

Agenda

Yankton County Commission

6:00 PM, Tuesday, December 7, 2021

Commission Chamber

Yankton County Government Center

DOCUMENTS WILL BE AVAILABLE AT AUDITOR'S OFFICE FOR REVIEW BEGINNING
DECEMBER 3RD. COPIES AVAILABLE FOR \$1.00 PER PAGE

Meeting chaired by: Cheri Loest, Chair

01 Call to order: 6:00 PM **PLEDGE OF ALLEGIANCE**

02 Roll Call: _____ Don Kettering _____ Dan Klimisch
_____ Joe Healy _____ Wanda Howey-Fox _____ Cheri Loest

AGENDA ITEMS

No.	Time	Item Description	Presenter
03	6:00 PM	Abstain Financial Conflict of Interest (SDCL 6-1-17) Non-Financial Interest-Must State Reason for Abstaining	Commissioner Loest
04	6:05 PM	Approval of Agenda Public comment is a time for persons to address this body on any subject. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. There shall be no personal attacks against the members of this body, county staff, individual, or organizations. The Chair has the authority to enforce this policy. Failure to adhere to these rules may result in forfeiture of the remaining speaking time.	Public Comment
05	6:10 PM	Supplemental Budget Hearing	Commissioners
06	6:15 PM	Approve HWY 52 Bike Path Bids	Mike Sedlacek
07	6:20 PM	Request for Improvements to W 11 th St.	Keith & Connie Mielke
08	6:25 PM	Request to Increase GIS Shapefile Fees Request to Extend Part-Time Employment	Jessica Atkinson
Board of Adjustment			
09	6:30 PM	Daniel Sobotka- Conditional Use Permit	Gary Vetter

10	6:35 PM	James Den Herder- Conditional Use Permit	Gary Vetter
		Regular Session	
11	6:40 PM	Keith Eickoff- Planned Unit Development Second Reading	Gary Vetter
12	6:45 PM	Ryan Olson- Appeal Building Permit Fee	Gary Vetter
13	6:50 PM	Emergency Medical Responder Temporary Employee	Steve Hawkins
14	6:55 PM	Lewis & Clark Behavioral Health-Letter of Support for Grant/Loan Application	Dr. Tom Stanage
15	7:00 PM	Property & Liability Insurance Quotes- MT & RC Smith Insurance	Roger Smith
16	7:05 PM	Property & Liability Insurance Quotes- SD Public Assurance Alliance	Lynn Bren
17	7:10 PM	Health Insurance Decision for January 1, 2022 Renewal	Commissioners
18	7:15 PM	Sanitary Sewer District	Don Kettering
19	7:20 PM	Holiday Party Discussion	Commissioners
20	7:25 PM	Approval of November 16, 2021 Meeting Minutes	Commissioners
21	7:30 PM	Claims November Payroll Unanticipated Revenue, Budgeted Cash Transfer Opioid Settlement MOU Between SDSU Extension and Counties of SD 2022 Approve 2022 County Calendar December 23 rd	Auditor
22	7:35 PM	Public Comments	
23	7:40 PM	Commissioner Updates	
24	7:45 PM	Executive Session/Personnel Issue Pursuant to SDCL 1-25-2(1) Executive Session/Poor Relief Issues Pursuant to SDCL 1-25-2 & 28-13 and 28-13-1.3 Items for Next Meeting	State's Attorney

Notice is hereby given that a Supplemental Budget hearing will be held on Tuesday, December 7, 2021 at 6:10 PM at the County Government Center in the Commission Chambers on the following items:

Napa Junction: \$59,000

Jail Building: \$58,000

Mentally Handicapped \$96,000

Patty Hojem

Yankton County Auditor

101-GENERAL FUND
MENTLLY HANDICAPPED

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>					
MISCELLANEOUS					
101-5-441-00000 MISC	90,000.00	4,232.75	65,495.63	72.77	24,504.37
101-5-441-00010 PROFESSIONAL SERVICE & F	0.00	96,000.00	96,000.00	0.00 (96,000.00)
TOTAL MISCELLANEOUS	90,000.00	100,232.75	161,495.63	179.44 (71,495.63)
<hr/>					
TOTAL MENTLLY HANDICAPPED	90,000.00	100,232.75	161,495.63	179.44 (71,495.63)

+ 96,000

24,504

210-JAIL BUILDING
JAIL BUILDING

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>					
OPERATING EXPENSES					
210-5-212-42500 Repairs & Maintenance	0.00	0.00	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00	0.00	0.00
<hr/>					
TANGIBLE GOODS					
210-5-212-43500 FURNITURE & MINOR EQUIPM	0.00	0.00	0.00	0.00	0.00
210-5-212-43600 JAIL CAPITAL IMPROVEMENT	0.00	0.00	57,882.96	0.00	(57,882.96)
TOTAL TANGIBLE GOODS	0.00	0.00	57,882.96	0.00	(57,882.96)
<hr/>					
TOTAL JAIL BUILDING	0.00	0.00	57,882.96	0.00	(57,882.96)
<hr/>					
TOTAL EXPENDITURES	0.00	0.00	57,882.96	0.00	(57,882.96)
	=====	=====	=====	=====	=====

58,000

117.04

404-DEBT SERVICE NAPA JUNCT
MISC

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
MISCELLANEOUS					
404-5-800-00000 DEBT SERVICE NAPA JUNCTI	450,000.00	0.00	0.00	0.00	450,000.00
TOTAL MISCELLANEOUS	450,000.00	0.00	0.00	0.00	450,000.00
TOTAL MISC	450,000.00	0.00	0.00	0.00	450,000.00
TOTAL EXPENDITURES	450,000.00	0.00	0.00	0.00	450,000.00

Claim 509,000
- 59,000
Supplement 59,000
- 0 -

Tabulation of Bids for Hwy 52 Recreation Trail Asphalt Overlay

Let Date: 11/17/21

Bid Opening: 12/2/21

Commission Approval: 12/7/21

Type: Rec trail 2" asphalt overlay

Length: 4,200 ft.

Width: 10 ft.

From: West City Limits Road (East Chalkstone Rd.

To: The west end of Chalkstone Rd.

Two inch asphalt overlay over the existing recreation trail the entire length and width of the trail. The trails length is approximately 4,200 ft. long by 10 ft. wide. The section of the trail to be asphalt paved would be between West City Limits Rd/Chalkstone Rd (east) along SD HWY 52 to Chalkstone Road (west) at the bottom of the hill on HWY 52.

Bidder	Bid Amount	Name of Company
Bidder 1	\$76,907.24	Asphalt Surfacing Company
Bidder 2	\$103,142.00	Topkote Inc.

Description	Bidder	Unit Bid
Mobilization	1	\$4,500.00
	2	\$15,000.00
Asphalt-Class E2 Hot Mix	1	\$60,001.50
	2	\$51,900.00
Tack oil – SS-1h or CSS-1h	1	\$758.39
	2	\$2,800.00
Labor/Equipment	1	\$11,647.35
	2	\$33,442.00

Tabulation of Bids for Hwy 52 Recreation Trail Concrete Field Approach / Woodland Loop Crossing's

Let Date: 11/17/21

Bid Opening: 12/2/21

Commission Approval: 12/7/21

Type: Rec trail concrete field approach crossings

Length: 3 crossings@50ft

Width: 10 ft.

From: West City Limits Road (East Chalkstone Rd.)

To: The west end of Chalkstone Rd.

Project:

Concrete HWY 52 Recreation Trail crossings over 3 existing approaches. The section of the trail is between West City Limits Rd/Chalkstone Rd (east) along SD HWY 52 to Chalkstone Road (west) at the bottom of the hill on HWY 52.

Each crossing to be concrete is 50ft long by 10ft wide. Concrete must be 6" thick with a M6 spec with ½" rebar placed 2ft on center and must use a curing agent on surface. Concrete approach crossings must transition with gravel for crossing traffic and equipment. Contractor must remove old asphalt and dispose.

Bidder	Bid Amount	Name one Company
Bidder 1	\$19,745.88	C&C Concrete Construction LLC
Bidder 2	N/A	No Bidder

Description	Bidder	Unit Bid
M6 concrete	1	\$10,500.00
½" rebar	1	\$2,000.00
Gravel	1	\$695.88
Labor/Equipment	1	\$4,300.00
Misc.	1	\$2,250.00



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 11-23-21

Request is for Commission Meeting Dated Dec. 7, 21

Name: Keith + Connie Mielke

Address: 1003 June Lane Yankton

Phone: 651.380-3871

E-Mail Address: KCMIELKE5@gmail.com

Topic to be Addressed and Length of Presentation: Request for
improvements to W. 11 St. Yankton County 10 min.

Specific Purpose for the Request (Please Also Attach Support Documents): Gravel
road is in poor shape. Wash board rough;
frequent grading is not working, extreme
dust. Approximately 36 homeowners, names
attached, agree that this road needs improvement
+ want action on this issue.

Person(s) Making Presentation to the Board: Keith + Connie Mielke

Audio/Visual Equipment Needed: none

For Office Use:

Approved _____ Denied _____ Reason(s): _____

Signature: _____

Date: _____

Nov. 7, 2021

We, the undersigned, give our support to this effort for improvements to be made to West 11th Street in Yankton County, Yankton, SD.

<u>Name</u>	<u>Address</u>
Betty Kuchner	3108 W 11th Yankton
Kevin Kuchner	3108 W 11th Yankton
Michael Abel	2611 W 11 th Yankton
Linda Abel	2611 W 11th st. Yankton
Lume Ness	2707 W 11 th Yankton
Bab Bruchinski	1005 W 11TH June Lane Yankton
Judy Tereshewski	1005 June Lane (W. 11 th)
Quinn Vellek	1010 April Ln Yankton
Frank Vellek	1010 April Ln Yankton
Lume Ness	1007 April Ln Yankton
Angie Atahly	1005 May Ln Yankton
Jeannette Vacke	1002 Riverview, Yankton
Dale Weseh	1405 W 11th
Theresa Kibbe	4111 W 11th
Art Kibbe	4111 W 11th St.

Nov. 7, 2021

We, the undersigned, give our support to this effort for improvements to be made to West 11th Street in Yankton County, Yankton, SD.

Name

Address

TAMARA MABEE	3803 WEST 11 th St., YANKTON, SD 57028
Tony Mau	3701 W. 11 th St. YANKTON
Jerod Barrios	1001 Waterworth Trail Yankton
Aaron Ness	2707 W. 11 th St Yankton
Todd Belgium	1003 Riverview Ln
Karen Eken	2911 W. 11 th St Yankton SD
Doug Eken	2911 W. 11 th St Yankton SD
Larry Lee	1011 April Lane Yankton
Dan Nally	1009 April Lane, Yankton
Kay Hofer	1009 April Ln YKT
Adlene O. Ryken	3507 West 11 th Street
Doug Ryken	3507 W 11 th
Amie Edwards	2900 W 11 th St Yankton
Diane Larson	2900 W 11 th St. Yankton
Pam Kettering	4201 W 11 th Yankton

We, the undersigned, give our support to this effort for improvements to be made to West 11th Street in Yankton County, Yankton, SD.

Address

1003 June Lane

1007 June Lane

3109 W 11th St.

3206 W 11th

1010 May Lane

3210 W 11th

1004 May Lane

Nov. 7, 2021

We, the undersigned, give our support to this effort for improvements to be made to West 11th Street in Yankton County, Yankton, SD.

Name

Address

Don Edwards

2900 W. 11th St Yankton

Diane Larson

2900 W. 11th St. Yankton

D. & P. K.

2607 W 11th St Yankton

Elizabeth Brang

1000 Riverview Ln Yankton

Dan Megard

1005 Meriwether Tr. Yankton

Dina Jiggall

1005 Meriwether Tr. Yankton.

Janet Odens

3002 W 11th St. Yankton

Dorothy A (Daisy) Kembock 1009 Meriwether

La. H. Zeng

7.0. box 1062 Yankton SD

Trail
Yankton SD

Nov. 7, 2021

We, the undersigned, give our support to this effort for improvements to be made to West 11th Street in Yankton County, Yankton, SD.

Name

Address

Sr. Maribeth Wentzloff	1005 W. 8 th St. Yankton, SD 57078
Richard Yeager	3703 W 11 th Yankton 57078



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 11/22/21

Request is for Commission Meeting Dated 12/7/21

Name: Jessica Atkinson

Address: 321 West 3rd St

Phone: 605-260-4488

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

Topic to be Addressed and Length of Presentation: 5 mins Increase GIS shapefile fees

& extend Nancy Brockmeyer employment (extend request for part-time employee)

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

bring our costs up to par with neighboring counties

Person(s) Making Presentation to the Board: Jessica Atkinson

Audio/Visual Equipment Needed: N/A

For Office Use:

Approved _____ Denied _____ Reason(s): _____

Signature: _____

Date: _____

County	Parcels	Road Centerline	Address Point
Bon Homme	\$3,000		\$2,500
Brookings	\$2,500		\$2,500
Brown	\$2,750		\$2,500
Charles Mix	\$2,500		\$500
Clay	\$300		\$100
Davison	\$4,000		\$4,000
Hutchinson	\$2,500		\$2,500
Yankton Currently	\$500 depends on number of parcels		depends on number of parcels
2021 Proposal	\$3,000		\$2,500

Nancy Brockmoller	current employment	pay rate	Current Motion
	ends 12/31/21	\$21.42	Action 21312DOE: A motion was made by Healy and seconded by Kettering to approve to
			the hiring of Nancy Brockmoller as a temporary/part time employee for the Director of
			Equalization Office until the end of 2021. The starting wage and work hours will be \$21.42
			per hour and no more than 20 hours a week. All present voted aye; motion carried, 5-0.
			Requesting: Extending employment through April 29, 2021 as needed for no more than 10 hours a week at the same pay rate, \$21.42.
			Reasons for request: Continued training on new transfers, splits, new year transition, appeals, mobil home transfers and plats.

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant

Daniel Sobotka

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 807

☒ Section 1107 ☐ Section 1805 ☐ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seventeen (17), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

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

Planning Commission date:
11/9/2021

Board of Adjustment date:
12/7/2021

Time:
7:05
PM
Time: 6:30 PM

Permit Number: CUP-2021-57

Yankton County

 Variance X Conditional Use Rezoning

Owner: Diversified Electrical Cotractors Inc.

Owners Address: 309 W Summit St.

Owners Phone: 402-338-5342

Applicants Name,
if different from

Owner: Daniel Sobotka

Applicants

Address: 309 W Summit St. Page Ne 68766

Job Address: _____

Legal: SE4 NE4 EXC PARC A&B & EXC LT H-2 & H-3 & NE4 SE4 EXC

Section,

Township, Range: 16-93-56

Zoning

Classification: Lakeside Commercial (LC)

Affected Zoning

Ordinance: Section 1107Section 1107

Reason for outdoor storage

Request: _____

List Specific

Hardships: _____

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): 11-9-2021

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE): 12-7-2021

Application Fee: \$300.00 Check #: 165188835 Receipt #: _____



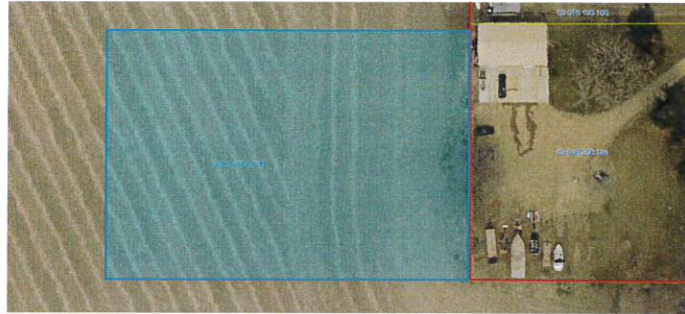
Date:

Signature: _____

Diversified Electrical

09/27/2021

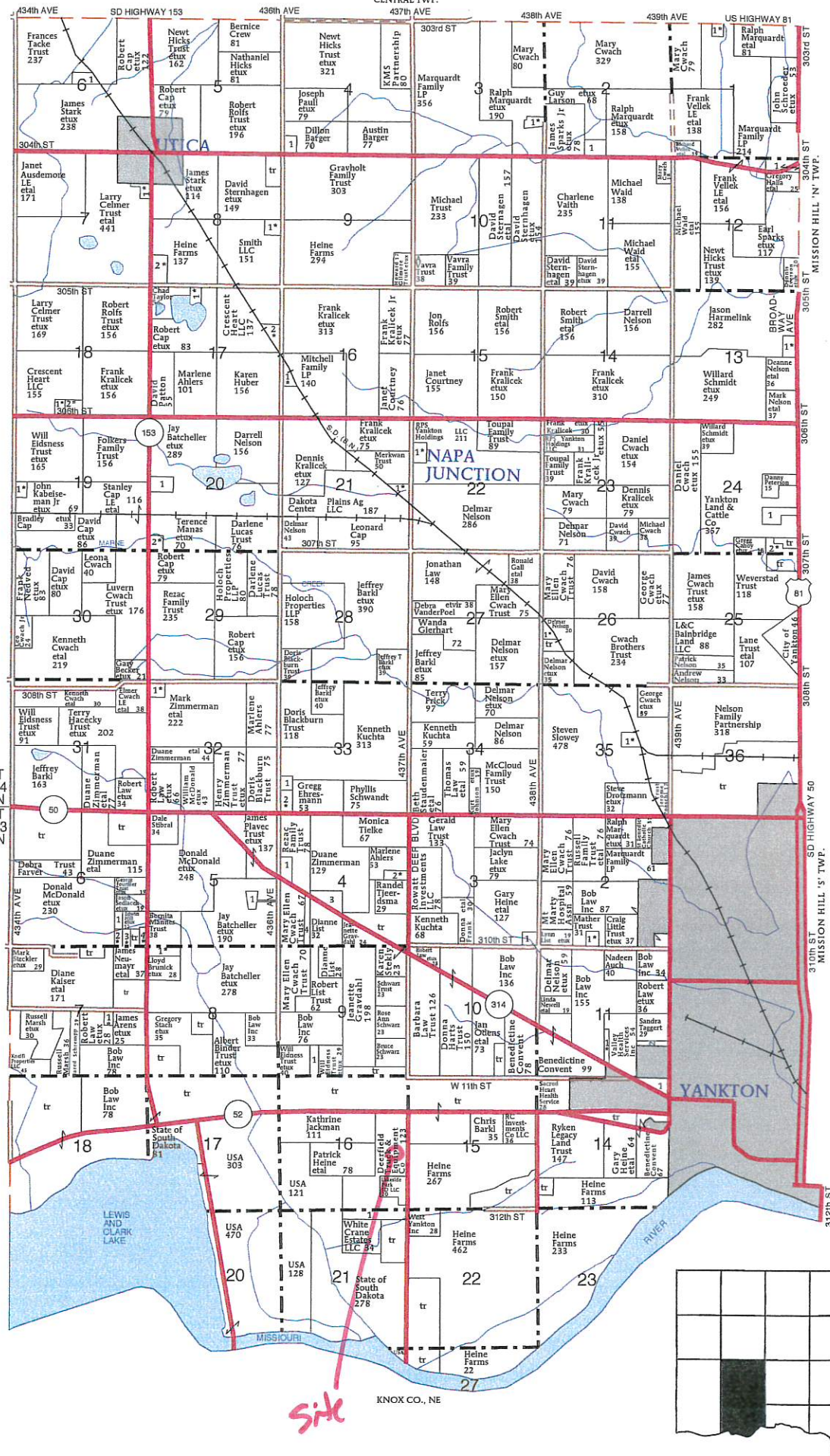
Site Map



Parcel Number: 09.016.200.100

Site Description:

CENTRAL TWP.



FINDINGS OF FACT – CONDITIONAL USE PERMIT

Sobotka– CUP-2021-57

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 wishes to have open storage in a Lakeside Commercial District per Article 11 Section 1107
2. Was notice of public hearing given per Section 1803 (3-5)?	Mailed – 10/27/2021 Published – 10/29, 11/5/2021
3. Attend the public hearing	Yes
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	Grant the Conditional Use Permit with the condition of fencing installed within 18 months Passed 7-0
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 exists
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;	All parking is off right-of-way
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	No refuse area required
d. Utilities, with reference to locations, availability, and compatibility;	Utilities present
e. Screening and buffering with reference to type, dimensions, and character;	No screening or buffering required, fencing will surround property
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	Signs will be placed according to ordinance and lighting will be present and downcast
g. Required yards and other open spaces; and	None required
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.	Is compatible with surrounding properties

PLAT OF LOT 11, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 OF SECTION 16, T93N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA

EXISTING DRIVEWAY
42°52'33.61327" N
87°27'41.26986" W

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8486

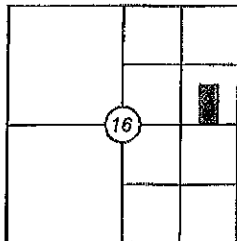
NOTE:
BASIS OF BEARING
BY GPS OBSERVATION



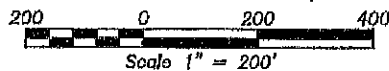
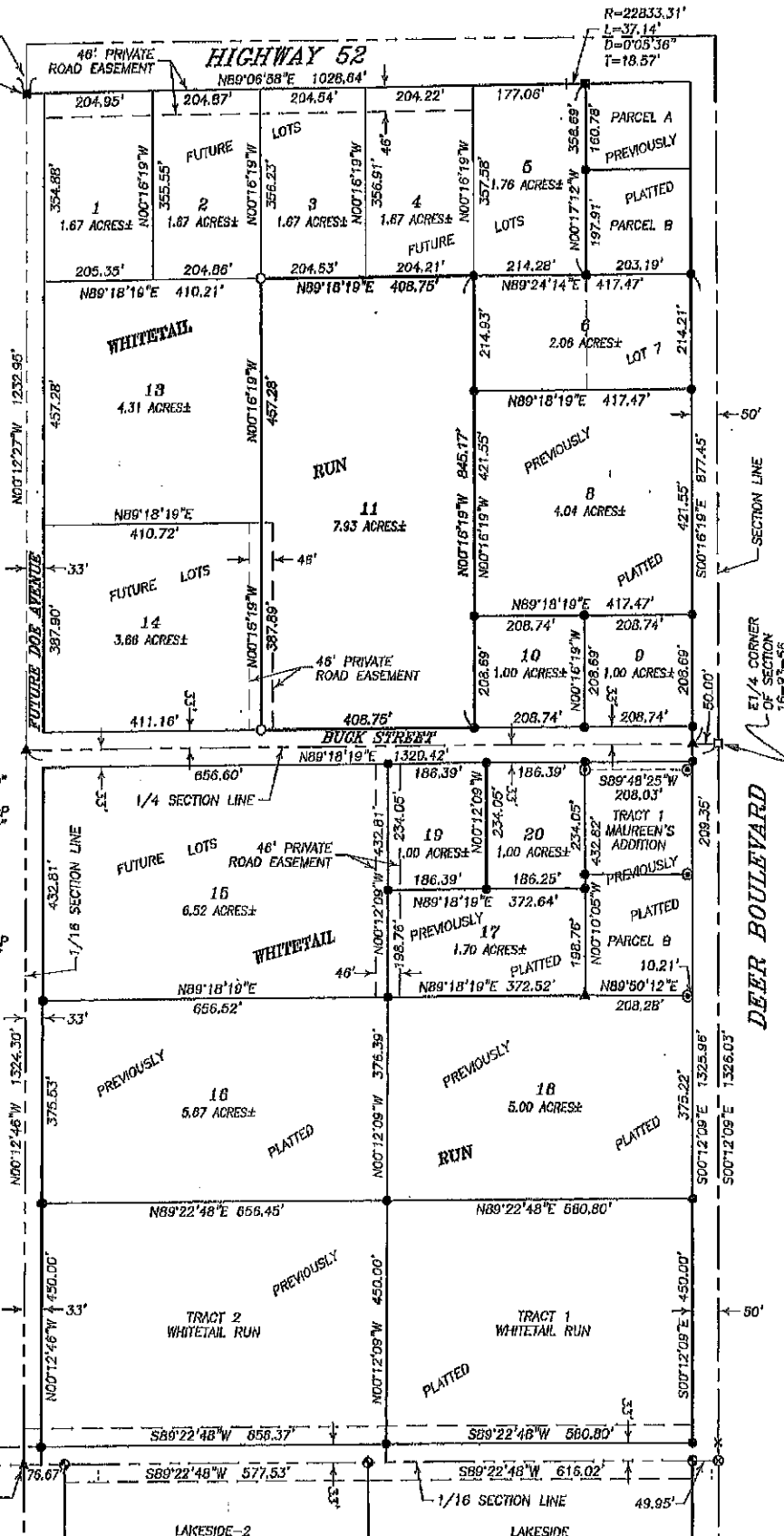
LEGEND

- 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 9710"
- ⊙ FOUND IRON PIPE
- × CALCULATED CORNER

NO EXISTING DRIVEWAYS



LOCATION (N.T.S.)



JOB NO. 21108B

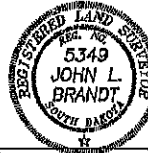
PAGE 1 OF 2

PLAT OF LOT 11, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 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 11, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 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 7TH DAY OF APRIL, 2021.



John L. Brandt
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.

DATED THIS 19 DAY OF April, 2021.

Dennis L. Christensen
DENNIS L. CHRISTENSEN
PRESIDENT, DEERFIELD TRUCK & EQUIPMENT COMPANY

STATE OF South Dakota

COUNTY OF Yankton

ON THIS 19 DAY OF April, 2021, 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.

Dennis L. Christensen
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.

Mike J. Jellison
4/21/21
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 ON 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.

R. J. Jellison
1/25/21
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

Variance, Conditional
Use and Rezoning
Application
CUP-2021-57
Applicant
Daniel Sobotka
Created
September 27,
2021

Number
CUP-2021-
57

09.016.200.100 | Diversified
Electrical Cotractors Inc. |,
YANKTON, SD, 57078
Submitted by dsobotka on
9/27/2021



Applicant

Daniel Sobotka

dsobotka@dec-inc.com

Parcel search Completed On 9/27/2021 11:19 AM EST by dsobotka



Maxar

Powered by Esri

ParcelID	Address	City	OwnerName	Acres
09.016.200.100		YANKTON	DEERFIELD TRUCK & EQUIPMENT CO (D)	52.470

Request Information Completed On 9/27/2021 11:22 AM EST by dsobotka

Type of Request

Conditional Use

Fee

\$300.00

Reason for Request

outdoor storage

List Specific Hardships

Applicant Information

Are you the owner of the property?

Yes

Applicant Name

Daniel Sobotka

Applicant Address

309 W Summit St. Page Ne 68766

Applicant Phone

402-340-6214

Owner Information

Owner Name

Diversified Electrical Cotractors Inc.

Owner Address

309 W Summit St.

Owner Phone Number

402-338-5342

Property Information

Parcel ID Number

09.016.200.100

Legal Description

SE4 NE4 EXC PARC A&B & EXC LT H-2 & H-3 & NE4 SE4 EXC PARC A&B & EXC TRACTS 1&2 & LTS 7-10 WHITETAIL RUN & EXC TRACT 1

Site Address

City

YANKTON

Zip

57078

Section-Township-Range

16-93-56

Zoning District

LC

Zoning Description

LC

Existing Use of Property

Corn Field

Site Plan Completed On 9/27/2021 11:35 AM EST by dsobotka

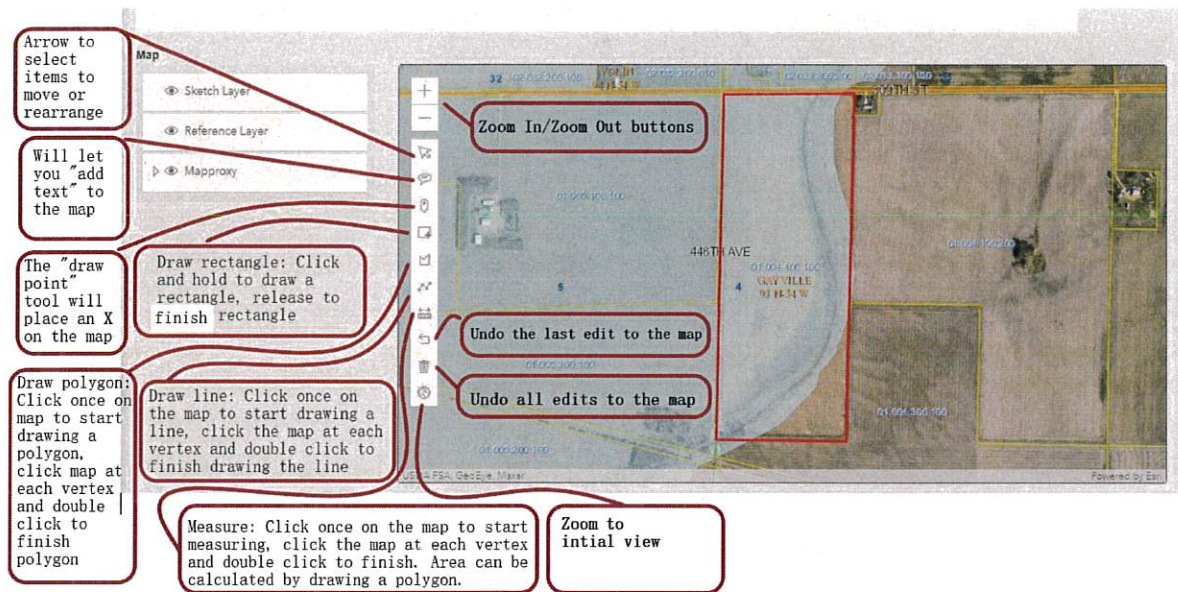
Map - Mark the location of structures and other necessary information.

- ☐ Sketch Layer
- ☐ Reference Layer
- ☒ Mapproxy



Describe the location and use of adjacent structures

Upload Site Plan and/or additional plans and documents



Draft Building Permit Completed On 9/27/2021 12:00 PM EST by dsobotka

Upload Draft Building Permit

[Outdoor Storage Layout.pdf](#)

Submit Completed On 9/27/2021 12:01 PM EST by dsobotka

A notification sign shall be posted on the property upon which action is pending at least seven (7) days prior to the hearing date. Such signs shall be placed along all the property's road frontage so as to be visible from the road. If a property does not have a road frontage, then such signs shall be placed upon the closest available right-of-way and upon the property. Said signs shall not be less than one hundred and eighty seven (187) square inches in size. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearings.

Please pick the sign up from the zoning office on or before eight (8) days prior to the meeting.

Applicant Agreement

Please check the box to confirm you have read and agree to the notices above.

Signature

Daniel Sobotka

Date

9/27/2021

Application Submitted Successfully Completed On 9/27/2021 12:01 PM EST by dsobotka

Your application has been submitted for review. Thank you.

Please click next at the bottom to continue. Thank you

Planning Review Completed On 9/29/2021 9:07 AM EST by bconkling

Continue with application

Continue

Describe what the applicant is requesting

Applicant wishes to have outdoor storage in Lakeside Commercial

Planning Commission Code Reference

Section 1107

Other Planning Commission Code Reference ⓘ

Board of Adjustment Code Reference

Section 1107

Other Board of Adjustment Code Reference ⓘ

Please confirm the zoning provided by the applicant. If zoning is incorrect, please enter the correct zoning. It is this field that is printed on the final form to avoid applicant/system error. The correct zoning must be entered.

Zoning Classification ⓘ

Lakeside Commercial (LC)

Wave Fee

Notes ⓘ

Director Review Completed On 9/29/2021 12:56 PM EST by bconkling

Zoning Director Review

Approve

Payment Completed On 9/29/2021 1:57 PM EST by Anonymous

Fees Paid

[VIEW RECEIPT](#)

Fee Name	Recipient	Amount
Fee	Planning and Zoning	\$300.00

Confirmation Data

Payment Method	Online
Confirmation Number	165188835
Amount Paid	\$300.00

PC Prep Completed On 9/29/2021 2:01 PM EST by bconkling

Planning Commission Meeting

Planning Commission Meeting Date and Time

November 9th 2021, 7:05 pm CDT

Letters to be mailed 10 days prior to the public meeting:

undefined

Additional instructions for PC email

Return the affidavit 8 days prior to the public meeting:

undefined

Place your zoning action sign 7 days prior to the public meeting:

undefined

Date to send email to applicant

10/25/2021

Upload PC Mailing Labels

[Sobotka labels.pdf](#)

Upload PC Affidavit of Mailing

[3 Mailing affidavit 1320.pdf](#)

Upload PC Notification Letter

[Sobotka NOT Letter PC.pdf](#)

Upload PC Newspaper Publication

[Legals PC 10-12-2021.pdf](#)

Permit Number

CUP-2021-57

Receipt Number

PC App Form Completed On 9/29/2021 2:01 PM EST by bconkling

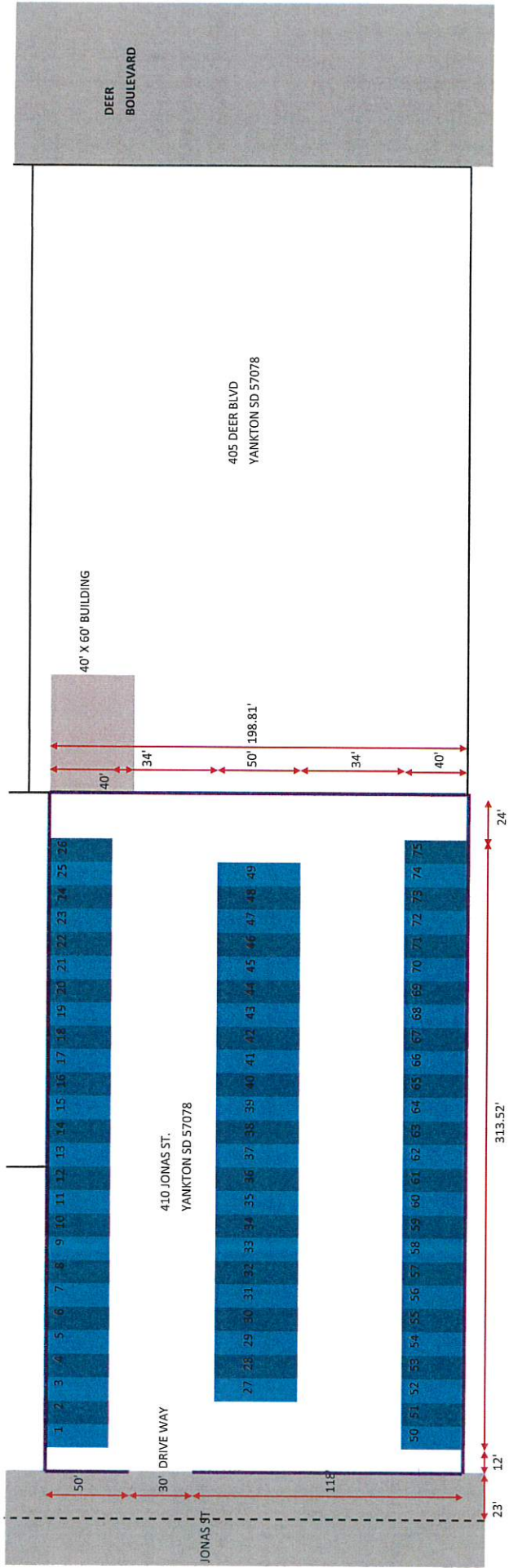
[PC App Form](#)

External Notes

Documents

Internal Notes

Documents



AFFIDAVIT OF MAILING

I, Dan Schotke, hereby certify that on the _____ day of 26 Nov, 2021, 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.

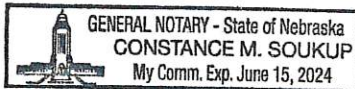
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

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

Dated the 26 day of Nov, 2021.

Daniel E. Schotke
(Name)
Affiant

Subscribed and sworn to before me this 26 day of Nov, 2021.



(SEAL)

Constance M. Soukup
Notary Public - ~~South Dakota~~ Nebraska
My commission expires: 6-15-24

NOTIFICATION

November 22, 2021

Daniel Sobotka
309 W Summit St
Page, NE 68766

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 6:30 P.M. on the 7th day of December, 2021 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 outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seventeen (17), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

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,
Daniel Sobotka
Petitioner

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	BRIGHTWAY ELECTRIC LLC (D) 1117 WEST 10 ST 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	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
LANGE FAMILY PROTECTION TRUST (D) 118 LAKESHORE DR YANKTON SD 57078	LANGE FAMILY PROTECTION TRUST (D) 827 HEMI DR 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	LUTHER, THOMAS R (D) 604 SAWGRASS YANKTON SD 57078
MABEE, TAMARA F (D) 3803 WEST 11 ST YANKTON SD 57078	MACY FAMILY TRUST (D) 3701 WEST 11 ST YANKTON SD 57078	MAU, ANTHONY L (D) 3701 WEST 11 ST YANKTON SD 57078

MCALLISTER TD LLC (D)
208 VIOLET DR
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

RE PROPERTIES LLC (D)
802 EASTRIDGE ST
NORFOLK NE 68701

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

SCOTT LUKEN FINE ART & (D)
418 LINN ST
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

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

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)
6627 DUNSMORE RD
RAPID CITY SD 57702

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, Daniel E. Solotho, hereby certify that on the 27 day of Oct, 2021, 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.

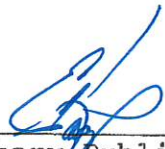
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

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 Oct, 2021.

Daniel E. Solotho
(Name)
Affiant

Subscribed and sworn to before me this 27th day of Oct, 2021.


Notary Public - South Dakota
My commission expires: 9-18-24

(SEAL)

NOTIFICATION

October 25, 2021

Daniel Sobotka
309 W Summit St
Page, NE 68766

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 7:05 P.M. on the 9th day of November, 2021 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 outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seventeen (17), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

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,
Daniel Sobotka
Petitioner

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

BRIGHTWAY ELECTRIC LLC (D)
1117 WEST 10 ST
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

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

LANGE FAMILY PROTECTION TRUST (D)
118 LAKESHORE DR
YANKTON SD 57078

LANGE FAMILY PROTECTION TRUST (D)
827 HEMI DR
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

LUTHER, THOMAS R (D)
604 SAWGRASS
YANKTON SD 57078

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

MACY FAMILY TRUST (D)
3701 WEST 11 ST
YANKTON SD 57078

MAU, ANTHONY L (D)
3701 WEST 11 ST
YANKTON SD 57078

MCALLISTER TD LLC (D)
208 VIOLET DR
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

RE PROPERTIES LLC (D)
802 EASTRIDGE ST
NORFOLK NE 68701

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

SCOTT LUKEN FINE ART & (D)
418 LINN ST
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

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

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)
6627 DUNSMORE RD
RAPID CITY SD 57702

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

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 11/9/2021 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Vetter/Conkling

ROLL ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

CALL:

APPROVAL OF MINUTES: MOTION BY: Hoffman SECOND BY: Schultz

PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Schultz

PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

Request by Director Vetter to add RT Rezone update to agenda

Motion to approve addition to agenda Kettering, Second Schultz – Approved 7-0

AGENDA ITEM: **Rural Transitional Rezone Update – Director Vetter**

ADDRESS/LEGAL: _____

COMMENTS: Director Vetter gave an update on the applications to rezone Rural Transitional properties. The County Commission acknowledged those applications and the formal process will begin at the December 14 Planning Commission meeting

MOTION: No action taken

APPROVAL: MOTION BY: _____ SECOND BY: _____

PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM: **Danial Sobotka – Conditional Use Permit**

ADDRESS/LEGAL: Applicant is requesting a Conditional Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seventeen (17), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: Daniel Sobotka - Applicant

MOTION: Approve the request for an outdoor storage facility as per regulations the CUP use of the ground will be within a year and that applicant is allowed 18 months to install a fence around said storage facility due to supply chain issues due to Covid-19. **Passed 7-0**

APPROVAL: MOTION BY: Schultz SECOND BY: Evans

PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **James Den Herder – Conditional Use Permit**

ADDRESS/LEGAL: Applicant is requesting a Conditional Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: James Den Herder – applicant
Ryan Heine – Question regarding storage facility setbacks along HWY 52 corridor

MOTION: Approve the permit for a storage building in a Lakeside Commercial District
Passed 7-0

APPROVAL: MOTION BY: Schultz SECOND BY: Evans
PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Plat – Lots 2-5, 7-9, 10 Lakeforest Estates**

ADDRESS/LEGAL: Plat of Lots 2, 3, 4, 5, 7, 8, 9, and 10, Lake Forest Estates, in the W1/2 and in the S1/2 of the SE1/4, All in Section 16, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: Approve plat as presented
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Kettering
PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Public Comment**

ADDRESS/LEGAL:

COMMENTS: None

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM: **Adjourn**

ADDRESS/LEGAL:

COMMENTS:

MOTION:

APPROVAL: MOTION BY: Kettering SECOND BY: Michael
PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM:

ADDRESS/LEGAL:

COMMENTS:

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN
EVANS

AGENDA ITEM:

ADDRESS/LEGAL:

COMMENTS:

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM:

ADDRESS/LEGAL:

COMMENTS:

Submit sealed bids to NorthWestern Energy, Attn: Robert Gehm, 3210 Douglas Avenue, Yankton, SD 57078, on or before 3 pm on November 12, 2021, include your name, address, phone number, total purchase price, type of financing, and any contingencies. The top three bidders will be given notice and invited to submit an additional bid. If a bid is accepted, then the buyer shall pay 10% of the purchase price as earnest money with the balance due at closing. Closing and possession will be on or before December 31, 2021. Title insurance and closing costs will be split 50/50 between buyer and seller. All other closing costs will be customary for market. NorthWestern Energy reserves the right to reject any and all bids.

An OPEN HOUSE will be held October 29th from 2-4 pm. Interested parties are encouraged to inspect the property prior to submitting a bid. Serious inquiries only.

Robert Gehm, Real Estate Representative
NorthWestern Energy
3210 Douglas Avenue
Yankton, SD 57078
(605) 760-7402

2010 Legal and Public Notices

of this notice, or their claims may be barred.

Claims may be filed with a Personal Representative or may be filed with the Clerk and a copy of the claim mailed to the Personal Representative.

Dated this 13th day of October, 2021.

By Robert W. Klimisch
Klimisch Law, P.C.
101 West 2nd Street
Yankton, SD 57078
(605) 665-9495

Jody Johnson
Clerk of Courts
410 Walnut, Suite 205
Yankton, SD 57078
Published four times at the total approximate cost of \$52.20.

10-29
NOTICE OF APPLICATION NO.
8542-3 to Reinstatement Water Permit
No. 8037-3

Notice is given that Tyler Andersen, 400 S. Lincoln St., Centerville, SD 57014 has filed an application to reinstate Water Permit No. 8037-3. Permit No. 8037-3 appropriates 1.61 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion (Missouri) South Aquifer (105 feet deep) located in the NW 1/4 NE 1/4 Section 35 for the drainage of 103 acres located in the SW 1/4 SE 1/4, SE 1/4 SW 1/4, NW 1/4 NW 1/4, NW 1/4 NE 1/4, NE 1/4 NW 1/4 Section 35, all in T96N-R52W. The permit was approved September 22, 2014 and the project was to be completed September 22, 2019 with water being put to beneficial use by September 22, 2023. Application No. 8542-3 proposes to reinstate Permit No. 8037-3 since the project has not been completed. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately 1 mile south of Centerville, SD.

Application No. 8542-3 to reinstate Permit No. 8037-3 is made pursuant to SDCL 46-2A-8.1, which allows reinstatement of a permit with a new priority date provided unappropriated water is available and the construction necessary to put water to beneficial use was not completed within the five years of approval of the original permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer, recommends APPROVAL of Application No. 8542-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://water.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-3 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application, with BOTH the applicant and Chief Engi-

2010 Legal and Public Notices

near. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <http://water.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 B Capitol, Pierre, SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contacting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 8, 2021.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner; the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <http://water.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by November 8, 2021.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose this application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Published once at the total approximate cost of \$43.07.

10-29/11-5 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 7:05 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners' Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot 10, NE 1/4 of the SE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

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 7:10 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners' Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot 4, NE 1/4 of the SE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Published twice at the total approximate cost of \$23.75.

Nebraska state agencies, Smith said. In addition, partners include tribes, schools, businesses, organizations and individuals.

In her role as a naturalist with South Dakota Game, Fish and Parks (GF&P), committee member Nancy Teichert has spearheaded Homestead Day planning. The upcoming event will include many of the past favorite activities with protocols for visitor safety, she said.

Nepotism

From Page 1

day after Peters, Noem's daughter, received her certification.

Motivated earlier, in July 2020, after Peters had failed an initial assessment of her appraisal work, it was reported that Bren was brought to the governor's residence in Pierre for a meeting with Noem, Hultman and various staff and attorneys. Peters also was there.

On Thursday, happened from scrutinizing the women at the center of the issue, the committee instead jumped to questioning Hultman. After various committee members bounced around directly addressing Bren, Sen. Reynolds Nesiba, a Sioux Falls Democrat, attempted to directly address any pressure Noem may've applied to Bren in the July 2020 meeting.

"Are you aware... of the governor intervening in any other appraisal application in the way that she did with the one involving her family member?" Nesiba asked.

Nepotism

From Page 1

Hultman deflected, suggesting over the years Noem "did intervene in the process."

Later, the secretary conceded that a meeting like the one with Noem, Bren, Peters and state government heads was uncommon, but that a plan for Peters to enroll in an education course and to resubmit appraisals for blind assessment by an outside contractor later that year was already in place by the July 2020 meeting.

Many on the Republican-controlled committee seemed poised to accept Hultman's assertion that Noem only sought to remove red-tape and was on a fact-finding mission about that process when summoning Bren to her official residence to a meeting.

Asked by Nesiba about Peters' role in the July meeting, Hultman responded, "I believe that somebody who is going through the process, regardless of who they are, would have insight into how the process works."

Sen. David Wheeler, R-Huron, similarly sought to underscore that Bren played no role in scoring Peters' initial round of submitted appraisals, which did not receive passing marks.

"We're all trying to make a deal out of this meeting, but there wasn't an opportunity for

learning experience, he added.

In addition, Riverside Park provides an outstanding setting for the school festival, Smith said. Students and teachers not only learn about the river but do so right next to it, he added.

"It makes such a difference when you're seeing and feeling something, like the fish," he said. "It's also important that kids experience the outdoors and be around others in a social setting."

who come out of three hours on a Saturday morning and give of their time and effort to clean up the river."

The talk of bringing back the events provides a major lift, Smith said.

"It feels great to plan for these things," he said. "People really want to return to normal."

Follow @RDockendorf on Twitter

LCBHS

From Page 1

facility would include a separate receiving area for children for up to 23 hours, a de-escalation area for receiving adults for part of one day, and residential crisis stabilization area with six individual rooms with beds for crisis stabilization and de-escalation. The facility also includes a sobering area and a swing room, which could double as a sobering area for women.

"The crisis area is connected with our inpatient substance use treatment area," Stanga said. "We could not do the crisis care without the inpatient substance use treatment because we would not have the staff to otherwise support it."

LCBHS is a private, non-profit community-based behavioral health provider with offices in Yankton, Vermillion and Lake Andes. It offers services in seven counties, including McCook, Gregory, Charles Mix, Douglas, Hutchinson, Bon Homme, Turner, Lincoln, Clay, Union and Yankton.

Currently, LCBHS is operating out of an old Yankton College dormitory that was built in 1962, he said. "There's just no way we can convert it to meet those needs."

Also, the two crisis-care beds are located in the old Sacred Heart Hospital. To expand that, LCBHS would be looking at the older part of the building that wouldn't meet any life-safety codes, Stanga said.

The proposed facility would cost about \$6 million and could be part of the capital expenditures that the state makes to create the adequate regional health care facilities it will need, he said.

"At the last session, the legislature gave \$4.6 million to Minnehaha County and 3.8 or so to Pennington County to establish brick-and-mortar crisis care facilities," Stanga told the Press & Scenic. "I'm asking them to do the same for Yankton."

LCBHS did not ask the legislature to fund the attached inpatient substance use treatment facility, which could begin construction in the spring, depending on how soon the various pieces come together, Stanga said.

"The biggest issue we have right now is that we don't have the space," he said. "We're just unable to meet the current demand for those services."

In 2021, LCBHS served 4,425 unduplicated patients. In that time, its 24-hour crisis line took 691 calls, with 491 resulting in a face-to-face evaluation by a mental health professional and 336 made by individuals who were already on a mental health hold, he said.

Cases that cannot be stabilized within three days go to HSC in preparation for a required mental health hearing, Stanga said.



Stanaga

102

Yankton County is the second-highest county in terms of number of admissions behind Minnehaha, he said. "If you throw in just Clay and Charles Mix Counties, then you're really looking at numbers that exceed Minnehaha County and far exceed Pennington County."

To have an impact on the number of cases sent to HSC, Yankton needs a facility to handle crisis care and stabilization for the shorter term, Stanga said.

The facility would also help relieve some of the choke points in the current way mental health crises are handled resulting in getting people in mental health crisis the appropriate help faster, freeing up emergency department and police time and jail cells.

"If your goal is to preserve HSC for those individuals who need more long term care, you can make a pretty strong case that it makes a lot of sense to do something in our community for appropriate regional care."

totally KYN
FM 102.1
AM 1450
YANKTON

Weekdays 6-9 AM
with Jeff Erickson

Listen on 102.1 FM or 1450 AM
Stream it at kyn1450.com
Download the KYN app for your smartphone
Ask your smart home device to "Play KYN"

KYN is Your Home Team
For Local Guests, News, Weather & Sports

See the upcoming guest schedule at kyn1450.com

CROSSWORD

By THOMAS JOSEPH

ACROSS 40 Pharaoh

1 Halloween symbols

41 Nick and

5 Laments

loudly

9 Singer

Lavigne

11 Tenny-

son's

— Arcen?

13 Poker

action

14 Messing

on TV

15 Series

ending

abbr.

16 Stockpiles

in abundance

20 Portly

21 Wandered

22 Show up

23 Blood

color

24 Hotel

feature

25 Quantities:

Abbr.

27 Whirled

weapons

29 Spoil

30 Memory

triggers

32 Words of

emphasis

34 Old hand

35 Frighten

36 More

robust

38 Think up

39 Wintry

weather

DOWN

1 Wearing

less

2 Online

icon

3 Does a

Halloween

activity

4 Bro's

sibling

5 Car type

prepara-

6 Low bills

lion

7 Does a

22 Peaceful

Halloween

24 Some-

dier

seating

33 Stage

item

25 "Witness"

group

37 Imitating

CALL CAROL
EMAIL ATONE
LINDA POSTS
END BOOMERS
BOOED TIE
MALE TAN
MARE ORAL
SEN DALE
ANT BOOHOO
BOOSTER ALP
ERITE ELUDE
RAIDS RATED
SHOES DENIS

Yesterday's answer

10 Not

26 Oldest

owned

Brady

12 Rashness

daughter

17 Central

27 Lingerie

buy

19 Times

28 Parade

site

5 Car type

prepara-

6 Low bills

lion

7 Does a

22 Peaceful

Halloween

24 Some-

dier

31 In a way,

Informally

33 Stage

item

25 "Witness"

group

37 Imitating

10-29

AXYDLBAAXR

IS LONGFELLOW

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

10-29 CRYPTOQUOTE

G J H G J H N R F W C U R I H L E U R

U Q G A J M G V Q Y E P P Q Y V N P

H Q V B P N R P M P R N B P G J H N

W J B P U Q M U C C P L Y V J Q

R I H N L P H Q S Q J K Q

Yesterday's Cryptquote: TO HAVE COURAGE FOR WHATEVER COMES IN LIFE - EVERYTHING LIES IN THAT. — SAINT THERESA OF AVILA

© 2015 King Features Syndicate, Inc.

1605 Apartment For Rent

1 & 2 Bedroom Orchard Square, 418 W. 15th N., Yankton. Rent based on income and includes utilities. Equal Housing Opportunity. Skogen Company 605-665-1322 or 605-263-3941.

1 BD Apts., Meadow Park and Memory Lane. Ground level for elderly or persons with disabilities. No Smoking, close to The Center. Rent based on income. Equal Housing Opportunity. 605-664-8888 or Skogen Company 605-263-3941.

3-Bedroom Townhouses. Must qualify by family size and income. Rent based on income. EHO 605-661-8901 or Skogen Company 605-263-3941.

Two Bedroom Townhouses, Canyon Ridge, Yankton. Must qualify by family size and income. 605-661-8888 or Skogen Company 605-263-3941.

1615 Houses For Rent

Ranch style 3-bedroom, 2-bath, 1-car garage in Springfield, SD. \$800/rent. 402-459-0161.

1705 Items \$100 or Less

4-Tire size 235/65R17 with 1/3" tread left. All for \$50. 605-661-5975.

Bosch built-in dishwasher excellent condition, works good \$50. Call 605-680-2942.

Burgundy colored recliner chair great condition \$75. Bookshelf 4' high x 1' depth, has 4-shelves \$25. 605-661-2650.

End table 2' high 18 1/2" wide 14 1/2" deep, 1-drawer on top \$50. End table 23" high, 25" wide, 17" depth with 2-drawers \$50. 605-661-2650.

Firewood mulberry half-pickup full ready to go \$100. Call 605-387-5715 after 5pm.

Gas mini tiller yard machine new carb and plug \$79. Charger 10 amp \$20. 605-665-4372.

Gas Poulan 16" Chainsaw \$49. 20lb. Cylinder \$15. Charger 6 amp. \$9. Jack 4 ton new in box \$10. Black & Decker sander polisher \$10. 605-665-4372.

GE Profile Advantium stove top microwave, excellent condition, works great, \$50. Call 605-660-2942.

INFINITY TOUCH CONTROL PROGRAMMABLE THERMOSTAT BY CARRIER \$50. BEST AIR ACCORDIAN FURNACE FILTER \$10. 605-760-3063.

1705 Items \$100 or Less

Maytag dishwasher for under the counter, works good, \$100. 605-667-0780.

Men's denim jacket with hood, size medium, only worn once \$20. 605-260-0761.

Wooden utility cart 25 1/4" wide x 20" deep 30" high on wheels, with 2 open shelves \$50. 605-661-2550.

1820 Give Aways

Giveaway: Large Christmas tree 605-689-3817.

2010 Legal and Public Notices

10-22-29 & 11-5-12
STATE OF SOUTH DAKOTA)
VS
COUNTY OF YANKTON)

IN CIRCUIT COURT
FIRST JUDICIAL COURT
ESTATE OF
COLLEEN P. SCHILD,
Deceased.

Pro. #21-44

NOTICE TO CREDITORS

Notice is given that on the 6th of October, 2021, Brooks T. Schild, whose address is 2004 Elm St., Yankton, SD 57078, and Bruce T. Schild, whose address is 609 W. 8th Street, Yankton, SD 57078 were appointed as Co-Personal Representatives of the Estate of Colleen P. Schild, Deceased.

Creditors of Decedent must file their claims within four (4) months after the date of the first publication of this notice, or their claims may be barred.

Claims may be filed with a Personal Representative or may be filed with the Clerk and a copy of the claim mailed to the Personal Representative.

Dated this 18th day of October, 2021.

By Robert W. Klimesch
KLIMESCH LAW, P.C.
101 West 2nd Street
Yankton, SD 57078
(605) 665-9495

Jody Johnson
Clerk of Courts
410 Walnut, Suite 203
Yankton, SD 57078

Published four times at the total approximate cost of \$52.20.

10-29 & 11-5**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 7:05 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Condition-

2010 Legal and Public Notices

At-Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seven (7), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

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 7:10 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Condition- at Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Published twice at the total approximate cost of \$23.75.

11-5-12**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Commission, Yankton County, South Dakota, at 6:30 P.M. on the 16th day of November, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to Rezone the following properties from Moderate Density Residential (R2) to Planned Unit Development (PUD) per Article 7 and Article 13 (Second Reading). Said properties are described as:

Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), Drako Subdivision as plotted in Book 819, page 227, Section 17, T93N, R56W Yankton County, South Dakota, 16th highways and roads.

Published twice at the total approximate cost of \$15.13.

We've Got News For YOU

Subscribe To The Press & Dakotan Today!
319 Walnut St., Yankton
605-665-7811
www.yankton.net

Wagner

From Page 1.

dozen people, also noting the presence of fellow Transportation Commission member Mike Vehle of Mitchell.

"How do we bring this to a vote and have a say?" one woman asked from the audience.

While the DOT draws up a design and proposed projects, the final authority rests with the Transportation Commission, Cull explained. Area residents don't vote on a state highway project, but they can provide valuable input that state officials take into account, he added.

While he currently lives in Yankton, Cull noted he grew up in Springfield and realizes the importance and strong feelings that local residents hold toward their roads and bridges.

As Transportation Commission members, Cull and Vehle attended Thursday's public meeting to learn the local sentiment about a major project in their part of the state. The two commissioners realized the strong feelings on both sides of the Highway 46 project and its importance to the region.

"We're aware of it, and that's why we're here tonight," Cull said.

While working to do what's best for their region, the Transportation Commission members also are required to look at the large picture, Cull said. Those factors include the option with the best features and best use of taxpayer money, along with the overall benefits as part of the state system, he said.

Wagner businessman Jeff Doon, who had expressed his concerns about a three-lane highway, commended the two commissioners for their willingness to receive feedback.

"These guys are our friends and neighbors," Doon told the audience. "We're not here to beat you (commissioners) up, but we love our four-lane."

Behm and Mitchell Area Engineer Jay Poppel with the SD-DOT opened the program with an overview of the proposed Highway 46 change, the traffic statistics and the benefits of changing from four lanes to three lanes.

Behm reviewed a number of public comments and the DOT response to those concerns. "We're looking at the next 30-40

years with these adjustments for Wagner and those who drive through Wagner," he said.

Thursday's audience members raised question about the project's impact on businesses, schools, pedestrians and overall safety. The audience also questioned the traffic counts, when they were taken and the crash figures and circumstances.

While the project has drawn opposition, Behm noted he has also received supportive feedback from area businesses and residents. However, he declined to identify those individuals in order to protect their privacy and from any possible repercussions.

Audience members also spoke about their discussions with other communities from around the state that have undergone the change from four lanes to three lanes. Some audience members said they heard negative reaction from those communities, while others said they saw and heard positive experiences from those who had undergone the change.

The DOT program would enhance safety and better handle a projected growth in traffic, according to its study. The Average Daily Traffic (ADT) count stood at 4,510 in 2019. By 2044, the number is expected to climb to 6,990, with truck traffic comprising 5.6% of the volume.

The two-year plan calls for work from Main Street to the east end of the project in the first year and from the west end of the project to Main Street the following year. The highway will be open to traffic under phased construction.

The purpose of this project is to address the aging surface condition of the roadway, correct drainage issues, provide updated pedestrian infrastructure and improve safety through the city of Wagner.

The scope of work to be done for this project includes new concrete surfacing, curb and gutter, storm sewer, sidewalk, lighting and signals.

Grading and PCC surfacing was done in 1991, the signal at Main Street was installed in 1994 and pavement restoration was conducted in 2011.

The Highway 46 crash history was 12 reported crashes from 2015-19, which included six intersection collisions, three rear-end collisions and three side-swipe collisions for a reported crash rate of 1.16 per million vehicle miles of travel.

The proposed typical section consists of a three-lane section, 39 feet wide, with two 14-foot outside lanes, one 11-foot two-way left turn lane, curb and gutter and concrete surfacing.

According to the study, the roadway advantages are:

- Traffic analysis, greatest benefit/cost ratio;
- Capable of safety and efficiently handling up to 20,000-plus vehicles a day;
- Provides safe storage for left turning vehicles;
- Reduces the number of conflict points for left turning vehicles and vehicles entering the roadway;
- Reduces the speed differential between vehicles;
- Boulevard provides snow storage;
- Reduces crossing width for pedestrians;

The plan includes a planned sidewalk, replacing the existing lighting with LED lights, replace the traffic signal at SD-46/Main Street.

Some utilities may need to be relocated. The affected utilities include Fort Randall Telephone, Charles Mix Electric, Northwestern Energy, Randall Community Water and City of Wagner.

This could also affect private utilities such as water lines, drain fields, septic tanks, underground storage tanks and underground power lines.

This project is being developed in accordance with applicable state and federal regulations dealing with the environment, historic and archaeological sites and fish and wildlife, as well as no permanent impact on the Wagner City Park and its water supply.

In the end, Behm thanked the audience for its input. "We want to work with the community as we work with reconstruction (of Highway 46) in the community," he said.

Follow @RDockendorf on Twitter.

CROSSWORD

By THOMAS JOSEPH

ACROSS
1 Succeed
6 Tooth points
11 Get up
12 Like bar
13 Goes under
14 Lane of film
15 Gear part
16 Uno plus due
18 Draw
19 Hoppy brew
20 Nourished
21 German conjunction
22 Get excited
24 Egyptian goddess
25 Shirt parts
27 Tampa Bay team
29 Parent's answer to "Why?"
32 Ulna's place
33 Univ. or acad.
34 Spoil
35 Arrest
36 Crew need
37 Frank

DOWN
40 Make amends
42 Form
1040 user
43 Back
44 Extreme diets
45 Impudent

6 Like some
24 Nest messages
egg
7 Cycle
starter
28 Spiritual
8 Posses-
sions that
27 Fled
wealth
28 Sinal
setting
9 Grilled
sandwich
30 Spa
rooms
10 Tears
along
31 Stubborn
33 Files high
39 Ran Into
17 Copy
23 WBA wins
41 — degree

TOTED GRAZE
AURAE ROGET
UTURN ALONE
ENTAIL
PAIC TIL DAB
ATREST ERIE
TWISTOPLIME
TAMS SILVER
TIRE LAX EDS
SEXTET
JAPAN UTIOA
APHID ROMAN
WEILL ENEMY

Yesterday's answer

We are FIRST in FOOD
because we are
FIRST in PEOPLE.

MICHAEL FOODS INC. BENEFITS
ADVANCEMENT
GREAT PAY

Calling all good eggs.

National Career Fair Nov. 17th
7 AM - 7 PM

Call to schedule an interview

- Paid Holidays on Day 1
- Same Day Offers
- Competitive Wages and Benefits
- \$1,000 Sign On Bonus for Full Time

101 W. 82nd St
Chaska MN 55318
952-368-6572
waan-ku hadal

120 Tower St South
Gaylord MN 55334-2318
507-237-4524
Se habla español

115 Presque Isle Rd
Mars Hill, ME 04758
207-429-8126

877 North Ave
Elizabeth, NJ 07201

31348 South Hwy 170
Canby, OR 97013
503-651-6926

4420 E. 36th St
Yuma, AZ 85365
928-294-1601

22252 SD Hwy 13
Flairdieu, SD 57028
605-573-1200

3840 N. Civic Center Drive "B"
North Las Vegas, NV 89030
702-644-5181

2963 Barre Rd



REPORTER

The Yankton (S.D.) Daily Press & Dakotan — an award-winning, five-day daily located along the banks of the Missouri River and near Lewis and Clark Lake in southeastern South Dakota — is seeking applicants for a general assignment reporter. This person would also handle our education beat. Some page designing (InDesign) is also involved. Applicants must have strong writing and reporting skills. Page design skills, photography skills and video/social media experience are helpful.

Send resumes and writing samples to:

PRESS & DAKOTAN

Mr. Kelly Hertz, Editor
Yankton Press & Dakotan
319 Walnut, Yankton, SD 57078
or email kelly.hertz@yankton.net

EOE

Classified Manager

The Yankton Press & Dakotan seeks an outgoing and motivated individual to join our team as Classified Manager.

Qualifications:

- Sales and/or managerial experience
- Ability to multi-task
- Must be detail oriented
- Customer services skills required
- Able to work within deadlines
- Willing to work as part of a team

Full-time Monday-Friday. Medical, dental and vision insurance available. Paid time off/vacation time available after 90 days of service.

To apply send resume to:

PRESS & DAKOTAN
Attn: Micki Schlevelbein
319 Walnut St.
Yankton, SD 57078
Or email: micki.schlevelbein@yankton.net

EOE

1555 Dogs - Puppies



Purebred pug, tan colored, males & females, 8 weeks old, first shots. Call 605-556-1004.

1600 Other Real Estate

EQUAL HOUSING OPPORTUNITY

All real estate advertised in this newspaper is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin. In the sale, rental or financing of housing or an intention to make any such preference, limitation or discrimination. Familial status includes children under the age of 18 living with parents or legal guardians, pregnant women and people securing custody of children under the age of 18.

In addition, South Dakota State Law also prohibits discrimination based on ancestry and creed.

This paper will not knowingly accept any advertising for real estate which is in violation of

1605 Apartment For Rent

2-Bedroom, no stairs, water/heat included, garage, dishwasher, washer/dryer, C/A, NO PETS/smoking. Contact 605-660-1271 or 605-660-1115.

3-Bedroom Townhouse. Must qualify by family size and income. Rent based on income. EHO 605-661-8901 or Skogen Company 605-263-3941.

Two Bedroom Townhouses, Canyon Ridge, Yankton. Must qualify by family size and income. 605-664-8886 or Skogen Company 605-263-3941.

1640 Acreage - Lots For Rent

ACREAGE FOR RENT

Perfect for horse lovers! Pole barn, tack room, 2 stalls, corals, and some acres included. Room for trailer and hay storage, but no living quarters. Located 4 miles north of Yankton off Hwy 81. Additional acres negotiable and owner open to tenant bringing living quarters. Text 605-660-9304.

1705 Items \$100 or Less

New 2-4 roll packs Christmas gift wrap \$3/each. Large metal Christmas tree stand \$3. 605-664-5291.

Now in box Asha Rosa Cabbage Patch kids snacktime doll \$65. Tonka Fraxis 2-wheel horse trailer \$30. 605-664-5291.

New Justin boots size 6 never worn \$40. New white slip on tennis shoes size 6 \$10. Motorcycle helmet \$45. 605-665-8214.

Classifieds World

2010 Legal and Public Notices

11:26&12:3 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 6:30 P.M. on the 7th day of December, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seventeen (17), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T33N, R56W of the 5th P.M., Yankton County, South Dakota.

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 6:35 P.M. on the 7th day of December, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T33N, R56W of the 5th P.M., Yankton County, South Dakota.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Commission, Yankton County, South Dakota, at 6:40 P.M. on the 7th day of December, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to Rezone the following properties from Moderate Density Residential (RD2) to Planned Unit Development (PUD) per Article 7 and Article 13. Said properties are described as:

Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), Drake Subdivision as platted in Book S19, page 227, Section 17, T33N, R56W Yankton County, South Dakota, less highways and roads.

Published twice at the total approximate cost of \$37.06.

Please Recycle

COVID

From Page 3

COVID-19 infections and two new deaths Wednesday, raising the state's pandemic death toll to 2,320, with 85 of those recorded this month. Neither of Wednesday's reported deaths were posted for the Yankton area.

Current hospitalizations dropped by six to 231. There were 26 new hospitalizations reported. The University of South Dakota online portal Wednesday posted eight active cases (7 students, 1 staff), up two from Tuesday. Ten people were in quarantine/isolation (-2), none of whom were on campus (0 change).

Also, the DOH updated the vaccination page of its online portal to reflect vaccinations for residents ages 5 and up. It now lists 64% of eligible South Dakotans having received at least one vaccine dose, which was amended downward from 71% previously. Also, 53.25% were listed as having completed the vaccination series.

Fire

From Page 1

ried," he said. "Now that we're getting the hard freezes at night ... that's going to finish drying up and killing off anything that wasn't."

This comes on the heels of a year that has been largely dry, with much of the region experiencing drought conditions the whole year.

One example of just how quickly fire conditions can change in fall came earlier this week. On Monday, the fire danger according to the National Weather Service's Grassland Fire Danger Index was rated as "low" in Yankton County. But on Tuesday, that level had increased to "extreme" with no open burning recommended.

Nickles said that people are asked to continue using proper judgement when it comes to open burning.

"As usual, we want people to use caution when they're doing their controlled burns," he said. "Call them in, watch the weather report, check our Facebook page periodically just to see what the weather's doing."

He said that while cooler temperatures will help the fire index some, precipitation remains the greatest mitigation tool.

"That's going to be our next relief — if we do get some moisture," he said. "I don't see anything forecast. In the long term, there's not much for snow predicted. We're looking at a dry winter."

In spite of the persisting dry conditions in the county and conditions being more favorable for fire development, Nickles said it hasn't been much of a problem lately.

"There's been people out doing controlled burns and they've done OK," he said. "To my knowledge, we've only had one harvest

fire in Yankton County, and it was in a combine with no damage and they went back to work. We flushed it all out and they went right back to work. The field didn't burn at all or anything. The farmers have been telling me that the bean plants — even though the pods are shaking off — still have a lot of moisture in them. That caused some problems with the combines if they went too fast."

He said that it's still key for anyone looking to burn in the coming weeks to keep an eye on

the situation with the weather and on the ground.

"Just check your weather report, make sure you've got enough manpower to handle your controlled burn and, as usual, we want you to call in your controlled burns," he said. "At that point, you'll be given the weather report whether it's favorable to burn or not."

Follow @RobHeisenPond on Twitter.

Business AD-vantage

Where You Find Business & Professional EXPERTS!
A NEW BREED OF YELLOW PAGES

CLEANING

Intek Cleaning & Restoration
3312 W. 8th, Yankton, SD
605-699-2220
www.intekclean.com

FUNERAL / CREMATION

Goglin Funeral Homes
Yankton, Tyndall, Scotland, Tripp
807 W. 31st, Yankton
605-695-4414

Advertise Here!
Call 665-7811

ELECTRICAL

Johnson Electric, LLP
Commercial • Residential • Trending
600 W. 12th, Yankton
605-666-6666

FAMILY MEMORIALS

Yankton Monument Co.
325 Douglas, Yankton
605-664-0980

Advertise Here!
Call 665-7811

WINTZ & RAY
FUNERAL HOME and
CREMATION SERVICE
Yankton • 605-685-3644
Garden of Memories Cemetery
WINTZ
FUNERAL HOME
Hartington, Colebrook, Crofton & Laurel
402-254-8547
wintzfuneralhome.com
Trusted For Generations

HEATING & COOLING

Kaiser Heating & Cooling
808 W. 23rd, Yankton • 665-2895
HVAC • Plumbing • Electrical

CROSSWORD By THOMAS JOSEPH

ACROSS

- 44 Hick
1 Gullet
5 Velvety flower
10 Dejected
12 Like
13 Pueblo material
14 Water lily's kin
15 A thou thou
16 Plymouth colonizer
18 Temple support
20 Tennis feat
21 Sacred chests
23 Hamilton's bill

DOWN

- 1 Victor
2 Circle
3 Island ring
4 Fly catcher
5 Become
6 Overly
7 Fertilizer chemical
8 Flood-gates
9 Toadies
11 Leaves
24 Basic Idea
26 Gets older
28 Nonsense
29 Fill completely
31 Pitching stat
32 Bed item
36 Steals
39 Stunned wonder
40 Rap sheet
41 Showy

CROSSWORD By THOMAS JOSEPH

ACROSS

- 39 Play
1 City on setting the Tiber
40 Rigging support
5 Hightails it
9 Like argon
11 Blow on
13 Caesar's land
14 Game host
15 List-shortening abbr.
16 Swamps
18 Turns
20 Drama division
21 Past plump
22 Pale
23 Enjoy some turkey
24 Director Lee
25 Mined fuel
27 Churchish fellows
29 Outback runner
30 Smith or Jones, e.g.
32 Most frilly
34 Recipe unit
35 Skimpy swimwear
36 Stage comment

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

CROSSWORD By THOMAS JOSEPH

ACROSS

- 39 Play
1 City on setting the Tiber
40 Rigging support
5 Hightails it
9 Like argon
11 Blow on
13 Caesar's land
14 Game host
15 List-shortening abbr.
16 Swamps
18 Turns
20 Drama division
21 Past plump
22 Pale
23 Enjoy some turkey
24 Director Lee
25 Mined fuel
27 Churchish fellows
29 Outback runner
30 Smith or Jones, e.g.
32 Most frilly
34 Recipe unit
35 Skimpy swimwear
36 Stage comment

DOWN

- 1 Victor
2 Circle
3 Island ring
4 Fly catcher
5 Become
6 Overly
7 Fertilizer chemical
8 Flood-gates
9 Toadies
11 Leaves
24 Basic Idea
26 Gets older
28 Nonsense
29 Fill completely
31 Pitching stat
32 Bed item
36 Steals
39 Stunned wonder
40 Rap sheet
41 Showy

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

CROSSWORD By THOMAS JOSEPH

ACROSS

- 39 Play
1 City on setting the Tiber
40 Rigging support
5 Hightails it
9 Like argon
11 Blow on
13 Caesar's land
14 Game host
15 List-shortening abbr.
16 Swamps
18 Turns
20 Drama division
21 Past plump
22 Pale
23 Enjoy some turkey
24 Director Lee
25 Mined fuel
27 Churchish fellows
29 Outback runner
30 Smith or Jones, e.g.
32 Most frilly
34 Recipe unit
35 Skimpy swimwear
36 Stage comment

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

- 39 Play
40 Rigging support
41 Calls on one's top
1 Ceremonies
2 Boxing combo
3 French thanks
4 Go astray
5 Lawd looks
6 Prepares for war
7 Spanish thanks
8 Orallon Irish
26 Slouch

Yankton County, South Dakota

Paid by
Daniel Sobotka
dsobotka@dec-inc.com

Payment number
Date paid
Payment method

Receipt

165188835
September 29, 2021 01:57 PM
Online

\$300.00 paid on September 29, 2021

Variance, Conditional Use and Rezoning Application

Application ID: CUP-2021-57

Description	Amount
Fee	\$300.00

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant

James Den Herder

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 807

☒ Section 1107 ☐ Section 1805 ☐ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

PC: Article 18 Section 1805

BOA: Article 19 Section 1905

Planning Commission date:
11/9/2021

Board of Adjustment date:
12-7-2021

Time:
7:10 PM
PM
Time: 6:35 PM

Permit Number: CUP-2021-58

Yankton County

 Variance X Conditional Use Rezoning

Owner: Anthony P&L, Inc. (Neal Anthony)

Owners Address: 21078 Lake Avenue, Le Mars, IA 51031

Owners Phone: 712-540-1050

Applicants Name,
if different from

Owner: James A Den Herder

Applicants

Address: 1531 S Main Ave, Sioux Center, IA 51250

Job Address: _____

Legal: SE4 NE4 EXC PARC A&B & EXC LT H-2 & H-3 & NE4 SE4 EXC

Section,

Township, Range: 16-93-56

Zoning

Classification: Lakeside Commercial (LC)

Affected Zoning

Ordinance: Section 1107Section 1107

Reason for
Request: We have purchased Lot 4 for the construction of 5A Marine & RV
Storage building, as well as outdoor storage. The building will be

List Specific
Hardships: _____

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE):

11/9/2021

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE):

12/7/2021

Application Fee: \$300.00

Check #: 20308

Receipt #: _____

Date:

Signature:

James A Den Herder

10/15/2021

Site Map



Parcel Number: 09.016.200.100

Site Description:

UTICA TOWNSHIP**SECTION 1N**

1. Siebrandt, Jacob etux 5

SECTION 2N

1. Kralicek, Melissa 11

SECTION 3S

1. Holdahl, Robert etux 5

SECTION 3N

1. Grate, Leo etux 11

SECTION 3S

1. Holtzmann Family Trust

SECTION 4N

1. Nedved, Mark 7

SECTION 4S

1. Larson, Robert 8
2. Brandt Trust, Merle etal 11
3. Zimmerman, Steve 20
4. List Trust, Robert 18

SECTION 5S

1. Batcheller, Jay 8

SECTION 6N

1. Town of Utica 6

SECTION 6S

1. Maska, Leann 5
2. Olivier, Curtis etux 6
3. Loecker, Mark etux 5
4. Blaha, Jon etux 5

SECTION 7N

1. Anthony, Craig etux 10

SECTION 7S

1. Phillips, Timothy etux 5

SECTION 8N

1. Christianson, David etux 6
2. Hughes, Scott etux 13

SECTION 8S

1. Fanta, Timothy etux 9

SECTION 9S

1. Rokahr, Steven 9

SECTION 11S

1. Heceky Trust, Terrance etux 11
2. Affordable Self Storage LLC 8

SECTION 12N

1. Marquardt Family LP 6

SECTION 13N

1. Cotton, Jeffrey etux 8

SECTION 14S

1. Yankton Medical Clinic PC 12

SECTION 16N

1. Anstine, Rodney etux 7

SECTION 17N

1. Schenkel, Darrell etux 8

SECTION 18N

1. Tacke, WM etux 13

SECTION 18N

1. Cap LE, Stanley etal 5
2. Cap, Robert etux 7

SECTION 19

1. Schenkel, Daniel etux 7

SECTION 20N

1. Yankton Co Sharpshooters Assn 12
2. Johnson, Michael etux 9

SECTION 21N

1. Kralicek, Frank etux 5

SECTION 21S

1. White Crane Estates LLC 18

SECTION 22N

1. Taggart, William etux 9

SECTION 24

1. Marquardt, Doug 13
2. Keller, Dallas etux 10

SECTION 26

1. Barnes, David etux 7

SECTION 32

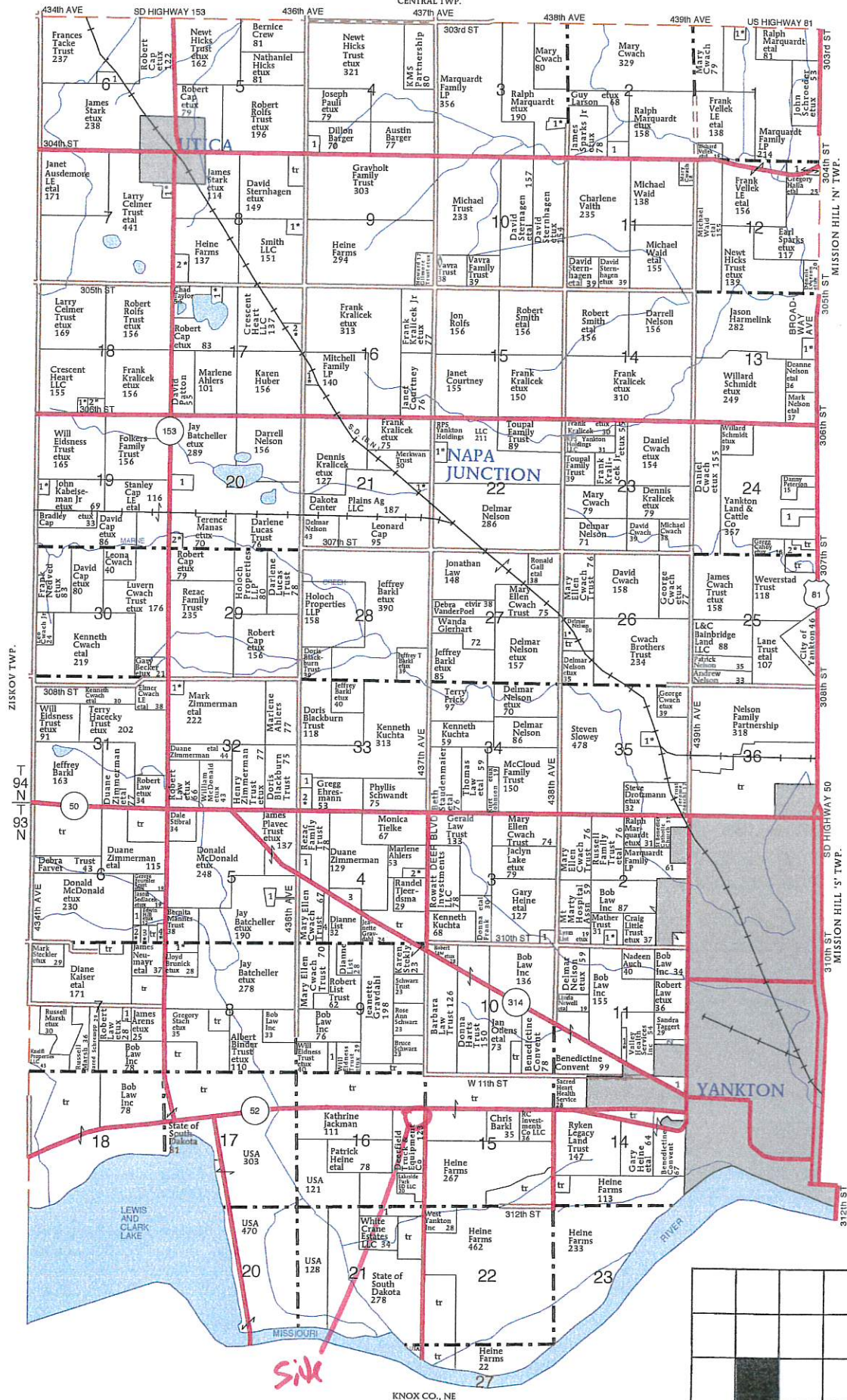
1. Zimmerman Trust, Henry etal 12

SECTION 33

1. Delozier, Darrik 6
2. Waddell, Edward etux 8

SECTION 35

1. Slowey, Steven etux 14



FINDINGS OF FACT – CONDITIONAL USE PERMIT

Den Herder-- CUP-2021-58

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 wishes to have a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107
2. Was notice of public hearing given per Section 1803 (3-5)?	Mailed – 10/27/2021 Published – 10/29, 11/5/2021
3. Attend the public hearing	Yes
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	Grant the Conditional Use Permit Passed 7-0
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 exists
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;	All parking is off right-of-way
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	No refuse area required
d. Utilities, with reference to locations, availability, and compatibility;	Utilities present
e. Screening and buffering with reference to type, dimensions, and character;	Screening and buffering will be in accordance with Highway 52 corridor overlay district ordinance
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	Signs and lighting will be placed in accordance with Highway 52 corridor overlay district ordinance. Lighting will be downcast.
g. Required yards and other open spaces; and	None required
h. General compatibility with adjacent properties and other property in the district and that the granting of the conditional	Is compatible with surrounding properties

use will not adversely affect the public interest.	
--	--

PLAT OF LOT 11, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 OF
SECTION 16, T93N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA

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

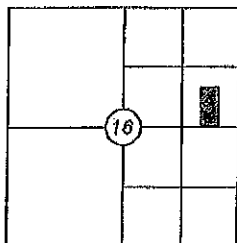
NOTE: BASIS OF BEARING
BY GPS OBSERVATION



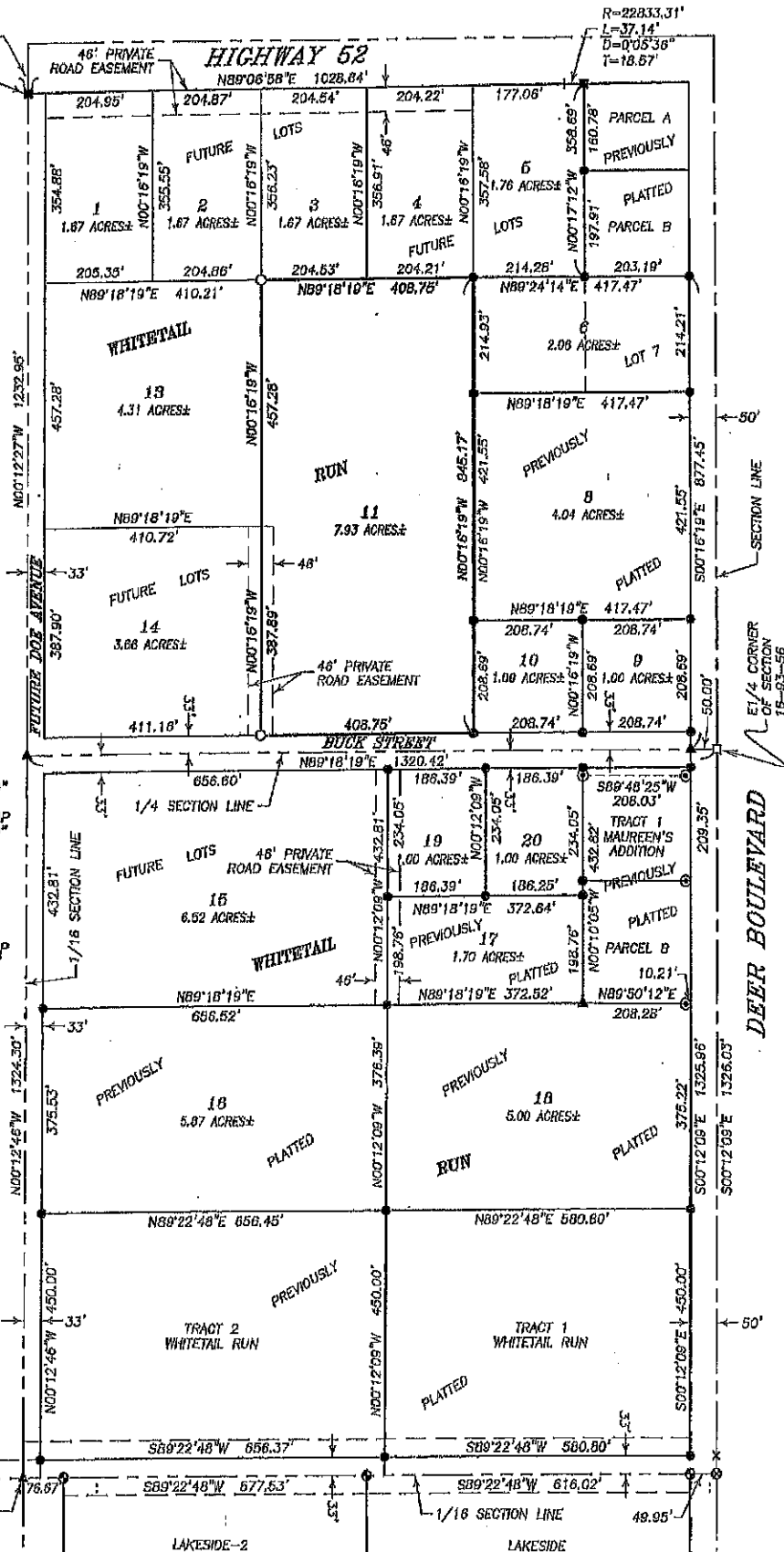
LEGEND

- SET 5/8" REBAR WITH L.S. CAP
STAMPED "A BRANDT R.L.S. 8349"
- FOUND 5/8" REBAR WITH L.S. CAP
STAMPED "A BRANDT R.L.S. 8349"
- FOUND 5/8" REBAR
- FOUND ALUMINUM DOT CAP
- ⊗ FOUND P-K NAIL
- ⊕ FOUND 5/8" REBAR WITH L.S. CAP
STAMPED "TOM WEECK FELS 2912"
- ▲ FOUND IRON PIPE WITH L.S. CAP
STAMPED "SKROCH 9110"
- ◎ FOUND IRON PIPE
- × CALCULATED CORNER

NO EXISTING DRIVEWAYS



LOCATION (N.T.S.)



JOB NO. 21106B

PAGE 1 OF 2

PLAT OF LOT 11, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 OF
SECTION 16, T93N, R56W OF THE 6TH 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 11, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 OF SECTION 16, T93N, R56W OF THE 6TH 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 7TH DAY OF APRIL, 2021.



John L. Brandt
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.

DATED THIS 19 DAY OF April, 2021.

Dennis L. Christensen
DENNIS L. CHRISTENSEN
PRESIDENT, DEERFIELD TRUCK & EQUIPMENT COMPANY

STATE OF South Dakota
COUNTY OF Yankton

ON THIS 19 DAY OF April, 2021, 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 Dennis Brandt
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 SAID PLAT TO THE CITY COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR APPROVAL; AND

WHEREAS SAID 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.

Mike Sullivan
HIGHWAY OR STREET AUTHORITY DATE 4/21/21

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.

Rhonda Glaser
COUNTY TREASURER DATE 4/21/21

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

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.Neal Anthony, hereinafter referred to as Purchaser.Deerfield Truck Equipment, hereinafter referred to as Seller.

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

Lt 4 Whitetail Run in the SE 1/4 of NE 1/4 of Section 14 T93NR. 51w of 5th prn in Yankton Co, SDAlso known as: Lot 4 Hwy 52 Yankton SD 57078**2. EARNEST MONEY DEPOSIT**Earnest Money in the amount of (\$ 0) none Dollarsshall 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 Iowa Private Bank will be delivered by in hand (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 _____ type of loan. A letter of Purchaser's loan status will be delivered by _____ (date). Within _____ 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 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 reasonbare landINITIALS: PURCHASER NASELLER DC

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). / Yes / Waived
 B. Offer is contingent upon radon, environmental, or geological inspection(s). / Yes / Waived
 C. Offer is contingent upon pest infestation and/or damage inspection(s). / Yes / Waived
 D. Offer is contingent upon lead-based paint inspection(s). / 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 4 pm survey

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 8/31/21 (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 He SELLER DL

14. OTHER PROVISIONS: If none, state none.

None

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:

One hundred thirty three thousand six hundred ^{00/100} (133,600 -) 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 10 day of July, 2021 by 5:00 ☐ am ☒ pm

19. THE LAWS OF SOUTH DAKOTA GOVERN THIS TRANSACTION

20. TIME IS OF THE ESSENCE

Dated this 9 day of July, 2021 at 11:00 ☒ am ☐ pm

[Signature]
Purchaser

Purchaser

Address: 154 OAK HILLS YANITON SO 57028

On this _____ day of _____, 7/12/2021, _____ at _____ ☐ am ☐ pm the forgoing offer is:

ACCEPTED / NOT ACCEPTED / COUNTERED DL /

DocuSigned by:

Dennis Christensen
Seller 698F8FCC180D42E...

Seller

Address: _____

THE FOLLOWING IS FOR INFORMATIONAL PURPOSES ONLY

L+C Realty
Selling Company

Tanya Hucclay
Selling Licensee

L+C Realty
Listing Company

Denny/Carol Breck
Listing Licensee

COUNTEROFFER

THIS IS A LEGALLY BINDING CONTRACT. IF YOU DO NOT UNDERSTAND IT, SEEK LEGAL ADVICE

ALL PARTIES UNDERSTAND: Seller reserves the right to accept any other offer prior to the Purchaser's acceptance of this counteroffer and written acceptance is delivered to seller or Seller's agent.

Counteroffer Number 1

Purchaser:

Neal Anthony

Seller:

Deerfield Truck & Equipment

In response to the Purchase Agreement dated 7-9-21 for the real property legally described as:

Lot 4 Whitetail Run in the SE 1/4 of NE 1/4 of Section 16
T93N, R56W of 5th PM in Yankton County SD.

following counteroffer is hereby submitted:

Item #13 Closing Date 05-31-21 and possession to be when Crop harvested
1) Buyers to acknowledge Agreements Recorded Road Maintenance Agreement
2) Buyers to acknowledge this transaction will be a 1031 Exchange
Seller intends to assign this agreement to a qualified intermediary
to complete an IRC Section 1031 Exchange

ALL OTHER TERMS REMAIN THE SAME.

Expiration: This counteroffer is withdrawn immediately upon Seller's written acceptance of any other offer as stated above and otherwise shall expire unless written acceptance is delivered to Seller or Seller's agent by (date) 7-13-21, at (time) 5:00 ☐ a.m. ☒ p.m.

Seller

Dennis Christensen

Seller

Dated this 7/12/2021 day of July

at ☐ a.m. ☐ p.m.

The Undersigned Purchaser

☒ accepts the above counteroffer. (No further seller's signature required)

☐ rejects the above counter offer.

☐ partially accepts the above counter offer, subject to the following change(s) which expires on the _____ day of _____, at _____ ☐ a.m. ☐ p.m.

Purchaser

Neal Anthony

Purchaser

Dated this 13 day of July, 2021

at 12:20 ☐ a.m. ☒ p.m.

The Undersigned Seller

☐ accepts the above change(s) to the counteroffer.

☐ rejects the above counteroffer.

☐ submits counter offer # _____ see attached

Seller

Seller

Dated this _____ day of _____, at _____ ☐ a.m. ☐ p.m.

Variance, Conditional
Use and Rezoning
Application
CUP-2021-58
Applicant
James A Den
Herder
Fees Paid
\$300.00
Created
September 20,
2021

Number
CUP-2021-
58

09.016.200.100 | Anthony P&L,
Inc. (Neal Anthony) | ,
YANKTON, SD, 57078
Submitted by jdenherder on
9/20/2021



Applicant

James A Den Herder

712-441-1442

blooms@mtcnet.net

Parcel search Completed On 9/20/2021 7:41 PM EST by Anonymous



Maxar

Powered by Esri

ParcelID	Address	City	OwnerName	Acres
09.016.200.100		YANKTON	DEERFIELD TRUCK & EQUIPMENT CO (D)	52.470

Request Information Completed On 9/20/2021 7:53 PM EST by jdenherder

Type of Request

Conditional Use

Fee

\$300.00

Reason for Request

We have purchased Lot 4 for the construction of 5A Marine & RV Storage building, as well as outdoor storage. The building will be 40'x2'

List Specific Hardships

Applicant Information

Are you the owner of the property?

No

Applicant Name

James A Den Herder

Applicant Address

1531 S Main Ave, Sioux Center, IA 51250

Applicant Phone

712-441-1442

Owner Information

Owner Name

Anthony P&L, Inc. (Neal Anthony)

Owner Address

21078 Lake Avenue, Le Mars, IA 51031

Owner Phone Number

712-540-1050

Property Information

Parcel ID Number

09.016.200.100

Legal Description

SE4 NE4 EXC PARC A&B & EXC LT H-2 & H-3 & NE4 SE4 EXC PARC A&B & EXC TRACTS 1&2 & LTS 7-10 WHITETAIL RUN & EXC TRACT 1

Site Address

City

YANKTON

Zip

57078

Section-Township-Range

16-93-56

Zoning District

RT

Zoning Description

RT

Existing Use of Property

Farm ground

Property Owner Verification of Approval Completed On 10/15/2021 10:13 AM EST by bconkling

Applicants who are not the property owner must provide consent by the owner for the proposed request. Please download/print the [Verification of Approval](#) document here. Fill out the form and attach below.

Upload signed document here

[denherder.pdf](#)

Site Plan Completed On 10/15/2021 10:15 AM EST by bconkling

Map - Mark the location of structures and other necessary information.

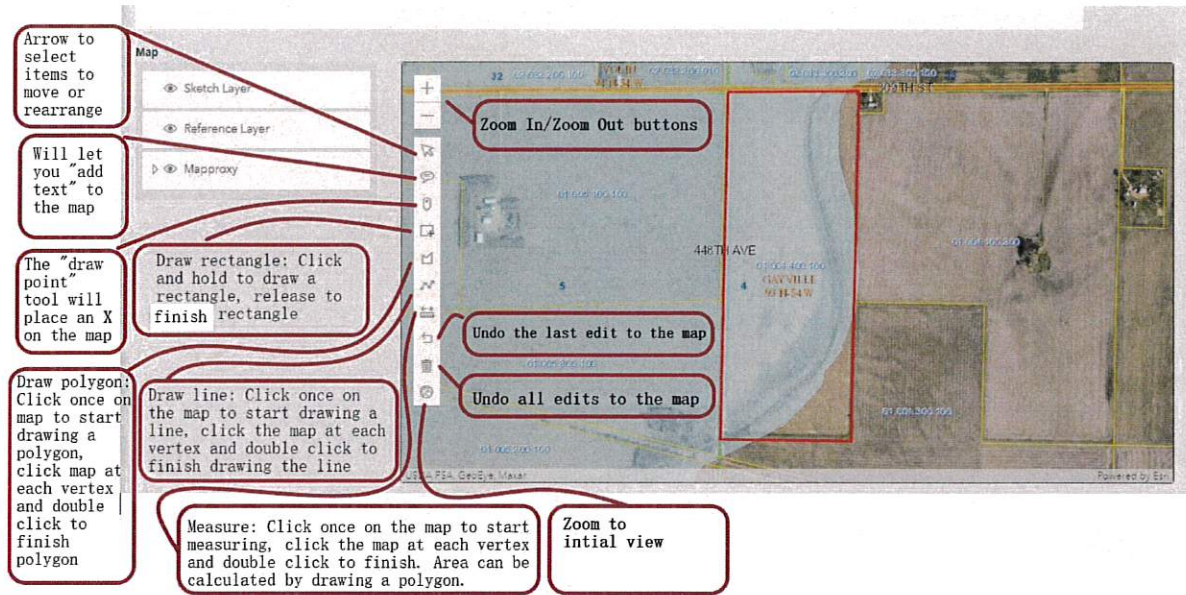
- ☐ Sketch Layer
- ☐ Reference Layer
- ☒ Mapproxy



Describe the location and use of adjacent structures

Upload Site Plan and/or additional plans and documents

[jimD.pdf](#)



Draft Building Permit Completed On 10/15/2021 10:15 AM EST by bconkling

Upload Draft Building Permit 

Draft Building Permit Form Completed On 10/15/2021 10:15 AM EST by bconkling

Job Address

Legal Description of Construction Site

SE4 NE4 EXC PARC A&B & EXC LT H-2 & H-3 & NE4 SE4 EXC PARC A&B & EXC TRACTS 1&2 & LTS 7-10 WHITETAIL RUN & EXC TRACT 1

Owner Name

DEERFIELD TRUCK & EQUIPMENT CO (D)

Owner Address

Owner Phone

Contractor

Contractor Mailing Address

Contractor Phone

Architect or Designer

Architect or Designer Mailing Address

Architect or Designer Phone

Type and Use of Building

Class of Work

Describe Work

Valuation of Work

\$

Generate Draft Building Permit Completed On 10/15/2021 10:15 AM EST by bconkling

[Generate Draft Building Permit](#)

Submit Completed On 10/15/2021 10:17 AM EST by bconkling

A notification sign shall be posted on the property upon which action is pending at least seven (7) days prior to the hearing date. Such signs shall be placed along all the property's road frontage so as to be visible from the road. If a property does not have a road frontage, then such signs shall be placed upon the closest available right-of-way and upon the property. Said signs shall not be less than one hundred and eighty seven (187) square inches in size. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearings.

Please pick the sign up from the zoning office on or before eight (8) days prior to the meeting.

Applicant Agreement

Please check the box to confirm you have read and agree to the notices above.

Signature



Date

10/15/2021

Application Submitted Successfully Completed On 10/15/2021 10:18 AM EST by bconkling

Your application has been submitted for review. Thank you.

Please click next at the bottom to continue. Thank you

Planning Review Completed On 10/15/2021 10:19 AM EST by bconkling

Continue with application

Continue

Describe what the applicant is requesting

Applicant wishes to build a self storage warehouse in Lakeside commercial

Planning Commission Code Reference

Section 1107

Other Planning Commission Code Reference ⓘ

Board of Adjustment Code Reference

Section 1107

Other Board of Adjustment Code Reference ⓘ

Please confirm the zoning provided by the applicant. If zoning is incorrect, please enter the correct zoning. It is this field that is printed on the final form to avoid applicant/system error. The correct zoning must be entered.

Zoning Classification ⓘ

Lakeside Commercial (LC)

Wave Fee

Notes ⓘ

Director Review Completed On 10/15/2021 10:47 AM EST by gvetter

Zoning Director Review

Approve

Payment Completed On 10/15/2021 1:32 PM EST by bconkling

Fees Paid

[VIEW RECEIPT](#)

Fee Name	Recipient	Amount
Fee	Planning and Zoning	\$300.00

Confirmation Data

Payment Method	Check
Confirmation Number	20308

Amount Paid

\$300.00

PC Prep Completed On 10/15/2021 2:10 PM EST by bconkling

Planning Commission Meeting

Planning Commission Meeting Date and Time

November 9th 2021, 7:10 pm CDT

Letters to be mailed 10 days prior to the public meeting:

undefined

Additional instructions for PC email

Return the affidavit 8 days prior to the public meeting:

undefined

Place your zoning action sign 7 days prior to the public meeting:

undefined

Date to send email to applicant

10/25/2021

Upload PC Mailing Labels

[Labels.pdf](#)

Upload PC Affidavit of Mailing

[3 Mailing affidavit 1320.pdf](#)

Upload PC Notification Letter

[Den Herder NOT Letter PC.pdf](#)

Upload PC Newspaper Publication

[Legals PC 11-9-2021.pdf](#)

Permit Number

CUP-2021-58

Receipt Number

PC App Form Completed On 10/15/2021 2:11 PM EST by bconkling

Documents

Internal Notes

Documents



Building #1 Specifications

Style	Width	Height	Length	Truss Spacing	Roof Pitch	Lower Chord	Peak Height	Soffit Height
306	42'	16' 4"	252'	7'	4/12	0/12	24' 10.5"	17' 7.5"

306 42'x16' 4"x252' (#1) - Building Use: Commercial - Mini Storage

Subcontracts

Concrete

- * Install Building Floor 5" Thick with #4 Rebar 2'O.C. Sawed and Sealed with Spec-Chem WB Sealer or Equal (10584 S.F.).
- * Install Post and Beam Footings through Overhead Door Openings (18) 12' Drs. (216 LF).
- * Install Exterior Concrete 8'x 252'x 5" Thick with #4 Rebar 2'O.C. with Sawed Control Joints (2016 S.F.).

Note: Footing Concrete is 3,000 PSI Concrete, All Other is 4000 PSI Concrete.

Overhead Doors

- * Install (18) 12'-2" x 14'-0" Raynor S24 Steelform Non Insulated Sectional Steel Door(s), White Exterior and White Interior that Includes:
 - * Bracket Mounted 2" tracks (for Wood Jamb Opening).
 - * Normal Headroom Torsion Spring Hardware with 24" Headroom Requirement.
 - * One Interior Slide Lock.
 - * Four 20 Gauge Trusses.
 - * Doors Configured for Manual Operation.

15-Framing of 42'x16' partitions 8'oc with 4' horizontal steel/labor/materials

Site Preparation

- * Strip Sod and Pile on Site for a 42'x252' Building Site. Includes Finish Grade with Dirt on Site.
- * Haul in Approx. 1,600 Yards of Dirt Leveled and Packed for 42' x 252' Building Site.
- * Supply and Haul Gravel for Approx 3" Base Under Concrete. Approx. 200 Tons. Gravel to be Spread by Concrete Crew.

Additional Information

Foundation

- * Morton Buildings Exclusive Foundation System. Reinforced Precast Concrete Column with an Internal Threaded Adjustment Bracket Set in a Ready-Mix Concrete Footing Set Below Minimum Frost Depth or a Minimum 4'-0" Below Grade. Fastened to a Laminated Wood Column with an Internal Column Connector Bracket.

MENP



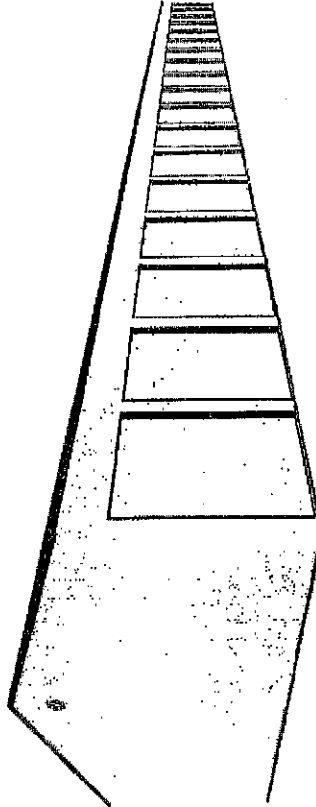
MORTON™ BUILDINGS, INC.

252 W. Adams, P.O. Box 389 • Morton, Illinois 61550-0389

Job:
Date:
Page:

9/22/2021
6 of 10

306 42'x16' 4"x252' North and West Walls



AFFIDAVIT OF MAILING

I, JIM DEN HEIDER, hereby certify that on the
day of 21, 2021, 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 26 day of November, 2021.

[Signature]
(Name)
Affiant

Subscribed and sworn to before me this 26 day of
November, 2021.



(SEAL)

[Signature]
Notary Public - Iowa
My commission expires: 7-10-2024

NOTIFICATION

November 22, 2021

James Den Herder
1531 S Main Ave
Sioux Center, IA 51250

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 6:35 P.M. on the 7th day of December, 2021 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 self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

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,
James Den Herder
Petitioner

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

BRIGHTWAY ELECTRIC LLC (D)
1117 WEST 10 ST
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

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

LANGE FAMILY PROTECTION TRUST (D)
118 LAKESHORE DR
YANKTON SD 57078

LANGE FAMILY PROTECTION TRUST (D)
827 HEMI DR
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

LUTHER, THOMAS R (D)
604 SAWGRASS
YANKTON SD 57078

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

MACY FAMILY TRUST (D)
3701 WEST 11 ST
YANKTON SD 57078

MAU, ANTHONY L (D)
3701 WEST 11 ST
YANKTON SD 57078

MCALLISTER TD LLC (D)
208 VIOLET DR
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

RE PROPERTIES LLC (D)
802 EASTRIDGE ST
NORFOLK NE 68701

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

SCOTT LUKEN FINE ART & (D)
418 LINN ST
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

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

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)
6627 DUNSMORE RD
RAPID CITY SD 57702

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, James Den Herder, hereby certify that on the 27th day of October, 2021, 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 27th day of October, 2021.

James Den Herder
(Name)
Affiant

Subscribed and sworn to before me this 27 day of October, 2021.



ANNA BOUSEMA
COMMISSION NUMBER 811803
MY COMMISSION EXPIRES
7-10-2024

Anna Bousema
Notary Public - Iowa
My commission expires: 7-10-2024

(SEAL)

NOTIFICATION

October 25, 2021

James Den Herder
1531 S Main Ave
Sioux Center, IA 51250

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 7:10 P.M. on the 9th day of November, 2021 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 self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

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,
James Den Herder
Petitioner

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

BRIGHTWAY ELECTRIC LLC (D)
1117 WEST 10 ST
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

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

LANGE FAMILY PROTECTION TRUST (D)
118 LAKESHORE DR
YANKTON SD 57078

LANGE FAMILY PROTECTION TRUST (D)
827 HEMI DR
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

LUTHER, THOMAS R (D)
604 SAWGRASS
YANKTON SD 57078

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

MACY FAMILY TRUST (D)
3701 WEST 11 ST
YANKTON SD 57078

MAU, ANTHONY L (D)
3701 WEST 11 ST
YANKTON SD 57078

MCALLISTER TD LLC (D)
208 VIOLET DR
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

RE PROPERTIES LLC (D)
802 EASTRIDGE ST
NORFOLK NE 68701

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

SCOTT LUKEN FINE ART & (D)
418 LINN ST
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

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

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)
6627 DUNSMORE RD
RAPID CITY SD 57702

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

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 11/9/2021 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Vetter/Conkling

ROLL ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

CALL:

APPROVAL OF MINUTES: MOTION BY: Hoffman SECOND BY: Schultz

PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Schultz

PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

Request by Director Vetter to add RT Rezone update to agenda

Motion to approve addition to agenda Kettering, Second Schultz – Approved 7-0

AGENDA ITEM: **Rural Transitional Rezone Update – Director Vetter**

ADDRESS/LEGAL:

COMMENTS: Director Vetter gave an update on the applications to rezone Rural Transitional properties. The County Commission acknowledged those applications and the formal process will begin at the December 14 Planning Commission meeting

MOTION: No action taken

APPROVAL: MOTION BY: _____ SECOND BY: _____

PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM: **Danial Sobotka – Conditional Use Permit**

ADDRESS/LEGAL: Applicant is requesting a Conditional Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seventeen (17), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: Daniel Sobotka - Applicant

MOTION: Approve the request for an outdoor storage facility as per regulations the CUP use of the ground will be within a year and that applicant is allowed 18 months to install a fence around said storage facility due to supply chain issues due to Covid-19. **Passed 7-0**

APPROVAL: MOTION BY: Schultz SECOND BY: Evans

PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **James Den Herder – Conditional Use Permit**

ADDRESS/LEGAL: Applicant is requesting a Conditional Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: James Den Herder – applicant
Ryan Heine – Question regarding storage facility setbacks along HWY 52 corridor

MOTION: Approve the permit for a storage building in a Lakeside Commercial District
Passed 7-0

APPROVAL: MOTION BY: Schultz SECOND BY: Evans
PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Plat – Lots 2-5, 7-9, 10 Lakeforest Estates**

ADDRESS/LEGAL: Plat of Lots 2, 3, 4, 5, 7, 8, 9, and 10, Lake Forest Estates, in the W1/2 and in the S1/2 of the SE1/4, All in Section 16, T93N, R57W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: Approve plat as presented
Passed 7-0

APPROVAL: MOTION BY: Michael SECOND BY: Kettering
PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Public Comment**

ADDRESS/LEGAL:

COMMENTS: None

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM: **Adjourn**

ADDRESS/LEGAL:

COMMENTS:

MOTION:

APPROVAL: MOTION BY: Kettering SECOND BY: Michael
PLANNING: ☒ BARKL ☒ EVANS ☒ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM:

ADDRESS/LEGAL:

COMMENTS:

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN
EVANS

AGENDA ITEM:

ADDRESS/LEGAL:

COMMENTS:

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ EVANS ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM:

ADDRESS/LEGAL:

COMMENTS:

Submit sealed bids to: NorthWestern Energy, Attn: Robert Gehm, 3210 Douglas Avenue, Yankton, SD 57078, on or before 3 pm on November 12, 2021. Include your name, address, phone number, total purchase price, type of financing, and any contingencies. The top three bidders will be given notice and invited to submit an additional bid. If a bid is accepted, then the buyer shall pay 10% of the purchase price as earnest money with the balance due at closing. Closing and possession will be on or before December 31, 2021. Title insurance and closing costs will be split 50-50 between buyer and seller. All other closing costs will be customary for market. NorthWestern Energy reserves the right to reject any and all bids.

An OPEN HOUSE will be held October 29th from 2-4 pm. Interested parties are encouraged to inspect the property prior to submitting a bid. Serious inquiries only.

Robert Gehm, Real Estate Representative
NorthWestern Energy
3210 Douglas Avenue
Yankton, SD 57078
(605) 760-7402

2010 Legal and Public Notices

of this notice, or their claims may be barred. Claims may be filed with a Personal Representative or may be filed with the Clerk and a copy of the claim mailed to the Personal Representative. Dated this 15th day of October, 2021.

At Robert W. Klimisch
KIMISCH LAW, P.C.
101 West 2nd Street
Yankton, SD 57078
(605) 665-9495

Jody Johnson
Clerk of Courts
410 Walnut, Suite 205
Yankton, SD 57078
Published four times at the total approximate cost of \$52.20.

10+29 NOTICE OF APPLICATION NO. 8542-3 to Reinstatement Water Permit No. 8037-3

Notice is given that Tyler Andersen, 400 S. Lincoln St., Centerville SD 57014 has filed an application to reinstate Water Permit No. 8037-3. Permit No. 8037-3 appropriates 1.61 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri South Aquifer (105 feet deep) located in the NW 1/4 NE 1/4 Section 35 for irrigation of 103 acres located in the SW 1/4 SE 1/4, SE 1/4 SW 1/4 Section 26 and the NW 1/4 NE 1/4, NE 1/4 NW 1/4 Section 35; all in T96N-R52W. The permit was approved September 22, 2014 and the project was completed September 22, 2019 with water being put to beneficial use by September 22, 2023. Application No. 8542-3 proposes to reinstate Permit No. 8037-3 since the project has not been completed. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately 1 mile south of Centerville SD.

Application No. 8542-3 to reinstate Permit No. 8037-3 is made pursuant to SDCL 46-2A-8.1 which allows reinstatement of a permit with a new priority date provided unappropriated water is available and the construction necessary to put water to beneficial use was not completed within the five years of approval of the original permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8542-3 with qualifications, because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://dwr.sd.gov/public> or contact Rene Davall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation, shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board; to not upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engi-

2010 Legal and Public Notices

neer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://dwr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 8, 2021.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://dwr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by November 8, 2021.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled, and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Published once at the total approximate cost of \$43.07.

10+29&11+5 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 7:05 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners' Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot 50, NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

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 7:10 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners' Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot 40, NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Published twice at the total approximate cost of \$23.75.

Nebraska state agencies, Smith said. In addition, partners include tribes, schools, businesses, organizations and individuals. In her role as a naturalist with South Dakota Game, Fish and Parks (GFP), committee member Nancy Teachout has spearheaded Homestead Day planning. The upcoming event will include many of the past favorite activities with protocols for visitor safety, she said.

Nepotism

From Page 1.

day after Peters, Noem's daughter, received her certification.

Months earlier, in July 2020, after Peters had failed an initial assessment of her appraisal work, it was reported that Bren was brought to the governor's residence in Pierre for a meeting with Noem, Hultman and various staff and attorneys. Peters also was there.

On Thursday, hampered from scrutinizing the woman at the center of the issue, the committee instead jumped to questioning Hultman. After various committee members bounced around directly addressing Bren, Sen. Reynold Nesiba, a Sioux Falls Democrat, attempted to directly address any pressure Noem may've applied to Bren in the July 2020 meeting.

"Are you aware... of the governor intervening in any other appraisal application in the way that she did with the one involving her family member?" Nesiba asked.

The school festival looks to return with the same format, according to committee member Mary Robb. The festival initially drew 125 students but soon exploded in popularity to 540 students from across southeast South Dakota and northeast Nebraska. "We have great programs, and the kids just love it," Robb said. "Sacred Heart School in Yankton has been part of it since the begin-

ning experience," he added. In addition, Riverside Park provides an outstanding setting for the school festival, Smith said. Students and teachers not only learn about the river but do so right next to it, he added. "It makes such a difference when you're seeing and feeling something, like the fish," he said. "It's also important that kids experience the outdoors and be around others in a social setting."

who come out of three hours on a Saturday morning and give of their time and effort to clean up the river."

The talk of bringing back the events provides a major lift, Smith said.

"It feels great to plan for these things," he said. "People really want to return to normal."

Follow @RDochendorf on Twitter

Hultman deflected, suggesting over the years Noem "did intervene in the process." Later, the secretary conceded that a meeting like the one with Noem, Bren, Peters and state government heads was uncommon, but that a plan for Peters to enroll in an education course and to resubmit appraisals for blind assessment by an outside contractor later that year was already in place by the July 2020 meeting.

Many on the Republican-controlled committee seemed poised to accept Hultman's assertion that Noem only sought to remove red-tape and was on a fact-finding mission about that process when summoning Bren to her official residence in a meeting.

Asked by Nesiba about Peters' role in the July meeting, Hultman responded, "I believe that somebody who is going through the process, regardless of who they are, would have insight into how the process works."

Sen. David Wheeler, R-Huron, similarly sought to underscore that Bren played no role in scoring Peters' initial round of submitted appraisals, which did not receive passing marks. "We've all trying to make a deal out of this meeting, but there wasn't an opportunity for

Sherry Bren to approve or deny [this application]," said Wheeler.

When Rep. Linda Duba, D-Sioux Falls, asked to "move ahead four months," to the December forced retirement, Hultman declined to elaborate.

"I'm not able to address anything to the personnel issues," Hultman said.

An email to attorney Rensch from Forum News Service requesting information on his client's no-show was not returned. In later testimony by Sandra Gresch, president of the Professional Appraisers Association of South Dakota, lawmakers sought to understand whether Bren would've approved some of the streamlining approaches sought by really appraisers to uncork the pipeline of commercial and residential appraisers in the market.

"I believe I cannot answer that," Gresch replied. "That would be a question that Ms. Bren would have to answer."

Christopher Vondracek is the South Dakota correspondent for Forum News Service. Contact Vondracek at cvondracek@forumnews.com or follow him on Twitter. @ChrisVondracek

LCBHS

From Page 1.

facility would include a separate receiving area for children for up to 23 hours, a de-escalation area for receiving adults for part of one day, and residential crisis stabilization area with six individual rooms with beds for crisis stabilization and detox. The facility also includes a sobering area and a swing room, which could double as a sobering area for women.

"The crisis area is connected with our inpatient substance use treatment area," Stanga said. "We could not do the crisis care without the inpatient substance use treatment because we would not have the staff to otherwise support it."

LCBHS is a private, non-profit community-based behavioral health provider with offices in Yankton, Vermillion and Lake Andes. It offers services in seven counties, including McCook, Gregory, Charles Mix, Douglas, Hutchinson, Bon Homme, Turner, Lincoln, Clay, Union and Yankton. "Currently, LCBHS is operating out of an old Yankton College dormitory that was built in 1902," he said. "There's just no way we can convert it to meet those needs."

Also, the two crisis care beds are located in the old Sacred Heart Hospital. To expand that, LCBHS would be looking at the older part of the building that wouldn't meet any life-safety codes, Stanga said.

The proposed facility would cost about \$6 million and could be part of the capital expenditures that the state makes to create the adequate regional health care facilities it will need, he said.

"At the last session, the legislature gave \$4.6 million to Minnehaha County and \$3.8 or so to Pennington County to establish brick-and-mortar crisis care facilities," Stanga told the Press & Democrat. "I'm asking them to do the same for Yankton."

LCBHS did not ask the legislature to fund the attached inpatient substance use treatment facility, which could begin construction in the spring, depending on how soon the various pieces come together, Stanga said.

"The biggest issue we have right now is that we don't have the space," he said. "We're just unable to meet the current demand for those services."

In 2021, LCBHS served 4,425 unduplicated patients. In that time, its 24-hour crisis line took 691 calls, with 491 resulting in a face-to-face evaluation by a mental health professional and 336 made by individuals who were already on a mental health hold, he said.

Cases that cannot be stabilized within three days go to HSC in preparation for a required mental health hearing, Stanga said.



Stanga

Yankton County is the second-highest county in terms of number of admissions behind Minnehaha," he said. "If you throw in just Clay and Charles Mix Counties, then you're really looking at numbers that exceed Minnehaha County and far exceed Pennington County."

To have an impact on the number of cases sent to HSC, Yankton needs a facility to handle crisis care and stabilization for the shorter term, Stanga said.

The facility would also help relieve some of the choke points in the current way mental health crises are handled resulting in getting people in mental health crisis the appropriate help faster, freeing up emergency department and police time and jail cells.

"If your goal is to preserve HSC for those individuals who need more long term care, you can make a pretty strong case that it makes a lot of sense to do something in our community for appropriate regional care."

totally KNT
FM 102.1
AM 1450
YANKTON

Weekdays 6-9 AM with Jeff Erickson

Listen on 102.1 FM or 1450 AM

Stream it at knt1450.com

Download the KNT app for your smartphone

Ask your smart home device to "Play KNT"

KNT is Your Home Team for Local News, Weather & Sports

See the upcoming guest schedule at knt1450.com

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Halloween symbols
5 Laments loudly
9 Singer

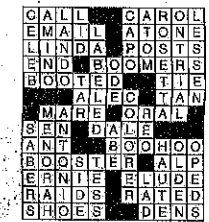
DOWN

11 Wearing less
13 Poker action
14 Missing on TV
15 Series-ending abbr.

16 Stockpiles
18 Gains in abundance
20 Portly
21 Wandered
22 Show up

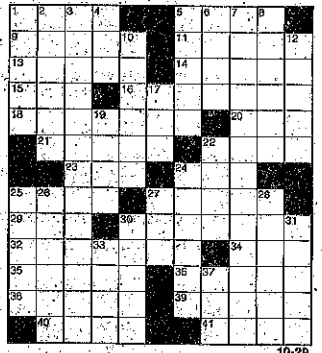
23 Blood color
24 Hotel feature
25 Quantities: Abbr.

27 Whirled weapons
29 Spoil
30 Memory triggers
32 Words of emphasis
34 Old hand
35 Frighten
36 More robust
38 Think up
39 Winky weather



Yesterday's answer

10 Not owned
12 Rashness
17 Central
19 Times for
22 Peaceful
24 Some dinner seating
25 "Witness" group
26 Oldest
27 Lingerie buy
28 Parade site
30 Hammer ends
31 In a way, informally
33 Stage item
37 Imitating



AXYDLBAAXR is LONGFELLOW

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

10-29 CRYPTOQUOTE

G J H G I H N R P W C U R I H L E U R

U Q G A J M G V Q Y E P P Q Y V N P

H Q V B P N R P M P R P N B P G J H N

W J B P U Q M U C C P L Y V J Q

R J H N L P H Q S Q J K O

Yesterday's Cryptquote: TO HAVE COURAGE FOR WHATEVER COMES IN LIFE - EVERYTHING LIES IN THAT. — SAINT TERESA OF AVILA

© 2018 King Features Syndicate, Inc.

1605 Apartment For Rent

1 & 2 Bedroom Orchard Square, 418 W. 15th, Yankton. Rent based on income and includes utilities. Equal Housing Opportunity. Skogen Company 605-665-1322 or 605-263-3941.

1 BD Apts., Meadow Park and Memory Lane. Ground level for elderly or persons with disabilities. No Smoking, close to the Center. Rent based on income. Equal Housing Opportunity. 605-664-8888 or Skogen Company 605-263-3941.

3-Bedroom Townhouses. Must qualify by family size and income. Rent based on income. EHO 605-661-8901 or Skogen Company 605-263-3941.

Two Bedroom Townhouses, Canyon Ridge, Yankton. Must qualify by family size and income. 605-664-8888 or Skogen Company 605-263-3941.

1615 Houses For Rent

Ranch style 3-bedroom, 2-bath, 1-car garage in Springfield, SD. \$800/rent. 402-459-0161.

1705 Items \$100 or Less

4-Trees size 235/65R17 with 1/3" tread left. All for \$50. 605-661-5976.

Boach built-in dishwasher excellent condition, works good \$50. Call 605-660-2942.

Burgundy colored recliner chair great condition \$75. Bookshelf 4' high x 1' depth, has 4 shelves \$25. 605-661-2550.

End table 2' high 18 1/2" wide 14 1/2" deep, 1-drawer on top \$50. End table 23" high, 28" wide, 17" depth with 2-drawers \$60. 605-661-2550.

Firewood mulberry half pickup full ready to go \$100. Call 605-387-5715 after 5pm.

Gas mini tiller yard machine new carb and plug \$79. Charger 10 amp \$20. 605-985-4372.

Gas Poulan 16" Chainsaw \$49. 20lb. Cylinder \$15. Charger 6 amp. \$9. Jack 4 ton new in box \$10. Black & Decker sander polisher \$10. 605-665-4372.

GE Profile Advantium stove top microwave, excellent condition, works great, \$50. Call 605-660-2942.

INFINITY TOUCH CONTROL PROGRAMMABLE THERMOSTAT BY CARRIER \$60. BEST AIR ACCORDIAN FURNACE FILTER \$10. 605-760-3063.

1705 Items \$100 or Less

Maytag dishwasher for under the counter, works good, \$100. 605-667-0780.

Men's denim jacket with hood, size medium, only worn once \$20. 605-260-0761.

Wooden utility cart 25 1/4" wide x 20" deep 30" high on wheels, with 2 open shelves \$50. 605-661-2550.

1820 Give Aways

Giveaway: Large Christmas tree 605-669-3817.

2010 Legal and Public Notices

10-22-29&11-4-12
STATE OF SOUTH DAKOTA
JESSE COUNTY OF YANKTON

IN CIRCUIT COURT
FIRST JUDICIAL COURT

ESTATE OF
COLLEEN F. SCHILD,
Deceased.

Pro. #21-44

NOTICE TO CREDITORS

Notice is given that on the 6th of October, 2021, Brooks T. Schild, whose address is 2004 Elm St., Yankton, SD 57078, and Bruce T. Schild, whose address is 609 W. 8th Street, Yankton, SD 57078 were appointed as Co-Personal Representatives of the Estate of Colleen F. Schild, Deceased.

Creditors of Decedent must file their claims within four (4) months after the date of the first publication of this notice, or their claims may be barred.

Claims may be filed with a Personal Representative or may be filed with the Clerk and a copy of the claim mailed to the Personal Representative.

Dated this 18th day of October, 2021.

By Robert W. Klinisch
KLINISCH LAW, P.C.
101 West 2nd Street
Yankton, SD 57078
(605) 665-9495

Jody Johnson
Clerk of Courts
410 Walnut, Suite 205
Yankton, SD 57078
Published four times at the total approximate cost of \$52.20.

10-29&11-5**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 7:05 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners' Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Condition-

2010 Legal and Public Notices

at Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Seventeen (17), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

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 7:10 P.M. on the 9th day of November, 2021 at the Yankton County Government Center, Commissioners' Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Condition- at Use Permit for a self-storage facility in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Published twice at the total approximate cost of \$23.75.

11-4-12**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 6:30 P.M. on the 16th day of November, 2021 at the Yankton County Government Center, Commissioners' Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to Rezone the following properties from Moderate Density Residential (R2) to Planned Unit Development (PUD) per Article 7 and Article 13 (Second Reading). Said properties are described as:

Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), Drake Subdivision as plotted in Book S19, page 227, Section 17, T93N, R56W Yankton County, South Dakota, less highways and roads.

Published twice at the total approximate cost of \$15.13.

We've Got News For YOU
Subscribe To The Press & Dakotan Today!
319 Walnut St., Yankton
605-665-7811
www.yankton.net

Wagner

From Page 1.

dozen people, also noting the presence of fellow Transportation Commission member Mike Vehle of Mitchell.

"How do we bring this to a vote and have a say?" one woman asked from the audience.

While the DOT draws up a design and proposed projects, the final authority rests with the Transportation Commission, Cull explained. Area residents don't vote on a state highway project, but they can provide valuable input that state officials take into account, he added.

While he currently lives in Yankton, Cull noted he grew up in Springfield and realizes the importance and strong feelings that local residents hold toward their roads and bridges.

As Transportation Commission members, Cull and Vehle attended Thursday's public meeting to learn the local sentiment about a major project in their part of the state. The two commissioners realized the strong feelings on both sides of the Highway 46 project and its importance to the region.

"We're aware of it, and that's why we're here tonight," Cull said.

While working to do what's best for their region, the Transportation Commission members also are required to look at the large picture, Cull said. Those factors include the option with the best features and best use of taxpayer money, along with the overall benefits as part of the state system, he said.

Wagner businessman Jeff Doom, who had expressed his concerns about a three-lane highway, commended the two commissioners for their willingness to receive feedback.

"These guys are our friends and neighbors," Doom told the audience. "We're not here to beat you (commissioners) up, but we love our four-lane."

Behm and Mitchell Area Engineer Jay Peppel with the SD-DOT opened the program with an overview of the proposed Highway 46 change, the traffic statistics and the benefits of changing from four lanes to three lanes.

Behm reviewed a number of public comments and the DOT response to those concerns. "We're looking at the next 30-40

years with these adjustments for Wagner and those who drive through Wagner," he said.

Thursday's audience members raised question about the project's impact on businesses, schools, pedestrians and overall safety. The audience also questioned the traffic counts, when they were taken and the crash figures and circumstances.

While the project has drawn opposition, Behm noted he has also received supportive feedback from area businesses and residents. However, he declined to identify those individuals in order to protect their privacy and from any possible repercussions.

Audience members also spoke about their discussions with other communities from around the state that have undergone the change from four lanes to three lanes. Some audience members said they heard negative reaction from those communities, while others said they saw and heard positive experiences from those who had undergone the change.

The DOT program would enhance safety and better handle a projected growth in traffic, according to its study. The Average Daily Traffic (ADT) count stood at 4,510 in 2019. By 2044, the number is expected to climb to 6,990, with truck traffic comprising 5.6% of the volume.

The two-year plan calls for work from Main Street to the east end of the project in the first year and from the west end of the project to Main Street the following year. The highway will be open to traffic under phased construction.

The purpose of this project is to address the aging surface condition of the roadway, correct drainage issues, provide updated pedestrian infrastructure and improve safety through the city of Wagner.

The scope of work to be done for this project includes new concrete surfacing, curb and gutter, storm sewer, sidewalk, lighting and signals. Grading and PCC surfacing was done in 1991, the signal at Main Street was installed in 1994 and pavement restoration was conducted in 2011.

The Highway 46 crash history was 12 reported crashes from 2015-19, which included six intersection collisions, three rear-end collisions and three side-swipe collisions for a reported crash rate of 1.16 per million vehicle miles of travel.

The proposed typical section consists of a three-lane section, 39 feet wide, with two 14-foot outside lanes, one 11-foot two-way left turn lane, curb and gutter and concrete surfacing.

According to the study, the roadway advantages are:

- Traffic analysis, greatest benefit/cost ratio;
- Capable of safety and efficiently handling up to 20,000-plus vehicles a day;
- Provides safe storage for left turning vehicles;
- Reduces the number of conflict points for left turning vehicles and vehicles entering the roadway;
- Reduces the speed differential between vehicles;
- Boulevard provides snow storage;
- Reduces crossing width for pedestrians;
- The plan includes a planned sidewalk, replacing the existing lighting with LED lights, replace the traffic signal at SD46/Main Street.

Some utilities may need to be relocated. The affected utilities include Fort Randall Telephone, Charles Mix Electric, Northwestern Energy, Randall Community Water and City of Wagner.

This could also affect private utilities such as water lines, drain fields, septic tanks, underground storage tanks and underground power lines.

This project is being developed in accordance with applicable state and federal regulations dealing with the environment, historic and archaeological sites and fish and wildlife, as well as no permanent impact on the Wagner City Park and its water supply.

In the end, Behm thanked the audience for its input. "We want to work with the community as we work with reconstruction (of Highway 46) in the community," he said.

Follow @RDockendorf on Twitter.

CROSSWORD

By THOMAS JOSEPH

- ACROSS**
- 1 Succeed
 - 6 Tooth
 - 11 Get up
 - 12 Like bar
 - 13 Goes under
 - 14 Lane of film
 - 15 Gear part
 - 16 Uno plus
 - 18 Draw
 - 19 Hoppy brew
 - 20 Nourished
 - 21 German conjunction
 - 22 Get excited
 - 24 Egyptian goddess
 - 25 Shirt parts
 - 27 Tampa Bay team
 - 29 Parent's answer to "Why?"
 - 32 Una's place
 - 33 Univ. or acad.
 - 34 Spill
 - 35 Arrest
 - 36 Crew
 - 37 Frank
- DOWN**
- 4 Make amends
 - 42 Form
 - 1040 points
 - 43 Back
 - 44 Extreme diets
 - 45 Impudent
 - 1 Item
 - replaced after filling up
 - 2 Meadow-lark's cousin
 - 3 Belly dancers
 - use them
 - 4 Inquire
 - 5 Soothing
 - 24 Nest
 - egg
 - 7 Cycle
 - starter
 - 26 Spiritual retreats
 - 27 Fled
 - 28 Sinal
 - wealth setting
 - 30 Spa
 - rooms
 - 31 Stubborn
 - 33 Files high
 - 39 Ran into
 - 23 WBA wins
 - 41 — degree

TOTED	GRAZE
AURAE	ROGET
UTURN	ALONE
ENTAIL	
PAID	TLE DAB
ATREST	ERIE
TWIST	OF LIME
TAMS	SILVER
TIRE	LAX EDS
SEXTET	
JAPAN	UTICA
APHID	ROMAN
WELL	ENEMY

Yesterday's answer

We are FIRST in FOOD
because we are
FIRST in PEOPLE.

MICHAEL FOODS INC.

**BENEFITS
ADVANCEMENT
GREAT PAY**

Calling all good eggs,

National Career Fair Nov. 17th
7 AM - 7 PM

Call to schedule an interview

- Paid Holidays on Day 1
- Same Day Offers
- Competitive Wages and Benefits
- \$1,000 Sign On Bonus for Full Time



101 W. 82nd St.
Chaska MN 55318
952-368-6572
www.ku.hackit

120 Tower St South
Gaylord MN 55334-2318
507-237-4524
Se habla español

115 Presque Isle Rd
Merrill ME 04758
207-429-8126

877 North Ave
Elizabeth, NJ 07201

31348 South Hwy 170
Canby, OR 97013
503-651-6926

4420 E. 36th St
Yuma, AZ 85365
928-294-1601

22252 SD Hwy 13
Flandreau, SD 57028
605-573-1200

3940 N. Civic Center Drive "B"
North Las Vegas, NV 89030
702-644-5181

2963 Bernice Rd

JOB OPPORTUNITY

REPORTER

The Yankton (S.D.) Daily Press & Dakotan — an award-winning, five-day daily located along the banks of the Missouri River and near Lewis and Clark Lake in southeastern South Dakota — is seeking applicants for a general assignment reporter. This person would also handle our education beat. Some page designing (InDesign) is also involved. Applicants must have strong writing and reporting skills. Page design skills, photography skills and video/social media experience are helpful.

Send resumes and writing samples to:

PRESS & DAKOTAN

Mr. Kelly Hertz, Editor
Yankton Press & Dakotan
319 Walnut, Yankton, SD 57078
or email kelly.hertz@yankton.net

EOE

Classified Manager

The Yankton Press & Dakotan seeks an outgoing and motivated individual to join our team as Classified Manager.

Qualifications:

- Sales and/or managerial experience
- Ability to multi-task
- Must be detail oriented
- Customer services skills required
- Able to work within deadlines
- Willing to work as part of a team

Full-time Monday-Friday. Medical, dental and vision insurance available. Paid time off/vacation time available after 90 days of service.

To apply send resume to:

PRESS & DAKOTAN

Attn: Miki Schlevelbein
319 Walnut St.
Yankton, SD 57078
Or email: miki.schlevelbein@yankton.net

EOE

2010. Legal and Public Notices

11-26-12-3
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 6:30 P.M. on the 7th day of December, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for outdoor storage in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Section 17, Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

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 6:30 P.M. on the 7th day of December, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for a self-storage facility, in a Lakeside Commercial District per Article 11 Section 1107. Said property is legally described as Lot Four (4), Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Commission, Yankton County, South Dakota, at 6:40 P.M. on the 7th day of December, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to Rezone the following properties from Moderate Density Residential (R2) to Planned Unit Development (PUD) per Article 7 and Article 13. Said properties are described as: Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), Drake Subdivision as platted in Book S19, page 227, Section 17, T93N, R56W Yankton County, South Dakota, less highways and roads. Published twice at the total approximate cost of \$37.05.

Please Recycle

COVID

From Page 3

COVID-19 infections and two new deaths Wednesday, raising the state's pandemic death toll to 2,320, with 85 of those recorded this month. Neither of Wednes-

Fire

From Page 1

day's reported deaths were posted for the Yankton area. Current hospitalizations dropped by six to 231. There were 26 new hospitalizations reported.

The University of South Dakota online portal Wednesday posted eight active cases (7 students, 1 staff), up two from Tuesday. Ten people were in quarantine/isolation (+2), none of whom were on

campus (0 change). Also, the DOH updated the vaccination page of its online portal to reflect vaccinations for residents ages 5 and up. It now lists 64% of eligible South Dakotans having received at least one vaccine dose, which was amended downward from 71% previously. Also, 53.25% were listed as having completed the vaccination series.

fire in Yankton County, and it was in a combine with no damage and they went back to work. We flushed it all out and they went right back to work. The field didn't burn at all or anything. The farmers have been telling me that the bean plants — even though the pods are shaking off — still have a lot of moisture in them. That caused some problems with the combines if they went too fast.

He said that it's still key for anyone looking to burn in the coming weeks to keep an eye on the situation with the weather and on the ground.

"Just check your weather report, make sure you've got enough manpower to handle your controlled burn and, as usual, we want you to call in your controlled burns," he said. "At that point, you'll be given the weather report whether it's favorable to burn or not."

Follow @RobNelsenPmD on Twitter.

Business AD-vantage

Where You Find Business & Professional EXPERTS!
A NEW BREED OF YELLOW PAGES

CLEANING

Intel Cleaning & Restoration
3312 W. 8th, Yankton, SD
605-689-2220
www.intelclean.com

FUNERAL/CREMATION

Goglin Funeral Homes
Yankton, Tyndal, Scotland, Tripp
807 W. 31st, Yankton
605-686-4414

Advertise Here!
Call 665-7811

ELECTRICAL

Johnson Electric, LLP
Commercial • Residential • Remodeling
500 W. 32nd, Yankton
605-685-5888

FAMILY MEMORIALS

Yankton Monument Co.
325 Douglas, Yankton
605-664-0980

Advertise Here!
Call 665-7811

WINTZ & RAY
FUNERAL HOME AND
CREMATION SERVICE
Yankton • 605-685-3844
Garden of Memories Cemetery

WINTZ
FUNERAL HOME
Hartington, Colalgia, Ordway & Laurel
402-254-8547
wintzfuneralhome.com
Trusted For Generations

HEATING & COOLING

Kaiser Heating & Cooling
808 W. 23rd, Yankton • 665-2895
HVAC • Plumbing • Electrical

1555 Dogs - Puppies



Parabred pure fawn colored, males & females, 8 weeks old, first shots. Call 605-656-1004.

1605 Apartment For Rent

2-Bedroom, no stairs, water/heat included, garage, dishwasher, washer/dryer, C/A, NO PETS/smoking. Contact 605-660-1271 or 605-660-1115.

3-Bedroom Townhouse. Must qualify by family size and income. Rent based on income. EHO 605-661-8901 or Skogen Company 605-263-3941.

Two Bedroom Townhouses, Canyon Ridge, Yankton. Must qualify by family size and income. 605-664-8888 or Skogen Company 605-263-3941.

1640 Acreage - Lots For Rent

ACREAGE FOR RENT
Perfect for horse lovers! Pole barn, tack room, 2 stalls, corals, and some acres included. Room for trailer and hay storage, but no living quarters. Located 4 miles north of Yankton off Hwy 81. Additional acres negotiable and owner open to tenant bringing living quarters. Text 605-660-9304.

1705 Items \$100 or Less

New 2-4 roll packs Christmas gift wrap \$3/each. Large metal Christmas tree stand \$3. 605-664-6291.

New In box Asha Rosa Cabbage Patch kids snacktime doll \$65. Tonka Franks 2-wheel horse trailer \$50. 605-664-6291.

New Justin boots size 6 never worn \$40. New white slip on tennis shoes size 6 \$10. Motorcycle helmet \$45. 605-665-8214.

Classifieds Work

CROSSWORD
By THOMAS JOSEPH

ACROSS 44 Hick

1 Gullet 45 Lively

5 Velvety dance

10 Detested 46 Night fillers

12 Like

tumblers

13 Pueblo

material

14 Water

lily's kin

15 A thou

thou

16 Plymouth

colonizer

18 Temple

support

20 Tennis

feat

21 Stared

chests

23 Hamilton's

bill

24 Basic idea

26 Gets older

28 Nonsense

29 Fill

completely

31 Pitching

stat

32 Bed item

36 Steals

39 Stunned

wonder

40 Rap sheet

Info

41 Showy

POSSERS AWED
ANIMAL CHAI
NOTICE TIRE
REDHOT
SAWS AREAS
UGH HOTSHOT
GAI ARE ERR
ATTIRED ATA
REEFS STAY
MOHAWK
EDEN VIABLE
REAL INTUIT
ATTY SEEDED

Yesterday's answer

17 Tick off 34 Wee
19 Vegas hooter
22 Fill the bill 35 The
24 Dian Time
Fosséy Machine
subject writer
25 Bread 37 Viper
choice feature
27 Salon stuff 38
28 Meal Perpetua
30 Spring mo. (Idaho
33 Space motto)
going dog 42 Bungle

CROSSWORD
By THOMAS JOSEPH

ACROSS 39 Play

1 City on setting

the Tiber 40 Rigging

5 Highfalls it support

9 Like argon 41 Calls

11 Blow on

one's top

13 Caesar's

land

14 Game

host

15 List

shortening

abbr.

16 Swamps

18 Turns

astray

20 Drama

5 Lewd looks

21 Past

6 Prepares

for war

22 Pale

7 Spanish

thanks

23 Enjoy

some

turkey

24 Director

Lee

25 Mixed

fuel

27 Churlish

fellows

29 Outback

runner

30 Smith or

Jones,

e.g.

32 Most frilly

34 Recipe

unit

35 Skimpy

swimwear

36 Stage

comment

CRAW PANSY
HATED AGILE
ADOBE LOTUS
MIL PILGRIM
PILLAR ACE
ARKS TEN
GIST AGES
ROT SATE
ERA PILLLOW
PILFERS AWE
ALIAS FRILL
SLANT VOKEL
TANGO BATS

Yesterday's answer

12 Snappish people
17 Pub offering
27 Tour carrier
19 Schnitzel 28 Printer's
goof
22 Shortly, 30 Rocker
in Bob
24 Big poems
31 Fells
33 Cuzzo
25 Scots native
37 "Fifth
Beatle"
26 Sloux Sutcliffe

Yankton County, South Dakota

Paid by
James A Den Herder
blooms@mtcnet.net

Payment number
Date paid
Payment method

Receipt

20308
October 15, 2021 01:32 PM
Check

\$300.00 paid on October 15, 2021

Variance, Conditional Use and Rezoning Application

Application ID: CUP-2021-58

Description	Amount
Fee	\$300.00