Amended October 18, 2022)

Zero Lot-Line Structure – A multi-family dwelling located on a single lot line that is (a) constructed as one (1) unit, (b) but is intended to be sold as separate sites and (c) otherwise meets all requirements of the zone in which it is located. **(Amended October 18, 2022)**

Zone - An area within which, in accordance with the provisions of this Ordinance, certain uses of lands, buildings, and structures are permitted and certain others are prohibited, where yards and other open spaces are required, where lot areas, building height limits, and other requirements are established, all of the foregoing being identical for the zone and district in which they apply.

Zoning Administrator - An official of the County appointed by the Chairman and confirmed by the County Commission, charged with the responsibility of administrating this ordinance.

ARTICLE 5

AGRICULTURAL DISTRICT (AG)

Section 501 Intent

The intent of Agricultural Districts (AG) is to protect agricultural lands and lands consisting of natural growth from incompatible land uses in order to preserve land best suited to agricultural uses and land in which the natural environment should be continued and to limit residential, commercial, and industrial development to those areas where they are best suited for reasons of practicality and service delivery.

Section 503 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in an Agricultural District (AG): **(Amended August 19, 2021)**

1. Agriculture;
2. Cemeteries;
3. Day cares, family;
4. Farms, ranches or orchards as defined herein;
5. Farm buildings;
6. Historic sites;
7. Horticulture;
8. Utility facilities;
9. Veterinary services;
10. Cannabis Cultivation Facility;
11. Cannabis Dispensary;
12. Cannabis Product Manufacturing Facility;
13. Cannabis Testing Facility; and
14. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

Section 505 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in an Agricultural District (AG):
(Amended June 21, 2022)

1. Accessory structures;
2. Customary water irrigation systems, other than manure irrigation equipment;
3. Farm drainage systems;
4. Home and farm occupations;
5. Roadside stands;
6. Shelterbelts;
7. Signs, banner;
8. Signs, directional on-site;
9. Signs, directional off-site;
10. Signs, easement and utility;
11. Signs, exterior off-site, pursuant to Article 14;
12. Signs, flag;
13. Signs, name and address plate;
14. Signs, on-site;
15. Signs, real estate;
16. Stock dams; and

Section 506 Permitted Special Uses (Amended August 19, 2021)

1. Dwellings, single family including modular homes pursuant to Section 516
2. Dwellings, two-family pursuant to Section 516
3. Dwellings, additional farm dwelling, in excess of one (1) pursuant to Section 516 and 1509;
4. Manufactured Homes, pursuant to Section 516 and 1509;
5. Animal Feeding Operations (AFOs) Class B pursuant to Section 519 (2) and Section 519 (3);

6. Concentrated Animal Feeding Operation, Existing are allowed a one-time expansion of 25 % over current operation size if the operation exists on an occupied farmstead of continuous property to the farmstead not to exceed 999 animal units. . The species of animals pertaining to the expansion must be that of the existing operation. Performance standards of Section 519 are applicable to the expansion with exception to the setbacks found in the *Facility Setback Chart* in Section 519(2). All DANR requirements must be met.
7. Agribusinesses are allowed on lots no smaller than five (5) acres. A deed restriction prohibiting any type of residential dwelling shall be required for agribusiness use only.

Section 507 Conditional Uses (Amended August 19, 2021)

After the provisions of this Ordinance relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in an Agricultural District (AG):

1. Agricultural, fertilizer, and chemical sales and applications;
2. Agricultural product processing facilities;
3. Aquaculture;
4. Auction yards and barns;
5. Bars;
6. Bed and breakfast operations;
7. Buying stations;
8. Churches;
9. Concentrated Animal Feeding Operations and Concentrated Animal Feeding Operation expansion over 25% of current operation size.
10. Construction services;
11. Day cares, group family home;
12. Exhibition areas;
13. Fairgrounds;
14. Fireworks sales;
15. Game farms;

16. Game lodges;
17. Golf courses;
18. Grain elevators;
19. Indoor shooting/archery ranges;
20. Kennels;
21. Landing Strips;
22. Manufacturing, light;
23. Motor vehicle tracks or play areas;
24. Manure irrigation;
25. Municipal, commercial, or residential central containment, sewage disposal, treatment, or application sites;
26. Open sales areas;
27. Outdoor shooting/archery ranges;
28. Parks;
29. Portable processing plants;
30. Private recreation areas;
31. Private shooting preserves;
32. Quarries, pursuant to Section 1515;
33. Remote fuel depots;
34. Repair shops, auto-body;
35. Repair shops, motor vehicle and equipment;
36. Riding stables;
37. Rodeo arenas;
38. Salvage yards;
39. Sanitary landfills or restricted use sites, permitted by the Department of Environment and Natural Resources (DENR);

40. Solar Energy Conversion Systems (SECS) fifty (50) kilowatts alternating current (AC) and higher, pursuant to Article 29;

41. Spreading, injection, or other application of manure or animal waste generated -from a concentrated animal feeding operation not permitted by Yankton County, shall be required to submit a waste management plan for land application of said manure within the Agricultural (AG) District. The waste management plan shall be the same as for a permitted site, pursuant to Section 519(3);

42. Temporary construction facilities; ~~and~~

43. Towers, pursuant to Article 25 & Article 26;

44. Wildlife and game production areas; and

45. Wind energy systems, pursuant to Article 26.

Section 509 Classification of Unlisted Uses

In order to ensure that the zoning ordinance will permit all similar uses in each district, the Planning Commission and Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a Agricultural District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed. The review shall be heard at a regular meeting of the aforementioned bodies and may be required to adhere to the notification requirements as described in Section 1803(3-5). **(Amended August 19, 2021)**

Section 511 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 509 shall be prohibited.

Section 513 Minimum Lot Requirements **(Amended August 19, 2021)**

1. The minimum lot area shall be twenty (20) acres;
2. The minimum lot area shall be five (5) acres for any agribusiness as defined herein, pursuant to Section 506(7);
3. The minimum lot width shall be five hundred (500) feet;
4. The Zoning Administrator may allow a smaller minimum lot requirement where an established single-family home exists or where a permit for a single-family home is requested on an existing farmstead site.

5. Lots of record, as defined herein, existing prior to adoption of this ordinance may be developed pursuant to Article 16 and as approved by the Zoning Administrator;

Section 515 Minimum Yard Requirements (Amended August 19, 2021)

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks and patios:

1. There shall be a front yard of not less than a depth of fifty (50) feet;
2. There shall be a rear yard of not less than a depth of fifty (50) feet;
3. There shall be two (2) side yards, each of which shall not be less than fifty (50) feet;
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways; and
5. Water and sewer or sanitary drainage systems shall be installed by a licensed installer and shall comply with all applicable South Dakota Department of Agriculture and Natural Resources regulations.
6. Non-conforming lots of record that are allowed to develop must meet the following setbacks: All allowable uses 50' Minimum Front Yard, 10' Minimum Side Yard and 50' Minimum Rear Yard. **(Added June 21, 2022)**

	Lot Size	Min. Front Yard	Min. Side Yard	Rear Yard
Single Family Dwelling	Under 20 Acres	50'	10'	50'
Other Allowable Use	Under 20 Acres	50'	10'	50'

Section 516 New Residence Requirements (Amended August 19, 2021)

The requirements herein apply to all new residences including but not limited to single family dwellings, two family dwellings, and modular homes.

1. Any new residence must acknowledge that any AFO and/or CAFO operation located within 1.5 miles of the new residence and that is operating at the time of the issuance of

the new residence's building permit may expand in the future without regard to setbacks from this new residence. Setbacks for already established residences still apply to expansion of these AFO and/or CAFO operations. This acknowledgement shall be attached to the building permit and include:

- a. A specific list of all operators of the AFO and/or CAFO operations which are allowed to expand without regard to this residence as noted above;
 - b. A copy of South Dakota's policy to protect agricultural operations from nuisance suits as defined in SDCL 21-10-25.1 through 21-10-25.6; Agricultural operations may include, but are not limited to, the following: the cultivation, harvesting, and storage of crops; livestock production, ground rig or aerial application of pesticides or herbicides; the application of fertilizer, including animal waste; the operation of machinery; the application of irrigation water; and other accepted and customary agricultural activities conducted in accordance with Federal, State, and County laws.
 - c. Be signed by the building permit applicant; and
 - d. A copy is given to all AFO and/or CAFO operators listed. If the AFO and/or CAFO operator sells the operation to a non-family member, this setback exemption from the new residence is not transferrable. Family members noted here include: siblings, children, grandchildren, nieces, and nephews.
2. An additional dwelling unit by definition is allowed within the farmstead upon approval of the building permit application if it is to be occupied by other members of the family, provided the property is not transacted or prepared, platted, or described for transaction; and
 3. The Zoning Administrator may allow construction of single and multi-family dwelling units not in conformance with this provision only on those lands organized as a 501(d), non-profit religious and apostolic associations as described in the United States Tax Code, Prior to issuance of a building permit or permission to proceed said entity shall file the Articles of Incorporation and other requested documentation with the Zoning Administrator. Construction activities carried on under this provision shall be in conformance with all other provisions of this ordinance.

Section 517 Traffic Visibility

1. There shall be no obstructions, such as buildings, structures, grain bins, trees, wind breaks, baled agricultural products, or other objects within fifty (50) feet from the right-of-way.
2. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
3. No perennial vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The

Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials. (**Amended August 19, 2021**)

Section 519 Concentrated Animal Feeding Operation Performance Standards (Amended August 19, 2021)

1. **Conditional Use Permit Application Requirements.** The following shall be submitted for the consideration of a Concentrated Animal Feeding Operation Conditional Use Permit:
 - a. **Site description information:**
 - i. The owners', managers', management company's or similar entities' name, address and telephone number.
 - ii. A legal description of the site and proposed 911 address for the location.
 - iii. The type and number of animals to be housed at the site.
 - iv. Site diagram of all existing and proposed buildings and structures.
 - v. Information on ability to meet designated setback requirements (Section 519(2)), including maps showing measured distances.
 - vi. Information on the types of soils at the site, and whether there are any shallow aquifers and/or 100-year floodplain designations at or within one half mile of the proposed site.
 - vii. Provide a Farm Service Agency wetland map.
 - viii. Test boring location and test boring results *may* be required. The standards utilized by the South Dakota Department of Environment and Natural Resources for soil borings shall be followed.
 - b. **A facility management plan shall include:**
 - i. The methods utilized to dispose of dead animals shall be identified and shall be in compliance with the South Dakota Animal Industry Board. Temporary dead animal storage or disposal sites shall be a screened substantially built fence to hold up to removal and prevent scavenging, and ~~or~~ located out of site from neighboring dwellings and the adjacent right-of-way.
 - ii. The methods utilized to control pests and flies.
 - iii. A screening and/or buffering section to include the planting of trees and shrubs of adequate size to control wind movement and dispersion of dust and odors generated by the facility. The applicant of any naturally ventilated or open style CAFO must plant a shelter belt of trees between the proposed CAFO and shelterbelt shall run the length of the footprint within 250' of the facility, include a minimum of five rows of trees consisting of both evergreen and deciduous species, be planted in the first year of obtaining a conditional use permit. For three consecutive years, all trees that die must be replaced within one growing season. The shelter belt must maintain 90% survivability while the conditional use permit is active.
 - iv. A *review* of Industry Best Management practices including the use of bio-filters, pit additives, urine-feces separation systems, or other odor

reduction technologies. Applicant shall identify which practices will be utilized, subject to approval of Planning Commission and Board of Adjustment.

- v. A storm water management plan shall provide adequate slopes and drainage to divert storm water from confinement areas, while providing for drainage of water from said area, thereby assisting in maintaining dryer confinement areas to reduce odor production.
- vi. Road haul routes and road maintenance agreements for both the construction and operation of the facility shall be signed by the applicant and the local road authority and included in the CUP

c. **Waste Management Plan Requirements.** An operational plan for manure collection, storage, treatment, and use shall be kept updated and implemented. The plan shall include the following:

- i. All CUP applicants must submit and receive approval for a waste management plan to the Department of Environment and Natural Resources prior to obtaining a CUP. The waste management plan will list all fields and acres that are in the waste management plan and shall include expected manure application rates.
- ii. A state general permit is required if any of the following situations are met.
 - 1 Any CAFO greater than or equal to 1000 animal units.
 - 2 A general permit is required by the South Dakota Department of Environment and Natural Resources.
 - 3 A general permit is required by Yankton County as a condition of approval.
 - 4 The proposed site is located over a mapped shallow aquifer area as depicted on the Department of Environment and Natural Resources First Occurrence of Aquifer Materials in Yankton County, SD (Refer to South Dakota Department of Agriculture and Natural Resources).
- iii. Proposed maintenance of waste facilities.
- iv. Number and size of containment areas.
- v. Timeframe for removal of manure from storage containment.
- vi. Land application process and/or methods (surface, injection, etc.).
- vii. Legal description and map, including documented proof of area to be utilized for manure application.
- viii. If the applicant does not own all of the land which will be used for the spreading of waste, the applicant shall provide an enforceable lease, easement, or other written agreement as part of the application. The length of the agreement shall be such that the CAFO has adequate time to make other alternative arrangements in the event that the existing lease, easement, or other written agreement cannot be renewed.

d. Prior to construction, such facilities shall obtain a Storm Water Permit for Construction Activities from the South Dakota Department of Environment and Natural Resources. This plan must be implemented upon the start of construction.

- e. The Yankton County Planning Commission, Board of Adjustment or the Planning Director may require additional information or conditions reasonably related to a concentrated animal feeding operation not contained in these regulations

2. **Facility Setback Requirements.** New Animal Feeding Operations and waste facilities shall be located no closer than the following regulations prescribe. The applicant(s) of an animal feeding operation may request the required setback to any residence other than the applicant, active church, business, or school be lessened. This request shall only be approved after the applicant obtains signed waivers from all property owners within the setback distance. Any authorized person, business or governmental entity that is within the setback distance may waive the setback distance. The written waiver(s) shall be permanently attached to the approved conditional use permit.

<i>Facility Setback Chart (Feet)</i>		
Class	A	B
Animal Units	500 to 10,000	200 to 499
<i>Solid Manure System*</i>		
Residence other than owner, active church, business, schools	1.98 feet per A.U. (minimum 1,320) (maximum 1.5 miles)	1,320
Municipalities	2.2 feet per A.U. (minimum 2,640) (maximum 1.5 miles)	2,640
<i>Liquid Manure System*</i>		
Residence other than owner, active church, business, schools	2.64 feet per A.U. (minimum 1,320) (maximum 1.5 miles)	1,320
Municipalities	2.64 feet per A.U. (minimum 2,640) (maximum 1.5 miles)	2,640
<i>Any Style Manure System</i>		
Public wells	1,000	1,000
Private well	250	250
Private well (operator's)	150	150
Lakes, rivers and streams	660	660
Right-of-way line	330	330
Property line delineating a change in ownership	660	660
100 year flood plain	PROHIBITED	PROHIBITED

*Operations that utilize both solid and liquid manure have a blended setback, taking into account setback distances proportional to the number of animal units of each style of manure.

Example: An operation w/1000 dry lot beef cattle and 940 AU's of finishing swine would have a setback of $(1000 \text{ AU} \times 1.98\text{ft.}) + (940 \text{ AU} \times 2.64 \text{ ft.}) = 4462'$

3. Manure application. New Animal Feeding Operations and waste facilities shall comply to the following:

- a. A review of weather conditions shall be conducted prior to application to minimize the potential for runoff and to mitigate effects upon neighboring properties.
- b. Animal waste shall be transported no further than five miles from the point of origination by equipment designed for direct application. Animal waste hauled within non-application or transportation equipment shall not be restricted as to distance. Both methods of transportation must comply with federal, state, and local load limits on roads, bridges, and other similar structures.
- c. All liquid manure shall be injected to provide for better agronomic benefits, to reduce the potential for runoff, and to minimize odor. Liquid manure may be surface applied if approved by the Department of Natural Resources for emergency discharge only. Documentation of this approval shall be maintained by the operator and be available upon request by the Planning Department.
- d. If irrigation is used for dewatering a lagoon (gray water) basin, these rules apply:
 - i. Must be used on systems that disperse the liquid no higher than 18" off the ground if no crop is actively growing on the field.
 - ii. If a crop is actively growing on the field, the liquid must then be dispersed below the crop canopy.
 - iii. No runoff or diffused spray from the system onto neighboring property or public right-of-way will be allowed.
 - iv. No irrigation shall be applied when soils are water saturated, frozen, or covered with snow, or when other soil conditions would result in waste runoff.
 - v. No irrigation over FSA designated wetlands.
 - vi. No "big gun" type irrigation systems shall be used for liquid manure or dewatering lagoons or other manure containment systems.
- e. Manure should not be applied over frozen or snow covered ground.
- f. No pipes or drag lines may be permanently installed in the public right-of-way.
- g. The producer, or agent acting on behalf of the producer, shall inspect the land application equipment, land application sites and irrigation equipment, if used, on a daily basis while land application of process wastewater or manure is occurring. This inspection is to ensure that the land application equipment is not leaking and runoff from the land application site is not occurring. If a discharge or leak is found where process wastewater or manure is reaching any surface waters of the state, flowing onto property not owned by the producer, or not included in the nutrient management plan, the producer is responsible for taking immediate steps to stop the discharge or leak and report the leak to the county zoning office, state DENR and the affected landowner. The producer shall keep documentation of these inspections so the Zoning Administrator can review them upon request or during an inspection
- h. A notification section should be formulated by the applicant. It should be a reasonable attempt is to include the names, addresses, and phone numbers of all occupied residences and public gathering places, within one-half (1/2) mile of applicant's manure application fields. The

preferred hauling and application process should be detailed and include timetables of probable application periods. Application of manure on weekends, holidays, and evenings during the warmer seasons should be avoided whenever possible. Complaints could lead to having to give 48 hour notice in advance of manure applications. Annual notification advising of an upcoming 30 day window should be given.

Manure Application Setback Chart			
	Injection or Incorporated within 24 hours	Surface Applied	Irrigated
Public wells (feet)	1,000	1,000	1,000
Private wells (feet)	250	250	250
Private wells (operator's) (feet)	150	150	150
Lakes, rivers and streams (public drinking supply) (feet)	1,000	1,000	1,000
Lakes, rivers and streams (fisheries) (feet)	250	660	660
All public road right-of-ways (feet)	10	10	100
Municipalities (feet)	660	1,000	2,640
Residence other than operator's (feet)	100	330	750

Section 520 Conditional Use Permit for an Animal Feeding Operation Not Permitted if Applicant Applies for the Permit for the Purpose of Selling, Transferring, or Brokering. (Amended August 19, 2021)

The Board of Adjustment shall not grant a Conditional Use Permit for an Animal Feeding Operation, Concentrated Animal Feeding Operation, and/or waste facility if the Applicant is applying for the Permit for the purpose of selling, transferring, or brokering the Permit.

For the purposes of this Ordinance, any sale or transfer of the Permit from the Applicant to any other person or entity within five (5) years of the date that the Permit is issued shall be considered to be prima facie evidence that such Permit was obtained for the purpose of selling, transferring or

brokering the Permit. The Board of Adjustment may hear and grant exceptions to this rule in the case of unforeseen life events that may force the sale of an operation.

Any evidence that is presented by any person that any Building Permit and/or Conditional Use Permit for an Animal Feeding Operation, Concentrated Animal Feeding Operation, and/or waste facility was sought for the purpose of selling, transferring, or brokering the Permit shall be considered by the Zoning Administrator, Planning Commission, and/or Board of Adjustment in considering a new application for Conditional Use Permit. It may be the basis for a denial or revocation of the application, building permit, and/or a conditional use permit by the Board of Adjustment.

ARTICLE 6

LOW DENSITY RURAL RESIDENTIAL DISTRICT (R1)

Section 601 Intent

The intent of Low Density Rural Residential Districts (R1) is to provide for residential uses of larger lots and other compatible uses in a pleasant and stable environment.

Section 603 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Low Density Rural Residential District (R1):

1. Day cares, family;
2. Dwellings, single-family;
3. Governmental services;
4. Horticulture;
5. Modular homes; ~~and~~
6. Utility facilities; ~~and~~
7. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

Section 605 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Low Density Rural Residential District (R1):

1. A (one) 2,000 square foot accessory building. Side wall height shall not exceed fourteen (14) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing.
2. Home occupations;
3. Signs, banner;
4. Signs, directional on-site;
5. Signs, directional off-site;
6. Signs, easement and utility;
7. Signs, flag;
8. Signs, name and address plate; and
9. Signs, real estate.

Section 607 Conditional Uses

After the provisions of this Ordinance, relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Low Density Rural Residential District (R1):

1. Accessory agricultural structures;
2. Bed and breakfasts;
3. Campgrounds;
4. Cemeteries;
5. Home based sales;
6. Greenhouses;
7. Golf courses;
8. Hobby farms;
9. Horticultural sales;
10. Kennels;

11. Manufactured homes, pursuant to Section 1507;

12. Manufacturing, light;

13. Parks;

14. Signs, off-site;

15. Swimming pools; and

16. Towers.

Section 609 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a Low Density Residential District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed. The review shall be heard at a regular meeting of the aforementioned bodies and may be required to adhere to the notification requirements as described in Section 1803(3-5).

Section 611 Prohibited Uses and Structures

All uses and structures, which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 609, shall be prohibited.

Section 613 Minimum Lot Requirements

1. The minimum lot area shall be five (5) acres; and
2. The minimum lot width shall be two hundred (200) feet.

Section 615 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks, patios, and carports:

1. There shall be a front yard of not less than a depth of thirty (30) feet, except when said lot is adjacent to or abutting a arterial or collector right-of-way then the depth shall be fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty (20) feet;
3. There shall be two (2) side yards, each of which shall not be less than ten (10) feet; and

4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.

Section 617 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. Structures, perennial, or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 7

MODERATE DENSITY RURAL RESIDENTIAL DISTRICT (R2)

Section 701 Intent

The intent of Moderate Density Rural Residential Districts (R2) is to provide for residential uses of moderate lots and other compatible uses in a pleasant and stable environment.

Section 703 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Moderate Density Rural Residential District (R2):

1. Day cares, family;
2. Dwellings, single-family;
3. Governmental services;
4. Horticulture;
5. Modular homes; ~~and~~
6. Utility facilities; ~~and~~
7. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

Section 705 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Moderate Density Rural Residential District (R2):

1. A (one) 1,200 square foot accessory structure. Side wall height shall not exceed twelve (12) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing.
2. Home occupations;
3. Signs, banner;
4. Signs, directional on-site;
5. Signs, directional off-site;
6. Signs, easement and utility;
7. Signs, flag;
8. Signs, name and address plate; and
9. Signs, real estate.

Section 707 Conditional Uses

After the provisions of this Ordinance, relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Moderate Density Rural Residential District (R2):

1. Bed and breakfasts;
2. Campgrounds, pursuant to 1521;
3. Churches;
4. Day cares, group family home;
5. Dwellings, multi-family;
6. Dwellings, two family;
7. Manufactured homes, pursuant to Section 1507;
8. Parks;
9. Schools, public;

10. Signs, off-site;
11. Swimming pools; and
12. Towers.

Section 709 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a Moderate Density Residential District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 711 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 709 shall be prohibited.

Section 713 Minimum Lot Requirements

1. The minimum lot area shall be one (1) acre or forty thousand (40,000) square feet;
2. The minimum lot area for multi-family dwellings in areas of two (2) units shall be one (1) acre or forty thousand (40,000) square feet and an additional five thousand (5,000) square feet for each unit in excess of the first two (2); and
3. The minimum lot width shall be one hundred (100) feet.

Section 715 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks, patios, and carports:

1. There shall be a front yard of not less than a depth of thirty (30) feet, except when said lot is adjacent to or abutting a arterial or collector right-of-way then the depth shall be fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty (20) feet;
3. There shall be two (2) side yards, each of which shall not be less than ten (10) feet;
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.

Section 717 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections,

public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and

2. Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 8

HIGH DENSITY RURAL RESIDENTIAL DISTRICT (R3)

Section 801 Intent

The intent of High Density Rural Residential Districts (R3) is to provide existing concentrated residential subdivisions as recorded with the Register of Deeds and other compatible uses a pleasant and stable environment. Yet, not allow an extension of these areas beyond their respective boundaries as recorded at the time of zoning ordinance adoption.

Section 803 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a High Density Rural Residential Districts (R3):

1. Day cares, family;
2. Dwellings, single-family;
3. Governmental services; ~~and~~
4. Horticulture;
5. Modular homes;
6. Utility facilities; ~~and~~
7. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

Section 805 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a High Density Rural Residential Districts (R3):

1. A (one) 800 square foot accessory structure. Side wall height shall not exceed ten (10) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing.
2. Home occupations;
3. Signs, banner;
4. Signs, directional on-site;
5. Signs, directional off-site;
6. Signs, easement and utility;
7. Signs, flag;
8. Signs, name and address plate; and
9. Signs, real estate.

Section 807 Conditional Uses

After the provisions of this Ordinance, relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a High Density Rural Residential Districts (R3):

1. Day cares, group family home;
2. Dwellings, multi-family;
3. Dwellings, two family;
4. Manufactured homes, pursuant to Section 1507;
5. Parks;
6. Signs, off-site;
7. Swimming pools; and
8. Towers.

Section 809 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Board

of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a High Density Residential District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 811 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 809 shall be prohibited.

Section 813 Minimum Lot Requirements

1. The minimum lot area shall be one-half (1/2) acre or twenty thousand (20,000) square feet;
2. The minimum lot area for multi-family dwellings shall be one-half (1/2) acre or twenty thousand (20,000) square feet and an additional five thousand (5,000) square feet for each unit in excess of the first two (2); and
3. The minimum lot width shall be seventy five (75) feet.

Section 815 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks, patios, and carports:

1. There shall be a front yard of not less than a depth of thirty (30) feet, except when said lot is adjacent to or abutting an arterial or collector right-of-way then the depth shall be fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty (20) feet;
3. There shall be two (2) side yards, each of which shall not be less than ten (10) feet; and
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.

Section 817 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty

(30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 9

MANUFACTURED HOME PARK DISTRICT (MHP)

Section 901 Intent

The intent of the Manufactured Home Park District (MHP) is to preserve and enhance property values by providing designated, distinctive areas in which manufactured homes may be situated as a residential dwelling. It is the intent that this district be a desirable, prominent area providing adequate open space and essentially the same considerations given to citizens of other residential districts.

Section 903 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Manufactured Home Park District (MHP):

1. Dwellings, single family;
2. Manufactured homes, pursuant to Section 1409;
3. Modular homes;
4. Parks; **and**
5. Utility facilities; **and**
6. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

Section 905 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Manufactured Home Park District (MHP):

1. Accessory buildings;
2. Garages;
3. Home occupations;

4. Signs, banner;
5. Signs, directional on-site;
6. Signs, directional off-site;
7. Signs, easement and utility;
8. Signs, flag;
9. Signs, name and address plate; and
10. Signs, real estate.

It shall be unlawful for any person, firm, or corporation to use any van body, truck body, semi-trailer, rail car, "shipping crate", and/or any vehicle no longer used for its manufactured purpose as a storage shed, storage building, warehouse, or as living quarters. In addition, manufactured homes shall not be for any purpose other than residential living quarters. However, this shall not prevent the lawful parking of vehicles properly licensed, insured, and in regular use for their intended purpose to include 'RVs' and camping trailers.

Section 907 Conditional Uses

After the provisions relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Manufactured Home Park District (MHP):

1. Day care centers;
2. Day cares, family;
3. Day cares, group family home;
4. Dwellings, two family;
5. Laundry facilities;
6. Self-storage warehouses;
7. Signs, bulletin board;
8. Signs, ground and monument;
9. Signs, mounted wall;
10. Signs, off-site;
11. Signs, portable;

12. Swimming pools; and

13. Towers

Section 909 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 911 Prohibited Uses and Structures

No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

Section 913 Minimum Lot Requirements

1. The minimum park size is three (3) acres;
2. The minimum park width is three hundred (300) feet;
3. The minimum lot area for individual manufactured homes shall be four thousand (4,000) square feet;
4. The density of any manufactured home park shall not exceed eight (8) units per gross acre; and
5. The net density of any particular acre shall not exceed ten (10) units per net (gross reduced by required yards, right-of-ways, etc.) acre.

Section 915 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot line. This Section shall apply to all buildings and structures, including but not limited to decks, patios, and garages:

1. The minimum distance required for the separation of a manufactured home from side and rear lot lines shall be ten (10) feet. In no case shall a manufactured home be closer than twenty (20) feet from another manufactured home;
2. The minimum setback distance required from a private drive or public right-of-way shall be thirty (30) feet; and
3. Accessory buildings shall not encroach on minimum yard requirements.

Section 917 Manufactured Home Park Application Requirements

The applicant follows the rezoning process pursuant to Articles 16 -21;

1. A request for a change in zoning districts to a Manufactured Home Park District shall set forth the location and legal description of the proposed manufactured home park property;
2. Each application for a manufactured home park shall be accompanied by a detailed site development plan incorporating the regulations established herein. The plan shall be drawn to scale and indicate the following:
 - A. Location and topography of the proposed manufactured home park, including adjacent property owners and proximity to federal and state highways, and to county, township, or city roads;
 - B. Exterior and interior property or individual lot lines with dimensions and square footage of the proposed park;
 - C. Location and dimensions of all easements and right-of-ways;
 - D. Proposed lot layout, including parking and recreational areas;
 - E. General pedestrian access or transportation plan;
 - F. General utility, water, and sewer plan with proximity and proposed connection to municipal and/or private utilities; and
 - G. Site drainage plan and development impact on culverts, etc.
3. Certification of compliance with all ordinances and regulations regarding manufactured home park licensing and zoning, health, plumbing, electrical, building, fire prevention, and all other applicable ordinances and regulations.

Section 919 Manufactured Home Regulations within a Manufactured Home Park

1. Manufactured home developments should be located to avoid the need for excessive traffic movement from the park to pass through an existing single-family residential area or area suitable for future single-family residential development; and
2. Access and Right-of-way Requirements:
 - A. All manufactured home spaces must be served from internal private right-of-ways within the manufactured home park and there shall be no direct access from a manufactured home space to a public right-of-way;

- B. Internal private right-of-ways must be graveled at a minimum and kept in good repair to prevent excessive potholes or pooling of water;
 - C. A minimum of two (2) off right-of-way parking spaces shall be provided for each manufactured home lot; guest parking of one (1) parking space per five (5) manufactured home spaces shall be interspersed throughout the manufactured home park;
 - D. No internal private right-of-way access to public right-of-ways shall be located closer than one hundred (100) feet to any public right-of-way intersection;
 - E. Stop signs shall be placed at all public right-of-way intersections and Yield signs placed appropriately on internal private right-of-way;
 - F. Entrance to manufactured home parks shall have direct connections to a public road and shall be designed to allow free movement of traffic on such public roads; and
 - G. Travel surfaces should be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of traveled way with twelve (12) feet minimum moving lanes for collector roads, twelve (12) feet minimum moving lanes for minor roads, and eight (8) feet minimum lanes for parallel parking.
3. Other Requirements:
- A. Manufactured homes may be of single or multiple sections and shall not be less than fourteen (14) feet as assembled on the site, as measured across the narrowest portion;
 - B. Manufactured homes shall be skirted with materials that are not highly combustible. The skirting shall be installed around the perimeter of the home from the chassis of the manufactured home to the prevailing grade;
 - C. The hitch shall be removed;
 - D. All electric service shall be underground;
 - E. Each manufactured home lot shall be connected to a sanitary sewer system and central water system including individual utility service lines and valves as approved by the Zoning Administrator or their designee;
 - F. If individual refuse collection points are not available, each manufactured home park shall provide screened areas or enclosed containers accessible for refuse collection of an adequate size for the number of units served, and shall provide for the disposal of such refuse on a regularly scheduled basis;
 - G. Manufactured homes shall be anchored to the ground to resist tipping and lateral movement in the manner contemplated by the manufactured design;
 - H. Not less than ten (10) percent of the gross site area shall be devoted and maintained as

recreational facilities for occupant needs;

- I. No manufactured home shall occupy more than fifty (50) percent of the area of the lot on which it is situated;
- J. In accordance with Section 921 a landscaped buffer area of ten (10) feet in width shall be provided and maintained around the perimeter of the park, except where the park abuts a public right-of-way then the buffer shall be thirty (30) feet. This does not include those places where walks and drives penetrate the buffer;
- K. The manufactured home shall meet or exceed the federal Manufactured Home Construction and Safety Standards (HUD code); and
- L. Additional development requirements may be prescribed as conditions for approval when determined to be necessary to ensure protection of the neighboring property's character, compatibility with land uses, and health and safety of manufactured home park occupants.

Section 921 Traffic Visibility

- 1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
- 2. Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 10

COMMERCIAL DISTRICT (C)

Section 1001 Intent

The intent of the Commercial District (C) is to provide commercial areas for those establishments that can function most satisfactorily in an area related to a rural or municipal fringe environment requiring major vehicular circulation routes and off right-of-way parking and loading due to the nature of the merchandise handled and the display space required.

Section 1003 Permitted Principal Uses and Structures (Amended October 21, 2021)

The following principal uses and structures shall be permitted in a Commercial District (C):
(Amended June 21, 2022)

1. Arcades;
2. Bars;
3. Day care centers;
4. Financial institutions;
5. Funeral homes;
6. Garages, public;
7. Gasoline stations;
8. Golf courses;
9. Governmental services;
10. Historic sites;
11. Hotels;
12. Indoor archery/shooting ranges;
13. Lockers;
14. Manufacturing, light;
15. Motels;
16. Open sales areas;
17. Parks;
18. Repair shops, auto-body;
19. Repair shops, motor vehicle;
20. Restaurants;
21. Restaurants, drive-in;
22. Restaurants, in-house;
23. Retail sales;

24. Self-storage warehouses;
25. Service establishments;
26. Theaters;
27. Utility facilities;
28. Veterinary clinics;
29. Warehousing facilities;
30. Wholesale sales.
31. Cannabis Cultivation Facility
32. Cannabis Dispensary
33. Cannabis Product Manufacturing Facility
34. Cannabis Testing Facility; ~~and~~
35. Accessory Structures; ~~and~~
36. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

Section 1005 Permitted Accessory Uses and Structures

Those accessory uses and structures normally appurtenant to the permitted principal uses and structures shall be permitted in a Commercial District (C) when established in conformance within the space limits of this district.

1. Signs, banner;
2. Signs, directional off-site;
3. Signs, directional on-site;
4. Signs, easement and utility;
5. Signs, flag;
6. Signs, name and address plate;
7. Signs, on-site; and
8. Signs, real estate.

Section 1007 Conditional Uses

After the provisions of this resolution relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Commercial District (C): **(Amended June 21, 2022)**

1. Adult entertainment;
2. Agricultural fertilizer and chemical manufacturing, sales, and applications;
3. Agricultural product processing;
4. Amusement parks; and
5. Asphalt plants;
6. Buying stations;
7. Campgrounds;
8. Concrete plants;
9. Construction services;
10. Dwellings, single-family;
11. Dwellings, two-family;
12. Grain elevators;
13. Manufacturing;
14. Manufacturing, distribution, sale, or storage of flammable, combustible, or hazardous material;
15. Outdoor shooting/archery ranges.
16. Sale and auction yards and barns;
17. Salvage yards;
18. Sanitary landfills and restricted use sites, permitted by DENR;
19. Signs, off-site, pursuant to Article 14;
20. Tank farms;
21. Towers, pursuant to Article 25 & Article 26;
22. Truck or equipment terminals;

23. Veterinary services; **(Amended May 19, 2020)**
24. Wind energy systems; ~~and~~ **(Amended May 19, 2020)**
25. Firework Sales; ~~and~~ **(Amended May 19, 2020)**
26. Solar Energy Conversion Systems (SECS) fifty (50) kilowatts alternating current (AC) and higher, pursuant to Article 29.

Section 1009 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a Commercial District (C) shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 1011 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 1009 shall be prohibited.

Section 1013 Minimum Lot Requirements **(Amended June 21, 2022)**

1. The minimum lot area shall be two 40,000 sq. ft.; and
2. The minimum lot width shall be seventy-five (75) feet.

Section 1015 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to loading docks, decks, patios, and covered areas: **(Amended June 21, 2022)**

1. There shall be a front yard of not less than a depth of Fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty-five (25) feet; and
3. Each side yard shall be not less than twenty-five (25) feet.

Section 1017 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and

2. Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 11

LAKESIDE COMMERCIAL DISTRICT (LC)

Section 1101 Intent

The intent of the Lakeside Commercial District (LC) is to provide commercial areas for those establishments that can function most satisfactorily in an area directly related to a tourist, outdoor recreation, and residential environment requiring vehicular circulation routes and large off right-of-way parking due to the nature of the customer base and vehicle traffic.

Section 1103 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Lakeside Commercial District (LC):

1. Arcades;
2. Bars;
3. Day Cares, family;
4. Day Cares, group family home;
5. Financial institutions;
6. Gasoline stations;
7. Golf courses;
8. Governmental services;
9. Historic sites;
10. Indoor archery/shooting ranges;
11. Open sales areas;

12. Parks;
13. Restaurants;
14. Restaurants, drive-in;
15. Restaurants, in-house;
16. Retail sales;
17. Service establishments;
18. Theaters; ~~and~~
19. Utility facilities; ~~and~~
20. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

Section 1105 Permitted Accessory Uses and Structures

Those accessory uses and structures normally appurtenant to the permitted principal uses and structures shall be permitted in a Lakeside Commercial District (LC) when established in conformance within the space limits of this district.

1. Signs, banner;
2. Signs, directional off-site;
3. Signs, directional on-site;
4. Signs, easement and utility; and
5. Signs, flag.
6. Signs, name and address plate;
7. Signs, on-site;
8. Signs, real estate;

Section 1107 Conditional Uses

After the provisions of this resolution relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Lakeside Commercial District (LC):

1. Amusement parks;
2. Campgrounds;

3. Day care centers;
4. Dwellings, multi-family;
5. Dwellings, single-family;
6. Dwellings, two-family;
7. Exhibition areas;
8. Garages, public;
9. Hotels;
10. Kennels;
11. Motels;
12. Outdoor shooting/archery ranges;
13. Outdoor storage areas;
14. Repair shops, auto-body;
15. Repair shops, motor vehicle;
16. Self-storage warehouses;
17. Signs, off-site, pursuant to Article 14;
18. Swimming pools;
19. Towers, pursuant to Article 25 & Article 26;
20. Veterinary clinics; and
21. Warehousing facilities.

Section 1109 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 1111 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or

conditional uses or approved as such within the provisions of Section 1109 shall be prohibited.

Section 1113 Minimum Lot Requirements

1. The minimum lot area shall be one (1) acre; and
2. The minimum lot width shall be one hundred and fifty (150) feet.

Section 1115 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks, patios, and carports:

1. There shall be a front yard of not less than a depth of seventy-five (75) feet;
2. There shall be a rear yard of not less than a depth of twenty-five (25) feet; and
3. Each side yard shall be not less than twenty-five (25) feet.

Section 1117 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 12

RURAL TRANSITIONAL DISTRICT (RT)

Section 1201 Intent

The intent of Rural Transitional Districts (RT) is to protect un-developed and under developed lands lying within or adjacent to expected growth corridors from unstructured or incompatible land uses in order to preserve land best suited for planned development to ensure practicality and service delivery.

Section 1203 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Rural Transitional District (RT):

1. Agriculture;
2. Historic sites;
3. Horticulture; ~~and~~
4. Utility facilities; ~~and~~
5. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

Section 1205 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Rural Transitional District (RT):

1. Accessory agricultural structures.
2. Customary water irrigation systems, other than manure irrigation equipment;
3. Farm drainage systems;
4. Home and farm occupations;
5. Shelterbelts;
6. Signs, banner;
7. Signs, directional off-site;
8. Signs, directional on-site;
9. Signs, easement and utility;
10. Signs, flag;
11. Signs, name and address plate;
12. Signs, on-site;
13. Signs, real estate;
14. Stock dams; and
15. Temporary/seasonal roadside stands.

Section 1207 Conditional Uses

After the provisions of this Ordinance relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Rural Transitional District (RT):

1. Dwellings, single family.
2. Individual septic or sewage treatment facilities, pursuant to Section 1513;
3. Manure irrigation;
4. Parks;
5. Portable processing plants;
6. Rural Developments, pursuant to Section 1219;
7. Sanitary landfills or restricted use sites, permitted by the Department of Environment and Natural Resources (DENR);
8. Spreading, injection, or other application of manure or animal waste generated by an Animal Feeding Operation, as defined herein, pursuant to Section 519(11)(12);
9. Temporary construction facilities; and

Section 1209 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Planning Commission and Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a Rural Transitional District (RT) shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed. The review shall be heard at a regular meeting of the aforementioned bodies and may be required to adhere to the notification requirements as described in Section 1803(3-5).

Section 1211 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 509 shall be prohibited.

Section 1213 Minimum Lot Requirements

1. The minimum lot area shall be twenty (20) acres;
2. The minimum lot width shall be five hundred (500) feet;
3. The Zoning Administrator may allow a smaller minimum lot requirement where a permit for a single-family home is requested on an existing farmstead site, as defined herein;

4. Lots of record, as defined herein, existing prior to adoption of this ordinance may be developed pursuant to Article 18 and as approved by the Zoning Administrator.
5. An additional dwelling unit is allowed within the farmstead upon approval of the building permit application if it is to be occupied by other members of the family farm unit, provided the property is not transacted or prepared, platted, or described for transaction; and
6. The Zoning Administrator may allow construction of single and multi-family dwelling units not in conformance with this provision only on those lands organized as a 501(d), non-profit religious and apostolic associations as described in the United States Tax Code. Prior to issuance of a building permit or permission to proceed said entity shall file the Articles of Incorporation and other requested documentation with the Zoning Administrator. Construction activities carried on under this provision shall be in conformance with all other provisions of this ordinance.

Section 1215 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks and patios:

1. There shall be a front yard of not less than a depth of thirty (30) feet, except when said lot is adjacent to or abutting an arterial or collector right-of-way then the depth shall be fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty (20) feet;
3. There shall be two (2) side yards, each of which shall not be less than ten (10) feet;
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways; and
5. The Zoning Administrator may allow construction of single and multi-family dwelling units not in conformance with this provision only on those lands organized as a 501(d), non-profit religious and apostolic associations as described in the United States Tax Code. Prior to issuance of a building permit or permission to proceed said entity shall file the Articles of Incorporation and other requested documentation with the Zoning Administrator. Construction activities carried on under this provision shall be in conformance with all other provisions of this ordinance.

Section 1217 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and

2. Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

Section 1219 Development Standards

1. All platted lots shall be part of planned development or subdivision;
2. All planned developments or subdivisions shall be platted with a minimum of four platted lots and recorded with the Register of Deeds;
3. The minimum lot area shall be one (1) acre;
4. The minimum lot width shall be two hundred (200) feet;
5. All yards must meet the following criteria, which shall apply to all buildings and structures, including decks, patios, and car ports:
 - a. Front yard of not less than a depth of thirty (30) feet;
 - b. Rear yard of not less than a depth of twenty (20) feet; and
 - c. Each side yard shall not be less than a width of ten (10) feet.
6. The proposed development must have controlled public road access;
7. Planned developments or subdivisions shall not be located within the 100-year floodplain;
8. All lots within a planned development or subdivision shall be served by a Department of Environment and Natural Resources approved water system;
9. A site plan and topographic maps shall be submitted with the building permit application, said plan and maps shall include, at a minimum:
 - a. Proposed site layout;
 - b. Storm water drainage;
 - c. Roads and streets, including ingress and egress; and
 - d. Water and sewer service.
10. Water and sewer or sanitary drainage systems shall be installed by certified plumber and

shall comply with all applicable South Dakota Department of Environment and Natural Resources regulations.

ARTICLE 29

SOLAR ENERGY CONVERSION SYSTEMS (SECS)

Section 2901 Purpose and Intent

Purpose. It is the purpose of this Article to outline the requirements Yankton County has for solar energy conversion systems (SECS).

Intent. The regulations set out in this Article are intended to address the major issues generally associated with SECS. Because issues not addressed below may be deemed significant to public health, safety or welfare but only emerge during the course of the County's review of the application for conditional use permit, applicants are encouraged to maintain close consultation with the Zoning Administrator during the preparation of the plans and other requirements of this Article.

Section 2903 Prohibited Uses and Structures

Concentrating solar thermal devices, (CSTs) are prohibited in all zoning districts.

Section 2905 Solar Energy Conversion Systems- Performance Standards

The following provisions shall apply to all SECS fifty (50) kilowatts alternating current (AC) and higher.

Design Requirements.

- A. **Performance standards.** All SECS must conform to the performance standards as set forth by any local, state, federal regulatory standards.
- B. **Foundations.** The project's engineer or another qualified engineer shall certify that the foundation and/or design of the solar panels is within accepted professional standards, given local soil and climate conditions.
- C. **Underground Installation of Lines.** All SECS shall install power collection lines and communication lines underground and, wherever possible, under or at the edge of the project access roads in order to minimize soil disturbances. Aboveground transmission lines may be utilized in public road right-of-ways or easements.

These requirements may be waived by the Board of Commissioners upon a finding that there are existing conditions, which justify alternative, aboveground installation, and that such installation would not be averse to the public interest.

- D. Electrical connection plan. A detailed electrical diagram, showing all electrical connection points within the system and to the electrical grid.
- E. Soil Erosion and sediment control. All construction roadwork and site development work must meet national pollutant discharge elimination system (NPDES) permit requirements.
- F. Ground Cover. To reduce soil erosion and storm water runoff, disturbed land, including land under and around solar panels, shall be covered and maintained.
- G. Height. Systems, equipment and structures shall not exceed twenty (20) feet in height when mounted at maximum tilt. Excluded from this height requirement, however, are electric transmission lines, communications poles, and utility poles.
- H. Fencing. The solar energy system shall be fully enclosed and secured by a locked fence with a minimum height of six feet at the discretion of the Commission.
- I. Lighting. If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or roadways.
- J. Noise. Noise levels measured at the property line shall not exceed 50 decibels.
- K. Signage. An appropriate warning sign shall be provided at the entrance to the facility and along each perimeter to the solar farm project. The sign at the entrance to the facility shall include the facility's 911 address and a 24-hour emergency contact number.

Facility Setback Requirements.

SECS shall be located no closer than the following regulations prescribe. The applicant(s) of a SECS may request the required setback to any residence other than the applicant, active church, business, or school be lessened. This request shall only be approved after the applicant obtains signed waivers from all property owners within the setback distance. Any authorized person, business or governmental entity that is within the setback distance may waive the setback distance. The written waiver(s) shall be permanently attached to the approved conditional use permit.

<i>Facility Setback Chart</i>	<i>Feet</i>
Residence, active church, business, schools	660
Municipalities	1,320
Lakes, rivers and streams	660
Right-of-way line	100
Property line delineating a change in ownership	100

100 year flood plain	PROHIBITED
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Agreements and Studies.

- A. Aviation Protection. For SECS located within one thousand (1000) feet of an airport, the applicant must meet Federal Aviation Administration (FAA) standards.
- B. Endangered Species and Wetlands. Applicant must submit an inventory of any existing endangered wildlife, flora and fauna species and biologically sensitive areas and meet all South Dakota Department of Agricultural and Natural Resources and Game, Fish and Parks requirements.
- C. Road Maintenance Agreement.
 - a. *Public Roads:* Prior to commencement of construction, the applicants shall identify all “haul roads” that will be used during the construction of the SECS project and shall notify the state, county or township governing body having jurisdiction over these roads to determine if they are acceptable for use as “haul roads”. The governmental body shall be given adequate time to inspect the proposed “haul roads” prior to their use. Where practical, existing roadways shall be used for all activities associated with the SECS. Where practical, all-weather roads shall be used to deliver cement, solar collectors and components and all other heavy components to and from the site. Prior to using the approved haul roads, the permittees shall arrange with the governing body for the maintenance and repair of these roads during active construction times and any final inspection requirements to determine if final repairs are necessary.
 - b. *Private Roads:* The applicants shall promptly repair private roads or lanes damaged when moving equipment or when obtaining access to the site, unless otherwise negotiated with the affected land owner.
- D. Power Purchase Agreement. If an applicant has an executed power purchase agreement at the time of application, the applicant shall provide with the application either such agreement, or at the applicant’s discretion, an affidavit of non-confidential information regarding such agreement.
- E. Glare Study Analysis. Applicant must submit a Glare Study Analysis. Glare from the SECS to adjacent or nearby properties shall be minimized. Steps to minimize glare may include selective placement, selective orientation of the panels, installation of a non-reflective coating, appropriate screening, etc. The purpose of the glare study analysis is to identify potential impacts and mitigation strategies. Once installed, if the SECS creates glare onto neighboring properties and/or rights-of-way the County may constitute it as a nuisance and additional actions and/or screening may be required to substantially eliminate or block the glare from entering adjacent or nearby properties and/or right of ways.

Decommissioning.

- A. *Plan*: All applicants for a conditional use permit shall provide, with their site plan submission, a decommissioning plan.
- a. The plan shall specify the procedure by which the applicant or its successor will remove all structures (including equipment, fencing, roads and foundations) and restore the area to its pre-construction condition.
 - b. Disposal of structure and/or foundations shall meet the provisions and regulations of the South Dakota Environmental Protection Agency or the United States Environmental Protection Agency.
 - c. The plan will set forth a timeline for completing decommissioning once it is commenced.
- B. *Cost Estimate*:
- a. The decommissioning plan shall include a decommissioning cost estimate prepared by a licensed professional engineer.
 - b. The cost estimate shall provide the estimated cost of decommissioning in accordance with the decommissioning plan and any other applicable conditions set by the County.
 - c. The applicant or its successor shall compensate the County for any third-party review and analysis by an engineer of the initial cost estimate.
 - d. The applicant or its successor shall update the decommissioning cost every five (5) years following approval of the conditional use permit and compensate the County for any review and analysis of each cost estimate revision by a licensed professional engineer.
- C. *Financial Resources*:
- a. Fifty percent (50%) of the estimated decommissioning cost will be placed into an escrow account held by the County at the beginning of the SECS construction phase. The balance of the decommissioning cost estimate will be guaranteed with a surety bond so as to cover one hundred percent (100%) of the estimated decommission costs.
 - b. Each year, the applicant or its successor will contribute an additional five percent (5%) of the most current cost estimate to the escrow account, allowing for the reduction of the surety bond by the same percentage. This escrow increase and surety bond decrease will continue until one hundred percent (100%) of the decommissioning cost estimate is held in escrow.
 - c. Should the five-year (5) updated cost estimate increase, the applicant or its successor will increase the required escrow and surety bond combination as outlined above to meet the percentages for the given year. Amounts may be reduced, at the discretion of the County, if an updated cost estimate shows a decrease from the previous cost estimate.
 - d. The County will credit interest to the escrow account on a monthly basis.
- D. *Notice to County*: The applicant or its successor shall provide six (6) months' written notice to the Zoning Administrator that it intends to commence the decommissioning process.
- E. *Termination of Use*:
- a. Decommissioning of solar panels must occur in the event the SECS is not in use for six (6) consecutive months. At this time the applicant or its successor and/or land owner will have six (6) months to complete the decommission plan.

- b. If the applicant or its successor and/or land owner fail to decommission the SECS within six (6) months following commencement of decommissioning, the County has the right, but not the obligation, to undertake decommissioning financed by the financial agreement required for a conditional use permit.
 - c. The county is granted the right to seek injunctive relief to effect and complete decommissioning, as well as to seek reimbursement from the applicant or its successor for decommissioning costs against any real estate owned by applicant or its successor, or in which they have an interest and to take all steps allowed by law to enforce said lien. NOTE: The land owner is ultimately responsible and could have a Lien placed on their property should the applicant or its successor fail to fully remunerate the costs of decommissioning.
- F. *Liability insurance:* The applicant or its successor shall obtain and hold a general liability policy covering bodily injury and property damage and name Yankton County as an additional insured with limits of at least two million dollars (\$2,000,000.00) per occurrence and five million dollars (\$5,000,000.00) in the aggregate with a deductible of no more than five thousand dollars (\$5,000.00). The applicant or its successor must provide proof of insurance to the Zoning Administration prior to construction.
- G. *Indemnity:* Developer shall hold the County and its officers and employees harmless from claims made by Developer and third parties for damages sustained or costs incurred resulting from said SECS project. The Developer shall indemnify the County and its officers and employees for all costs, damages or expenses that the County may pay or incur in consequence of such claims, including attorney fees. Third parties shall have no recourse against the County under this agreement.

Conditional Use Permit Application Requirements.

The following information shall be submitted for the consideration of a SECS Conditional Use Permit:

- A. The applicants', owners', managers', management company's or similar entities' name, address and telephone number.
- B. A legal description of the site and proposed 911 address for the location.
- C. Site diagram(s) depicting:
 - a. boundary of entire area included in permit, showing project acreage and property lines of individual land owners
 - b. location of existing area structures and their distances from the project to illustrate all Facility Setback Requirements are met
 - c. points of access from public road ways
 - d. topography with contours at intervals of two (2) feet showing surface water drainage patterns
 - e. schematic location of solar panels, collector and feeder lines, electrical transmission lines and electrical interconnection points with the utility grid
 - f. internal access and maintenance roads and other accessory structures associated with the SECS
 - g. proposed setbacks of all structures from the exterior boundaries
 - h. depiction of chosen ground cover for erosion control
 - i. fencing, lighting and signage locations

- j. location and purpose of any existing underground pipelines and other utility easements
- D. Soil erosion and sediment control plan during construction
- E. Federal Aviation Administration requirements, if applicable
- F. Glare Study Analysis
- G. Inventory of endangered species and wetlands
- H. A signed Roadway Maintenance and Haul Agreement with State, County, and/or Township authority approval
- I. Power Purchase Agreement
- J. Decommissioning plan
- K. Liability insurance policy
- L. Indemnification of County and its officers and employees
- M. Such other information deemed relevant and necessary by the Zoning Administrator.

Section 2907 Conditional Use Permit for an SECS Not Permitted if Applicant Applies for the Permit for the Purpose of Selling, Transferring, or Brokering.

The Board of Adjustment shall not grant a Conditional Use Permit for an SECS if the applicant is applying for the Permit for the purpose of selling, transferring, or brokering the Permit.

For the purposes of this Ordinance, any sale or transfer of the Permit from the applicant to any other person or entity within five (5) years of the date that the Permit is issued shall be considered to be prima facie evidence that such Permit was obtained for the purpose of selling, transferring or brokering the Permit. The Board of Adjustment may hear and grant exceptions to this rule in the case of unforeseen life events that may force the sale of an operation.

Any evidence that is presented by any person that any Building Permit and/or Conditional Use Permit for an SECS was sought for the purpose of selling, transferring, or brokering the Permit shall be considered by the Zoning Administrator, Planning Commission, and/or Board of Adjustment in considering a new application for Conditional Use Permit. It may be the basis for a denial or revocation of the application, building permit, and/or a conditional use permit by the Board of Adjustment.

Agrioltaics: The use of land for both agriculture (crop production, livestock grazing and pollinator habitat) and solar photovoltaic energy generation. This is located underneath solar panels and/or between rows of solar panels.

Aggrieved Person - A person aggrieved is any person directly interested in the outcome of and aggrieved by a decision or action or failure to act regarding a zoning decision thus: **(Amended August 19, 2021)**

1. Establishes that the person suffered an injury, an invasion of a legally protected interest that is both concrete and particularized, and actual or imminent, not conjectural or hypothetical;
2. Shows that a causal connection exists between the person's injury and the conduct of which the person complains. The causal connection is satisfied if the injury is fairly traceable to the challenged action, and not the result of the independent action of any third party not before the court; (3) Shows it is likely, and not merely speculative, that the injury will be redressed by a favorable decision, and; (4) Shows that the injury is unique or different from those injuries suffered by the public in general.

Alley - A way which affords only a secondary means of access to abutting property.

Amendment - A change in the wording or substance of this ordinance or a change in the boundaries or classifications upon the Official Zoning Map.

Amusement Park - A facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment and restaurants and souvenir sales.

Animal Feeding Operation: An animal feeding operation is a lot or facility where 200 or greater animal units, excluding aquaculture, are confined, stabled, fed, or maintained in either an open or housed lot for a total of 45 days or more in any 12-month period. The open lot does not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season. Two or more facilities under common ownership are a single animal operation if they adjoin each other (within one mile), or if they use a common area or system for the disposal of manure. **(Amended August 19, 2021)**

For the purposes of these regulations, Animal Feeding Operations are divided into the following classes:

Class	Animal Units
Class A	500 - 10,000
Class B	200 – 499

Animal Feeding Operation or CAFO, New - An animal feeding operation or CAFO, (see definitions), constructed after the effective date of this ordinance or any subsequent amendment

Company - For purposes of this ordinance the term, “company” includes, but is not limited to, any corporation, partnership, limited liability company, limited liability partnership, limited partnership, business trust and any other business entity.

Comprehensive Plan - Any legally adopted part or element of the Yankton County Comprehensive Plan.

Commissioners - the Yankton County Board of County Commissioners (**Amended November 4, 2021**)

Concentrated Animal Feeding Operation (CAFO): An animal feeding operation that is previously defined meets one or more of the following criteria: (**Amended August 19, 2021**)

1. Contains at least 500 animal units
2. Utilizes a Liquid Manure System (see definitions)
3. Utilizes environmentally controlled housing where the animals are contained in a thermostatically controlled environment
4. Discharges pollutants into waters of the state through man-made ditch, flushing system, or other similar man-made device
5. Discharges pollutants directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in operation

Concentrated Animal Feeding Operation (CAFO) Existing: Concentrated animal feeding operations in existence prior to the effective date of this ordinance or any subsequent amendment of applicable Articles or Sections. (**Amended August 19, 2021**)

Concentrating Solar Thermal Devices (CST's): CST technologies use mirrors to reflect and concentrate sunlight onto a receiver. The energy from the concentrated sunlight heats a high temperature fluid in the receiver.

Conditional Use - A conditional use is a use that would not be appropriate, generally or without restriction, throughout the zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as conditional uses, if specific provision for such conditional use is made in this Ordinance.

Congregate Housing - Housing units that provide a semi-independent living environment, which offers residential accommodations, central dining facilities (where at least one (1) meal a day is provided seven (7) days a week), related facilities, and supporting staff and services to persons of at least sixty-two (62) years of age or with disabilities.

Construction Services - A yard, structure, or combination thereof of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or

- b. Is intended for human consumption by oral ingestion; and
- c. Is presented in the form of foodstuffs, beverages, extracts, oils, tinctures, or other similar products;

Employee(s) - In regard to off right-of-way parking requirements, all who work in the enterprise, including owners.

Enclosed, locked facility - any closet, room, greenhouse, building, or other enclosed area that is equipped with locks or other security devices that permit access only by a cardholder or a person allowed to cultivate the plants. Two or more cardholders who reside in the same dwelling may share one enclosed, locked facility for cultivation. **(Amended November 4, 2021)**

Exhibition Areas - A building, group of buildings, or place where art, objects, articles, or livestock or agricultural projects are placed on display for the public.

Extraterritorial Zoning Jurisdiction - The area illustrated within the Official Zoning Map of Yankton County **not exceeding one (1) mile in width immediately adjoining the City of Yankton, as described per Article 1 Section 103 Jurisdiction.**

Facility - A building, piece of land or any combination thereof owned and operated by the same owner and dedicated to a specific use or uses. The term shall include those operations where indoor and outdoor activities may be conducted in concert and are integral or compliment the operation as a whole. An example may be an automobile dealership with office spaces, a small indoor display area, separate maintenance facility, and an outdoor display area.

Fairground - An agricultural fairground where farm produce is on display for judging and for sale, and livestock shows, horseracing and other sports events are held and on occasion for auctions, flea markets and concession stands.

Family - Any number of individuals living together as a single housekeeping unit, in which not more than five (5) individuals are unrelated by blood, marriage or adoption. This definition shall not include foster families as regulated by the State.

Farm Building - All buildings and structures needed in agricultural operation. **(Amended July 20, 2021)**

Farm Drainage Systems - The term shall include all waterways, ditches, flood control, watershed, and erosion control structures and devices provided each individual system or structure comply with the applicable local, state, and federal regulations.

Farm Occupation - A business activity customarily carried out on a farm by a member of the occupant's family without structural alterations in the building or any of its rooms, without the installation or outside storage of any machinery, equipment or material other than that customary to normal farm operations, without the employment of more than two (2) persons not residing in

3. Shall meet a minimum of one-half (½) of the yard requirements for the district in which it is located; and
4. Shall not exceed one hundred (100) square feet on one (1) side or two hundred (200) square feet on all sides of any one (1) premise.

Sign, Mounted Wall - A sign, which has a maximum area of one hundred (100) square feet, that is attached to or erected against a wall of a building and shall project no more than twelve (12) inches from the wall of the building. Said sign is intended to be read from directly in front of the face of the building.

Sign, Name and Address Plate - A sign, which has a maximum area of two (2) square feet, that is affixed to the side of a building informing the public as to the residents, occupation, and/or address of the building.

Sign, Off-Site - A sign other than an on-site sign. Off-site signs are conventionally know as billboards regardless of size.

Sign, Portable - Any sign, which has a maximum area of twenty (20) square feet, not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; menu and sandwich board signs. Signs attached to or painted on vehicles parked and visible from the public right-of-way shall not be included in this definition and shall be prohibited unless said vehicle is used in normal day-to-day operations of the business. Said sign is intended to be displayed for a limited period of time.

Sign, Projecting - Any sign, which has a maximum area of one hundred (100) square feet, that is affixed to a building or wall in such a manner that its face is perpendicular to the face of the building and the sign extends more than twelve (12) inches beyond the surface of such building or wall.

Sign, Real Estate - An exterior sign for the purpose of advertising the sale, rental, lease of real property. Said sign is located on the premises for sale, rental, or lease and shall be of a temporary nature and shall have a maximum area of four (4) square feet except in the Commercial, Highway Commercial, or Industrial Districts where the maximum area shall be thirty-two (32) square feet.

Sign, Roof - Any sign, which has maximum area of three hundred (300) square feet that is erected upon, against, or directly above a roof or on top of the parapet of a building.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy Conversion Systems (SECS): Solar energy conversion systems are any combination of solar panels on a parcel of property.

ARTICLE 5

AGRICULTURAL DISTRICT (AG)

Section 501 Intent

The intent of Agricultural Districts (AG) is to protect agricultural lands and lands consisting of natural growth from incompatible land uses in order to preserve land best suited to agricultural uses and land in which the natural environment should be continued and to limit residential, commercial, and industrial development to those areas where they are best suited for reasons of practicality and service delivery.

Section 503 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in an Agricultural District (AG):
(Amended August 19, 2021)

1. Agriculture;
2. Cemeteries;
3. Day cares, family;
4. Farms, ranches or orchards as defined herein;
5. Farm buildings;
6. Historic sites;
7. Horticulture;
8. Utility facilities;
9. Veterinary services;
10. Cannabis Cultivation Facility;
11. Cannabis Dispensary;
12. Cannabis Product Manufacturing Facility;
13. Cannabis Testing Facility; and
14. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

Section 505 Permitted Accessory Uses and Structures

40. Solar Energy Conversion Systems (SECS) fifty (50) kilowatts alternating current (AC) and higher, pursuant to Article 29;
41. Spreading, injection, or other application of manure or animal waste generated -from a concentrated animal feeding operation not permitted by Yankton County, shall be required to submit a waste management plan for land application of said manure within the Agricultural (AG) District. The waste management plan shall be the same as for a permitted site, pursuant to Section 519(3);
42. Temporary construction facilities; **and**
43. Towers, pursuant to Article 25 & Article 26;
44. Wildlife and game production areas; and
45. Wind energy systems, pursuant to Article 26.

Section 509 Classification of Unlisted Uses

In order to ensure that the zoning ordinance will permit all similar uses in each district, the Planning Commission and Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a Agricultural District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed. The review shall be heard at a regular meeting of the aforementioned bodies and may be required to adhere to the notification requirements as described in Section 1803(3-5). **(Amended August 19, 2021)**

Section 511 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 509 shall be prohibited.

Section 513 Minimum Lot Requirements **(Amended August 19, 2021)**

1. The minimum lot area shall be twenty (20) acres;
2. The minimum lot area shall be five (5) acres for any agribusiness as defined herein, pursuant to Section 506(7);
3. The minimum lot width shall be five hundred (500) feet;
4. The Zoning Administrator may allow a smaller minimum lot requirement where an established single-family home exists or where a permit for a single-family home is requested on an existing farmstead site.

brokering the Permit. The Board of Adjustment may hear and grant exceptions to this rule in the case of unforeseen life events that may force the sale of an operation.

Any evidence that is presented by any person that any Building Permit and/or Conditional Use Permit for an Animal Feeding Operation, Concentrated Animal Feeding Operation, and/or waste facility was sought for the purpose of selling, transferring, or brokering the Permit shall be considered by the Zoning Administrator, Planning Commission, and/or Board of Adjustment in considering a new application for Conditional Use Permit. It may be the basis for a denial or revocation of the application, building permit, and/or a conditional use permit by the Board of Adjustment.

ARTICLE 6

LOW DENSITY RURAL RESIDENTIAL DISTRICT (R1)

Section 601 Intent

The intent of Low Density Rural Residential Districts (R1) is to provide for residential uses of larger lots and other compatible uses in a pleasant and stable environment.

Section 603 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Low Density Rural Residential District (R1):

1. Day cares, family;
2. Dwellings, single-family;
3. Governmental services;
4. Horticulture;
5. Modular homes; ~~and~~
6. Utility facilities; ~~and~~
7. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

Section 605 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Low Density Rural Residential District (R1):

4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.

Section 617 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. Structures, perennial, or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 7

MODERATE DENSITY RURAL RESIDENTIAL DISTRICT (R2)

Section 701 Intent

The intent of Moderate Density Rural Residential Districts (R2) is to provide for residential uses of moderate lots and other compatible uses in a pleasant and stable environment.

Section 703 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Moderate Density Rural Residential District (R2):

1. Day cares, family;
2. Dwellings, single-family;
3. Governmental services;
4. Horticulture;
5. Modular homes; ~~and~~
6. Utility facilities; ~~and~~
7. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and

2. Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 8

HIGH DENSITY RURAL RESIDENTIAL DISTRICT (R3)

Section 801 Intent

The intent of High Density Rural Residential Districts (R3) is to provide existing concentrated residential subdivisions as recorded with the Register of Deeds and other compatible uses a pleasant and stable environment. Yet, not allow an extension of these areas beyond their respective boundaries as recorded at the time of zoning ordinance adoption.

Section 803 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a High Density Rural Residential Districts (R3):

1. Day cares, family;
2. Dwellings, single-family;
3. Governmental services; **and**
4. Horticulture;
5. Modular homes;
6. Utility facilities; **and**
7. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

(30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

ARTICLE 9

MANUFACTURED HOME PARK DISTRICT (MHP)

Section 901 Intent

The intent of the Manufactured Home Park District (MHP) is to preserve and enhance property values by providing designated, distinctive areas in which manufactured homes may be situated as a residential dwelling. It is the intent that this district be a desirable, prominent area providing adequate open space and essentially the same considerations given to citizens of other residential districts.

Section 903 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Manufactured Home Park District (MHP):

1. Dwellings, single family;
2. Manufactured homes, pursuant to Section 1409;
3. Modular homes;
4. Parks; **and**
5. Utility facilities; **and**
6. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

Section 905 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Manufactured Home Park District (MHP):

1. Accessory buildings;
2. Garages;
3. Home occupations;

24. Self-storage warehouses;
25. Service establishments;
26. Theaters;
27. Utility facilities;
28. Veterinary clinics;
29. Warehousing facilities;
30. Wholesale sales.
31. Cannabis Cultivation Facility
32. Cannabis Dispensary
33. Cannabis Product Manufacturing Facility
34. Cannabis Testing Facility; ~~and~~
35. Accessory Structures; ~~and~~
36. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

Section 1005 Permitted Accessory Uses and Structures

Those accessory uses and structures normally appurtenant to the permitted principal uses and structures shall be permitted in a Commercial District (C) when established in conformance within the space limits of this district.

1. Signs, banner;
2. Signs, directional off-site;
3. Signs, directional on-site;
4. Signs, easement and utility;
5. Signs, flag;
6. Signs, name and address plate;
7. Signs, on-site; and
8. Signs, real estate.

Section 1007 Conditional Uses

23. Veterinary services; **(Amended May 19, 2020)**
24. Wind energy systems; ~~and~~ **(Amended May 19, 2020)**
25. Firework Sales; ~~and~~ **(Amended May 19, 2020)**
26. Solar Energy Conversion Systems (SECS) fifty (50) kilowatts alternating current (AC) and higher, pursuant to Article 29.

Section 1009 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a Commercial District (C) shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 1011 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 1009 shall be prohibited.

Section 1013 Minimum Lot Requirements (Amended June 21, 2022)

1. The minimum lot area shall be two 40,000 sq. ft.; and
2. The minimum lot width shall be seventy-five (75) feet.

Section 1015 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to loading docks, decks, patios, and covered areas: **(Amended June 21, 2022)**

1. There shall be a front yard of not less than a depth of Fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty-five (25) feet; and
3. Each side yard shall be not less than twenty-five (25) feet.

Section 1017 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and

12. Parks;
13. Restaurants;
14. Restaurants, drive-in;
15. Restaurants, in-house;
16. Retail sales;
17. Service establishments;
18. Theaters; ~~and~~
19. Utility facilities; ~~and~~
20. Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).

Section 1105 Permitted Accessory Uses and Structures

Those accessory uses and structures normally appurtenant to the permitted principal uses and structures shall be permitted in a Lakeside Commercial District (LC) when established in conformance within the space limits of this district.

1. Signs, banner;
2. Signs, directional off-site;
3. Signs, directional on-site;
4. Signs, easement and utility; and
5. Signs, flag.
6. Signs, name and address plate;
7. Signs, on-site;
8. Signs, real estate;

Section 1107 Conditional Uses

After the provisions of this resolution relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Lakeside Commercial District (LC):

1. Amusement parks;
2. Campgrounds;

Section 1203 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Rural Transitional District (RT):

1. Agriculture;
2. Historic sites;
3. Horticulture; **and**
4. Utility facilities; **and**
5. **Solar Energy Conversion Systems (SECS) under 50 kilowatts alternating current (AC).**

Section 1205 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Rural Transitional District (RT):

1. Accessory agricultural structures.
2. Customary water irrigation systems, other than manure irrigation equipment;
3. Farm drainage systems;
4. Home and farm occupations;
5. Shelterbelts;
6. Signs, banner;
7. Signs, directional off-site;
8. Signs, directional on-site;
9. Signs, easement and utility;
10. Signs, flag;
11. Signs, name and address plate;
12. Signs, on-site;
13. Signs, real estate;
14. Stock dams; and
15. Temporary/seasonal roadside stands.

shall comply with all applicable South Dakota Department of Environment and Natural Resources regulations.

ARTICLE 29

SOLAR ENERGY CONVERSION SYSTEMS (SECS)

Section 2901 Purpose and Intent

Purpose. It is the purpose of this Article to outline the requirements Yankton County has for solar energy conversion systems (SECS).

Intent. The regulations set out in this Article are intended to address the major issues generally associated with SECS. Because issues not addressed below may be deemed significant to public health, safety or welfare but only emerge during the course of the County's review of the application for conditional use permit, applicants are encouraged to maintain close consultation with the Zoning Administrator during the preparation of the plans and other requirements of this Article.

Section 2903 Prohibited Uses and Structures

Concentrating solar thermal devices, (CSTs) are prohibited in all zoning districts.

Section 2905 Solar Energy Conversion Systems- Performance Standards

The following provisions shall apply to all SECS fifty (50) kilowatts alternating current (AC) and higher.

Design Requirements.

- A. Performance standards. All SECS must conform to the performance standards as set forth by any local, state, federal regulatory standards.
- B. Foundations. The project's engineer or another qualified engineer shall certify that the foundation and/or design of the solar panels is within accepted professional standards, given local soil and climate conditions.
- C. Underground Installation of Lines. All SECS shall install power collection lines and communication lines underground and, wherever possible, under or at the edge of the project access roads in order to minimize soil disturbances. Aboveground transmission lines may be utilized in public road right-of-ways or easements.

These requirements may be waived by the Board of Commissioners upon a finding that there are existing conditions, which justify alternative, aboveground installation, and that such installation would not be averse to the public interest.

- D. Electrical connection plan. A detailed electrical diagram, showing all electrical connection points within the system and to the electrical grid.
- E. Soil Erosion and sediment control. All construction roadwork and site development work must meet national pollutant discharge elimination system (NPDES) permit requirements.
- F. Ground Cover. To reduce soil erosion and storm water runoff, disturbed land, including land under and around solar panels, shall be covered and maintained.
- G. Height. Systems, equipment and structures shall not exceed twenty (20) feet in height when mounted at maximum tilt. Excluded from this height requirement, however, are electric transmission lines, communications poles, and utility poles.
- H. Fencing. The solar energy system shall be fully enclosed and secured by a locked fence with a minimum height of six feet at the discretion of the Commission.
- I. Lighting. If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or roadways.
- J. Noise. Noise levels measured at the property line shall not exceed 50 decibels.
- K. Signage. An appropriate warning sign shall be provided at the entrance to the facility and along each perimeter to the solar farm project. The sign at the entrance to the facility shall include the facility's 911 address and a 24-hour emergency contact number.

Facility Setback Requirements.

SECS shall be located no closer than the following regulations prescribe. The applicant(s) of a SECS may request the required setback to any residence other than the applicant, active church, business, or school be lessened. This request shall only be approved after the applicant obtains signed waivers from all property owners within the setback distance. Any authorized person, business or governmental entity that is within the setback distance may waive the setback distance. The written waiver(s) shall be permanently attached to the approved conditional use permit.

<i><u>Facility Setback Chart</u></i>	<i><u>Feet</u></i>
Residence, active church, business, schools	660
Municipalities	1,320
Lakes, rivers and streams	660
Right-of-way line	100
Property line delineating a change in ownership	100

100 year flood plain	PROHIBITED
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Agreements and Studies.

- A. Aviation Protection. For SECS located within one thousand (1000) feet of an airport, the applicant must meet Federal Aviation Administration (FAA) standards.
- B. Endangered Species and Wetlands. Applicant must submit an inventory of any existing endangered wildlife, flora and fauna species and biologically sensitive areas and meet all South Dakota Department of Agricultural and Natural Resources and Game, Fish and Parks requirements.
- C. Road Maintenance Agreement.
 - a. *Public Roads:* Prior to commencement of construction, the applicants shall identify all “haul roads” that will be used during the construction of the SECS project and shall notify the state, county or township governing body having jurisdiction over these roads to determine if they are acceptable for use as “haul roads”. The governmental body shall be given adequate time to inspect the proposed “haul roads” prior to their use. Where practical, existing roadways shall be used for all activities associated with the SECS. Where practical, all-weather roads shall be used to deliver cement, solar collectors and components and all other heavy components to and from the site. Prior to using the approved haul roads, the permittees shall arrange with the governing body for the maintenance and repair of these roads during active construction times and any final inspection requirements to determine if final repairs are necessary.
 - b. *Private Roads:* The applicants shall promptly repair private roads or lanes damaged when moving equipment or when obtaining access to the site, unless otherwise negotiated with the affected land owner.
- D. Power Purchase Agreement. If an applicant has an executed power purchase agreement at the time of application, the applicant shall provide with the application either such agreement, or at the applicant’s discretion, an affidavit of non-confidential information regarding such agreement.
- E. Glare Study Analysis. Applicant must submit a Glare Study Analysis. Glare from the SECS to adjacent or nearby properties shall be minimized. Steps to minimize glare may include selective placement, selective orientation of the panels, installation of a non-reflective coating, appropriate screening, etc. The purpose of the glare study analysis is to identify potential impacts and mitigation strategies. Once installed, if the SECS creates glare onto neighboring properties and/or rights-of-way the County may constitute it as a nuisance and additional actions and/or screening may be required to substantially eliminate or block the glare from entering adjacent or nearby properties and/or right of ways.

Decommissioning.

- A. *Plan*: All applicants for a conditional use permit shall provide, with their site plan submission, a decommissioning plan.
- a. The plan shall specify the procedure by which the applicant or its successor will remove all structures (including equipment, fencing, roads and foundations) and restore the area to its pre-construction condition.
 - b. Disposal of structure and/or foundations shall meet the provisions and regulations of the South Dakota Environmental Protection Agency or the United States Environmental Protection Agency.
 - c. The plan will set forth a timeline for completing decommissioning once it is commenced.
- B. *Cost Estimate*:
- a. The decommissioning plan shall include a decommissioning cost estimate prepared by a licensed professional engineer.
 - b. The cost estimate shall provide the estimated cost of decommissioning in accordance with the decommissioning plan and any other applicable conditions set by the County.
 - c. The applicant or its successor shall compensate the County for any third-party review and analysis by an engineer of the initial cost estimate.
 - d. The applicant or its successor shall update the decommissioning cost every five (5) years following approval of the conditional use permit and compensate the County for any review and analysis of each cost estimate revision by a licensed professional engineer.
- C. *Financial Resources*:
- a. Fifty percent (50%) of the estimated decommissioning cost will be placed into an escrow account held by the County at the beginning of the SECS construction phase. The balance of the decommissioning cost estimate will be guaranteed with a surety bond so as to cover one hundred percent (100%) of the estimated decommission costs.
 - b. Each year, the applicant or its successor will contribute an additional five percent (5%) of the most current cost estimate to the escrow account, allowing for the reduction of the surety bond by the same percentage. This escrow increase and surety bond decrease will continue until one hundred percent (100%) of the decommissioning cost estimate is held in escrow.
 - c. Should the five-year (5) updated cost estimate increase, the applicant or its successor will increase the required escrow and surety bond combination as outlined above to meet the percentages for the given year. Amounts may be reduced, at the discretion of the County, if an updated cost estimate shows a decrease from the previous cost estimate.
 - d. The County will credit interest to the escrow account on a monthly basis.
- D. *Notice to County*: The applicant or its successor shall provide six (6) months' written notice to the Zoning Administrator that it intends to commence the decommissioning process.
- E. *Termination of Use*:
- a. Decommissioning of solar panels must occur in the event the SECS is not in use for six (6) consecutive months. At this time the applicant or its successor and/or land owner will have six (6) months to complete the decommission plan.

- b. If the applicant or its successor and/or land owner fail to decommission the SECS within six (6) months following commencement of decommissioning, the County has the right, but not the obligation, to undertake decommissioning financed by the financial agreement required for a conditional use permit.
 - c. The county is granted the right to seek injunctive relief to effect and complete decommissioning, as well as to seek reimbursement from the applicant or its successor for decommissioning costs against any real estate owned by applicant or its successor, or in which they have an interest and to take all steps allowed by law to enforce said lien. NOTE: The land owner is ultimately responsible and could have a Lien placed on their property should the applicant or its successor fail to fully remunerate the costs of decommissioning.
- F. *Liability insurance:* The applicant or its successor shall obtain and hold a general liability policy covering bodily injury and property damage and name Yankton County as an additional insured with limits of at least two million dollars (\$2,000,000.00) per occurrence and five million dollars (\$5,000,000.00) in the aggregate with a deductible of no more than five thousand dollars (\$5,000.00). The applicant or its successor must provide proof of insurance to the Zoning Administration prior to construction.
- G. *Indemnity:* Developer shall hold the County and its officers and employees harmless from claims made by Developer and third parties for damages sustained or costs incurred resulting from said SECS project. The Developer shall indemnify the County and its officers and employees for all costs, damages or expenses that the County may pay or incur in consequence of such claims, including attorney fees. Third parties shall have no recourse against the County under this agreement.

Conditional Use Permit Application Requirements.

The following information shall be submitted for the consideration of a SECS Conditional Use Permit:

- A. The applicants', owners', managers', management company's or similar entities' name, address and telephone number.
- B. A legal description of the site and proposed 911 address for the location.
- C. Site diagram(s) depicting:
 - a. boundary of entire area included in permit, showing project acreage and property lines of individual land owners
 - b. location of existing area structures and their distances from the project to illustrate all Facility Setback Requirements are met
 - c. points of access from public road ways
 - d. topography with contours at intervals of two (2) feet showing surface water drainage patterns
 - e. schematic location of solar panels, collector and feeder lines, electrical transmission lines and electrical interconnection points with the utility grid
 - f. internal access and maintenance roads and other accessory structures associated with the SECS
 - g. proposed setbacks of all structures from the exterior boundaries
 - h. depiction of chosen ground cover for erosion control
 - i. fencing, lighting and signage locations

- j. location and purpose of any existing underground pipelines and other utility easements
- D. Soil erosion and sediment control plan during construction
- E. Federal Aviation Administration requirements, if applicable
- F. Glare Study Analysis
- G. Inventory of endangered species and wetlands
- H. A signed Roadway Maintenance and Haul Agreement with State, County, and/or Township authority approval
- I. Power Purchase Agreement
- J. Decommissioning plan
- K. Liability insurance policy
- L. Indemnification of County and its officers and employees
- M. Such other information deemed relevant and necessary by the Zoning Administrator.

Section 2907 Conditional Use Permit for an SECS Not Permitted if Applicant Applies for the Permit for the Purpose of Selling, Transferring, or Brokering.

The Board of Adjustment shall not grant a Conditional Use Permit for an SECS if the applicant is applying for the Permit for the purpose of selling, transferring, or brokering the Permit.

For the purposes of this Ordinance, any sale or transfer of the Permit from the applicant to any other person or entity within five (5) years of the date that the Permit is issued shall be considered to be prima facie evidence that such Permit was obtained for the purpose of selling, transferring or brokering the Permit. The Board of Adjustment may hear and grant exceptions to this rule in the case of unforeseen life events that may force the sale of an operation.

Any evidence that is presented by any person that any Building Permit and/or Conditional Use Permit for an SECS was sought for the purpose of selling, transferring, or brokering the Permit shall be considered by the Zoning Administrator, Planning Commission, and/or Board of Adjustment in considering a new application for Conditional Use Permit. It may be the basis for a denial or revocation of the application, building permit, and/or a conditional use permit by the Board of Adjustment.



COMMISSIONER MEETING AGENDA REQUEST

321 W 3rd, Suite 100, Yankton, SD 57078

E-Mail: patty@co.yankton.sd.us

Submission Deadline: 3:00pm on the Wednesday before scheduled meeting

Date Request Submitted 12/11/2023

Request is for Commission Meeting Dated 12/19/2023

Name: BILL TROE

Address: 950 SOUTH 10TH ST. OMAHA, NE 68154

Phone: 402 513 - 2158

E-Mail Address: BTROE@SRFCONSULTING.COM

Topic to be Addressed and Length of Presentation: WEST YANKTON CO. SUBAREA TRANSPORTATION STUDY
10-15 MIN.

Specific Purpose for the Request (Please Also Attach Support Documents): _____

REQUESTED BY GARY VETTER TO MAKE PRESENTATION OF RECOMMENDATIONS.

Person(s) Making Presentation to the Board: BILL TROE

Audio/Visual Equipment Needed: PROJECTOR / HDMI CONNECTION TO MY LAPTOP.

For Office Use:

Approved _____ Denied _____ Reason(s): _____

Signature: _____

Date: _____



Item 12

COMMISSIONER MEETING AGENDA REQUEST

321 W 3rd, Suite 100, Yankton, SD 57078

E-Mail: patty@co.yankton.sd.us

Submission Deadline: 3:00pm on the Wednesday before scheduled meeting

Date Request Submitted December 13, 2023

Request is for Commission Meeting Dated December 19, 2023

Name: Michelle Goeken

Address: 321 West 3rd St

Phone: 605-260-4490

E-Mail Address: michelle@co.yankton.sd.us

Topic to be Addressed and Length of Presentation: Beacon enhancements

Specific Purpose for the Request (Please Also Attach Support Documents): _____

Person(s) Making Presentation to the Board: Michelle Goeken

Audio/Visual Equipment Needed: Podium, microphone

For Office Use:

Approved _____ Denied _____ Reason(s): _____

Signature: _____

Date: _____

Michelle Goeken

From: Sarah Dickmeyer <sdickmeyer@schneidergis.com>
Sent: Thursday, December 7, 2023 11:19 AM
To: Michelle Goeken
Subject: Yankton County, SD: Beacon renewal
Attachments: ARInvoice I003512.pdf; Yankton County_Proposal_09292023_BeaconAddOns_edit.pdf; YanktonCOSD_RealtorLetter_Beacon2023.pdf

Hi Michelle,

Thank you for all of your time today, here's a recap to our conversation:

- Our accounting department provided the one-year Beacon renewal invoice to you, which was in the amount of \$13,176. (Attached to this email). That amount covers the hosting for the following Beacon add ons:
 - Core, map, account management, comparable search, EagleView ConnectView, and a Custom Comp Search Module.
- A commissioner wondered if there was an option for a 3-year Beacon Renewal, I'm pleased to provide that 3-year renewal below:
 - Three-year Renewal, fixed for the 3-year term: \$15,168 for 2024, 2025, and 2026.
- A couple of highlight to this 3-year renewal:
 - Earlier in the year, we provided a proposal for adding on the Sales Search module and the Tax Distribution module (that proposal is attached). These add-ons haven't been implemented yet from the County. This renewal would include all of the previously hosted add-ons PLUS these new features, cheaper than what was originally proposed.
 - Future years are protected to future annual increases
 - The County would still be operating in the BLACK with this renewal
 - As of 12/7/2023, Yankton County has brought in \$16,569 in Beacon subscription fees
 - The final attachment to this email is a letter from said subscribers, in support, not only of the Beacon site, but the addition of new functionality. This letter was provided to the Auditor's office in November.

Please let me know if there's anything else you need and if you'd like to move forward with this 3-year renewal. I will need to create a new agreement for signatures.

Thank you,
Sarah



Sarah Dickmeyer | Client Success Manager
515-446-9695 | SchneiderGIS.com
Support: 866-362-6789 | support@schneiderGIS.com



Yankton County, South Dakota

Beacon Add-Ons: Sales Search Tool and Property Tax Dollars Module

*Pricing Good for 60 Days**

- **Sales Search Tool:** \$1,176 one-time set up cost: 3 Components, sales search, recent sales in area and sales listing; all explained below.
- **Property Tax Dollars Module:** Annual hosting addition: \$1,032. This add-on allows the users to view the distribution of a property's tax dollars by entity:

Lincoln County

Sarah Dickmeyer Search search...

Layers Map Search Comp Search Sales Search Sales List Results Comp Results Sales Results Report Tax Estimator Tax Estimator - TylerVx More

Tax Distribution

Owner: Nelson, Gregory & Liza
 Property Address: 2504 W Brentridge Cir
 Sioux Falls Sd 57108
 Total Assessed Value: \$1,809,925
 Total Taxable Value: \$1,706,579
 Net Annual Taxes: \$30,690.01

Service	% Total	Per Year	Per Half Year	Per Day
COUNTY:	10.34%	\$3,172.83	\$1,586.42	\$8.69
CITY OF SIOUX FALLS:	21.63%	\$6,639.54	\$3,319.77	\$18.19
EAST DAKOTA WATER DEVELOPMENT:	0.12%	\$37.59	\$18.79	\$0.10
HARRISBURG SCHOOL DISTRICT (Res):	39.69%	\$12,183.88	\$6,091.94	\$33.38
*HARRISBURG SCHOOL OPT OUT (Res):	3.11%	\$955.10	\$477.55	\$2.62
HSBG SCHL BR SERIES 2019:	3.01%	\$924.34	\$462.17	\$2.53
HSBG SCHL BR SERIES 2021:	8.71%	\$2,672.22	\$1,336.11	\$7.32
HSBG SCHL BR SERIES 2019B:	1.34%	\$411.77	\$205.88	\$1.13
HSBG SCHL BR SERIES 2013:	0.69%	\$211.86	\$105.93	\$0.58
HSBG SCHL BR SERIES 2017:	5.02%	\$1,541.14	\$770.57	\$4.22
HSBG SCHL BR SERIES 2017B:	0.40%	\$123.02	\$61.51	\$0.34
HSBG SCHL BR SERIES 2017C:	4.02%	\$1,233.59	\$616.80	\$3.38
SIOUX FALLS DRAINAGE (special):	1.00%	\$304.14	\$153.07	\$0.84
SIOUX FALLS ROAD MAINTENANCE (special):	0.90%	\$277.00	\$138.50	\$0.76
Total	100%	\$30,690.01	\$15,345.01	\$84.08

Total Yearly Property Tax: \$30,690.01

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<http://www.lincolnsouthsd.gov>
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 (605) 764-5701

Auditor
 (605) 764-2561

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Sales Search Components:


- **Sales Search:** Ability to select certain criteria to return sales results. Results can be exported out; map will highlight where are the sales are:

Sales Search

Category	Criteria
Sale Date	Low 05/01/2023 High 09/29/2023
Sale Price	Low 500000 High 600000
Square Footage	Low High
Acreage	Low High
Year Built	Low High
Qualified Sales	<input type="radio"/> All <input checked="" type="radio"/> Qualified Only <input type="radio"/> Unqualified Only
Land Type	Building Only Land Only Land With Building
Price Per Sqft	Low High
Property Type	Agricultural Commercial Exempt Residential
Style	1 1/2 Story A-Frame 1 1/2 Story Brick 1 1/2 Story Frame

Clear Search

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





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Sales Results 37 Results

Property Photos

Parcel ID	Address	Sale Date	Sale Price	Sale Qual	Reason	Acres	Parcel Class	Tax District	Year Built	Square Ft	Price Per Square Ft
 281.27.01.003A	602 GARDEN PL W	9/21/2023	\$585,000	Qualified		0.32	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2006	1647	\$355
 099.50.01.A100	27305 476TH AVE	9/15/2023	\$575,000	Qualified		1.16	Residential	13-42 LAVALLEY TWP/HSBG IND/OPT/OPT/5B1	1981	2000	\$288
 280.22.24.014	752 GREENBRIER PLE	9/14/2023	\$513,000	Qualified		0.17	Residential	28-52 SF CITY/SF IND/E DAK WD/OPT	1999	1387	\$370
 281.33.02.006	8128 SEVEN OAKS DR S	9/8/2023	\$539,900	Qualified		0.31	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2011	1499	\$360
 270.74.16.015	604 BRANNON DR	9/8/2023	\$550,000	Qualified		0.21	Residential	27-42 HSBG CITY/HSBG IND/OPT	2019	1667	\$330
 281.33.07.012	3016 90TH ST W	9/5/2023	\$595,000	Qualified		0.23	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2014	1850	\$322
 280.98.05.005	6202 MONTEREY PL S	8/31/2023	\$520,000	Qualified		0.12	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2017	1851	\$281
 260.50.32.008A	508 MAPLE ST N E	8/31/2023	\$500,000	Qualified		0.59	Residential	26-32 BERESFORD CITY/BERESFORD IND/OPT	2020	4200	\$0
 099.49.04.3030	47802 274TH ST	8/31/2023	\$595,000	Qualified		3.05	Residential	12-42 DAVTON TWP/HSBG IND/OPT/OPT	1973	1232	\$483
 281.07.04.027	801 QUAIL CREEK CIR W	8/30/2023	\$545,000	Qualified		0.22	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2004	1504	\$362
 100.49.23.8008	27013 ROLLING THUNDER LN	8/17/2023	\$500,000	Qualified		1.18	Residential	15-04 SPRINGDALE TWP/CANTON IND/OPT	2000	1556	\$321
 283.07.01.024	7808 BRANDE AVE S	8/15/2023	\$520,000	Qualified		0.28	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2020	1476	\$352

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LINCOLN COUNTY Sarah Dickmeyer Search search..

Layers Map Search Comp Search Sales Search Sales List Results Comp Results **Sales Results**

	280.87.05.003	7508 BELL CIR S	1/3/2022	\$260,000	Qualified	0.16	Residential	28-42 SF CITY/HDBG IND/E DAK WD/OPT	2002	842	\$309
	280.84.09.012A	7304 58TH ST W	1/3/2022	\$269,000	Qualified	0.36	Residential	28-40 SF CITY/SF IND/E DAK WD/OPT	2004	976	\$276
	240.66.01.023	2420 ALBERTA TRL N	1/3/2022	\$552,651	Unqualified	0.27	Residential	24-72 TEA TOWN/TEA IND	2021	1791	\$309
	200.20.02.010	410 10TH ST W	1/3/2022	\$190,000	Qualified	0.31	Residential	20-04 CANTON CITY/CANTON IND	1974	936	\$203
	100.50.54.D1A0	46810 270TH ST	1/3/2022	\$7,500	Unqualified	9.23	Residential	16-72 DELAPRETWP/TEA IND/OPT	2021	2801	\$3
	200.13.18.007	112 BROADWAYS	1/1/2022	\$227,500	Unqualified	0.37	Commercial	20-04 CANTON CITY/CANTON IND	1956 1956 1956	1600 1600 3875	\$0
	100.50.29.D20C	47178 272ND ST	1/1/2022	\$0	Unqualified	3.35	Residential	16-42 DELAPRETWP/HDBG IND/OPT/OPT	1998	1384	\$0

Excel (xlsx) Download

Mailing Labels 208 Results

Use Address From:
 Owner Property

Select export file format:
 Address labels (5160)

Show All Owners
 Show Parcel ID on Label

Skip Labels: 0

Labels will only be generated for owners that have addresses in the system. International mailing labels that exceed 5 lines are not supported on the Address labels (5160). For international addresses, please use the excel, csv or tab download formats.

For best results, uncheck "Fit to Page" in your print settings.

Download

Sales Results

Results:

- Parcel ID - 100-49-34.D07A
Address - 47936 COPPERWOOD CT
Owner - REUER, ERIC & KAYLA
Acres - 3.0
View - [Basics](#) | [Tax Estimator](#) | [Tax Estimator - Value](#) | [Tax Distribution - Value](#) | [Tax Distribution - Owner Occupancy](#) | [Application](#) | [Discontinuity](#) | [Imagery](#) | [Google Maps](#)
- Parcel ID - 100-49-34.C100
Address - 47920 273RD ST
Owner - RENNICH, STEVEN & MARCIA
Acres - 2.02
View - [Basics](#) | [Tax Estimator](#) | [Tax Estimator - Value](#) | [Tax Distribution - Value](#) | [Tax Distribution - Owner Occupancy](#) | [Application](#) | [Discontinuity](#) | [Imagery](#) | [Google Maps](#)
- Parcel ID - 100-49-11.D101
Address - 48056 RIVERSIDE PL
Owner - SMITH, BENJAMIN M
Acres - 2.14
View - [Basics](#) | [Tax Estimator](#) | [Tax Estimator - Value](#) | [Tax Distribution - Value](#) | [Tax Distribution - Owner Occupancy](#) | [Application](#) | [Discontinuity](#) | [Imagery](#) | [Google Maps](#)
- Parcel ID - 098-50-07-A100
Address - 47015 SD HWY 44
Owner - KOPECKY, LIVING TST
Acres - 10.84
View - [Basics](#) | [Tax Estimator](#) | [Tax Estimator - Value](#) | [Tax Distribution - Value](#) | [Tax Distribution - Owner Occupancy](#) | [Application](#) | [Discontinuity](#) | [Imagery](#) | [Google Maps](#)
- Parcel ID - 096-48-27-A100
Address - 46522 296TH ST
Owner - KLEMM, JACKSON W
Acres - 8.25
View - [Basics](#) | [Tax Estimator](#) | [Tax Estimator - Value](#) | [Tax Distribution - Value](#) | [Tax Distribution - Owner Occupancy](#) | [Application](#) | [Discontinuity](#) | [Imagery](#) | [Google Maps](#)

- Recent Sales in Area: From the Parcel Report Page, the "Recent Sales in Area" module will be displayed, allowing the user to pick a certain distance or neighborhood/subdivision to show sales from the specific time frame parameters, either the default setting, or the user can change the dates. Results can be exported out; map will highlight where are the sales are:

LINCOLN COUNTY Sarah Dickmeyer Search search...

Layers Map Search Comp Search Sales Search Sales List Results Comp Results Sales Results Report Tax Estimator Tax Estimator - TylerVx More

2022 PANTRY SINK 1 5 600
2022 PAV 512 1 6.75

Sales Report

Date	Sequence	Seller	Buyer	Book	Page	Type	Reject	Building Value	Land Value	Transfer Fee	Sale Amount	Rejection Reason	MultiParcel
03/31/2021	20210847	SUGRUE, MICHAEL D & JOANNE	PIDDE, RYAN T & KIA	127	841	W	N	\$522,684.00	\$105,809.00	\$750.00	\$749,900.00		
05/21/2013	20131209	ANDERSON, PATRICK J	SUGRUE, MICHAEL D & JOANNE	119	1199	W	N	\$424,705.00	\$68,107.00	\$507.50	\$507,500.00		

Recent Sales in Area

Sale date range: From: 09/29/2013 To: 09/29/2023

Sales by Neighborhood
Sales by Subdivision
1500 Feet Sales by Distance

Valuation Report

	2023	2022	2021	2020	2019
+ NADO	\$116,390	\$105,809	\$105,809	\$91,380	\$91,380
+ NAD10	\$744,068	\$639,690	\$522,684	\$512,120	\$512,120
= Total Value	\$860,458	\$745,499	\$628,493	\$603,500	\$603,500

Taxation

	2022	2021	2020	2019	2018
= Net Taxable Value	Pay 2023 \$703,751	Pay 2022 \$588,269	Pay 2021 \$568,497	Pay 2020 \$565,479	Pay 2019 \$537,205
= Net Taxes Due	\$9,789.16	\$8,989.92	\$8,405.24	\$8,478.22	\$8,012.40

- Sales Listing: Last 2 Full Years worth of sales info, broken down by month and current years' worth of sales broken down by month. Results can be exported out; map will highlight where are the sales are:


LINCOLN COUNTY Sarah Dickmeyer Search search...

Layers Map Search Comp Search Sales Search Sales List

Sales List

2023	2022	2021
January	January	January
February	February	February
March	March	March
April	April	April
May	May	May
June	June	June
July	July	July
August	August	August
September	September	September
	October	October
	November	November
	December	December

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Layers Map Search Comp Search Sales Search Sales List Results Comp Results Sales Results


208 Results

Property Photos

Columns

Parcel ID	Address	Sale Date	Sale Price	Sale Qual	Reason	Acres	Parcel Class	Tax District	Year Built	Square Ft	Price Per Square Ft
283.21.05.002C	5112 DUBUQUE AVES	1/31/2022 1/31/2022	\$0 \$262,400	Unqualified		0.11	Residential Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2021	1652	\$0 \$159
281.70.08.006A	5801 GRAYSTONE AVES	1/31/2022	\$361,991	Unqualified		0.18	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2021	1588	\$228
281.70.03.001C	5617 WESTWIND AVES	1/31/2022	\$768,000	Unqualified		0.12	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2021	1302	\$590
281.70.03.001B	5619 WESTWIND AVES	1/31/2022	\$768,000	Unqualified		0.16	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2021	1302	\$590
281.59.13.001	5512 CHINOOK AVES	1/31/2022	\$465,422	Unqualified		0.25	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2021	1204	\$387
281.59.10.008	5404 SOLONO AVES	1/31/2022	\$394,000	Qualified		0.21	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2017	1211	\$325
280.97.11.007	3809 89TH ST W	1/31/2022	\$0	Unqualified		0.25	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2012	1363	\$0
280.36.06.019	2813 BITTERROOT W	1/31/2022	\$436,000	Qualified		0.25	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2002	1323	\$330
270.94.06.001	804 JOHNSON CREEK CT	1/31/2022	\$452,300	Unqualified		0.29	Residential	27-42 HSBG CITY/HSBG IND/OPT	2021	1488	\$304
270.82.03.004	427 BUNYAN DR	1/31/2022	\$57,500	Unqualified		0.22	Residential	27-42 HSBG CITY/HSBG IND/OPT	2022	1493	\$39
270.74.16.012	615 LEGENDARY DR	1/31/2022	\$335,000	Qualified		0.23	Residential	27-42 HSBG CITY/HSBG IND/OPT	2017	1038	\$323

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LINCOLN COUNTY Sarah Dickmeyer Search search...

Layers Map Search Comp Search Sales Search Sales List Results Comp Results Sales Results

280.87.05.003	7508 BELL CIR S	1/3/2022	\$260,000	Qualified		0.16	Residential	28-42 SF CITY/HSBG IND/E DAK WD/OPT	2002	842	\$309
280.84.09.012A	7304 58TH ST W	1/3/2022	\$269,000	Qualified		0.36	Residential	28-40 SF CITY/SF IND/E DAK WD/OPT	2004	976	\$276
240.65.01.023	2420 ALBERTA TRL N	1/3/2022	\$552,651	Unqualified		0.27	Residential	24-72 TEA TOWN/TEA IND	2021	1791	\$309
200.20.02.010	410 10TH ST W	1/3/2022	\$190,000	Qualified		0.31	Residential	20-04 CANTON CITY/CANTON IND	1974	936	\$203
100.50.54.D1A0	46810 270TH ST	1/3/2022	\$7,500	Unqualified		9.23	Residential	16-72 DELAPRE TWP/TEA IND/OPT	2021	2801	\$3
200.13.18.007	112 BROADWAYS	1/1/2022	\$227,500	Unqualified		0.37	Commercial	20-04 CANTON CITY/CANTON IND	1956 1956 1956	1008 1600 3875	\$0
100.50.25.D20C	47178 272ND ST	1/1/2022	\$0	Unqualified		3.35	Residential	16-42 DELAPRE TWP/HSBG IND/OPT/OPT	1998	1384	\$0

Excel (xlsx) Download

Mailing Labels 208 Results

Use Address From:
 Owner Property

Select export file format:
 Address labels (S160)

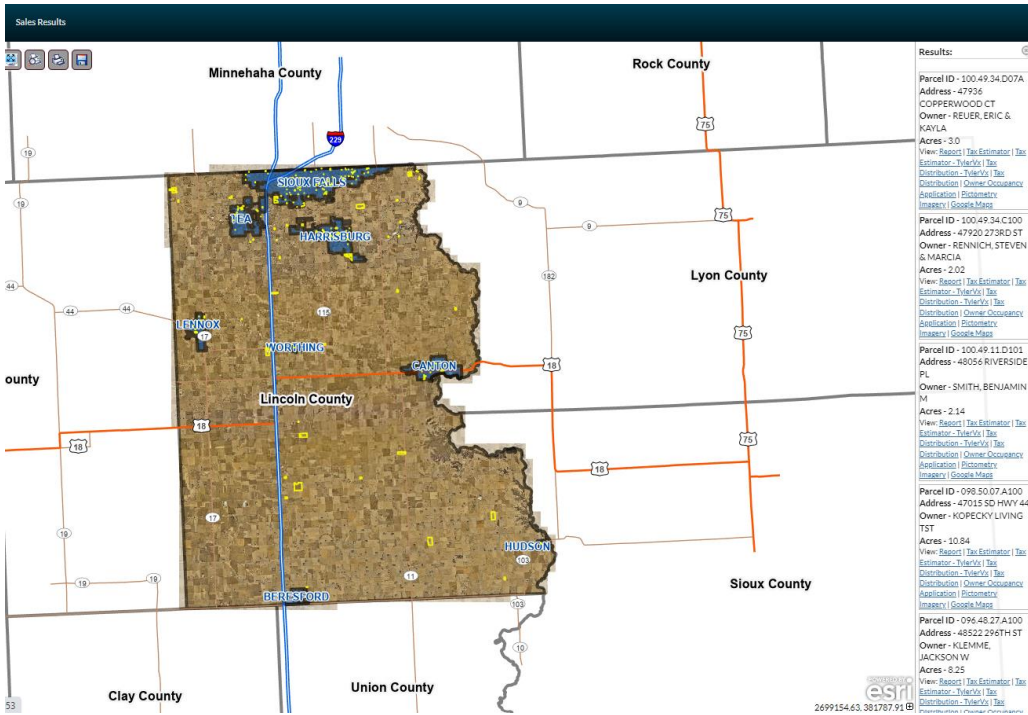
Labels will only be generated for owners that have addresses in the system. International mailing labels that exceed 5 lines are not supported on the Address labels (S160). For international addresses, please use the .xlsx, .csv or tab download formats.

Show All Owners
 Show Parcel ID on Label

Skip Labels: 0

For best results, uncheck "Fit to Page" in your print settings.

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Schneider Geospatial, LLC
Attn: Accounting Department
8901 Otis Avenue, Suite 300
Indianapolis, IN, 46216
317-826-7300
ar@schneiderGIS.com



Invoice

Date 12/01/2023
Invoice # I003512
Due Date 02/29/2024
PO #

Bill To

Director of Equalization
Yankton County, South Dakota
321 West 3rd St, Suite 203
Yankton SD 57078

michelle@co.yankton.sd.us

For Technical Support:

Phone: 1-866-362-6789
Email: support@schneiderGIS.com

Page 1 of 1

To pay by check:
Schneider Geospatial, LLC
PO Box 7048, Group 13
Indianapolis, IN 46207-7048

To pay by ACH (Preferred Payment Method):
ABA/Routing#: 074900657 (First Merchants Bank)
Bank Account#: 9001324648
Remittance advice email: ar@schneiderGIS.com

Description	Billing Period	Amount
Products : SaaS : Beacon/qPublic.net : Contracted	1/1/2024 - 12/31/2024	\$ 13,176.00
Beacon : Hosting : Core		
Beacon : Hosting : Map		
Beacon : Hosting : Account Management		
Beacon : Hosting : Comparable Search		
Beacon : Hosting : EagleView ConnectView		
Beacon : Hosting : Custom Module - Custom Comp Search Module		

Total \$ 13,176.00
Total Amount Due 13,176.00

Please note that remittances are now payable to Schneider Geospatial, LLC for agreements previously entered into with The Schneider Corporation's geospatial division, qPublic, or qPublic.net.

November 2023

To: Yankton County Commissioners

Fr: Meridian Association of Realtors

RE: Beacon

Just a little over a year ago the Yankton County Commission made at least some consideration to change vendors from Beacon to District III for web-based GIS and data reporting tools. Because this issue has surfaced again at a recent county commission meeting, we feel it is appropriate to voice our views as current subscribers and high-volume users.

Members within our association have the good fortune of working in several counties within two states. Many of us are the end users to a variety of GIS/Data services available including the Beacon and District III platforms, among others. Beyond the data available, we have a good understanding of how each platform performs from an end user standpoint.

One of the arguments we have heard in favor of the District III platform is that is less expensive, however it does not have a subscription component. While Beacon has a higher annual cost, their subscription-based model more than covers the cost. Comparing the two based on current subscriptions, a move to the District III platform would result in a net loss to Yankton County of \$7,000-\$8,000 annually. In addition, it is highly likely, by adding some additional services available through Beacon, Yankton County would attract more subscribers and additional revenue.

Beacon provides a much more user-friendly experience from both desktop and mobile devices. As subscribers we are willing to pay for access to the Beacon service rather than use something subpar for free.

It should be recognized that Beacon serves seven of the largest nine counties in South Dakota. Pennington County uses their own in-house system and Codington County uses the District III platform are the exceptions.

We can appreciate the commission wanting to look at alternatives, which is a prudent thing to do. However, we thoroughly compared the two platforms last year by having each platform give us a demonstration along with Q & A. It was a unanimous decision among our membership to remain with Beacon.

We strongly encourage you to lay this discussion to rest and focus on how Yankton County can work with Beacon to upgrade our current platform with already available features and revenue opportunities.

Respectfully,

America's Best Realty
Anderson Realty, LLC
Century 21 Professional Real Estate
Discovery Realty & Management Services
Lewis and Clark Realty
River City Realty
Shore to Shore Realty
The Move Group
Vision Real Estate Services
Yankton Real Estate Company
Whitmire & Associates Realty

Authentisign
Carla Schlingman 11/10/23

Authentisign
Dan Specht 11/09/23

Authentisign
Dakla Mendel 11/09/23

Authentisign
Erica Knox 11/11/23

Authentisign
Jolene Green 11/09/23

Authentisign
Jon Hatch 11/10/23

Authentisign
Kami Guthrie 11/09/23

Authentisign
Kaye O'Neal 11/09/23

Authentisign
Mason Schramm 11/10/23

Authentisign
Tanya Hacecky 11/09/23

Authentisign
Tara Portillo 11/09/23

Authentisign
Randy Kussman 11/09/23

Authentisign
Kerry Trimble-Wehl 11/10/23

Authentisign
Kelly Filips 11/09/23

Authentisign
Scott O'Neal 11/11/23

Authentisign
Bridget Whitmire 11/09/23

Authentisign
Ginny Brinkman 11/09/23

Authentisign
Lisa Daugherty 11/11/23

Authentisign
Rick Daugherty 11/10/23

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 11/20/2023

Applicant

Peterson - PLAT

District type: AG R1-Low R2-Moderate R3-High C-Comm.

LC – Lakeside Commercial RT-Rural Transitional

Variance needed:

Section 513 (4) – Existing Farmstead/Home Section 515 Section 705

Section 715 Section 805

Other 605

North Side/ Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

East Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

South Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

West Side / Yard lot line ____ feet or no closer than ____ feet to the ____ lot line.

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

Please Check Plat Type:

Final Amended Preliminary Revision

-----**Development Information**-----

Plat Name: Plat of Lot A of Lot 1 and Lot B of

Section No: 15 Township No: 93

Range: 56 Number of Lots/Tracts: 2

Number of Acres: 2.53

How is the property currently being used? Lakeside Commercial

What is the proposed use of the property? lakeside Commercial

-----**Surveyor/Engineer Information**-----

Firm Name: Brandt Land Surveying

Address: _____

City: Yankton State: SD Zip: 57078

Contact Person: John Brandt

Phone: 6056658455

-----**Property Owner Information**-----

Name: Mark Peterson Revocable Trust

Address: 3002 W 8th St

City: Yankton State: SD Zip: 57078

Contact person: John Brandt

If the property owner is represented by an authorized agent, please provide the following:

Agent's name: _____

Agents Title: _____

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? Yes No

2. What is/are the lot size(s) 1, 1.53

3. Is this (plat) an existing farmstead? Yes No

4. If a farmstead, how many acres are surrounding it? _____

5. The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes No

6. Is this property to have construction on it? Yes No
If yes :

Name, address and phone number of contractor(s)

-----**Owner certification**-----

This is to certify that Mark Peterson
the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton county Zoning Ordinance.

Mark Peterson

Owner Signature

Owner Signature

This is to certify that _____
acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Planning Office Use Only: Planning Commission Date: _____
County Commission Date: _____

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

In order to insure prompt approval of your plat, please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

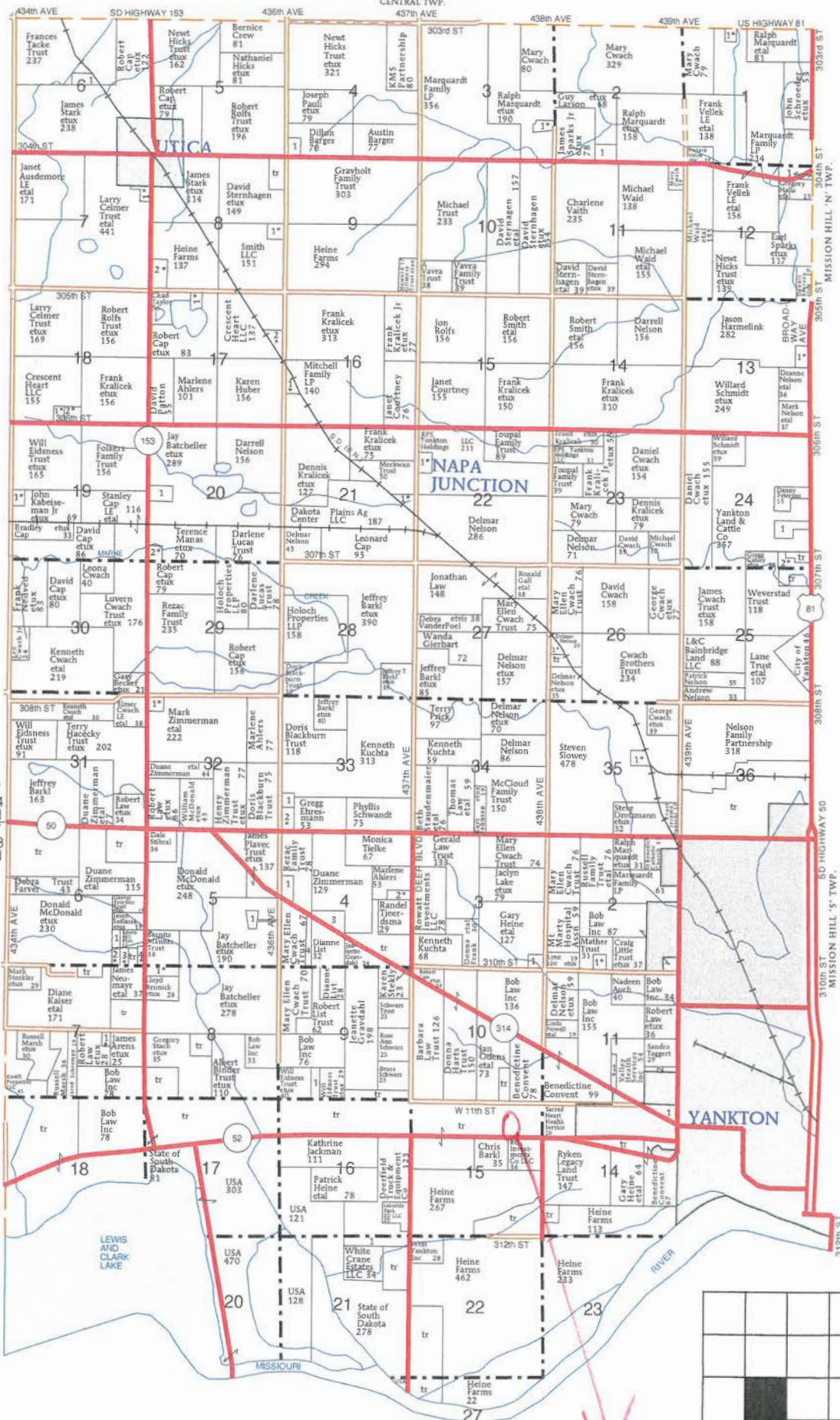
- 1. All required signatures notarized (owner(s), surveyor)?
- 2. Taxes paid at County Treasures?
- 3. County Treasurer's signature?
- 4. Ownership verified by Director of Equalization and signed?
- 5. Street authority signature (DOT, Highway, Township)?
- 6. \$100.00 Fee Paid at Zoning Office?
- 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- 8. County Planning Commission Chair signature?
- 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- 10. County Commission Chairs signature?
- 11. County Auditor's signature?
- 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 12/12/2023

Board of Adjustment date: 12/19/2023

(Landowners)

CENTRAL TWP.



UTICA TOWNSHIP

SECTION 1N

- 1. Siebrandt, Jacob etux 5

SECTION 2N

- 1. Kralicek, Melissa 11

SECTION 2S

- 1. Hoidal, Robert etux 5

SECTION 3N

- 1. Grate, Leo etux 11

SECTION 3S

- 1. Holtzmann Family Trust 7

SECTION 4N

- 1. Nedved, Mark 7

SECTION 4S

- 1. Larson, Robert 8
- 2. Brandt Trust, Merle etal 11

SECTION 5S

- 3. Zimmerman, Steve 20
- 4. List Trust, Robert 18

SECTION 6N

- 1. Batcheller, Jay 8

SECTION 6S

- 1. Maska, Leann 5
- 2. Olivier, Curtis etux 6
- 3. Loecker, Mark etux 5
- 4. Blaha, Jon etux 5

SECTION 7N

- 1. Anthony, Craig etux 10

SECTION 7S

- 1. Philips, Timothy etux 5

SECTION 8N

- 1. Christianson, David etux 6
- 2. Hughes, Scott etux 13

SECTION 8S

- 1. Fanta, Timothy etux 9

SECTION 9S

- 1. Rokahr, Steven 9

SECTION 11S

- 1. Heceky Trust, Terrance etux 11
- 2. Affordable Self Storage LLC 8

SECTION 12N

- 1. Marquardt Family LP 6

SECTION 13N

- 1. Cotton, Jeffrey etux 8

SECTION 14S

- 1. Yankton Medical Clinic PC 12

SECTION 16N

- 1. Anstine, Rodney etux 7

SECTION 17N

- 1. Schenkel, Darrell etux 8

SECTION 18N

- 2. Tacke, WM etux 13

SECTION 18S

- 1. Cap LE, Stanley etal 5
- 2. Cap, Robert etux 7

SECTION 19

- 1. Schenkel, Daniel etux 7

SECTION 20N

- 1. Yankton Co Sharpshooters Assn 12
- 2. Johnson, Michael etux 9

SECTION 21N

- 1. Kralicek, Frank etux 5

SECTION 21S

- 1. White Crane Estates LLC 18

SECTION 22N

- 1. Taggart, William etux 9

SECTION 24

- 1. Marquardt, Doug 13
- 2. Keller, Dallas etux 10

SECTION 26

- 1. Barnes, David etux 7

SECTION 32

- 1. Zimmerman Trust, Henry etal 12

SECTION 33

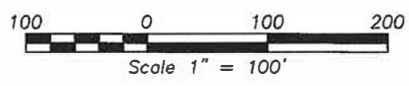
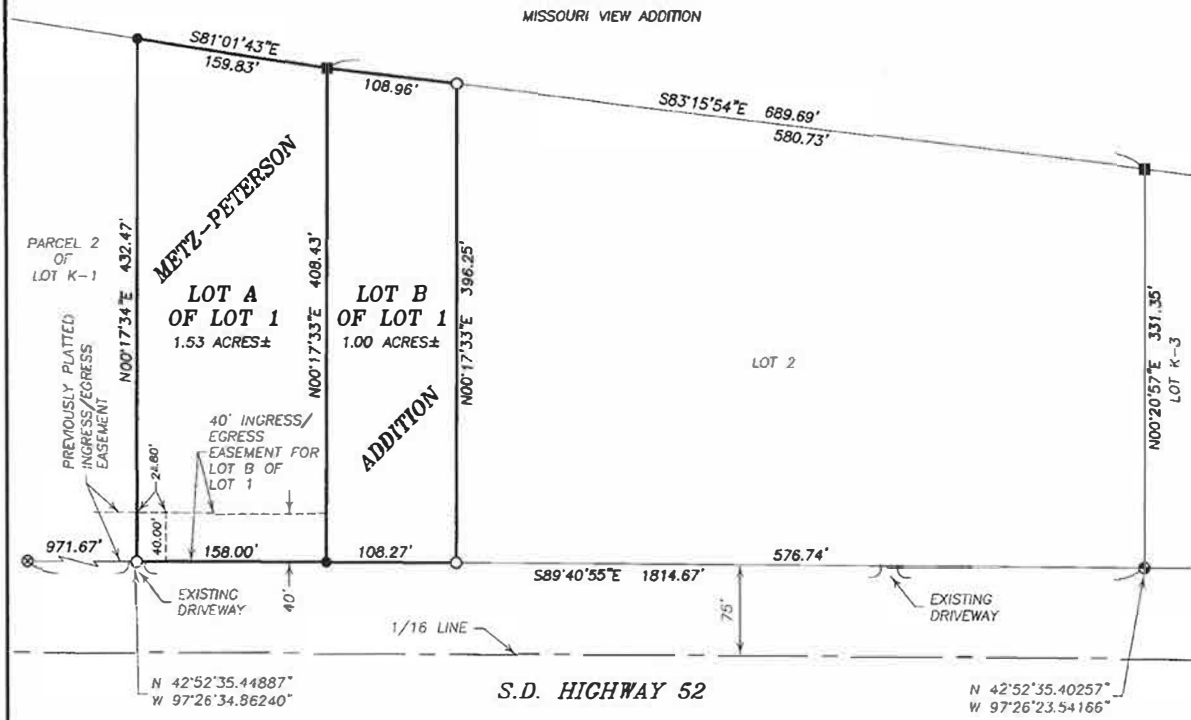
- 1. Delozier, Darrik 6
- 2. Waddell, Edward etux 8

SECTION 35

- 1. Slowey, Steven etux 14

Location

PLAT OF LOT A OF LOT 1 AND LOT B OF LOT 1, METZ-PETERSON ADDITION,
 IN THE N1/2 OF THE NE1/4 OF SECTION 15, T93N, R56W OF THE 5TH P.M.,
 YANKTON COUNTY, SOUTH DAKOTA

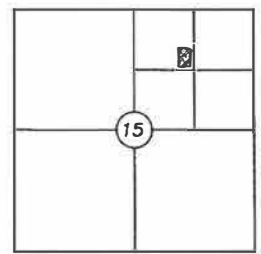


LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "TJK R.L.S. 6841"
- ⊙ FOUND 5/8" REBAR
- FOUND IRON PIPE
- ⊗ FOUND DOT T POST

NOTE:
 BASIS OF BEARING
 BY GPS OBSERVATION

PREPARED BY:
 BRANDT LAND SURVEYING
 1202 WILLOWDALE ROAD
 YANKTON, SD 57078
 (605) 685-8455



LOCATION (N.T.S.)

PLAT OF LOT A OF LOT 1 AND LOT B OF LOT 1, METZ-PETERSON ADDITION,
IN THE N1/2 OF THE NE1/4 OF SECTION 15, T93N, R56W OF THE 5TH P.M.,
YANKTON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNERS, MADE A SURVEY AND PLAT OF LOT A OF LOT 1 AND LOT B OF LOT 1, METZ-PETERSON ADDITION, IN THE N1/2 OF THE NE1/4 OF SECTION 15, T93N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON REBAR AS SHOWN AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 15TH DAY OF NOVEMBER, 2023.



JOHN L. BRANDT REG. NO. 5349

OWNER'S CERTIFICATE

WE, MARK R. PETERSON AND SHARLOTTE I. PETERSON, TRUSTEES OF THE MARK & SHARLOTTE PETERSON REVOCABLE TRUST DATED FEBRUARY 18, 2016, DO HEREBY CERTIFY THAT THE MARK & SHARLOTTE PETERSON REVOCABLE TRUST DATED FEBRUARY 18, 2016, IS THE OWNER OF THE ABOVE DESCRIBED REAL PROPERTY AND THAT THE ABOVE SURVEY AND PLAT WAS MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSE OF MARKING, PLATTING AND TRANSFER. WE ALSO CERTIFY THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. WE ALSO HEREBY DEDICATE THE INGRESS/EGRESS EASEMENT AS SHOWN ON THIS PLAT.

DATED THIS _____ DAY OF _____, 20____.

MARK R. PETERSON
TRUSTEE, MARK & SHARLOTTE PETERSON REVOCABLE
TRUST DATED FEBRUARY 18, 2016

SHARLOTTE I. PETERSON
TRUSTEE, MARK & SHARLOTTE PETERSON REVOCABLE
TRUST DATED FEBRUARY 18, 2016

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED MARK R. PETERSON AND SHARLOTTE I. PETERSON, WHO ACKNOWLEDGED THEMSELVES TO BE TRUSTEES OF THE MARK & SHARLOTTE PETERSON REVOCABLE TRUST DATED FEBRUARY 18, 2016, AND THAT THEY AS TRUSTEES, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT IS APPROVED AND THE SAME BE CERTIFIED TO THE YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS WITH THE RECOMMENDATION THAT SAID SURVEY AND PLAT BE APPROVED.

DATED THIS _____ DAY OF _____, 20____.

CHAIRMAN, PLANNING COMMISSION _____

COUNTY COMMISSIONER'S RESOLUTION

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT BE APPROVED AND THE COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THE RESOLUTION AND CERTIFY THE SAME.

DATED THIS _____ DAY OF _____, 20____.

CHAIRMAN, COUNTY COMMISSIONERS _____

I, THE UNDERSIGNED, COUNTY AUDITOR FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, AT THE REGULAR MEETING ON THE _____ DAY OF _____, 20____.

COUNTY AUDITOR _____

RESOLUTION BY THE CITY COMMISSION

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE ABOVE DESCRIBED REAL PROPERTY, AND HAS SUBMITTED SUCH PLAT TO THE CITY COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR APPROVAL; AND

WHEREAS, SUCH PLAT HAS BEEN SUBMITTED TO THE PLANNING COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR A REPORT AND RECOMMENDATIONS THEREON TO THE CITY COMMISSION AS REQUIRED BY LAW; NOW

THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND THE SAME IS HEREBY APPROVED. THE CITY FINANCE OFFICER IS AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THE RESOLUTION AND CERTIFY THE SAME.

MAYOR, CITY OF YANKTON _____

I, THE UNDERSIGNED, CITY FINANCE OFFICER OF THE CITY OF YANKTON, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE CITY OF YANKTON,

SOUTH DAKOTA, ON THIS _____ DAY OF _____,

20____.

CITY FINANCE OFFICER _____

APPROVAL OF HIGHWAY AUTHORITY

STATE OF SOUTH DAKOTA COUNTY OF YANKTON

ACCESS TO S.D. HIGHWAY 52 IS APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02.

HIGHWAY OR STREET AUTHORITY _____

COUNTY TREASURER'S CERTIFICATE

I, THE UNDERSIGNED, COUNTY TREASURER FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF

MY OFFICE ON THE _____ DAY OF _____, 20____, HAVE BEEN PAID IN FULL.

COUNTY TREASURER _____

DIRECTOR OF EQUALIZATION

I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION _____

REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 20____,

AT _____ O'CLOCK _____ M., AND RECORDED IN BOOK _____ OF

PLATS ON PAGE _____.

REGISTER OF DEEDS _____

Plat Approval
Application
193701

Fees Paid
\$100.00

Applicant
Bill Conkling

Created
November 20,
2023

Number
193701

Final | Plat of Lot A of Lot 1 and
Lot B of Lot 1, Metz-Peterson
Addition, in the N1/2 of the
NE1/4 of Section 15, T93N,
R56W of the 5th P.M., Yankton
County, South Dakota | Mark
Peterson Revocable Trust |
3002 W 8th St | 09.015.125.010
Submitted by bconkling on
11/20/2023



Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

Parcel search Completed On 11/20/2023 10:15 AM EST by bconkling



Maxar, Microsoft

Powered by Esri

ParcelID	Address	City	OwnerName	Acres
09.015.125.010	3002 WEST 8 ST	YANKTON	PETERSON, MARK REV TRUST (D) PETERSON, SHAR REV TRUST (D)	2.530

Requested Information Completed On 11/20/2023 10:17 AM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

57078

Contact Person

John Brandt

Phone

6056658455

Property Owner Information

Owner Name

Mark Peterson Revocable Trust

Address

3002 W 8th St

City

Yankton

State

SD

Zip

57078

Owner Phone

6056658455

Contact Person

John Brandt

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes?

Yes

What is/are the lot size(s)

Mark Peterson

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Submittal Email Completed On 11/22/2023 11:15 AM EST by bconkling

[RESEND EMAIL](#)

Delivered on Wednesday, November 22, 2023 at 11:15 AM CST

Options

Send to the applicant? Yes

Send to members of the following roles:

Zoning

Recipients

To:

andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yankton.sd.us

Subject: Plat Approval Application Submitted

A Plat Approval Application has been submitted for review.

Number: 193701

Workflow: Plat Approval Application

Description: Final | Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota | Mark Peterson Revocable Trust | 3002 W 8th St | 09.015.125.010

Created On: 11/20/2023

[View Application](#)

Email to Pay Completed On 11/22/2023 11:15 AM EST by bconkling

[RESEND EMAIL](#)

Delivered on Wednesday, November 22, 2023 at 11:16 AM CST

Options

Send to the applicant? Yes

Send to members of the following roles:

Zoning

Recipients

To:

pattyv@co.yankton.sd.us

andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yanktonsd.us

Subject: Plat Approval Application: Payment Made

Payment has successfully been made for a Plat Approval Application.

Amount Paid: \$100.00

Number: 193701

Workflow: Plat Approval Application

Description: Final | Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th PM., Yankton County, South Dakota | Mark Peterson Revocable Trust | 3002 W 8th St | 09 015.125.010

Created On: 11/20/2023

[View Application](#)

Planning Commission Review Completed On 11/22/2023 11:16 AM EST by bconkling

Plat Approval Planning Commission Checklist

Please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures and County Treasurer's signature?

Ownership verified by Director of Equalization and signed?

Plat name has been approved by Register of Deeds?

Street authority signature (DOT, Highway, Township)?

\$100.00 Fee Paid at Zoning Office?

Plat has been scheduled/approved by the Yankton County Planning Commission?

Planning Commission date:

12/12/2023

External Notes

Documents

Yankton County, South Dakota

Receipt

Payment number
Date paid
Payment method

1264
November 22, 2023 11:16 AM
Check

Paid by
Bill Conkling
Bill@co.yankton.sd.us

\$100.00 paid on November 22, 2023

Plat Approval Application

Application ID: 193701

Description	Amount
Fee	\$100.00

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 12/12/2023 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Conkling

ROLL BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

CALL:

APPROVAL OF MINUTES: MOTION BY: Nelson SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Bye – Conditional Use Permit**

ADDRESS/LLEGAL: Applicant wishes to install a wind energy conversion system in an Agricultural District per Article 5 section 507 and Article 26 Section 2603. Said property is legally described as the East Half of the Northwest Quarter (E1/2 NW1/4), except the West One Hundred Seventy-five Feet (W175') of the East Five Hundred Ninety-four (94) Feet (E594') of the South Two Hundred Sixty-seven Feet (S267') in Section Thirty-six (36), Range Ninety-three (93) North, Township Fifty-four (54) West of the 5th P.M., Yankton County, South Dakota.

COMMENTS: None

MOTION: **Because there is a conflict in applicability between 2603-1i and 2605-1 move approval based on findings of fact for section 1805 and 2603 because this application aligns more with 2603 versus 2605**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Weiss

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Peterson Plat**

ADDRESS/LLEGAL: Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings – Preliminary Plat**

ADDRESS/LEGAL: Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Untable the plat application – Michael, second – Loest Approved 7-0**
Approve as presented
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings - Plat**

ADDRESS/LEGAL: Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Staudenmaier - Plat**

ADDRESS/LEGAL: Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Freng - Plat**
ADDRESS/LEGAL: Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Fear - Plat**
ADDRESS/LEGAL: Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Clark SECOND BY: Loest
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Article 26 Discussion**
ADDRESS/LEGAL:
COMMENTS: Discussion among commission

MOTION: **No Action Taken**

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Public Comment**
ADDRESS/LEGAL: _____
COMMENTS: None

MOTION: Adjourn
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 11/2/2023

Applicant

Dumont Holdings - PLAT

District type: AG R1-Low R2-Moderate R3-High C-Comm.

LC – Lakeside Commercial RT-Rural Transitional

Variance needed:

Section 513 (4) – Existing Farmstead/Home Section 515 Section 705

Section 715 Section 805

Other 605

North Side/ Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

East Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

South Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

West Side / Yard lot line ____ feet or no closer than ____ feet to the ____ lot line.

Accessory Building Size allowed:

Proposed building size:

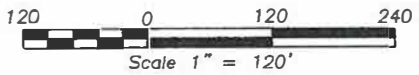
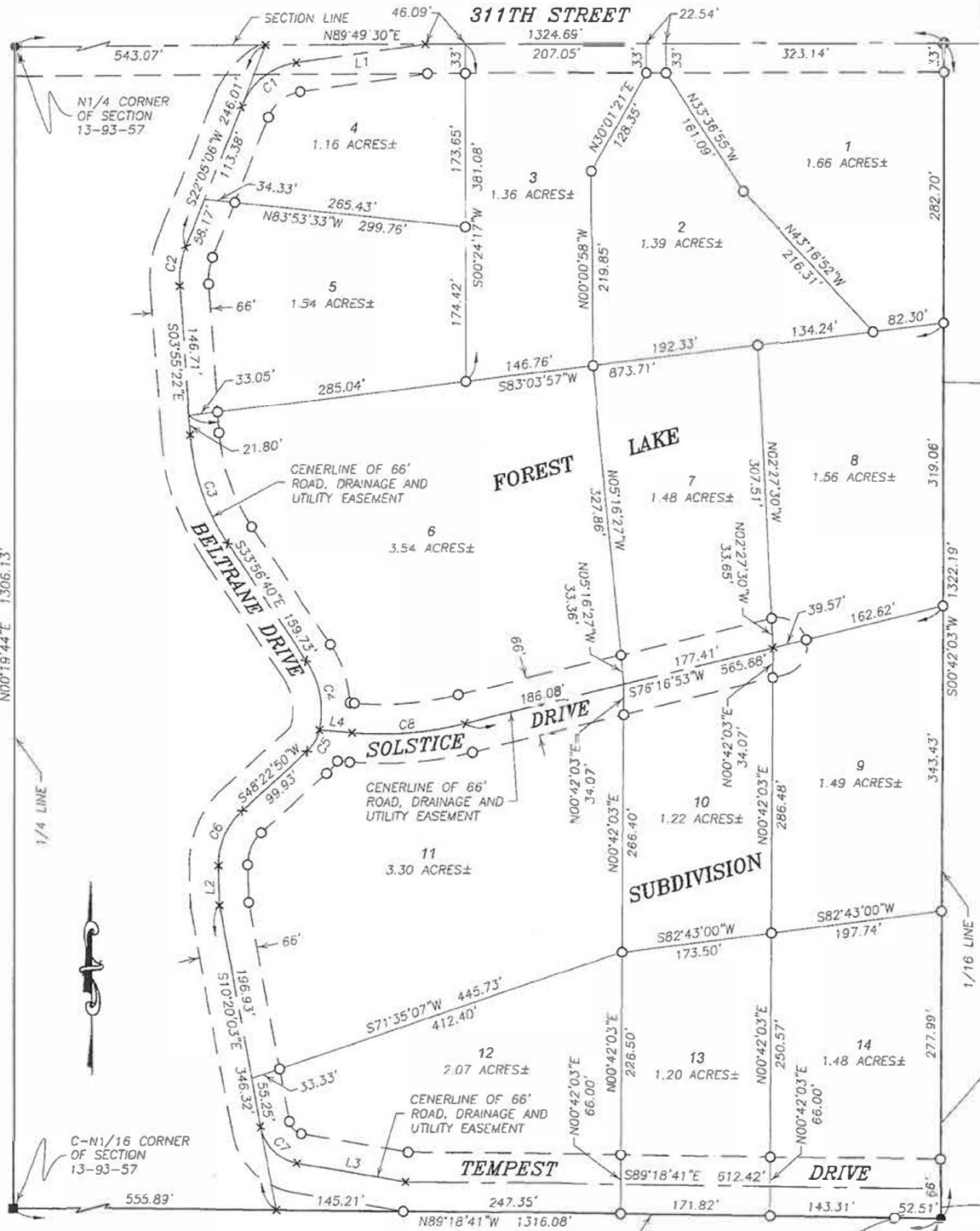
Proposed sidewall height:

Affects Section:

NOTE:

Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

**PRELIMINARY PLAT OF LOTS 1 THRU 14, FOREST LAKE SUBDIVISION,
IN THE NW1/4 OF THE NE1/4 OF SECTION 13, T93N, R57W OF THE 5TH P.M.,
YANKTON COUNTY, SOUTH DAKOTA.**



LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "SD 5349 NE 708 BRANDT"
- FOUND IRON PIPE
- FOUND 1/2" REBAR
- ⊗ FOUND NAIL
- × CALCULATED CORNER

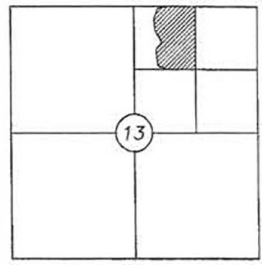
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S82°08'10"W	149.02
L2	S01°15'30"E	44.93
L3	S80°22'45"E	126.00
L4	N85°04'06"W	37.44

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	80.00'	83.85'	60°03'03"	S52°06'38"W	80.06'
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NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

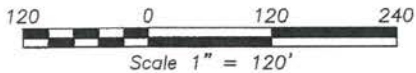
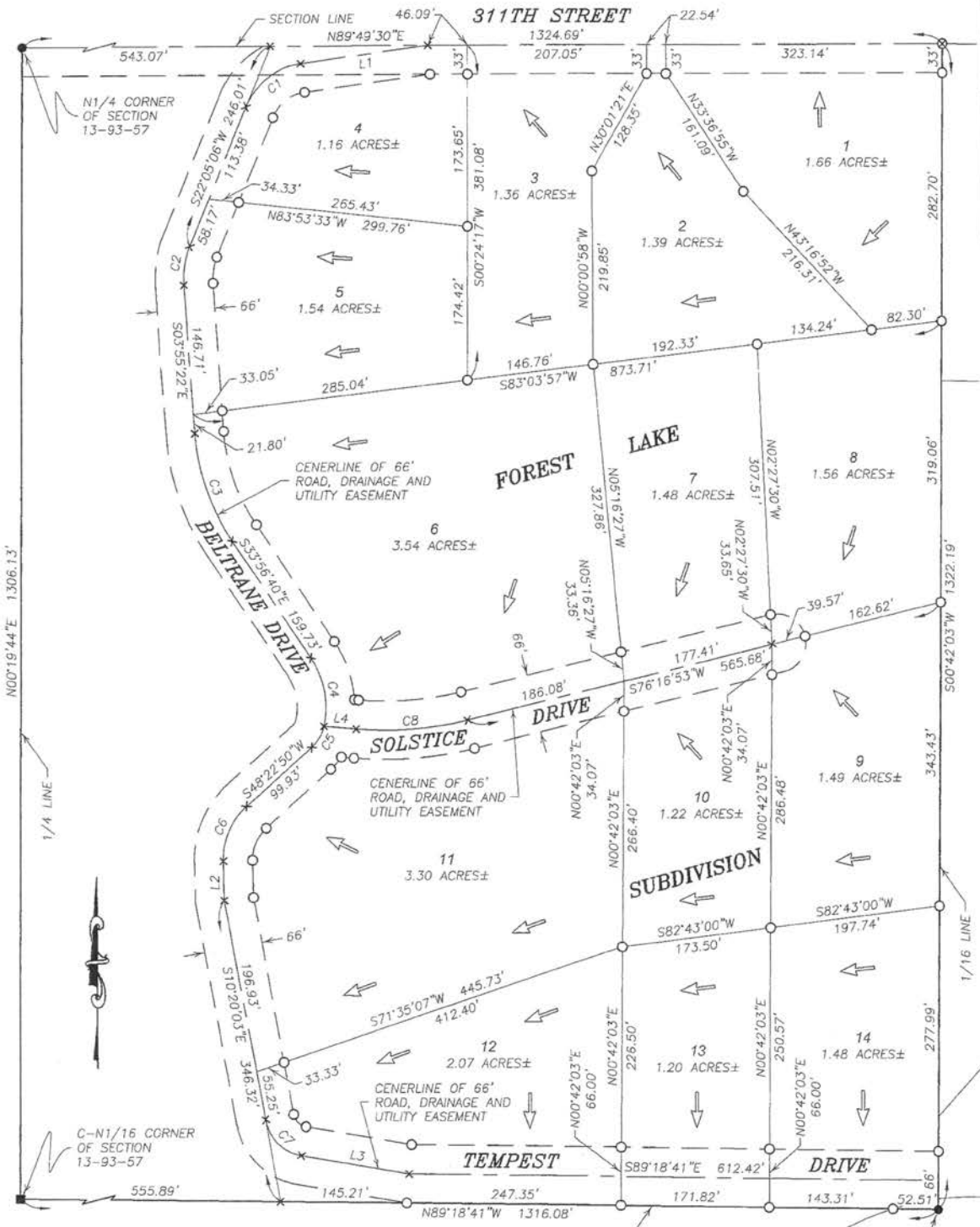
PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455

NE1/16 CORNER
OF SECTION
13-93-57



LOCATION (N.T.S.)
SECTION 13-93-57

**GRADING AND DRAINAGE PLAN OF LOTS 1 THRU 14, FOREST LAKE SUBDIVISION,
IN THE NW1/4 OF THE NE1/4 OF SECTION 13, T93N, R57W OF THE 5TH P.M.,
YANKTON COUNTY, SOUTH DAKOTA.**



LEGEND

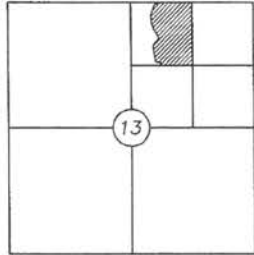
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NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455



LOCATION (N.T.S.)
SECTION 13-93-57

PRELIMINARY PLAT OF LOTS 1 THRU 14, FOREST LAKE SUBDIVISION,
IN THE NW1/4 OF THE NE1/4 OF SECTION 13, T93N, R57W OF THE 5TH P.M.,
YANKTON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY AND PLAT OF LOTS 1 THRU 14, FOREST LAKE SUBDIVISION, IN THE NW1/4 OF THE NE1/4 OF SECTION 13, T93N, R57W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON REBAR AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 1ST DAY OF NOVEMBER, 2023.



JOHN L. BRANDT REG. NO. 5349

OWNER'S CERTIFICATE

I, KARL SCHENK, MANAGING MEMBER OF DUMONT HOLDINGS, LLC, DO HEREBY CERTIFY THAT DUMONT HOLDINGS, LLC, IS THE OWNER OF THE ABOVE DESCRIBED REAL PROPERTY AND THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF MARKING, PLATTING AND TRANSFER. I ALSO CERTIFY THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. I HEREBY DEDICATE THE 66' ROAD, DRAINAGE AND UTILITY EASEMENTS AS SHOWN ON THIS PLAT.

DATED THIS _____ DAY OF _____, 20____.

KARL SCHENK, MANAGING MEMBER
DUMONT HOLDINGS, LLC

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED KARL SCHENK, WHO ACKNOWLEDGED HIMSELF TO BE MANAGING MEMBER OF DUMONT HOLDINGS, LLC, AND THAT HE AS MANAGING MEMBER, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

COUNTY PLANNING COMMISSION RESOLUTION

BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT IS APPROVED AND THE SAME BE CERTIFIED TO THE YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS WITH THE RECOMMENDATION THAT SAID SURVEY AND PLAT BE APPROVED.

DATED THIS _____ DAY OF _____, 20____.

CHAIRMAN, PLANNING COMMISSION _____

COUNTY COMMISSIONER'S RESOLUTION

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT BE APPROVED AND THE COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THE RESOLUTION AND CERTIFY THE SAME.

DATED THIS _____ DAY OF _____, 20____.

CHAIRMAN, COUNTY COMMISSIONERS _____

I, THE UNDERSIGNED, COUNTY AUDITOR FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY,

SOUTH DAKOTA, AT THE REGULAR MEETING ON THE _____ DAY OF _____, 20____.

COUNTY AUDITOR _____

APPROVAL OF HIGHWAY AUTHORITY

STATE OF SOUTH DAKOTA COUNTY OF YANKTON

ACCESS TO 311TH STREET IS APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02.

HIGHWAY OR STREET AUTHORITY _____

COUNTY TREASURER'S CERTIFICATE

I, THE UNDERSIGNED, COUNTY TREASURER FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF

MY OFFICE ON THE _____ DAY OF _____, 20____, HAVE BEEN PAID IN FULL.

COUNTY TREASURER _____

DIRECTOR OF EQUALIZATION

I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION _____

REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 20____.

AT _____ O'CLOCK _____ M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

REGISTER OF DEEDS _____

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 12/12/2023 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Conkling

ROLL BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

CALL:

APPROVAL OF MINUTES: MOTION BY: Nelson SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Bye – Conditional Use Permit**

ADDRESS/LLEGAL: Applicant wishes to install a wind energy conversion system in an Agricultural District per Article 5 section 507 and Article 26 Section 2603. Said property is legally described as the East Half of the Northwest Quarter (E1/2 NW1/4), except the West One Hundred Seventy-five Feet (W175') of the East Five Hundred Ninety-four (94) Feet (E594') of the South Two Hundred Sixty-seven Feet (S267') in Section Thirty-six (36), Range Ninety-three (93) North, Township Fifty-four (54) West of the 5th P.M., Yankton County, South Dakota.

COMMENTS: **None**

MOTION: **Because there is a conflict in applicability between 2603-1i and 2605-1 move approval based on findings of fact for section 1805 and 2603 because this application aligns more with 2603 versus 2605**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Weiss

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Peterson Plat**

ADDRESS/LLEGAL: Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: **None**

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings – Preliminary Plat**

ADDRESS/LEGAL: Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Untable the plat application – Michael, second – Loest Approved 7-0**
Approve as presented
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings - Plat**

ADDRESS/LEGAL: Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Michael
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Staudenmaier - Plat**

ADDRESS/LEGAL: Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Freng - Plat**
ADDRESS/LEGAL: Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Fear - Plat**
ADDRESS/LEGAL: Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Clark SECOND BY: Loest
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Article 26 Discussion**
ADDRESS/LEGAL:
COMMENTS: Discussion among commission

MOTION: **No Action Taken**

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Public Comment**
ADDRESS/LEGAL: _____
COMMENTS: None

MOTION: Adjourn
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 11/21/2023

Applicant

Dumont Holdings - PLAT

District type: AG R1-Low R2-Moderate R3-High C-Comm.

LC – Lakeside Commercial RT-Rural Transitional

Variance needed:

Section 513 (4) – Existing Farmstead/Home Section 515 Section 705

Section 715 Section 805

Other 605

North Side/ Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

East Side / Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

South Side / Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

West Side / Yard lot line _____ feet or no closer than _____ feet to the _____ lot line.

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

Please Check Plat Type:

Final Amended Preliminary Revision

-----**Development Information**-----

Plat Name: Preliminary Plat of Lots 1 Thru 14,

Section No: 13 Township No: 93

Range : 57 Number of Lots/Tracts: 5

Number of Acres: 7.45

How is the property currently being used? _____
MD

What is the proposed use of the property? _____
MD

-----**Surveyor/Engineer Information**-----

Firm Name: Brandt Land Surveying

Address: _____

City: Yankton State: SD Zip: 57078

Contact Person: John Brandt

Phone: 6056658455

-----**Property Owner Information**-----

Name: Dumont Holdings

Address: 44352 308 ST

City: Mission Hill State: SD Zip: 57046

Contact person: Joh Brandt

If the property owner is represented by an authorized agent, please provide the following:

Agent's name: _____

Agents Title: _____

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? Yes No

2. What is/are the lot size(s) 1.36-1.56

3. Is this (plat) an existing farmstead? Yes No

4. If a farmstead, how many acres are surrounding it? _____

5. The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes No

6. Is this property to have construction on it? Yes No

If yes : Single family dwellings

Name, address and phone number of contractor(s)

-----**Owner certification**-----

This is to certify that Dumont Holdings
the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton county Zoning Ordinance.

Handwritten Signature

Owner Signature

Owner Signature

This is to certify that _____
acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Planning Office Use Only: Planning Commission Date: _____
County Commission Date: _____

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

In order to insure prompt approval of your plat, please follow these steps:

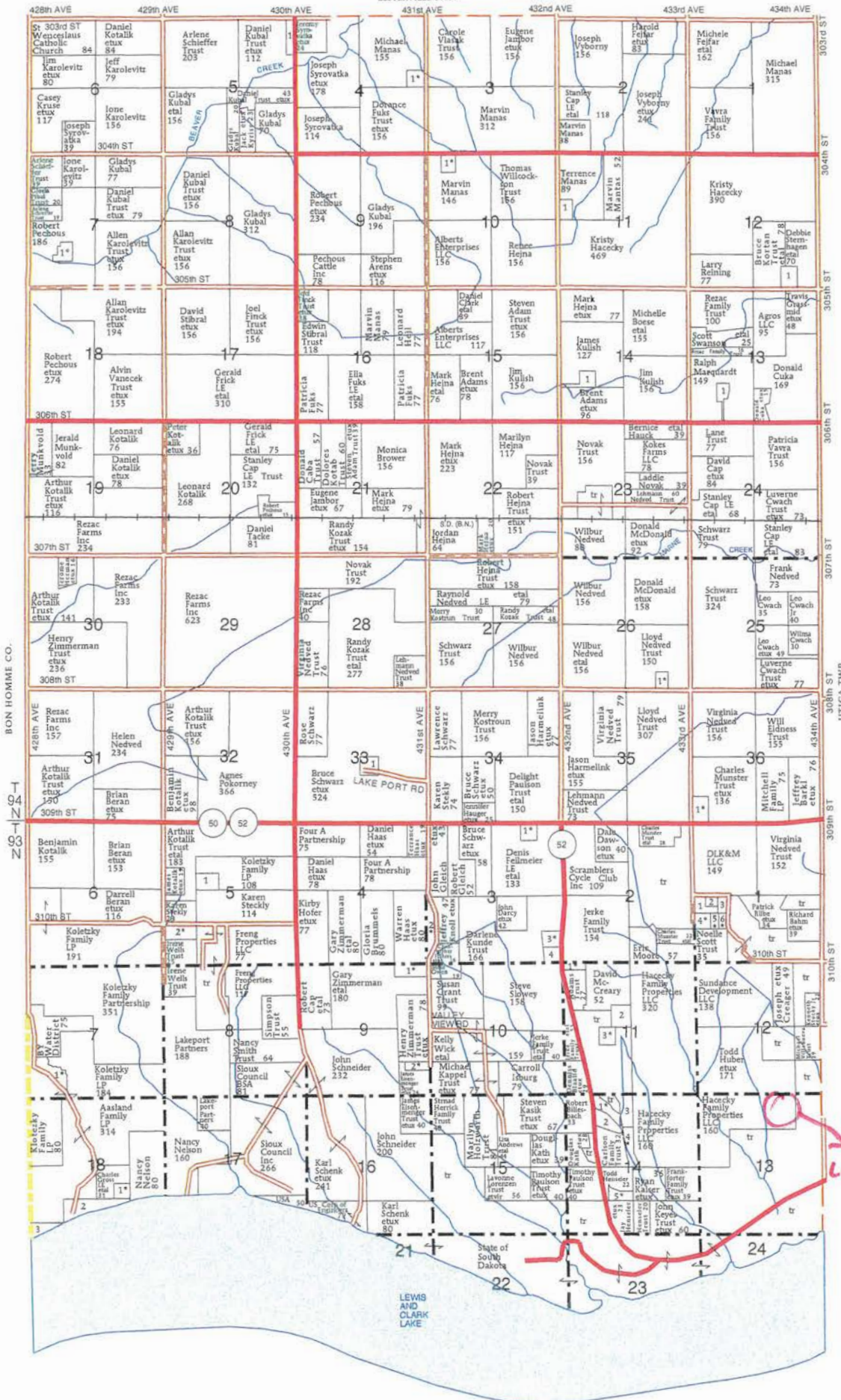
Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

- 1. All required signatures notarized (owner(s), surveyor)?
- 2. Taxes paid at County Treasures?
- 3. County Treasurer's signature?
- 4. Ownership verified by Director of Equalization and signed?
- 5. Street authority signature (DOT, Highway, Township)?
- 6. \$100.00 Fee Paid at Zoning Office?
- 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- 8. County Planning Commission Chair signature?
- 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- 10. County Commission Chairs signature?
- 11. County Auditor's signature?
- 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 12/12/2023

Board of Adjustment date: 12/19/2023

LESTERVILLE TWP.



ZISKOV TOWNSHIP

SECTION 1S

1. Barth, Chad 9
2. Fischer, Katrina 5
3. Gause, Janell 5
4. Taylor, Lynn etux 9
5. Scott, Bjaye etux 5
6. Kramer, Francis etal 5

SECTION 3S

1. Ausdemore, Robert etal 9
2. Haas, Warren etux 10
3. Mueller, James etux 8
4. Kunde, Darlene 8

SECTION 4N

1. Hoffman, RC etux 10
2. Polish Catholic Congregation 9

SECTION 5N

1. Willis, Carol 11
2. Sedlacek, Kenneth etux 12

SECTION 7N

1. Pechous, Robert etux 10

SECTION 7S

1. Koletzky, Ione etal 17

SECTION 9S

1. Jungemann, Jerry etux 15
2. Wrostell, Eldon etux 15

SECTION 10N

1. Manas, Terence etux 10

SECTION 11N

1. Cap, Daniel 11

SECTION 11S

1. Haberman, Adam etux 10
2. Konopasek Family Trust 10
3. Lyons, Sean etal 10

SECTION 12N

1. Hejna, Marilyn 9

SECTION 13N

1. Sudbeck, Charlene 12

SECTION 14S

1. Peterson, Corey etal 9
2. Feimer Family Protection Trust 9
3. Colby, David 13
4. VanDeKop, Dale etux 10
5. Henseler, Kevin etux 9

SECTION 18S

1. Lynch, Daniel etux 9
2. State of South Dakota Game Fish & Parks 66
3. Yonke Trust, Mark 5

SECTION 26

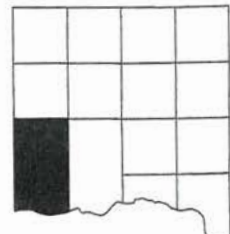
1. Martin, Nathan etux 6

SECTION 33

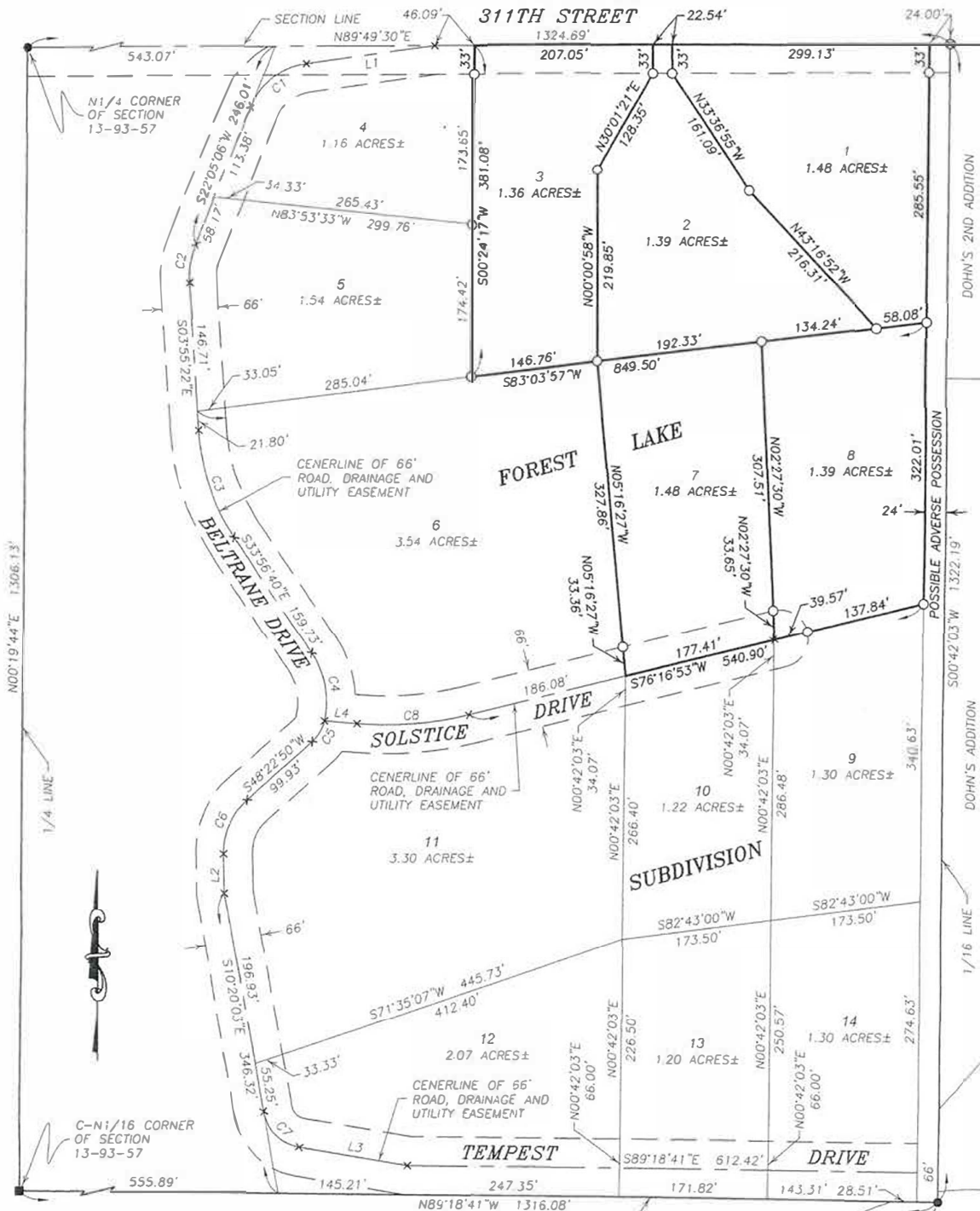
1. St Wenceslaus Roman Catholic Church 10

SECTION 36

1. Koletzky, David etux 8



PLAT OF LOTS 1, 2, 3, 7 AND 8, FOREST LAKE SUBDIVISION,
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YANKTON COUNTY, SOUTH DAKOTA.



LEGEND

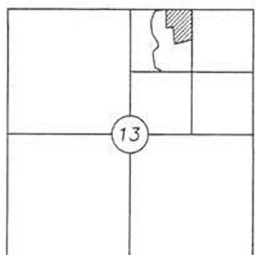
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C8	400.00'	130.20'	18°39'01"	S85°36'24"W	129.63'

NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455



LOCATION (N.T.S.)
SECTION 13-93-57

PLAT OF LOTS 1, 2, 3, 7 AND 8, FOREST LAKE SUBDIVISION,
IN THE NW1/4 OF THE NE1/4 OF SECTION 13, T93N, R57W OF THE 5TH P.M.,
YANKTON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY AND PLAT OF LOTS 1, 2, 3, 7 AND 8, FOREST LAKE SUBDIVISION, IN THE NW1/4 OF THE NE1/4 OF SECTION 13, T93N, R57W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON REBAR AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 1ST DAY OF NOVEMBER, 2023.



JOHN L. BRANDT REG. NO. 5349

COUNTY COMMISSIONER'S RESOLUTION

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT BE APPROVED AND THE COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THE RESOLUTION AND CERTIFY THE SAME.

DATED THIS _____ DAY OF _____, 20__.

CHAIRMAN, COUNTY COMMISSIONERS

I, THE UNDERSIGNED, COUNTY AUDITOR FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY,

SOUTH DAKOTA, AT THE REGULAR MEETING ON THE _____ DAY OF _____, 20__.

COUNTY AUDITOR

OWNER'S CERTIFICATE

I, KARL SCHENK, MANAGING MEMBER OF DUMONT HOLDINGS, LLC, DO HEREBY CERTIFY THAT DUMONT HOLDINGS, LLC, IS THE OWNER OF THE ABOVE DESCRIBED REAL PROPERTY AND THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF MARKING, PLATTING AND TRANSFER. I ALSO CERTIFY THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. I HEREBY DEDICATE THE 66' ROAD, DRAINAGE AND UTILITY EASEMENTS AS SHOWN ON THIS PLAT.

DATED THIS _____ DAY OF _____, 20__.

KARL SCHENK, MANAGING MEMBER
DUMONT HOLDINGS, LLC

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED KARL SCHENK, WHO ACKNOWLEDGED HIMSELF TO BE MANAGING MEMBER OF DUMONT HOLDINGS, LLC, AND THAT HE AS MANAGING MEMBER, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

APPROVAL OF HIGHWAY AUTHORITY

STATE OF SOUTH DAKOTA COUNTY OF YANKTON

ACCESS TO 311TH STREET IS APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02.

HIGHWAY OR STREET AUTHORITY

COUNTY TREASURER'S CERTIFICATE

I, THE UNDERSIGNED, COUNTY TREASURER FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF

MY OFFICE ON THE _____ DAY OF _____, 20__, HAVE BEEN PAID IN FULL.

COUNTY TREASURER

COUNTY PLANNING COMMISSION RESOLUTION

BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT IS APPROVED AND THE SAME BE CERTIFIED TO THE YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS WITH THE RECOMMENDATION THAT SAID SURVEY AND PLAT BE APPROVED.

DATED THIS _____ DAY OF _____, 20__.

CHAIRMAN, PLANNING COMMISSION

DIRECTOR OF EQUALIZATION

I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION

REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 20__,
AT _____ O'CLOCK ____ .M., AND RECORDED IN BOOK _____ OF
PLATS ON PAGE _____.

REGISTER OF DEEDS

Plat Approval
Application
187812

Fees Paid
\$100.00

Applicant
Bill Conkling

Created
November 2, 2023

Final Preliminary Plat of Lots 1
Thru 14, Forest Lake
Subdivision, in the NW1/4 of
the NE1/4 of Section 13, T93N,
R57W of the 5th P.M., Yankton
County, South Dakota AND Plat
of Lots 1, 2, 3, 7 And 8, Forest
Lake Subdivision, in the NW1/4
of the NE1/4 of Section 13,
T93N, R57W of the 5th P.M.,
Yankton County, South Dakota |
Dumont Holdings | 44352 308
ST | 13.013.400.010
Submitted by bconkling on
11/2/2023

Number
187812



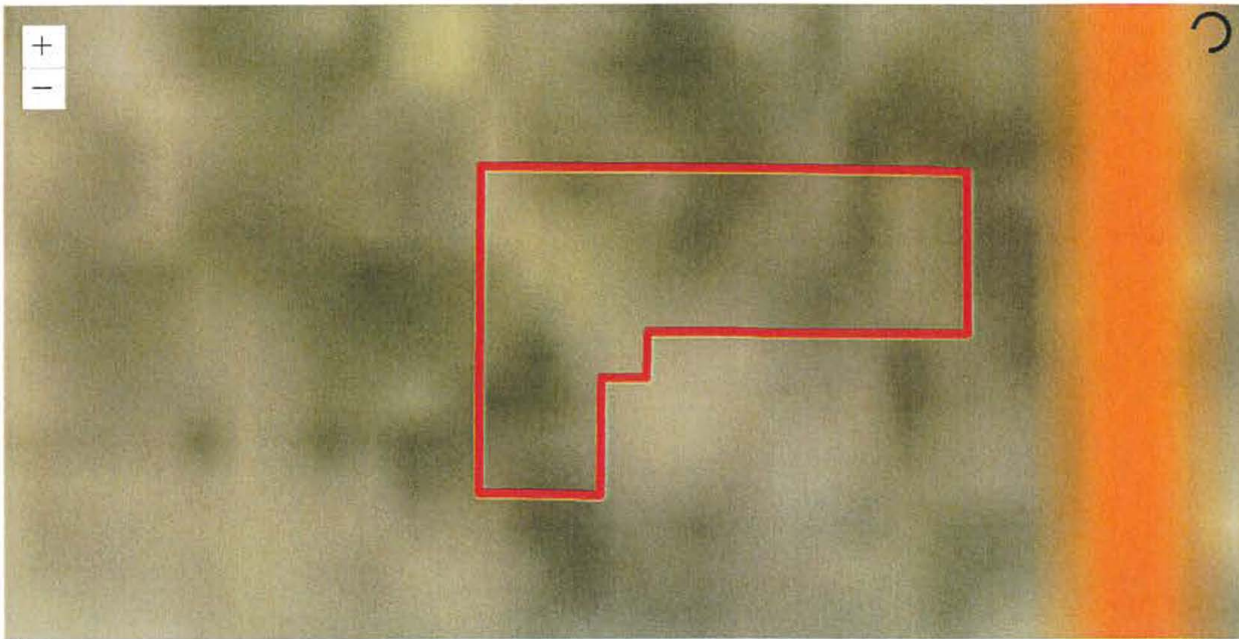
Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

Parcel search Completed On 11/2/2023 9:25 AM EST by bconkling



Maxar

Powered by Esri

ParcelID	Address	City	OwnerName	Acres
13.013.400.010			DUMONT HOLDINGS LLC (D)	160.000

Submit Application Completed On 11/2/2023 9:29 AM EST by bconkling

Owner Certification

Owner(s)

Dumont Holdings

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton County Zoning Ordinance.

Owner Signature

Karl L. L.

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Submittal Email Completed On 11/2/2023 9:29 AM EST by bconkling

[RESEND EMAIL](#)

Delivered on Thursday, November 2, 2023 at 9:29 AM CDT

Options

Send to the applicant? Yes

Send to members of the following roles:

Zoning

Recipients

To:

andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yankton.sd.us

Subject: Plat Approval Application Submitted

A Plat Approval Application has been submitted for review.

Number: 187812

Workflow: Plat Approval Application

Description: Final | Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota | Dumont Holdings | 44352 308 ST | 13.013.400.010

Created On: 11/2/2023

[View Application](#)

Email to Pay Completed On 11/2/2023 9:29 AM EST by bconkling

[RESEND EMAIL](#)

Delivered on Thursday, November 2, 2023 at 9:29 AM CDT

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning
 - Zoning Director

Recipients

To:

- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Payment Required: Plat Approval Application

Your Plat Approval application has been received and payment is required. Payment can be made in person at the Zoning office. Once payment is received, we will proceed with the review process for your request. Please return to your application and make payment online.

Total Amount Due: \$100.00

Please bring the Mylar Plats and at least two original copies to the Zoning Office.

If any information is incorrect, please let me know immediately.

Number: 187812
Workflow: Plat Approval Application
Description: Final | Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota | Dumont Holdings | 44352 308 ST | 13.013 400.010
Created On: 11/2/2023

[View Application](#)

Payment Completed On 11/3/2023 10:45 AM EST by bconkling

Fee Summary

Fee	\$100.00
Total Fees	\$100.00
Total Due	\$0.00

Payments Made

Payment Method	Paid On	Confirmation Number	Amount	
Check	November 3, 2023 10:45 AM	2080	\$100.00	VIEW RECEIPT
			Total Paid:	\$100.00

Payment Made Email Completed On 11/3/2023 10:45 AM EST by bconkling

[RESEND EMAIL](#)

Delivered on Friday, November 3, 2023 at 10:45 AM CDT

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning

Recipients

To:

- pattyv@co.yankton.sd.us
- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Plat Approval Application: Payment Made

Payment has successfully been made for a Plat Approval Application.

Amount Paid: \$100.00

Number: 187812
Workflow: Plat Approval Application
Description: Final | Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota | Dumont Holdings | 44352 308 ST | 13.013.400.010
Created On: 11/2/2023

[View Application](#)

Planning Commission Review Completed On 11/3/2023 10:45 AM EST by bconkling

Plat Approval Planning Commission Checklist

Please follow these steps:

- Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?
- All required signatures notarized (owner(s), surveyor)?
- Taxes paid at County Treasures and County Treasurer's signature?
- Ownership verified by Director of Equalization and signed?
- Plat name has been approved by Register of Deeds?
- Street authority signature (DOT, Highway, Township)?
- \$100.00 Fee Paid at Zoning Office?
- Plat has been scheduled/approved by the Yankton County Planning Commission?

Planning Commission date:

11/14/2023

Plat Approval Application (Planning Commission) Completed On 11/3/2023 10:48 AM EST by bconkling

[Plat Approval Application \(Planning Commission\)](#)

Requested Information Completed On 11/3/2023 10:50 AM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota AND Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

Section No:

13

Township No:

93

Range

57

Number of Lots/Tracts

5

Number of Acres

7.45

How is this property currently being used?

MD

What is the proposed use of the property?

MD

Surveyor/Engineer Information

Firm Name

Brandt Land Surveying

Address

1202 Willowdale Rd

City

Yankton

State

SD

Zip

57078

Contact Person

John Brandt

Phone

6056658455

Property Owner Information

Owner Name

Dumont Holdings

Address

44352 308 ST

City

Mission Hill

State

SD

Zip

57046

Owner Phone

6056658455

Contact Person

Joh Brandt

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes?

Yes

What is/are the lot size(s)

1.36-1.56

Is this plat an existing farmstead

No

If a farmstead, how many acres are surrounding it

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary?

Yes

Is this property to have construction on it

Yes

If Yes:

Single family dwellings

Construction contractors Name, Address, and phone number (if applicable)

Plat Approval Items Completed On 11/3/2023 10:51 AM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

[Dumont preliminary plat.pdf](#)

Plat Approval Applicant Checklist **1**

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

External Notes

Documents

Internal Notes

Documents

Yankton County, South Dakota

Receipt

Payment number

2080

Date paid

November 3, 2023 10:45 AM

Payment method

Check

Paid by

Bill Conkling

Bill@co.yankton.sd.us

\$100.00 paid on November 3, 2023

Plat Approval Application

Application ID: 187812

Description	Amount
Fee	\$100.00

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 12/12/2023 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Conkling

ROLL BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

CALL:

APPROVAL OF MINUTES: MOTION BY: Nelson SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Bye – Conditional Use Permit**

ADDRESS/LEGAL: Applicant wishes to install a wind energy conversion system in an Agricultural District per Article 5 section 507 and Article 26 Section 2603. Said property is legally described as the East Half of the Northwest Quarter (E1/2 NW1/4), except the West One Hundred Seventy-five Feet (W175') of the East Five Hundred Ninety-four (94) Feet (E594') of the South Two Hundred Sixty-seven Feet (S267') in Section Thirty-six (36), Range Ninety-three (93) North, Township Fifty-four (54) West of the 5th P.M., Yankton County, South Dakota.

COMMENTS: None

MOTION: **Because there is a conflict in applicability between 2603-1i and 2605-1 move approval based on findings of fact for section 1805 and 2603 because this application aligns more with 2603 versus 2605**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Weiss

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Peterson Plat**

ADDRESS/LEGAL: Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings – Preliminary Plat**

ADDRESS/LEGAL: Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Untable the plat application – Michael, second – Loest Approved 7-0**
Approve as presented
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings - Plat**

ADDRESS/LEGAL: Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Staudenmaier - Plat**

ADDRESS/LEGAL: Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Freng - Plat**
ADDRESS/LEGAL: Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Fear - Plat**
ADDRESS/LEGAL: Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Clark SECOND BY: Loest
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Article 26 Discussion**
ADDRESS/LEGAL:
COMMENTS: Discussion among commission

MOTION: **No Action Taken**

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Public Comment**
ADDRESS/LEGAL: _____
COMMENTS: None

MOTION: Adjourn
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 7/27/2023

Applicant

Staudenmaier- PLAT

District type: AG R1-Low R2-Moderate R3-High C-Comm.

LC – Lakeside Commercial RT-Rural Transitional

Variance needed:

Section 513 (4) – Existing Farmstead/Home Section 515 Section 705

Section 715 Section 805

Other 605

North Side/ Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

East Side / Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

South Side / Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

West Side / Yard lot line _____ feet or no closer than _____ feet to the _____ lot line.

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

Please Check Plat Type:

Final Amended Preliminary Revision

-----Development Information-----

Plat Name: Replat of Lot 38, block 4, Sunrise

Section No: 10 Township No: 93

Range : 55 Number of Lots/Tracts: 1

Number of Acres: 1.57

How is the property currently being used? Commercial

What is the proposed use of the property? Commercial

-----Surveyor/Engineer Information-----

Firm Name: Meridian Land Surveying

Address: _____

City: Yankton State: SD Zip: 57078

Contact Person: Brian Benson

Phone: 4028604332

-----Property Owner Information-----

Name: Nick STAUDENMAIER

Address: 702 NORTH 19 ST

City: Norfolk State: NE Zip: 68701

Contact person: Brian Benson

If the property owner is represented by an authorized agent, please provide the following:

Agent's name: _____

Agents Title: _____

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? Yes No

2. What is/are the lot size(s) 1.57 acres

3. Is this (plat) an existing farmstead? Yes No

4. If a farmstead, how many acres are surrounding it? _____

5. The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes No

6. Is this property to have construction on it? Yes No

If yes : Commercial building

Name, address and phone number of contractor(s)

-----Owner certification-----

This is to certify that Nick Staudenmaier the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton county Zoning Ordinance.

Nick Staudenmaier

Owner Signature

Owner Signature

This is to certify that _____ acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Planning Office Use Only: Planning Commission Date: _____
County Commission Date: _____

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

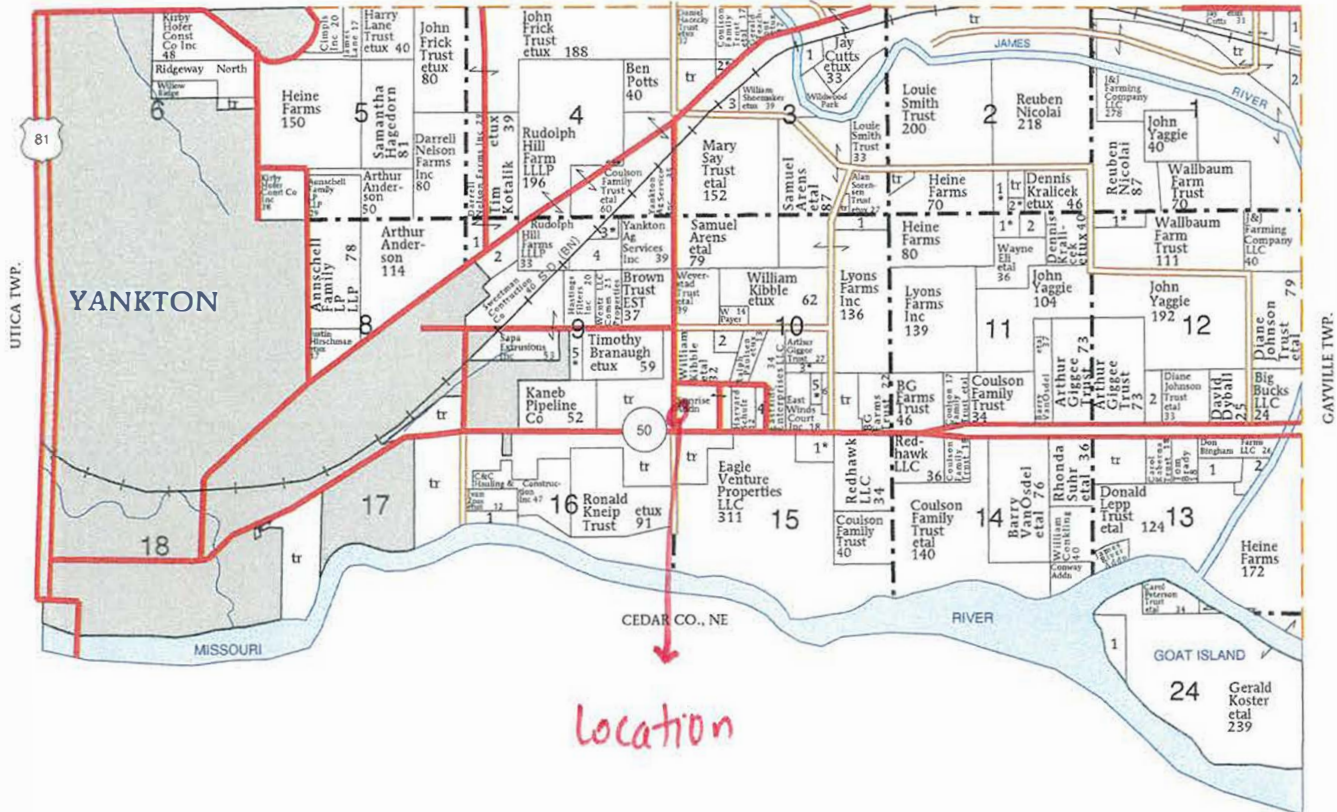
In order to insure prompt approval of your plat, please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

- 1. All required signatures notarized (owner(s), surveyor)?
- 2. Taxes paid at County Treasures?
- 3. County Treasurer's signature?
- 4. Ownership verified by Director of Equalization and signed?
- 5. Street authority signature (DOT, Highway, Township)?
- 6. \$100.00 Fee Paid at Zoning Office?
- 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- 8. County Planning Commission Chair signature?
- 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- 10. County Commission Chairs signature?
- 11. County Auditor's signature?
- 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 12/12/2023
Board of Adjustment date: 12/19/2023

(Landowners)
MISSION HILL 'N' TWP.



MISSION HILL 'S'
TOWNSHIP

- SECTION 1**
1. RWH Land LLC 6
2. Nelson, Nancy 13

- SECTION 2**
1. Palecek, Lance etux 15
2. Willman, David etux 5

- SECTION 3**
1. State of South Dakota 9

2. Anderson, Richard etux 9
3. Loecker, Reynold 9

- SECTION 9**
1. Keehr, Mark 5
2. Northwestern Public Service 15

3. Eide, Mark etux 6
4. Yankton Area Progressive Growth Inc 25

5. Holmstrom, Thomas etux 10

- SECTION 10**
1. Madson Trust, Clifford 14

2. Goeden, Josephine 10
3. Brasel, Anthony etux 6
4. Schulz Trust, Harvard 6
5. Tackle, Dan etal 7
6. Tackle, Dan 5

SECTION 11

1. Jensen Trust, Gary etux 10
2. Merkwan, Daryl 10

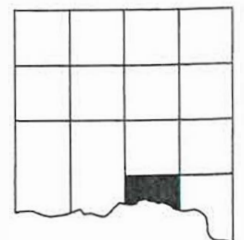
- SECTION 12**
1. Kopejtko, Jeff etux 8
2. Kaberna Trust, Carol 8

- SECTION 13**
1. Brady Tree Farm & Landscape LLC 27
2. Brady, Thomas 8

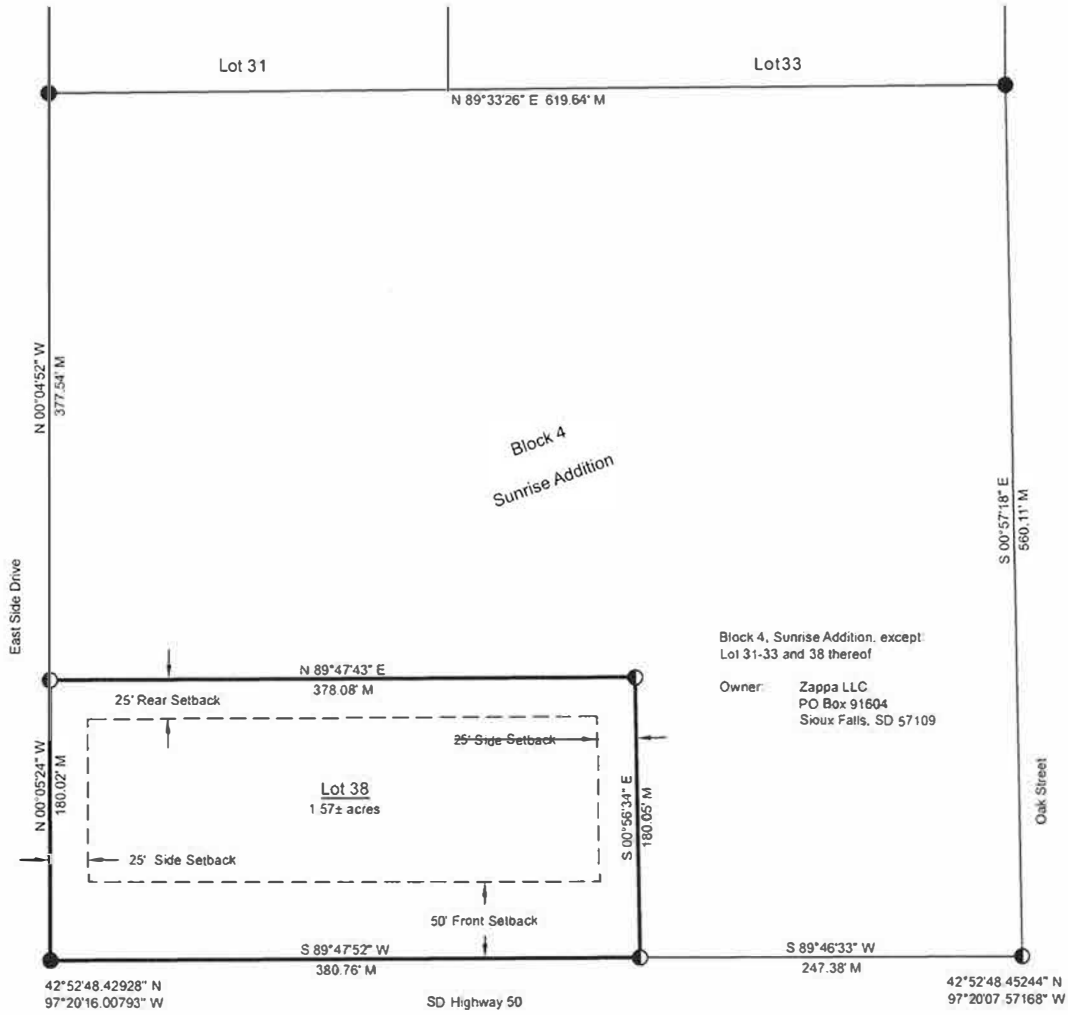
SECTION 15

1. Harper, John etux 8
- SECTION 16**
1. National Field Archery Assn Foundation 12

- SECTION 24**
1. Henning, Mary 15



Replat of Lot 38, Block 4, Sunrise Addition
in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M.,
Yankton County, South Dakota



Surveyor's Certificate

I, Brian J. Benson, a Licensed Land Surveyor under the Laws of South Dakota, do hereby certify that I did survey and draft a Replat of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, T93N, R55W of the 5th P.M., Yankton County, South Dakota. I also hereby certify that this survey was performed by me or under my direct supervision and is to the best of my knowledge and belief a true description of said property.

The previous platting of Lot 38, Block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55W of the 5th P.M., Yankton County, South Dakota as recorded in Book S21 of Plats on Page 002 at the Register of Deeds shall be vacated in whole.

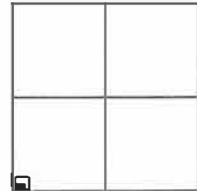
Brian J. Benson, LS #11950 _____ Date _____



Legend

- Found Rebar and cap "Week 2912"
- Found Rebar and cap "Brandt R.L.S. 5349"
- M Measured Distance

Section 10, T93N, R55W



Date: 8/15/2023

Job Number: 23033

Drawn by: BRIANB

Page: 1 of 2

Prepared by:

Brian J. Benson
1109 Douglas Ave.
Yankton, SD 57078
402-860-4332
brian@meridianrls.com

Replat of Lot 38, Block 4, Sunrise Addition
in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M.,
Yankton County, South Dakota

Owners Certificate

I, Nicholas Staudenmaier, do hereby certify that I am the owner of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota; that this Plat was made at my request and under my direction for the purpose of defining and describing the property as shown by this plat. The development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Dated this _____ day of _____, 20____.

By: Nicholas R. Staudenmaier
State of _____)
County of _____)

Be it remembered that on this _____ day of _____, _____ before me the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared Nicholas Staudenmaier, known to me to be the person who is described in and who executed the within and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires _____

Notary Public

Owners Certificate

I, Lori Staudenmaier, do hereby certify that I am the owner of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota; that this Plat was made at my request and under my direction for the purpose of defining and describing the property as shown by this plat. The development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Dated this _____ day of _____, 20____.

By: Lori Staudenmaier
State of _____)
County of _____)

Be it remembered that on this _____ day of _____, _____ before me the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared Lori Staudenmaier, known to me to be the person who is described in and who executed the within and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires _____

Notary Public

Owners Certificate

I, Gregory Staudenmaier, do hereby certify that I am the owner of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota; that this Plat was made at my request and under my direction for the purpose of defining and describing the property as shown by this plat. The development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Dated this _____ day of _____, 20____.

By: Lori Staudenmaier
State of _____)
County of _____)

Be it remembered that on this _____ day of _____, _____ before me the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared Gregory Staudenmaier, known to me to be the person who is described in and who executed the within and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires _____

Notary Public

Certificate of Community Development Director

I, Community Development Director of the City of Yankton, have reviewed this plat and have found it to conform to the Subdivision requirements of the Code of Ordinances of the City of Yankton, and pursuant to the authority granted in SDCL 11-3-6 and Yankton Ordinance Section 17-72, I have approved this Plat as a Final Plat.

Dated this _____ day of _____, 20____.

Community Development Director of the City of Yankton

Certificate of Finance Officer

I, Finance Officer of the City of Yankton, do hereby certify that the Community Development Director of the City of Yankton has approved this Final Plat as shown hereon.

Dated this _____ day of _____, 20____.

Finance Officer of the City of Yankton

County Planning Commission Approval

Approval of the final plan of the Replat of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota, is hereby granted by the Yankton County Planning Commission on this _____ day of _____, 20____.

Chair, County Planning Commission
Yankton County, South Dakota

County Commission Approval

I hereby certify that the final plan of the Replat of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota was duly submitted to the Yankton County Board of County Commissioners, and that after due consideration the Board approved said final plan at its meeting held on the _____ day of _____, 20____.

Chairman County Commission
Yankton County, South Dakota

County Auditor Certificate

I, the undersigned, County Auditor for Yankton County, South Dakota, do hereby certify that the foregoing resolution was passed by the Board of County Commissioners of Yankton County, South Dakota, at the regular meeting on the _____ day of _____, 20____.

County Auditor
Yankton County, South Dakota

Highway Authority

Access to East Side Drive is approved. This access approval does not replace the need for any permits required by law to establish the precise access location, including permit requirements set forth in the State of South Dakota administrative rule 70.09.01.02.

Highway / Street Authority _____ Date _____

Highway Authority

Access to South Dakota Highway 50 is approved. This access approval does not replace the need for any permits required by law to establish the precise access location, including permit requirements set forth in the State of South Dakota administrative rule 70.09.01.02.

Highway / Street Authority _____ Date _____

Director of Equalization Certificate

I, the undersigned Director of Equalization of Yankton County, South Dakota, certify that I have received a copy of the foregoing plat.

Dated this _____ day of _____, 20____.

Director of Equalization
Yankton County, South Dakota

Treasurer Certificate

I, Treasurer of Yankton County, South Dakota, hereby certify that all taxes which are liens upon any land shown in the above plat as shown by the records of my office, have been paid in full.

Treasurer
Yankton County, South Dakota

Register of Deeds

Filed for record this _____ day of _____, 20____, at _____ O'clock _____ M., and recorded in book _____ of plats on page _____.

Register of Deeds
Yankton County, South Dakota

Plat Approval Fees Paid
 Application \$100.00
 155139

Applicant Created
 Bill Conkling July 27, 2023

Number
 155139

Final | Replat of Lot 38, block 4,
 Sunrise Addition in the SW1/4
 of the SW1/4 of Section 10,
 T93N, R55 W of the 5th P.M.,
 Yankton County, South DAKota |
 Nick STAUDENMAIER | 702
 NORTH 19 ST | 05.010.300.380
 Submitted by bconkling on
 7/27/2023



Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

Parcel search Completed On 7/27/2023 3:23 PM EST by bconkling



Maxar, Microsoft

Powered by Esri

ParcelID	Address	City	OwnerName	Acres
05.010.300.380	1112 EAST SIDE DR	YANKTON	STAUDENMAIER, NICHOLAS R (D) STAUDENMAIER, LORI (D) STAUDENMAIER, GREGORY (D)	1.570

Requested Information Completed On 7/27/2023 3:26 PM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Section No:

10

Township No:

93

Range

55

Number of Lots/Tracts

1

Number of Acres

1.57

How is this property currently being used?

Commercial

What is the proposed use of the property?

Commercial

Surveyor/Engineer Information

Firm Name

Meridian Land Surveying

Address

1109 douglas Ave

City

Yankton

State

SD

Zip

57078

Contact Person

Brian Benson

Phone

4028604332

Property Owner Information

Owner Name

Nick STAUDENMAIER

Address

702 NORTH 19 ST

City

Norfolk

State

NE

Zip

68701

Owner Phone

4028604332

Contact Person

Brian Benson

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes?

Yes

What is/are the lot size(s)

1.57 acres

Is this plat an existing farmstead

No

If a farmstead, how many acres are surrounding it

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary?

Yes

Is this property to have construction on it

Yes

If Yes:

Commercial building

Construction contractors Name, Address, and phone number (if applicable)

Plat Approval Items Completed On 8/29/2023 12:50 PM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

[Staudenmaier.pdf](#)

Plat Approval Applicant Checklist 

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

Submit Application Completed On 8/29/2023 12:51 PM EST by bconkling

Owner Certification

Owner(s)

Nick Staudenmaier

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton County Zoning Ordinance.

Owner Signature

Nick Staudenmaier

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Submittal Email Completed On 8/29/2023 12:51 PM EST by bconkling

Delivered on Tuesday, August 29, 2023 at 12:51 PM CDT

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning

Recipients

To:

- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Plat Approval Application Submitted

A Plat Approval Application has been submitted for review.

Number: 155139
Workflow: Plat Approval Application
Description: Final | Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South DAKota | Nick STAUDENMAIER | 702 NORTH 19 ST | 05.010.300.380
Created On: 7/27/2023

[View Application](#)

Email to Pay Completed On 8/29/2023 12:51 PM EST by bconkling

Delivered on Tuesday, August 29, 2023 at 12:51 PM CDT

Options

- Send to the applicant? Yes
- Send to members of the following roles:

Zoning
Zoning Director

Recipients

To:

andrea@co.yankton.sd.us
gary@co.yankton.sd.us
bill@co.yankton.sd.us

Subject: Payment Required: Plat Approval Application

Your Plat Approval application has been received and payment is required. Payment can be made in person at the Zoning office. Once payment is received, we will proceed with the review process for your request. Please return to your application and make payment online.

Total Amount Due: \$100.00

Please bring the Mylar Plats and at least two original copies to the Zoning Office.

If any information is incorrect, please let me know immediately.

Number: 155139
Workflow: Plat Approval Application
Description: Final | Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South DAKota | Nick STAUDENMAIER | 702 NORTH 19 ST | 05.010.300.380
Created On: 7/27/2023

[View Application](#)

Payment Completed On 8/29/2023 12:51 PM EST by bconkling

Fee Summary

Fee	\$100.00
Total Fees	\$100.00
Total Due	\$0.00

Payments Made

Payment Method	Paid On	Confirmation Number	Amount	
Check	August 29, 2023 12:51 PM	035194	\$100.00	VIEW RECEIPT

Total Paid: \$100.00

Payment Made Email Completed On 8/29/2023 12:51 PM EST by bconkling

Delivered on Tuesday, August 29, 2023 at 12:51 PM CDT

Options

Send to the applicant? Yes
Send to members of the following roles:
Zoning

Recipients

To:

pattyv@co.yankton.sd.us

andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yankton.sd.us

Subject: Plat Approval Application: Payment Made

Payment has successfully been made for a Plat Approval Application.

Amount Paid: \$100.00

Number: 155139

Workflow: Plat Approval Application

Description: Final | Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South DAKota | Nick STAUDENMAIER | 702 NORTH 19 ST | 05.010.300.380

Created On: 7/27/2023

[View Application](#)

Planning Commission Review Completed On 8/29/2023 12:51 PM EST by bconkling

Plat Approval Planning Commission Checklist

Please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures and County Treasurer's signature?

Ownership verified by Director of Equalization and signed?

Plat name has been approved by Register of Deeds?

Street authority signature (DOT, Highway, Township)?

\$100.00 Fee Paid at Zoning Office?

Plat has been scheduled/approved by the Yankton County Planning Commission?

Planning Commission date:

09/12/2023

External Notes

Documents

Internal Notes

Documents

Yankton County, South Dakota

Receipt

Paid by
Bill Conkling
Bill@co.yankton.sd.us

Payment number
Date paid
Payment method

035194
August 29, 2023 12:51 PM
Check

\$100.00 paid on August 29, 2023

Plat Approval Application

Application ID: 155139

Description	Amount
Fee	\$100.00

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 7/27/2023

Applicant

Staudenmaier- PLAT

District type: AG R1-Low R2-Moderate R3-High C-Comm.

LC – Lakeside Commercial RT-Rural Transitional

Variance needed:

Section 513 (4) – Existing Farmstead/Home Section 515 Section 705

Section 715 Section 805

Other 605

North Side/ Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

East Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

South Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

West Side / Yard lot line ____ feet or no closer than ____ feet to the ____ lot line.

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 12/12/2023 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Conkling

ROLL BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

CALL:

APPROVAL OF MINUTES: MOTION BY: Nelson SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Bye – Conditional Use Permit**

ADDRESS/LEGAL: Applicant wishes to install a wind energy conversion system in an Agricultural District per Article 5 section 507 and Article 26 Section 2603. Said property is legally described as the East Half of the Northwest Quarter (E1/2 NW1/4), except the West One Hundred Seventy-five Feet (W175') of the East Five Hundred Ninety-four (94) Feet (E594') of the South Two Hundred Sixty-seven Feet (S267') in Section Thirty-six (36), Range Ninety-three (93) North, Township Fifty-four (54) West of the 5th P.M., Yankton County, South Dakota.

COMMENTS: None

MOTION: **Because there is a conflict in applicability between 2603-1i and 2605-1 move approval based on findings of fact for section 1805 and 2603 because this application aligns more with 2603 versus 2605**

Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Weiss

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Peterson Plat**

ADDRESS/LEGAL: Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings – Preliminary Plat**

ADDRESS/LEGAL: Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Untable the plat application – Michael, second – Loest Approved 7-0
Approve as presented
Passed 7-0**

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings - Plat**

ADDRESS/LEGAL: Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: **Approve as presented
Passed 7-0**

APPROVAL: MOTION BY: Loest SECOND BY: Michael
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Staudenmaier - Plat**

ADDRESS/LEGAL: Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented
Passed 7-0**

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Freng - Plat**
ADDRESS/LEGAL: Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Fear - Plat**
ADDRESS/LEGAL: Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Clark SECOND BY: Loest
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Article 26 Discussion**
ADDRESS/LEGAL:
COMMENTS: Discussion among commission

MOTION: **No Action Taken**

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: Public Comment
ADDRESS/LEGAL: _____
COMMENTS: None

MOTION: Adjourn
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 11/30/2023

Applicant

Freng Addition- PLAT

District type: AG R1-Low R2-Moderate R3-High C-Comm.

LC – Lakeside Commercial RT-Rural Transitional

Variance needed:

Section 513 (4) – Existing Farmstead/Home Section 515 Section 705

Section 715 Section 805

Other 605

North Side/ Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

East Side / Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

South Side / Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line.

West Side / Yard lot line _____ feet or no closer than _____ feet to the _____ lot line.

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota

Please Check Plat Type:

Final Amended Preliminary Revision

-----**Development Information**-----

Plat Name: Plat of Adam Freng's Addition in

Section No: 8 Township No: 93

Range : 57 Number of Lots/Tracts: 1

Number of Acres: 41.631

How is the property currently being used? AG

What is the proposed use of the property? AG

-----**Surveyor/Engineer Information**-----

Firm Name: Tom Weeks

Address: _____

City: Yankton State: SD Zip: 57078

Contact Person: Tom Week

Phone: 6056658333

-----**Property Owner Information**-----

Name: Adam Freng

Address: 31025 430 Ave,

City: Tabor State: SD Zip: 57063

Contact person: Tom Week

If the property owner is represented by an authorized agent, please provide the following:

Agent's name: _____

Agents Title: _____

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? Yes No

2. What is/are the lot size(s) 41.631

3. Is this (plat) an existing farmstead? Yes No

4. If a farmstead, how many acres are surrounding it? _____

5. The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes No

6. Is this property to have construction on it? Yes No
If yes :

Name, address and phone number of contractor(s)

-----**Owner certification**-----

This is to certify that Adam Freng
the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton county Zoning Ordinance.

Adam Freng

Owner Signature

Owner Signature

This is to certify that _____
acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Planning Office Use Only: Planning Commission Date: _____
County Commission Date: _____

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

In order to insure prompt approval of your plat, please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

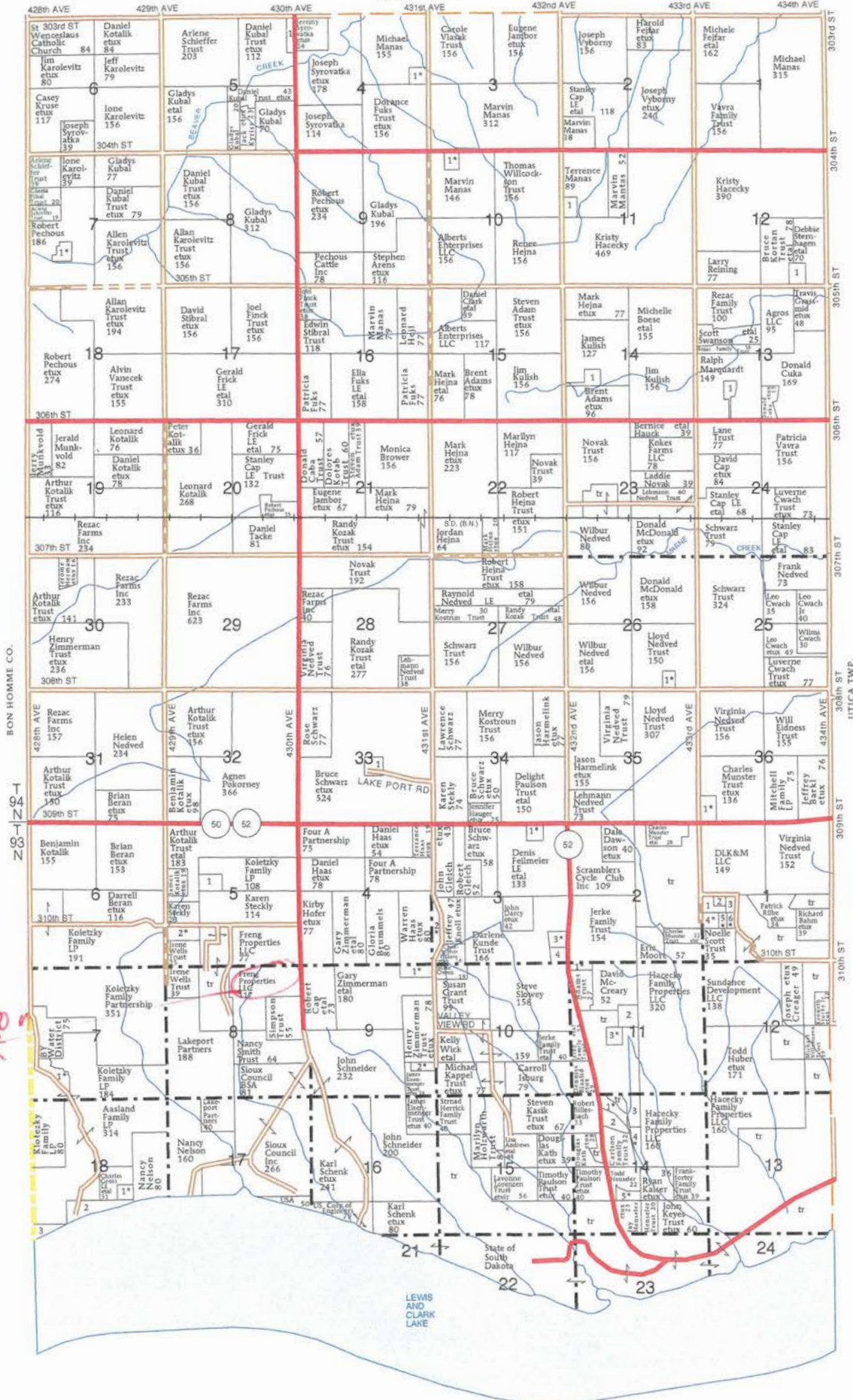
- 1. All required signatures notarized (owner(s), surveyor)?
- 2. Taxes paid at County Treasures?
- 3. County Treasurer's signature?
- 4. Ownership verified by Director of Equalization and signed?
- 5. Street authority signature (DOT, Highway, Township)?
- 6. \$100.00 Fee Paid at Zoning Office?
- 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- 8. County Planning Commission Chair signature?
- 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- 10. County Commission Chairs signature?
- 11. County Auditor's signature?
- 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 12/12/2023

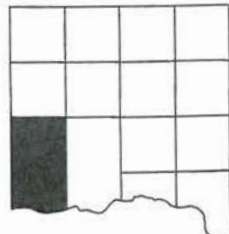
Board of Adjustment date: 12/19/2023

(Landowners)

LESTERVILLE TWP.

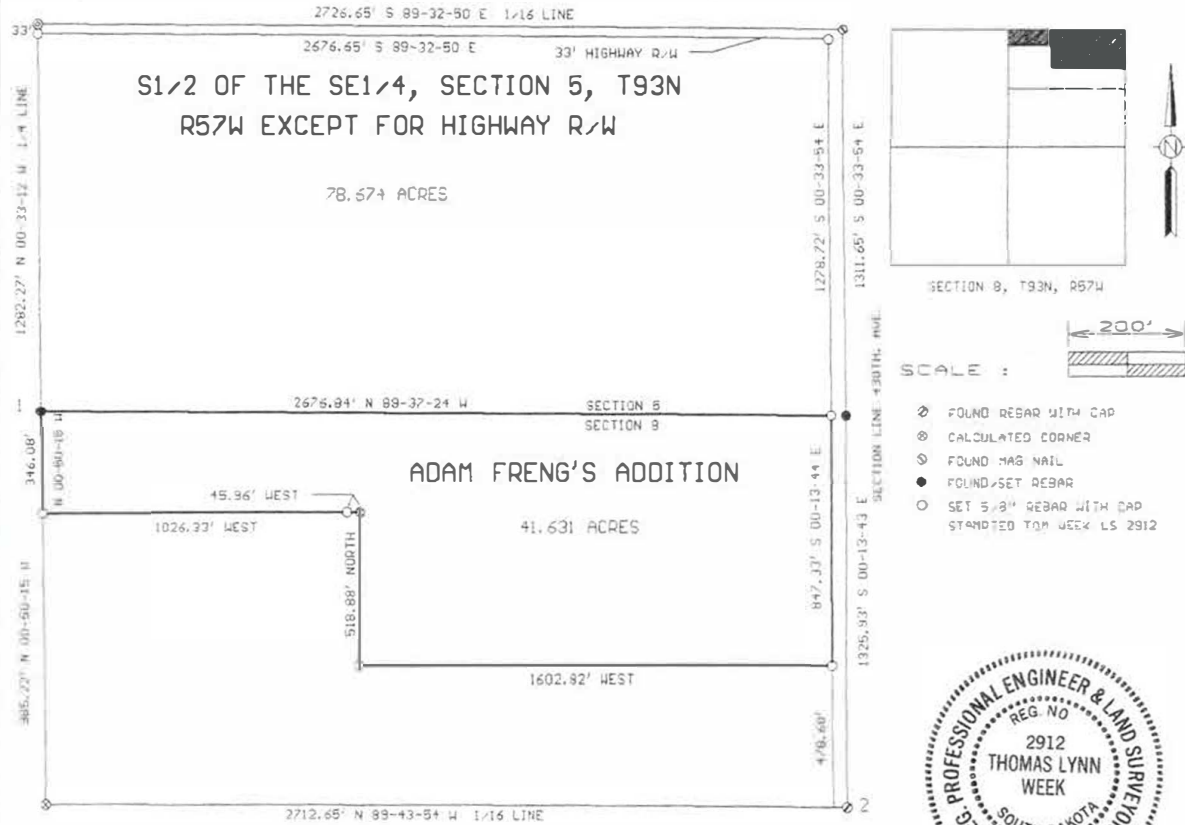


- ZISKOV TOWNSHIP**
- SECTION 1S**
1. Barth, Chad 9
 2. Fischer, Katrina 5
 3. Gause, Janell 5
 4. Taylor, Lynn etux 9
 5. Scott, Bjaye etux 5
 6. Kramer, Francis etal 5
- SECTION 3S**
1. Ausdemore, Robert etal 9
 2. Haas, Warren etux 10
 3. Mueller, James etux 8
 4. Kunde, Darlene 8
- SECTION 4N**
1. Hoffman, RC etux 10
- SECTION 5N**
1. Polish Catholic Congregation 9
- SECTION 5S**
1. Willisie, Carol 11
 2. Sedlcek, Kenneth etux 12
- SECTION 7N**
1. Pechous, Robert etux 10
- SECTION 7S**
1. Koletzky, lone etal 17
- SECTION 9S**
1. Jungemann, Jerry etux 15
 2. Wostrel, Eldon etux 15
- SECTION 10N**
1. Manas, Terence etux 10
- SECTION 11N**
1. Cap, Daniel 11
- SECTION 11S**
1. Haberman, Adam etux 10
 2. Konopasek Family Trust 10
 3. Lyons, Sean etal 10
- SECTION 12N**
1. Hejna, Marilyn 9
- SECTION 13N**
1. Manas, Dylan 6
- SECTION 14N**
1. Sudbeck, Charlene 12
- SECTION 14S**
1. Peterson, Corey etal 9
 2. Feimer Family Protection Trust 9
 3. Colby, David 13
 4. VanDeKop, Dale etux 10
 5. Henseler, Kevin etux 9
- SECTION 18S**
1. Lynch, Daniel etux 9
 2. State of South Dakota Game Fish & Parks 66
 3. Yonke Trust, Mark 5
- SECTION 26**
1. Martin, Nathan etux 6
- SECTION 33**
1. St Wenceslaus Roman Catholic Church 10
- SECTION 36**
1. Koletzky, David etux 8



KNOX CO., NE

PLAT OF ADAM FRENG'S ADDITION IN THE NORTH HALF OF THE NE1/4 OF SECTION 8,
T93N, R57W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.



1 = LAT. 42-53-38.77902 N, LONG. 97-36-19.67204 W
2 = LAT. 42-53-25.54180 N, LONG. 97-35-42.94914 W

SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY OF ADAM FRENG'S ADDITION IN THE NORTH HALF OF THE NE1/4 OF SECTION 8, T93N, R57W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON PINS AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 30TH. DAY OF NOVEMBER, 2023.

THOMAS LYNN WEEK
REG. LAND SURVEYOR
REG. NO. 2912

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE YANKTON COUNTY PLANNING COMMISSION, THAT THE ABOVE PLAT REPRESENTING ADAM FRENG'S ADDITION IN THE NORTH HALF OF THE NE1/4 OF SECTION 8, T93N, R57W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED.

CHAIRMAN, PLANNING COMMISSION

CERTIFICATE OF STREET AUTHORITY

THERE IS NO ACCESS TO ADAM FRENG'S ADDITION FROM 430TH. AVE., ACCESS POINTS WILL REQUIRE ADDITIONAL APPROVAL.

DATED THIS _____ DAY OF _____, _____

COUNTY APPROVAL

PLAT OF ADAM FRENG'S ADDITION IN THE NORTH HALF OF THE NE1/4 OF SECTION 8, T93N, R57W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.

OWNERS CERTIFICATE

I, ADAM J. FRENG, AS MEMBER-MANAGER OF FRENG PROPERTIES, LLC, DO HEREBY CERTIFY THAT FRENG PROPERTIES, LLC, IS THE ABSOLUTE AND UNQUALIFIED OWNER OF THE ABOVE DESCRIBED PROPERTY: ADAM FRENG'S ADDITION IN THE NORTH HALF OF THE NE1/4 OF SECTION 8, T93N, R57W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

DATED THIS ____ DAY OF _____, _____.

ADAM J. FRENG, MEMBER-MANAGER

STATE OF _____
COUNTY OF _____
ON THIS ____ DAY OF _____, _____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED ADAM J. FRENG, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT HE AS MEMBER-MANAGER OF FRENG PROPERTIES, LLC, EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.
MY COMMISSION EXPIRES _____

NOTARY PUBLIC

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: ADAM FRENG'S ADDITION IN THE NORTH HALF OF THE NE1/4 OF SECTION 8, T93N, R57W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, AND HAS SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, _____, COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, ON THIS ____ DAY OF _____, _____.

COUNTY AUDITOR

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

DIRECTOR OF EQUALIZATION CERTIFICATE

I, _____, DIRECTOR OF EQUALIZATION, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS ____ DAY OF _____, _____.

DIRECTOR OF EQUALIZATION, YANKTON COUNTY

TREASURER CERTIFICATE

I, _____, TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT ALL TAXES WHICH ARE LIEN UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS ____ DAY OF _____, _____.

TREASURER, YANKTON COUNTY

REGISTER OF DEEDS CERTIFICATE

I, _____, REGISTER OF DEEDS, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED THE ORIGINAL PLAT, FILED FOR RECORD THIS ____ DAY OF _____, _____, _____ O'CLOCK ____ M., AND DULY RECORDED IN BOOK NO. ____, PAGE ____.

PREPARED BY: TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

REGISTER OF DEEDS, YANKTON COUNTY, SD

Plat Approval
Application
196643

Fees Paid
\$100.00

Applicant
Bill Conkling

Created
November 30,
2023

Number
196643

Final | Plat of Adam Freng's
Addition in the North Half of the
NE1/4 of Section 8, T93N,
R57W of the 5th P.M., Yankton
County, South Dakota | Adam
Freng | 31025 430 Ave, |
13.008.100.600
Submitted by bconkling on
11/30/2023



Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

Parcel search Completed On 11/30/2023 1:40 PM EST by bconkling



Maxar

Powered by Esri

ParcelID	Address	City	OwnerName	Acres
13.008.100.600			FRENG PROPERTIES LLC (D)	79.000

Requested Information Completed On 11/30/2023 1:46 PM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Section No:

8

Township No:

93

Range

57

Number of Lots/Tracts

1

Number of Acres

41.631

How is this property currently being used?

AG

What is the proposed use of the property?

AG

Surveyor/Engineer Information

Firm Name

Tom Weeks

Address

407 Regal Dr

City

Yankton

State

SD

Zip

57078

Contact Person

Tom Week

Phone

6056658333

Property Owner Information

Owner Name

Adam Freng

Address

31025 430 Ave,

City

Tabor

State

SD

Zip

57063

Owner Phone

6056658333

Contact Person

Tom Week

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes?

Yes

What is/are the lot size(s)

41.631

Is this plat an existing farmstead

No

If a farmstead, how many acres are surrounding it

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary?

Yes

Is this property to have construction on it

No

If Yes:

Construction contractors Name, Address, and phone number (If applicable)

Plat Approval Items Completed On 11/30/2023 1:47 PM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

[Freng plat.pdf](#)

Plat Approval Applicant Checklist ⓘ

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

Submit Application Completed On 11/30/2023 1:47 PM EST by bconkling

Owner Certification

Owner(s)

Adam Freng

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton County Zoning Ordinance.

Owner Signature

Adam Freng

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Submittal Email Completed On 11/30/2023 1:47 PM EST by bconkling

[RESEND EMAIL](#)

Delivered on Thursday, November 30, 2023 at 1:47 PM CST

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning

Recipients

To:

- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Plat Approval Application Submitted

A Plat Approval Application has been submitted for review.

Number: 196643
Workflow: Plat Approval Application
Description: Final | Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota | Adam Freng | 31025 430 Ave, | 13.008.100.600
Created On: 11/30/2023

[View Application](#)

Email to Pay Completed On 11/30/2023 1:47 PM EST by bconkling

[RESEND EMAIL](#)

Delivered on Thursday, November 30, 2023 at 1:47 PM CST

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning
 - Zoning Director

Recipients

To:

- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Payment Required: Plat Approval Application

Your Plat Approval application has been received and payment is required. Payment can be made in person at the Zoning office. Once payment is received, we will proceed with the review process for your request. Please return to your application and make payment online.

Total Amount Due: \$100.00

Please bring the Mylar Plats and at least two original copies to the Zoning Office.

If any information is incorrect, please let me know immediately.

Number: 196643
 Workflow: Plat Approval Application
 Description: Final | Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th PM., Yankton County, South Dakota | Adam Freng | 31025 430 Ave, | 13.008.100.600
 Created On: 11/30/2023

[View Application](#)

Payment Completed On 11/30/2023 1:48 PM EST by bconkling

Fee Summary

Fee	\$100.00
Total Fees	\$100.00
Total Due	\$0.00

Payments Made

Payment Method	Paid On	Confirmation Number	Amount
Cash	November 30, 2023 1:47 PM		\$100.00

[VIEW RECEIPT](#)

Total Paid: \$100.00

Payment Made Email Completed On 11/30/2023 1:48 PM EST by bconkling

[RESEND EMAIL](#)

Delivered on Thursday, November 30, 2023 at 1:48 PM CST

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning

Recipients

To:

- pattyv@co.yankton.sd.us
- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Plat Approval Application: Payment Made

Payment has successfully been made for a Plat Approval Application.

Amount Paid: \$100.00

Number: 196643

Workflow: Plat Approval Application

Description: Final | Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota | Adam Freng | 31025 430 Ave, | 13.008.100.600

Created On: 11/30/2023

[View Application](#)

Planning Commission Review Completed On 11/30/2023 1:48 PM EST by bconkling

Plat Approval Planning Commission Checklist

Please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures and County Treasurer's signature?

Ownership verified by Director of Equalization and signed?

Plat name has been approved by Register of Deeds?

Street authority signature (DOT, Highway, Township)?

\$100.00 Fee Paid at Zoning Office?

Plat has been scheduled/approved by the Yankton County Planning Commission?

Planning Commission date:

12/12/2023

Plat Approval Application (Planning Commission) Completed On 11/30/2023 1:48 PM EST by bconkling

[Plat Approval Application \(Planning Commission\)](#)

External Notes

Documents

Internal Notes

Documents

Yankton County, South Dakota

Receipt

Payment number 86ae09c6269d47b98adbde73ebbca795
Date paid November 30, 2023 01:47 PM
Payment method Cash

Paid by
Bill Conkling
Bill@co.yankton.sd.us

\$100.00 paid on November 30, 2023

Plat Approval Application

Application ID: 196643

Description	Amount
Fee	\$100.00

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 12/12/2023 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Conkling

ROLL BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

CALL:

APPROVAL OF MINUTES: MOTION BY: Nelson SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Bye – Conditional Use Permit**

ADDRESS/LLEGAL: Applicant wishes to install a wind energy conversion system in an Agricultural District per Article 5 section 507 and Article 26 Section 2603. Said property is legally described as the East Half of the Northwest Quarter (E1/2 NW1/4), except the West One Hundred Seventy-five Feet (W175') of the East Five Hundred Ninety-four (94) Feet (E594') of the South Two Hundred Sixty-seven Feet (S267') in Section Thirty-six (36), Range Ninety-three (93) North, Township Fifty-four (54) West of the 5th P.M., Yankton County, South Dakota.

COMMENTS: None

MOTION: **Because there is a conflict in applicability between 2603-1i and 2605-1 move approval based on findings of fact for section 1805 and 2603 because this application aligns more with 2603 versus 2605**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Weiss

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Peterson Plat**

ADDRESS/LLEGAL: Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings – Preliminary Plat**

ADDRESS/LEGAL: Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Untable the plat application – Michael, second – Loest Approved 7-0**
Approve as presented
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings - Plat**

ADDRESS/LEGAL: Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Michael
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Staudenmaier - Plat**

ADDRESS/LEGAL: Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Freng - Plat**
ADDRESS/LEGAL: Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Fear - Plat**
ADDRESS/LEGAL: Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Clark SECOND BY: Loest
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Article 26 Discussion**
ADDRESS/LEGAL:
COMMENTS: Discussion among commission

MOTION: **No Action Taken**

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Public Comment**
ADDRESS/LEGAL: _____
COMMENTS: None

MOTION: Adjourn
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 11/30/2023

Applicant

Fear - PLAT

District type: AG R1-Low R2-Moderate R3-High C-Comm.

LC – Lakeside Commercial RT-Rural Transitional

Variance needed:

Section 513 (4) – Existing Farmstead/Home Section 515 Section 705

Section 715 Section 805

Other 605

North Side/ Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

East Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

South Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

West Side / Yard lot line ____ feet or no closer than ____ feet to the ____ lot line.

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

Please Check Plat Type:

Final Amended Preliminary Revision

Development Information

Plat Name: Plat of Lot 6, being a replat of Lots

Section No: 15 Township No: 93

Range: 56 Number of Lots/Tracts: 1

Number of Acres: 1.06

How is the property currently being used?
Moderate Density Residential

What is the proposed use of the property?
Moderate Density Residential

Surveyor/Engineer Information

Firm Name: Tom Week

Address: _____

City: Yankton State: SD Zip: 57078

Contact Person: Tom Week

Phone: 6056658333

Property Owner Information

Name: James Fear

Address: 1007 April Ln

City: Yankton State: SD Zip: 57078

Contact person: Tom Week

If the property owner is represented by an authorized agent, please provide the following:

Agent's name: _____

Agents Title: _____

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? Yes No

2. What is/are the lot size(s) 1.06

3. Is this (plat) an existing farmstead? Yes No

4. If a farmstead, how many acres are surrounding it? _____

5. The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes No

6. Is this property to have construction on it? Yes No
If yes :

Name, address and phone number of contractor(s)

Owner certification

This is to certify that James Fear
the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton county Zoning Ordinance.

James Fear

Owner Signature

Owner Signature

This is to certify that _____
acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Planning Office Use Only: Planning Commission Date: _____
County Commission Date: _____

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

In order to insure prompt approval of your plat, please follow these steps:

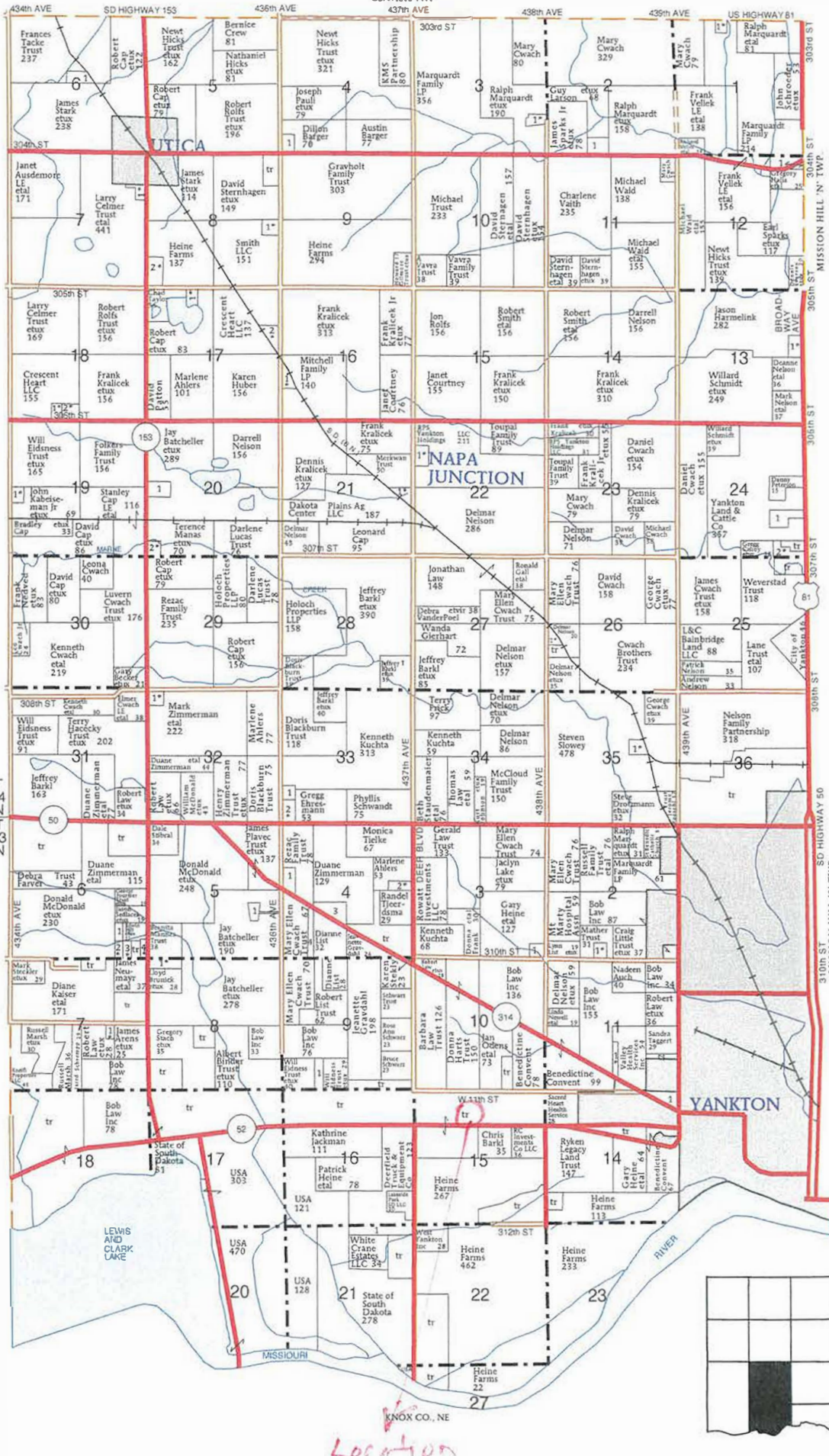
Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

- 1. All required signatures notarized (owner(s), surveyor)?
- 2. Taxes paid at County Treasures?
- 3. County Treasurer's signature?
- 4. Ownership verified by Director of Equalization and signed?
- 5. Street authority signature (DOT, Highway, Township)?
- 6. \$100.00 Fee Paid at Zoning Office?
- 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- 8. County Planning Commission Chair signature?
- 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- 10. County Commission Chairs signature?
- 11. County Auditor's signature?
- 12. Plat has been filed with the Register of Deeds?

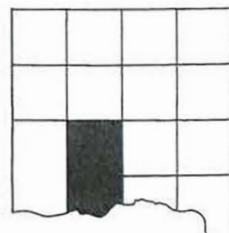
Planning Commission date: 12/12/2023

Board of Adjustment date: 12/19/2023

CENTRAL TWP.



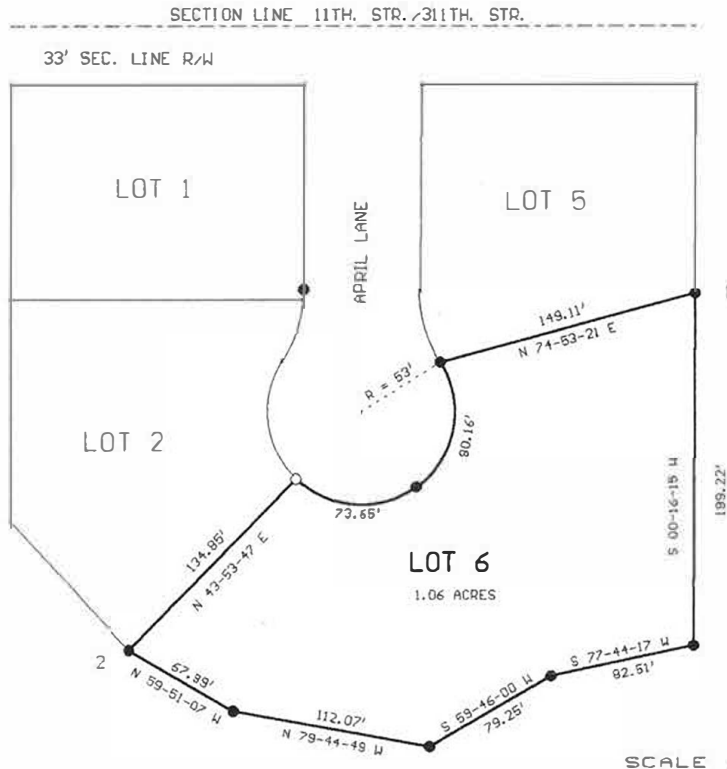
Location



UTICA TOWNSHIP

- SECTION 1N**
- 1. Siebrandt, Jacob et ux 5
- SECTION 2N**
- 1. Kralicek, Melissa 11
- SECTION 2S**
- 1. Holdahl, Robert et ux 5
- SECTION 3N**
- 1. Grate, Leo et ux 11
- SECTION 3S**
- 1. Holtzmann Family Trust 7
- SECTION 4N**
- 1. Nedved, Mark 7
- SECTION 4S**
- 1. Larson, Robert 8
- 2. Brandt Trust, Merle et al 11
- 3. Zimmerman, Steve 20
- 4. List Trust, Robert 18
- SECTION 5S**
- 1. Batcheller, Jay 8
- SECTION 6N**
- 1. Town of Utica 6
- SECTION 6S**
- 1. Maska, Leann 5
- 2. Olivier, Curtis et ux 6
- 3. Loecker, Mark et ux 5
- 4. Blaha, Jon et ux 5
- SECTION 7N**
- 1. Anthony, Craig et ux 10
- SECTION 7S**
- 1. Philips, Timothy et ux 5
- SECTION 8N**
- 1. Christianson, David et ux 6
- 2. Hughes, Scott et ux 13
- SECTION 8S**
- 1. Fanta, Timothy et ux 9
- SECTION 9S**
- 1. Rokahr, Steven 9
- SECTION 11S**
- 1. Hecky Trust, Terrance et ux 11
- 2. Affordable Self Storage LLC 8
- SECTION 12N**
- 1. Marquardt Family LP 6
- SECTION 13N**
- 1. Cotton, Jeffrey et ux 8
- SECTION 14S**
- 1. Yankton Medical Clinic PC 12
- SECTION 16N**
- 1. Anstine, Rodney et ux 7
- SECTION 17N**
- 1. Schenkel, Darrell et ux 8
- 2. Tacke, WM et ux 13
- SECTION 18N**
- 1. Cap LE, Stanley et ux 5
- 2. Cap, Robert et ux 7
- SECTION 19**
- 1. Schenkel, Daniel et ux 7
- SECTION 20N**
- 1. Yankton Co Sharpshooters Assn 12
- 2. Johnson, Michael et ux 9
- SECTION 21N**
- 1. Kralicek, Frank et ux 5
- SECTION 21S**
- 1. White Crane Estates LLC 18
- SECTION 22N**
- 1. Taggart, William et ux 9
- SECTION 24**
- 1. Marquardt, Doug 13
- 2. Keller, Dallas et ux 10
- SECTION 26**
- 1. Barnes, David et ux 7
- SECTION 32**
- 1. Zimmerman Trust, Henry et al 12
- SECTION 33**
- 1. Delozier, Darrik 6
- 2. Waddell, Edward et ux 8
- SECTION 35**
- 1. Slowey, Steven et ux 14

PLAT OF LOT 6, BEING A REPLAT OF LOTS 3 AND 4, BLOCK 1, KAISER OVERLOOK SUBDIVISION IN THE N1/2 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.



- FOUND REBAR WITH CAP
- SET 5/8" REBAR WITH CAP STAMPED TOM WEEK LS 2912



1 = LAT. 42-52-46.16472 N, LONG. 97-27-00.55722 W
 2 = LAT. 42-52-44.16166 N, LONG. 97-27-04.84073 W

SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY OF LOT 6, BEING A REPLAT OF LOTS 3 AND 4, BLOCK 1, KAISER OVERLOOK SUBDIVISION IN THE N1/2 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON PINS AS SHOWN AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 30TH. DAY OF NOVEMBER, 2023.

 THOMAS LYNN WEEK
 REGISTERED LAND SURVEYOR
 REG. NO. 2912

CERTIFICATE OF COMMUNITY DEVELOPMENT DIRECTOR

I, COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF YANKTON, HAVE REVIEWED THIS PLAT AND HAVE FOUND IT TO CONFORM TO THE SUBDIVISION REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF YANKTON, AND PURSUANT TO THE AUTHORITY GRANTED IN SDCL 11-3-6 AND YANKTON CITY ORDINANCE SECTION 17-72, I HAVE APPROVED THIS PLAT AS A FINAL PLAT.

DATED THIS _____ DAY OF _____, 20____.

 COMMUNITY DEVELOPMENT DIRECTOR OF THE
 CITY OF YANKTON

CERTIFICATE OF FINANCE OFFICER

I, _____, CITY FINANCE OFFICER OF THE CITY OF YANKTON, DO HEREBY CERTIFY THAT THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF YANKTON HAS APPROVED THIS FINAL PLAT AS SHOWN HEREON.

DATED THIS _____ DAY OF _____, 20____.

 FINANCE OFFICER OF THE CITY OF YANKTON, SD.

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE YANKTON COUNTY PLANNING COMMISSION, THAT THE ABOVE PLAT REPRESENTING LOT 6, BEING A REPLAT OF LOTS 3 AND 4, BLOCK 1, KAISER OVERLOOK SUBDIVISION IN THE N1/2 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED.

PLAT OF LOT 6, BEING A REPLAT OF LOTS 3 AND 4, BLOCK 1, KAISER OVERLOOK SUBDIVISION IN THE N1/2 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.

OWNERS CERTIFICATE

I, JAMES R. FEAR, DO HEREBY CERTIFY THAT I AM THE ABSOLUTE AND UNQUALIFIED OWNER OF THE ABOVE DESCRIBED REAL PROPERTY: LOT 6, BEING A REPLAT OF LOTS 3 AND 4, BLOCK 1, KAISER OVERLOOK SUBDIVISION IN THE N1/2 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

DATED THIS _____ DAY OF _____, _____.

JAMES R. FEAR

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, _____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JAMES R. FEAR, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: LOT 6, BEING A REPLAT OF LOTS 3 AND 4, BLOCK 1, KAISER OVERLOOK SUBDIVISION IN THE N1/2 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, AND HAS SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, _____, COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, ON THIS _____ DAY OF _____, _____.

COUNTY AUDITOR

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

CERTIFICATE OF STREET AUTHORITY

THERE EXISTS ACCESS TO LOT 6 FROM APRIL LANE. ANY FURTHER ACCESS WILL HAVE TO BE APPROVED.

DATED THIS _____ DAY OF _____, _____.

COUNTY AUTHORITY

DIRECTOR OF EQUALIZATION CERTIFICATE

THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION OF YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT SHE HAS RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS _____ DAY OF _____, _____.

DIRECTOR OF EQUALIZATION, YANKTON COUNTY, S.D.

TREASURER CERTIFICATE

THE UNDERSIGNED, COUNTY TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT ALL TAXES WHICH ARE LIEN UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS _____ DAY OF _____, _____.

TREASURER, YANKTON COUNTY, S.D.

REGISTER OF DEEDS CERTIFICATE

THE UNDERSIGNED, REGISTER OF DEEDS, YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT THE ORIGINAL PLAT WAS FILED FOR RECORD THIS _____ DAY OF _____, _____, _____ O'CLOCK _____ .M., AND DULY RECORDED IN BOOK _____, PAGE _____.

PREPARED BY: THOMAS LYNN WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

REGISTER OF DEEDS, YANKTON COUNTY, S.D.

Plat Approval
Application
196636

Fees Paid
\$100.00

Applicant
Bill Conkling

Created
November 30,
2023

Number
196636

Final | Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota | James Fear | 1007 April Ln | 09.015.600.103
Submitted by bconkling on 11/30/2023



Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

Parcel search Completed On 11/30/2023 1:34 PM EST by bconkling



Maxar, Microsoft

Powered by Esri

ParcelID	Address	City	OwnerName	Acres
09.015.600.103	1007 APRIL LN	YANKTON	FEAR, JAMES R (D)	0.490

Requested Information Completed On 11/30/2023 1:36 PM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

Section No:

15

Township No:

93

Range

56

Number of Lots/Tracts

1

Number of Acres

1.06

How is this property currently being used?

Moderate Density Residential

What is the proposed use of the property?

Moderate Density Residential

Surveyor/Engineer Information

Firm Name

Tom Week

Address

407 Regal Dr

City

Yankton

State

SD

Zip

57078

Contact Person

Tom Week

Phone

6056658333

Property Owner Information

Owner Name

James Fear

Address

1007 April Ln

City

Yankton

State

SD

Zip

57078

Owner Phone

6056658333

Contact Person

Tom Week

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes?

Yes

What is/are the lot size(s)

1.06

Is this plat an existing farmstead

No

If a farmstead, how many acres are surrounding it

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary?

Yes

Is this property to have construction on it

No

If Yes:

Construction contractors Name, Address, and phone number (If applicable)

Plat Approval Items Completed On 11/30/2023 1:37 PM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

[fear plat.pdf](#)

Plat Approval Applicant Checklist 

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

Submit Application Completed On 11/30/2023 1:37 PM EST by bconkling

Owner Certification

Owner(s)

James Fear

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton County Zoning Ordinance.

Owner Signature

James Fear

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Submittal Email Completed On 11/30/2023 1:37 PM EST by bconkling

[RESEND EMAIL](#)

Delivered on Thursday, November 30, 2023 at 1:37 PM CST

Options

Send to the applicant? Yes

Send to members of the following roles:

Zoning

Recipients

To:

andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yankton.sd.us

Subject: Plat Approval Application Submitted

A Plat Approval Application has been submitted for review.

Number: 196636

Workflow: Plat Approval Application

Description: Final | Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota | James Fear | 1007 April Ln | 09.015.600.103

Created On: 11/30/2023

[View Application](#)

Email to Pay Completed On 11/30/2023 1:37 PM EST by bconkling

[RESEND EMAIL](#)

Delivered on Thursday, November 30, 2023 at 1:37 PM CST

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning
 - Zoning Director

Recipients

To:

- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Payment Required: Plat Approval Application

Your Plat Approval application has been received and payment is required. Payment can be made in person at the Zoning office. Once payment is received, we will proceed with the review process for your request. Please return to your application and make payment online.

Total Amount Due: \$100.00

Please bring the Mylar Plats and at least two original copies to the Zoning Office.

If any information is incorrect, please let me know immediately.

Number: 196636

Workflow: Plat Approval Application

Description: Final | Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota | James Fear | 1007 April Ln | 09.015.600.103

Created On: 11/30/2023

[View Application](#)

Payment Completed On 12/1/2023 11:52 AM EST by bconkling

Fee Summary

Fee	\$100.00
Total Fees	\$100.00
Total Due	\$0.00

Payments Made

Payment Method	Paid On	Confirmation Number	Amount	
Check	December 1, 2023 11:52 AM	2010	\$100.00	VIEW RECEIPT

Total Paid: \$100.00

Payment Made Email Completed On 12/1/2023 11:52 AM EST by bconkling

[RESEND EMAIL](#)

Delivered on Friday, December 1, 2023 at 11:52 AM CST

Options

- Send to the applicant? Yes
- Send to members of the following roles:
 - Zoning

Recipients

To:

- pattyv@co.yankton.sd.us
- andrea@co.yankton.sd.us
- gary@co.yankton.sd.us
- bill@co.yankton.sd.us

Subject: Plat Approval Application: Payment Made

Payment has successfully been made for a Plat Approval Application.

Amount Paid: \$100.00

Number: 196636

Workflow: Plat Approval Application

Description: Final | Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota | James Fear | 1007 April Ln | 09.015.600.103

Created On: 11/30/2023

[View Application](#)

Planning Commission Review Completed On 12/1/2023 11:53 AM EST by bconkling

Plat Approval Planning Commission Checklist

Please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures and County Treasurer's signature?

Ownership verified by Director of Equalization and signed?

Plat name has been approved by Register of Deeds?

Street authority signature (DOT, Highway, Township)?

\$100.00 Fee Paid at Zoning Office?

Plat has been scheduled/approved by the Yankton County Planning Commission?

Planning Commission date:

12/12/2023

Plat Approval Application (Planning Commission) Completed On 12/1/2023 11:53 AM EST by bconkling

[Plat Approval Application \(Planning Commission\)](#)

External Notes

Documents

Internal Notes

Documents

Yankton County, South Dakota

Receipt

Paid by
Bill Conkling
Bill@co.yankton.sd.us

Payment number
Date paid
Payment method

2010
December 1, 2023 11:52 AM
Check

\$100.00 paid on December 1, 2023

Plat Approval Application

Application ID: 196636

Description	Amount
Fee	\$100.00

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 12/12/2023 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Conkling

ROLL BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

CALL:

APPROVAL OF MINUTES: MOTION BY: Nelson SECOND BY: Kettering

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Michael

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Bye – Conditional Use Permit**

ADDRESS/LEGAL: Applicant wishes to install a wind energy conversion system in an Agricultural District per Article 5 section 507 and Article 26 Section 2603. Said property is legally described as the East Half of the Northwest Quarter (E1/2 NW1/4), except the West One Hundred Seventy-five Feet (W175') of the East Five Hundred Ninety-four (94) Feet (E594') of the South Two Hundred Sixty-seven Feet (S267') in Section Thirty-six (36), Range Ninety-three (93) North, Township Fifty-four (54) West of the 5th P.M., Yankton County, South Dakota.

COMMENTS: None

MOTION: **Because there is a conflict in applicability between 2603-1i and 2605-1 move approval based on findings of fact for section 1805 and 2603 because this application aligns more with 2603 versus 2605**
Passed 7-0

APPROVAL: MOTION BY: Loest SECOND BY: Weiss

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Peterson Plat**

ADDRESS/LEGAL: Plat of Lot A of Lot 1 and Lot B of Lot 1, Metz-Peterson Addition, in the N1/2 of the NE1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson

PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings – Preliminary Plat**

ADDRESS/LEGAL: Preliminary Plat of Lots 1 Thru 14, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Untable the plat application – Michael, second – Loest Approved 7-0
Approve as presented
Passed 7-0**

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Dumont Holdings - Plat**

ADDRESS/LEGAL: Plat of Lots 1, 2, 3, 7 And 8, Forest Lake Subdivision, in the NW1/4 of the NE1/4 of Section 13, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: **Approve as presented
Passed 7-0**

APPROVAL: MOTION BY: Loest SECOND BY: Michael
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Staudenmaier - Plat**

ADDRESS/LEGAL: Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

COMMENTS: None

MOTION: **Approve as presented
Passed 7-0**

APPROVAL: MOTION BY: Loest SECOND BY: Kettering
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Freng - Plat**
ADDRESS/LEGAL: Plat of Adam Freng's Addition in the North Half of the NE1/4 of Section 8, T93N, R57W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Fear - Plat**
ADDRESS/LEGAL: Plat of Lot 6, being a replat of Lots 3 and 4, Block 1, Kaiser Overlook Subdivision in the N1/2 of the NE1/4 of the NW1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota
COMMENTS: None

MOTION: **Approve as presented**
Passed 7-0

APPROVAL: MOTION BY: Clark SECOND BY: Loest
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: **Article 26 Discussion**
ADDRESS/LEGAL:
COMMENTS: Discussion among commission

MOTION: **No Action Taken**

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: Public Comment
ADDRESS/LEGAL: _____
COMMENTS: None

MOTION: Adjourn
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Nelson
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____
COMMENTS: _____

MOTION: _____

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: BARKL LOEST KETTERING MICHAEL NELSON WEISS CLARK

AGENDA ITEM: _____
ADDRESS/LEGAL: _____

From: Gary Vetter <gary@co.yankton.sd.us>

Sent: Wednesday, December 13, 2023 8:26 AM

To: Dan Klimisch <dank@co.yankton.sd.us>; Don Kettering <donk@co.yankton.sd.us>; John Marquardt <JohnM@co.yankton.sd.us>; Ryan Heine <RyanH@co.yankton.sd.us>; Wanda Howey-Fox <wanda@co.yankton.sd.us>

Cc: Don Kettering (dpketring@gmail.com) <dpketring@gmail.com>; Patty Hojem <patty@co.yankton.sd.us>

Subject: Possible Candidates for Wind Task Force

Good morning,

Here are the possible candidates for Wind Ordinance Update Task Force to be on Agenda **for Dec. 19:**

My experience is having had a close relative involved as the president for the development of two nearby wind farms. My involvement was limited to following news regarding the development, having a vested interest with meetings as a stock holder, penning a 2017 letter to our senators & representative, as well as numerous influential committee members, with copies to multiple newspapers regarding the multiple advantages of wind power developments & the necessity of tax credits for wind farm developments. There was also some direct communication with our then governor Dennis Daugaard.

I grew up on a Springfield, SD area farm, completed undergrad college in Springfield, SD at SSC, own farmland in that area, completed a MS in Biology at SDSU & was in education for a decade in other area of the country before moving to Yankton & spent 35 years in local manufacturing businesses before completely retiring in 2016. This is all unnecessary information except to demonstrate my interest & background – for what it's worth.

The advantages of Wind Power & Solar Power are logical science for our future & wise development needs to be encouraged. I am interested in learning more about the possibilities for my further involvement in Yankton Counties work for this conscientious development. Please do advise me if I may be of assistance in some way.

Sincerely,

Eugene Hornstra

Hi Gary

> I was at the planning and zoning meeting this week and I would like to participate as the community member on the pipeline ordinance task force. I would also be willing to be on the wind farm ordinance task force if needed.

> Thanks for all you do for Yankton County.

> **Laura Kotalik**

Mike Welsh – Comp Plan Review, Served on Solar Ordinance Task Force

Cheri Loest – Planning Commission member, Served on Solar Ordinance Task Force

Lauren Nelson – Planning Commission member, Served on Solar Ordinance Task Force

Ryan Heine – Commissioner, Served as Chair for Solar Ordinance Task Force

Probably a good number unless one more Commissioner would like to serve

Thanks,

Gary Vetter

Development Services Director

Yankton County

(605) 260-4445

gary@co.yankton.sd.us

YANKTON COUNTY COMMISSION MEETING

December 5, 2023

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 6:00 p.m. on Tuesday, December 5, 2023.

Roll call was taken with the following Commissioners present: Ryan Heine, John Marquardt, Dan Klimisch, Wanda Howey-Fox and Don Kettering.

Commissioner Fox will abstain from voting on the second set of claims. There were no conflicts from the rest of the board.

There were no conflicts of interest reported by Commissioners.

Action 23397C: A motion was made by Klimisch and seconded by Fox to approve the meeting agenda with the following changes: move item 7 to 4A and no discussion on Sundance Ridge Road District. All present voted aye; motion carried, 5-0.

There were no public comments. Chairman Kettering closed public comment.

Althea Higgins presented a donation for \$2,000.00 for the Old Post Office Building photograph to be placed on the first floor of the County Government Center as part of the historic photo display expansion.

Action 23398C: A motion was made by Fox and seconded by Marquardt to accept the donation. All present voted aye; motion carried, 5-0.

County Health Insurance: The board discussed the health insurance for county employees.

Action 23399C: A motion was made by Fox and seconded by Heine to stay with Medica Healthcare for county health insurance. All present voted aye; motion carried, 5-0.

Ambulance Administrator Eric Van-Dusen appeared before the board to request a \$1.50 pay increase for front line workers. Commissioner Marquardt said he would like to delay action until after the meeting with Triton on December 12.

Action 23400C: A motion was made by Fox and seconded by Marquardt to postpone action on ambulance pay increase until the December 19th commission meeting. All present voted aye; motion carried, 5-0.

Highway Superintendent Mike Sedlacek appeared before the board for approval of the BIG (Bridge improvement Grant) application, 2023 Bridge Inspection Report, RAIF applications and equipment purchase approval for 2024.

Action 23401HWY: A motion was made by Klimisch and seconded by Fox to approve the BIG grant application for Bridge 6-060-018. All present voted aye; motion carried, 5-0.

Action 23402HWY: A motion was made by Klimisch and seconded by Marquardt to approve 2023 Bridge Inspection Report. All present voted aye; motion carried, 5-0.

Action 23403HWY: A motion was made by Klimisch and seconded by Marquardt to approve the RAIF application from Ziskov Township for Structure 68-0213-1705. All present voted aye; motion carried, 5-0.

Action 23404HWY: A motion was made by Kettering and seconded by Heine to approve the RAIF application from Ziskov Township for Structure 68-0218-1706. All present voted aye; motion carried, 5-0.

Action 23405HWY: A motion was made by Fox and seconded by Klimisch to approve the RAIF application Mayfield Township for Structure 68-0213-1705, 68-1681-0504, 68—2208-0547, 68-1309-0031, 68-1309-0032, 68-1309-0038, 68-1309-0039. All present voted aye; motion carried, 5-0.

Action 23406HWY: A motion was made by Heine and seconded by Fox to approve the RAIF application from Turkey Valley Township for Structure 68-2387-0400 All present voted aye; motion carried, 5-0.

Action 23407C: A motion was made by Marquardt and seconded by Klimisch to approve the purchase of a John Deere 6130M Cab Tractor for 2024 in the amount of \$191,121.12. All present voted aye; motion carried, 5-0.

Action 23408C: A motion was made by Fox and seconded by Marquardt to approve the purchase of a 2012 CAT 140M2 for \$157,200 and surplus the 2008 CAT 140M. All present voted aye; motion carried, 5-0.

Medical Cannabis license renewal requests were received from CC Smoke LLC, Happy Flower Healing, A2Z, LLC, RiverBend Edge LLC and Rayzzz Growzz of Yankton, LLC.

Action 23409C: A motion was made by Fox and seconded by Marquardt to approve the Medical Cannabis license renewal applications as presented. All present voted aye; motion carried, 5-0.

Zoning changes: There was a first reading of the adoption of the proposed changes to the Solar Ordinance to the Yankton County Zoning Ordinance. The second reading of the zoning changes will be at the next commission meeting on December 19, 2023.

There were no public comments. Chairman Kettering closed public comment.

Action 23410C: A motion was made by Fox and seconded by Heine to change the Solar Facility Setback Requirements for residences, active churches, businesses and schools to 660 feet; municipalities to 1,320 feet; lakes, rivers and streams to 660 feet; Right-of-way to 100 feet; and property lines delineating a change in ownership to 100 feet. Fox, Heine, Klimisch and Kettering voting aye; Marquardt voting nay; motion carried, 4-1.

Action 23411C: A motion was made by Fox and seconded by Heine to approve the South Sundance Road District. All present voted aye; motion carried, 5-0.

Action 23412C: A motion was made by Klimisch and seconded by Heine to move the county's WIC/Public Health employees to other assignments on a temporary basis for six months; close the office on December 31, 2023; and authorize Commissioner Marquardt to negotiate with the State on renting the office space. All present voted aye; motion carried, 5-0.

Commissioner Fox brought forward a policy to have Naloxone at the worksite to reverse an opioid overdose. SD Department of Health would like the Naloxone to be mounted in a protective box and to have an employee responsible for routine monitoring to ensure it is not expired or is need of replacement.

Action 23413C: A motion was made by Klimisch and seconded by Heine to approve the Naloxone Policy. All present voted aye; motion carried, 5-0.

The board discussed renewing the contract with GEOPermits for online permitting software.

Action 23414C: A motion was made by Heine to keep GEOPermits for another year and look at the IT development and plan; motion died for lack of second.

Action 23415C: A motion was made by Marquardt and seconded by Fox to request to pro-rate with GEOPermits for one month, but not spend the \$8,500 requested for an entire year. Marquardt, Fox, Klimisch and Kettering voting aye; Heine voting nay; motion carried, 4-1.

Action 23416C: A motion was made by Fox and seconded by Klimisch to approve the December 5, 2023 meeting minutes with the following correction: Fox voted nay for the claim from Blue Light Investigation, LLC. All present voted aye; motion carried, 5-0.

Action 23417Aud: A motion was made by Fox and seconded by Heine to supplement the Yankton County Sheriff budget due to unanticipated grant revenue in the amount of \$24,022.00. All present voted aye; motion carried, 5-0.

Action 23418Aud: A motion was made by Marquardt and seconded by Fox to supplement the Yankton Highway Department budget due to unanticipated miscellaneous revenue in the amount of \$37,351.78.

Action 23419C: A motion was made by Fox and seconded by Heine to approve the following claims: **Commissioners:** Yankton County Observer (Publishing) \$181.69; Sheraton-Sioux Falls (Travel) \$119.00; **Elections:** Qualified Presort Services (Supplies) \$57.89; Verizon (Rentals) \$280.07; **Court:** Blackburn & Stevens Prof. LLC (Minor) \$1,776.20; Certified Languages International (Prof Services) \$193.05; Computer Forensic Resources, Inc. (Prof Services) \$735.00; Youngberg Law, Prof. LLC (Prof Services) \$2,650.00; Fox Law Firm, PLLC (Prof Services) \$2,650.00; Grand Jury (Fees) \$453.04; Horn Law Office, LLC (Prof Services) \$13,250.00; Dean Schaefer (Prof Services) \$396.00; Blue Light Investigation, LLC (Prof Services) \$8,877.20; **Auditor:** Qualified Presort Services (Supplies) \$172.50; **Treasurer:** Andersen Telecom, LLC (Maintenance) \$100.00; Qualified Presort Services (Supplies) \$640.81; **Data:** Andersen Telecom, LLC (Prof Services) \$321.94; **States Attorney:** Verizon (Utilities) \$84.22; **Government Center:** Bomgaars (Maintenance) \$94.97; City of Yankton (Utilities) \$2,155.53; JCL Solutions (Supplies) \$161.38; Northwestern Energy (Utilities) \$2,544.89; Olson's Pest Technicians (Maintenance) \$84.00; OTIS Elevator Company (Maintenance) \$958.98; **Director of Equalization:** Southgate (Maintenance) \$240.00; Andersen Telecom, LLC (Maintenance) \$225.00; JJ Benji (Supplies) \$337.00; Qualified Presort Services (Supplies) \$79.67; Andrea Wright (Travel) \$34.00; **Register of Deeds:** Qualified Presort Services (Supplies) \$59.22; **Veterans Service Office:** Verizon (Utilities) \$42.11; Verizon (Rentals) \$40.01; **Safety Center Building:** Mark's (Maintenance) \$196.10; Bomgaars (Supplies) \$10.89; City of Yankton (Utilities) \$711.29; Cole Papers, Inc. (Supplies) \$542.53; Menards (Supplies) \$311.15; Menards (Maintenance) \$43.23; MidAmerican Energy (Utilities) \$1,604.25; Northwestern Energy (Utilities) \$7,762.34; **Sheriff:** Andersen Telecom, LLC (Computer Services) \$1,170.41; Cardmember Services (Travel) \$119.09; Cardmember Services (Minor Equipment) \$191.98; Cardmember Services (Supplies) \$426.93; Cardmember Services (Maintenance) \$28.66; Cardmember Services (Law Enforcement Equipment) \$624.94; AT & T Mobility (Maintenance Contract) \$341.24; FedEx (Prof Services) \$24.63; Hansen Locksmithing, Inc. (Supplies) \$45.50; Qualified Presort Services (Maintenance Contract) \$160.76; M.T. & R.C. Smith Insurance (Insurance) \$801.00; South Dakota Sheriff's Association (Maintenance Contract) \$1,199.30; Stopstick, LTD (Law Enforcement Equipment) \$48.00; Two Way Solutions (Maintenance) \$150.00; TriTech Software System (Maintenance Contract) \$7,397.82; **County Jail:** Mark's (Maintenance) \$303.95; Outdoor-Fit Exercise Systems, Inc. (Minor Equipment) \$149.00; Cardmember Services (Minor Equipment) \$154.15; Cardmember Services (Uniforms) \$104.99; Trinity Services Group (Food Service) \$5,054.24; AT & T Mobility (Maintenance Contract) \$160.62; NCIC Inmate Communications (Supplies) \$437.55; Olson's Pest Technicians (Maintenance) \$155.00; TriTech Software System (Maintenance Contract) \$4,285.66; **Yankton Area Search and Rescue:** Kopetsky's Ace Hardware (Supplies) \$283.97; **Care of Poor:** Qualified Presort Services (Supplies) \$66.26; **Public Health Nurse:** Qualified Presort Services (Supplies) \$28.40; **Ambulance:** Kopetsky's Ace Hardware (Supplies) \$99.49; Sacred Heart Health Services (Prof Services) \$1,500.00; Andersen Telecom LLC (Maintenance) \$200.00; City of Yankton (Utilities) \$164.60; Cintas (Maintenance) \$201.71; Amazon Capital Services (Supplies) \$213.75; Menards (Supplies) \$779.13; MidAmerican Energy (Utilities) \$242.52; Northwestern Energy (Utilities) \$838.07; Olson's Pest Technicians (Maintenance) \$119.00;

Tire Muffler Alignment (Maintenance) \$1,028.47; Verizon (Utilities) \$564.79; **Mental Illness Board:** Blackburn & Stevens Prof. LLC (Hearings) \$181.90; Fox Law Firm, PLLC (Hearings) \$293.00; Bill Schaefer (Hearings) \$33.00; Mark Katterhagen (Hearings) \$33.00; Luci Lewno (Hearings) \$516.63; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$101.12; City of Yankton (Utilities) \$86.00; **Weed:** NAPA Auto Parts of Yankton (Supplies) \$13.47; Verizon (Utilities) \$24.89; **Planning and Zoning:** Verizon (Utilities) \$42.11; **Highway:** Andersen Telecom, LLC (Prof Services) \$100.00; Bomgaars (Supplies) \$44.97; Butler Machinery Co. (Maintenance) \$1,016.49; Terry Schramm (Secondary Roads) \$140,000.00; City of Yankton (Utilities) \$50.00; NAPA Auto Parts of Yankton (Supplies) \$15.26; Knife River-South Dakota (Supplies) \$816.20; Certified Laboratories (Supplies) \$2,275.09; Dakotaland Auto Glass (Maintenance) \$1,049.23; CM Tools, LLC (Supplies) \$63.25; Platinum Chemicals, Inc. (Supplies) \$1,714.00; Fischer Gravel (Annual Projects) \$180.00; Fastenal Industrial & Construction Supply (Supplies) \$63.91; I State Truck Center (Supplies) \$804.71; Kimball Midwest (Supplies) \$265.43; LEAF (Supplies) \$124.98; Olson's Pest Technicians (Maintenance) \$1,400.00; Riverside Hydraulics & Labs (Maintenance) \$36.24; Riverside Hydraulics & Labs (Supplies) \$39.47; SD Department of Transportation (Bridges) \$2,546.48; SD Association of County Highway Superintendents (Travel) \$350.00; Two Way Solutions (Maintenance) \$4,950.00; Track Trailer Sales & Service (Supplies) \$64.00; Verizon (Utilities) \$60.05; B-Y Electric (Utilities) \$87.58; Directv (Utilities) \$95.99; Northwestern Energy (Utilities) \$651.14; Southeastern Electric (Utilities) \$40.02; **E911:** Clarity Telecom, LLC (Utilities) \$1,146.79; CenturyLink (Utilities) \$81.83; Midcontinent Communications (Utilities) \$125.39; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$300.63; Verizon (Utilities) \$122.15; Great American Financial (Rentals) \$356.45; Verizon (Utilities) \$944.50; B-Y Electric (Utilities) \$54.00. General Fund \$82,367.85; Road & Bridge \$158,904.49; Emergency Management \$1,777.73. All present voted aye; motion carried, 5-0.

Action 23420C: A motion was made by Klimisch and seconded Marquardt to approve the following claim for Blue Light Investigation, LLC - \$8,877.20. All present voted aye; motion carried, 5-0.

Action 23421C: A motion was made by Klimisch and seconded by Heine to approve the **NOVEMBER, 2023 Gross Payroll: Commissioners:** \$6,104.70; **Election:** \$0.00; **Auditor:** \$19,930.66; **Treasurer:** \$18,663.94; **States Attorney:** \$38,296.63; **Government Buildings:** \$5,819.62; **Director of Equalization:** \$19,707.68; **Register of Deeds:** \$16,217.90; **Veterans Service:** \$3,729.88; **Courthouse & Safety Center:** \$10,111.56; **Sheriff:** \$66,682.82; **County Jail:** \$84,850.86; **Coroner:** \$350.00; **Juvenile:** \$73.28; **Nurse:** \$2,847.46; **Ambulance:** \$68,964.60; **WIC:** \$1,5300.92; **Extension:** \$8,573.43; **Soil Conservation:** \$4,313.32; **Weed:** \$540.20; **Planning & Zoning:** \$11,935.42; **Road & Bridge:** \$80,745.25; **OEM:** \$10,871.49; **24-7 Program:** \$1,502.24. First Dakota National Bank \$35,014.68 (Withholding), First Dakota National Bank \$57,723.22 (FICA) First Dakota National Bank \$13,499.80 (Medicare), South Dakota Retirement System \$32,022.54 (Other Employees), South Dakota Retirement System \$26,779.98 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$188.46, South Dakota Retirement System (Supplemental) \$5,019.32, American Family Life Assurance Company

(AFLAC) \$4,834.18, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$615.94, Medica Health Insurance \$59,892.41, Optilegra \$284.42, Delta Dental \$2,327.96, VSP Vision \$510.66, HealthEquity \$2,825.83. Gross Payroll \$482,462.86, Net Payroll \$358,545.80. All present voted aye; motion carried, 5-0.

Action 23422AUD: A motion was made by Heine and seconded by Klimisch to postpone The approval of the 4-H MOU with SDSU. All present voted aye; motion carried, 5-0.

There were no public comments. Chairman Kettering closed public comment.

Commissioner updates: Released individual from Juvenile Detention, County Website, JDCI meeting and Department Head meeting.

Action 23423: A motion was made by Fox and seconded by Klimisch to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, December 19, 2023 at 6:00 p.m.

Don Kettering, Chairman
Yankton County Commission

ATTEST:

Patty Hojem, County Auditor
Yankton County

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 1

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 111 COMMISSIONERS

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151631	101-5-111-42800	UTILITIES - COMMISSION		50.50
01-01630	INTUVIO SOLUTIONS	I-202312151604	101-5-111-42200	PROF SERVICES - COMMISSION		149.85
01-18049	M.T. & R.C. SMITH INSUR	I-202312151678	101-5-111-41400	WORKMANS COMP - COMMISSION		526.00
DEPARTMENT 111 COMMISSIONERS					TOTAL:	726.35

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 2

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 120 ELECTIONS

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-16017	QUALIFIED PRESORT SERVI	I-202312151720	101-5-120-42600	SUPPLIES - ELECTION		50.79
DEPARTMENT 120 ELECTIONS					TOTAL:	50.79

VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 130 COURT

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00269	AVERA SACRED HEART HOSP	I-202312151579	101-5-130-42210	LAB - COURT		1,196.00
01-01228	BLACKBURN & STEVENS PRO	I-202312151733	101-5-130-42200	PROF SERVICES - COURT		203.30
01-01228	BLACKBURN & STEVENS PRO	I-202312151734	101-5-130-42200	PROF SERVICES - COURT		1,647.80
01-01228	BLACKBURN & STEVENS PRO	I-202312151735	101-5-130-42200	PROF SERVICES - COURT		952.30
01-02155	CERTIFIED LANGUAGES INT	I-202312151808	101-5-130-42200	PROF SERVICES - COURT		204.60
01-02892	PATRICIA LACROIX	I-202312151574	101-5-130-42230	MINOR - COURT		150.00
01-02892	PATRICIA LACROIX	I-202312151575	101-5-130-42230	MINOR - COURT		150.00
01-02892	PATRICIA LACROIX	I-202312151576	101-5-130-42230	MINOR - COURT		150.00
			101-5-130-42210	JUROR - COURT		55.10
			101-5-130-42210	JUROR - COURT		50.00
			101-5-130-42210	JUROR - COURT		52.04
			101-5-130-42210	JUROR - COURT		51.02
			101-5-130-42210	JUROR - COURT		51.02
			101-5-130-42210	JUROR - COURT		52.04
			101-5-130-42210	JUROR - COURT		52.04
			101-5-130-42210	JUROR - COURT		70.40
			101-5-130-42210	JUROR - COURT		51.02
			101-5-130-42210	WITNESS - COURT		20.00
01-08036	CLOVIA DEE	I-202312151764	101-5-130-42200	PROF SERVICES - COURT		225.25
01-10061	KENNEDY PIER LOFTUS & R	I-202312151736	101-5-130-42200	PROF SERVICES - COURT		2,569.85
01-10061	KENNEDY PIER LOFTUS & R	I-202312151737	101-5-130-42200	PROF SERVICES - COURT		1,217.60
01-10061	KENNEDY PIER LOFTUS & R	I-202312151738	101-5-130-42200	PROF SERVICES - COURT		729.50
01-10061	KENNEDY PIER LOFTUS & R	I-202312151739	101-5-130-42200	PROF SERVICES - COURT		2,535.00
01-10061	KENNEDY PIER LOFTUS & R	I-202312151740	101-5-130-42200	PROF SERVICES - COURT		2,582.40
01-18170	DEPARTMENT OF HEALTH	I-202312151603	101-5-130-42210	LAB - COURT		325.00
01-18801	DEAN SCHAEFER	I-202312151536	101-5-130-42200	PROF SERVICES - COURT		430.00
01-18801	DEAN SCHAEFER	I-202312151537	101-5-130-42200	PROF SERVICES - COURT		348.00
01-22049	WOODBURY COUNTY SHERIFF	I-202312151590	101-5-130-42210	SERVICES - COURT		30.00
01-22259	THOMSON REUTERS - WEST	I-202312151638	101-5-130-42600	SUPPLIES - COURT		1,134.06

DEPARTMENT 130 COURT

TOTAL: 17,285.34

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 4

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 141 AUDITOR

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151632	101-5-141-42800	UTILITIES - AUDITOR		121.00
01-11049	LEAF	I-202312151796	101-5-141-42400	RENTALS - AUDITOR		183.35
01-16017	QUALIFIED PRESORT SERVI	I-202312151714	101-5-141-42600	SUPPLIES - AUDITOR		243.73
01-18049	M.T. & R.C. SMITH INSUR	I-202312151679	101-5-141-41400	WORKMANS COMP - AUDITOR		1,500.20
01-18951	SECURITY SHREDDING SERV	I-202312151580	101-5-141-42500	MAINTENANCE - AUDITOR		40.00
01-22241	ONE OFFICE SOLUTION	I-202312151704	101-5-141-42500	MAINTENANCE - AUDITOR		130.49
01-22259	THOMSON REUTERS - WEST	I-202312151640	101-5-141-42600	SUPPLIES - AUDITOR		172.11

DEPARTMENT 141 AUDITOR

TOTAL:

2,390.88

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 5

VENDOR SET: 01 Yankton County
PACKET: 02321 KASI'S CLAIMS - 12-19-202
FUND : 101 GENERAL FUND
DEPARTMENT: 142 TREASURER

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151634	101-5-142-42800	UTILITIES - TREASURER		197.02
01-11049	LEAF	I-202312151799	101-5-142-42400	RENTALS - TREASURER		28.31
01-12016	MCLEOD'S PRINTING & OFF	I-202312151595	101-5-142-42600	SUPPLIES - TREASURER		298.90
01-16017	QUALIFIED PRESORT SERVI	I-202312151713	101-5-142-42600	SUPPLIES - TREASURER		126.72
01-18049	M.T. & R.C. SMITH INSUR	I-202312151680	101-5-142-41400	WORKMANS COMP - TREASURER		1,833.57
01-18951	SECURITY SHREDDING SERV	I-202312151581	101-5-142-42500	MAINTENANCE - TREASURER		40.00
01-21015	PATY VAVRA	I-202312151532	101-5-142-42600	SUPPLIES - TREASURER		260.05
01-22241	ONE OFFICE SOLUTION	I-202312151712	101-5-142-42600	SUPPLIES - TREASURER		557.74
DEPARTMENT 142 TREASURER					TOTAL:	3,342.31

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 6

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 143 DATA PROCESSING

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151629	101-5-143-42800	UTILITIES - DATA		718.82
01-05065	FIRST BANKCARD	I-202312151728	101-5-143-42500	MAINTENANCE - DATA		56.62
DEPARTMENT 143 DATA PROCESSING					TOTAL:	775.44

VENDOR SET: 01 Yankton County
PACKET: 02321 KASI'S CLAIMS - 12-19-202
FUND : 101 GENERAL FUND
DEPARTMENT: 151 STATES ATTORNEY

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01404	CENTURY BUSINESS PRODUC	I-202312151609	101-5-151-42400	RENTALS - STATES ATTY		200.97
01-01404	CENTURY BUSINESS PRODUC	I-202312151610	101-5-151-42500	MAINTENANCE - STATES ATTY		277.91
01-02291	SATELLITE TRACKING OF P	I-202312151607	101-5-151-42610	DIVERSION EXPENSE - STATES AT		9.75
01-02483	CULLIGAN	I-202312151806	101-5-151-42600	SUPPLIES - STATES ATTY		4.00
01-16017	QUALIFIED PRESORT SERVI	I-202312151721	101-5-151-42600	SUPPLIES - STATES ATTY		70.48
01-18022	SD STATE'S ATTORNEY ASS	I-202312151592	101-5-151-42700	TRAVEL - STATES ATTY		1,647.40
01-18049	M.T. & R.C. SMITH INSUR	I-202312151681	101-5-151-41400	WORKMANS COMP - STATES ATTY		466.00
01-22241	ONE OFFICE SOLUTION	I-202312151710	101-5-151-42600	SUPPLIES - STATES ATTY		74.79
01-22259	THOMSON REUTERS - WEST	I-202312151639	101-5-151-42600	SUPPLIES - STATES ATTY		201.58
DEPARTMENT 151 STATES ATTORNEY					TOTAL:	2,952.88

12/15/2023 3:26 PM
 DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER
 VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 161 GOVERNMENT CENTER

PAGE: 8
 ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151637	101-5-161-42800	UTILITIES - GOVT CENTER		25.25
01-04023	ECHO GROUP	I-202312151649	101-5-161-42500	MAINTENANCE - GOVT CENTER		81.28
01-04023	ECHO GROUP	I-202312151654	101-5-161-42600	SUPPLIES - GOVT CENTER		22.50
01-04101	AGAP LLC dba POWER SOUR	I-202312151550	101-5-161-42500	MAINTENANCE - GOVT CENTER		2,399.83
01-09287	JCL SOLUTIONS	I-202312151805	101-5-161-42600	SUPPLIES - GOVT CENTER		55.56
01-12110	MIDWEST STRIPING	I-202312151541	101-5-161-42200	PROF SERVICES - GOVT CENTER		650.00
01-12167	MENARDS	I-202312151697	101-5-161-42600	SUPPLIES - GOVT CENTER		293.62
01-12371	MIDAMERICAN ENERGY	I-202312151795	101-5-161-42800	UTILITIES - GOVT CENTER		905.70
01-18049	M.T. & R.C. SMITH INSUR	I-202312151682	101-5-161-41400	WORKMANS COMP - GOVT CENTER		2,420.00
DEPARTMENT 161 GOVERNMENT CENTER					TOTAL:	6,853.74

12/15/2023 3:26 PM
 DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER
 VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 162 DIRECTOR OF EQUALIZATION

PAGE: 9
 ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151636	101-5-162-42800	UTILITIES - DOE		193.50
01-03190	SCHNEIDER GEOSPATIAL, L	I-202312151565	101-5-162-42500	MAINTENANCE - DOE		15,168.00
01-05065	FIRST BANKCARD	I-202312151726	101-5-162-42700	TRAVEL - DOE		400.00
01-06063	MICHELLE GOEKEN	I-202312151597	101-5-162-42700	TRAVEL - DOE		30.60
01-06063	MICHELLE GOEKEN	I-202312151598	101-5-162-42600	SUPPLIES - DOE		14.85
01-06063	MICHELLE GOEKEN	I-202312151599	101-5-162-42600	SUPPLIES - DOE		67.38
01-12418	MICROFILM IMAGING SYSTE	I-202312151655	101-5-162-42500	MAINTENANCE - DOE		120.00
01-16017	QUALIFIED PRESORT SERVI	I-202312151715	101-5-162-42600	SUPPLIES - DOE		24.47
01-18049	M.T. & R.C. SMITH INSUR	I-202312151683	101-5-162-41400	WORKMANS COMP - DOE		1,796.80
01-18951	SECURITY SHREDDING SERV	I-202312151582	101-5-162-42500	MAINTENANCE - DOE		40.00
01-22241	ONE OFFICE SOLUTION	I-202312151708	101-5-162-42500	MAINTENANCE - DOE		139.01
01-22241	ONE OFFICE SOLUTION	I-202312151709	101-5-162-42600	SUPPLIES - DOE		678.21

DEPARTMENT 162 DIRECTOR OF EQUALIZATI TOTAL: 18,672.82

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 163 REGISTER OF DEEDS

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151635	101-5-163-42800	UTILITIES - ROD		172.15
01-04156	EXECUTIVE MGMT FINANCE	I-202312151620	101-5-163-42600	SUPPLIES - ROD		46.50
01-16017	QUALIFIED PRESORT SERVI	I-202312151716	101-5-163-42600	SUPPLIES - ROD		36.70
01-18049	M.T. & R.C. SMITH INSUR	I-202312151684	101-5-163-41400	WORKMANS COMP - ROD		1,428.29
01-22241	ONE OFFICE SOLUTION	I-202312151783	101-5-163-42600	SUPPLIES - ROD		160.84
01-22241	ONE OFFICE SOLUTION	I-202312151784	101-5-163-42500	MAINTENANCE - ROD		60.75
01-22241	ONE OFFICE SOLUTION	I-202312151785	101-5-163-43500	MINOR EQUIPMENT - ROD		752.00

DEPARTMENT 163 REGISTER OF DEEDS TOTAL: 2,657.23

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 11

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 165 VETERANS SERVICE OFFICER

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151630	101-5-165-42800	UTILITIES - VSO		25.25
01-11049	LEAF	I-202312151802	101-5-165-42400	RENTALS - VSO		59.15
01-18049	M.T. & R.C. SMITH INSUR	I-202312151685	101-5-165-41400	WORKMANS COMP - VSO		294.16
01-22241	ONE OFFICE SOLUTION	I-202312151711	101-5-165-42600	MAINTENANCE - VSO		8.64
DEPARTMENT 165 VETERANS SERVICE OFFIC TOTAL:						387.20

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 169 SAFETY CENTER BUILDING

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00090	KOPETSKY'S ACE HARDWARE	I-202312151657	101-5-169-42600	SUPPLIES - SAFETY CENTER		119.92
01-02001	CITY OF YANKTON	I-202312151569	101-5-169-42800	DUMPSTER FEES - SAFETY CENTER		176.00
01-04023	ECHO GROUP	I-202312151650	101-5-169-42500	MAINTENANCE - SAFETY CENTER		278.00
01-09274	JOHNSON CONTROLS, INC.	I-202312151533	101-5-169-42500	MAINTENANCE - SAFETY CENTER		2,024.30
01-09274	JOHNSON CONTROLS, INC.	I-202312151534	101-5-169-42500	MAINTENANCE - SAFETY CENTER		591.83
01-09274	JOHNSON CONTROLS, INC.	I-202312151535	101-5-169-42500	MAINTENANCE - SAFETY CENTER		371.99
01-12110	MIDWEST STRIPING	I-202312151542	101-5-169-42200	PROF SERVICES - SAFETY CENTER		2,730.60
01-12167	MENARDS	I-202312151698	101-5-169-42600	SUPPLIES - SAFETY CENTER		302.73
01-12167	MENARDS	I-202312151699	101-5-169-42500	MAINTENANCE - SAFETY CENTER		80.91
01-14005	OLSON'S PEST TECHNICIAN	I-202312151791	101-5-169-42500	MAINTENANCE - SAFETY CENTER		137.00
01-18049	M.T. & R.C. SMITH INSUR	I-202312151686	101-5-169-41400	WORKMANS COMP - SAFETY CENTER		2,156.00
DEPARTMENT 169 SAFETY CENTER BUILDING TOTAL:						8,969.28

12/15/2023 3:26 PM
 DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER
 VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 211 SHERIFF

PAGE: 13
 ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01131	HANSON BRIGGS SPECIALTY	I-202312151750	101-5-211-42600	SUPPLIES - SHERIFF		257.08
01-01668	CHRIS MEIER	I-202312151626	101-5-211-42700	TRAVEL - SHERIFF		42.00
01-02001	CITY OF YANKTON	I-202312151570	101-5-211-42610	FUEL - SHERIFF		2,280.44
01-02428	JERRY SORBEL	I-202312151557	101-5-211-42700	TRAVEL - SHERIFF		102.00
01-02989	LES DRAKE	I-202312151625	101-5-211-42700	TRAVEL - SHERIFF		42.00
01-03138	ROD PIEPER	I-202312151553	101-5-211-42700	TRAVEL - SHERIFF		102.00
01-04397	ZACH CLIFTON	I-202312151624	101-5-211-42700	TRAVEL - SHERIFF		42.00
01-16017	QUALIFIED PRESORT SERVI	I-202312151722	101-5-211-42520	MAINTENANCE CONTRACT - SHERIF		140.44
01-18049	M.T. & R.C. SMITH INSUR	I-202312151687	101-5-211-41400	WORKMANS COMP - SHERIFF		19,352.00
01-18412	STOPSTICK, LTD.	I-202312151623	101-5-211-42660	LAW ENFORCEMENT EQUIP - SHERI		99.00
01-18610	TWO WAY SOLUTIONS INC	I-202312151622	101-5-211-42500	MAINTENANCE - SHERIFF		660.99
01-22241	ONE OFFICE SOLUTION	I-202312151705	101-5-211-42600	SUPPLIES - SHERIFF		32.91
01-24001	YANKTON COUNTY TREASURE	I-202312151782	101-5-211-42600	SUPPLIES - SHERIFF		106.80
DEPARTMENT 211 SHERIFF					TOTAL:	23,259.66

12/15/2023 3:26 PM
 DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER
 VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 212 COUNTY JAIL

PAGE: 14
 ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00269	AVERA SACRED HEART HOSP	I-202312151555	101-5-212-42200	PROF SERVICES - JAIL		1,458.00
01-00269	AVERA SACRED HEART HOSP	I-202312151669	101-5-212-42200	PROF SERVICES - JAIL		703.94
01-00269	AVERA SACRED HEART HOSP	I-202312151670	101-5-212-42200	PROF SERVICES - JAIL		230.57
01-00269	AVERA SACRED HEART HOSP	I-202312151671	101-5-212-42200	PROF SERVICES - JAIL		243.33
01-00269	AVERA SACRED HEART HOSP	I-202312151766	101-5-212-42200	PROF SERVICES - JAIL		723.23
01-00269	AVERA SACRED HEART HOSP	I-202312151767	101-5-212-42200	PROF SERVICES - JAIL		1,524.00
01-00269	AVERA SACRED HEART HOSP	I-202312151768	101-5-212-42200	PROF SERVICES - JAIL		4,422.84
01-00269	AVERA SACRED HEART HOSP	I-202312151769	101-5-212-42200	PROF SERVICES - JAIL		781.89
01-00402	AVERA MEDICAL GROUP	I-202312151556	101-5-212-42200	PROF SERVICES - JAIL		2,244.00
01-01635	HORWATH LAUNDRY EQUIPME	I-202312151551	101-5-212-42500	MAINTENANCE - JAIL		2,934.29
01-01873	OUTDOOR-FIT EXERCISE SY	I-202312151547	101-5-212-42600	SUPPLIES - JAIL		149.00
01-02428	JERRY SORBEL	I-202312151558	101-5-212-42200	PROF SERVICES - JAIL		520.00
01-02895	AVERA PATIENT FINANCIAL	I-202312151554	101-5-212-42200	PROF SERVICES - JAIL		8.60
01-03678	TRINITY SERVICES GROUP	I-202312151616	101-5-212-42210	FOOD SERVICE - JAIL		5,041.42
01-03678	TRINITY SERVICES GROUP	I-202312151617	101-5-212-42210	FOOD SERVICE - JAIL		5,231.87
01-03678	TRINITY SERVICES GROUP	I-202312151618	101-5-212-42210	FOOD SERVICE - JAIL		5,255.42
01-04098	AVERA MEDICAL GROUP WIL	I-202312151668	101-5-212-42200	PROF SERVICES - JAIL		344.00
01-04301	AVERA MEDICAL GROUP RAD	I-202312151770	101-5-212-42200	PROF SERVICES - JAIL		44.81
01-04354	BEADLE COUNTY SHERIFF'S	I-202312151562	101-5-212-42200	PROF SERVICES - JAIL		190.00
01-09287	JCL SOLUTIONS	I-202312151803	101-5-212-42600	SUPPLIES - JAIL		1,697.00
01-09287	JCL SOLUTIONS	I-202312151804	101-5-212-42600	SUPPLIES - JAIL		51.26
01-12150	MEAD LUMBER	I-202312151661	101-5-212-42500	MAINTENANCE - JAIL		74.34
01-12167	MENARDS	I-202312151701	101-5-212-42600	SUPPLIES - JAIL		67.76
01-15051	PHARMCHEM INC.	I-202312151563	101-5-212-42600	SUPPLIES - JAIL		3,192.05
01-15104	CORRECTIONAL RISK SERVI	I-202312151552	101-5-212-42220	INMATE INSURANCE - JAIL		2,280.00
01-18049	M.T. & R.C. SMITH INSUR	I-202312151688	101-5-212-41400	WORKMANS COMP - JAIL		22,896.00
01-18384	SIOUXLAND ORAL & MAXILL	I-202312151613	101-5-212-42200	PROF SERVICES - JAIL		1,955.64
01-18384	SIOUXLAND ORAL & MAXILL	I-202312151614	101-5-212-42200	PROF SERVICES - JAIL		1,138.00
01-18384	SIOUXLAND ORAL & MAXILL	I-202312151615	101-5-212-42200	PROF SERVICES - JAIL		1,194.66
01-22241	ONE OFFICE SOLUTION	I-202312151706	101-5-212-42520	MAINTENANCE CONTRACT - JAIL		69.97
01-22241	ONE OFFICE SOLUTION	I-202312151707	101-5-212-42600	SUPPLIES - JAIL		137.98
01-24002	YANKTON REXALL DRUG CO.	I-202312151561	101-5-212-42200	PROF SERVICES - JAIL		2,505.66
01-24004	YANKTON MEDICAL CLINIC	I-202312151559	101-5-212-42200	PROF SERVICES - JAIL		94.58
01-24004	YANKTON MEDICAL CLINIC	I-202312151560	101-5-212-42200	PROF SERVICES - JAIL		136.05

DEPARTMENT 212 COUNTY JAIL TOTAL: 69,542.16

VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 226 YANKTON AREA SEARCH & RES

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00090	KOPETSKY'S ACE HARDWARE	I-202312151658	101-5-226-43500	MINOR EQUIPMENT - YSAR		52.98
01-02008	NAPA AUTO PARTS OF YANK	I-202312151674	101-5-226-43500	MINOR EQUIPMENT - YSAR		48.68
01-02008	NAPA AUTO PARTS OF YANK	I-202312151675	101-5-226-43500	MINOR EQUIPMENT - YSAR		168.64
01-02008	NAPA AUTO PARTS OF YANK	I-202312151676	101-5-226-43500	MINOR EQUIPMENT - YSAR		58.47
01-03122	DIVE RESCUE INTERNATION	I-202312151774	101-5-226-42500	MAINTENANCE - YSAR		68.75
01-03122	DIVE RESCUE INTERNATION	I-202312151776	101-5-226-42500	MAINTENANCE - YSAR		1,156.75
01-03122	DIVE RESCUE INTERNATION	I-202312151777	101-5-226-42500	MAINTENANCE - YSAR		658.75
01-03122	DIVE RESCUE INTERNATION	I-202312151778	101-5-226-42500	MAINTENANCE - YSAR		410.74
01-04395	PRO HYDRO-TESTING, LLC	I-202312151746	101-5-226-42500	MAINTENANCE - YSAR		360.00
01-05065	FIRST BANKCARD	I-202312151732	101-5-226-43400	BOOKS - YSAR		42.28
01-18610	TWO WAY SOLUTIONS INC	I-202312151621	101-5-226-42230	SERVICES - YSAR		693.00

DEPARTMENT 226 YANKTON AREA SEARCH & TOTAL: 3,719.04

12/15/2023 3:26 PM
VENDOR SET: 01 Yankton County
PACKET: 02321 KASI'S CLAIMS - 12-19-202
FUND : 101 GENERAL FUND
DEPARTMENT: 411 CARE OF POOR

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 16
ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-16017	QUALIFIED PRESORT SERVI	I-202312151719	101-5-411-42600	SUPPLIES - POOR RELIEF		209.04
DEPARTMENT 411 CARE OF POOR					TOTAL:	209.04

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 17

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 412 PUBLIC WELFARE

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00974	PATHWAYS SHELTER FOR TH	I-202312151584	101-5-412-00000	HOMLESS SHELTER - PUBLIC WELF		10,000.00
DEPARTMENT 412 PUBLIC WELFARE					TOTAL:	10,000.00

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 18

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 421 PUBLIC HEALTH NURSE

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151628	101-5-421-42800	UTILITIES - NURSE		202.54
01-03746	MARIA CAMERON	I-202312151567	101-5-421-42700	TRAVEL - NURSE		14.00
01-04331	DAWN KIRCHNER	I-202312151564	101-5-421-42700	TRAVEL - NURSE		14.00
01-16017	QUALIFIED PRESORT SERVI	I-202312151718	101-5-421-42600	SUPPLIES - NURSE		23.93
01-18049	M.T. & R.C. SMITH INSUR	I-202312151689	101-5-421-41400	WORKMANS COMP - NURSE		596.00
DEPARTMENT 421 PUBLIC HEALTH NURSE					TOTAL:	850.47

VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 424 AMBULANCE

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00069	A-OX WELDING SUPPLY CO.	I-202312151596	101-5-424-42600	SUPPLIES - AMBULANCE		150.64
01-00090	KOPETSKY'S ACE HARDWARE	I-202312151660	101-5-424-42600	SUPPLIES - AMBULANCE		9.59
01-00269	AVERA SACRED HEART HOSP	I-202312151748	101-5-424-42600	SUPPLIES - AMBULANCE		536.65
01-01200	CLARITY TELECOM, LLC	I-202312151787	101-5-424-42800	UTILITIES - AMBULANCE		140.68
01-01208	SOUTH DAKOTA AMBULANCE	I-202312151545	101-5-424-42700	TRAVEL - AMBULANCE		150.00
01-01208	SOUTH DAKOTA AMBULANCE	I-202312151546	101-5-424-42700	TRAVEL - AMBULANCE		100.00
01-01902	BOUND TREE MEDICAL LLC	I-202312151540	101-5-424-42600	SUPPLIES - AMBULANCE		465.68
01-02001	CITY OF YANKTON	I-202312151571	101-5-424-42600	SUPPLIES - AMBULANCE		1,034.99
01-03820	AMAZON CAPITAL SERVICES	I-202312151677	101-5-424-42600	SUPPLIES - AMBULANCE		135.03
01-04399	FERNO-WASHINGTON, INC.	I-202312151763	101-5-424-42600	SUPPLIES - AMBULANCE		8,870.89
01-04400	DAM DIESEL	I-202312151761	101-5-424-42500	MAINTENANCE - AMBULANCE		283.84
01-04401	iSIMULATE LLC	I-202312151762	101-5-424-42600	SUPPLIES - AMBULANCE		9,590.00
01-05065	FIRST BANKCARD	I-202312151723	101-5-424-42600	TRAVEL - AMBULANCE		151.26
01-05065	FIRST BANKCARD	I-202312151724	101-5-424-42600	SUPPLIES - AMBULANCE		310.51
01-05065	FIRST BANKCARD	I-202312151725	101-5-424-42200	PROF SERVICES - AMBULANCE		179.56
01-08009	INVESTIGATIVE SERVICES	I-202312151573	101-5-424-42200	PROF SERVICES - AMBULANCE		149.00
01-11049	LEAF	I-202312151800	101-5-424-42400	RENTALS - AMBULANCE		32.65
01-12167	MENARDS	I-202312151700	101-5-424-42600	SUPPLIES - AMBULANCE		131.06
01-18049	M.T. & R.C. SMITH INSUR	I-202312151690	101-5-424-41400	WORKMANS COMP - AMBULANCE		20,486.00
01-19064	TIRE MUFFLER ALIGNMENT	I-202312151672	101-5-424-42500	MAINTENANCE - AMBULANCE		1,028.47
01-24001	YANKTON COUNTY TREASURE	I-202312151781	101-5-424-42600	SUPPLIES - AMBULANCE		15.00

DEPARTMENT 424 AMBULANCE TOTAL: 43,951.50

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 441 MENTLLY HANDICAPPED

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-04398	AMG PYSCHIATRY SF	I-202312151742	101-5-441-00010	PROF SERVICES - MENTAL ILLNES		829.50
01-04398	AMG PYSCHIATRY SF	I-202312151743	101-5-441-00010	PROF SERVICES - MENTAL ILLNES		829.50
01-04398	AMG PYSCHIATRY SF	I-202312151744	101-5-441-00010	PROF SERVICES - MENTAL ILLNES		829.50
01-04398	AMG PYSCHIATRY SF	I-202312151745	101-5-441-00010	PROF SERVICES - MENTAL ILLNES		829.50
01-18215	SD ACHIEVE dba LIFESCAP	I-202312151602	101-5-441-00000	MISC. - MENTALLY HANDICAPPED		120.00
DEPARTMENT 441 MENTLLY HANDICAPPED					TOTAL:	3,438.00

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 445 MENTAL ILLNESS BOARD

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-03193	GARY MIKELSON	I-202312151543	101-5-445-00000	HEARINGS - MENTAL ILLNESS		2,111.00
01-11005	LEWIS & CLARK BEHAVIORA	I-202312151601	101-5-445-00000	HEARINGS - MENTAL ILLNESS		213.00
01-11033	LINCOLN COUNTY TREASURE	I-202312151605	101-5-445-00000	HEARINGS - MENTAL ILLNESS		2,085.67
01-12134	MINNEHAHA COUNTY AUDITO	I-202312151583	101-5-445-00000	HEARINGS - MENTAL ILLNESS		694.67
DEPARTMENT 445 MENTAL ILLNESS BOARD					TOTAL:	5,104.34

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 22

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 525 SENIOR CITIZENS

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-02001	CITY OF YANKTON	I-202312151572	101-5-525-00000	4TH QTR ALLOTMENT - SENIOR CI		2,743.00
DEPARTMENT 525 SENIOR CITIZENS					TOTAL:	2,743.00

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 611 COUNTY EXTENSION

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151788	101-5-611-42800	UTILITIES - EXTENSION		393.91
01-02520	KATIE DOTY	I-202312151578	101-5-611-42900	4H - EXTENSION		160.78
01-11049	LEAF	I-202312151797	101-5-611-42400	RENTALS - EXTENSION		1,227.31
01-11049	LEAF	I-202312151798	101-5-611-42400	RENTALS - EXTENSION		1,281.02
01-12371	MIDAMERICAN ENERGY	I-202312151794	101-5-611-42800	UTILITIES - EXTENSION		55.57
01-13001	NORTHWESTERN ENERGY	I-202312151790	101-5-611-42800	UTILITIES - EXTENSION		193.99
01-14005	OLSON'S PEST TECHNICIAN	I-202312151792	101-5-611-42500	MAINTENANCE - EXTENSION		150.00
01-14005	OLSON'S PEST TECHNICIAN	I-202312151793	101-5-611-42500	MAINTENANCE - EXTENSION		150.00
01-18049	M.T. & R.C. SMITH INSUR	I-202312151691	101-5-611-41400	WORKMANS COMP - EXTENSION		1,121.00
01-18113	SDAE4-HP	I-202312151577	101-5-611-42200	PROF SERVICES - EXTENSION		40.00
01-22241	ONE OFFICE SOLUTION	I-202312151703	101-5-611-42600	SUPPLIES - EXTENSION		88.10
DEPARTMENT 611 COUNTY EXTENSION					TOTAL:	4,861.68

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 24

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 612 SOIL CONSERVATION

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-04396	RYANNE STICKNEY	I-202312151667	101-5-612-42700	TRAVEL - SOIL CONSERVATION		105.88
01-18049	M.T. & R.C. SMITH INSUR	I-202312151692	101-5-612-41400	WORKMANS COMP - SOIL CONSERVA		259.02
DEPARTMENT 612 SOIL CONSERVATION					TOTAL:	364.90

12/15/2023 3:26 PM
VENDOR SET: 01 Yankton County
PACKET: 02321 KASI'S CLAIMS - 12-19-202
FUND : 101 GENERAL FUND
DEPARTMENT: 615 WEED

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 25
ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-05065	FIRST BANKCARD	I-202312151846	101-5-615-42700	TRAVEL - WEED		41.60
01-18049	M.T. & R.C. SMITH INSUR	I-202312151693	101-5-615-41400	WORKMANS COMP - WEED		2,059.00
01-22241	ONE OFFICE SOLUTION	I-202312151845	101-5-615-42600	SUPPLIES - WEED		9.14
DEPARTMENT 615 WEED					TOTAL:	2,109.74

12/15/2023 3:26 PM
 DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER
 VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 101 GENERAL FUND
 DEPARTMENT: 711 PLANNING & ZONING

PAGE: 26
 ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	CLARITY TELECOM, LLC	I-202312151633	101-5-711-42800	UTILITIES - ZONING		50.50
01-03190	SCHNEIDER GEOSPATIAL, L	I-202312151566	101-5-711-42500	MAINTENANCE - ZONING		8,532.00
01-05065	FIRST BANKCARD	I-202312151727	101-5-711-42600	SUPPLIES - ZONING		83.40
01-12418	MICROFILM IMAGING SYSTE	I-202312151656	101-5-711-42500	MAINTENANCE - ZONING		70.00
01-15188	PHEASANTLAND INDUSTRIES	I-202312151586	101-5-711-42690	E911 SIGNS - ZONING		26.25
01-15188	PHEASANTLAND INDUSTRIES	I-202312151587	101-5-711-42690	E911 SIGNS - ZONING		26.24
01-15188	PHEASANTLAND INDUSTRIES	I-202312151588	101-5-711-42690	E911 SIGNS - ZONING		26.24
01-15188	PHEASANTLAND INDUSTRIES	I-202312151589	101-5-711-42690	E911 SIGNS - ZONING		25.44
01-16017	QUALIFIED PRESORT SERVI	I-202312151717	101-5-711-42600	SUPPLIES - ZONING		99.77
01-18049	M.T. & R.C. SMITH INSUR	I-202312151694	101-5-711-41400	WORKMANS COMP - ZONING		1,058.96
01-24003	YANKTON DAILY P & D	I-202312151789	101-5-711-42300	PUBLISHING - ZONING		122.92
DEPARTMENT 711 PLANNING & ZONING					TOTAL:	10,121.72

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 27

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 101 GENERAL FUND

DEPARTMENT: 721 ECONOMIC DEVELOPMENT

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-24031	YANKTON THRIVE	I-202312151747	101-5-721-00000	MISC. - ECONOMIC DEVELOPMENT		25,000.00
DEPARTMENT 721 ECONOMIC DEVELOPMENT TOTAL:						25,000.00
FUND 101 GENERAL FUND TOTAL:						270,339.51

VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 201 ROAD & BRIDGE
 DEPARTMENT: 311 HIGHWAY CONSTRUCTION & MA

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00257	APPEARA	I-202312151818	201-5-311-42600	SUPPLIES - HWY		151.68
01-01166	BUTLER MACHINERY CO.	I-202312151819	201-5-311-42600	SUPPLIES - HWY		1,934.93
01-01166	BUTLER MACHINERY CO.	I-202312151820	201-5-311-43600	AUTO EQUIPMENT - HWY		155,220.00
01-01200	CLARITY TELECOM, LLC	I-202312151786	201-5-311-42800	UTILITIES - HWY		101.00
01-01392	BROCK WHITE COMPANY, LL	I-202312151821	201-5-311-42600	SUPPLIES - HWY		32,740.50
01-02008	NAPA AUTO PARTS OF YANK	I-202312151822	201-5-311-42600	SUPPLIES - HWY		959.70
01-02058	KNIFE RIVER - SOUTH DAK	I-202312151823	201-5-311-42600	SUPPLIES - HWY		844.91
01-02143	CENTURYLINK	I-202312151824	201-5-311-42800	UTILITIES - HWY		73.56
01-03154	CHS INC	I-202312151825	201-5-311-42640	HIGHWAY FUEL - HWY		4,370.96
01-03185	D-P TOOLS	I-202312151826	201-5-311-42600	SUPPLIES - HWY		4,954.00
01-03786	BLACKSTRAP, INC	I-202312151827	201-5-311-42600	SUPPLIES - HWY		3,699.96
01-03837	DIESEL SPECIALTIES INC.	I-202312151828	201-5-311-42500	MAINTENANCE - HWY		1,581.62
01-03969	CM TOOLS LLC	I-202312151829	201-5-311-42600	SUPPLIES - HWY		328.00
01-04043	EHRESMANN ENGINEERING	I-202312151830	201-5-311-42600	SUPPLIES - HWY		50.77
01-04289	SUBSURFACE, INC.	I-202312151831	201-5-311-42600	SUPPLIES - HWY		36,160.00
01-04391	STEFFEN TRUCK EQUIPMENT	I-202312151832	201-5-311-42600	SUPPLIES - HWY		465.80
01-05065	FIRST BANKCARD	I-202312151833	201-5-311-42600	SUPPLIES - HWY		151.00
01-06244	GRAHAM TIRE YANKTON	I-202312151834	201-5-311-42600	SUPPLIES - HWY		20,614.67
01-08014	I STATE TRUCK CENTER	I-202312151835	201-5-311-42600	SUPPLIES - HWY		1,485.40
01-08014	I STATE TRUCK CENTER	I-202312151836	201-5-311-43600	AUTO EQUIPMENT - HWY		132,162.00
01-09120	JANSSEN'S GARBAGE SERVI	I-202312151837	201-5-311-42800	UTILITIES - HWY		50.00
01-12110	MIDWEST STRIPING	I-202312151838	201-5-311-42500	MAINTENANCE - HWY		2,480.00
01-12371	MIDAMERICAN ENERGY	I-202312151839	201-5-311-42800	UTILITIES - HWY		453.94
01-17226	RIVERSIDE HYDRAULICS &	I-202312151840	201-5-311-42600	SUPPLIES - HWY		181.06
01-18049	M.T. & R.C. SMITH INSUR	I-202312151695	201-5-311-41400	WORKMANS COMP - HWY		35,186.00
01-18221	TRANSOURCE	I-202312151841	201-5-311-42600	SUPPLIES - HWY		482.78
01-18242	SD DEPARTMENT OF TRANSP	I-202312151842	201-5-311-42600	SUPPLIES - HWY		42,535.51
01-19005	TRUCK TRAILER SALES & S	I-202312151843	201-5-311-42500	MAINTENANCE - HWY		1,509.00
01-22241	ONE OFFICE SOLUTION	I-202312151844	201-5-311-42600	SUPPLIES - HWY		9.15
01-24001	YANKTON COUNTY TREASURE	I-202312151779	201-5-311-42600	SUPPLIES - HWY		48.40
DEPARTMENT 311 HIGHWAY CONSTRUCTION & TOTAL:						480,986.30
FUND 201 ROAD & BRIDGE TOTAL:						480,986.30

VENDOR SET: 01 Yankton County
PACKET: 02321 KASI'S CLAIMS - 12-19-202
FUND : 207 EMERGENCY 911 FUND
DEPARTMENT: 225 LOCAL EMERGENCY PLANNING

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-02001	CITY OF YANKTON	I-202312151741	207-5-225-42700	TRAVEL - E911		8,184.70
01-02001	CITY OF YANKTON	I-202312151765	207-5-225-42200	4TH QTR ALLOTMENT - E911		33,149.50
01-02692	CENTURYLINK	I-202312151749	207-5-225-42800	UTILITIES - E911		83.20
01-06224	GOLDEN WEST TELECOMMUNI	I-202312151539	207-5-225-42800	UTILITIES - E911		147.21
DEPARTMENT 225 LOCAL EMERGENCY PLANNI TOTAL:						41,564.61
FUND 207 EMERGENCY 911 FUND TOTAL:						41,564.61

VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 226 EMERGENCY MANAGEMENT
 DEPARTMENT: 222 EMERGENCY MANAGEMENT

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00090	KOPETSKY'S ACE HARDWARE	I-202312151659	226-5-222-42600	SUPPLIES - EDS		99.99
01-02008	NAPA AUTO PARTS OF YANK	I-202312151673	226-5-222-42600	SUPPLIES - EDS		176.99
01-03272	THE RESPONSE GROUP	I-202312151608	226-5-222-42620	LEPC SUPPLIES - EDS		2,900.00
01-04023	ECHO GROUP	I-202312151651	226-5-222-42500	MAINTENANCE - EDS		475.00
01-04023	ECHO GROUP	I-202312151652	226-5-222-42500	MAINTENANCE - EDS		350.00
01-04023	ECHO GROUP	I-202312151653	226-5-222-42500	MAINTENANCE - EDS		350.00
01-04120	VERIZON	I-202312151627	226-5-222-42800	UTILITIES - EDS		122.15
01-04295	AT & T MOBILITY	I-202312151591	226-5-222-42800	UTILITIES - EDS		40.04
01-05065	FIRST BANKCARD	I-202312151729	226-5-222-42600	SUPPLIES - EDS		260.98
01-05065	FIRST BANKCARD	I-202312151730	226-5-222-42200	PROF SERVICES - EDS		357.13
01-05065	FIRST BANKCARD	I-202312151731	226-5-222-42700	TRAVEL - EDS		39.36
01-11049	LEAF	I-202312151801	226-5-222-42400	RENTALS - EDS		475.47
01-12132	MIDCONTINENT COMMUNICAT	I-202312151593	226-5-222-42800	UTILITIES - EDS		182.84
01-18049	M.T. & R.C. SMITH INSUR	I-202312151696	226-5-222-41400	WORKMANS COMP - EDS		1,243.00
01-19247	TABOR LUMBER COOPERATIV	I-202312151585	226-5-222-42600	SUPPLIES - EDS		251.28
01-24001	YANKTON COUNTY TREASURE	I-202312151780	226-5-222-42600	SUPPLIES - EDS		26.70

DEPARTMENT 222 EMERGENCY MANAGEMENT TOTAL: 7,350.93

FUND 226 EMERGENCY MANAGEMENT TOTAL: 7,350.93

VENDOR SET: 01 Yankton County
 PACKET: 02321 KASI'S CLAIMS - 12-19-202
 FUND : 233 COUNTY BUILDING
 DEPARTMENT: 920 GOVERNMENT BUILDINGS

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-02483	CULLIGAN	I-202312151807	233-5-920-00000	MISC. - COUNTY BUILDINGS		219.00
01-04023	ECHO GROUP	I-202312151645	233-5-920-00000	MISC. - COUNTY BUILDINGS		18,000.00
01-04023	ECHO GROUP	I-202312151646	233-5-920-00000	MISC. - COUNTY BUILDINGS		210.00
01-04023	ECHO GROUP	I-202312151647	233-5-920-00000	MISC. - COUNTY BUILDINGS		556.00
01-04023	ECHO GROUP	I-202312151648	233-5-920-00000	MISC. - COUNTY BUILDINGS		556.00
01-05049	FEIMER CONSTRUCTION INC	I-202312151600	233-5-920-00000	MISC. - COUNTY BUILDINGS		13,593.60
01-07742	HEIMAN INC.	I-202312151641	233-5-920-00000	MISC. - COUNTY BUILDINGS		834.00
01-07742	HEIMAN INC.	I-202312151642	233-5-920-00000	MISC. - COUNTY BUILDINGS		138.00
01-07742	HEIMAN INC.	I-202312151643	233-5-920-00000	MISC. - COUNTY BUILDINGS		526.00
01-07742	HEIMAN INC.	I-202312151644	233-5-920-00000	MISC. - COUNTY BUILDINGS		60.00
01-12167	MENARDS	I-202312151702	233-5-920-00000	MISC. - COUNTY BUILDINGS		17.88
DEPARTMENT 920 GOVERNMENT BUILDINGS TOTAL:						34,710.48
FUND 233 COUNTY BUILDING TOTAL:						34,710.48

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 32

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 248 24/7 SOBRIETY FUND

DEPARTMENT: 212 24/7 PROGRAM

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-03707	PRECISION KIOSK TECHNOL	I-202312151568	248-5-212-42600	SUPPLIES - 24/7		1,350.00
01-17347	REDWOOD TOXICOLOGY LABO	I-202312151538	248-5-212-42600	SUPPLIES - 24/7		29.40
DEPARTMENT 212 24/7 PROGRAM					TOTAL:	1,379.40
FUND 248 24/7 SOBRIETY FUND					TOTAL:	1,379.40

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 33

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 250 M & P R FUND

DEPARTMENT: 163 MOD & PRESERV RELIEF

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-04156	EXECUTIVE MGMT FINANCE	I-202312151619	250-5-163-42900	M & PR FUND		161.81
DEPARTMENT 163 MOD & PRESERV RELIEF TOTAL:						161.81
FUND 250 M & P R FUND TOTAL:						161.81

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 34

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 404 DEBT SERVICE NAPA JUNCT

DEPARTMENT: 800 ** INVALID DEPT **

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-02742	DEPARTMENT OF TRANSPORT	I-202312151544	404-5-800-00000	DEBT SERVICE - NAPA JUNCTION		505,246.84
DEPARTMENT 800 ** INVALID DEPT **						TOTAL: 505,246.84
FUND 404 DEBT SERVICE NAPA JUNC						TOTAL: 505,246.84

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 35

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 740 DRAINAGE DITCHES

DEPARTMENT: N/A NON-DEPARTMENTAL

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-03973	ULTEIG	I-202312151548	740-21008	YANKTON DITCH CLEANOUT		1,863.90
01-03973	ULTEIG	I-202312151549	740-21004	CLAY CREEK DITCH CLEANOUT		1,863.90

DEPARTMENT 0000 NON-DEPARTMENTAL TOTAL: 3,727.80

FUND 740 DRAINAGE DITCHES TOTAL: 3,727.80

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 759 CLEARING FUND

DEPARTMENT: N/A NON-DEPARTMENTAL

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-02291	SATELLITE TRACKING OF P	I-202312151606	759-4-34216	JAIL TRACKING MONITORS		165.75
			759-4-34216	REFUND - CAM DAILY FEE		9.00
			759-4-34216	REFUND - CAM DAILY FEE		3.00
01-18405	BYRON NOGELMEIER	I-202312151611	759-4-34217	CAM DAILY FEE		3,074.00
DEPARTMENT 0000 NON-DEPARTMENTAL					TOTAL:	3,251.75
FUND 759 CLEARING FUND					TOTAL:	3,251.75

12/15/2023 3:26 PM

DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

PAGE: 37

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 02321 KASI'S CLAIMS - 12-19-202

FUND : 768 ST WIDE 24/7 SOBRIETY FUN

DEPARTMENT: N/A NON-DEPARTMENTAL

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
			768-4-34230	REUFND - STATE PAR. FEE		45.00
			768-4-34230	REFUND - STATE PAR. FEE		15.00
01-18405	BYRON NOGELMEIER	I-202312151612	768-4-34230	STATE PARTICIPATION FEE		411.00
DEPARTMENT 0000 NON-DEPARTMENTAL					TOTAL:	471.00
FUND 768 ST WIDE 24/7 SOBRIETY					TOTAL:	471.00
REPORT GRA TOTAL:						1,349,190.43

ILLUSTRATION 18
AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER
 YANKTON COUNTY
 November 30, 2023
DATE

CASH ON HAND IN TREASURER'S OFFICE:

SILVER AND PENNIES	\$0.64
ONES	\$11.00
FIVES	\$15.00
TENS	\$50.00
TWENTIES	\$2,660.00
FIFTIES	\$1,050.00
HUNDREDS	\$2,400.00
CASH ITEMS	\$196.90
CHECKS (SEE ATTACHED TAPE)	\$70,227.15
OFFICE CHANGE	\$1,430.00
TOTAL CASH ON HAND	\$78,040.69

CHECKING ACCOUNT BALANCES:

FIRST DAKOTA NATIONAL BANK	\$11,363,306.44
----------------------------	-----------------

SAVINGS ACCOUNT BALANCES:

1ST DAKOTA NATIONAL BANK CR CARD	\$145,511.56
COR TRUST BANK GAYVILLE	\$663,873.86
COR TRUST BANK YANKTON	
FIRST NATIONAL BANK, YANKTON	\$607,064.73
FIRST INTERSTATE	\$517,675.05
WELLS FARGO BANKS	\$370,134.20

CERTIFICATES OF DEPOSIT:

1ST DAKOTA NATIONAL BANK	\$1,000,000.00
COR TRUST BANK YANKTON	\$250,616.38
FIRST INTERSTATE	\$500,000.00

INVESTMENTS:

OTHER ACCOUNT BALANCES:

BAD CHECKS	\$4,653.91
------------	------------

GRAND TOTAL CASH AND BALANCES

\$15,500,876.82

GENERAL LEDGER CASH AND INVESTMENT BALANCES BY FUNDS:

GENERAL FUND	\$9,972,855.07
SPECIAL FUND	\$2,130,926.69
TRUST AND AGENCY FUNDS	\$3,397,095.06

GRAND TOTAL GENERAL LEDGER CASH AND INVESTMENTS

\$15,500,876.82

Patty Hogen
 COUNTY AUDITOR SIGNATURE

12/8/23
 DATE

Patty L Vance
 COUNTY TREASURER SIGNATURE

12-8-13
 DATE

POOLED CASH REPORT

AS OF: NOVEMBER 30TH, 2023

FUND	ACCOUNT#	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
<u>CLAIM ON CASH</u>					
101-10100		GENERAL CASH & DEPOSITS	10,381,609.61	(419,897.54)	9,961,712.07
201-10100		ROAD & BRIDGE CASH & DEPOSITS	355,574.42	(159,587.00)	195,987.42
207-10100		E911	345,799.30	17,562.05	363,361.35
210-10100		JAIL BLDG CASH & DEPOSITS	676,221.82	691.20	676,913.02
226-10100		EMERGENCY MANAGEMENT	13,463.35	(22,493.39)	(9,030.04)
229-10100		DOMESTIC ABUSE	13,339.56	701.64	14,041.20
233-10100		COUNTY BUILDING	209,971.10	937.04	210,908.14
243-10100		HISTORICAL PRESERVATION	51,310.00	5,611.47	56,921.47
248-10100		24/7 FUND	90,541.29	(2,157.04)	88,384.25
250-10100		M & P R FUND	128,336.72	605.14	128,941.86
290-10100		AMERICAN RESCUE PLAN	0.00	0.00	0.00
295-10100		RURAL ACCESS INFRASTRUCTURE	449,032.19	(44,534.17)	404,498.02
303-10100		CAP PROJECT SAFETY CENTER	0.00	0.00	0.00
304-10100		CAP PROJECT ROAD & BRDGE	0.00	0.00	0.00
306-10100		CAP PROJECT - NAPA JUNCTION	0.00	0.00	0.00
402-10100		DEBT SERVICE-SAFETY CENTER	649,557.38	30,168.54	679,725.92
403-10100		Debt Service - Highway Blg	0.00	0.00	0.00
404-10100		DEBT SERVICE - NAPA JUNCTION	500,759.76	4,487.08	505,246.84
704-10100		COUNTY LAW LIBRARY	632.48	332.00	964.48
705-10100		TOWER FUND	13,358.41	0.00	13,358.41
721-10100		DISTRICT SCHOOLS	6,492,222.20	(5,545,467.75)	946,754.45
723-10100		CITIES & TOWNS	1,834,528.90	(1,629,947.69)	204,581.21
725-10100		TOWNSHIPS	131,523.16	(85,676.49)	45,846.67
733-10100		ROAD DISTRICTS	0.00	0.00	0.00
734-10100		BOND DEPOSITS	0.00	0.00	0.00
735-10100		DELINQUENT TAXES	24,997.61	(1,884.42)	23,113.19
736-10100		MUNICIPALITIES	0.00	0.00	0.00
739-10100		SPECIAL ASSESSMENTS	0.00	0.00	0.00
740-10100		DRAINAGE DITCHES	462,566.12	510.57	463,076.69
742-10100		STATE MOTOR	450,857.13	(25,459.51)	425,397.62
748-10100		LOCAL EMERGENCY PLANNING	4,460.25	0.00	4,460.25
757-10100		SPECIAL HIGHWAY	0.00	0.00	0.00
759-10100		CLEARING FUND	3,871.18	966.00	4,837.18
763-10100		REDEMPTION	114.85	0.00	114.85
764-10100		RC & D LOWER JAMES	4,620.00	0.00	4,620.00
767-10100		FIRE/ROAD DISTRICT	77.08	(45.80)	31.28
768-10100		Statewide 24/7 Sobriety Prog	2,562.00	209.00	2,771.00
769-10100		M & PR Fund	0.00	0.00	0.00
770-10100		OTHER SPECIALS	363,259.32	(306,647.71)	56,611.61
771-10100		W 11TH IMPROVEMENT ZONE	<u>25,350.71</u>	<u>1,375.70</u>	<u>26,726.41</u>
TOTAL CLAIM ON CASH			23,680,517.90	(8,179,641.08)	15,500,876.82
			=====	=====	=====

CASH IN BANK - POOLED CASH

999-10050		TOTAL CASH ON HAND	865,482.08	(787,441.39)	78,040.69
999-10100		Pooled Cash Checking	14,644,202.95	(3,280,896.51)	11,363,306.44
999-10200		CHECKING CREDIT CARD	0.00	0.00	0.00
999-10300		SAVINGS ACCOUNT BALANCES	8,165,441.08	(4,110,565.30)	4,054,875.78

POOLED CASH REPORT

AS OF: NOVEMBER 30TH, 2023

FUND	ACCOUNT#	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
999-10400		CD'S ACCOUNT BALANCE	0.00	0.00	0.00
999-10500		BAD CHECKS	<u>5,391.79</u>	<u>(737.88)</u>	<u>4,653.91</u>
SUBTOTAL CASH IN BANK - POOLED CASH			23,680,517.90	(8,179,641.08)	15,500,876.82
<u>WAGES PAYABLE</u>					
999-20400		WAGES PAYABLE	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
SUBTOTAL WAGES PAYABLE			0.00	0.00	0.00
TOTAL CASH IN BANK - POOLED CASH			23,680,517.90	(8,179,641.08)	15,500,876.82
<u>DUE TO OTHER FUNDS - POOLED CASH</u>					
999-20300		DUE TO OTHER FUNDS	<u>23,680,517.90</u>	<u>(8,179,641.08)</u>	<u>15,500,876.82</u>
TOTAL DUE TO OTHER FUNDS			23,680,517.90	(8,179,641.08)	15,500,876.82



MEMORANDUM OF UNDERSTANDING

between

SDSU and Yankton County of South Dakota

2024

*In accordance with SDCL Chapter 13054, as amended, and in furtherance of Extension educational programs in Agriculture and Natural Resources, Family and Consumer Sciences, Community Development and 4-H Positive Youth Development with the complete understanding of all parties concerned. **South Dakota State University** on behalf of SDSU Extension (“SDSU”), and the Board of County Commissioners of **Yankton County** (the “County”) enter in the following:*

1. COOPERATIVE EDUCATIONAL PROGRAM DEVELOPMENT

The intent of SDSU is to allow the County to fund county employees to serve in the roles of 4-H Youth Program Advisor(s) and support staff. SDSU agrees to give guidance to the 4-H Youth Program Advisor(s) in determining and carrying out South Dakota 4-H (SD 4-H) and Youth Development educational programs that will be of greatest benefit to the people in the county. SDSU agrees to assist the 4-H Youth Program Advisor(s) in the conduct of their work by providing program planning and development, training, and subject matter support through Extension specialists, field specialists, publications, and technology information services.

As a result of this agreement, SDSU Extension expects that the County will fulfill the following expectations as they relate to the 4-H Youth Program Advisor role:

1. The County Extension Office, County 4-H Program, and 4-H Youth Program Advisor will follow all policies and procedures identified by the SDSU Extension and the State 4-H Office as necessary in delivering the 4-H program. The 4-H program cannot be offered in the County without an established and publicly identified relationship with SDSU Extension as well as this signed agreement.
2. It will be the responsibility of the 4-H Youth Program Advisor to interact with the SDSU Extension and the State 4-H Office on a regular basis. The 4-H Youth Program Advisor or designee will need to:
 - Have regular communication with staff in the State 4-H Office (by phone or email).
 - Return required paperwork, entries, data, and other requested information by identified deadline dates.
 - Implement and utilize 4-H Online and Fair Entry Data Management Systems.
 - Submit all data entry, enrollment information, and annual reports as required.
 - Implement a county 4-H Advisory Committee or equivalent according to state and federal guidelines.
 - Maintaining all records mandated for civil rights reporting as required by USDA and collected through SDSU Extension.
 - Implement the SDSU Extension State 4-H program priority mandates. Current program priorities include social, life, leadership, and workforce skill development.
 - Assist 4-H Field Specialists and State Staff in networking with and/or delivering information to county 4-H volunteers or youth-serving volunteers/agencies as identified.





2. PERSONNEL AND FINANCIAL RESPONSIBILITY OF COOPERATING COUNTY

The county 4-H Youth Program Advisor will be accountable for the county's 4-H presence at all state 4-H events. This includes, but is not limited to, attending the State Fair to assist with judging and activity management. This will come at county expense. All 4-H Youth Program Advisor positions across the state provide this service as an expectation within state 4-H operating procedure.

The county 4-H Youth Program Advisor will attend any statewide trainings mandated for 4-H personnel. Cost to attend these trainings will come at county expense. In-person trainings generally occur two or more times annually, including SDSU Extension Fall Conference and 4-H Spring Training.

3. NAME AND EMBLEM REQUIREMENTS

The county 4-H program must follow all articulated federal and state guidelines for proper use of the 4-H name and emblem (i.e., Clover) which also includes proper identification and linkage to the SDSU Extension 4-H program including its identified logos. While reference should be given to Yankton County 4-H, as has always been the case, publicity and public references to the 4-H program must include identification to SDSU Extension and South Dakota 4-H. Access to 4-H programming and use of the Clover cannot be given without direct identification to the Land Grant University system offering the program to the local entity.

Failure to follow any of the identified items in this Memorandum results in the loss of use of the 4-H Clover at the county level and the subsequent ability to offer the 4-H program.

4. ACCESS TO CONFIDENTIAL DATA

County 4-H data is the property of the State 4-H program and consequently, SDSU. Access to SDSU data and communications, whether it resides on county-owned or SDSU-owned equipment, shall be restricted to SDSU personnel or their respective designees. As stated in the South Dakota Board of Regents Acceptable Use Policy, information resources and technology should be used to support the operations and missions of the South Dakota Regental System. Accordingly, the SDSU Office of Technology and Security will investigate any and all allegations of misuse of technology by personnel or designees. Allegations of misuse of technology on county-owned equipment by personnel or designees will be investigated jointly by the SDSU Office of Technology and Security and the appropriate county personnel. SDSU will work with individual counties as requested to establish a standard Third Party Agreement to address network access concerns.

5. COOPERATIVE PERSONNEL EMPLOYMENT POLICY

The County agrees that the individual hired in the role of 4-H Youth Program Advisor(s) will hold a Bachelor's Degree in one of the following degree areas: Agriculture, Family Consumer Sciences, Child and/or Youth Development, or related field. Documentation of degree must be forwarded to the State 4-H Program Director before the start date of newly hired 4-H Youth Program Advisors.

Further, the County agrees to involve SDSU Extension in all hiring processes of 4-H Youth Program Advisors to participate in recommending approval or rejection of the candidate's employment by the County. The employment policies of SDSU and parties to this cooperative agreement are required to conform to provisions of the Civil Rights Act of 1964 and related amendments thereto prohibiting discrimination. County hired 4-H Youth Program Advisors must consent to a background check conducted by SDSU at the county's cost.

Should a question be raised by the State 4-H Office or the County as to one or more of these agreement points not being met sufficiently, a meeting will be called between the county 4-H Youth Program Advisor, a representative of the County Commission, a representative of the county 4-H Leaders Association, and the SDSU Extension 4-H County Operations and Professional Development Program Manager. The purpose of the meeting will be to assess the situation and issues of





concern. The intent of the meeting will be to identify resolution criteria so that permission for use of the 4-H Clover can be continued.

6. CONDITIONS FOR ACCESS AND USE OF COUNTY FACILITIES

The County and SDSU recognize the positive impacts SD 4-H Programs have on the youth in the County and the local Community in general. By providing opportunities for educational and personal growth among the County's Youth, the County benefits from maintaining and strengthening the social bonds of the Community as a whole. Therefore, the County agrees to allow SDSU to host SD 4-H Youth Program events at appropriate facilities owned by the County or operated by a third party for the benefit of the County. At the County's request, SDSU will require SD 4-H Youth Program participants to sign waivers of liability and hold harmless as a condition to participate in an event.

7. LIABILITY COVERAGE

SDSU is subject to the limitations of liability set forth in SDCL Chs. 3-21 and 3-22 and the PEPL fund agreement thereto. Currently, the PEPL Agreement specifically excludes liability coverage for volunteers of the SD 4-H Programs among other exclusions. Specified coverage is provided for covered negligence of SDSU employees, including 4-H Youth Program Advisors. As a State entity, SDSU cannot contract for coverage beyond the statutory and PEPL liability coverage limitations because that would be considered an unauthorized waiver of sovereign immunity.

SD 4-H Program Volunteers are covered by an Excess Volunteer Liability Policy.

SDSU will inform the County in the event of any material change in the above-referenced liability coverages.

8. ENTIRE AGREEMENT

The parties acknowledge that the terms of this Agreement constitute the full and final agreement of the parties hereto, superseding all prior negotiations and all prior or subsequent oral agreements. No statement, promises or inducements made by the parties, or their employees, agents or assigns which are not contained in this Agreement shall be valid or binding. This Agreement may be amended only by written agreement and executed by each of the parties hereto.

9. GOVERNING LAW

The parties agree and acknowledge that this Agreement shall be construed in accordance with the laws of the State of South Dakota. Venue shall be in a court of competent jurisdiction in South Dakota.

10. ASSIGNMENT

This Agreement shall not be assigned by either party without the prior written consent of the parties hereto and executed by each of the parties.

11. NONAPPROPRIATION OF FUNDS

In the event funds to fulfill the terms of this Agreement are not budgeted or appropriated for any fiscal year, then in that event there shall be no obligation on non-budgeted or appropriated Party to fulfill such appropriation or budget and this Agreement shall become null and void except as to terms for which an appropriation or budget has been made, and no right of action or damage shall accrue to the benefit of any person or entity, their agents, successors or assigns for any further payments or other performance under this Agreement.

12. APPROVAL AND/OR MODIFICATION OF MEMORANDUM

This memorandum will be in effect upon when both the County and SDSU approve by authorized signature. It supersedes all previously signed agreements and shall remain in effect until it is expressly terminated in writing by one or more of the parties concerned. This agreement should be reviewed at the first meeting of the County Commission each year for purposes of informing new members and reacquainting experienced members with its provisions.





12. SIGNATURES AND APPROVALS

For County:

By: _____

[Print Name Above]

Title: Chairperson, County Commission

Date: _____

For SDSU:

By: _____

Karla Trautman

Title: Director, SDSU Extension

Date: _____

County Attest (when applicable):

By: _____

[Print Name Above]

Title: _____

[Print Title Above]

Date: _____

Additional Signature (when applicable):

By: _____

[Print Name Above]

Title: _____

Date: _____

