

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant

Aaron Petersen

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

☒ LC – Lakeside Commercial ☐ RT-Rural Transitional

CUP needed:

☐ Section 507 ☐ Section 607 ☐ Section 707 ☒ Section 1107

☒ Section 1805 ☐ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for a Campground, Pool and Self-Storage Warehouses in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Proposed Lot 18, Whitetail Run, in the NE1/4 of the SE1/4, Section 16 T93N R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBD Deer Blvd, Yankton, SD.

PC:	Article 18 Section 1805	Article 11 Section 1107
BOA:	Article 19 Section 1905	Article 11 Section 1107

Planning Commission date: 11-10-20
Board of Adjustment date: 12-01-20

Time: 7:25 PM
Time: 7:30 PM

Permit Number: CUP-2020-24

Yankton County

 Variance X Conditional Use Rezoning

Owner: Deerfield Truck and Equipment Co

Owners Address: PO Box 805 Laurel, NE 68745

Owners Phone: 0000000000

Applicants Name,
if different from

Owner: Aaron Petersen

Applicants

Address: 404 N 4th St

Job Address: TBD Deer Blvd

Legal: Lot 18 Whitetail Run

Section,

Township, Range: 16-93-56

Zoning

Classification: RT

Affected Zoning

Ordinance: Section 1107, Section 18051905

Reason for
Request: CUP for Campground

List Specific
Hardships:

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): 11/10/2020 6:25

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE): 12/01/2020 7:30

Application Fee: \$300.00 Check #: 1043 Receipt #:

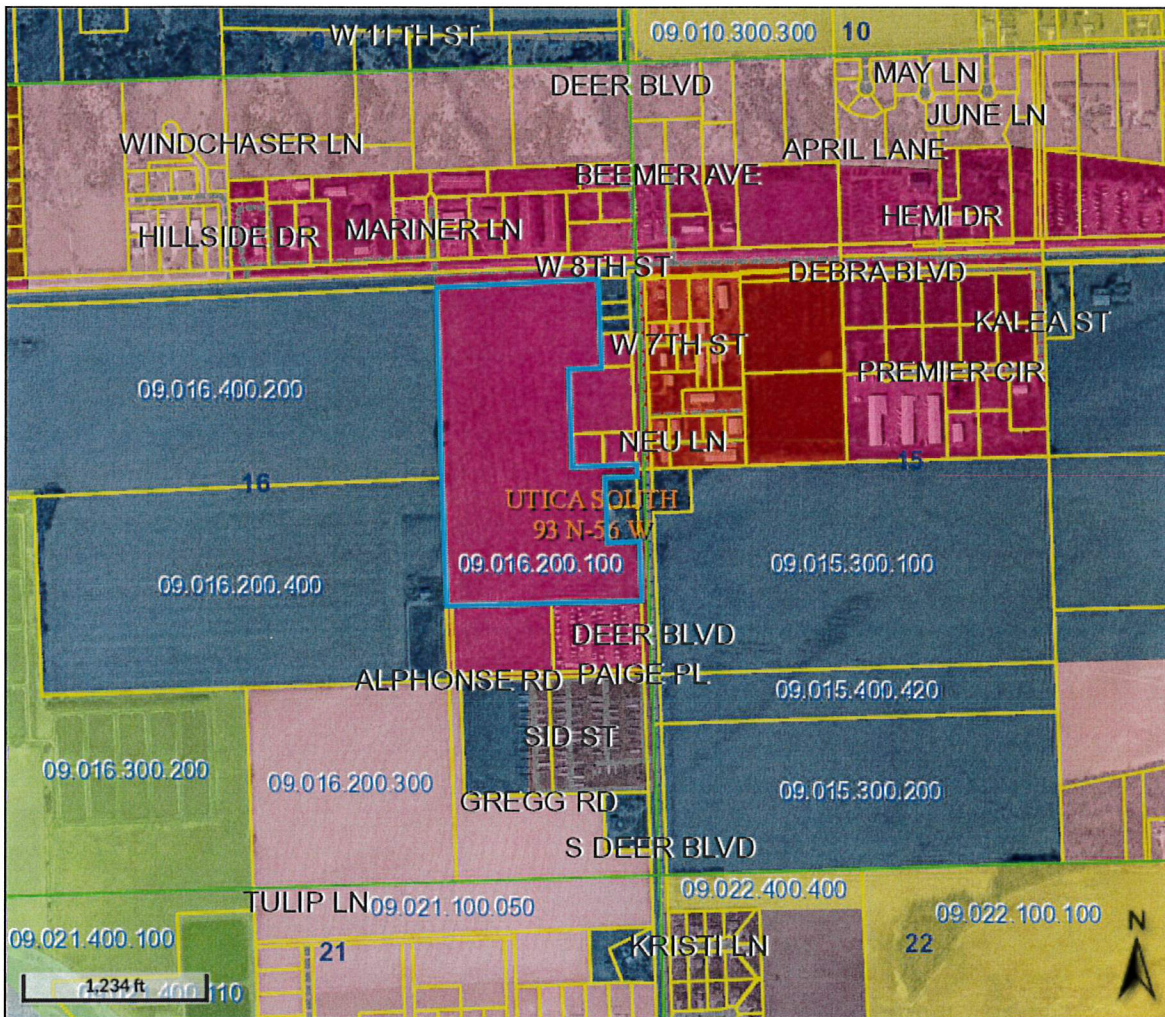
Date:

Signature:

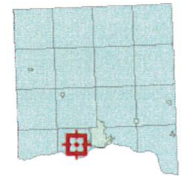


Aaron Petersen

10/26/2020



Overview



Legend

-  Townships
-  Sections
-  Parcels
-  City Limits
-  Streets and Roads
- County Zoning District**
-  <all other values>
-  COMMERCIAL
-  ETJ
-  HIGH DENSITY RESIDENTIAL
-  LAKE SIDE COMMERCIAL
-  LOW DENSITY RESIDENTIAL
-  MODERATE DENSITY RESIDENTIAL
-  PLANNED UNIT DEVELOPMENT
-  PUBLIC
-  RURAL TRANSITIONAL
- City ETJ (Extra Territorial Jurisdiction)**
-  <all other values>
-  0
- Floodplain**
-  100 YEAR FLOOD NO BFE; 100 YEAR FLOOD WITH BFE
-  500 YEAR FLOOD

Parcel ID - 09.016.200.100

Owner - DEERFIELD TRUCK & EQUIPMENT CO (D)

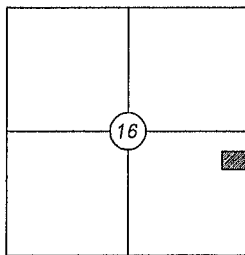
Acres - 52.54

Disclaimer: Yankton County digital cadastral data are a representation of recorded plats and surveys for use within the Geographic Information System for purposes of data access and analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use.

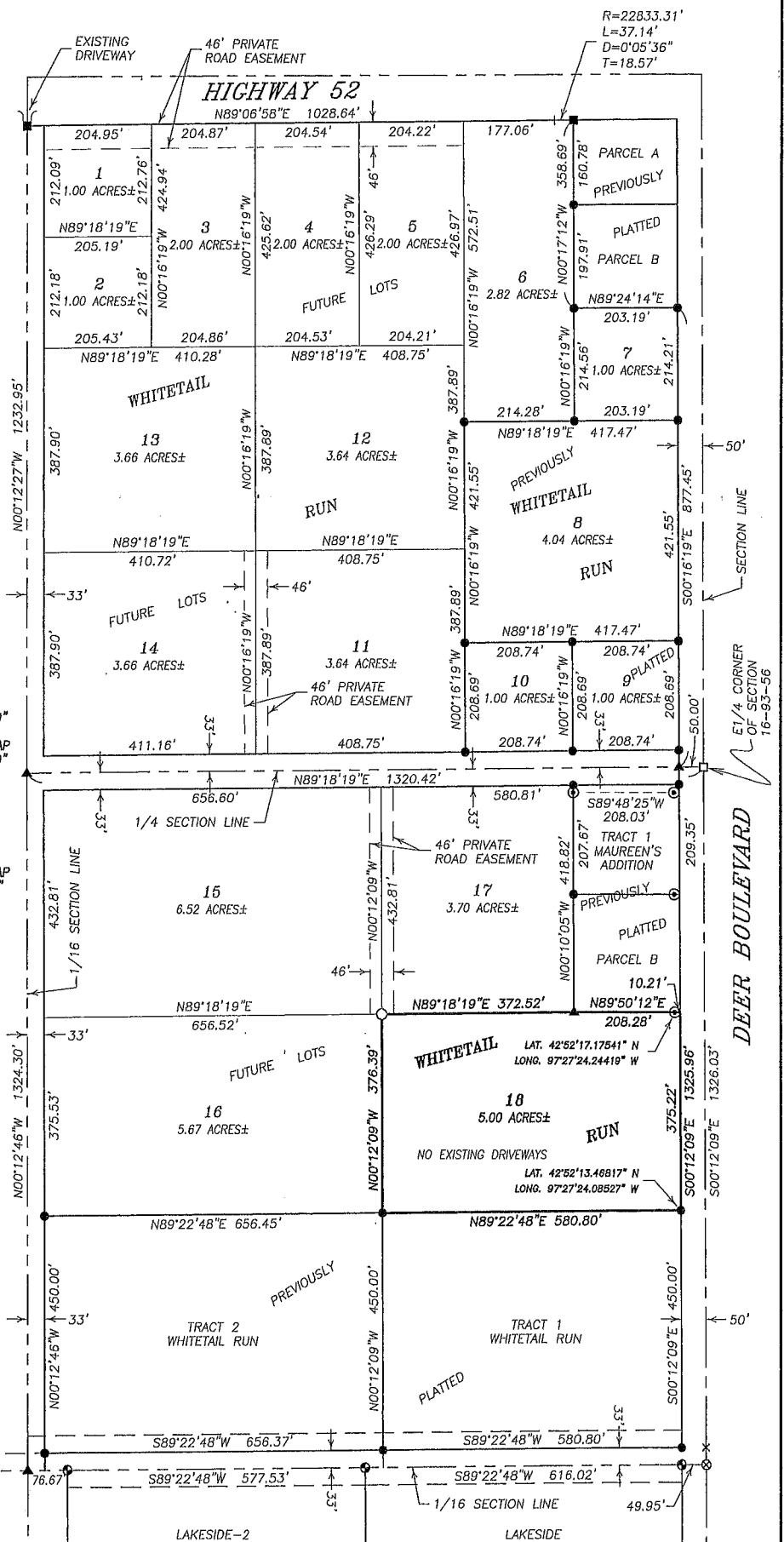
PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455

NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

- SET 5/8" REBAR WITH L.S. CAP
STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP
STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR
- FOUND ALUMINUM DOT CAP
- ⊗ FOUND P-K NAIL
- ⊕ FOUND 5/8" REBAR WITH L.S. CAP
STAMPED "TOM WEEK PELS 2912"
- ▲ FOUND IRON PIPE WITH L.S. CAP
STAMPED "SKROCK 9110"
- ◎ FOUND IRON PIPE
- × CALCULATED CORNER



LOCATION (N.T.S.)

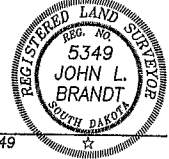


PLAT OF LOT 18, WHITETAIL RUN, IN THE NE1/4 OF THE SE1/4 OF
SECTION 16, T93N, R56W, OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY AND PLAT OF LOT 18, WHITETAIL RUN IN THE NE1/4 OF THE SE1/4 OF SECTION 16, 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 16TH DAY OF JULY, 2020.



JOHN L. BRANDT REG. NO. 5349

OWNER'S CERTIFICATE

I, DENNIS L. CHRISTENSEN, AS PRESIDENT OF DEERFIELD TRUCK & EQUIPMENT COMPANY, A NEBRASKA CORPORATION, DO HEREBY CERTIFY THAT DEERFIELD TRUCK & EQUIPMENT COMPANY IS THE OWNER OF THE ABOVE SAID 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 ALSO HEREBY DEDICATE THE RIGHT OF WAY TO THE PUBLIC FOREVER FOR USE AS SUCH AS SHOWN ON THIS PLAT.

DATED THIS 18 DAY OF July, 2020.

DENNIS L. CHRISTENSEN
PRESIDENT, DEERFIELD TRUCK & EQUIPMENT COMPANY

STATE OF South Dakota
COUNTY OF Yankton

ON THIS 18 DAY OF July, 2020, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DENNIS L. CHRISTENSEN, WHO ACKNOWLEDGED HIMSELF TO BE THE PRESIDENT OF DEERFIELD TRUCK & EQUIPMENT COMPANY, AND THAT HE AS PRESIDENT, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

10-11-2024
MY COMMISSION EXPIRES NOTARY PUBLIC

RESOLUTION OF APPROVAL

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, SOUTH DAKOTA DATE

I, THE UNDERSIGNED, 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 COUNCIL OF THE CITY OF YANKTON, SOUTH DAKOTA ON THIS DAY OF , 20 .

FINANCE OFFICER, YANKTON, SOUTH DAKOTA DATE

COUNTY PLANNING COMMISSION RESOLUTION

BE IT RESOLVED BY THE YANKTON COUNTY, SOUTH DAKOTA, PLANNING COMMISSION 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.

PLANNING COMMISSION CHAIR DATE

ZONING ADMINISTRATOR DATE

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 DEER BOULEVARD 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 DATE

COUNTY TREASURER'S CERTIFICATE

I, THE UNDERSIGNED, COUNTY TREASURER OF 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 DATE

DIRECTOR OF EQUALIZATION

I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION DATE

REGISTER OF DEEDS

FILED FOR RECORD THIS DAY OF , 20 , AT O'CLOCK .M., AND RECORDED IN BOOK OF PLATS ON PAGE .

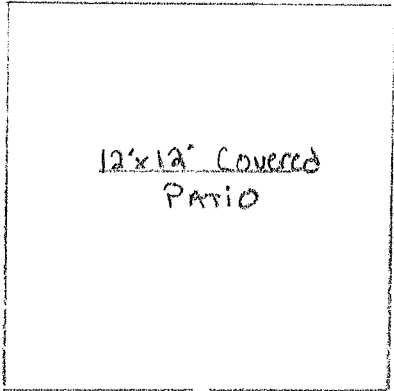
REGISTER OF DEEDS

ALL PADS EXAMPLE 40'x80' 40'

W
WATER

E
Electric

S
SEWER



RV PAD
40'x80'

GREEN SPACE

PARKING



Search...

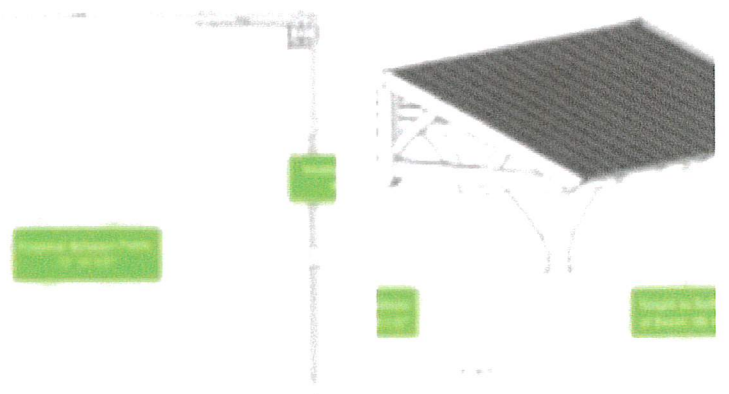
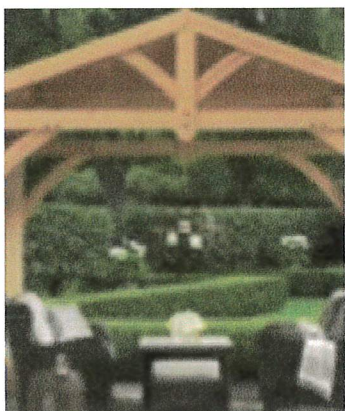


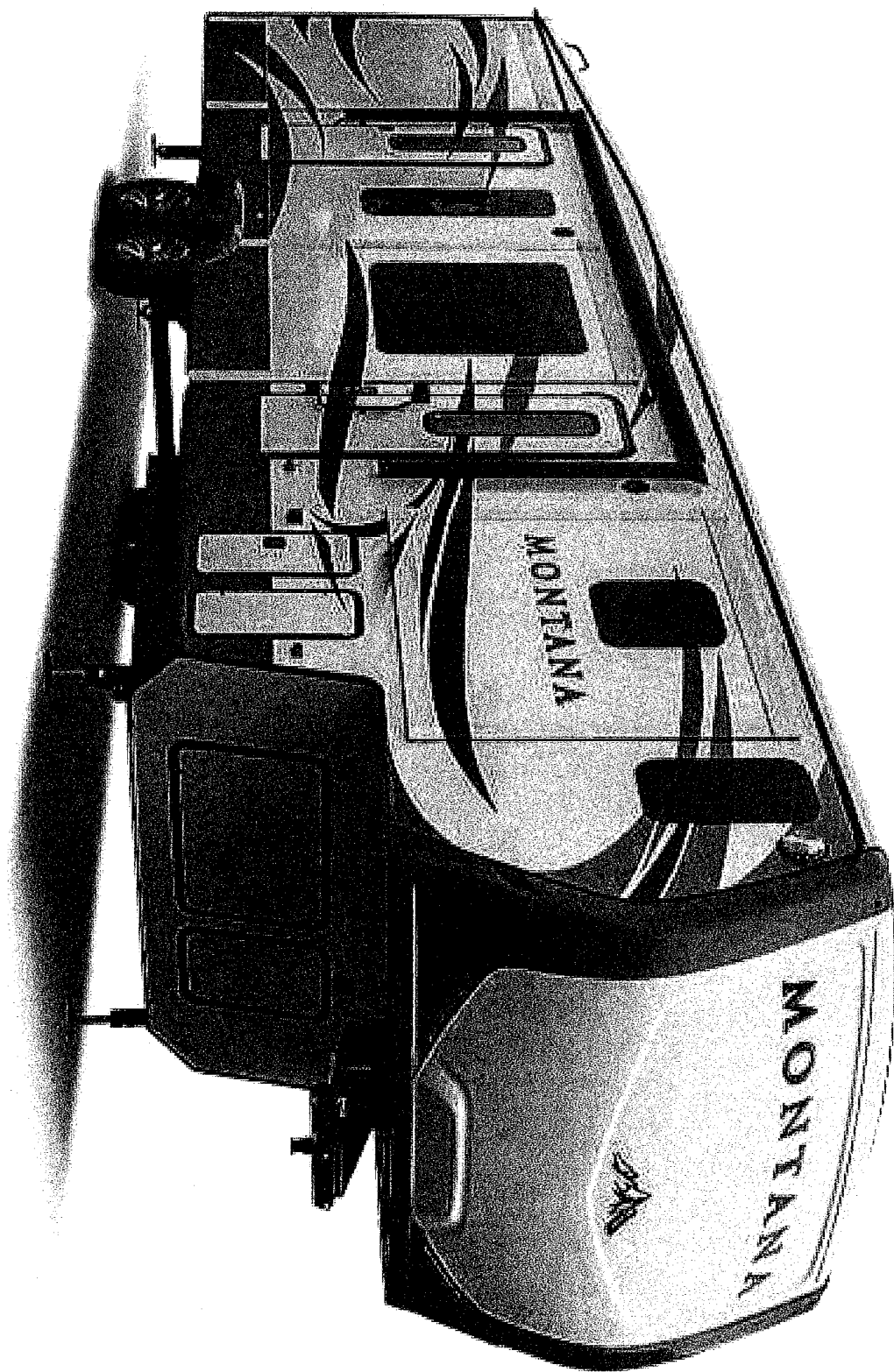
Take the Product Finder Quiz [Here!](#)

HOME / ALL



Double tap to zoom



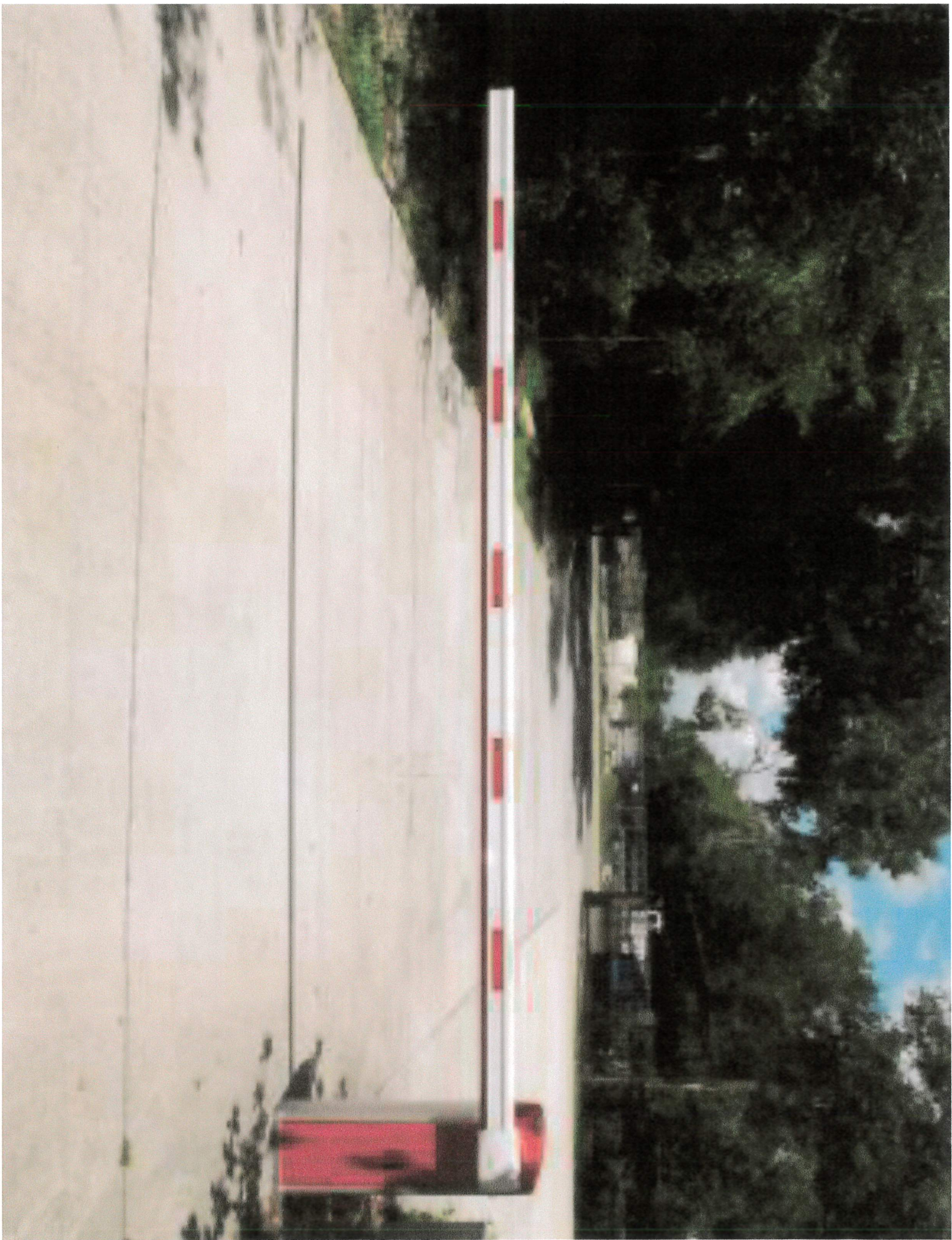


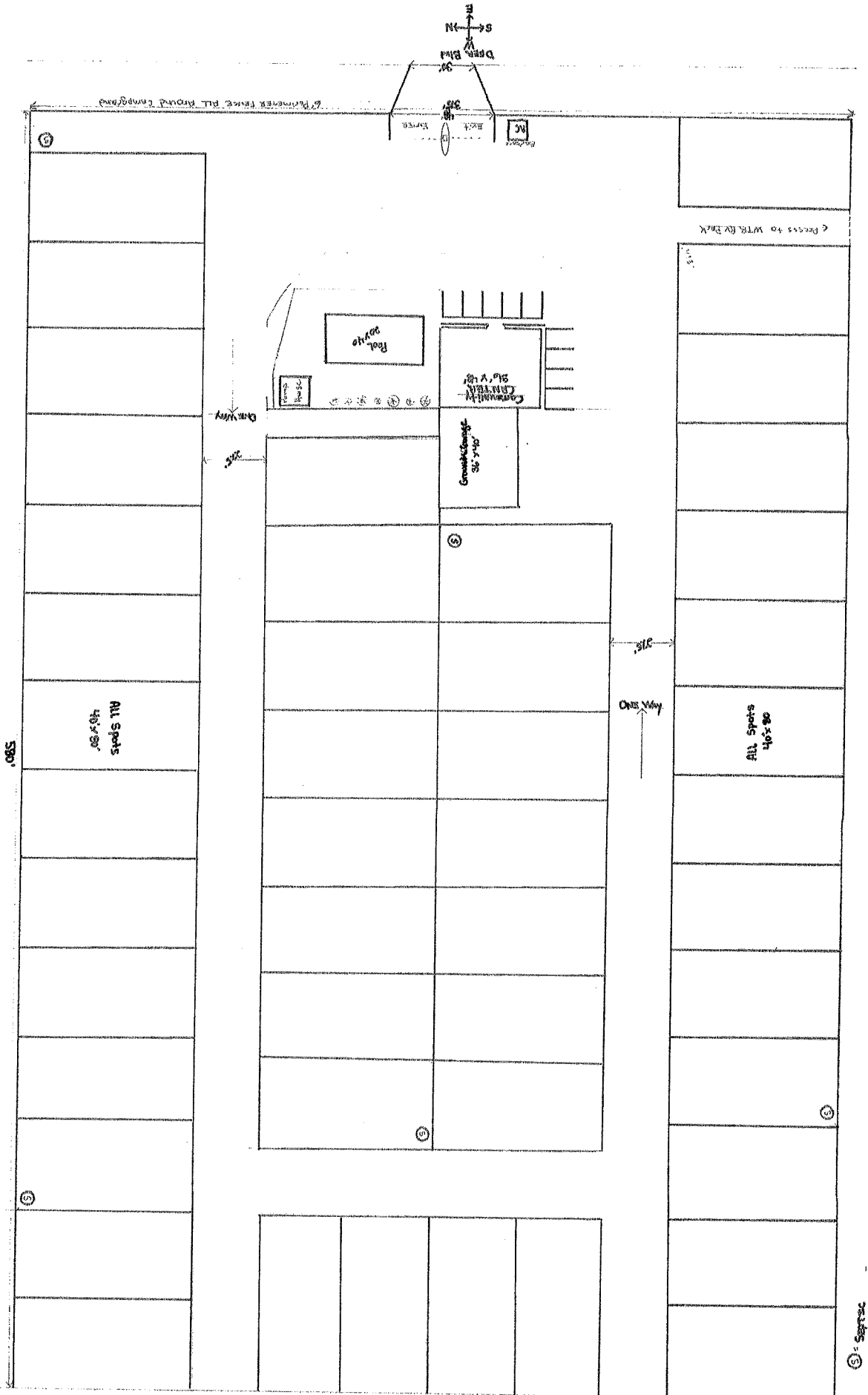












PURCHASE AGREEMENT**THIS IS A LEGALLY BINDING CONTRACT. IF YOU DO NOT UNDERSTAND IT, SEEK LEGAL ADVICE.****1. PARTIES TO THE CONTRACT**Purchaser and Seller acknowledge that Broker ☒ **is** ☐ **is not** the limited agent of both parties to this transaction.Aaron & Sherrie Petersen, hereinafter referred to as Purchaser.Deerfield Truck & Equipment Co., hereinafter referred to as Seller.

Purchaser offer and agrees to purchase upon the terms and conditions set forth, the property legally described as:

Lots 18, 19 & 20 in Whitetail Run, in the NE 1/4 of the SE 1/4 of Section 16 T93N, R56W of 5th PM in Yankton County SD (5± Acres) TBSAlso known as: Deer Boulevard (See Preliminary Plat Exhibit A)**2. EARNEST MONEY DEPOSIT**Earnest Money in the amount of (\$1000.00) One thousand Dollars shall be deposited into the trust account of the Listing ☒ Selling ☐ Broker and credited at closing. If an accepted Purchase Agreement does not close, regardless of the circumstances, both Purchaser and Seller must agree in writing prior to release of earnest money or in the alternative, pursuant to court order in accordance with SDCL 36-21A-81.**3. FUNDING**☐ **This is a cash offer not contingent upon financing.** The remaining balance due at closing shall be paid by certified check. Verification of funds from _____ will be delivered by _____ (date) or this agreement, at the option of the Seller, without notice to the Purchaser, be voided.☒ **This offer is contingent upon Purchaser obtaining financing** for a Commercial type of loan. A letter of Purchaser's loan status will be delivered by 7-17-20 (date). Within 1-31-20 legal banking days after acceptance of this Purchase Agreement, Purchaser will make written formal application for and diligently and in good faith endeavor to secure a loan, pay all application fees, and to sign all financing documents without delay. Purchaser reserves the right to obtain alternative financing so long as there are no increase costs to Seller.☐ **Contract for Deed.** See attached addendum.**4. APPRAISAL**This Purchase Agreement is ☒ **is** ☐ **is not** subject to the property appraising for the at least the purchase price. If the appraisal report reveals any deficiencies that must be corrected, Purchaser and Seller may negotiate in good faith to correct such deficiencies.**5. PROPERTY CONTINGENCY**☒ **This offer is not contingent** upon the sale or close of property owned by the Purchaser. If Purchaser is obtaining financing this must be stated on loan status letter.☐ **This offer is contingent** upon the sale and close of the Purchaser's property commonly known as: _____ (full address) _____ within time specified for closing Seller Property. Seller shall the right to continue to offer the property for sale and accept any offer subject to the rights of the Purchaser. Should Seller receive another acceptable offer, Seller will give Purchaser written notice of that fact. Purchaser will provide a written waiver of this contingency within _____ hours of receipt of Seller notice or this agreement will terminate without further notice and Earnest Money will be returned according to paragraph 2 of this agreement. Upon waiver of this contingency, Purchaser warrants and will provide written proof that the funds needed for closing will be available and Purchaser's ability to obtain financing is not contingent upon the sale and or close of any property.☐ **This offer is contingent** upon the Seller's property purchase and closing.**6. SELLERS PROPERTY DISCLOSURE**☐ **Before signing** this agreement Purchaser acknowledges receipt of Seller's Property Condition Disclosure Statement dated _____ as required by SDCL 43-4-38 through 43-4-43.☒ **Purchaser acknowledges that no disclosure statement** is required for the following reasonBar land

INITIALS: PURCHASER

DS SP
A SP

SELLER

7. LEAD-BASED PAINT DISCLOSURE

Purchaser acknowledges receipt of the pamphlet "Protect Your Family From Lead In Your Home" and Seller's Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards form according to the Residential Lead-Based Hazard Reduction Act of 1992. This applies to properties built prior to 1978.

8. INSPECTION OF PHYSICAL CONDITION OF PROPERTY

Purchaser acknowledges that it is recommended that Purchaser engage, at Purchaser's expense, the service of professionals, acting within the scope of their professional license, to inspect the property. Purchaser and Seller understand the purpose of property inspections is to inform and educate the Purchaser on conditions and future maintenance of the property and is not designed to be a point of re-negotiation of purchase price.

☒ This offer is not contingent upon any inspections.

☐ This offer is contingent upon Purchaser, at Purchaser's expense, obtaining property inspection report(s).

A. Offer is contingent upon structural, mechanical, or electrical inspection(s).

None Yes Waived

B. Offer is contingent upon radon, environmental, or geological inspection(s).

None Yes Waived

C. Offer is contingent upon pest infestation and/or damage inspection(s).

None Yes Waived

D. Offer is contingent upon lead-based paint inspection(s).

None Yes Waived

All inspections will be completed and Purchaser shall provide to the Listing Broker a copy of relevant pages of any inspection report(s) and written requests detailing any unsatisfactory components on or before _____ (date). The parties will have until midnight on _____ (date) to negotiate repairs or terminate this contract. If Purchaser fails to specifically disapprove any inspections and report to the Listing Broker within the specified date, Purchaser shall be deemed to have approved and accepted property in its present condition. All licensee are held harmless with regard to any inspections or inspection periods related to this transaction.

9. SURVEY

Purchaser acknowledges that is recommended that a survey be obtained. Bank financing or Title Insurance Policy's may require a survey. Confirmation of boundaries may be determined by one of the following.

☐ Mortgage Inspection Survey

☒ Boundary/Staked Survey

☐ Purchaser Waives Survey

☐ Other _____

The cost, if any, shall be paid as follows:

Purchaser _____

Seller 100%

10. TAXES/PRORATIONS

Purchaser is aware that property taxes may or may not be based upon "Owner Occupied Status". Any all Special Assessments are to be paid by Seller unless otherwise specified in this agreement.

Taxes to be ☒ prorated through the date of closing. ☐ prorated through _____ date. ☐ Not to be prorated.

Tax proration amount will be based on ☒ most current county information. ☐ Other _____

Rents, Road Maintenance, Water, Sewer and Homeowner's Association Fees, if any are to be:

☐ prorated through the date of closing. ☐ prorated through _____ date. ☐ Not to be prorated.

11. TITLE

Merchantable title shall be conveyed by Warranty Deed or other sufficient conveyance instrument, acceptable to Purchaser, subject to conditions, zoning, restrictions, and easements of record, if any, which do not interfere with or restrict the existing use of the property. An Owner's Policy of title insurance up to the amount of the purchase price will be furnished with the cost to be paid as follows: Purchaser 50% Seller 50%
Additional coverage shall be paid by Purchaser.

12. PERSONAL PROPERTY

Any personal property, free of any liens and without warranty of condition, shall be transferred to Purchaser by a

separate Bill of Sale. Purchaser will ☐ will not ☐ n/a ☒ compensate Seller for fuel (oil propane) remaining on date of closing. Proration will be based upon the price of the fuel within 72 hours of closing as quoted by last known provider.

13. CLOSING AND POSSESSION

The Closing date will be on or before 1-15-21 (date) with possession given to be given to Purchaser at time of closing. Seller agrees to maintain the property in a condition comparable to its present condition and agrees that Purchaser will have the opportunity for a personal inspection prior to closing. Seller agrees to maintain property insurance coverage, in an amount equal to or greater than purchase price, until the time of closing.

The fee charged to close the transaction, if any, shall be paid as follows: Purchaser 50% Seller 50%

INITIALS: PURCHASER

AS

SP

SELLER

14. OTHER PROVISIONS: If none, state none.

offer Contingent upon Buyer receiving a "conditional Use Permit" from Yankton County for a RV Campground

15. PROPERTY CONDITION UPON CLOSING

All personal property including refuse, not included in the purchase, shall be removed by the Seller prior to closing. Property shall be left in neat and clean condition. Lawn shall be mowed and snow removed. Purchaser shall have all utilities transferred into their name on or before the day of closing.

16. ADDENDA TO THIS PURCHASE AGREEMENT: If none, state none.

The following documents are addenda to this contract and are attached and become part of this contract by reference.

None

17. PURCHASE PRICE

The total purchase price is to be :

Two hundred Twelve thousand five hundred, \$ 212,500⁰⁰ Dollars
After Earnest Money herein is credited, the remaining balance is to be paid by Purchaser at closing.

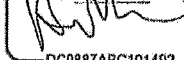
18. EXPIRATION

This agreement is void if not accepted by the 17 day of July 2020 by 6:00 ☐ am ☒ pm

19. THE LAWS OF SOUTH DAKOTA GOVERN THIS TRANSACTION

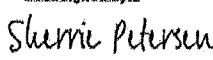
20. TIME IS OF THE ESSENCE 7/14/2020

Dated and DocuSigned by: day of


DC0887ABC101492...

Purchaser

DocuSigned by: ☐ am ☐ pm


9AB8CG72872D471...

Purchaser

Address:

On this _____ day of _____, _____ at _____ ☐ am ☐ pm the forgoing offer is:

ACCEPTED _____ NOT ACCEPTED _____ / _____ COUNTERED _____

Seller

Seller

Address:

THE FOLLOWING IS FOR INFORMATIONAL PURPOSES ONLY


Selling Company


Selling Licensee


Listing Company


Listing Licensee

FINDINGS OF FACT – CONDITIONAL USE PERMIT

Aaron Petersen – CUP-2020-24

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	Applicant is requesting a Conditional Use Permit for a Campground, Pool and Self-Storage Warehouses in a Lakeside Commercial District (LC) per Article 11 Section 1107
2. Was notice of public hearing given per Section 1803 (3-5)?	Notice given
3. Attend the public hearing	11-10-20
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	Motion to deny Conditional Use Permit and recommend applicant comes in for Planned Unit Development 5-0
5. Planning Commission must make written findings certifying compliance with specific rules including: a. Ingress and Egress to proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe:	Ingress/Egress will be requested on Deer Blvd, access through current park as well to the South Gated community including gated on Deer Blvd
b. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district;	Each unit will have ample parking Self-storage warehouses requested in CUP for additional parking and storage areas
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	Refuse and service area will exist Club house, meeting rooms and fitness facility will be present with small residence in upstairs for caretaker No playground planned Pool for campers
d. Utilities, with reference to locations, availability, and compatibility;	Utilities are present

e. Screening and buffering with reference to type, dimensions, and character;	Gated community, storage units requested along Deer Blvd
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	Signs will be requested through permit if needed
g. Required yards and other open spaces; and	Required yards exist
h. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest.	Campgrounds in area Planning Commissioners believe a Planned Unit Development is better for the current requests

AFFIDAVIT OF MAILING

I, Asrar Petersen, hereby certify that on the 27 day of October, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

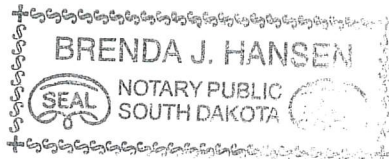
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 27 day of October, 2020.

Asrar Petersen
(Name)
Affiant

Subscribed and sworn to before me this 27th day of October, 2020.



(SEAL)

Brenda J. Hansen
Notary Public - South Dakota
My commission expires: 11-16-2024

NOTIFICATION

October 31, 2020

Aaron Petersen
404 N 4th St
Beresford, SD 57004

Dear Yankton County Property Owner:

The Yankton County Zoning Ordinance requires written notification describing a specific action be sent to the owners of real property lying within 1,320 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:25 P.M. on the 10th day of November, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

*Applicant is requesting a **Conditional Use Permit** for a Campground, Pool and Self-Storage Warehouses in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Proposed Lot 18, Whitetail Run, in the NE1/4 of the SE1/4, Section 16 T93N R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBD Deer Blvd, Yankton, SD.*

The application may be reviewed at the Zoning Administrators office, Yankton County Government Center, 321 West Third St., Yankton, S.D. or online at the Yankton County Website.

Sincerely,

Aaron Petersen
Petitioners

AFFORDABLE SELF-STORAGE 2 LLC (D)
1505 WEST CITY LIMITS RD
YANKTON SD 57078

ASPS LLC (D)
3609 WEST 8 ST
YANKTON SD 57078

BENDER, FREDERICK REV TRUST (D)
4402 HILLSIDE DR
YANKTON SD 57078

BLOM, COLE S (D)
517 LOCUST ST
YANKTON SD 57078

BOB LAW INC (D)
3812 SD HWY 314
YANKTON SD 57078

BRIGHTWAY ELECTRIC LLC (D)
105 DEER BLVD
YANKTON SD 57078

DAHLIN DRYWALL INC (D)
3703 WEST 7 ST
YANKTON SD 57078

DEERFIELD TRUCK & EQUIPMENT CO (D)
PO BOX 805
LAUREL NE 68745

DOERING, HENRY L (D)
902 BEEMER AVE
YANKTON SD 57078

FEJFAR, JEFF (D)
407 DEER BLVD
YANKTON SD 57078

FEJFAR, MARY REVOCABLE TRUST (D)
43145 SD HWY 52
YANKTON SD 57078

G & W PROPERTIES (D)
% SCOTT STEVENS
PO BOX 2047
NORFOLK NE 68702

GAR HOLDINGS LLC (D)
4200 WEST 8 ST
YANKTON SD 57078

HEINE FARMS (D)
PO BOX 477
YANKTON SD 57078

HEINE, PATRICK RAYMOND (D)
56221 897 RD
FORDYCE NE 68736

JACKMAN, KATHERINE (D)
PO BOX 373
YANKTON SD 57078

KALTSULAS, THOMAS C (D)
188 MARINA DELL AVE
YANKTON SD 57078

KETTERING, DON REVOCABLE TRUST (D)
4201 WEST 11 ST
YANKTON SD 57078

KULBEL, THERESA M REV TRUST (D)
4111 WEST 11 ST
YANKTON SD 57078

LAKESIDE PARK SD LLC (D)
% RANDY SKILLIN
639 E MCKINLEY
FRESNO CA 93728

LASER BARN LLC (D)
3700 WEST 8 ST
YANKTON SD 57078

LEADER, LARRY F (D)
43459 KAISER RD
YANKTON SD 57078

LEFEBVERE, JACOB W (D)
308 EAST 21 ST
YANKTON SD 57078

LEMONADE STAND LLC (THE) (D)
2800 BROADWAY AVE
YANKTON SD 57078

LEWIS & CLARK MEAT LODGE LLC (D)
48129 266 ST
BRANDON SD 57005

LOCKWOOD LEASING LLC (D)
PO BOX 561
VIBORG SD 57070

LUKEN CONSTRUCTION LLC (D)
605 DOUGLAS AVE
YANKTON SD 57078

MABEE, TAMARA F (D)
3803 WEST 11 ST
YANKTON SD 57078

MACY FAMILY TRUST (D)
3701 WEST 11 ST
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MCALLISTER TD LLC (D)
4002 WEST 8 ST
YANKTON SD 57078

MCHENRY, CRYSTAL (D)
600 DEER BLVD
YANKTON SD 57078

MILLER, DONALD D (D)
3609 WEST 7 ST
YANKTON SD 57078

MINES, SCOTT (D)
275 MARINA DELL AVE
YANKTON SD 57078

MR K TRUCK CENTER (D)
30174 438 AVE
UTICA SD 57067

MUELLENBERG, JASON (D)
703 DEER BLVD
YANKTON SD 57078

NEU, JOHN (C)
3706 KRISTI LN
YANKTON SD 57078

PAYER, WAYLON (D)
4306 WEST 8 ST
YANKTON SD 57078

PETERSEN, AARON (D)
404 NORTH 4 ST
BERESFORD SD 57004

PHIL SPADY CHRYSLER-JEEP-DODGE (I
316 CAPITOL ST
YANKTON SD 57078

ROESLER, MERLIN (D)
109 CEDAR ST
YANKTON SD 57078

RYKENS RV PARK INC (D)
31120 435 AVE
YANKTON SD 57078

SAT ENTERPRISES LLC (D)
3703 WEST 8 ST
YANKTON SD 57078

SCHAEFFER, HAROLD D (D)
701 DEER BLVD
YANKTON SD 57078

SCS PROPERTY MANAGEMENT CORP (I
3702 LEADER LN
YANKTON SD 57078

SD DEPT OF TRANSPORTATION (D)
700 E BROADWAY AVE
PIERRE SD 57501

SIMONSEN, THOMAS L (D)
%MC STORAGE
3702 LEADER LN
YANKTON SD 57078

SIMONSEN, THOMAS L (D)
3702 LEADER LN
YANKTON SD 57078

SLAMEN LLC (D)
4210 WEST 8 ST
YANKTON SD 57078

STEFFEN, MAUREEN (D)
407 DEER BLVD
YANKTON SD 57078

STEVENS, SCOTT D (D)
PO BOX 2047
NORFOLK NE 68702

SUDBECK, JASON K (D)
256 DEERFIELD DR
YANKTON SD 57078

T&M STORAGE LLC (D)
118 WEST 3 ST
YANKTON SD 57078

TJ LAND INC (D)
604 SAWGRASS ST
YANKTON SD 57078

TJEERDSMA, JEREMY (D)
406 S DEER BLVD
YANKTON SD 57078

TJEERDSMA, JEREMY L (D)
406 S DEER BLVD
YANKTON SD 57078

WHITE CRANE ESTATES LLC (D)
PO BOX 805
LAUREL NE 68745

WIESELER, DALE (D)
4005 WEST 11 ST
YANKTON SD 57078

WRIGHT, RICHARD A (D)
31111 434 AVE
YANKTON SD 57078

YANKTON RV BOAT & STORAGE LLC (D)
505 PATRICK AVE
HARTFORD SD 57033

YANKTON'S EXEC STORAGE LLC (D)
1900 SOUTH 2 ST
HARTFORD SD 57033

YEAGER, RICHARD G (D)
3703 WEST 11 ST
YANKTON SD 57078

AFFIDAVIT OF MAILING

I, Jason Dehn, hereby certify that on the 17 day of November, 20 20, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 17 day of November, 20 20.



(Name)
Affiant

Subscribed and sworn to before me this 17th day of November, 20 20.



Notary Public South Dakota

My commission expires: Sept. 9th 2026

(SEAL)

NOTIFICATION

November 21, 2020

Aaron Petersen
404 N 4th St
Beresford, SD 57004

Dear Yankton County Property Owner:

The Yankton County Zoning Ordinance requires written notification describing a specific action be sent to the owners of real property lying within 1,320 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, at 7:30 P.M. on the 1st day of December, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for a Campground and Pool in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Proposed Lot 18, Whitetail Run, in the NE1/4 of the SE1/4, Section 16 T93N R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBD Deer Blvd, Yankton, SD.

The application may be reviewed at the Zoning Administrators office, Yankton County Government Center, 321 West Third St., Yankton, S.D. or online at the Yankton County Website.

Sincerely,

Aaron Petersen
Petitioners

AFFORDABLE SELF-STORAGE 2 LLC (D)
1505 WEST CITY LIMITS RD
YANKTON SD 57078

ASPS LLC (D)
3609 WEST 8 ST
YANKTON SD 57078

BENDER, FREDERICK REV TRUST (D)
4402 HILLSIDE DR
YANKTON SD 57078

BLOM, COLE S (D)
517 LOCUST ST
YANKTON SD 57078

BOB LAW INC (D)
3812 SD HWY 314
YANKTON SD 57078

BRIGHTWAY ELECTRIC LLC (D)
105 DEER BLVD
YANKTON SD 57078

DAHLIN DRYWALL INC (D)
3703 WEST 7 ST
YANKTON SD 57078

DEERFIELD TRUCK & EQUIPMENT CO (D)
PO BOX 805
LAUREL NE 68745

DOERING, HENRY L (D)
902 BEEMER AVE
YANKTON SD 57078

FEJFAR, JEFF (D)
407 DEER BLVD
YANKTON SD 57078

FEJFAR, MARY REVOCABLE TRUST (D)
43145 SD HWY 52
YANKTON SD 57078

G & W PROPERTIES (D)
% SCOTT STEVENS
PO BOX 2047
NORFOLK NE 68702

GAR HOLDINGS LLC (D)
4200 WEST 8 ST
YANKTON SD 57078

HEINE FARMS (D)
PO BOX 477
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HEINE, PATRICK RAYMOND (D)
56221 897 RD
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PO BOX 373
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639 E MCKINLEY
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43459 KAISER RD
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2800 BROADWAY AVE
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600 DEER BLVD
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MILLER, DONALD D (D)
3609 WEST 7 ST
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MINES, SCOTT (D)
275 MARINA DELL AVE
YANKTON SD 57078

MR K TRUCK CENTER (D)
30174 438 AVE
UTICA SD 57067

MUELLENBERG, JASON (D)
703 DEER BLVD
YANKTON SD 57078

NEU, JOHN (C)
3706 KRISTI LN
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PAYER, WAYLON (D)
4306 WEST 8 ST
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PETERSEN, AARON (D)
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PHIL SPADY CHRYSLER-JEEP-DODGE (I
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3703 WEST 8 ST
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SCHAEFFER, HAROLD D (D)
701 DEER BLVD
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SCS PROPERTY MANAGEMENT CORP (I SD DEPT OF TRANSPORTATION (D)
3702 LEADER LN
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SIMONSEN, THOMAS L (D)
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604 SAWGRASS ST
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TJEERDSMA, JEREMY (D)
406 S DEER BLVD
YANKTON SD 57078

TJEERDSMA, JEREMY L (D)
406 S DEER BLVD
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WHITE CRANE ESTATES LLC (D)
PO BOX 805
LAUREL NE 68745

WIESELER, DALE (D)
4005 WEST 11 ST
YANKTON SD 57078

WRIGHT, RICHARD A (D)
31111 434 AVE
YANKTON SD 57078

YANKTON RV BOAT & STORAGE LLC (D) YANKTON'S EXEC STORAGE LLC (D)
505 PATRICK AVE
HARTFORD SD 57033
1900 SOUTH 2 ST
HARTFORD SD 57033

YEAGER, RICHARD G (D)
3703 WEST 11 ST
YANKTON SD 57078

Please Check Plat Type:

☒ Final ☐ Amended ☐ Preliminary ☐ Revision

-----Development Information-----

Plat Name: Lot 16, 17, 19, 20 Whitetail Run and

Section No: 16 Township No: 93

Range: 56 Number of Lots/Tracts: 5

Number of Acres: 2.06 1.00 1.00 1.70 5.67

How is the property currently being used? LC

What is the proposed use of the property? LC

-----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: Deerfield Truck & Equipment CO
Address: _____
City: _____ State: _____ Zip: _____
Contact person: _____
If the property owner is represented by an authorized agent, please provide the following:
Agent's name: Denny Breck
Agent's 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) 2.06 1.00 1.00 1.70 5.67
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 Deerfield Truck & Equipment 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.

* _____
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:

<input type="checkbox"/> 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: 11/10/2020
Board of Adjustment date: _____

PLAT OF LOTS 16, 17, 19 AND 20, WHITETAIL RUN, IN THE NE1/4 OF THE SE1/4 OF SECTION 16, T93N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA;
AND A REPLAT OF LOT 7, HEREAFTER TO BE KNOWN AS LOT 6, WHITETAIL RUN,
IN THE NE1/4 OF THE SE1/4 OF SECTION 16, T93N, R56W OF THE 5TH P.M.,
YANKTON COUNTY, SOUTH DAKOTA.

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455

NOTE:

BASIS OF BEARING
BY GPS OBSERVATION

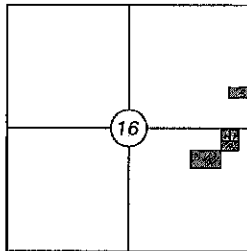
THIS PLAT HEREBY
VACATES LOT 7, WHITETAIL
RUN, AS RECORDED IN
BOOK 520, PAGE 323.



LEGEND

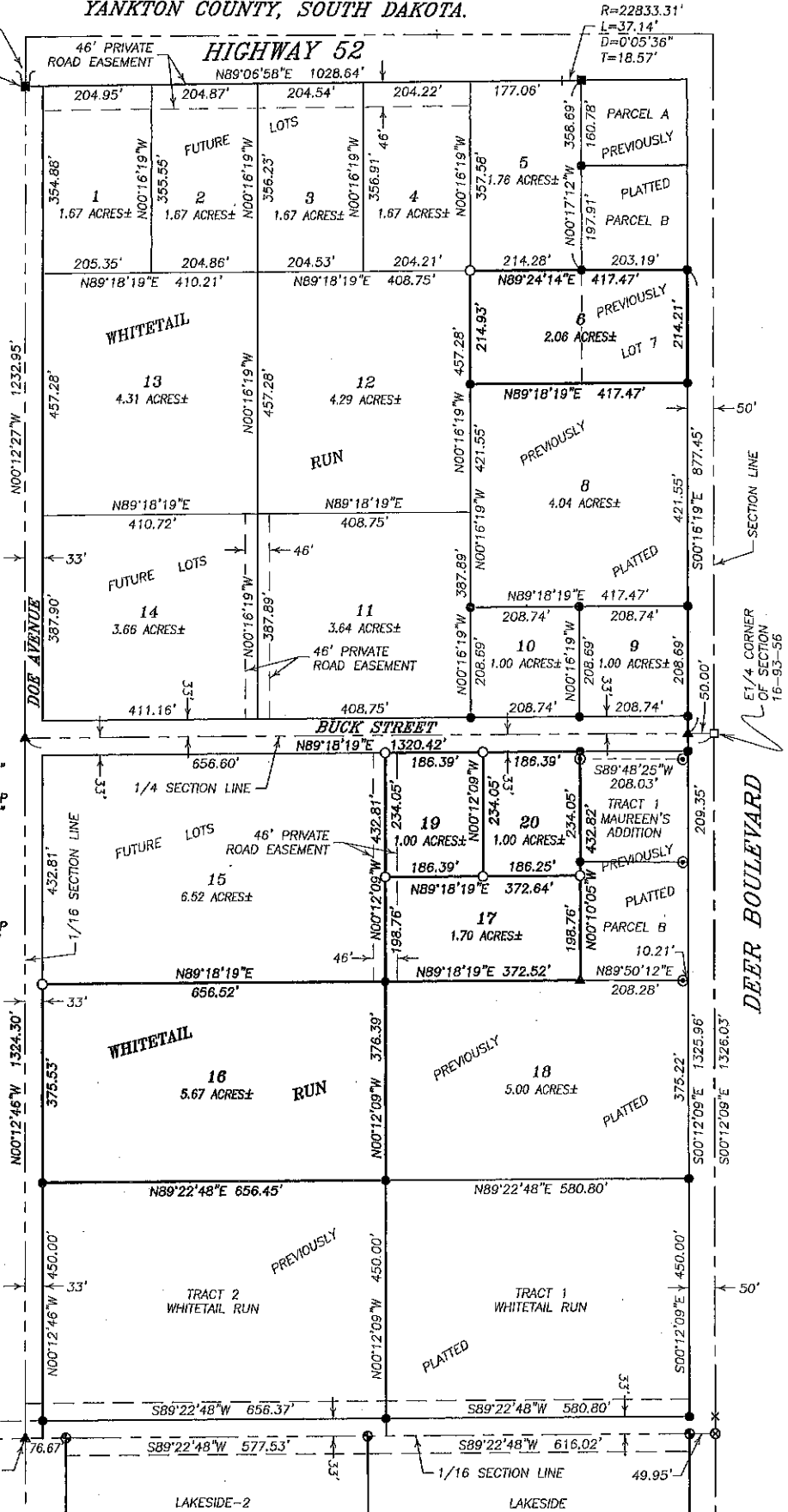
- SET 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR
- FOUND ALUMINUM DOT CAP
- ⊗ FOUND P-K NAIL
- ⊙ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "TOM WEEK PELS 2912"
- ▲ FOUND IRON PIPE WITH L.S. CAP STAMPED "SKROCH 9110"
- ⊙ FOUND IRON PIPE
- × CALCULATED CORNER

NO EXISTING DRIVEWAYS ON
DOE AVENUE OR BUCK STREET.



LOCATION (N.T.S.)

42°52'08.55597" N
97°27'41.11486" W



200 0 200 400



Scale 1" = 200'

JOB NO. 20340

PAGE 1 OF 2

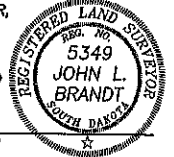
PLAT OF LOTS 16, 17, 19 AND 20, WHITETAIL RUN, IN THE NE1/4 OF THE SE1/4 OF SECTION 16, T93N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA; AND A REPLAT OF LOT 7, HEREAFTER TO BE KNOWN AS LOT 6, WHITETAIL RUN, IN THE NE1/4 OF THE SE1/4 OF SECTION 16, T93N, R56W OF THE 5TH P.M., YANKTON COUNTY, 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 OWNER, MADE A SURVEY AND PLAT OF LOTS 16, 17, 19 AND 20, WHITETAIL RUN, IN THE NE1/4 OF THE SE1/4 OF SECTION 16, T93N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA; AND A REPLAT OF LOT 7, HEREAFTER TO BE KNOWN AS LOT 6, WHITETAIL RUN, IN THE NE1/4 OF THE SE1/4 OF SECTION 16, 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 22ND DAY OF OCTOBER, 2020.

JOHN L. BRANDT REG. NO. 5349



OWNER'S CERTIFICATE

I, DENNIS L. CHRISTENSEN, AS PRESIDENT OF DEERFIELD TRUCK & EQUIPMENT COMPANY, A NEBRASKA CORPORATION, DO HEREBY CERTIFY THAT DEERFIELD TRUCK & EQUIPMENT COMPANY IS THE OWNER OF THE ABOVE SAID 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 ALSO HEREBY DEDICATE THE RIGHT OF WAY TO THE PUBLIC FOREVER FOR USE AS SUCH AND THE 46' PRIVATE ROAD EASEMENT AS SHOWN ON THIS PLAT. THIS PLAT HEREBY VACATES LOT 7, WHITETAIL RUN, AS RECORDED IN BOOK 520, PAGE 323.

DATED THIS 28 DAY OF October, 2020

DENNIS L. CHRISTENSEN
PRESIDENT, DEERFIELD TRUCK & EQUIPMENT COMPANY

STATE OF South Dakota
COUNTY OF Yankton

ON THIS 28 DAY OF October, 2020, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DENNIS L. CHRISTENSEN, WHO ACKNOWLEDGED HIMSELF TO BE THE PRESIDENT OF DEERFIELD TRUCK & EQUIPMENT COMPANY, AND THAT HE AS PRESIDENT, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

10-11-2024
MY COMMISSION EXPIRES NOTARY PUBLIC

RESOLUTION OF APPROVAL

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, SOUTH DAKOTA

I, THE UNDERSIGNED, 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 COUNCIL OF THE CITY OF YANKTON, SOUTH DAKOTA ON THIS DAY OF 20.

FINANCE OFFICER, YANKTON, SOUTH DAKOTA

COUNTY PLANNING COMMISSION RESOLUTION

BE IT RESOLVED BY THE YANKTON COUNTY, SOUTH DAKOTA, PLANNING COMMISSION 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.

ZONING ADMINISTRATOR

PLANNING COMMISSION CHAIR

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

STATE OF SOUTH DAKOTA COUNTY OF YANKTON

APPROVAL OF HIGHWAY AUTHORITY

ACCESS TO SD 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

APPROVAL OF HIGHWAY AUTHORITY

STATE OF SOUTH DAKOTA COUNTY OF YANKTON

ACCESS TO BUCK STREET AND DOE AVENUE 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 OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIEN 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 OF 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

Please Check Plat Type:

☒ Final ☐ Amended ☐ Preliminary ☐ Revision

Development Information

Plat Name: lot 18 Whitetail Run
124 324

Section No: 16 Township No: 93

Range: 5E Number of Lots/Tracts: 1

Number of Acres: 5

How is the property currently being used? lc

What is the proposed use of the property? _____

Surveyor/Engineer Information

Firm Name: Brandt Land Surveying
Address: _____
City: _____ State: _____ Zip: _____
Contact Person: _____
Phone: _____

Property Owner Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Contact person: _____
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) 5

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 _____
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.

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?

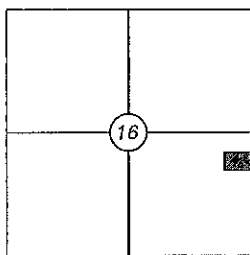
Planning Commission date: 8/11/20
Board of Adjustment date: 8/18/20

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455

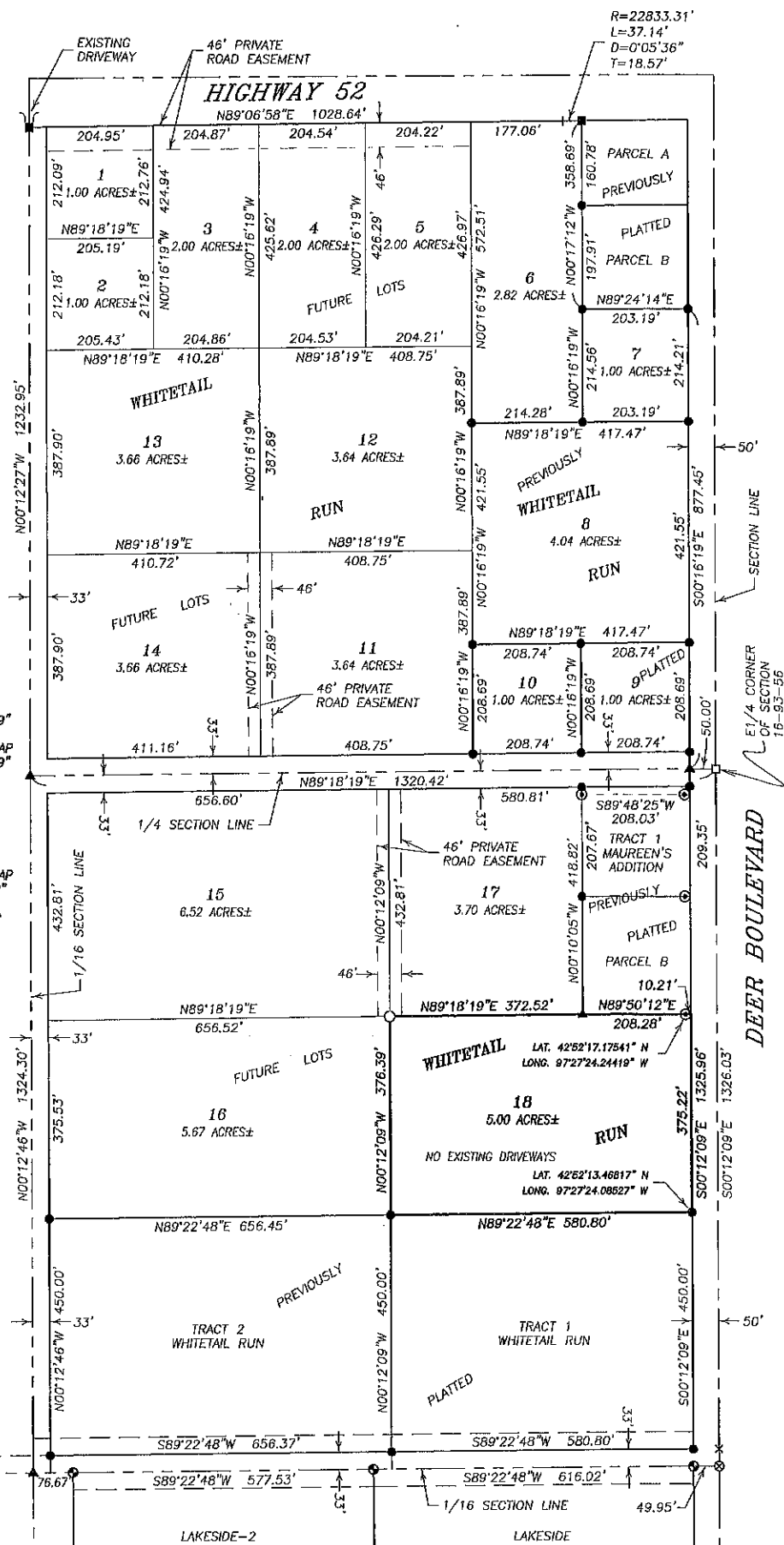
NOTE: BASIS OF BEARING
BY GPS OBSERVATION



- SET 5/8" REBAR WITH L.S. CAP
STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP
STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR
- FOUND ALUMINUM DOT CAP
- ⊗ FOUND P-K NAIL
- ⊙ FOUND 5/8" REBAR WITH L.S. CAP
STAMPED "TOM WEEK PELS 2912"
- ▲ FOUND IRON PIPE WITH L.S. CAP
STAMPED "SKROCH 9110"
- ◎ FOUND IRON PIPE
- × CALCULATED CORNER



LOCATION (N.T.S.)

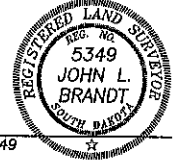


PLAT OF LOT 18, WHITETAIL RUN, IN THE NE1/4 OF THE SE1/4 OF
SECTION 16, T93N, R56W, OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY AND PLAT OF LOT 18, WHITETAIL RUN IN THE NE1/4 OF THE SE1/4 OF SECTION 16, 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 16TH DAY OF JULY, 2020.



JOHN L. BRANDT REG. NO. 5349

OWNER'S CERTIFICATE

I, DENNIS L. CHRISTENSEN, AS PRESIDENT OF DEERFIELD TRUCK & EQUIPMENT COMPANY, A NEBRASKA CORPORATION, DO HEREBY CERTIFY THAT DEERFIELD TRUCK & EQUIPMENT COMPANY IS THE OWNER OF THE ABOVE SAID 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 ALSO HEREBY DEDICATE THE RIGHT OF WAY TO THE PUBLIC FOREVER FOR USE AS SUCH AS SHOWN ON THIS PLAT.

DATED THIS 18 DAY OF July, 2020.

DENNIS L. CHRISTENSEN
PRESIDENT, DEERFIELD TRUCK & EQUIPMENT COMPANY

STATE OF South Dakota
COUNTY OF Yankton

ON THIS 18 DAY OF July, 2020, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DENNIS L. CHRISTENSEN, WHO ACKNOWLEDGED HIMSELF TO BE THE PRESIDENT OF DEERFIELD TRUCK & EQUIPMENT COMPANY, AND THAT HE AS PRESIDENT, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

10-11-2024
MY COMMISSION EXPIRES NOTARY PUBLIC

RESOLUTION OF APPROVAL

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, SOUTH DAKOTA DATE

I, THE UNDERSIGNED, 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 COUNCIL OF THE CITY OF YANKTON, SOUTH DAKOTA ON THIS DAY OF 20.

FINANCE OFFICER, YANKTON, SOUTH DAKOTA DATE

COUNTY PLANNING COMMISSION RESOLUTION

BE IT RESOLVED BY THE YANKTON COUNTY, SOUTH DAKOTA, PLANNING COMMISSION 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.

PLANNING COMMISSION CHAIR DATE

ZONING ADMINISTRATOR DATE

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 DEER BOULEVARD 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 DATE

COUNTY TREASURER'S CERTIFICATE

I, THE UNDERSIGNED, COUNTY TREASURER OF 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 July, 2020, HAVE BEEN PAID IN FULL.

COUNTY TREASURER DATE

DIRECTOR OF EQUALIZATION

I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION DATE

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

JOB DESCRIPTION

Job Title:	Deputy Zoning Administrator
Salary:	\$42,000 to \$55,000 DOE
Reports To:	Development Services Director
Classification:	Non-Exempt
Introductory Period:	180 Days
Self-Termination Notice Expectation:	Two Weeks

General Statement of Responsibilities

- Performs duties as assigned by the Development Services Director
- Prepares variance case files for Board of Adjustment hearings
- Updates, interprets, and enforces policies, procedures, and ordinances pertaining to zoning
- Reviews plats for conformance with the County's comprehensive plan and land use policies
- Serves as staff to the Yankton County Planning Commission
- Prepares minutes, findings of facts and agenda's for Planning Commission meetings
- Attends public meetings, assisting the Development Services Director as appropriate
- Assists the public with application procedures, including building permits, setbacks, height, variances, zone changes, conformance, calculation of fees and conditional uses
- Recommends possible courses of action to customers to insure compliance with county zoning regulations
- Schedule public hearings and meetings; prepare notifications and publications and insure they are provided to the public as outlined in state statute
- Works with the Director of Equalization and other County officials to update property development information and E911 addresses
- Maintains accurate and current records pertaining to all zoning related applications
- Reviews and evaluates environmental assessment requests in relation to their conformance with County land use plans and policies

Supervisor Responsibilities

- None

Minimum Qualifications

- High school diploma or GED and experience with land use regulation enforcement
- College coursework or degree in public administration, planning, or closely related field
- Ability to perform data entry and work processing functions using computer technology

Other Requirements

- Ability to deal effectively with the public
- Ability to read, analyze, and interpret legal descriptions, maps, and other material associated with land development activities, including technical drawings and diagrams
- Ability to write reports and correspondence, which effectively communicates county policies and positions
- Ability to calculate figures and amounts such as area, circumference, proportions, and percentages
- Ability to define problems, collect data, establish facts, and draw valid conclusions
- Ability to effectively present information and respond to questions from individuals or groups
- Must have a valid Driver's License

Work Environment/Physical Demands Summary

The incumbent typically works in an office environment and uses a computer, telephone and other office equipment as needed to perform duties. The hours are 9AM to 5PM plus some night meetings.

The noise level in the work environment is typical of that of an office. Incumbent may encounter frequent interruptions throughout the work day.

The employee is regularly required to sit, talk, or hear; frequently required to use repetitive hand motion, handle or feel, and to stand, walk, reach, bend or lift up to 20 pounds.

Contact with the public in office environments may risk exposure to irrational/hostile behavior, or contagious diseases.

The physical demands are representative of those that must be met

Certification

I hereby certify that I have read and accept the duties and obligations associated with this position.

Signature of Employee

Date



COMMISSIONER MEETING AGENDA REQUEST

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

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

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

Date Request Submitted 11/19/2020

Request is for Commission Meeting Dated December 1st, 2020

Name: Bruce Jensen

Address: _____

Phone: _____

E-Mail Address: _____

Topic to be Addressed and Length of Presentation: _____

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

Changing Sec. 513

Person(s) Making Presentation to the Board: _____

Audio/Visual Equipment Needed: _____

For Office Use:

Approved _____ Denied _____ Reason(s): _____

Signature: Bruce Jensen

Date: _____

PETITION FOR REVIEW COMMITTEE APPOINTMENT

WE, THE UNDERSIGNED residents of Yankton County in the State of South Dakota, formally request the Yankton County Commission appoint a committee of one or more competent persons, pursuant to SDCL 7-18A-28 and 7-18A-29, to revise the Yankton County Zoning Ordinance to enact the revisions listed below, as well as any related revisions the committee deems necessary.

#1 Amend Section 513 paragraph 1 as follows:

The minimum lot area shall be two (2) acres.

#2 Amend Section 519 as follows:

Class A (5000-10000)	Section 519 (1, 2, 3, 4, 5, 6, 7A, 8A, 9, 10, 11, 12, 13)
Class B (3000-4999)	Section 519 (1, 2, 3, 4, 5, 6, 7B, 8B, 9, 10, 11, 12, 13)
Class C (2000-2999)	Section 519 (1, 2, 3, 4, 5, 7C, 8C, 9, 10, 11, 12, 13)
Class D (1000-1999)	Section 519 (1, 2, 3, 4, 5, 7D, 8D, 9, 10, 11, 12, 13)
Class E (100-999)	Section 519 (1, 2, 3, 4, 5, 7E, 8E, 9, 10, 11, 12, 13)
Class F (50 – 99)	Section 519 (2, 3, 4, 5, 7F, 8F, 9, 10, 11, 12, 13)
	7F- ¼ Mile
	8F- ¼ Mile

#3 Amend Section 519 paragraph 5 as follows:

New animal feeding operations, new CAFO’s and waste facilities shall be set back set back no less than ½ mile (2,610) six hundred sixty (660) feet from a property line delineating a change in ownership and three hundred thirty (330) feet form a right of way line. Additionally, the applicant shall locate the operation two thousand six hundred forty (2,640) feet from neighboring residential dwellings. The Planning Commission may recommend and/ or the Board of Adjustment may mandate setbacks greater than those required herein to further the intent of the Zoning Ordinance while protecting the public health, safety, and welfare.

INSTRUCTIONS TO SIGNERS:

- 1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
- 2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
- 3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
- 4. Abbreviations of common usage may be used. Ditto marks may not be used.
- 5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
1 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
2 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
3 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
4 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
5 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
6 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
7 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
8 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
9 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
10 PRINT	..... CITY OR TOWN	..... COUNTY OF REGISTRATION

SIGN 11 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 12 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 13 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 14 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 15 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 16 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 17 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 18 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 19 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 20 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 21 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 22 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 23 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 24 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 25 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator	Residence Address	City	State
------------------------------	-------------------	------	-------

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this _____ day of _____, 20____.
(Seal)

My Commission Expires _____

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath

Grade

1.075

Step

1.020

Grade	Step												
	0	1	2	3	4	5	6	7	8	9	10	11	12
3	\$ 31,168.57	\$ 31,791.94	\$ 32,427.78	\$ 33,076.34	\$ 33,737.86	\$ 34,412.62	\$ 35,100.87	\$ 35,802.89	\$ 36,518.95	\$ 37,249.33	\$ 37,994.31	\$ 38,754.20	\$ 39,529.28
4	\$ 33,506.21	\$ 34,176.34	\$ 34,859.86	\$ 35,557.06	\$ 36,268.20	\$ 36,993.57	\$ 37,733.44	\$ 38,488.11	\$ 39,257.87	\$ 40,043.03	\$ 40,843.89	\$ 41,660.76	\$ 42,493.98
5	\$ 36,019.18	\$ 36,739.56	\$ 37,474.35	\$ 38,223.84	\$ 38,988.32	\$ 39,768.08	\$ 40,563.45	\$ 41,374.71	\$ 42,202.21	\$ 43,046.25	\$ 43,907.18	\$ 44,785.32	\$ 45,681.03
6	\$ 38,720.62	\$ 39,495.03	\$ 40,284.93	\$ 41,090.63	\$ 41,912.44	\$ 42,750.69	\$ 43,605.70	\$ 44,477.82	\$ 45,367.37	\$ 46,274.72	\$ 47,200.22	\$ 48,144.22	\$ 49,107.10
7	\$ 41,624.66	\$ 42,457.16	\$ 43,306.30	\$ 44,172.43	\$ 45,055.87	\$ 45,956.99	\$ 46,876.13	\$ 47,813.65	\$ 48,769.93	\$ 49,745.33	\$ 50,740.23	\$ 51,755.04	\$ 52,790.14
8	\$ 44,746.51	\$ 45,641.44	\$ 46,554.27	\$ 47,485.36	\$ 48,435.06	\$ 49,403.77	\$ 50,391.84	\$ 51,399.68	\$ 52,427.67	\$ 53,476.23	\$ 54,545.75	\$ 55,636.66	\$ 56,749.40
9	\$ 48,102.50	\$ 49,064.55	\$ 50,045.84	\$ 51,046.76	\$ 52,067.69	\$ 53,109.05	\$ 54,171.23	\$ 55,254.65	\$ 56,359.75	\$ 57,486.94	\$ 58,636.68	\$ 59,809.41	\$ 61,005.60
10	\$ 51,710.19	\$ 52,744.39	\$ 53,799.28	\$ 54,875.27	\$ 55,972.77	\$ 57,092.23	\$ 58,234.07	\$ 59,398.75	\$ 60,586.73	\$ 61,798.46	\$ 63,034.43	\$ 64,295.12	\$ 65,581.02
11	\$ 55,588.45	\$ 56,700.22	\$ 57,834.23	\$ 58,990.91	\$ 60,170.73	\$ 61,374.14	\$ 62,601.63	\$ 63,853.66	\$ 65,130.73	\$ 66,433.35	\$ 67,762.01	\$ 69,117.25	\$ 70,499.60
12	\$ 59,757.59	\$ 60,952.74	\$ 62,171.79	\$ 63,415.23	\$ 64,683.53	\$ 65,977.21	\$ 67,296.75	\$ 68,642.68	\$ 70,015.54	\$ 71,415.85	\$ 72,844.17	\$ 74,301.05	\$ 75,787.07
13	\$ 64,239.41	\$ 65,524.19	\$ 66,834.68	\$ 68,171.37	\$ 69,534.80	\$ 70,925.50	\$ 72,344.01	\$ 73,790.89	\$ 75,266.70	\$ 76,772.04	\$ 78,307.48	\$ 79,873.63	\$ 81,471.10
14	\$ 69,057.36	\$ 70,438.51	\$ 71,847.28	\$ 73,284.23	\$ 74,749.91	\$ 76,244.91	\$ 77,769.81	\$ 79,325.20	\$ 80,911.71	\$ 82,529.94	\$ 84,180.54	\$ 85,864.15	\$ 87,581.43
15	\$ 74,236.66	\$ 75,721.40	\$ 77,235.83	\$ 78,780.54	\$ 80,356.15	\$ 81,963.28	\$ 83,602.54	\$ 85,274.59	\$ 86,980.08	\$ 88,719.69	\$ 90,494.08	\$ 92,303.96	\$ 94,150.04

CHERI

With Dept Heads is listed their 2021 budget and number of employees they oversee

	AMB	AUD = 7	NURSE	BLDGS	CONS=7	EQ = 7	EXT = 7	HWY	JAIL	SHER	OEM	P&Z	ROD = 7	SA	TREAS = 7	VSO = 7	Step 0	Step 12
15																	\$ 74,237	\$ 94,150
14										Sheriff \$3.2M (34)							\$ 69,057	\$ 87,581
13	Amb Admin \$1.3M (7)									Chief Deputy Sheriff				Deputy States Attorney			\$ 64,239	\$ 81,471
12								Highway Super. \$4.9M (18)	Jail Admin. (21)			Dir. Dev. Serv. \$287k (1)		Atty & St. Atty (80%) \$501k (5)			\$ 59,758	\$ 75,787
11		Auditor \$272k (3)				Director Equaliz. \$503k (5)				Lieut. Deputy Sheriff	Dir. OEM \$336k (1)		Register of Deeds \$239k (2)		Treasurer \$312k (4)		\$ 55,588	\$ 70,500
10								Asst Highway Super		Sergeant Deputy Sheriff							\$ 51,710	\$ 65,581
9						Deputy Director Equal.		Lead Highway Foreman	Sergeant, Sergeant Jailer	Deputy Sheriff		Deputy P&Z					\$ 48,103	\$ 61,006
8				Build & Grounds Super \$575k (3)				Mechanic & Weed Supv	Corporal Jailer								\$ 44,747	\$ 56,749
7						Appraiser/Gl S		Equip Op & Patrol Op	Jailer								\$ 41,625	\$ 52,790
6	Billing Clerk 8	Chief Deputy Auditor				Appraiser		Truck Driver		Deputy Clerk	Chief Deputy OEM		Chief Deputy ROD	Senior Legal Admin.	Chief Deputy Treasurer		\$ 38,721	\$ 49,107
5	Senior Para	Deputy Auditor	Clerical 8	Mechanical Custodian		Fieldman	4-H Admin 7	Admin Asst 8		Clerk 8			Deputy ROD	Clerical 8	Deputy Treasurer	VSO \$54k (0)	\$ 36,019	\$ 45,681
4	Paramedic & Bill Clerk 7			Custodian			Dep Clerk 7										\$ 33,506	\$ 42,494
3		Clerical 7			Adm Asst 7	Deputy Clerk 7									Clerk 7		\$ 31,169	\$ 39,529

Proposed by Department Heads
With Dept Heads is listed their 2021 budget and number of employees they oversee

7 hr/day 8 hr/day

	AMB	AUD	NURSE	BLDGS	CONS	EQ	EXT	HWY	JAIL	SHER	OEM	P&Z	ROD	SA	TREAS	VSO	Step 0	Step 12
15										Sheriff \$3.2M (34)		Dir Dev Services \$287k (1)					\$ 74,237	\$ 94,150
14																	\$ 69,057	\$ 87,581
13	Ambulance Admin. \$1.3M (7)								Jail Admin. (21)	Chief Deputy Sheriff				Deputy States Attorney & St. Attorney (80%)			\$ 64,239	\$ 81,471
12								Highway Super. \$4.9M (18)									\$ 59,758	\$ 75,787
11		Auditor \$272k (3)				Director Equaliz. \$503k (5)				Lieutenant Deputy Sheriff	Dir. OEM \$336k (1)		ROD \$239k (2)		Treasurer \$312k (4)		\$ 55,588	\$ 70,500
10				Building & Grounds Super. \$575k (3)				Assistant Highway Super.		Sergeant Deputy Sheriff							\$ 51,710	\$ 65,581
9						Deputy Director Equal.		Lead Highway Foreman	Sergeant, Sergeant Jailer	Deputy Sheriff		Deputy P&Z					\$ 48,103	\$ 61,006
8								Mechanic & Weed Super.	Corporal Jailer								\$ 44,747	\$ 56,749
7		Chief Deputy Auditor				Appraiser/GI S		Equipment Operator & Patrol Operator	Jailer				Chief Deputy ROD		Chief Deputy Treasurer		\$ 41,625	\$ 52,790
6		Deputy Auditor				Appraiser		Truck Driver			Chief Deputy OEM		Deputy ROD	Senior Legal Admin.	Deputy Treasurer		\$ 38,721	\$ 49,107
5	Senior Paramedic & Billing Clerk			Mechanical Custodian		Fieldman				Deputy Clerk						VSO \$54k (0)	\$ 36,019	\$ 45,681
4	Paramedic	Clerical	Clerical	Custodian	Admin Asst	Clerk	4-H Adm &Deputy Clerk	Admin Assistant		Clerk				Clerical	Clerk		\$ 33,506	\$ 42,494
3																	\$ 36,019	\$ 45,681

SALARY MATRIX GUIDELINES

12/01/2020

GENERAL	
1	The salary matrix is designed to implement a fair and equitable system to determine salaries for team members. It is based on job responsibilities, job performance and years of service. Consideration was given to skill-level of the position, budget responsibilities, interaction with the public, the number of employees supervised and the liability potential for the county.
2	During the budget process , it is up to the County Commission to approve the <u>availability</u> of step increases for the following year based on economic indicators.
3	During the budget process , the Commission must also consider <u>cost of living</u> adjustments to the matrix. This consideration should be based on the consumer price index (CPI) provided by the State.
4	Employees at Step 12 will receive the CPI adjustment to the matrix along with their longevity pay as outlined in the employee handbook.
5	Employees not eligible for this 12-year step plan will receive the cost of living adjustment only. These positions include: county commissioners, jail/sheriff part-time, ambulance part-time, WIC secretary part-time, emergency management part-time. The County Commission will also review the following positions on a yearly basis: coroner, emergency management per call staff, ditch board and planning and drainage commissions.
6	Job descriptions for currently approved positions need not be approved by the County Commission unless duties are being adjusted enough to warrant a change in Grade for the position.
7	New job descriptions shall be approved by the County Commission along with the position's inclusion into the salary matrix.
8	
NEW HIRES	
1	New hires begin at Step 0 .
2	If a new hire has experience, the department head may align the new hire in Steps 0 through 4 <u>without</u> commission approval. The County Commission must give formal approval to start above Step 4 .
STEP ADVANCEMENTS	
1	Step advancements are not automatic.
2	Supervisors shall conduct a yearly, written evaluation of work performed and recommend a step advancement. Employees needing improvement or not meeting expectations should not be recommended for a step increase.
3	It is highly encouraged for supervisors to conduct semi-annual written evaluations.
4	Verbal feedback throughout the year is also encouraged so employees have proper guidance to succeed in their positions.
5	Step advancements are implemented at the employee's hire date.
6	If an employee changes grade, the date of change shall be used for future step increases, not the date of hire.
7	

Promotions	
1	When employees are promoted to a higher grade position <u>in the same department</u> , the employee shall be placed into the scale according to their current salary PLUS <u>one or two</u> steps depending on knowledge of the position.
2	When employees are promoted to a higher grade position <u>in another department</u> , the employee shall be placed into the scale according to their current salary. Any step advancement must be evaluated based on the position requirements and the employee's current knowledge level of the position.
3	
INITIAL PLACEMENT INTO THE MATRIX	
1	Each employee's "2021 target pay" is based on their grade and their current years of service.
2	Employees that are not currently at their target pay will advance no more than two steps toward their target.
3	If an employee is seven or more steps from their target, they will advance ?
4	

Few use S.D. tax break for ag land along water

CAPITOL NEWS BUREAU

by: [Bob Mercer](#)

Posted: Oct 3, 2020 / 03:20 PM CDT / Updated: Oct 3, 2020 / 02:51 PM CDT



PIERRE, S.D. (KELO) — It was intended to encourage rural landowners to help keep soil and chemicals out of waterways.

But three years after its creation, South Dakota's buffer-strip [program](#) hasn't been used much.

According to the state Department of Revenue, 35 applications from rural landowners in nine of South Dakota's 66 counties were accepted in 2019.

The [deadline](#) to file an application for 2020 is October 15.

The program calls for reducing the taxable value of properties along rivers, lakes and streams. To qualify, the land must have strips of perennial vegetation, at least 50 feet to 120 feet wide, next to the water.

The strips can't be mowed before July 10 and have to be at least four inches high afterward, and they can't be grazed in May through September.

The Legislature established the [incentive](#) in 2017 at the request of then-Governor Dennis Daugaard.

In 2018, 31 applicants were approved, totaling 318.24 acres that were accepted statewide for a property tax reduction, according to Stacey Anderson, the department's communications specialist. She said the 2019 total was 423.56 acres.

Encouraging landowners to keep their properties in native grasses or replanting had been on the modern Legislature's radar for more than a decade.

In 2010, there was legislation from then-Representative Kristi Noem, a Republican from Castlewood who now is South Dakota's governor, and Senator Jim Peterson, a Democrat from Reville.

Their original plan would have required counties to assess "any agricultural land which has been seeded to grass for at least ten years or is native grassland ... as noncropland for the purposes of determining the agricultural income value of the land." Landowners would have had to apply by August 1.

The House approved the Noem version 48-21. But the Republican governor, now-U.S. Senator Mike Rounds, and others in his administration convinced Peterson to set the bill aside.

Peterson kept trying, introducing various measures through his last year as a senator in 2016. Daugaard, who had been lieutenant governor in 2010, won election as governor in 2010. He eventually brought the grasslands concept partially into effect in 2017 through the buffer-strips law.

The state department doesn't plan to seek any changes to the law during the 2021 legislative session that opens January 12, according to Anderson.

Lesley Coyle, the department's property-tax director, offered this perspective: "The buffer strip program is still relatively new, and is being implemented as the legislative body intended; to protect certain waterways across our state. Several counties have chosen to expand the amount of tributaries eligible to be in the program through a resolution by their county commissioners."

Those counties were Brookings, Codington, Grant, Hamlin, and Moody, Anderson said.

The 2019 numbers were:

Brookings – 5 apps – 54.66 acres

Campbell – 3 apps – 40.7 acres

Codington – 4 apps – 23.17 acres

Deuel – 2 apps – 14.73 acres

Grant – 4 apps – 54.87 acres

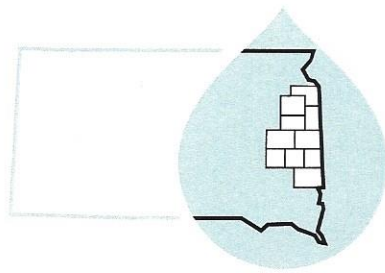
Moody – 6 apps – 72.32 acres

Roberts – 1 app – 7.68 acres

Sanborn – 1 app – 100.8 acres

Union – 9 apps – 69.38 acres


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EAST DAKOTA WATER DEVELOPMENT DISTRICT

MEMORANDUM

TO: Dan Klimisch, Chairman, James River WDD

FROM: Jay Gilbertson, Manager 

DATE: October 8, 2020

TOPIC: Riparian Buffers

‘Riparian’ refers to the area along the banks of a natural water body, such as a river, lake or stream. In recent years, efforts to address surface water quality impairments have increasingly focused on the protection and/or restoration of such areas across the State of South Dakota. Most such efforts consist of maintaining, or re-creating, a perennial vegetative zone along the water body, often including restrictions on certain land-use practices. Studies along Skunk Creek in eastern South Dakota by the East Dakota Water Development District (EDWDD), the South Dakota Department of Environment & Natural Resources, and South Dakota State University have shown that a riparian ‘buffer’ of as little as 50 feet can dramatically reduce pollutant loadings to an impaired lake or stream.

In recognition of the fact that maintaining or re-establishing a riparian buffer zone along a lake or stream can involve the loss of use (read ‘income’) for landowners, a variety of federal, state and local programs have been developed to provide cost-share assistance. In essence, they can provide willing landowners with payment in exchange for the voluntary adoption of practices that create and/or maintain riparian buffers along selected water bodies. Agreements are typically for a period of 10-15 years, but can be for either shorter or longer periods. Most payments are made annually, but some programs are switching to lump-sum awards. Such payments may not entirely offset lost income, but provide a reasonable degree of support when landowners make this environmentally-friendly decision.

Legislative Actions

During the 2017 Session of the South Dakota Legislature, passage of Senate Bill 66, An Act to specifically classify certain agricultural land as riparian buffer strips, to establish the criteria for the riparian buffer strip classification, and to provide for the taxation thereof, provided a property tax reduction of forty percent (40%) for agricultural landowners willing to create and/or maintain riparian buffers along selected water bodies. South Dakota Codified Law (SDCL) sections 10-6-31.7 thru 10-6-31.9 lay out the requirements that must

be met to qualify for the tax abatement, the procedures that must be followed, and establishes penalties for those that might abuse the opportunity.

Only a small number of landowners pursued participation in the program in 2017. State-wide, a total of 42 land parcels were submitted for consideration, with 27 of these accepted. A total of 292.3 acres qualified for the tax abatement, for an overall total taxable value reduction of \$159,508. Savings to individual landowners will vary by county, but in Brookings County, the taxes paid were lowered by \$279 over 28.9 acres enrolled.

The low initial participation in the program has been attributed to several things. First, like most new programs, initial efforts to “spread the word” were limited. The SD Department of Revenue was the lead state agency in the promotion and passage of Senate Bill 66, but they are not necessarily well equipped for the necessary outreach and promotion needed to get the program up and running. No particular agency or entity acted as an advocate for the effort, and this lack of a ‘champion’ meant that it was just one more best management practice available to landowners.

Another ‘new program’ complication was the paperwork. In theory, the application forms developed should have contained all necessary information to determine eligibility. However, as with most start up efforts, theory doesn’t always translate into reality. In many cases, additional information was necessary for the assessment of the applications, with it often taking hours to process a request that might ultimately save only a few dollars. For instance, the local conservation district may already have information on existing riparian buffers, including boundary maps, reducing the workload.

Lastly, a number of requests were filed on behalf of land parcels that were not located adjacent to eligible water bodies. SDCL 10-6-31.7 identifies a specific set of water bodies (rivers, lakes and streams, or portions thereof) that are eligible for program participation. Several applications were submitted for otherwise legitimate buffer areas that were not located along the listed water bodies.

To address the latter issue, the 2018 SD Legislature passed, and Governor Dugaard signed, House Bill 1119, An Act to revise certain provisions regarding riparian buffer strips. It amended SDCL 10-6-31.7 to allow individual county commissions to identify water bodies of local concern along which landowners may qualify for the tax abatements, provided they adhere to all of the program requirements spelled out in law.

The full text of SDCL 10-6-31.7 thru 10-6-31.9 is provided below.

Where do we go from here?

As noted above, HB 1119 has addressed one of the stumbling blocks for adoption. To expedite the local process, EDWDD developed a model resolution for the identification of local water bodies of concern. It seemed like a better idea than having to reinvent the wheel

up to 66 times across the state. The model has been used by three counties (Grant, Codington and Hamlin) to add local water bodies to the 'eligible list.' I have attached an early version of the Hamlin County resolution below. Two other counties, Brookings and Moody, pursued an alternate approach, empowering their respective Directors of Equalization to approve the changes administratively. I have not had a lot of recent interest in the process.

A potential collaborative effort between our Districts might be to formally support efforts to reach out to those landowners who are already engaged in riparian buffer protections, and encourage them to consider the tax abatement program. We could work in cooperation with local conservation districts to identify potential participants. As with the application update effort, the intent is to develop a process that can be exported to other parts of the state.

The tax abatement program is unlikely to ever be the sole reason (incentive) for someone to establish/protect a riparian area. The actual tax reduction is pretty small, and not enough, in my opinion, to get someone to change their approach. However, it does remove a disincentive, by acknowledging that this important effort is being made by the landowner. Absent the abatement, the land involved is taxed as if it is being used in a less environmentally friendly manner.

If you would like to discuss this further, please let me know.

**RESOLUTION IDENTIFYING WATER BODIES OF LOCAL CONCERN FOR THE
PURPOSE OF TAXATION AS A RIPARIAN BUFFER STRIP**

WHEREAS, South Dakota Codified Law (SDCL) 10-6-31.7 authorizes any agricultural land within one hundred twenty (120) feet of:

1. A lake assigned immersion recreation or limited contact recreational beneficial uses in the Administrative Rules of South Dakota (ARSD) 74:51:02:02 and listed in ARSD 74:51:02:04; or
2. A river or stream assigned any of the warm water or cold water fish life propagation beneficial uses in ARSD 74:51:03:02 and listed in ARSD 74:51:03:04 to 74:51:03:27, inclusive;

that meets the requirements of SDCL 10-6-31.8 is classified for the purpose of taxation as a riparian buffer strip.

WHEREAS, SDCL 10-6-31.7 further allows that the board of county commissioners may, by resolution, authorize the director of equalization to treat any agricultural land within one hundred twenty (120) feet of a water body of local concern, identified by the county commission, that is contiguous and a tributary to any lake, river, or stream specified in subdivision (1) and (2) of SDCL 10-6-31.7, as riparian buffer strip, provided it meets the requirements of SDCL 10-6-31.8.

WHEREAS, the agricultural land so classified as riparian buffer strip shall be assessed as sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to 10-6-33.34, inclusive

WHEREAS, the Yankton County Commission understands the importance of water quality in Yankton County,

NOW, THEREFORE, BE IT RESOLVED, that agricultural land along the following water bodies, contiguous and tributary to a lake, river, or stream specified in ARSD 74:51:02:04 and ARSD 74:51:03:07, may qualify for classification as a riparian buffer strip in Yankton County:

Beaver Creek from the confluence with Beaver Lake west to the Yankton County line, west boundary Section 7, Township 94 North, Range 57 West (Ziskov North Township); and

Unnamed tributary to the James River, from the confluence with the James River in Section 5 Township 96 North, Range 57 West (Odessa Township) west to the Yankton County line, west boundary Section 7 Township 96 North, Range 57 West (Odessa Township); and

Mud Creek from SD highway 46 Section 32 Township 96 North, Range 55 West (Mayfield Township) north to the Yankton County line, north boundary Section 2 Township 96 North, Range 56 West (Jamesville Township); and

Clay Creek from SD highway 46 Section 35 Township 96 North, Range 55 West (Mayfield Township) north to the Yankton County line, north boundary Section 6 Township 96 North, Range 55 West (Mayfield Township); and

Turkey Creek from SD highway 46 Section 35 Township 96 North, Range 54 West (Turkey Valley Township) north to the Yankton County line, north boundary Section 5 Township 96 North, Range 54 West (Turkey Valley Township), north boundary Section 4 Township 96 North, Range 54 West (Turkey Valley Township); and

Marne Creek from the Yankton City Limits west to the Yankton County line, west boundary Section 31 Township 94 North, Range 57 West (Ziskov North Township).

NOW, THEREFORE, ALSO BE IT RESOLVED, that any land adjacent to these water bodies, which meets the requirement of SDCL 10-6-31.8 shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to SDCL 10-6-33.34, inclusive.

This the 1st day of December 2020.

Cheri Loest, Chair

Joe Healy, Vice Chair

Don Kettering, Commissioner

Gary Swensen, Commissioner

Dan Klimisch, Commissioner

RESOLUTION # _____

A RESOLUTION IDENTIFYING WATER BODIES OF LOCAL CONCERN FOR THE
PURPOSE OF TAXATION AS A RIPARIAN BUFFER STRIP

WHEREAS, South Dakota Codified Law (SDCL) 10-6-31.7 authorizes any agricultural land within one hundred twenty (120) feet of:

1. a lake assigned immersion recreation or limited contact recreational beneficial uses in the Administrative Rules of South Dakota (ARSD) 74:51:02:02 and listed in ARSD 74:51:02:04; or
2. a river or stream assigned any of the warm water or cold water fish life propagation beneficial uses in ARSD 74:51:03:02 and listed in ARSD 74:51:03:04 to 74:51:03:27, inclusive;

that meets the requirements of SDCL 10-6-31.8 is classified for the purpose of taxation as a riparian buffer strip.

WHEREAS, SDCL 10-6-31.7 further allows that the board of county commissioners may, by resolution, authorize the director of equalization to treat any agricultural land within one hundred twenty (120) feet of a water body of local concern, identified by the county commission, that is contiguous and tributary to any lake, river, or stream specified in subdivision (1) and (2) of SDCL 10-6-31.7, as riparian buffer strip, provided it meets the requirements of SDCL 10-6-31.8.

WHEREAS, the agricultural land so classified as riparian buffer strip shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to 10-6-33.34, inclusive.

THEREFORE BE IT RESOLVED that agricultural land along the following water bodies, contiguous and tributary to a lake, river, or stream specified in ARSD 74:51:02:04 and ARSD 74:51:03:07, may qualify for classification as a riparian buffer strip in Hamlin County:

Dolph Creek, from the confluence with Lake Norden the Big Sioux River
upstream to the west boundary Section 30, Township 113 North/Range 54
West (Cleveland Township); and

Unnamed tributary to the Big Sioux River, from the confluence with the Big Sioux
River in Section 6, Township 113 North/Range 52 West (Estelline
Township) upstream to the outlet of Lake Poinsett in Section 14, Township
113 North/Range 52 West (Estelline Township).

THEREFORE ALSO BE IT RESOLVED that any land adjacent to these water bodies, which meets the requirements of SDCL 10-6-31.8, shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to 10-6-33.34, inclusive.

Dated this _____ day of September 18, 2018

Chairperson, Hamlin County Commission

ATTEST:

Auditor
Hamlin County

JPG August 29, 2018

Hamlin DRAFT Buffer Resolution.wpd

RESOLUTION #2018-24
A RESOLUTION IDENTIFYING WATER BODIES OF LOCAL CONCERN
FOR THE PURPOSE OF TAXATION AS A RIPARIAN BUFFER STRIP

WHEREAS, South Dakota Codified Law (SDCL) 10-6-31.7 authorizes any agricultural land within one hundred twenty (120) feet of:

1. a lake assigned immersion recreation or limited contact recreational beneficial uses in the Administrative Rules of South Dakota (ARSD) 74:51:02:02 and listed in ARSD 74:51:02:04; or

2. a river or stream assigned any of the warm water or cold water fish life propagation beneficial uses in ARSD 74:51:03:02 and listed in ARSD 74:51:03:04 to 74:51:03:27, inclusive;

that meets the requirements of SDCL 10-6-31.8 is classified for the purpose of taxation as a riparian buffer strip.

WHEREAS, SDCL 10-6-31.7 further allows that the board of county commissioners may, by resolution, authorize the Director of Equalization to treat any agricultural land within one hundred twenty (120) feet of a water body of local concern, identified by the county commission, that is contiguous and tributary to any lake, river, or stream specified in subdivision (1) and (2) of SDCL 10-6-31.7, as riparian buffer strip, provided it meets the requirements of SDCL 10-6-31.8.

WHEREAS, the agricultural land so classified as riparian buffer strip shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to 10-6-33.34, inclusive.

THEREFORE BE IT RESOLVED that agricultural land along the following water bodies, contiguous and tributary to a lake, river, or stream specified in ARSD 74:51:02:04, 74:51:03:04 and 74:51:03:07, may qualify for classification as a riparian buffer strip in Grant County:

Big Sioux River, from the east boundary of Section 28, Township 121 North/Range 52 West (Blooming Valley Township) upstream to the Grant-Roberts County Line;

Indian River, from the west edge of Section 6, Township 120 North/Range 51 West (Lura Township) upstream to the south boundary of Section 35, Township 121 North/Range 51 West (Osceola Township);

Unnamed tributary to Indian River, from the confluence with Indian River in Section 11, Township 120 North/Range 52 West (Mazeppa Township) upstream to south boundary of Section 12, Township 120 North/Range 52

West (Mazeppa Township).

North Fork of the Yellow Bank River, from the east boundary of Section 27, Township 120 North/Range 48 West (Alban Township) upstream to the west boundary of Section 31, Township 120 North/Range 49 West (Grant Center Township); and

Unnamed tributary to North Fork of the Yellow Bank River, from the confluence with North Fork of the Yellow Bank River in Section 32, Township 120 North/Range 47 West (Alban Township) upstream to east boundary of Section 12, Township 119 North/Range 48 West (Vernon Township).

THEREFORE ALSO BE IT RESOLVED that any land adjacent to these water bodies, which meets the requirements of SDCL 10-6-31.8, shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to 10-6-33.34, inclusive.

Dated this 18th day of September, 2018

Marty Buttke
Chairperson, Grant County

Commission
ATTEST:
Karen M. Layher
Auditor
Grant County

RESOLUTION #_____

A RESOLUTION IDENTIFYING WATER BODIES OF LOCAL CONCERN FOR THE PURPOSE OF TAXATION AS A RIPARIAN BUFFER STRIP

WHEREAS, South Dakota Codified Law (SDCL) 10-6-31.7 authorizes any agricultural land within one hundred twenty (120) feet of:

1. a lake assigned immersion recreation or limited contact recreational beneficial uses in the Administrative Rules of South Dakota (ARSD) 74:51:02:02 and listed in ARSD 74:51:02:04;
2. or a river or stream assigned any of the warm water or cold-water fish life propagation beneficial uses in ARSD 74:51:03:02 and listed in ARSD 74:51:03:04 to 74:51:03:27, inclusive;

that meets the requirements of SDCL 10-6-31.8 is classified for the purpose of taxation as a riparian buffer strip.

WHEREAS, SDCL 10-6-31.7 further allows that the board of county commissioners may, by resolution, authorize the director of equalization to treat any agricultural land within one hundred twenty (120) feet of a water body of local concern, identified by the county commission, that is contiguous and tributary to any lake, river, or stream specified in subdivision (1) and (2) of SDCL 10-6-31.7, as riparian buffer strip, provided it meets the requirements of SDCL 10-6-31.8.

WHEREAS, the agricultural land so classified as riparian buffer strip shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to 10-6-33.34, inclusive.

THEREFORE, BE IT RESOLVED that agricultural land along the following water bodies, contiguous and tributary to a lake, river, or stream specified in ARSD 74:51:02:04 and ARSD 74:51:03:07, may qualify for classification as a riparian buffer strip in Codington County:

Soo Creek, from the confluence with the Big Sioux River upstream to the Codington-Grant County Line;

Mahoney Creek, from the confluence with the Big Sioux River upstream to the west boundary Section 33, Township 119 North/Range 52 West Germantown Township);

Mud Creek, from the confluence with the Big Sioux River upstream to the north boundary of Section 5, Township 118 North/Range 51 West (Waverly Township);

Unnamed tributary to Mud Creek, from the confluence with Mud Creek upstream to east boundary of Section 1, Township 117 North/Range 52 West (Elmira Township);

Unnamed tributary to the Big Sioux River, from the confluence with the Big Sioux River upstream to the outlet of Still Lake; and

Stray Horse Creek, from the south boundary of Section 26, Township 116 North/Range 51 West (Kranzburg Township) upstream to the Codington Deuel County Line.

THEREFORE, ALSO BE IT RESOLVED that any land adjacent to these water bodies, which meets the requirements of SDCL 10-6-31.8, shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-33.28 to 10-6-33.34, inclusive.

Dated this 21st day of August, 2018

Myron Johnson, Chairman Codington County Commission

ATTEST:

Cindy Brugman, Auditor Codington County

CHAPTER 10-6

ANNUAL ASSESSMENT OF PROPERTY

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on August 2, 2018.

- 10-6-31.7 Classification of certain agricultural land as riparian buffer strip.
- 10-6-31.8 Criteria for classification of agricultural land as riparian buffer strip.
- 10-6-31.9 Penalty for misrepresentation of agricultural land as qualifying as riparian buffer strip.
- 10-6-33.28 Agricultural land to be assessed based on agricultural income value.
- 10-6-33.29 Database to determine agricultural income value.
- 10-6-33.30 Factors used for percentage of annual earning capacity.
- 10-6-33.31 Director of equalization to be provided agricultural income value for county--Adjustment of assessed value.
- 10-6-33.32 Division of land into categories.
- 10-6-33.33 Classification of buildings and structures.
- 10-6-33.34 Market value of agricultural land.

10-6-31.7. Classification of certain agricultural land as riparian buffer strip--County board authorization to treat certain land as buffer strip. Any agricultural land within one hundred twenty feet of:

- (1) A lake assigned immersion recreation or limited contact recreational beneficial uses in ARSD 74:51:02:02 and listed in ARSD 74:51:02:04; or
- (2) A river or stream assigned any of the warmwater or coldwater fish life propagation beneficial uses in ARSD 74:51:03:02 and listed in ARSD 74:51:03:04 to 74:51:03:27, inclusive;

that meets the requirements of § 10-6-31.8 is specifically classified for the purpose of taxation as a riparian buffer strip. The riparian buffer strip shall be assessed at sixty percent of its agricultural income value as determined by §§ 10-6-33.28 to 10-6-33.34, inclusive.

In addition, the board of county commissioners may, by resolution, authorize the director of equalization to treat any agricultural land within one hundred twenty feet of a tributary to any lake, river, or stream specified in subdivision (1) and (2) as a riparian buffer strip for the purposes of taxation. The riparian buffer strip shall meet the requirements of § 10-6-31.8 and shall be assessed at sixty percent of its agricultural income value as determined by §§ 10-6-33.28 to 10-6-33.34, inclusive.

Source: SL 2017, ch 63, § 1; SL 2018, ch 60, § 1.

10-6-31.8. Criteria for classification of agricultural land as riparian buffer strip. Agricultural land shall be classified as a riparian buffer strip pursuant to § 10-6-31.7, if it meets the following criteria:

- (1) The agricultural land consists of existing or planted perennial vegetation;
- (2) The riparian buffer strip is a minimum of fifty feet in width along an eligible river, stream, or lake, and extends up to a maximum of one hundred twenty feet in width along an eligible river, stream, or lake. For the purposes of this section, the measurement along a river or stream begins at the top of the bank or where the upland or terrestrial vegetation begins, whichever is closer to the water channel, and extends landward from the beginning measuring point. The measurement along a lake begins where upland or terrestrial vegetation begins and extends landward from the beginning measuring point. A riparian buffer strip may vary along the riparian area if the strip is at least fifty to one hundred twenty feet in width and is mapped to calculate the taxable area involved;
- (3) The perennial vegetation is not harvested or mowed before July tenth. However, a minimum of four inches of vegetative cover shall be maintained at all times;
- (4) The perennial vegetation is not grazed during the months of May to September, inclusive; and
- (5) The landowner files a verified application with the director of equalization of the county where the agricultural property is located, verifying that the criteria of this section has been met.

The application shall include a legal description of the parcel where the riparian buffer strip is located, all necessary documentation including maps and acre totals, and any other information required by the director of equalization to determine eligibility. The application shall be filed annually with the director of equalization before October sixteenth. If the director of equalization determines that the agricultural land meets the criteria provided by this section, the land shall be assessed pursuant to § 10-6-31.7 on November first. The application shall be in a form as prescribed by the secretary of revenue.

Source: SL 2017, ch 63, § 2.

10-6-31.9. Penalty for misrepresentation of agricultural land as qualifying as riparian buffer strip. Any person, who requested that agricultural land be categorized as a riparian buffer strip pursuant to § 10-6-31.7 and intentionally misrepresents any fact as to the qualification of the land as a riparian buffer strip, shall be assessed a penalty equal to two dollars per thousand dollars of taxable valuation on the land. The assessment shall become a lien on the property pursuant to § 10-21-33. When assessing the penalty imposed by this section, the taxable valuation of the land shall be based on the agricultural income value of the land.

Source: SL 2017, ch 63, § 3.

10-6-33.28. Agricultural land to be assessed based on agricultural income value.

Notwithstanding the provisions of § 10-6-33, beginning on July 1, 2009, agricultural land shall be assessed based on its agricultural income value on a per acre basis. The agricultural income value of agricultural land shall be determined on the basis of productivity and the annual earnings capacity of the agricultural land. The productivity of agricultural land and its annual earning capacity shall be based on data collected and analyzed pursuant to this section and §§ 10-6-33.29 to 10-6-33. 33, inclusive.

Agricultural income value is defined as the capitalized annual earning capacity on a per acre basis which has been adjusted by an amount that reflects the landowner's share of the gross return. The capacity of cropland to produce agricultural products shall be based on the income from crops or plants produced on the land. The capacity of noncropland to produce agricultural products shall be based on cash rents or the animal unit carrying capacity of the land, or a combination of both. For the purpose of this section, annual earning capacity for:

- (1) Cropland is thirty-five percent of the annual gross return to the land; and
- (2) Noncropland is one hundred percent of the annual gross return to the land based on cash rent for noncropland.

The annual earning capacity shall be capitalized at a rate of six and six-tenths percent to determine the agricultural income value.

Source: SL 2008, ch 44, § 5; SL 2009, ch 40, § 1.

10-6-33.29. Database to determine agricultural income value. The secretary of revenue shall enter into contracts with South Dakota State University and, if necessary, the South Dakota Agricultural Statistics Service for the purpose of creating a database to determine the agricultural income value of agricultural land by county. The cropland data may include: acres planted, acres harvested, yield per acre, and statewide crop prices. The noncropland data may include: cash rents, rangeland acres, pastureland acres, rangeland AUM's per acre, pastureland AUM's per acre, grazing season data, and statewide cow and calf prices. The Agricultural Land Assessment Implementation and Oversight Advisory Task Force may recommend other cropland and noncropland data to the Legislature for subsequent use in the database. The secretary shall have such data collected for 2001, which will serve as the first year of the database, and each year thereafter. The database shall consist of the most recent eight years of data that have been collected and the two years, one year representing the highest agricultural income value and one year representing the lowest agricultural income value, shall be discarded from the database. The database for the 2010 assessment for taxes payable in 2011 shall consist of data from 2001 to 2008, inclusive, and the database for each assessment year thereafter shall be adjusted accordingly. South Dakota State University shall provide the data for each county to the secretary of revenue by June first of each year.

Source: SL 2008, ch 44, § 6; SL 2009, ch 40, § 2; SL 2011, ch 1 (Ex. Ord. 11-1), § 161, eff. Apr. 12, 2011; SL 2011, ch 49, § 1.

10-6-33.30. Factors used for percentage of annual earning capacity. The economics department of South Dakota State University shall submit recommendations to the Agricultural Land Assessment Implementation and Oversight Advisory Task Force by November 1, 2008, regarding factors to use for the percentage of annual earning capacity to be used to determine the agricultural income value of the land pursuant to § 10-6-33.28 and other provisions used to assess agricultural land that will provide the least amount of shift between cropland and noncropland on a statewide basis. Thereafter, the economics department shall submit such recommendations, if any, to the task force by September first of each year.

Source: SL 2008, ch 44, § 7.

10-6-33.31. Director of equalization to be provided agricultural income value for county--Adjustment of assessed value. Before July first each year, the secretary of revenue shall annually provide each director of equalization the agricultural income value for each county as computed pursuant to § 10-6-33.28. The director of equalization shall annually determine the assessed value of agricultural land. The assessed value of agricultural land may be adjusted by the following factors affecting productivity:

- (1) The capacity of the land to produce agricultural products as defined in § 10-6-33.2; and
- (2) The location, size, soil survey statistics, terrain, and topographical condition of the land including the climate, accessibility, and surface obstructions.

Each adjustment shall be documented. The director of equalization may document an adjustment by using data from sources reasonably related to the adjustment being made. In addition, the director of equalization may use data from comparable sales of agricultural land to document the adjustment concerning productivity for any of the factors listed in this section.

If the actual use of agricultural land varies from the land use category specified by soil classification standards, the property owner may request an examination of the land by the director of equalization. The director of equalization shall make a determination of whether to adjust the assessed value of the agricultural land pursuant to the factors listed in subdivision (2).

Source: SL 2008, ch 44, § 8; SL 2011, ch 1 (Ex. Ord. 11-1), § 161, eff. Apr. 12, 2011; SL 2011, ch 50, § 1; SL 2013, ch 44, § 1.

10-6-33.32. Division of land into categories. Agricultural land shall be divided by the director of equalization into categories, including cropland and noncropland. Each category shall be divided into classes based on soil classification standards developed by the United States Department of Agriculture Natural Resources Conservation Service.

Source: SL 2008, ch 44, § 9.

10-6-33.33. Classification of buildings and structures. Buildings and structures, other than normally occupied dwellings on agricultural land and automobile garages or portions of buildings used as automobile garages, which are used exclusively for agricultural purposes and situated on agricultural land, are hereby specifically classified for tax purposes as agricultural property and shall be assessed as similar nonagricultural property.

Source: SL 2008, ch 44, § 10.

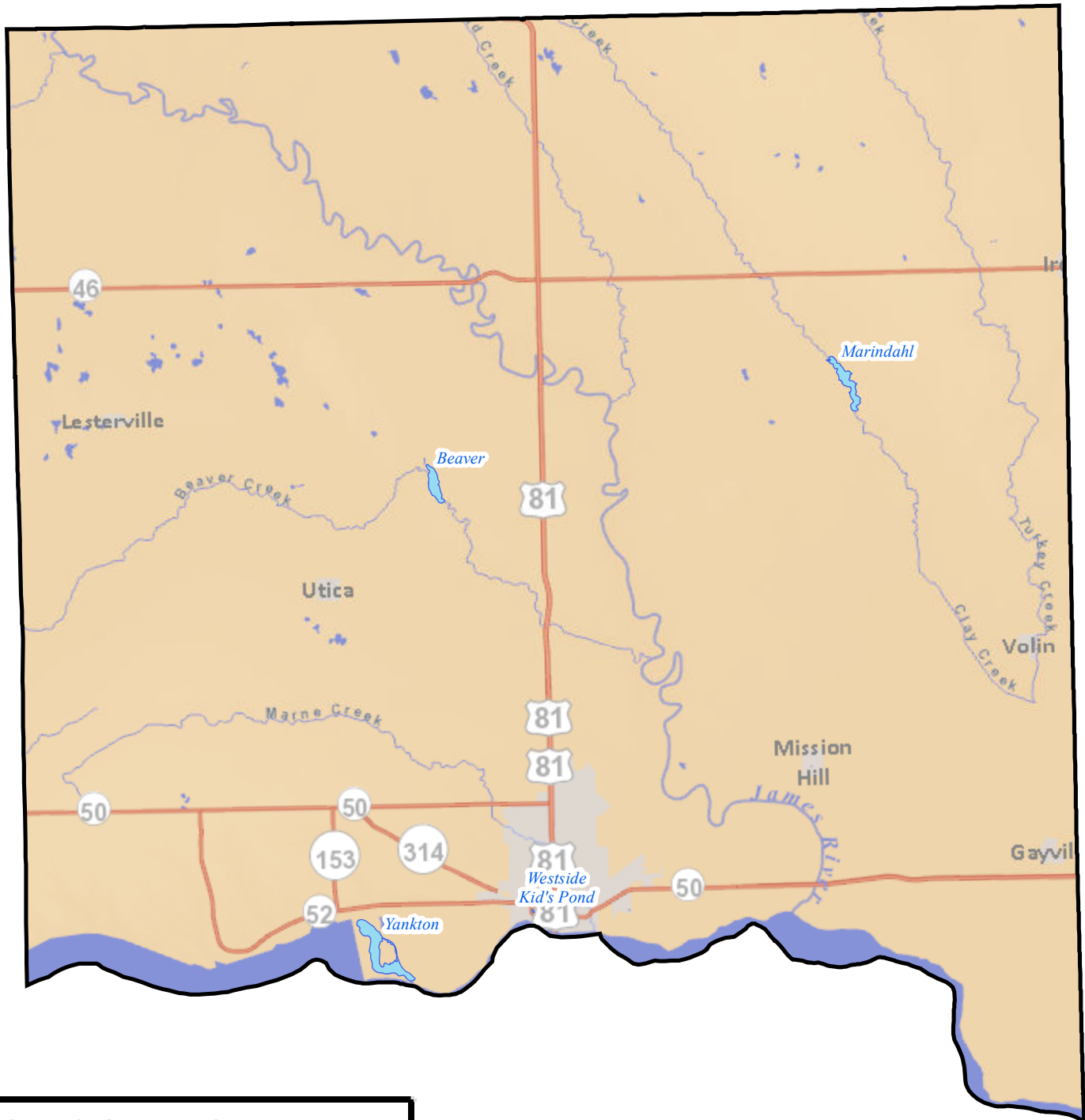
10-6-33.34. Market value of agricultural land. The agricultural income value for agricultural land as determined by §§ 10-6-33.28 to 10-6-33.33, inclusive, represents the market value of agricultural land, and the Department of Revenue shall provide the director of equalization of each county the factor of adjustment necessary for the computation required pursuant to §§ 10-3-41, 10-12-31.1, 10-12-42, and 10-13-37.

Source: SL 2008, ch 44, § 11; SL 2011, ch 1 (Ex. Ord. 11-1), § 161, eff. Apr. 12, 2011.

Yankton County

Eligible Lakes

Listed in Administrative Rules of South Dakota 74:51:02:04



Eligible Lakes

Beaver

Marindahl

Westside Kid's Pond

Yankton

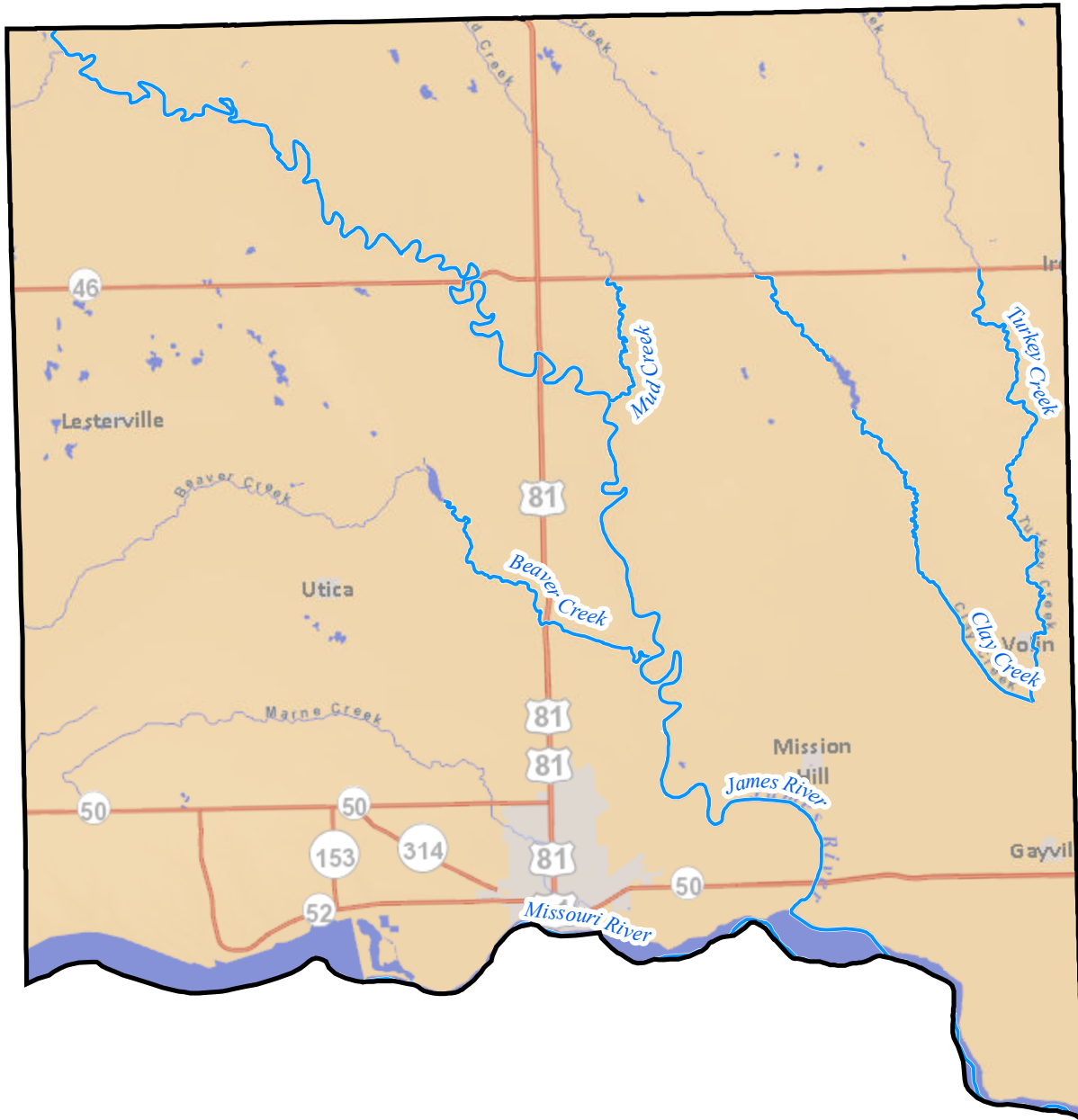
 Eligible Lake

0 5 10 Miles

Yankton County

Eligible Streams

Listed in Administrative Rules of South Dakota 74:51:03:04 to 74:51:03:27



Eligible Stream	From	To
Beaver Creek	James River	Beaver Lake
Clay Creek	Clay County ditch	S.D. Highway 46
James River	Missouri River	North Dakota border
Missouri River	Iowa Border	North Dakota border
Mud Creek	James River	S.D. Highway 46
Turkey Creek	Clay County ditch	S.D. Highway 46

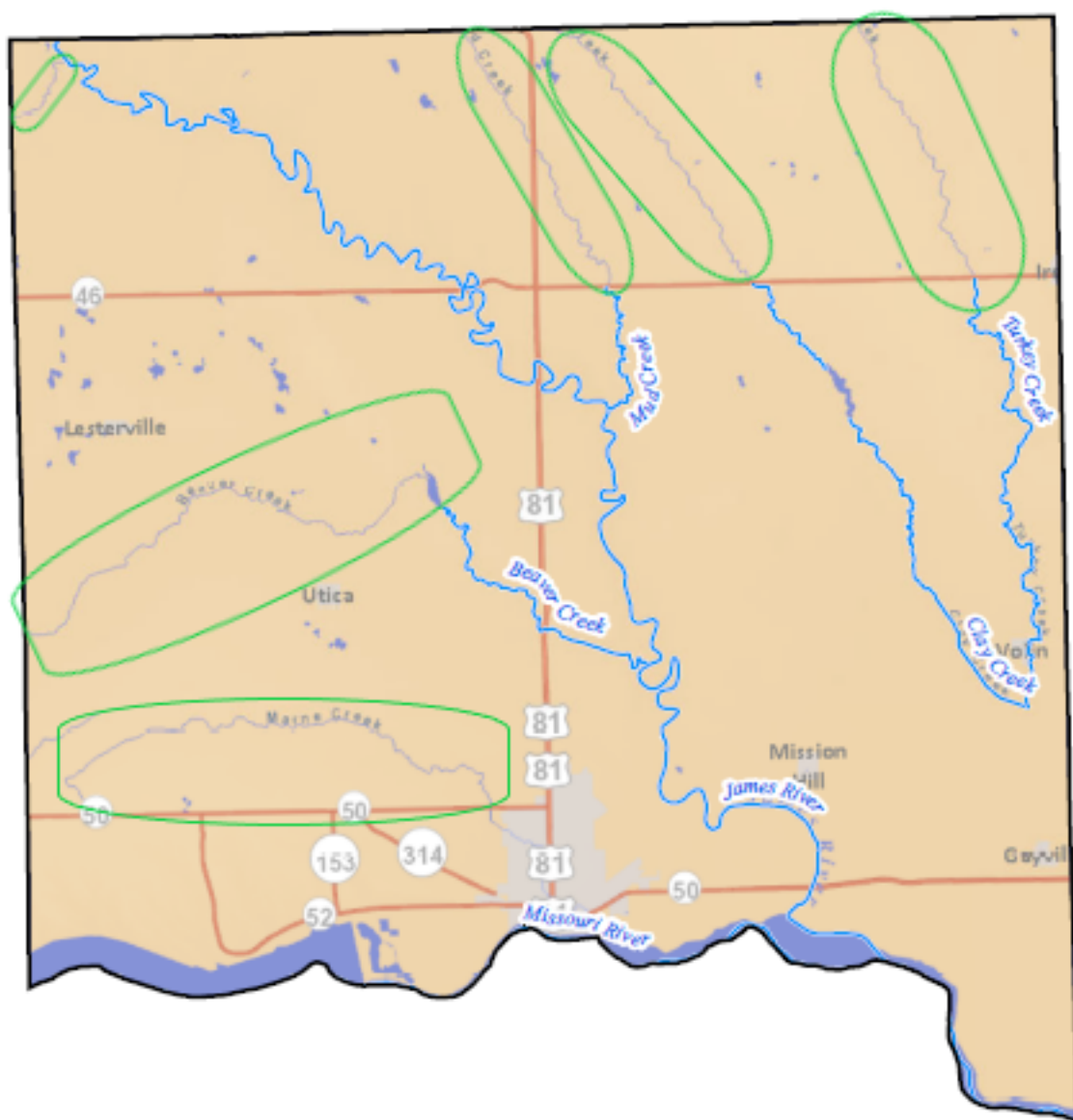
— Eligible Stream

0 5 10 Miles

Yankton County

Eligible Streams

Listed in Administrative Rules of South Dakota 74:51:03:04 to 74:51:03:27



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Turkey Creek	Clay County ditch	S.D. Highway 46

— Eligible Stream

0 5 10 Miles