

Agenda

Yankton County Commission

6:00 PM, Tuesday, September 1, 2020
Commission Chamber
Yankton County Government Center

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Meeting chaired by: Cheri Loest, Chair

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

02 Roll Call: _____ Joseph Healy _____ Dan Klimisch
_____ Gary Swensen _____ Don Kettering _____ 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 Comments	
05	6:10 PM	Approval of Minutes from August 18, 2020	
06	6:15 PM	Claims August Payroll Kokesh Bridge Dedication Use Agreement County Flu Shots	Auditor
07	6:20 PM	Prevailing Wind Park- Road Use Agreement Completion Certificate	Scott Creech
08	6:25 PM	Amend Wheel Tax Ordinance	Commissioners

09	6:35 PM	Employee Handbook Approval	Commissioners
10	6:45 PM	SD Transportation Alternatives Grant	Crystal Nelson
11	6:55 PM	Planning Commission Applications/Appointments	Gary Vetter
	Board of Adjustment		
12	7:00 PM	Jon Moser – Conditional Use Permit	Gary Vetter
13	7:05 PM	Connor Mulherin – Variance and Plat	Gary Vetter
14	7:10 PM	Wally Bakke – Conditional Use Permit	Gary Vetter
15	7:15 PM	Ehresmann Holdings – Conditional Use Permit	Gary Vetter
	Regular Session		
16	7:20 PM	2021 Budget	Gary Swensen
17	7:25 PM	Public Comments	
18	7:30 PM	Commissioner Updates	Commissioners
19	7:35 PM	Executive Session/Poor Relief Issues Pursuant to SDCL 1-25-2 & 28-13 and 28-13-1.3	Lisa Ven Osdel
		Items for Next Meeting	

YANKTON COUNTY COMMISSION MEETING

August 18, 2020

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, August 18, 2020.

Roll call was taken with the following Commissioners present: Dan Klimisch, Don Kettering, Joseph Healy, Gary Swensen, and Cheri Loest.

There were no conflicts of interest reported by Commissioners.

Action 20344C: A motion was made by Healy and seconded by Kettering to approve the meeting agenda with the following change: Item 11, Plat, was removed. All present voted aye; motion carried.

There was one public comment from Gary Swensen.

Chair Loest closed public comment.

Action 20345C: A motion was made by Kettering and seconded by Healy to approve the minutes of August 4, 2020 meeting. All present voted aye; motion carried.

Action 20346C: A motion was made by Kettering and seconded by Healy to approve the following claims; **Commissioners:** Vast Business (Utilities) \$52.50, EMC Insurance Companies (Professional Services) \$6,628.04, Yankton county Observer (Publishing's) \$220.92, M.T & R.C. Smith Insurance (Add Dwellings) \$50.00, SD Counties (Travel) \$555.00, Yankton Daily P & D (Publishing's) \$704.23; **Elections:** McLeod's Printing & Office Supply (Supplies) \$2,058.80, Qualified Presort Services (Supplies) \$38.55; **Court:** Pat Beck (Professional Services) \$105.00, Cedar County Sheriff (Supplies) \$18.50, Certified Languages International (Professional Services) \$13.20, Fox & Youngberg PC (Professional Services) \$14,944.00, Fox & Youngberg PC (Neglected) \$647.70, Kennedy Pier Loftus & Reynolds, LLP (Professional Services) \$1,532.60, Department of Health (Lab-July 2020) \$1,010.00, Dean Schaefer (Professional Services) \$522.00, Thomson Reuters (Supplies) \$1,432.71; **Auditor:** Vast Business (Utilities) \$175.35, Culligan (Supplies) \$42.00, Qualified Presort Services LLC (Supplies) \$124.18, M.T. & R.C. Smith Insurance (Bond) \$36.00, SD Counties (Travel) \$185.00, One Office Solution (Supplies) \$149.50; **Treasurer:** Vast Business (Utilities) \$209.73, Culligan (Supplies) \$56.00, Qualified Presort Services, LLC (Supplies) \$173.06, SD Counties (Travel) \$185.00, One Office Solution (Maintenance) \$201.33; **Data Processing:** Vast Business (Utilities) \$832.83, First Bankcard (Maintenance) \$55.06; **States Attorney:** Century Business Products (Rentals) \$536.06, Culligan (Supplies) \$21.00, Staples Credit Plan (Supplies) \$364.91, Security Shredding Services (Professional Services) \$35.00; **Government Building:** Vast Business (Utilities) \$26.25, Carrot-Top Industries Inc. (Supplies) \$178.28, Ehresmann Engineering Inc. (Maintenance) \$64.00, Flynn's Flowing Flags (Supplies) \$372.10, JCL Solutions (Supplies) \$125.11, Menards (Supplies) \$86.73, Menards

(Maintenance) \$74.30, MidAmerican Energy (Utilities) \$296.99, Olson's Pest Technicians (Maintenance) \$82.00; **Director of Equalization:** Southgate (Maintenance) \$250.00, Vast Business (Utilities) \$229.50, South Dakota Grassland (Travel) \$255.00, Microfilm Imaging Systems (Maintenance) \$70.00, Qualified Presort Services (Supplies) \$13.61, One Office Solution (Supplies) \$257.89; **Register of Deeds:** Vast Business (Utilities) \$177.70, Microfilm Imaging Systems (Rentals) \$336.00, Qualified Presort Services LLC (Supplies) \$37.46, SD Counties (Travel) \$185.00; **VA:** Vast Business (Utilities) \$26.25, Qualified Presort Services LLC (Supplies) \$6.03; **Safety Center Building:** Vast Business (Utilities) \$920.67, Echo Group (Maintenance BSMT) \$34.68, Echo Group (Maintenance) \$361.48, Johnson Controls, Inc. (Maintenance) \$496.63, Kaiser Appliance & Refrigeration (Maintenance) \$259.95, Menards (Supplies) \$14.49; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$16.15, City of Yankton (Fuel) \$1,173.62, Xtreme Car Wash (Maintenance) \$270.60, Culligan (Supplies) \$42.00, Interstate All Battery (Supplies) \$67.26, Jacks Uniforms & Equipment (Uniforms) \$525.79, Northtown Automotive (Maintenance) \$578.30, Qualified Presort Services LLC (Maintenance Contracts) \$126.14, South Dakota Department of Labor & Regulations (Unemployment Ins) \$1,857.00, M.T. & R.C. Smith (Vehicle Change) \$886.00, Tire Muffler Alignment (Maintenance) \$707.56, One Office Solution (Supplies) \$49.51; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$11,938.74, Avera Medical Group (Professional Services) \$675.00, Horwath Laundry Equipment (Maintenance) \$124.94, Culligan (Food Services) \$54.00, Summit Food Services (Food Services) \$6,066.31, McKesson Medical-Surgical Inc. (Professional Services) \$141.76, Jean Deffenbaugh (Uniforms) \$34.08, Correctional Risk Services (Inmate Medical Liab Ins) \$551.00, South Dakota Sheriff's Association (Maintenance Contracts) \$880.00, Strachan Sales, Inc. (Food Services) \$391.23, Yankton Rexall Drug Co (Professional Services) \$358.89; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$27.90, First Bankcard (Supplies) \$230.38; **Care of Poor:** Opsahl-Kostel Funeral Home (Professional Services) \$1,275.00, Qualified Presort Services LLC (Supplies) \$99.02, SD Counties (Travel) \$185.00, Thomson Reuters (Supplies) \$77.25; **Contact:** Contact Center (2nd Half 2020 Allotment) \$25,000.00; **Public Health Nurse:** Vast Business (Utilities) \$240.65, TIAA Commercial Finance (Rentals) \$70.96, Qualified Presort Services (Supplies) \$90.69; **Ambulance:** Avera Sacred Heart Hospital (Professional Services) \$198.26, Vast Business (Utilities) \$207.47, Bound Tree Medical LLC (Supplies) \$957.33, City of Yankton (Fuel) \$453.74, Vendnovation LLC (Professional Services) \$1,200.00, Praetorian Digital (Travel) \$1,850.00, Embroidery & Screen Works (Supplies) \$384.50, First Bankcard (Fuel) \$438.81, First Bankcard (Supplies) \$81.91, Leaf (Rentals) \$81.43, Matheson Tri-Gas Inc. dba Lifescape (Rentals) \$80.53, Menards (Supplies) \$75.94, Qualified Presort Services (Supplies) \$29.88, Roger's Family Pharmacy (Supplies) \$81.36, Security Shredding Services (Professional Services) \$35.00, Tire Muffler Alignment (Maintenance) \$557.42, One Office Solution (Supplies) \$455.00; **Mental Handicapped:** SD Achieve dba Lifescape (Care MI July 2020) \$300.00; **Mental Health Centers:** Lewis & Clark Behavioral Health (3rd/4th Qtr Appropriation 2020) \$40,366.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$42.00, Gary Mikelson (Hearings) \$1,131.00, Fox & Youngberg PC (Hearings) \$407.40, Mark Katterhagen (Hearings) \$42.00, Lewis & Clark Behavioral Health (Hearings) \$1,104.00, Lincoln County Treasurer (Hearings) \$1,969.24, Lucille M. Lewno (Hearings) \$659.00; **Extension:** Kopetsky's Ace Hardware (Supplies) \$35.19, Buhl's Cleaners (Supplies) \$94.55,

Leaf (Supplies) \$191.75, Yankton County 4-H Leader Association (Grounds Maintenance) \$2,331.53; **Weed:** C & B Supply Inc. (Supplies) \$89.03, Yankton County Observer (Publishing's) \$144.00, Yankton Daily P & D (Publishing's) \$440.40; **Planning & Zoning:** Vast Business (Utilities) \$62.50, First Bankcard (Supplies) \$50.00, Microfilm Imaging Systems, Inc. (Rentals) \$70.00, Qualified Presort Services, LLC (Supplies) \$49.98, SD Counties (Travel) \$185.00, One Office Solution (Maintenance) \$117.59, One Office Solution (Supplies) \$33.36, Yankton Daily P & D (Publishing's) \$456.24; **Road & Bridge:** Bomgaars (Supplies) \$31.84, B-Y Electric (Utilities) \$67.34, B-Y Water District (Utilities) \$85.50, Battery Exchange (Supplies) \$104.95, Butler Machinery Co. (Supplies) \$41,267.56, Vast Business (Utilities) \$228.20, Boyer Trucks (Supplies) \$7.70, Presto-X (Maintenance) \$105.00, Cox Auto Supply, Inc. (Supplies) \$723.49, Concrete Materials (Supplies) \$765.10, CenturyLink (Utilities) \$55.83, Calibration Technologies, Inc. (Maintenance) \$1,251.95, CHS (Supplies) \$1,055.40, CHS (Fuel) \$1,685.72, Janssen's Garbage Services (Utilities) \$45.00, Longs Propane Inc. (Fuel) \$48.00, Menards (Supplies) \$24.83, MidAmerican Energy (Utilities) \$19.69, Yankton County Observer (Publishing's) \$144.00, M.T. & R.C. Smith (Equipment Change) \$58.00, SD Counties (Travel) \$185.00, Southeastern Electric Cooperative Inc. (Utilities) \$2.73, Truck Trailer Sales Services, Inc. (Supplies) \$69.10, Truenorth Steel (Supplies) \$25,552.90, One Office Solution (Supplies) \$140.53, Yankton Daily P & D (Professional Services) \$275.25; **Emergency 911 Fund:** Vast Business (Utilities) \$123.28, Powerphone Inc. (Travel) \$729.00, CenturyLink (Utilities) \$83.20, Golden West Telecommunications (Utilities) \$145.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$64.72, B-Y Electric (Utilities) \$53.19, City of Yankton (Supplies) \$26.31, Cox Auto Supply Inc. (Maintenance) \$174.55, Xtreme Car Wash (Professional Services) \$67.20, ESRI (Maintenance) \$400.00, First Bankcard (Supplies) \$113.01, Kaiser Appliance & Refrigeration (Maintenance) \$1,141.95, Menards (Supplies) \$55.86, Tabor Lumber Cooperative (Supplies) \$253.87, One Office Solution (Supplies) \$168.14; **24/7 Program:** Pharmchem Inc. (Supplies) \$1,274.20; **Non-Departmental:** Satellite Tracking of People (Tracking Monitors) \$299.00, Byron Nogelmeier (Cam Daily Fee) \$1,818.00, SD Department of Revenue (HSC Services) \$7,831.36, SD Department of Revenue (Redfield Services) \$60.00, SD Department of Revenue (Motor Vehicle Fees) \$506,421.18, SD Department of Revenue (Waste Fees) \$6,965.75, SD Department of Revenue (ROD Fees) \$1,730.00, SDACO (M & PR Fund) \$882.00; General Fund \$159,398.29, Road & Bridge, \$74,000.61, Emergency Management, 2,518.80. Kettering, Healy and Loest voted aye; Klimisch and Swensen voted nay; motion carried. 3-2

Action 20347AUD: A motion was made by Kettering and seconded by Klimisch to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash report as of July 31, 2020 which showed Total Cash of \$9,142,130.87. The General Fund was \$5,380,475.17; Special Funds were \$2,524,253.64; and Trust and Agency Funds were \$1,237,402.06 adding to a Grand Total of General Ledger Cash and Investments of \$9,142,130.87. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 20348C: A motion was made by Kettering and seconded by Healy to approve the 2020 General Election Vote Centers as follows; Yankton City Hall, Yankton Fire Station #2,

Gayville Community Center, Mayfield Bar & Grill, Lesterville Fire Hall and Lewis & Clark Recreation Area. All present voted aye; motion carried.

Action 20349C: A motion was made by Klimisch and seconded by Healy to cancel the special assessments on parcels 78.820.008.070 \$24.32 and 78.820.008.040 \$40.54 per request from Yankton City. All present voted aye; motion carried.

Action 20350C: A motion was made by Healy and seconded by Kettering to change the percentage for jail holds monies that are receipted into a special jail building fund to 10% instead of the current 25%. Healy, Kettering, Klimisch and Loest voted aye; Swensen voted nay; motion carried, 4-1.

Action 20351C: A motion was made by Klimisch and seconded by Kettering to approve the Rich Schild Bridge Dedication Program use agreement. All present voted aye; motion carried.

Action 20352Hwy: A motion was made by Klimisch and seconded by Healy to approve entrance application from Ralph Marquardt in Township 96-54. All present voted aye; motion carried.

Emergency Management Director Paul Scherschligt appeared before the board for approval of the Emergency Management Performance Grant (EMPG) and to update the board on COVID-19.

Action 20353OEM: A motion was made by Healy and seconded by Klimisch to approve the Emergency Management Performance Grant. All present voted aye; motion carried.

Action 20354Z: A motion was made by Kettering and seconded by Healy to adopt the following resolution. Whereas it appears, David Kline, owner of record, has caused a plat to be made of the following real property: Tract 1A Replat of Tract 2 Blk 3 Missouri View Addition, N1/2, NE1/4, S15-T93N-R56W, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and the Yankton County Commission for approval. Now therefore be it resolved that such plat has been executed according to law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried.

Action 20355Z: A motion was made by Healy and seconded by Kettering to adopt the following resolution. Whereas it appears, Todd Huber, owner of record, has caused a plat to be made of the following real property: Lot 15 Sundance Ridge, W1/2, S12-T93N-R57W, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and the Yankton County Commission for approval. Now therefore be it resolved that such plat has been executed according to law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The

County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried.

Action 20356Z: A motion was made by Healy and seconded by Kettering to adopt the following resolution. Whereas it appears, DLK & M, LLC, owners of record, have caused a plat to be made of the following real property: Bakke Addition, NW1/4, S1-T93N-R57W, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and the Yankton County Commission for approval. Now therefore be it resolved that such plat has been executed according to law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried.

2021 Budget: Commissioner Swensen commented on the proposed 2021 Budget.

Action 20357C: A motion was made by Kettering and seconded by Healy to recess the commission meeting for five minutes. All present voted aye; motion carried.

Action 20358C: A motion was made by Swensen and seconded by Healy to reconvene. All present voted aye; motion carried.

Hearing: There was a second reading on the adoption of proposed amendments to Ordinance 2020 definitions and Article 5 Agricultural District, Ordinance 20-24.

Several members of the audience spoke at the hearing: Bill Conkling, Paige Herrig, Paty Davies, Heather Fillaus, Chris Barkl, Matt Lyngstad, Mike Schurman, Christy Hauer, Dale Knode, Zane Williams, Louis Johnson, Bruce Jensen, Todd Woods, Ramona Bagstad, Robert Freng, Jeff Barkl, Kristy Schlultz, Deb Bodenstedt and Cathy Weiss.

Action 20359Z: A motion was made by Kettering and seconded by Healy to deny proposed amendments to the Ordinance and to send it back to Planning and Zoning.

Kettering called the question and Healy seconded. Call failed on a 3-2 vote.

After further discussion, Chair Loest asked for a roll call vote on **Action 20359Z**. Kettering, Healy and Loest voted aye; Klimisch and Swensen voted nay; motion carried, 3-2

Action 20360D: A motion was made by Kettering and seconded by Healy to recess the regular session and convene as Ditch Board. All present voted aye; motion carried.

Susan McClure and Paul Crecelius appeared before the board to discuss the procedure on cleaning the Clay Creek Ditch. McClure said they have a private ditch that flows into the Clay Creek Ditch and requested the county pay for the portion that flows through their land. The board agreed to receive a quote from the contractor.

Action 20361C: A motion was made by Swensen and seconded by Healy to recess the Ditch Board and reconvene in regular session. All present voted aye; motion carried.

Employee Handbook: Dan Oakland from Alternative HRD, LLC of Sioux Falls, SD presented proposed changes to the employee handbook. Discussion of the handbook will be placed on the next meeting's agenda for final action.

Wheel Tax: The board discussed an increase to the wheel tax from the current \$4.00 per wheel not to exceed 4 wheels to \$5.00 per wheel not to exceed 4 wheels or the maximum of \$5.00 per wheel not to exceed 12 wheels.

Bruce Jensen and Robert Freng spoke on the discussion.

Action 20362C: A motion was made Healy and seconded by Kettering to approve the \$5.00 per wheel not to exceed 4 wheels. Roll call vote was taken. Healy, Kettering and Loest voted aye; Kettering and Swensen voted nay; motion carried, 3-2.

There were no public comments.

Chair Loest closed public comment.

Commissioner updates: Items mentioned were YAPG zoom meeting, 8-County meeting and Planning and District meeting in Mitchell, SD. Swensen said he will have a conference call with Washington DC.

Action 20363C: A motion was made by Swensen and seconded by Healy to recess the regular session at 10:25 pm and convene in executive session to discuss litigation SDCL 1-25-2(3), personnel issues SDCL 1-25-2(1) and Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried.

Action 20364C: A motion was made by Swensen and seconded by Kettering to adjourn the executive session at 10:45 pm and reconvene in regular session. All present voted aye; motion carried.

Action 20365C: A motion was made by Kettering and seconded by Healy to deny poor relief assistance on Case #1. All present voted aye; motion carried.

Action 20366C: A motion was made by Healy and seconded by Kettering to approve the termination of a Yankton County Employee as requested. Four voted aye with Swensen voting nay; motion carried, 4-1.

Action 20367 C: A motion was made by Swensen and seconded by Healy to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, September 1, 2020 at 6:00 p.m.

Cheri Loest, Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01630	INTUVIO SOLUTIONS	I-202008265234	101-5-111-42200	PROF SERVICES-COMMISSIONERS		99.90
DEPARTMENT 111 COMMISSIONERS						TOTAL: 99.90

8/28/2020 1:56 PM DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER
VENDOR SET: 01 Yankton County
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 120 ELECTIONS

PAGE: 2
ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-04105	ELECTION SYSTEMS & SOFT	I-202008265258	101-5-120-42600	SUPPLIES-ELECTIONS		1,276.67
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-120-42600	SUPPLIES-ELECTIONS		55.71
01-21042	VERIZON	I-202008285307	101-5-120-42400	RENTALS-ELECTIONS		320.08
01-22241	ONE OFFICE SOLUTION	I-202008275303	101-5-120-42600	SUPPLIES-ELECTIONS		183.15
DEPARTMENT 120 ELECTIONS				TOTAL:		1,835.61

BANK: ALL

DEPARTMENT 130	COURT	TOTAL:	10,616.51
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8/28/2020 1:56 PM DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER
VENDOR SET: 01 Yankton County
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 141 AUDITOR

PAGE: 4
ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-07281	PATTY HOJEM	I-202008285304	101-5-141-42700	TRAVEL-AUDITOR		51.24
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-141-42600	SUPPLIES-AUDITOR		62.48
DEPARTMENT 141 AUDITOR						TOTAL: 113.72

						BANK: ALL		
VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT		
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-142-42600	SUPPLIES-TREASURER		141.05		
						DEPARTMENT 142 TREASURER	TOTAL:	141.05

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-12031	MILLER CONSULTING LLC	I-202008275297	101-5-143-42500	MAINTENANCE-DATA		3,028.00
DEPARTMENT 143 DATA PROCESSING TOTAL:						3,028.00

8/28/2020 1:56 PM DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER PAGE: 7
VENDOR SET: 01 Yankton County ITEMS PRINTED: PAID, UNPAID
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 151 STATES ATTORNEY BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-04156	EXECUTIVE MGMT FINANCE	I-202008265259	101-5-151-42800	UTILITIES-STATES ATTY		29.25
01-12031	MILLER CONSULTING LLC	I-202008275297	101-5-151-42500	MAINTENANCE-STATES ATTY		240.00
DEPARTMENT 151 STATES ATTORNEY TOTAL:						269.25

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM

FUND : 101 GENERAL FUND

DEPARTMENT: 161 GOVERNMENT BUILDINGS

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00090	KOPETSKY'S ACE HARDWARE	I-202008275286	101-5-161-42600	SUPPLIES-GOVT CTR		34.57
01-02001	CITY OF YANKTON	I-202008275291	101-5-161-42800	UTILITIES-GOVT CTR		196.70
01-02001	CITY OF YANKTON	I-202008275291	101-5-161-42800	UTILITIES-GOVT CTR		1,630.63
01-02001	CITY OF YANKTON	I-202008275291	101-5-161-42800	UTILITIES-GOVT CTR		232.69
01-04023	ECHO GROUP	I-202008265256	101-5-161-42500	MAINTENANCE-GOVT CTR		84.60
01-05227	FLYNN'S FLOWING FLAGS	I-202008265260	101-5-161-42200	PROF SERVICES-GOVT CTR		100.00
01-07742	HEIMAN INC.	I-202008265263	101-5-161-42500	MAINTENANCE-GOVT CTR		192.00
01-09220	JUSTRA'S BODY SHOP INC	I-202008265262	101-5-161-42200	PROF SERVICES-GOVT CTR		105.00
01-09287	JCL SOLUTIONS	I-202008275294	101-5-161-42600	SUPPLIES-GOVT CTR		53.84
01-12167	MENARDS	I-202008275298	101-5-161-42500	MAINTENANCE-GOVT CTR		35.49
01-13001	NORTHWESTERN ENERGY	I-202008285308	101-5-161-42800	UTILITIES-GOVT CTR		3,572.39
01-14055	OTIS ELEVATOR COMPANY	I-202008265272	101-5-161-42500	MAINTENANCE-GOVT CTR		848.04
01-20004	UNITED LABORATORIES INC	I-202008265283	101-5-161-42600	SUPPLIES-GOVT CTR		525.39

DEPARTMENT 161 GOVERNMENT BUILDINGS TOTAL: 7,611.34

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM

FUND : 101 GENERAL FUND

DEPARTMENT: 162 DIRECTOR OF EQUALIZATION

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00089	MATT ARCHER	I-202008265227	101-5-162-42700	TRAVEL-DOE		96.60
01-12031	MILLER CONSULTING LLC	I-202008275297	101-5-162-42500	MAINTENACE-DOE		60.00
01-15088	JEFFREY PUTHOFF	I-202008265274	101-5-162-42700	TRAVEL-DOE		188.40
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-162-42600	SUPPLIES-DOE		13.73
01-21042	VERIZON	I-202008275302	101-5-162-42500	MAINTENANCE-DOE		162.01

DEPARTMENT 162 DIRECTOR OF EQUALIZATI TOTAL: 520.74

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM

FUND : 101 GENERAL FUND

DEPARTMENT: 163 REGISTER OF DEEDS

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-04156	EXECUTIVE MGMT FINANCE	I-202008265259	101-5-163-42800	UTILITIES-ROD		29.25
01-07199	BRIAN HUNHOFF	I-202008265261	101-5-163-42600	SUPPLIES-ROD		7,146.90
01-12031	MILLER CONSULTING LLC	I-202008275297	101-5-163-42500	MAINTENANCE-ROD		120.00
01-12612	MICRO TEK SOLUTIONS	I-202008265271	101-5-163-42600	SUPPLIES-ROD		96.82
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-163-42600	SUPPLIES-ROD		33.96
01-22241	ONE OFFICE SOLUTION	I-202008275303	101-5-163-42600	SUPPLIES-ROD		54.33

DEPARTMENT 163	REGISTER OF DEEDS	TOTAL:	7,481.26
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VENDOR SET: 01 Yankton County ITEMS PRINTED: PAID, UNPAID
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 165 VETERANS SERVICE OFFICER BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-165-42600	SUPPLIES-VA		6.09
DEPARTMENT 165 VETERANS SERVICE OFFIC TOTAL:						6.09

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM

FUND : 101 GENERAL FUND

DEPARTMENT: 169 SAFETY CENTER BUILDING

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00090	KOPETSKY'S ACE HARDWARE	I-202008275286	101-5-169-42600	SUPPLIES-SAFETY CTR		10.88
01-01011	BOMGAARS	I-202008275287	101-5-169-42600	SUPPLIES-SAFETY CTR		66.73
01-02001	CITY OF YANKTON	I-202008275291	101-5-169-42800	UTILITIES-SAFETY CTR		547.03
01-02001	CITY OF YANKTON	I-202008275291	101-5-169-42800	UTILITIES-SAFETY CTR		232.68
01-02084	COLE PAPERS INC.	I-202008275292	101-5-169-42600	SUPPLIES-SAFETY CTR		788.77
01-12167	MENARDS	I-202008275298	101-5-169-42600	SUPPLIES-SAFETY CTR		65.97
01-13001	NORTHWESTERN ENERGY	I-202008275299	101-5-169-42800	UTILITIES-SAFETY CTR		10,151.97
01-19249	TOP NOTCH WINDOW CLEANI	I-202008265282	101-5-169-42200	PROF SERVICES-SAFETY CTR		345.00

DEPARTMENT 169 SAFETY CENTER BUILDING TOTAL: 12,209.03

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VENDOR SET: 01 Yankton County
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 211 SHERIFF

PAGE: 13
ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01858	MOZAK'S INC	I-202008265236	101-5-211-43500	MINOR EQUIPMENT-SHERIFF		888.00
01-02631	CARDMEMBER SERVICES	I-202008265238	101-5-211-42610	FUEL-SHERIFF		37.56
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-211-42600	SUPPLIES-SHERIFF		111.74
DEPARTMENT 211 SHERIFF					TOTAL:	1,037.30

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM

FUND : 101 GENERAL FUND

DEPARTMENT: 212 COUNTY JAIL

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01778	MARK PAYER	I-202008265235	101-5-212-42600	SUPPLIES-JAIL		24.00
01-02631	CARDMEMBER SERVICES	I-202008265238	101-5-212-42530	SECURITY MAINTENANCE-JAIL		73.74
01-02631	CARDMEMBER SERVICES	I-202008265238	101-5-212-42210	FOOD SERVICES-JAIL		10.18
01-03195	SUMMIT FOOD SERVICE, LL	I-202008265252	101-5-212-42210	FOOD SERVICES-JAIL		2,739.82
01-03195	SUMMIT FOOD SERVICE, LL	I-202008265253	101-5-212-42210	FOOD SERVICES-JAIL		2,679.60
01-18024	SHERWIN WILLIAMS COMPAN	I-202008265277	101-5-212-42600	SUPPLIES-JAIL		51.81
01-18430	JEROLD SORBEL	I-202008265279	101-5-212-42210	FOOD SERVICES-JAIL		8.47
01-18430	JEROLD SORBEL	I-202008265280	101-5-212-42200	PROF SERVICES-JAIL		240.00
01-22241	ONE OFFICE SOLUTION	I-202008275303	101-5-212-42600	SUPPLIES-JAIL		66.13

DEPARTMENT 212 COUNTY JAIL

TOTAL:

5,893.75

BANK: ALL						
VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-18295	SANFORD HEALTH	I-202008265278	101-5-213-42200	PROF SERVICES-CORONER		9,468.00
DEPARTMENT 213 CORONER					TOTAL:	9,468.00

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VENDOR SET: 01 Yankton County ITEMS PRINTED: PAID, UNPAID
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 216 JUVENILE DETENTION BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-12002	MINNEHAHA COUNTY JUVENI	I-202008265266	101-5-216-42400	RENTALS-JUVENILE DETENTION		20,373.40
DEPARTMENT 216 JUVENILE DETENTION TOTAL:						20,373.40

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01130	BATTERY EXCHANGE	I-202008265229	101-5-226-42600	SUPPLIES-YASR		179.70
01-01130	BATTERY EXCHANGE	I-202008265230	101-5-226-42600	SUPPLIES-YASR		179.90
01-01130	BATTERY EXCHANGE	I-202008265231	101-5-226-42600	SUPPLIES-YASR		160.90
01-18610	TWO WAY SOLUTIONS INC	I-202008265281	101-5-226-42600	SUPPLIES-YASR		826.41
DEPARTMENT 226 YANKTON AREA SEARCH & TOTAL:						1,346.91

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-411-42600	SUPPLIES-POOR RELIEF		91.66
DEPARTMENT 411 CARE OF POOR						TOTAL: 91.66

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VENDOR SET: 01 Yankton County ITEMS PRINTED: PAID, UNPAID
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 421 PUBLIC HEALTH NURSE BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-421-42600	SUPPLIES-NURSE		61.94
DEPARTMENT 421 PUBLIC HEALTH NURSE TOTAL:						61.94

VENDOR SET: 01 Yankton County
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 424 AMBULANCE

ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00074	AVERA HEALTH dba AVERA	I-202008265226	101-5-424-42700	TRAVEL-AMBULANCE		40.00
01-00311	SACRED HEART HEALTH SER	I-202008265228	101-5-424-42200	PROF SERVICES-AMBULANCE		1,500.00
01-02001	CITY OF YANKTON	I-202008275291	101-5-424-42800	UTILITIES-AMBULANCE		261.35
01-02690	CINTAS	I-202008265265	101-5-424-42600	SUPPLIES-AMBULANCE		68.13
01-03566	QUICK MED CLAIMS	I-202008265255	101-5-424-42600	SUPPLIES-AMBULANCE		2,648.72
01-04062	CHANGE HEALTHCARE	I-202008265257	101-5-424-42600	SUPPLIES-AMBULANCE		155.83
01-10021	KAISER HEATING & COOLIN	I-202008265264	101-5-424-42500	MAINTENANCE-AMBULANCE		2,090.34
01-12031	MILLER CONSULTING LLC	I-202008275297	101-5-424-42500	MAINTENANCE-AMBULANCE		600.00
01-12167	MENARDS	I-202008275298	101-5-424-42600	SUPPLIES-AMBULANCE		228.36
01-12371	MIDAMERICAN ENERGY	I-202008265270	101-5-424-42800	UTILITIES-AMBULANCE		14.11
01-13001	NORTHWESTERN ENERGY	I-202008285305	101-5-424-42800	UTILITIES-AMBULANCE		1,063.18
01-14005	OLSON'S PEST TECHNICIAN	I-202008275300	101-5-424-42500	MAINTENANCE-AMBULANCE		114.00
01-16017	QUALIFIED PRESORT SERVI	I-202008275301	101-5-424-42600	SUPPLIES-AMBULANCE		13.53
01-21042	VERIZON	I-202008285306	101-5-424-42800	UTILITIES-AMBULANCE		304.69

DEPARTMENT 424	AMBULANCE	TOTAL:	9,102.24
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VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01765	DARCY LOCKWOOD	I-202008275288	101-5-445-00000	HEARINGS-MI		66.00
01-10118	MARK KATTERHAGEN	I-202008275295	101-5-445-00000	HEARINGS-MI		66.00
01-11092	LUCILLE M. LEWNO	I-202008275296	101-5-445-00000	HEARINGS-MI		1,056.00
DEPARTMENT 445 MENTAL ILLNESS BOARD TOTAL:						1,188.00

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VENDOR SET: 01 Yankton County ITEMS PRINTED: PAID, UNPAID
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 525 SENIOR CITIZENS BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-02001	CITY OF YANKTON	I-202008275289	101-5-525-00000	2ND QUARTER SENIOR CITIZENS		4,529.12
DEPARTMENT 525 SENIOR CITIZENS					TOTAL:	4,529.12

VENDOR SET: 01 Yankton County

ITEMS PRINTED: PAID, UNPAID

PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM

FUND : 101 GENERAL FUND

DEPARTMENT: 611 COUNTY EXTENSION

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-01200	VAST BUSINESS	I-202008265233	101-5-611-42800	UTILITIES-EXTENSION		399.11
01-02001	CITY OF YANKTON	I-202008275291	101-5-611-42800	UTILITIES-EXTENSION		59.75
01-02130	CLAY COUNTY 4-H LEADERS	I-202008265237	101-5-611-42200	PROF SERVICES-EXTENSION		63.85
01-12371	MIDAMERICAN ENERGY	I-202008265269	101-5-611-42800	UTILITIES-EXTENSION		8.52
01-14005	OLSON'S PEST TECHNICIAN	I-202008275300	101-5-611-42500	MAINTENANCE-EXTENSION		150.00
01-22241	ONE OFFICE SOLUTION	I-202008275303	101-5-611-42600	SUPPLIES-EXTENSION		210.46
DEPARTMENT 611 COUNTY EXTENSION TOTAL:						891.69

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VENDOR SET: 01 Yankton County
PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM
FUND : 101 GENERAL FUND
DEPARTMENT: 615 WEED

PAGE: 24
ITEMS PRINTED: PAID, UNPAID

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00514	C & B OPERATIONS, LLC	I-202008265188	101-5-615-42600	SUPPLIES-WEED		215.29
01-02008	COX AUTO SUPPLY INC.	I-202008265189	101-5-615-42600	SUPPLIES-WEED		24.49
01-02280	C & R SUPPLY INC	I-202008265190	101-5-615-42600	SUPPLIES-WEED		118.73
01-21095	VAN DIEST SUPPLY CO	I-202008265191	101-5-615-42690	CHEMICALS-WEED		1,906.25
DEPARTMENT 615 WEED					TOTAL:	2,264.76

DEPARTMENT: 711 PLANNING & ZONING

BANK: ALL

FUND	101	GENERAL FUND	TOTAL:	100,305.81
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VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00257	APPEARA	I-202008265192	201-5-311-42600	SUPPLIES-HWY		116.41
01-01011	BOMGAARS	I-202008265193	201-5-311-42600	SUPPLIES-HWY		13.85
01-01059	BROADWAY CHRYSLER, DODG	I-202008265194	201-5-311-42600	SUPPLIES-HWY		447.00
01-01130	BATTERY EXCHANGE	I-202008265195	201-5-311-42600	SUPPLIES-HWY		180.00
01-01166	BUTLER MACHINERY CO.	I-202008265196	201-5-311-42600	SUPPLIES-HWY		379.44
01-02001	CITY OF YANKTON	I-202008265197	201-5-311-42800	UTILITIES-HWY		172.77
01-02008	COX AUTO SUPPLY INC.	I-202008265198	201-5-311-42600	SUPPLIES-HWY		515.22
01-02058	CONCRETE MATERIALS	I-202008265199	201-5-311-42900	ANNUAL PROJECTS-HWY		246,317.10
01-02287	LOISEAU CONSTRUCTION	I-202008265200	201-5-311-42900	ANNUAL PROJECTS-HWY		185,540.00
01-02655	CALIBRATION TECHNOLOGIE	I-202008265201	201-5-311-42500	MAINTENANCE-HWY		1,251.95
01-02901	NELSON SERVICE, LLC	I-202008265202	201-5-311-42600	SUPPLIES-HWY		112.20
01-03061	3-D SPECIALTIES INC.	I-202008265203	201-5-311-42600	SUPPLIES-HWY		144.36
01-03167	BETH WILHELMS	I-202008265204	201-5-311-42700	TRAVEL-HWY		57.33
01-10334	KIMBALL MIDWEST	I-202008265205	201-5-311-42600	SUPPLIES-HWY		153.84
01-11006	LYLE SIGNS INC	I-202008265206	201-5-311-42600	SUPPLIES-HWY		2,348.79
01-11011	LONGS PROPANE INC.	I-202008265207	201-5-311-42640	FUEL-HWY		52.50
01-12167	MENARDS	I-202008265208	201-5-311-42600	SUPPLIES-HWY		41.91
01-12213	MIDWEST RADIATOR & EXHA	I-202008265209	201-5-311-42500	MAINTENANCE-HWY		105.00
01-14030	O'REILLY AUTO PARTS	I-202008265210	201-5-311-42600	SUPPLIES-HWY		9.31
01-14993	OVERHEAD DOOR COMPANY O	I-202008265211	201-5-311-42500	MAINTENANCE-HWY		290.25
01-17226	RIVERSIDE HYDRAULICS &	I-202008265212	201-5-311-42600	SUPPLIES-HWY		6.78
01-18242	SD DEPARTMENT OF TRANSP	I-202008265213	201-5-311-42900	ANNUAL PROJECTS-HWY		1,757.55
01-19005	TRUCK TRAILER SALES SER	I-202008265214	201-5-311-42600	SUPPLIES-HWY		425.00
01-21042	VERIZON	I-202008285306	201-5-311-42800	UTILITIES-HWY		86.85
01-22241	ONE OFFICE SOLUTION	I-202008265215	201-5-311-42600	SUPPLIES-HWY		39.62
01-24003	YANKTON DAILY P & D	I-202008265216	201-5-311-42300	PUBLISHINGS-HWY		148.82
01-24075	YANKTON FIRE & SAFETY C	I-202008265217	201-5-311-42500	MAINTENANCE-HWY		929.25
DEPARTMENT 311 HIGHWAY CONSTRUCTION & TOTAL:						441,643.10
FUND 201 ROAD & BRIDGE TOTAL:						441,643.10

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-02001	CITY OF YANKTON	I-202008275290	207-5-225-42200	2ND QUARTER E911 DISPATCH		29,348.25
01-02692	CENTURYLINK	I-202008265242	207-5-225-42800	UTILITIES-E911		73.92
01-12132	MIDCONTINENT COMMUNICAT	I-202008265267	207-5-225-42800	UTILITIES-E911		115.00
01-18015	SD DEPARTMENT OF PUBLIC	I-202008265276	207-5-225-42800	UTILITIES-E911		3,215.00
DEPARTMENT 225 LOCAL EMERGENCY PLANNI TOTAL:						32,752.17
FUND 207 EMERGENCY 911 FUND TOTAL:						32,752.17

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-00090	KOPETSKY'S ACE HARDWARE	I-202008275286	226-5-222-42600	SUPPLISE-EDS		34.06
01-01011	BOMGAARS	I-202008275287	226-5-222-42600	SUPPLIES-EDS		170.36
01-01155	BOSTON SHOES TO BOOTS	I-202008265232	226-5-222-42600	SUPPLIES-EDS		211.00
01-12167	MENARDS	I-202008275298	226-5-222-42600	SUPPLIES-EDS		562.89
01-12371	MIDAMERICAN ENERGY	I-202008265268	226-5-222-42800	UTILITIES-EDS		8.00
01-21042	VERIZON	I-202008285306	226-5-222-42800	UTILITIES-EDS		733.64
01-22241	ONE OFFICE SOLUTION	I-202008275303	226-5-222-42600	SUPPLIES-EDS		2.58
01-24008	YANKTON JANITORIAL SUPP	I-202008265284	226-5-222-42610	DISASTER PLAN-EDS		594.00
DEPARTMENT 222 EMERGENCY MANAGEMENT TOTAL:						2,316.53
FUND 226 EMERGENCY MANAGEMENT TOTAL:						2,316.53

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DIRECT PAYABLES DEPARTMENT PAYMENT REGISTER

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ITEMS PRINTED: PAID, UNPAID

VENDOR SET: 01 Yankton County

PACKET: 01940 LYNDSEY- 09-01-2020 CLAIM

FUND : 248 24/7 SOBRIETY FUND

DEPARTMENT: 212 24/7 PROGRAM

BANK: ALL

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-15051	PHARMCHEM. INC.	I-202008265273	248-5-212-42600	SUPPLIES-24/7		1,236.00
DEPARTMENT 212 24/7 PROGRAM						TOTAL: 1,236.00
FUND 248 24/7 SOBRIETY FUND						TOTAL: 1,236.00

VENDOR	NAME	ITEM #	G/L ACCOUNT	DESCRIPTION	CHECK#	AMOUNT
01-16019	POLLMAN EXCAVATION	I-202008265275	740-21008	YC COUNTY DITCH		19,576.57
DEPARTMENT 0000 NON-DEPARTMENTAL						TOTAL: 19,576.57
FUND 740 DRAINAGE DITCHES						TOTAL: 19,576.57
REPORT GRA TOTAL:						597,830.18

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2020	101-5-111-42200	PROFESSIONAL SERVICE & FEE	99.90	40,000	24,894.41				
	101-5-120-42400	RENTALS	320.08	5,215	965.93				
	101-5-120-42600	SUPPLIES	1,515.53	18,000	7,242.35-	Y			
	101-5-130-42200	PROFESSIONAL SERVICE & FEE	6,675.42	400,000	189,248.41				
	101-5-130-42210	JUROR-WITNESS-HEARINGS-LAB	427.72	50,000	17,149.25				
	101-5-130-42230	DELINQUENT & MINOR	3,491.99	20,000	1,831.45				
	101-5-130-42600	SUPPLIES	21.38	5,000	3,099.85-	Y			
	101-5-141-42600	SUPPLIES	62.48	10,000	5,787.71				
	101-5-141-42700	TRAVEL	51.24	2,400	1,398.71				
	101-5-142-42600	SUPPLIES	141.05	12,000	2,797.66				
	101-5-143-42500	REPAIRS & MAINTENANCE	3,028.00	65,000	50,316.85				
	101-5-151-42500	REPAIRS & MAINTENANCE	240.00	2,500	295.00-	Y			
	101-5-151-42800	UTILITIES	29.25	2,750	2,513.75				
	101-5-161-42200	PROFESSIONAL SERVICE & FEE	205.00	0	411.46-	Y			
	101-5-161-42500	REPAIRS & MAINTENANCE	1,160.13	25,000	4,156.66				
	101-5-161-42600	SUPPLIES	613.80	9,000	1,309.10				
	101-5-161-42800	UTILITIES	5,632.41	70,000	25,472.78				
	101-5-162-42500	REPAIRS & MAINTENANCE	222.01	46,300	21,052.44				
	101-5-162-42600	SUPPLIES	13.73	10,000	2,840.99				
	101-5-162-42700	TRAVEL	285.00	13,600	11,064.95				
	101-5-163-42500	REPAIRS & MAINTENANCE	120.00	1,000	285.00				
	101-5-163-42600	SUPPLIES	7,332.01	3,300	6,627.70-	Y			
	101-5-163-42800	UTILITIES	29.25	2,700	1,074.53				
	101-5-165-42600	SUPPLIES	6.09	820	713.53				
	101-5-169-42200	PROFESSIONAL SERVICES	345.00	0	1,030.00-	Y			
	101-5-169-42600	SUPPLIES	932.35	16,000	2,862.94				
	101-5-169-42800	UTILITIES	10,931.68	130,000	48,804.25				
	101-5-211-42600	SUPPLIES	111.74	6,800	5,636.52				
	101-5-211-42610	FUEL	37.56	38,240	21,663.58				
	101-5-211-43500	FURNITURES & MINOR EQUIPME	888.00	11,230	10,288.00				
	101-5-212-42200	PROFESSIONAL SERVICES	240.00	100,000	47,614.24				
	101-5-212-42210	FOOD SERVICE	5,438.07	225,000	110,291.17				
	101-5-212-42530	SECURITY MAINTENANCE	73.74	6,590	5,985.33				
	101-5-212-42600	SUPPLIES	141.94	40,000	11,425.22				
	101-5-213-42200	PROFESSIONAL SERVICE & FEE	9,468.00	30,000	13,247.61				
	101-5-216-42400	RENTALS	20,373.40	76,000	51,384.17-	Y			
	101-5-226-42600	SUPPLIES	1,346.91	7,555	16.77-	Y			
	101-5-411-42600	SUPPLIES	91.66	3,000	542.70				
	101-5-421-42600	SUPPLIES	61.94	1,350	278.45				
	101-5-424-42200	PROFESSIONAL SERVICE & FEE	1,500.00	28,560	10,192.62				
	101-5-424-42500	REPAIRS & MAINTENANCE	2,804.34	49,776	30,823.07				
	101-5-424-42600	SUPPLIES	3,114.57	104,520	48,575.59				
	101-5-424-42700	TRAVEL	40.00	7,800	3,788.58				
	101-5-424-42800	UTILITIES	1,643.33	28,560	9,959.03				

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
	101-5-445-00000	MISC	1,188.00	88,000	18,851.54				
	101-5-525-00000	MISC	4,529.12	47,739	29,280.44				
	101-5-611-42200	PROFESSIONAL SERVICE & FEE	63.85	300	198.33				
	101-5-611-42500	REPAIRS & MAINTENANCE	150.00	7,000	5,470.92				
	101-5-611-42600	SUPPLIES	210.46	5,500	4,365.28				
	101-5-611-42800	UTILITIES	467.38	8,000	2,108.84				
	101-5-615-42600	SUPPLIES	358.51	12,000	9,457.27				
	101-5-615-42690	CHEMICALS	1,906.25	22,000	8,507.90				
	101-5-711-42600	SUPPLIES	82.56	4,000	1,477.55				
	101-5-711-42800	UTILITIES	41.98	1,000	102.70				
	201-5-311-42300	PUBLISHINGS	148.82	3,000	1,852.02				
	201-5-311-42500	REPAIRS & MAINTENANCE	2,576.45	130,000	44,593.15				
	201-5-311-42600	SUPPLIES	4,933.73	377,000	66,764.48-	Y			
	201-5-311-42640	HWY FUEL	52.50	135,000	64,254.43				
	201-5-311-42700	TRAVEL	57.33	2,500	1,338.53				
	201-5-311-42800	UTILITIES	259.62	30,000	8,559.20				
	201-5-311-42900	ANNUAL PROJECT(S)	433,614.65	1,330,000	858,208.97				
	207-5-225-42200	PROFESSIONAL SERVICE & FEE	29,348.25	148,210	74,513.50				
	207-5-225-42800	UTILITIES	3,403.92	44,000	21,106.76				
	226-5-222-42600	SUPPLIES	980.89	32,000	16,032.35				
	226-5-222-42610	OEM - DISASTER PLAN	594.00	0	13,678.28-	Y			
	226-5-222-42800	UTILITIES	741.64	17,700	7,631.69				
	248-5-212-42600	SUPPLIES	1,236.00	31,830	12,620.50				
	740-21008	DUE TO YC COUNTY DITCH	19,576.57						
		** 2020 YEAR TOTALS	597,830.18						

** DEPARTMENT TOTALS **

ACCT	NAME	AMOUNT
101-111	COMMISSIONERS	99.90
101-120	ELECTIONS	1,835.61
101-130	COURT	10,616.51
101-141	AUDITOR	113.72
101-142	TREASURER	141.05
101-143	DATA PROCESSING	3,028.00
101-151	STATES ATTORNEY	269.25
101-161	GOVERNMENT BUILDINGS	7,611.34
101-162	DIRECTOR OF EQUALIZATION	520.74
101-163	REGISTER OF DEEDS	7,481.26
101-165	VETERANS SERVICE OFFICER	6.09

** DEPARTMENT TOTALS **

ACCT	NAME	AMOUNT
101-169	SAFETY CENTER BUILDING	12,209.03
101-211	SHERIFF	1,037.30
101-212	COUNTY JAIL	5,893.75
101-213	CORONER	9,468.00
101-216	JUVENILE DETENTION	20,373.40
101-226	YANKTON AREA SEARCH & RES	1,346.91
101-411	CARE OF POOR	91.66
101-421	PUBLIC HEALTH NURSE	61.94
101-424	AMBULANCE	9,102.24
101-445	MENTAL ILLNESS BOARD	1,188.00
101-525	SENIOR CITIZENS	4,529.12
101-611	COUNTY EXTENSION	891.69
101-615	WEED	2,264.76
101-711	PLANNING & ZONING	124.54

101 TOTAL	GENERAL FUND	100,305.81
201-311	HIGHWAY CONSTRUCTION & MA	441,643.10

201 TOTAL	ROAD & BRIDGE	441,643.10
207-225	LOCAL EMERGENCY PLANNING	32,752.17

207 TOTAL	EMERGENCY 911 FUND	32,752.17
226-222	EMERGENCY MANAGEMENT	2,316.53

226 TOTAL	EMERGENCY MANAGEMENT	2,316.53
248-212	24/7 PROGRAM	1,236.00

248 TOTAL	24/7 SOBRIETY FUND	1,236.00
740	NON-DEPARTMENTAL	19,576.57

740 TOTAL	DRAINAGE DITCHES	19,576.57

** TOTAL **		597,830.18

NO ERRORS

** END OF REPORT **

DEPT: ALL

PAYROLL NO#: 01

PAY PERIOD BEGINNING: 8/01/2020

PAY PERIOD ENDING: 8/31/2020

*** G R A N D T O T A L S ***

-----EARNINGS-----			----BENF/REIMB----		-----DEDUCTIONS-----			-----TAXES-----				
DESC	HRS	AMOUNT	DESC	AMOUNT	CD	ABBV	EMPLOYEE	EMPLOYER	DESC	TAXABLE	EMPLOYEE	EMPLOYER
SAL	0.00	293,983.42			010	PENSU	3931.88	509.78	FED W/H	398,397.95	34,573.20	
HOURL	7,482.50	130,465.44			011	ROTH	1175.00		FICA	428,966.40	26,595.95	26595.95
OVERT	250.50	7,000.02			020	AFLAC	1191.57		MEDI	428,966.40	6,219.99	6219.99
VAC	748.00	3,920.61			030	COL	439.87					
SICK	321.25	3,196.54			050	OPTLG	496.08					
CELL	0.00	1,350.00			051	UWAY	47.50					
SCKPO	0.00	222.42			062	GARN	50.00					
LONG	0.00	685.00			080	LEGAL	25.90					
HOL	10.00	0.00			086	CHLDS	578.00					
FNRL	32.00	0.00			100	NRS	69.44					
CVSK	173.00	2,185.50			11	SDRS6	16637.87	16637.87				
					12	SDRS8	9929.26	9929.26				
					410	FLEXA	4317.64					
					420	LIFE	341.43					
					430	FLEXC	1015.27					
					440	VSP	196.10					
					450	DELTA	1253.00					
					460	FLEXB	2175.96					
					461	BCEMP		34657.50				
					462	BC-3		652.47				
					463	HSA-1		11090.40				
					464	HSA	2080.00					
					465	HSA-2		18269.16				
					466	COHSA		1098.36				
					467	COPAY	2508.50					
					468	COHSA		40.68				
					P7	SPOUS	228.42					
TOTALS:	9,017.25	443,008.95		0.00			48688.69	92885.48			67,389.14	32815.94

-----DEPARTMENT RECAP-----									
DEPT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	BENEFITS	DEDUCTIONS	TAXES	NET
101-111	5,606.74	5,606.74	0.00	0.00	0.00	0.00	0.00	520.71	5,086.03
101-141	15,256.84	15,056.84	0.00	0.00	200.00	0.00	1,617.84	2,435.59	11,203.41
101-142	17,590.33	17,590.33	0.00	0.00	0.00	0.00	1,480.96	2,768.06	13,341.31
101-151	29,247.73	29,247.73	0.00	0.00	0.00	0.00	2,409.32	4,596.67	22,241.74
101-161	11,885.63	11,236.29	0.00	449.34	200.00	0.00	1,263.58	1,662.67	8,959.38
101-162	25,536.98	25,286.98	0.00	0.00	250.00	0.00	3,087.73	3,883.62	18,565.63
101-163	13,037.81	12,737.81	0.00	0.00	300.00	0.00	773.41	2,085.38	10,179.02
101-165	3,521.98	3,521.98	0.00	0.00	0.00	0.00	297.32	595.35	2,629.31

DEPT: ALL

PAYROLL NO#: 01

PAY PERIOD BEGINNING: 8/01/2020

PAY PERIOD ENDING: 8/31/2020

-----DEPARTMENT RECAP-----

DEPT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	BENEFITS	DEDUCTIONS	TAXES	NET
101-211	66,073.77	65,391.35	0.00	0.00	682.42	0.00	9,447.26	9,985.58	46,640.93
101-212	80,049.81	79,624.81	0.00	0.00	425.00	0.00	10,055.66	11,547.38	58,446.77
101-213	800.00	750.00	0.00	0.00	50.00	0.00	0.00	91.20	708.80
101-421	3,673.46	3,673.46	0.00	0.00	0.00	0.00	566.51	486.29	2,620.66
101-424	60,011.43	53,127.09	6,446.70	437.64	0.00	0.00	3,188.89	9,734.85	47,087.69
101-427	1,296.00	1,296.00	0.00	0.00	0.00	0.00	0.00	200.20	1,095.80
101-611	7,190.02	7,090.02	0.00	0.00	100.00	0.00	526.44	1,116.74	5,546.84
101-612	3,113.25	3,113.25	0.00	0.00	0.00	0.00	392.44	397.01	2,323.80
101-711	10,451.97	10,417.48	34.49	0.00	0.00	0.00	2,273.64	1,197.33	6,981.00
201-311	79,143.52	70,379.46	298.39	8,415.67	50.00	0.00	10,335.96	12,623.33	56,184.23
226-222	8,525.32	8,304.88	220.44	0.00	0.00	0.00	971.73	1,316.99	6,236.60
248-212	996.36	996.36	0.00	0.00	0.00	0.00	0.00	144.19	852.17
TOTALS	443,008.95	424,448.86	7,000.02	9,302.65	2,257.42	0.00	48,688.69	67,389.14	326,931.12

REGULAR INPUT: 138

MANUAL INPUT: 0

CHECK STUB COUNT: 0

DIRECT DEPOSIT STUB COUNT: 138

USE AGREEMENT

Date of Event:

Saturday
October 3rd

Requesting Party:

SD Dept of Veterans Affairs

Event:

Allen Kokeski Jr Budget

Requested Area of Use:

By Memorial

Dedication Program (1:00 pm - 2:00 pm CT)

This agreement is made this date between Yankton County and the Requesting Party, and this Agreement sets forth the terms of agreement between the two parties for purposes of using the Yankton County Government Center Property.

The parties agree that the Yankton County Government Center Property made be used based on the following conditions:

1. The Requesting Party agrees not to use the Yankton County Government Center grounds for any purpose other than specifically stated.
2. Use of the Yankton County Government Center grounds requires approval of the Board of County Commission.
3. There shall be a pre-event meeting between the Yankton County Commission or the County representatives and the party responsible for the event to inspect the grounds and determine the placement of any equipment and signage.
4. The Yankton County Government Center grounds shall not be used for any unlawful purpose.
5. The use of the Yankton County Government Center shall not interfere with normal County government operations or with normal public access to the Courthouse during business hours (Monday through Friday 8:00 a.m. until 5:00 p.m.)
6. Nothing shall be placed on the Yankton County Courthouse grounds that could be harmful to the grass, trees or landscape. Barbara
7. The Yankton County Government Center grounds shall be cleaned by the applicant and returned to the pre-event condition immediately after the designated event or arrangements shall be made to pay the County for the cost of cleaning.
8. Any group using the Government Center grounds shall provide the County with proof of an insurance liability policy. John
9. The Board of the County Commission in the exercise of its discretion may grant variances from these rules and requirements for cause shown on a case-by-case basis.
10. The Board of County Commission reserves the right to refuse use of the Government Center grounds for any event that may compromise the security of the Government Center or the safety of either the County Government Center employees or the general public.
11. Violation of any of these rules may be cause for the County to deny an applicant's future use of the Government Center grounds.
12. Both parties agree that the Requesting Party is liable for any damages caused to the grounds arising from the Requesting Parties use of the Yankton County Government Center.

13. By signing this you agree to indemnify, defend and hold Yankton County, its employees and agents, harmless in the event of any claims asserted as a result of any errors, omissions, torts, intentional torts, or other negligent act.

BY:

Audrey Ricketts, PIO

Use Agreement
Requesting Party

8/19/20

Date

Audrey.ricketts@state.sd.us
605-773-8242

Contact person/phone number

BY:

Yankton County

Auditor
321 W 3rd, Suite 100
Yankton, SD 57078
605-260-4400, Ext. 0

SD Dept of Veterans
Affairs

425 E. Capitol
Pierre SD 57501

Patty Hojem

From: Wechsler, Jeni <Jeni.Wechsler@state.sd.us>
Sent: Wednesday, August 26, 2020 2:47 PM
To: Patty Hojem
Cc: DeYonge, Julie; Pavel, Shannon; Meyers, Diane
Subject: County employee flu shots

We have been informed that the price of flu shots this year will be \$46 per shot. Can this be brought up to the commissioners for approval?

Please let me know if you have any questions or as soon as you get an answer.

Thanks!



Jen Wechsler RN BSN CLC

Community Health Nurse | *Yankton County Office of Family & Child Services*

SOUTH DAKOTA DEPARTMENT OF HEALTH

605.260.4400 Option 1 | 321 West 3rd Street, Yankton SD 57078 | doh.sd.gov

Union County Office of Family & Child Services

605-356-2644 | 209 E Main St. Ste 240 Elk Point, SD, 57025



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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 8/27/2020

Request is for Commission Meeting Dated 9/11/2020

Name: Prevailing Wind Park, LLC - Scott Creech

Address: 29604 406th Ave Avon, SD 57315

Phone: 325-209-9064

E-Mail Address: Scott.Creech@SPower.com

Topic to be Addressed and Length of Presentation: 5 minutes

ROAD USE Agreement (12/19/2018) - Completion Certificate

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

• Sign off on the Completion Certificate

our substation @ 29871 431st Avenue Lesterville, SD 57040
utilized Yankton County roads for construction

Person(s) Making Presentation to the Board: Scott Creech

Audio/Visual Equipment Needed: None

For Office Use:

Approved _____ Denied _____ Reason(s): _____

Signature: _____

Date: _____

ROAD USE AND REPAIR AGREEMENT

APPENDIX D

CERTIFICATE OF COMPLETION

In accordance with Section 2.3(h) of the Road Use Agreement ("Road Agreement"), dated 12/19, 2018, by and between Prevailing Wind Park, LLC ("Developer") and Yankton County ("County"), the County certifies as follows:

1. All repairs to Designated Roads required of Developer pursuant to Section 2 of the Road Agreement have been inspected by the County Engineer;
2. Developer has satisfactorily completed all repairs to Designated Roads; and
3. Developer is not required to make any additional repairs to Designated Roads pursuant to the Agreement.

IN WITNESS WHEREOF, the County hereby issues this Certificate of Completion, duly executed on the day and year listed below.

Yankton County

Date: _____

County Board Chair

County Administrator

**YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS
YANKTON COUNTY, SOUTH DAKOTA**

**ORDINANCE IMPOSING AN INCREASED WHEEL TAX RATE
IN YANKTON COUNTY**

ORDINANCE NO. 20-24

WHEREAS, the Commissioners of Yankton County have the power to construct and repair bridges; to open, lay out, vacate, and change roads; and, to protect all property of Yankton County situated therein; and,

WHEREAS, South Dakota Codified Law (SDCL) 32-5A-1 (“Wheel Tax Statute”) authorizes the Yankton County Commission to impose a wheel tax on all motor vehicles, as defined by SDCL 32-3-1, at a rate not to exceed five dollars per vehicle wheel with a maximum of sixty dollars per vehicle; and,

WHEREAS, SDCL 32-3-1 defines “motor vehicles” as automobiles, motor trucks, motorcycles, house trailers, trailers, and all vehicles propelled by power other than muscular power, except traction engines, road rollers, farm wagons, freight trailers, vehicles that run only on rails or tracks, and off-road vehicles as defined by SDCL 32-20-1; and,

WHEREAS, the proceeds from the tax created by the Wheel Tax Statute shall be retained by the County and deposited in the county road and bridge fund, and the revenue may be used only for highway and bridge maintenance and construction; and,

WHEREAS, Yankton County currently imposes a wheel tax on all motor vehicles as defined by SDCL 32-3-1, at a rate not to exceed four dollars per vehicle wheel with a maximum of four vehicle wheels; and,

WHEREAS, Yankton County has insufficient funds to properly maintain and construct highways and bridges situated therein.

NOW THEREFORE, BE IT RESOLVED, that the Yankton County Commission, in accordance with SDCL 32-5A-1, shall impose wheel tax on all motor vehicles, as defined in SDCL 32-3-1, registered in the county at a rate of five dollars per vehicle wheel with a maximum of four vehicle wheels commencing on the January 1, 2021; and,

BE IT FURTHER RESOLVED, that the proceeds of the wheel tax shall be deposited in a Yankton County road and bridge fund, to be used only for highway and bridge maintenance and construction; and,

BE IT FURTHER RESOLVED, that this Ordinance shall be published within ten days of today’s date and shall be published at least twice in each legal newspaper designated by Yankton County, with no fewer than five days between dates.

Dated this _____ day of September, 2020.

Cheri L. Loest
Chairman
Yankton County Commission

Attest – Patty Hojem
Auditor
Yankton County, South Dakota



Employee Handbook

Yankton County, South Dakota

Updated and
Revised Draft
August 24, 2020

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SECTION 1: WELCOME & INTRODUCTION

101 WELCOME

Welcome to the **Yankton County** team! Together, we serve the residents of Yankton County. As an employer, Yankton County is committed to ensuring that working for the County is a rewarding and positive experience.

It is the policy of the Yankton County Commission that this document be used as the basic outline for employment policies, practices, and procedures. The Employee Handbook contains general statements of County policy and should not be read as including the fine details of each policy, or as forming an expressed or implied contract or promise that the policies discussed in it will be applied in all cases.

The Yankton County Commission may add to the policies in the Handbook or revoke or modify them from time to time. The Commission will attempt to keep the Handbook current, but there may be times when policies change before this document can be updated. In the event of a conflict between these policies and any state or federal law, the law shall prevail.

As an employee, it is important that you understand the policies and benefits available to you. This Employee Handbook explains various policies that will help you do your job to the best of your abilities. As a member of the Yankton County team, we want to help you develop professionally and personally, and to realize your potential as a valuable employee who contributes to the success of our County. Please refer to this Handbook often, and do not hesitate to contact your supervisor if you have questions or concerns that are not addressed here.

Once again, welcome to our team and we wish you a fulfilling, enjoyable future with the County.

102 ABOUT YANKTON COUNTY

Yankton County played an early and important role in the history of Dakota Territory and the state of South Dakota.

Bordered on the south by the Missouri River, the county is named for the Yankton band of Sioux Indians who lived in the area since the early 1700s. Pierre Dorion was the first non-native person to reside here. Dorion married a Yankton Sioux woman 20 years before the arrival of Lewis and Clark in 1804.

The first known white woman to visit Yankton County was Pelagie LaBarge, traveling on the Missouri River in 1847 on a steamboat piloted by her husband. Major William Lyman was the first known white settler in Yankton County in 1857. Lyman established a ferry across the James River along with a small trading post.

In 1861, the territorial government was established with the City of Yankton designated as the first capital of Dakota Territory. The year 1861 also saw the first official newspaper, "The Weekly Dakotian," published in Yankton. Steamboat trade flourished here until 1873 when the first railroad line connected Yankton and Sioux City, Iowa.

The first school, held in the home of Dr. Abram Van Osdel, opened in December of 1862. Governor Howard selected Yankton County as the site for the hospital for the insane in September of 1878. Yankton lost the fight to retain the status of Territorial Capital in 1883 when the capital was moved to Bismarck, North Dakota.

The rich history of Yankton County is preserved through many landmark buildings, historical sites and the written word.

103 YANKTON COUNTY VISION AND MISSION STATEMENTS

The Yankton County Commission has crafted the following statements to express both its aspirations for the future and intentions in serving the public.

Vision Statement

Yankton County will be a dynamic place, with a strong sense of history, community pride, environmental responsibility, economic prosperity and rural culture.

Mission Statement

The mission of Yankton County is to provide citizens with high quality public services that create a foundation of trust, unity, safety, and collaboration.

In accomplishing this mission, the Yankton County Commission will encourage its employees and all elected officials to exhibit these values:

- Accountability, dependability, and professionalism in the performance of their duties.
- Honesty, integrity, and transparency in all proceedings.
- Inclusiveness, accessibility, and equality in working with the public.
- Efficiency, sustainability, and innovation in the design and implementation of programs and services.

Adhering to the values will help Yankton County:

- Stay focused on its goals;
- Operate in an open and welcoming manner;
- Remain positive in challenging situations; and
- Lead by example.

104 EMPLOYEE RESPONSIBILITY

It is the employee's responsibility to follow the guidelines, regulations, policies, and procedures of Yankton County. An employee's refusal to correct a violation or repeated violations can lead to disciplinary action, up to and including suspension and discharge.

105 EFFECTIVE DATE

This Employee Handbook shall become effective upon formal adoption of the Yankton County Board of Commissioners.

106 TERMS AND DEFINITIONS

As used in this Employee Handbook:

1. The words “**shall**” or “**will**” are construed as mandatory.
2. The word “**may**” is construed as permissive.
3. To the extent possible, nouns and pronouns will be gender neutral and inclusive of all employees.
4. “**Supervisor**” means an individual with the authority to assign, direct, or review the work of subordinates. In many situations, the supervisor will be a County department head.
5. Unless otherwise specified, the term “**family member**” includes the employee’s mother/father, grandmother/grandfather, wife/husband, son/daughter, stepson/stepdaughter, brother/sister, aunt/uncle, niece/nephew, and mother-in-law/father-in-law.
6. The word “**County**” means Yankton County as managed under the authority of the Board of County Commissioners, elected County officers, and appointed department heads.

7. **“Commissioners”** are elected by the citizens of Yankton County, and are responsible for the oversight of all county services.
8. **“Elected County Officers”** are elected by the citizens of Yankton County for a designated term of office, and are responsible for the oversight of services within their area of responsibility. Elected County officers in Yankton County include Auditor, Register of Deeds, Sheriff, State’s attorney, and Treasurer.
9. **“Appointed Officials”** are appointed to their position by the County Commission, and serve at the pleasure of the Commission.
10. **“Exempt”** employees are those whose position contains duties and responsibilities of an executive, administrative or professional nature as described under the Fair Labor Standards Act and is therefore exempt from the overtime provisions of the Act. Exempt employees may be required to perform work in excess of the standard work week without additional compensation.
11. **“Non-Exempt”** employees are those whose position is covered by the overtime provisions of the Fair Labor Standards Act due to the duties and responsibilities of the position. The Fair Labor Standards Act includes the provision for payment of all overtime hours worked in excess of 40 hours per week for these non-exempt positions.
12. **“Temporary or seasonal”** employees are those who are hired as interim replacements to supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Generally, they are not eligible for benefits beyond workers compensation.
13. **“Part-time”** employees are those required to work less than 20 hours of compensated work per week. Generally, they are not eligible for benefits beyond workers compensation.
14. **“Regular full-time”** employees are those who are not in a temporary or introductory status and who are regularly scheduled to work at least 30 hours per week. Generally, they are eligible for all employee benefits, subject to the terms, conditions and limitation of each benefit program.
15. **“Regular part-time”** employees are those who are not assigned to a temporary or introductory status and also are regularly scheduled to work at least 20 hours a week, but less than 30 hours per week. Generally, they are eligible for some benefits, subject to the terms, conditions, and limitations of each program.
16. **“Contract”** employees are those who work under a special agreement and conditions established by the County Commission, and whose compensation may include specified benefits.
17. **“Introductory”** employees are those whose performance is being evaluated to determine whether further employment as regular full-time or regular part-time employees with the County is appropriate. Introductory employees include new hires plus present employees being transferred or promoted to a new position.

SECTION II: EMPLOYMENT POLICIES & PRACTICES

201 WELCOME

1. **Employment-At-Will:** Employment with Yankton County is voluntarily entered into, and the employer/employee relationship may be terminated at any time for any lawful reason by either party. In the event an employee resigns their position, the employee is expected to give the County two weeks' notice of the intended action.
2. **Not a Contract:** Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the County and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or canceled at any time, at the County's sole discretion.
3. **Changes to these Policies:** These provisions supersede all existing policies and practices and may not be amended or added to without the expressed written approval of the Yankton County Commission. Proposed changes to existing policies can be brought to the County Commission for consideration by one of the Commissioners, by an elected official, by an appointed officer, or by any department head within the County. Proposed changes should be reviewed by the State's attorney.

202 EQUAL EMPLOYMENT OPPORTUNITY

In compliance with Title VII of the Civil Rights Act of 1964 as amended and under authority of SDCL 7-8-20, it is the policy of Yankton County to provide equal opportunities to all employees and applicants for employment. The County does not discriminate in hiring or in any terms and conditions of employment based on sex, race, color, creed, religion, national origin, ancestry, citizenship, gender, age, disability, sexual orientation, genetic information or veteran status or on any other status that is protected under law against discrimination. This policy applies to employees and applicants and to all phases of employment including, but not limited to, hiring, promotion, demotion, and treatment during employment, rates of pay or other forms of compensation, and termination of employment.

If an individual is concerned about a violation of this policy, they may utilize the Complaint Resolution policy set forth in this handbook.

203 VETERAN'S PREFERENCE

Yankton County will comply with South Dakota's Veterans Preference Law, SDCL 3-3-1, which means that eligible veterans receive preference for appointment, employment and promotion. If the applicant possesses at least the minimum qualifications necessary to fill the position, the qualifying veteran shall be granted an interview. The unmarried spouse of a deceased veteran is entitled to the same preference, as is the spouse of a disabled veteran who is unable to exercise his or her right due to a disability.

204 AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act of 2008, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with qualified disabilities and require employers to provide reasonable accommodations to applicants and employees as below discussed.

It is the policy of Yankton County to comply with all federal and state laws concerning the employment of persons with disabilities. Furthermore, it is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Reasonable accommodation is available to all qualified individuals with disabilities in accordance with the ADA and provided such accommodation does not pose an undue hardship or pose a direct threat to the safety of the employee or others. Employees requesting reasonable accommodation during either a recruitment or employment process should contact the Department Head to begin an interactive discussion about potential accommodations that would be available and appropriate. When considering potential accommodations, the Department Head may need to visit with the County Auditor and/or State's attorney to evaluate the request. If accommodations will require a significant cost, or cannot be agreed upon, then the matter should be brought to the County Commissioners. The County will consider specific requests but reserves the right to offer its own recommendations for accommodations to the extent permitted by law.

If an employee makes a request to the Department Head and no response is received within one (1) week, the employee should take the matter to the Commissioners.

All employment decisions regarding disability accommodations will be based on the merits of the situation in accordance with the defined criteria and federal and state regulations.

Any form of retaliation against an employee for engaging in activity under this provision is expressly prohibited and will result in disciplinary action up to and including termination. Please see the complaint and retaliation provisions set out in the Discrimination and Harassment policy.

205 IMMIGRATION LAW COMPLIANCE

The County is committed to employing only people who are United States citizens or non-citizens who are legally authorized to work in the United States. We do not discriminate because of a person's citizenship or national origin.

To comply with the Immigration Reform and Control Act of 1986, every new employee is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility. All employees will be expected to complete the I-9 Form on or before the first day of work. If the employee is not able to provide the necessary documentation within three (3) working days from the date of hire, they must provide proof that they have applied for the required documents. If this is not provided, the employee will be terminated. Former employees who are rehired must complete the form if they have not completed an I-9 or, it is no longer retained or valid.

206 COUNTY PROPERTY

It is the policy of Yankton County to:

1. Prohibit the purchase of supplies, equipment or tools without authorization from a supervisor;
2. Prohibit the loaning or selling of equipment, supplies or tools unless the action was previously and clearly authorized by the County Commission;
3. Require employees to turn in County vehicle and/or building keys and any County equipment prior to receiving their final paycheck; and
4. Seek reimbursement for the replacement value of County property that is damaged or destroyed by employee negligence.

207 EDUCATION AND TRAINING

1. The County may support certain training events, such as workshops and conferences when such training, including travel, has been approved as part of a department's annual budget.
2. Yankton County encourages employees to take advantage of educational opportunities that will enhance their job performance.

208 DISCRIMINATION & HARASSMENT-FREE WORKPLACE

Yankton County recognizes that the strength of the organization relies on an environment where people are treated with dignity and respect without intimidation, oppression or exploitation. Therefore, the County is committed to providing a work environment that is free of unlawful discrimination and harassment. The County expressly prohibits any form of employee harassment, which includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, based upon race, color creed, religion, national origin, citizenship, ancestry, gender, gender identity, sexual orientation, marital status, pregnancy, age, disability, veteran's status, genetic information, or any other protected group in accordance with state and federal law. Yankton County will strive to prevent, correct and discipline behavior that is not consistent with its commitment to provide equal opportunity and an environment free from harassment and discrimination. This policy is adopted using the following definitions:

Discrimination includes conduct, in violation of federal and state law, where unfavorable decisions are made, or unfavorable actions are taken, based on an individual's protected classification, as listed above. This policy is intended to be consistent with the prohibitions stated in such anti-discrimination laws.

Harassment based on an individual's protected classification as listed above includes conduct which interferes with an individual's ability to do their job by creating an intimidating, hostile or offensive work environment; unreasonably interfering with the individual's work performance and/or adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, the following:

- Epithets, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to the categories above. This includes jokes or pranks that are hostile or demeaning to the above protected categories.
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group included in the above categories.

Sexual harassment (both overt and subtle) is a form of unlawful harassment that includes employee misconduct that is demeaning to another person or undermines the integrity of the employment relationship and is strictly prohibited. Sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment occurs when:

- Submission to such conduct is made either explicitly or implicitly as a condition of employment
- Submission or rejection of such conduct by an individual is used as a basis for employment decisions
- Such conduct has a purpose or effect of substantially interfering with an individual's work performance
- Such conduct has a purpose or effect of creating an intimidating, hostile or offensive work environment

Some examples of sexual harassment include, but are not limited to, the following:

- Sexual innuendo, jokes of a sexual nature, propositions, threats
- Sexually suggestive pictures or objects, staring, leering, obscene gestures
- Unwanted physical contact
- Unwelcome repeated requests for a date, telephone calls, letters or messages
- Discussion of sexual activities

This policy applies not only to normal working hours, but also to social contact, off-premises work and business travel. This policy protects employees from harassment by supervisors, co-workers, and third parties with whom they come into contact with during the course of their job.

Harassment can be found where, in aggregate, the incidents are sufficiently pervasive, persistent or severe that a reasonable person with the same characteristics of the victim of the harassing conduct would be adversely affected to a degree that unreasonably interferes with employment. If the victim does not subjectively perceive the environment to be hostile or the conduct has not actually altered the conditions of employment, then there

may not be a violation of this policy.

Reporting Discrimination / Harassment

It is the responsibility of every employee to act consistently with the spirit and intent of this policy. Department Heads and supervisors shall work to establish and maintain a climate in the work unit which encourages employees to communicate questions or concerns regarding this policy, recognize incidents of harassment and discrimination, and take immediate action in accordance with this policy.

If you experience any possible unlawful harassment or discrimination, promptly report the concern to your immediate supervisor, to a Department Head, or to any Commissioner. The County takes complaints of discrimination and harassment very seriously and investigates claims received. Thus, there is no need to follow any formal chain of command when filing a complaint or discussing or expressing any issue of concern regarding alleged discrimination or harassment, and you may bypass anyone in your direct chain of command.

This policy applies to all incidents of alleged discrimination or harassment, including those which occur off-premises, or off-hours, where the alleged offender is a group leader, supervisor, coworker, or even a nonemployee, such as a vendor or customer, with whom the employee is involved, directly or indirectly, in a business or potential business relationship.

Should the alleged discrimination or harassment occur at a time other than your normal business hours, your complaint should be made as early as practicable following the incident. The County will undertake an investigation of any complaints in a timely and appropriate manner. All complaints will be kept confidential to the extent possible.

All employees have a duty to report any conduct which they believe violates this policy. In addition, every employee has a duty to cooperate with any investigation conducted by the County, regardless of whether the investigation is being conducted by County officials or outside parties retained by the County for this purpose, or, for that matter, by an outside agency.

If the County determines that an employee has violated this policy including unlawfully discriminated against or harassed another individual, violated the confidentiality or nonretaliation provisions, or who have been found to have knowingly made a false complaint, appropriate disciplinary action will be taken against the offending employee, up to and including an unpaid suspension or termination of employment.

Retaliation

The County, in accordance with state and federal law, prohibits any form of retaliation against any employee for reporting in good faith a violation of this policy, filing a complaint under this policy, or assisting in a complaint investigation.

One type of retaliation occurs when an employer takes adverse employment action against an employee who complains about harassment or discrimination, or who engages in activities such as refusal to provide genetic information, testifying at or providing information related to a labor investigation, filing or having filed a workers' compensation claim, or whistleblower status as provided for by law. Another type of retaliation occurs when coworkers ostracize, employ derogatory epithets (verbal, written or gestural) against or otherwise harass an employee because he or she has complained about discrimination or harassment.

It is illegal to retaliate against any employee because of a complaint about harassment or discrimination, even if no harassment or discrimination ever happened. The County policy strictly PROHIBITS any form of retaliation against an employee because of a complaint about harassment or discrimination. Any complaints of retaliation should be reported to your direct supervisor, any Department Head, or any Commissioner.

However, if an individual is found to have made a complaint in bad faith, fails to cooperate with an investigation or provides false or intentionally misleading information or testimony, that employee is subject to disciplinary action up to and including termination.

209 COMPLAINT RESOLUTION

General Complaints

The County is committed to providing an excellent working environment for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any complaint or problem can be discussed rather than utilizing any formal, restrictive grievance procedure. No employee will be penalized, formally or informally, for voicing a complaint in a reasonable, business-like manner.

Employees with concerns or complaints should first discuss the problem with their immediate supervisor or, if this is not possible, with their Department Head. Employees who believe they are not able to discuss the concern with their Department Head may instead contact a Commissioner.

Employees who have a complaint about the interpretation or application of a specific County policy or about a disciplinary act may submit a written inquiry or complaint to their Department Head and, if unresolved at that level, to the Commissioners. Department Heads and the Commissioners will strive to respond to written inquiries or complaints in a timely manner. Although not all complaints can be resolved to everyone's complete satisfaction, this written option provides employees with a method for receiving information about their inquiries and for potentially resolving concerns.

Individuals who wish to pursue a formal complaint to the Commissioners should submit a timely written statement of the factual basis for the complaint to their immediate supervisor. If the employee is not comfortable going to their immediate supervisor, alternative contact can be made with the State's Attorney, another Department Head, or any Commissioner. The Commissioners or their Agent will coordinate an investigation into the complaint in a timely manner. All interested parties will be afforded the opportunity to submit evidence on the complaint. At the conclusion of the investigation, the Commissioners will review the evidence in executive session and determine the appropriate course of action. The decision made by the County Commissioners shall be deemed final.

However, if an individual is found to have made a complaint in bad faith, fails to cooperate with an investigation or provides false or intentionally misleading information or testimony, that employee is subject to disciplinary action up to and including termination.

210 CONFIDENTIAL NATURE OF WORK

Yankton County will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and refrain from any illegal, dishonest or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be openly discussed with your immediate supervisor and, if necessary, with your Department Head or the Commissioners for advice and consultation.

While much of the work that the County does is public, certain information obtained during your employment may be sensitive or confidential. Employees must not disclose such information, purposefully or inadvertently through casual conversation, to any unauthorized person inside or outside the County. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

211 PERSONNEL RECORDS

Official personnel files for each employee will be maintained in the Auditor's Office. Although supervisors may keep some records within the department, the official personnel file is maintained in the Auditor's Office.

Records to be maintained in the official personnel file include, but are not limited to, the following: application forms, personnel actions, training records, performance appraisals, and disciplinary actions. Due to the particularly sensitive nature, some records pertaining to employees are maintained in separate files outside the basic files such as relating to medical issues and internal investigations.

All information maintained in the official personnel files will be considered confidential and may be accessed by the Auditor's staff, the supervisor, the Department Head, and the Commissioners. Current employees may also review their own personnel file upon request to the Auditor. In addition, when potential legal issues arise regarding an employee, the County's legal counsel will have access to that employee's personnel files. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information. Employees, or their representative, may be provided access according to state law and at the discretion of the County.

Information relating to dates of employment, position titles and rates of pay are a matter of public record. The Auditor will publish such information as required by law.

Department Heads are responsible for completing personnel action forms for new hires, promotions, demotions, transfers, terminations, or related personnel changes. Employees are responsible for informing the Auditor's Office of changes in name, address, marital status, dependents, emergency contacts, and beneficiaries as soon as they occur.

SECTION III: CONDUCT OF EMPLOYEES

301 APPEARANCE

It is the policy of Yankton County that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation.

Employees are expected at all times to present a professional, business-like image to the public.

1. The appearance of employees that do not regularly meet the public is to be governed by the requirements of safety and comfort, but should still be as neat as working conditions permit.
2. The appearance of office workers and employees who have regular contact with the public shall follow normally accepted standards for similar situations.
3. Department heads may authorize periodic "casual days" and establish dress standards for those occasions. This option is solely at the discretion of individual department heads and may be rescinded by the County Commission at any time should abuses and/or public complaints arise.

Any employee that does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises or work location. Any work time missed, because of failure to comply with this policy, may not be compensated. Repeated violations of this policy will be cause for disciplinary action.

302 ATTITUDES

It is the policy of Yankton County that certain rules, concerning employee behavior, are necessary for the efficient operation of County government.

Employees are expected to conduct themselves in a positive manner so as to promote the best interests of Yankton County. This conduct includes:

1. Reporting to work as scheduled and being at the proper workstation, ready for work, at the assigned starting time;
2. Giving proper advance notice whenever unable to work or report on time;
3. Complying with all County safety and security regulations;
4. Smoking only at times and places not prohibited by the County Commission;
5. Eating meals in the workplace is discouraged, except during designated breaks and within designated eating areas;
6. Maintaining work place cleanliness and orderliness;
7. Treating all customers, visitors and fellow employees in a courteous manner;
8. Refraining from behavior or conduct deemed offensive or undesirable;
9. Performing assigned work efficiently and in accord with established quality standards; and
10. Reporting to the supervisor and/or County Commission suspicious, unethical, or illegal conduct by fellow employees, customers or suppliers.

303 PUBLIC RELATIONS

It is the policy of Yankton County to be service oriented and to require all employees to treat the public in a courteous and respectful manner at all times. All employees have an obligation to make the public feel as comfortable as possible in dealing with County government.

Employees should attempt to educate the public in using County services and should seek ways to improve services.

Employees are encouraged to report recurring customer-related problems to their supervisor. If a customer becomes unreasonable or abusive and the employee cannot resolve the problem, the customer should be referred to the supervisor.

304 COUNTY EQUIPMENT

Supervisors are responsible for instructing employees on the proper use of County equipment, the proper care, maintenance and safety of County equipment, and for assuring that any required certification and/or licensing is maintained.

Employees should not use County equipment for personal purposes.

305 PERSONAL PROPERTY

It is the policy of Yankton County to ask employees to refrain from bringing unnecessary or inappropriate personal property to work.

The County recognizes that employees may wish to bring certain personal items to work. However, personal property that is not related to the employee's job performance may disrupt work or pose a safety risk to other employees. The employee's supervisor shall determine the appropriateness of personal items in the work place.

306 CONFLICTS OF INTEREST

It is the policy of Yankton County to prohibit employees from engaging in any activity, practice or act, which conflicts with, or appears to conflict with, the interests of the County.

A conflict of interest is defined to include any situation in which a County official, employee or board member, in the discharge of official duties, would be required to take any action or make any decision that may cause financial benefit to:

1. the same County official, employee or board member;
2. any member of that official's, employee's or board member's immediate family, defined to include a spouse, parent, child or a sibling related by blood, marriage or adoption; or
3. a business enterprise owned in whole or in part by the public official, employee, or board member; unless the benefit is extended to the general public or a broad segment of the public at large.

As soon as a County official, employee, or a board member is actually aware or should reasonably be aware of a conflict of interest, they are required either to make full public disclosure of or to remove himself/herself from the conflict of interest.

Specifically, County officials, employees, and board members are prohibited from:

1. using their County position or any influence, power, authority, or confidential information derived from it, or any County time, equipment, property, or supplies for private gain; or
2. receiving any outside compensation, gift, or gratuity, for the performance of County duties except as follows:
 - a. Awards for meritorious public contributions publicly awarded.
 - b. Receipt of honoraria or expenses paid for papers, talks, demonstrations, or appearances made by employees with the approval of the employee's department head or the County Commission.
 - c. Receipt of social amenities, ceremonial gifts, or advertising gifts, worth less than \$100 in value.

Unless directed otherwise by the County Commission, any gifts beyond those listed above received for performance of County duties will be considered County property and will be immediately reported to the County Auditor's Office for inventory.

307 NEPOTISM

A member of an employee's family will be considered for employment by Yankton County, provided the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if such employment would:

1. Create either a direct or indirect supervisor/subordinate relationship with a family member; or
2. Create either an actual conflict of interest or the appearance of a conflict of interest.

308 SECONDARY EMPLOYMENT

County employment must be the principal vocation of all full-time employees; however, a County employee may engage in outside employment, subject to all of the following conditions:

1. The secondary employment must not interfere with the efficient performance of the employee's County duties;
2. The secondary employment must not conflict with the financial or public interests of the County or any department thereof; and
3. The secondary employment must not be the type that would give rise to criticism or suspicion of conflicting interests or duties.

County employees must notify their supervisor before engaging in secondary employment. Non-elected department heads must notify the County Commission before engaging in secondary employment that exceeds ten hours per work week.

309 WORKPLACE VIOLENCE PREVENTION

The County is committed to preventing workplace violence and to maintaining a safe work environment.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the supervisor, sheriff's office, or any member of the County Commission. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to the supervisor or sheriff's office.

310 SMOKING PROHIBITED

It is the policy of Yankton County, and in accordance with applicable state law, that smoking, including smokeless tobacco, electronic cigarettes and all vaping devices, shall not be permitted in County buildings or any County vehicle. Such use is permissible only in personal vehicles while on break, or in other designated areas. No additional breaks beyond those normally scheduled may be taken for the purpose of smoking or using similar products. When smoking or using tobacco or similar products outside, please leave no traces of litter or residue.

311 DISTRACTED DRIVING

Employees are prohibited from undertaking any activity that could distract them from the safe operation of County vehicles. Examples of distractions while operating a vehicle include but are not limited to operating a cell phone, consuming food or beverages, reading, and smoking.

Employees who use cell phones or radios as part of their normal work activities should operate those communication devices in a manner that does not inhibit or interfere with the safe operation of County vehicles.

312 ELECTRONIC INFORMATION SYSTEMS

Any use of Yankton County's Internet access or E-mail services shall be considered and treated as any other work product, subject to periodic or specific review by, and approval of, the employee's immediate supervisor or department head.

Supervisors or department heads shall designate which employees may use E-mail. Each employee using E-mail or the Internet shall be required to sign an "*Acceptable Use Agreement*." Yankton County reserves the right to monitor transmissions of E-mail. Supervisors and department heads shall periodically monitor both Internet and E-mail use by Yankton County employees in their office to ensure they are in conformance with these policies and the *Acceptable Use Agreement*. Any employee found to be in violation of the *Acceptable Use Agreement* shall be subject to disciplinary action up to and including termination.

In addition to the terms of the *Acceptable Use Agreement*, prohibited uses of Yankton County's E-mail and Internet systems via County-owned computer equipment include, but are not limited to the following:

1. To transmit, receive, access, unload, download, or distribute offensive, threatening, pornographic, obscene, or sexually explicit material;
2. To vandalize, damage, or disable property of the County or another individual or organization;
3. To access another individual's materials, information, or files without permission;
4. To use the network or Internet for commercial or political campaign purposes;
5. To release personal information, files, addresses, passwords, or other vital accessing information;
6. To promote or solicit for illegal activities, including gambling;
7. To interfere with another person's use or account in any way;
8. To violate copyright or other protected material laws, trade secrets, proprietary financial information, or similar materials without authorization;
9. To attempt to log on to the Internet as a system administrator;
10. To subscribe, without authorization, to mailing lists, e-mail messages, games, chain letters, or other services;
11. To circumvent security measures on County or remote computers or networks;
12. To enroll in or engage in any activity on the Internet which results in an unauthorized charge or assessment to Yankton County or its representatives;
13. Use of the system to conduct non-Yankton County activities, including, but not limited to, operation of a private business, conducting job searches, promoting religious beliefs, or forwarding political advertisements; and
14. Use of the system to harass, intimidate, defame, or injure another individual or group.

Any member of the Yankton County Commission may inspect the contents of the E-mail or Internet activity of any employee or department head without prior notice. Department heads also have the right to inspect E-mail or Internet activity of any employee within their department.

Information technology and equipment is to be used for county business purposes and to increase the timeliness and effectiveness of county business communications. Any personal use of county information technology and equipment during work hours, such as for checking personal E-mail, is expected to be limited to incidental use or emergency situations only. Excessive time spent on such personal activities during work hours will subject the employee to disciplinary action.

Employee use of information technology and equipment must be able to withstand public scrutiny without embarrassment to the County, its taxpayers, its clients, or its employees. Employees should use generally accepted standards of business conversation in all computer, electronics and internet usage. Employees should use good judgment in the type of messages created and the tone and content of messages. The content of messages is always considered personal opinion unless specifically stated as a county position.

Employees learning of any misuse of County electronic information systems or a violation of this policy must notify their Department Head or the Commissioners of such misuse or violation immediately. Failure to notify may result in corrective action up to and including termination. **Nothing in this policy, however, shall be deemed to interfere with employee rights to engage in discussions protected by law.**

313 SOCIAL MEDIA

Personal websites, blogs and social media sites have become prevalent methods of self-expression in our culture. However, the County is also committed to ensuring that the use of such communications does not detract from our business by maintaining the County's identity, integrity, and reputation in a manner consistent with our values and policies.

The County respects the right of employees to use these media outlets during their personal time. Employees may not use their County email addresses to register for social media sites. If you, as an employee, choose to identify yourself as a County employee on a website or blog, you should make it clear to the readers that the views expressed are the employee's alone and that they do not necessarily reflect the views of the County.

Employees are prohibited from using, disclosing or discussing confidential and/or proprietary information, including business and personal information about clients, vendors and co-workers.

Employees are prohibited from posting or displaying comments about customers, suppliers and co-workers that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the employer's workplace policies against discrimination, bullying, harassment, retaliation, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic. Instead, it is recommended to use the following questions as a guideline in the creation of social media content: Is the content positive? Is it professional? Is this information protected?

As an employee, you must be careful not to let online communications interfere with your job or customer commitments. Refrain from using social media while on work time or on equipment provided by Yankton County unless it is work-related as authorized by your Department Head or consistent with County policy.

If an employee believes that a blog or other online communication violates any County policy, the employee should immediately report the blog or online communication to their Department Head.

The County reserves the right to monitor all public blogs and social networking forums for the purpose of protecting its interests and monitoring compliance with County policies. If online activity is seen as compromising the County, the County may request a cessation of such commentary, and the employee may be subject to coaching and, potentially, disciplinary action.

Any employee who violates this policy may be subject to disciplinary action, up to and including termination. Additionally, legal action may be taken where necessary against employees who engage in prohibited or unlawful conduct.

Nothing in this policy, however, shall be deemed to interfere with employee rights to engage in discussions protected by law. This policy is not intended to restrict an employee's right to discuss wages and other terms and conditions of employment with co-workers or in any way limit employees' rights under applicable laws. For any questions about these guidelines or any matter related to personal websites or blogs, contact the Department Head.

SECTION IV: DRUG AND ALCOHOL-FREE WORKPLACE

401 COUNTY COMMITMENT

It is the policy of Yankton County to maintain a work place that is free from the effects of drug and alcohol abuse.

Consistent with the spirit and intent of this policy, Yankton County will act to eliminate any substance abuse which could impair an employee's ability to safely and effectively perform a particular job and which increases the potential for accidents, absenteeism, substandard performance and tends to undermine public confidence in the County's workforce.

402 DEFINITIONS

1. **Alcohol** - means the intoxicating agent is beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.
2. **Drugs** - means any substance (other than alcohol) that is a controlled substance as defined in this section.
3. **Controlled Substance** – that which has a stimulant, depressant, or hallucinogenic effect on the central nervous system.
4. **Reasonable Suspicion** – means a belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drug or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
 - a. A pattern of abnormal or erratic behavior which is so unusual that it warrants summoning a supervisor, department head or other individual for assistance.
 - b. Information provided by a reliable and credible source with personal knowledge.
 - c. Direct observation of drug or alcohol use.
 - d. Presence of the physical symptoms of drug or alcohol use: (i.e. glossy or blood-shot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes).
 - e. Possession of substances in violation of the County's drug and alcohol policy.
5. **Refusing to Submit** - to an alcohol or controlled substance test means that an employee:
 - a. Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing;
 - b. Fails to provide adequate urine for controlled substance testing without a valid medical explanation after he or she has received notice of the requirement for urine testing; or
 - c. Engages in conduct that clearly obstructs the testing process.

403 COUNTY POLICIES

1. Employees are prohibited from the use, sale, dispensing, distribution, possession, or manufacture of illegal drugs and narcotics or alcoholic beverages on County premises or work sites. In addition, employees are prohibited from the off-premises use of alcohol and possession, use, or sale of illegal drugs when such activities adversely affect job performance or job safety. Illegal and/or inappropriate use of prescription and over-the-counter medications are also prohibited.
2. Employees will be subject to disciplinary action, as provided in Section X for violations of these policies. Such violations include, but are not limited to, possessing illegal or non-prescribed drugs and

narcotics or alcoholic beverages at work; being under the influence of such substance while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on County property and work sites. Employees, their possessions, and County issued equipment and containers under their control are subject to search and surveillance at all times while on County property or while conducting County business.

3. Certain positions with the County may require that an applicant pass a post-offer, pre-employment drug test. Applicants for those positions will be notified of the need for such test. Failure to pass the pre-employment test, or failure to submit to testing, will prevent the applicant from further consideration for that position.
4. Employees may be requested to undergo drug and alcohol testing if there is a “reasonable suspicion” that the employee is under the influence of drugs or alcohol during work hours. Where “reasonable suspicion” exists that the policies have been violated, the supervisor should report the situation immediately to their Department Head. The Department Head may ask the employee to submit to blood and urine testing by a qualified medical physician or hospital at the County’s expense. Prior to testing, the County shall secure a signed release statement from the employee to have the hospital/physician release medical information to the County. If a Department Head is suspected of “reasonable suspicion”, the suspecting party should report their suspicions to the Commission Chair.
5. An employee who refuses to consent to a drug and alcohol test when reasonable suspicion exists may be subject to disciplinary action. A positive result from the drug and/or alcohol test confirming the reasonable suspicion may result in disciplinary action. All information from an employee’s drug and/or alcohol test is confidential, and only those with a need to know are to be informed of the results.
6. Individual departments may require random drug testing as a condition of employment, especially when individual and/or public safety concerns exist.
7. Employees are required to notify their supervisor no later than five (5) days after any criminal drug statute conviction for a violation occurring in the work place.
8. The County Commission will take one or both of the following actions within thirty (30) days of the notice specified in 403, item 7:
 - a. Take appropriate disciplinary action against the employee up to and including termination; and/or
 - b. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program.
9. Employees who use legal drugs or narcotics during work, and have any reasons to expect such use may affect their ability to perform their work, must report this fact to their supervisor. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.
10. Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek, counseling help. County required counseling should be kept confidential and should not have any influence on performance appraisals. Job performance alone, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.
11. Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake

rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the supervisor that the employee is capable of performing his job. Failure to cooperate with an agreed upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other County policies.

12. If any employee has been found to have violated County policies the employee may in certain circumstances be permitted to return to their position. Determination of whether or not an employee will be returned to work, and what specific conditions may be set for an employee's return to work, will be made on a case by case basis by the County Commission. The specific conditions may include, but are not limited to:
 - a. An employee may be required to submit to an alcohol and controlled substance abuse assessment with a designated substance abuse professional.
 - b. An employee may be required to successfully complete an in-patient or out-patient chemical dependency treatment program as recommended by a substance abuse professional.
 - c. An employee may be required to continue participation in aftercare treatment programs, counseling, support groups, or other rehabilitation/maintenance program as may be recommended by the substance abuse professional.
 - d. An employee may be required to meet very specific on-the-job requirements involving performance, sick leave use, attendance, etc.
 - e. An employee may be required to submit to a return-to-work alcohol and controlled substance tests, with negative results, before being allowed to return to work.
 - f. An employee may be required to submit to a number of unannounced follow-up alcohol and controlled substance tests for an extended period following return to work, with consistently negative outcomes.
13. Individuals who provide volunteer service to any department within Yankton County are considered employees, and are subject to this drug and alcohol-free workplace policy, and to all other county policies.

404 MANAGEMENT GUIDELINES

Supervisors and department heads should not physically search the person of employees nor should they search the personal possession of the employees without the freely given consent of, and in the presence of the employee.

Supervisors and department heads shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in their possession or in an area jointly or fully controlled by the County.

Any supervisor or department head encountering an employee who refuses to consent to a drug and/or alcohol analysis when "reasonable suspicion" has been identified, should remind the employee of the requirements of the policy and that they may be subject to disciplinary action. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action. Where there is reasonable suspicion that the employee is under the influence of alcohol or drugs, the supervisor or department head should direct the employee to remain at work for a reasonable time until the employee can be safely transported home.

Nothing in this policy shall be interpreted as constituting any waiver of or limitation on the County's responsibility to maintain discipline, or the right to invoke disciplinary measures, nor the employee's right to due process and the processing of grievances concerning such disciplinary measures in accordance with the grievance procedures set forth in this handbook.

SECTION V: SAFETY RULES AND REGULATIONS

501 GENERAL POLICIES

Yankton County will strive to provide a safe working environment for its employees.

Yankton County is committed to making the best effort to detect and correct unsafe conditions and unsafe practices on the job. However, employees are in an especially good position to observe such hazards. Without employee participation in recognizing and reporting hazards, perhaps the greatest source of discovering them would be lost.

Employees are required to support the safety rules and regulations that have been implemented for their protection on the job. Always remember, safety never just happens. If a job is safe, it is because somebody is working to make it safe. Every employee of Yankton County has an important role in maintaining a safe working place for all County employees. Therefore, all employees are required to follow safety rules and regulations, and participate in any safety training that is required of their position.

502 SUPERVISOR'S RESPONSIBILITIES FOR SAFETY

Supervisors have the definite responsibility for the following:

1. Maintaining safe working conditions;
2. Making available suitable protective equipment as furnished by the County and seeing that it is properly used by all employees;
3. Properly maintaining tools and equipment in safe working condition;
4. Properly planning all work performed in a safe manner;
5. Requiring all employees to practice the general and specific safety rules;
6. Assigning employees to jobs which they are capable of doing safely; and
7. Taking immediate steps to correct any violation of safety rules observed or reported to them.

Employees assigned to direct or lead a working crew will be held responsible for seeing that job procedures are carried out in a safe manner. They should make certain that the employees understand the following:

1. The work to be done;
2. The hazards that may be encountered;
3. The proper procedures for doing the work safely including any recommended training;
4. The proper use of suitable protective equipment as furnished by the County; and
5. The work plan and individual job responsibilities and job procedures.

Frequent periodic inspections of road construction sites, hazardous areas, maintenance equipment, materials, conditions, and methods will be made by supervisors as a part of their routine duty. Such inspections are essential to prevent accidents.

503 ACCIDENT REPORTING AND INVESTIGATION

Any employee who suffers an injury while working for the County shall report as soon as possible (the same workday) such injury to the person directly in charge of the job.

All accidents to the public involving County personnel, motor vehicles, equipment, or property shall be reported as soon as possible (the same workday).

Every accident shall be investigated to determine the cause and steps needed to prevent a recurrence. It shall be the responsibility of the supervisor to obtain complete and detailed information about the accident.

Supervisors shall see to it, as soon as possible after the occurrence of any accident, that the Accident Report Form is filled out completely, giving the fullest possible description of the accident and any resulting injuries. Department heads should review and approve all accident reports originating in their areas of operation.

Recommendations should be made on each accident concerning any corrective safety measures needed and proper follow-up and monitoring of these recommendations provided by department heads. Even accidents that do not result in personal injury should be reported and investigated as if an injury had occurred so that proper corrective safety measures may be taken.

504 ACCIDENT INVESTIGATION POLICY

Some key points about conducting an accident investigation are:

1. Accurately identify locations, machines, equipment, operations, and individuals involved;
2. Provide enough detail to be understood; and
3. Provide additional description as needed.

The following list comprises the information needed for the investigation of each accident:

1. Date, time, location, employees, and equipment involved;
2. What was the employee doing? Explain;
3. How was the employee injured? Explain;
4. Was an unsafe or hazardous condition present? Explain;
5. What were the environmental conditions of the work site (heat, cold, noise, ventilation, lighting, etc.)?
6. Were all guards in place and functioning properly? Explain;
7. Was all necessary protective equipment supplied, in good condition, and properly used? Explain;
8. Were proper job procedures being followed? Explain;
9. Was an existing safety rule violated? Explain;
10. To what degree was the employee being supervised, and was the employee properly instructed in the safe way to perform this task? Explain; and
11. What corrective actions could be taken to avoid this type of accident in the future? Explain recommendations.

The State of South Dakota Workers' Compensation First Report of Injury Form should be filled out completely within twenty-four (24) hours of the accident or incident and turned in to the County Auditor. The County Auditor has immediate responsibility for submitting the First Report of Injury Form to the insurance carrier within twenty-four (24) hours of receipt of the form.

505 JOB RELATED INJURIES

Employees injured on the job are covered by the South Dakota State Worker's Compensation Act. This law provides specific benefits. In order to qualify for these benefits, certain specific procedures shall be followed:

1. The employee shall immediately report any injury, regardless of extent, to their immediate supervisor. The immediate supervisor shall provide first aid treatment or the injured employee shall be taken to the hospital or a physician;
2. The supervisor shall immediately inform the department head of the action taken. The department head shall be responsible for providing the necessary information to the Auditors office for the completion of all accident reports within seventy-two (72) hours of the injury. Upon the employee's return to work, the department head will inform the Auditor and Board of County Commissioners by memorandum;
3. Medical and hospital expenses incurred due to on-the-job injuries received shall be paid for in accordance with County policy and the applicable provisions of the Worker's Compensation Act;
4. The County shall compensate employees on injury leave up to a maximum of ninety (90) calendar days by paying the difference between any payment made to the employee for salary by the County's Workers Compensation insurance carrier and the employee's County salary at the time he/she was placed on injury leave;
5. After the ninety (90) day period, the employee may elect to use accumulated sick leave and/or vacation credits to continue receiving full pay;
6. Should the employee not elect such action or should the employee exhaust all available leave benefits he/she may apply for disability under the provisions of the Workers' Compensation Act or unpaid disability leave of absence under County policies; and
7. All vacation, sick leave, and holiday leave earned while on injury leave shall accrue at the employee's regular rate.

SECTION VI: WORK PERIODS AND TIME RECORDS

601 WORKWEEK AND WORKDAY

It is the policy of Yankton County to establish the time and duration of working hours as required by workload, customer service needs, the efficient management of personnel resources, and applicable laws.

The normal workweek is Monday through Sunday, beginning and ending at midnight on Sunday. Some departments, however, may use a different work week for scheduling and tracking purposes.

Each supervisor will determine the schedule of hours for employees. The supervisor will inform employees of their daily schedule, including meal periods and rest or coffee breaks.

Yankton County offices will normally be open to the public Monday through Friday. The County Commission will establish the daily office hours.

Highway Department

1. Highway Department will generally work Monday through Friday, forty (40) hours per week as scheduled; and
2. Eight (8) hours base pay per day; and
3. Any hours worked beyond the forty (40) hour work week must be approved by the Department Head prior to being worked, emergencies being the exception.

County Government Center Offices

1. County Government Center offices shall be open and functioning during each day of the year, except Saturdays, Sundays, designated holidays, and emergencies;
2. The Auditor's office shall remain open, upon the request of a person in charge of school or municipal elections, until the closing of the polls for that election; and
3. Any hours worked beyond a forty (40) hour work week must be approved by the Department Head prior to being worked, emergencies being the exception.

Soil Conservation and Extension Services Office

Employees working with these offices will work according to the hours established by those departments. County employees will follow County policies for holidays and any other unscheduled time off (example – weather related office closing).

Custodians

The custodian's work week shall not exceed forty (40) hours in any calendar week unless approved by the Department Head.

Sheriff's Department, Ambulance Department, Office of Emergency Management

These department personnel shall work as scheduled, and work shifts may vary. These departments are required to provide coverage 24 hours a day, seven days a week.

602 CHANGES IN WORKDAYS

A change in the workday schedule within any calendar week to establish a long weekend is permissible provided the department head approves and it is recommended to the Yankton County Commission before such action is taken and providing no overtime is involved.

In accordance with SDCL §7-7-2.1, the Chairperson of the Board of the Yankton County Commission has the discretion to close the Yankton County Government Center in case of emergency or severe weather and each such closing shall be for no more than one business day. The public shall be adequately notified. An emergency for the purpose of this section is an unforeseen occurrence or combination of circumstances that calls for immediate action or remedy. Any extended closings due to emergency situations must be approved by the Commission.

County employees shall receive their regular pay should the County Government Center or other facilities be closed under the circumstances described above. Employees on authorized leave (example - sick or vacation time) during a closed event shall not be allowed to substitute the weather or emergency related leave for their already approved absence.

If any full-time employee is unable to get to work due to inclement weather and County offices are open, the employee can take earned vacation time or time off without pay will be charged.

603 BREAKS

County employees subject to work regular office hours are allowed a one (1) hour unpaid midday break and two (2) paid fifteen (15) minute breaks. Break times shall be at the discretion of the department head. There may be times when job conditions and/or work demands do not permit a break.

604 TIME RECORDS

All non-exempt employees (employees subject to the minimum wage and overtime provisions of the Fair Labor Standards Act) may be required to complete an individual time record showing the daily hours worked or annual leave, sick leave, or compensatory time used. The following points should be considered in filling out time records:

1. Employees may be required to record their hours worked, using a monthly time sheet;
2. Employees are not permitted to sign in or commence work before their normal starting time, or to sign out or stop work after their normal quitting time, without the prior approval of their supervisor;
3. Employees are required, whenever possible, to take scheduled lunch or meal breaks;
4. Employee time records are to be checked and signed by the supervisor involved. Leave time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) should be entered on the time record. Authorized comp time should also be identified;
5. Unapproved absences are not to be considered as hours worked for pay purposes. Supervisors are to inform employees if they will not be paid for certain hours of absence;
6. The filling out of another employee's time record or the falsifying of any time record is prohibited and may be grounds for disciplinary action, up to and including termination;
7. Time Sheets should be turned in to the Auditors office by noon on the 25th of each month, unless the employee is otherwise directed by their supervisor; and
8. Personnel employed in executive, administrative, professional, or certain computer-related capacities are exempt from the provisions of the Fair Labor Standards Act. Such employees may still be required to fill out monthly time records and must account for daily attendance.

605 HOLIDAY HOURS

For the purposes of this Handbook, holiday hours will be included as "hours worked" during a workweek, in determining overtime. Vacation, sick, and other leave categories will not be included as "hours worked," in determining overtime.

606 HOLIDAYS

Each full-time employee, beginning with starting date of employment, shall be eligible for eleven (11) legal holidays, with regular base pay.*

A holiday that occurs on a Saturday will be observed on the preceding Friday and a holiday occurring on a Sunday will be observed on the following Monday.

The following days are deemed holidays for eligible employees:

- | | |
|--------------------------------|------------------------------------|
| 1. New Year's Day | January 1 |
| 2. Martin Luther King, Jr. Day | January, 3 rd Monday |
| 3. President's Day | February, 3 rd Monday |
| 4. Good Friday | Friday prior to Easter Sunday |
| 5. Memorial Day | May, last Monday |
| 6. Independence Day | July 4 |
| 7. Labor Day | September, 1 st Monday |
| 8. Veteran's Day | November 11 |
| 9. Thanksgiving Day | November, 4 th Thursday |
| 10. Day after Thanksgiving | November, Day after Thanksgiving |
| 11. Christmas Day | December 25 |

In addition, every day appointed by the President of the United States or by the Governor of South Dakota for a public fast, thanksgiving, or holiday may be observed as a legal holiday, if approved by the County Commission.

If any employee is required to work during a holiday caused by emergency circumstances, then that employee shall receive overtime pay plus holiday pay.

*Employees in certain departments are required to work on holidays. Those departments, including Sheriff's Department, Ambulance Department and Office of Emergency Management, handle holidays differently than described here. Efforts will be made to let these employees off when deemed possible by their Department Head.

607 PAYDAY

All employees will be paid by electronic deposit (direct deposit) on the last working day of each month. Payroll will not be issued in advance.

Individual timecards or timesheets are issued to each employee and are used to record the number of hours worked per week. It is the responsibility of each employee to record their own time accurately. Employees are not allowed to record time for another employee. If an error occurs, only your Department Head is to adjust the card.

608 OVERTIME PAY

1. For non-exempt employees in most positions, any work performed in excess of the standard forty (40) hours in a workweek shall be considered overtime and shall be compensated as overtime or as compensatory time off.
2. The work period for certain employees, such as public safety employees in the Sheriff's Department, and for employees in the Department of Emergency Management and Ambulance Department, may be based on a different work cycle that conforms to Fair Labor Standard requirements.
3. Any overtime worked shall be with the prior knowledge and approval of the department head.
4. Overtime shall be paid at one and one-half (1½) times the employee's regular hourly rate of pay.
5. Compensatory time off shall be granted at a rate of one and one-half (1½) hours of compensatory time for each hour of overtime worked.
6. The decision to compensate with compensatory time must be agreed to or understood before the work is performed. Department heads may establish the limit of compensatory time to be earned in their department, except that the maximum compensatory time accrual will not exceed 90 hours (for 60 hours of overtime worked).
7. Compensatory time may be used with the approval of the department head at the convenience of the County.
8. All department heads and other employees exempt from the provisions of the Fair Labor Standards Act shall not receive extra compensation or overtime pay. The need for them to work extra or irregular hours from time to time in order to carry out their assigned responsibilities and properly administer the authority vested in them is a consideration in the determination of their salary. Supervisors serving positions below the administrative or staff level shall be eligible for overtime pay subject to the approval of the department head and compliance with federal regulations pertaining to the Fair Labor Standard Act.

609 PAYROLL DEDUCTIONS

Employees are required by law to file forms with the County authorizing withholdings for federal income taxes and other special deductions. Yankton County uses official government tables to determine the amount of federal withholding taxes to be deducted from employee pay. If an employee wants additional taxes withheld, they may arrange to do so by notifying the County Auditor's office, which processes payroll.

The Federal Social Security tax is deducted as required by law. The employee's Social Security number must be on file with the County before the first paycheck can be issued. Employees must be certain that their Social Security number is included with the information supplied when they are first placed on the payroll.

Other regular deductions may include hospitalization and major medical insurance premiums, optional life insurance premium, and/or other voluntary contributions.

Garnishments are court orders requiring an employer to withhold specific amounts from an employee's wages for payment of a debt owed by the employee to a third party. State law requires the County to honor garnishments of employee wages (including child support) as a court or other legal judgment may instruct. The law also provides for an administrative fee to be charged when a garnishment occurs. The County will not terminate any employee solely for the reason of being subject to garnishment.

610 CHANGE OF STATUS

To assure that the county employee list is complete and up-to-date, it is important that department heads have the most current information regarding employee addresses and telephone numbers. Additionally, for tax and health insurance purposes, any changes in marital status and dependents must be reported to the employee's department head immediately. In turn, the department head must pass along that information to the Auditor's Office.

611 PAY PLAN

The County's goal is to recruit and retain high performing employees that provide outstanding service to our citizens. While recognizing that we are stewards of taxpayers' dollars, we focus on offering pay that is generally competitive and recognizes employees' growth and development. The objectives of the compensation program are to ensure appropriate compensation for positions considering both internal worth to the organization and external market. The wages and compensation method for a position depends on its classification. The following provisions apply to regular, full-time, non-elected positions unless otherwise specified.

The County utilizes a grade and step pay plan for most full-time, non-elected positions within the County. A job analysis process is used to evaluate each position. This analysis is used to develop a job description for the position and to assign, or classify, a position to a pay grade.

Each pay grade is associated with a salary range and has prescribed points referred to as "steps." Each grade and step will be associated with a rate of pay. This grade and step structure is referred to as the "pay matrix." Salary ranges increase by each pay grade and, within each pay grade, rates of pay increase with each step.

Employees may obtain a copy of the pay matrix, a listing of position pay grades, and their grade and step placement from their Department Head or the Auditor's office.

Pay Matrix Adjustments - The County Commission considers adjustments to the pay matrix periodically. When evaluating adjustments to the pay matrix, the County Commission may consider compensation philosophy, County's relative position to the market, cost of living, and other factors. The County's current financial status, revenue sources, and expenditures may also impact any type of pay structure adjustment.

If an adjustment is warranted, the entire structure would be adjusted by the determined amount. When a structure adjustment is completed, each employee's pay moves with the structure so that all employees stay on step.

Rate of Pay upon Hire - New employees are typically hired at the base of their position's pay grade. With approval from the County Commission, Department Heads may hire new employees at a higher pay grade if warranted by the individual's experience and after consideration of equity issues within the department.

Seasonal, Variable Hour and Part-time Position Pay - Pay ranges for individuals in seasonal or variable hour positions are based on a variety of factors including market, equity within the County, economic environment, and other items. Compensation for individuals in regular, part-time positions which are authorized as part of the County budget depends on the position classification and funding source. Part-time positions may either be paid similarly to those on the matrix or based on a rate similar to variable hour positions.

Pay Increases - Changes are recommended by Department Heads to the County Commissioners as part of the annual budget process. The County Commission reviews and must approve all pay changes. Step increases typically occur following an individual's anniversary. Cost of living or other adjustments to the pay matrix typically occur at the beginning of a new calendar year.

612 POSITION CHANGES

New Positions - New positions may be requested by the Department Head. The County Commission must approve all new positions and the position's associated pay grade. New position requests will typically be considered as part of the annual budget process. When necessary, new job descriptions will be developed in cooperation with the Department Head.

Transfers - County employees may apply for job openings in other County departments. If the new position is at the same level of responsibility as the current position, the employee will receive the same rate of pay.

Promotions - A promotion is the movement of an individual to a position with greater responsibilities or to a position with a different employment status. Promotions are situations where employees either apply and are selected for a position with greater minimum qualifications or when a supervisor advances them to a position in the same series when they possess the qualifications to perform the required duties of the higher-level position. Employees who are promoted may receive a pay increase. If a non-exempt employee is promoted into an exempt position, any accrued compensatory time will be paid out the pay period following the first date the employee works in the promoted position.

Demotions - An employee may be demoted for performance concerns, misconduct, in the event of a reduction in force, or at management's discretion. Demotions also occur when employees apply for or voluntarily accept a position with a lower pay grade than their current position.

In the case of a demotion, the employee's rate of pay may be reduced within the range established for the position to which demoted. If an employee had been promoted and is currently demoting to their previous classification, the employee may be placed at the rate of pay the employee would have been at if he/she had never been promoted.

Reclassification - A reclassification is the movement of a position to a higher or lower pay grade or a change in exemption status. Reclassification requests will typically be considered as part of the annual budget process and must be approved by the County Commission. Because a reclassification is the movement of a position, all employees in the position are consequently also moved to the new pay grade, retaining their current rate of pay (or, if that is not possible in the new range, the step closest to but higher than their current rate of pay).

Reduction in Force - A reduction in force (RIF) occurs when changing priorities, budgetary constraints or other business conditions require Yankton County to abolish positions. A RIF can also occur when a position changes so significantly that the employee is no longer able to perform the required duties. Any Department Head may terminate or demote any employee without prejudice because of lack of funds or curtailment of work. In such event, the Department Head or immediate supervisor will give at least a two-week notice of the intended action to the employee. The employee's rate and receipt of pay will not be altered until at least two weeks after the date notice is given. In the event of demotion or job termination, the monies received by the employee during the two weeks will be considered the total sum of any "severance pay" which may be claimed by the employee.

613 COMPENSATION FOR ELECTED OFFICIALS

Elected Officials are paid on a salary that is set by the County Commission. The salary for each elected official will be reviewed during the annual budget process. Items to be considered when budgeting for adjustments may include, but not be limited to, market for similar positions, equity within Yankton County management positions, pay of subordinate staff, performance and funding. Adjustments in the pay rate, either increases or decreases, will be made at the discretion of the County Commission.

SECTION VII: EMPLOYEE BENEFITS

701 STATUTORY BENEFITS

In accordance with applicable law, the following benefits are provided to all employees:

1. Worker's Compensation Insurance provides financial protection in case you are injured or become ill as a result of your employment. This coverage complies with the worker's compensation laws of the state, and the County pays the cost of this protection on your behalf.
2. Social Security coverage entitles you and your family to certain health and retirement benefits based on income and number of years worked. The County contributes to this coverage by paying one half of the Social Security tax.

702 VACATION LEAVE

1. Vacation leave is allowed after six (6) months of employment as a full-time staff employee.
2. The employee's anniversary date of hiring shall be the date used for determining vacation accrual. Vacations must be scheduled and approved in advance by the department head. The following conditions are based upon "years of service" to Yankton County, not continuous years of service:
 - a. Payment is based on regular day's pay not to exceed eight hours. Any changes to this policy must be authorized by the County Commission;
 - b. Vacation Leave Accrual:

Years of Service	40 Hour Per Week Employees		35 Hour Per Week Employees	
	Hours Per Month	8 Hour Days Per Year	Hours Per Month	7 Hour Days Per Year
0-6 (72 months)	6.6667	10 (80 hours)	5.8333	10 (70 hours)
7-14 (168 mos)	10	15 (120 hours)	8.7500	15 (105 hours)
15-19 (228 mos)	13.3333	20 (160 hours)	11.6667	20 (140 hours)
20+ (240 mos)	16.6667	25 (200 hours)	14.5836	25 (175 hours)

Years of Service	12-Hour Per Shift Ambulance Paramedics	
	Hours Per Month	12 Hour Days Per Year
0-6 (72 months)	10	10 (120 hours)
7-14 (168 mos)	15	15 (180 hours)
15-19 (228 mos)	20	20 (240 hours)
20+ (240 mos)	25	25 (300 hours)

- c. At the option of the employee, persons with at least seven (7) years of service may take a payout (through direct deposit) of one (1) week of vacation accrual per year. Persons with at least 15 years of service may take a payout (through direct deposit) of two (2) weeks of vacation accrual per year. Such payment will be at the employee's current base rate of pay and the Department Head must be notified prior to the 25th day of the month.
- d. Employees are allowed to accrue a maximum of 200 hours of vacation leave that may be carried over from year to year.

3. Years of service shall mean full years of service based on the anniversary date of employment.
4. Any employee, upon retirement or who is terminated through no fault of their own, shall be allowed credit for a partial year of accumulated vacation based on their status. It will be allowed as time off with pay or lump sum payment.
5. Department heads shall maintain monthly records for all their employees on the approved form.
6. This section does not cover elected officials.

703 SICK LEAVE

1. Full-time employees shall accumulate sick leave at the rate of one (1) day consisting of seven (7) or eight (8) hours, depending upon their normal work day period per month beginning with the first full month of employment. A maximum of one hundred twenty (120) usable sick days (840 or 960 hours depending upon their normal work day) may be accrued. Accumulated sick leave days may not be used until after sixty (60) days of employment.
2. As an incentive for good work attendance, accumulated sick leave days in excess of the one hundred twenty (120) days accrual limit shall be paid back to the employee annually at one-fourth (1/4) of the employee's current base pay. This payment shall be included in the monthly pay (through direct deposit) in which the hiring anniversary date of the employee falls. A County voucher requesting this annual payment shall be submitted to the County Auditor by the department head at least five (5) working days prior to the normal monthly payday.
3. Sick leave may be used when an employee is legitimately ill, consulting a doctor, or utilizing clinic or hospital facilities. Sick leave may also be used to care for an immediate family member. For the purposes of this section, an immediate family member is the employee's husband or wife, son or daughter, or mother or father.
4. If at any time the County questions the validity of the illness, the employee shall be required to furnish adequate proof of the actual illness.
5. Any employee abusing sick leave privileges or falsifying a doctor's statement shall be subject to disciplinary action.
6. Any person who has been employed by the County for five (5) years shall be entitled to payment (through direct deposit) from Yankton County in an amount equal to twenty (20) percent of the employee's total accumulated sick days effective upon leaving employment from Yankton County.
7. This section does not cover elected officials.

704 DONATED SICK LEAVE

Full-time employees may transfer sick leave to a fellow full-time employee suffering an extended illness, family crisis, or maternity leave.

1. Each request will be reviewed on a case-by-case basis and approved by the County Commission.
2. A donor may authorize the transfer of a minimum of four (4) hours and a maximum of forty (40) hours. There will also be a forty (40) hour maximum per year.
3. The sick leave balance of the employee donating hours may not go below twenty-four (24) hours after the transfer has been made.
4. A special authorization "Sick Leave Transfer" form available in the Auditor's Office must be completed. The donor's names will be confidential; however, individual donors may personally inform the recipient of their transfer if they so desire;

5. Transfers will only be permitted for a specified individual and during a specified time period upon administrative approval. Donations will be taken in the order they are received, and in the event that all hours are not needed the remainder will be given back to the employee donating the hours;
6. In the case of a family crisis, all sick leave must be exhausted by the recipient prior to the transfer of sick leave;
7. In the case of personal illness, both vacation leave and sick leave must be exhausted by the recipient prior to the transfer of sick leave;
8. The recipient must be on leave-of-absence status, and will not accrue benefit time. They will be covered for the full costs of the health insurance premiums, if they be enrolled, during this time as required by FMLA (Family and Medical Leave Act);
9. Recipients will receive sick leave at their hourly rate, and they will not be obligated to repay it; and
10. Recipients receiving Worker's Compensation will not be eligible for this program.

705 BEREAVEMENT LEAVE

Regular, full time employees will be granted up to four (4) days leave from work with pay, in the event of death in the employee's immediate family. Immediate family is defined as a spouse, child, mother, father, mother-in-law, father-in-law, brother, sister, grandparents and grandchildren.

A regular, full time employee may take one (1) day leave from work with pay to attend the funerals of other relatives or friends. This benefit is limited to two (2) occurrences per year. Any additional days taken by the eligible employee for any one situation will be deducted from vacation time or be taken without pay.

706 TIME OFF TO VOTE

In general, if you wish to vote, you are expected to do so before or after your scheduled shift. If, on the day of any election, the polls are not open for at least two consecutive hours before or after your scheduled shift, you may be granted up to two consecutive paid hours off work during times that the polls are open in order to allow you to vote.

To be granted time off to vote, you must provide reasonable advance notice to your supervisor. In order to provide you with sufficient time to vote while minimizing disruption to County business, your supervisor may specify the particular hours you may take off work to vote. Such time will be treated as regular work time for the purpose of pay.

707 JURY DUTY

County employees who are summoned for jury duty during assigned work hours will receive regular county pay. All fees received by the employee for serving on the jury will be returned to the County. Mileage, lodging, meals, and any other travel expenses paid to the employee by the court system will be retained by the employee. County travel compensation will not be allowed.

Jury time off duty shall not be used in combination with annual or other leave, unless authorized in advance by the Department Head. Eligible employees will continue to accrue authorized leave benefits during the jury leave period.

708 COURT APPEARANCE

An employee who is required to make a court appearance in an official capacity in connection with the County or as an expert witness shall be deemed to be on duty and no charge will be made against leave.

If an employee is involved in a personal case, either as a plaintiff or as a defendant, the employee may be granted leave but the time off will be charged to annual leave, compensatory time, or leave of absence without pay.

Any payments received by an employee for appearing as a legally required or expert witness, in their official county capacity, shall be turned over to the County.

709 LEAVE OF ABSENCE

The County recognizes that there are circumstances when, for various reasons, employees may find it necessary to be absent themselves for an indefinite period of time. Leaves of absence constitute an additional expense to the County and will be carefully controlled. Each request will be considered on its own merits. If the leave is granted, preferential treatment will be given and every effort will be made to re-employ such people when their leave is up, provided the type and kind of work for which they are suited is available, and under the following conditions and/or rules:

1. Request for leave of absence is to be made in advance so far as possible;
2. Employees shall notify their supervisor and fill out the appropriate form, obtaining written approval of those officers listed under authorization;
3. Employees must notify the County Commission and department head at least one week in advance of their agreed-upon return to work date. If the employee fails to report to work on the agreed-upon-date, they will be terminated and coded as a voluntary quit. If, while on leave, the employee decides to terminate, they shall notify the County Commission;
4. If a leave of absence is applied for under false pretenses, the employee will be subject to automatic discharge;
5. If a leave of absence is for a time period of sixty (60) days or less, the returning employee does not suffer a break in continuous service. However, the employee must complete the specified period of time required for earning benefits (i.e., vacations) and will be eligible for holiday pay as soon as he/she returns; and
6. If a leave of absence is for more than sixty (60) days, the returning employee will be treated as a new employee and will serve the one hundred eighty (180) days introductory period. Exceptions to this rule are job related and non-job-related disability leaves.

710 JOB RELATED AND NON-JOB-RELATED DISABILITY LEAVE

Disability leave may be granted to any regular full-time employee. A disability leave of absence requires a continued physician's statement of disability (each two [2] weeks). A maximum of twelve (12) months applies. During this period the employee wishing to continue insurance coverage will continue to pay their portion of all insurance premiums. Section 709 #6 applies if disability leave is in excess of twelve (12) months. Employees must present a signed physician's "release to return to work" form in order to return to work.

711 MILITARY LEAVE

1. Regular employees ordered for temporary monthly training (usually two [2] days) or annual training (usually two [2] weeks) by the respective military reserve or National Guard unit will be granted time off without pay for this purpose, except as noted in paragraph #3 below. However, employees are required to provide department heads with a copy of written military orders sufficiently in advance of training dates so that work-scheduling adjustments can be made.
2. Employees will continue to accrue all of the normal employment benefits for which they are eligible during periods of temporary or annual military training.
3. Employees who miss work for annual military training will be paid the difference between their military pay and their County pay for up to two weeks, if the County pay is higher, and if the employee provides documentation of their military pay for that time period.
4. Employees are responsible for making their required contributions to keep their health insurance in force during military leave.
5. Employees called to active duty in the Armed Forces of the United States will be reinstated under the provisions of the Veteran's Reemployment Rights Act and other applicable state and federal laws. Every reasonable effort will be made to return eligible employees to their previous position or a comparable one.
6. Employees on military leave will be treated as if they were continuously employed for the purpose of determining benefits, based upon the length of service.

712 FAMILY AND MEDICAL LEAVE OF ABSENCE

The federal **Family & Medical Leave Act of 1993** (FMLA) as amended, requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

Eligibility

Employees are eligible for FMLA leave if they:

1. Have worked for the company for at least 12 months;
2. Have worked at least 1,250 hours for the company during the 12 calendar months immediately preceding the request for leave; *and*
3. Are employed at a work site that has 50 or more employees within a 75-mile radius.

The 12 months of service need not be consecutive. Employment before a break in service of 7 years or more will not be counted, unless the break in service was caused by the employee's USERRA-covered service obligation, or there was a written agreement that the employer intended to rehire the employee after the break in service.

Under certain conditions, employees who are designated as "key" may be denied job restoration rights.

These employees must be in the highest paid ten percent (10%) of the workforce, and their absence must mean a substantial economic loss to Yankton County. Supervisors are urged not to use a "key" person designation unless absolutely necessary. If a person designated as "key" still takes family leave, Yankton County will pay the health care premiums, but no guarantees still takes family leave, Yankton County will pay the health care premiums, but no guarantees are made about returning the key employee to the job he or she left. Yankton County will not attempt to recover health care premiums from such employees who do not return to work.

Basic FMLA Leave

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons:

1. To care for the employee's son or daughter during the first 12 months following birth;
2. To care for a child during the first 12 months following placement with the employee for adoption or foster care;
3. To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition;
4. For incapacity due to the employee's pregnancy, prenatal medical or child birth; *or*
5. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

The twelve (12) month period is determined on a "rolling basis"; measured backward from the date an employee uses any FMLA leave. Under this method, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the twelve (12) weeks that has not been used during the immediately preceding twelve (12) months. Employees will be required to take any unused sick and vacation time as part of this 12-week period.

In cases where a married couple is employed by the County, the two spouses together may take a *combined total* of 12 weeks' leave during any 12-month period for reasons 1 and 2, or to care for the same individual pursuant to reason 3.

Military Family Leave

There are two types of Military Family Leave available.

1. **Qualifying exigency leave.** Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave for a qualifying exigency while the employee's spouse, son, daughter, or parent (the military member or member) is on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty).

For Regular Armed Forces members, "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country (outside of the United States, the District of Columbia, or any territory or possession of the United States, including international waters).

For a member of the Reserve components of the Armed Forces (members of the National Guard and Reserves), "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

Qualifying exigencies may include:

- Short-notice deployment (seven or less calendar days)
- Attending certain military events and related activities
- Childcare or school activities
- Addressing certain financial and legal arrangements
- Periods of rest and recuperation for the military member (up to 15 calendar days of leave, dependent on orders)
- Attending certain counseling sessions
- Attending post-deployment activities (available for up to 90 days after the termination of the covered military member's covered active duty status, and to address issues arising from death of military member)

- Attending to parental care needs arising from covered active duty or call to duty (arrange for alternative care for a parent of a military member, provide urgent or immediate care, admit or transfer to a care facility, or attend non-routine caregiver meetings with care facility staff)
- Other activities arising out of the military member's covered active duty or call to active duty and agreed upon by the company and the employee

2. **Leave to care for a covered service member.** There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave during a single 12-month period if the employee is the spouse, son, daughter, parent, or next of kin caring for a covered military service member or veteran recovering from a serious injury or illness, as defined by FMLA's regulations.

For a current member of the Armed Forces, including a member of the National Guard or Reserves, the member must be undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness.

For a covered veteran, he or she must be undergoing medical treatment, recuperation or therapy for a serious injury or illness. Covered veteran means an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

An eligible employee must begin leave to care for a covered veteran within five years of the veteran's active duty service, but the single 12-month period may extend beyond the five-year period.

Use of FMLA Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave. Employees are prohibited from engaging in alternative employment while on FMLA leave from the County. Employment by a branch of the United States' Armed Forces during approved military leave does not constitute alternative employment during sick leave.

Time off for FMLA

Employees are required to first use available sick and vacation time for FMLA qualifying events. If all paid time off options have been exhausted, the remaining time off will be unpaid.

The substitution of paid leave time for unpaid leave time does not extend the 12- or 26-week leave period. Furthermore, in no case can the substitution of paid leave time for unpaid leave time result in the receipt of more than 100 percent of an employee's salary.

Employees are prohibited from working any other job for another employer while out on FMLA leave. While out on leave, employees may be required to periodically report in to their supervisors regarding their return to work plans.

Medical certification

Employees must provide certification explaining their own serious health condition or that of a family member. It should detail:

1. The date on which the condition began;
2. The probable duration of the condition;

3. Appropriate medical facts regarding the condition;
4. A statement that the employee is needed to care for a spouse, parent, or child; and
5. A statement that the employee's own health condition makes it impossible for them to work.

All employees returning from medical leave caused by their own illness will be required to obtain medical certification from Yankton County's health care provider that the employee is able to resume work.

Employees on leave status will be required to report their status on a weekly basis. The employee's estimated date of return to work will be communicated to the appropriate Yankton County compliance officer or supervisor as far in advance as practical so that scheduling can be facilitated. Supervisors will communicate with employees during the leave to determine the employee's intention to return to work, and they should be informed immediately if the medical condition changes or the employee states that they will not be returning to work.

Medical and other benefits during an approved FMLA leave

During an approved family medical leave, the company will maintain the employee's health benefits as if the employee continued to be actively employed. If paid leave is substituted for unpaid family medical leave, the company will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay his or her portion of the premium and make arrangements through the payroll department.

An employee's healthcare coverage will cease if the employee's premium payment is more than 30 days late. If the payment is more than 15 days late, the company will send the employee a letter to this effect. If the company does not receive the co-payment within 15 days after the date of that letter, the employee's coverage may cease. If the employee elects not to return to work for at least 30 calendar days at the end of the leave period, the employee will be required to reimburse the company for the cost of the premiums paid by the company for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

Employees will not accrue any paid time off benefits while on FMLA leave.

Return to job at end of FMLA leave

Upon return from FMLA leave, eligible employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms except as otherwise provided by law. Return to work documentation may be necessary if an employee is on leave for their own serious medical condition.

If an employee is unable to return to work following the expiration of all FMLA leave, the County will engage in the ADA accommodation process.

Employee Responsibilities When Requesting FMLA Leave

If the need to use FMLA leave is foreseeable, the employee must give the company at least 30 days' prior notice of the need to take leave. When 30 days' notice is not possible, the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

Whenever possible, requests for FMLA leave should be submitted in writing to the Auditor's Office.

If the need for leave is not foreseeable, employees are required to provide as much notice as soon as practicable under the facts of the particular case. An employee requiring unforeseeable leave must, absent extraordinary circumstances, call his or her direct supervisor and provide sufficient information regarding the employee's need for leave to support a request for FMLA leave. It generally should be practicable for the employee to provide notice of leave within one business day.

When submitting a request for leave, the employee must provide sufficient information for the County to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave. Calling in "sick" is not sufficient. Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or continuing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees also must inform the company if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also will be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities during an FMLA Leave

When an employee requests leave, the County will inform the employee whether he or she is eligible under the FMLA. If the employee is eligible for FMLA leave, the employee will be given a written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible under the FMLA, the company will provide the employee with a written notice indicating the reason for ineligibility.

If leave will be designated as FMLA-protected, the County will inform the employee in writing and provide information on the amount of leave that will be counted against the employee's 12- or 26-week entitlement.

Reporting While on FMLA Leave

If an employee takes leave because of the employee's own serious health condition or to care for a covered relation, the employee must notify their Department Head as soon as possible. If the FMLA is intermittent, it is the employee's responsibility to notify their Department Head in accordance with company call in standards. The employee also must clarify the time off is FMLA related.

713 HEALTH INSURANCE

It is the policy of Yankton County to offer health insurance benefits to regular full-time employees. Yankton County will offer one or more options for coverage, and will contribute an amount to be determined each year towards each eligible employee's premium. Employees who want to provide health insurance coverage for family members will be responsible for the additional premium cost, to be paid through payroll deduction. Insurance coverage and options may change from year to year.

714 HEALTH INSURANCE CONTINUATION (COBRA)

Group health coverage would normally terminate on the last day of active full-time employment with Yankton County. However, under the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and covered dependents may be able to continue group health coverage beyond the date it would normally terminate by paying the premiums for the continued group health coverage, plus an administrative fee. Other qualifying events, such as leave of absence, change of work hours, change of marital status, change of dependent status, or death, may also trigger the ability to continue coverage.

After a qualifying event, employees and/or covered dependents may apply to continue group health coverage. Such persons will be known as continuation applicants. As continuation applicants, former employees and eligible dependents will be entitled to the same health benefits for which they were covered under the County's Plan immediately prior to the employee's termination. Coverage includes medical benefits, but does not include any life insurance or accidental death and dismemberment benefits.

When an employee becomes eligible for Yankton County's health insurance plan, they will be given a written notice describing the COBRA rights.

In the event that you become divorced or legally separated, or one of your dependents ceases to be eligible for coverage under our group health insurance plans, you and/or your dependent(s) is/are responsible for contacting the Auditor's office and the Plan Administrator to discuss continuation or conversion rights. You and your qualified beneficiary are also responsible for notifying the Auditor's and the Plan Administrator within 60 days of qualifying for social security disability benefits.

715 HEALTH REIMBURSEMENT ARRANGEMENT (HRA)

The Health Reimbursement Arrangement (HRA) is an employer-funded benefit to reimburse eligible full-time employees for out-of-pocket medical expenses not covered by insurance. The reimbursement amount for each year will be determined at or before annual open enrollment.

716 RETIREMENT

Yankton County is a participating member of South Dakota Retirement System (SDRS). For eligible employees as defined by SDCL 3-12, participation in SDRS is mandatory and administered in accordance with policy and procedure outlined by SDRS. In addition, Yankton County also offers participation in the SDRS Supplemental Retirement Plan (SRP), which is a personal retirement savings option available to SDRS members and any person providing services to the state or a political subdivision of the state for which compensation or contractual payment is paid by an SDRS-participating employer. The SDRS-SRP allows participants to save additional dollars for retirement on either a pre-tax or after-tax (Roth) basis.

The SDRS is set by state statute and is subject to change, and any statutory provisions supersede all references made in any other material distributed by the County.

717 LONGEVITY PAY (Bonus for time employed in County service)

The length of County employment shall be the full number of years as of the hire date of the employee during the calendar year. The employee's "years of service" shall be considered for longevity pay. The department head shall determine any question on eligibility.

Eligible employees shall be paid a prorated share of longevity pay upon their voluntary termination of employment.

Longevity pay shall be paid annually (through direct deposit) on or around the employee's anniversary date, according to the following formula (NOTE: Some departments may have a different payment formula due to a different work schedule.)

Years of Service	Annual Payment	Years of Service	Annual Payment
0-5	NONE	31 (\$30 increase each year)	\$930
6-10	\$100	32	\$960
11-15	\$175	33	\$990
16 (\$15 increase each year)	\$250	34	\$1,020
17	\$265	35	\$1,050
18	\$280	36 (\$35 increase each year)	\$1,260
19	\$295	37	\$1,295
20	\$310	38	\$1,330
21 (\$20 increase each year)	\$420	39	\$1,365
22	\$440	40	\$1,400
23	\$460	41 (\$40 increase each year)	\$1,640
24	\$480	42	\$1,680
25	\$500	43	\$1,720
26 (\$25 increase each year)	\$650	44	\$1,760
27	\$675	45	\$1,800
28	\$700	46 (\$45 increase each year)	\$2,070
29	\$725	47	\$2,115
30	\$750	48	\$2,160

718 EMPLOYEE BENEFIT ELIGIBILITY SUMMARY TABLE

The following table outlines the benefits that are generally available to various employee classifications. The table's purpose is to provide a "quick reference" for employees. It may not accurately represent the benefit situation for each employee within a particular classification; nor does it infer a promise by the County to provide particular benefits to any group of employees.

***Please refer to the individual benefit descriptions for information on the timing of benefit accrual and use.**

Employee Classification The following classifications are defined in the "Terms and Definitions" Section page v. ✓ - Indicates benefit eligibility	Worker's Comp & Injury Leave	Vacation Leave	Sick Leave	Donated Sick Leave	Funeral Leave	Jury Duty	Court Appearance	Leave of Absence	Disability Leave	Military Leave	Family & Medical Leave	Health Insurance	Health Insurance Continuum	Retirement	Longevity Pay
Temporary or Seasonal (Less than 6 months)	✓						✓								
Temporary or Seasonal (More than 6 months)	✓						✓					✓			
Part Time (Under 20 hours per week)	✓						✓								
Regular Full Time (At least 35 hours per week)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Regular Full Time (At least 30 hours per week)	✓					✓	✓			✓		✓		✓	
Regular Part Time (Over 20 hours per week)	✓					✓	✓			✓				✓	
Contract (Under County supervision)	✓						✓								
Introductory (Regular Full Time) *	✓	✓	✓		✓	✓	✓			✓		✓		✓	
Introductory (Regular Part Time) *	✓					✓	✓			✓		✓		✓	

719 INCLEMENT WEATHER

Weather conditions may, on occasion, make it impossible for you to arrive at work safely. The County does not want you to take unnecessary risks to get to work under such circumstances, and you should use common sense and your best judgment when traveling to work in inclement weather.

If weather conditions cause the Government Center to close, hourly employees will receive their regular pay, as described in 602, paragraph 3.

If the County opens for business and you elect not to come into work or to leave early because of dangerous weather conditions, available paid time off will be used or otherwise the time off is unpaid.

720 NURSING MOTHERS

Nursing mothers are entitled to reasonable break times each day to allow for expressing breast milk for her nursing child. The County will provide a room or location (not a restroom), for a nursing mother to express milk with privacy.

721 STAFF DEVELOPMENT

Yankton County employees are afforded various training opportunities for the purpose of providing academic and technical knowledge in the area of their official duties. Budget permitting, these may include in-service seminars, workshops, or training for academic credit. All travel and expenses outside of approved budget items are subject to approval by the County Commissioners.

722 CREDIT CARDS

County employees traveling outside the county on county business may be issued a credit card under their name and office.

Credit cards may be used for motels, gas and/or repairs for county vehicles, and purchases where open accounts are unavailable or inefficient including conference registration. Meals are covered on a per diem basis and credit cards are not used.

Department Heads are responsible for cards issued to their offices and shall code all credit card receipts monthly for the Auditor. Department officials shall immediately report any lost cards to the bank. Misuse of credit cards may result in loss of the card privilege.

SECTION VIII: TRAVEL POLICIES

801 MILEAGE COMPENSATION

1. It is the policy of Yankton County to reimburse employees for business related travel, in personal vehicles, according to the following conditions:
 - a. The travel must have been approved by the employee's supervisor; and
 - b. A properly prepared voucher must have been submitted to the Auditor.
2. The mileage rate is subject to change. Employees should contact their supervisor or the County Auditor to obtain the current mileage rate. State mileage figures will be considered in determining the rate amount.

802 MEALS

1. County business related meal expenses will be reimbursed under the following conditions:
 1. The employee was on authorized County business; and
 2. A properly prepared voucher must have been submitted to the Auditor.
2. The County will reimburse the employee based upon current state government rates.
3. Meal payments will be based upon the following time periods.
 - a. Breakfast. Leave before 6:00 a.m.
 - b. Lunch Leave before 11:00 a.m.
 - c. Dinner Leave before 5:00 p.m.
4. The meal rates are subject to change. Employees should contact their supervisor or the County Auditor to obtain the current rates.
5. Meal costs may not be allowable expenses unless the business trip is overnight. Meal compensation may be treated as employee income if the activity does not involve an overnight stay.

803 LODGING

Yankton County will reimburse employees for lodging expenses, while on official business, under the following conditions:

1. The travel was authorized by their supervisor;
2. The accommodations were reasonable in price for the area. If the expenses appear excessive, "state lodging rates" shall be the initial consideration in evaluating costs. The location of the meeting or work sites in relation to the lodging may also be considered. Finally, the prevailing price of similar accommodations may be reviewed; and
3. A completed voucher and applicable receipt are submitted to the Auditor.

804 REGISTRATION AUTHORIZATION

Registration costs and related expenses for professional conferences, meetings and trainings should be submitted for approval during the County's annual budget process. Costs not approved during the annual budget process must receive County Commission approval in advance of the expenditure.

805 RIDESHARING AND USE OF COUNTY VEHICLES

1. County personnel are encouraged to pool rides whenever possible while traveling to worksites, meetings, conferences, or training locations.
2. Vehicles, owned, or leased by Yankton County are to be used for business purposes only. This includes transportation for County personnel during business hours (on County business).
3. The personal use of county vehicles is not allowed without prior approval of the County Commission. Commission's approval will be contingent, in part, upon the necessity of the employee having immediate access to a county vehicle (Example: on call emergency personnel).
4. All Yankton County employees are reminded to wear seatbelts when traveling in any County- owned or leased vehicle, as required by state law.
5. Consumption of alcohol in any County-owned or leased vehicle, either by a driver or a passenger is expressly prohibited. Violation of this policy will result in disciplinary action, up to and including termination for the first such offense.
6. Drivers should not consume beverages or food or participate in any other behavior that could distract them while operating a vehicle.

806 DRIVERS LICENSE AND INSURANCE RESPONSIBILITIES

1. The County may require all drivers to submit a photocopy of their state operator's license to facilitate a review of their driving record and restrictions.
2. The County may request a copy of any Motor Vehicle Report or associated legal documents if the driver is under disciplinary probation or suspension.
3. Drivers are required to report to their supervisor any and all tickets received while driving a County vehicle.
4. Drivers are required to inform their Supervisor of any Driving Under the Influence (DUI) tickets, suspensions or revocation of driving privileges immediately. Continuing to drive a County vehicle while under suspension may result in termination.
5. All employees using their personal vehicle for county business on a regular basis shall provide a Certificate of Insurance or a photocopy of an insurance statement to show proof of insurance.

807 DEFENSIVE DRIVING CLASSES

1. Employees are encouraged to complete a defensive driving course at least every two years if they regularly operate motorized vehicles and/or travel regularly on County business.
2. The County may provide opportunities for all employees to take defensive driving classes as it deems necessary.

808 PERSONAL USE OF COUNTY VEHICLES

1. Certain employees may be authorized to use county vehicles to commute to and from work, if immediate access to such a vehicle is necessary for the effective delivery of services (examples - emergency response and snowremoval determinations).
2. Employees using a county vehicle for commuting may have a "financial benefit" added to their gross income. The amount of the benefit will be determined by applicable state and federal guidelines.
3. Employees will be responsible for paying appropriate taxes on the additional income.

SECTION IX: HIRING PROCEDURES AND PERFORMANCE REVIEWS

901 RESPONSIBILITIES OF THE COUNTY COMMISSION

SDCL §7-7-20 authorizes the County Commission, if it deems it necessary to dispatch business, to fix:

1. The number of deputies or clerks to be employed;
2. The time of employment; and
3. The compensation which they shall receive.

902 RESPONSIBILITIES OF CONSTITUTIONAL OFFICERS

SDCL §7-7-21 gives the officer the authority to appoint and remove clerks and deputies at pleasure.

903 RESPONSIBILITIES OF APPOINTED DEPARTMENT HEADS

The County Commission delegates the responsibility of hiring employees to appointed department heads, subject to the policies of Section 904.

904 POLICIES

1. It is the policy of Yankton County to be an equal opportunity employer and to hire individuals solely upon the basis of their qualifications and ability to perform the job. South Dakota's Veterans Preference Law must be followed in the hiring process.
2. All supervisors, including constitutional officers, shall inform the County Commission of a job opening, prior to advertising and/or filling the position, unless they are replacing an employee that was already part of the department's current annual operating budget.
3. Yankton County will normally try to fill job openings, above entry level, by promoting from within, if qualified applicants are known to be available internally.
4. Regular full-time and part-time positions will be posted internally, as well as on on-line job boards and/or newspapers.
5. Temporary positions may be filled at the discretion of the supervisor, provided the job(s) are part of the department's current annual operating budget.
6. During the recruitment, hiring, and orientation process, no statement is to be made promising permanent or guaranteed employment and no document should be called a contract unless, in fact, a written employment agreement is to be used. No written employment agreements may be made without the prior approval of the Board of County Commissioners.
7. The Board of County Commissioners shall be informed of all hiring decisions. Prior Commission approval is needed for any hiring decision that will result in the department exceeding its authorized budget.
8. The County Commission reserves the right to review all hiring decisions to determine if County policies have been followed in selecting the employee.

905 INTRODUCTORY PERIOD

1. Introductory employees shall work an introductory period of one hundred eighty (180) days.
2. The department head will utilize the introductory period to observe the employees work, to train and aid employees in meeting the required work standards.
3. At the end of the introductory period, the department head will conduct a performance appraisal. If this performance appraisal results in a "satisfactory" evaluation, or better, then the employee will have successfully completed the introductory period.

4. The department head, on behalf of the supervisor or other person charged with responsibility of overseeing the employee's position may terminate the employee for any reason during the introductory period.
5. Employees will accrue benefits during the introductory period.
6. Any significant absence from work during the introductory period may result in a corresponding extension of the introductory period.

906 REGULARLY SCHEDULED REVIEW

Yankton County encourages annual performance reviews where department heads assess each individual's work and areas of responsibility, and convey this information to that person to enable the employee to know whether they are on target or not with their efforts. Positive feedback is just as important as negative in that both help an employee do a better job, which is the County's overall goal. Also, this time is set aside for employees to meet with their supervisors and to bring up any subjects they would like; such as new ideas, policy questions, etc.

The performance of employees should be evaluated according to an ongoing twelve (12) month cycle-

Department heads are encouraged to conduct performance evaluations on a regular schedule, but no later than November 30, of each year. Non-elected department heads may be evaluated by the County Commission on or near the first regular commission meeting in December.

907 WAGES

Changes in salary or wage rates are normally made on an annual basis in December of each year, with any adjustments to be effective January 1st of the following year.

908 POLITICAL ACTIVITY

Political affiliation or activity will not be a factor in hiring, promotion, demotion, transfer, suspension, termination, or any other conditions and privileges of employment with Yankton County. County employees will not use their County work time or County facilities to aid, encourage, or promote candidates for elected public office whether partisan or nonpartisan.

Those employees whose employment is financed by loans or grants made by the United States or a federal agency may be subject to the provisions of the Federal Elections Campaign Act (the "Hatch" Act) regardless of when or where partisan election activities occur. This Act prohibits certain types of involvement in federal, state and local elections such as use of official authority or influence to affect an election or nomination of a candidate, donations of items of value to an election fund, or becoming a candidate for office in a partisan election.

Nothing in this section will prohibit any non-elective County officer or employee from exercising his/her right as a citizen to express an opinion or do any partisan or nonpartisan political act not expressly prohibited herein as long as it is not done on County time or with County resources. This includes advocating for or against ballot issues.

A County employee will not be obliged to, by reason of employment, contribute to any political funds or collections or to render political service. Any employee refusing to contribute such funds or to render such service may not be removed or otherwise disciplined or prejudiced for that refusal. A County employee cannot use their position to coerce the political action of a person or group.

In the case of any County employee running for an elective public office, the following provisions will apply:

1. A County employee who intends to be a candidate for political office or participate in other time-consuming responsibilities connected with a governmental unit other than the County must notify their Department Head and the County Commission in writing as soon as possible.

2. Due to the wide variance in demands on time and the employee's differing job responsibilities, leaves of absence for the purpose of campaigning or holding political office will be arranged with the County Commission on an individual basis.
3. The Commission will give the employee a written copy of any agreement it reaches regarding the employee's political activity and job responsibilities.
4. Employees who are granted a leave of absence for political activity may return to their previous employment with the County without loss of position or benefits following that absence.
5. These restrictions do not apply to elected County officials.
6. The County will not employ or retain any person who advocates or belongs to an organization that advocates the overthrow or change of our government by force or violence. Employees may be required to take an oath as set forth in the State Constitution (Art. XXI, Sec. 3), SDCL 3-1-5, SDCL 3-5-11, and SDCL 3-2-3.

SECTION X: DISCIPLINARY PROCESS AND GRIEVANCE PROCEDURES

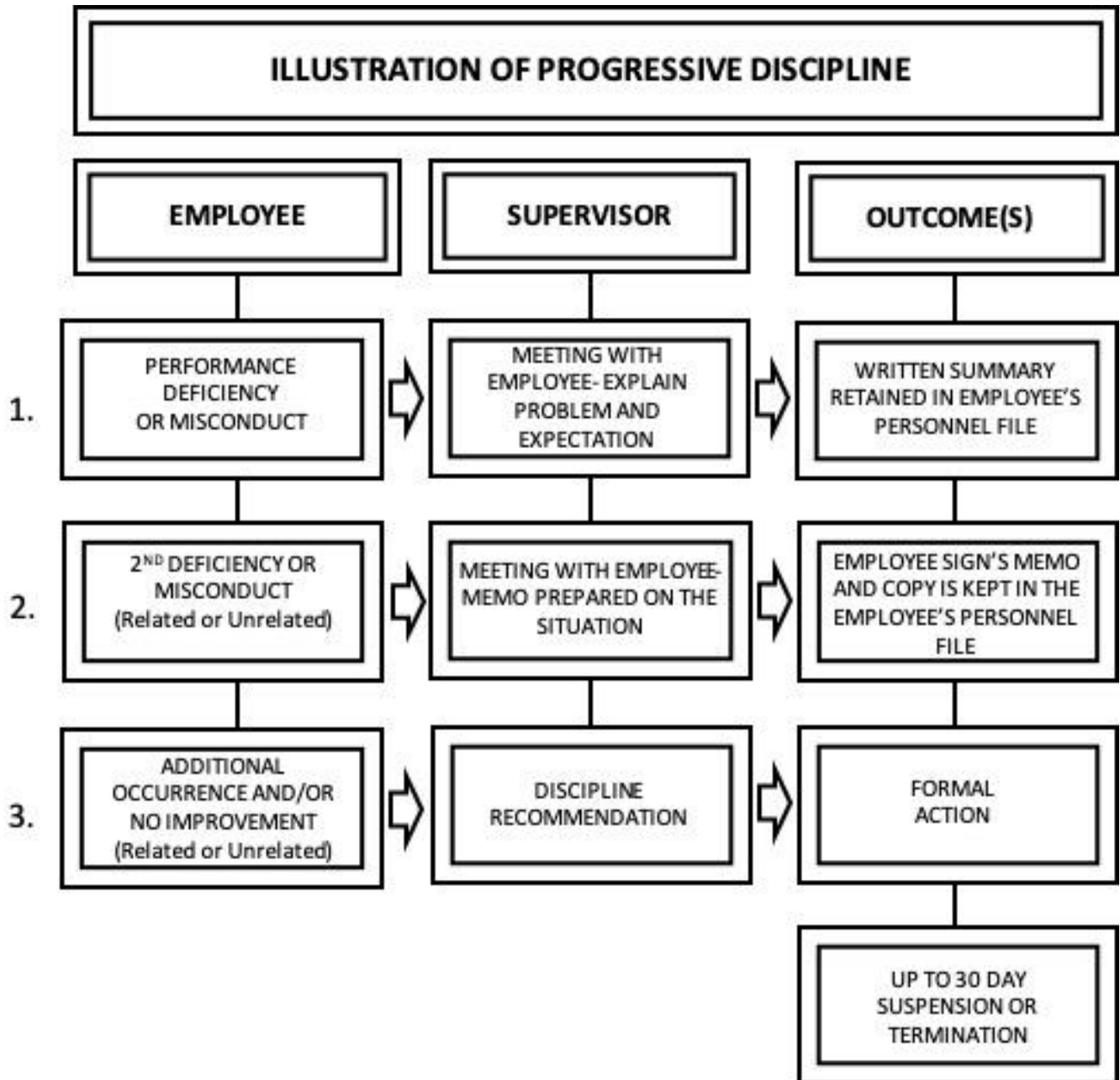
1001 DISCIPLINARY PROCESS

1. Yankton County encourages employees to develop their performance to the highest level or ability. To achieve this level an employee cannot let lateness, tardiness, failure to follow work rules and policies, or unacceptable job performance interfere with their job.
2. When a problem occurs, the normal process will be to encourage the employee to change the unacceptable behavior or performance problem. The normal process includes the following steps:
 - a. Verbal warning and counseling with the department head or supervisor;
 - b. Written warning, with a copy in personnel file;
 - c. Up to a thirty (30) day suspension; or
 - d. Termination.

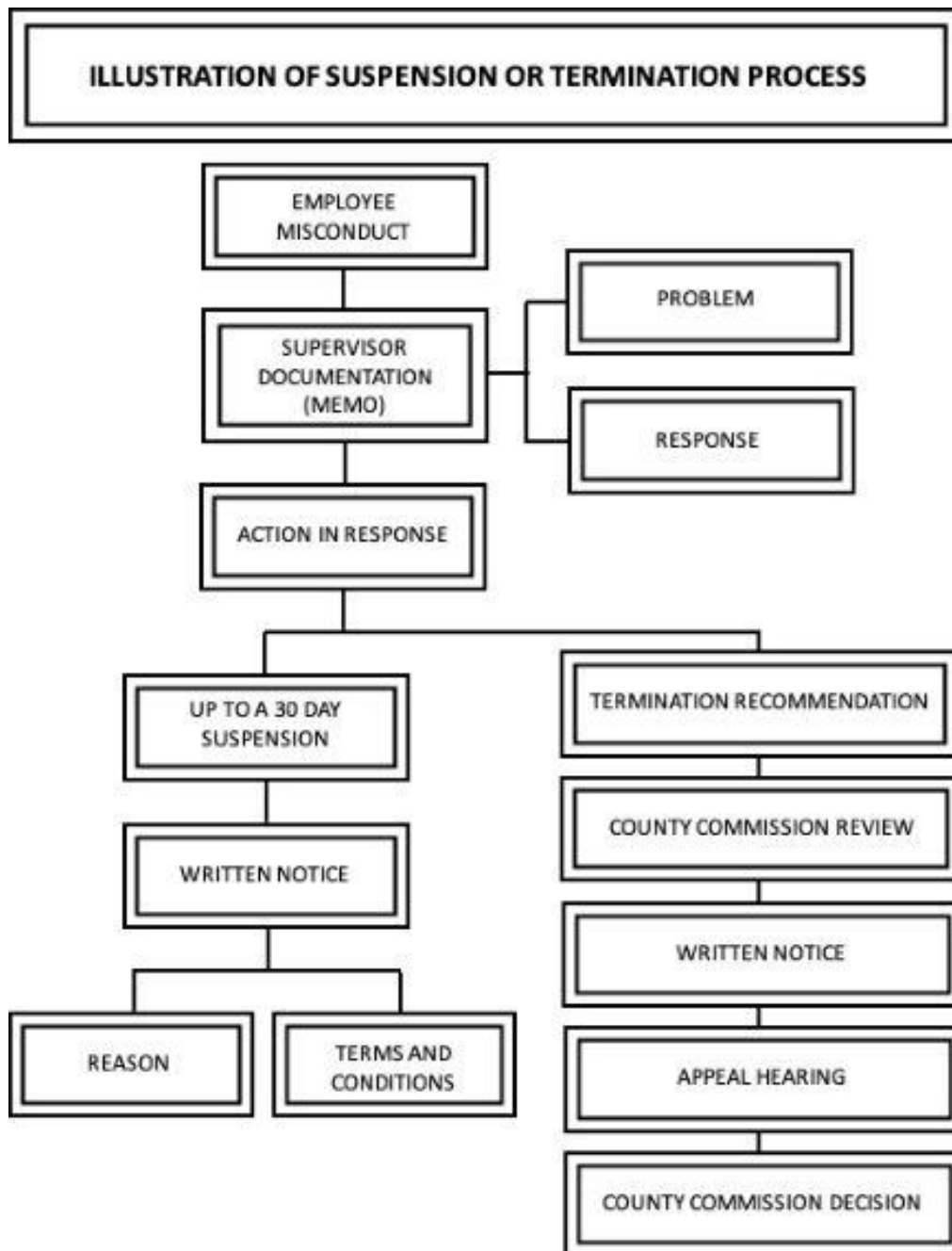
Item c and d may be applied on the first offense if the performance or behavioral problem is sufficiently serious, upon recommendation of the department head and approved by the Yankton County Commission.

3. Steps taken and time allowed for resolution is dependent upon the nature and severity of the problem.
 - a. Verbal Warning and Counseling: If a supervisor or department head views the employee's behavior or performance on the job as unacceptable, they will counsel the individual regarding the problem area. A written summary of this decision will be retained in the employee's personnel file.
 - b. Written Warning and Counseling: If unacceptable behavior or performance continues after counseling, the department head will document the behavioral or performance problem, previous discussions, the current situation, and conditions toward necessary improvements in a memo. The employee will be asked to sign this document and a copy will be retained in their personnel file. The employee will also receive a copy of this memo. Continuation of the unacceptable behavior or performance, after verbal and written warning, will be cause for termination.
 - c. Suspension or Termination: When all measures of progressive disciplinary action regarding behavioral or performance problems have been taken, and there is no improvement, there is little choice but to either impose a suspension of up to thirty (30) days or terminate the employment relationship. Employees under suspension may be subject to the withholding of wages and benefits for the period of the suspension, with the exception of health insurance contributions.
4. An employee who has been dismissed shall be entitled to a hearing at the next Commissioner's meeting following their dismissal. No written request shall be necessary. Such hearing shall be conducted in private with the dismissed employee and the department head present. The hearing may be adjourned from time to time. If the employee wishes to have an attorney present, they must notify the Commissioners who may then reschedule the hearing to a time when the state's attorney can be present to advise the Board. Both sides may call sworn witnesses. Employees may provide a court reporter at their own expense. The Commissioners' decision shall be entered into the minutes of the meeting.

5. The following illustration is a representation of progressive discipline. It does not supersede the County's written policies, nor does it infer that the same steps will be taken in all cases. Its purpose is to show how employees and supervisors could interact and the outcomes of various misconduct situations.



6. The following illustration is a representation of the actions associated with suspension or termination. It does not supersede the County's written policies, nor does it infer that the same steps will be taken in all cases. Its purpose is to show how the process would typically work.



1002 GRIEVANCE PROCEDURE

1. Definitions:

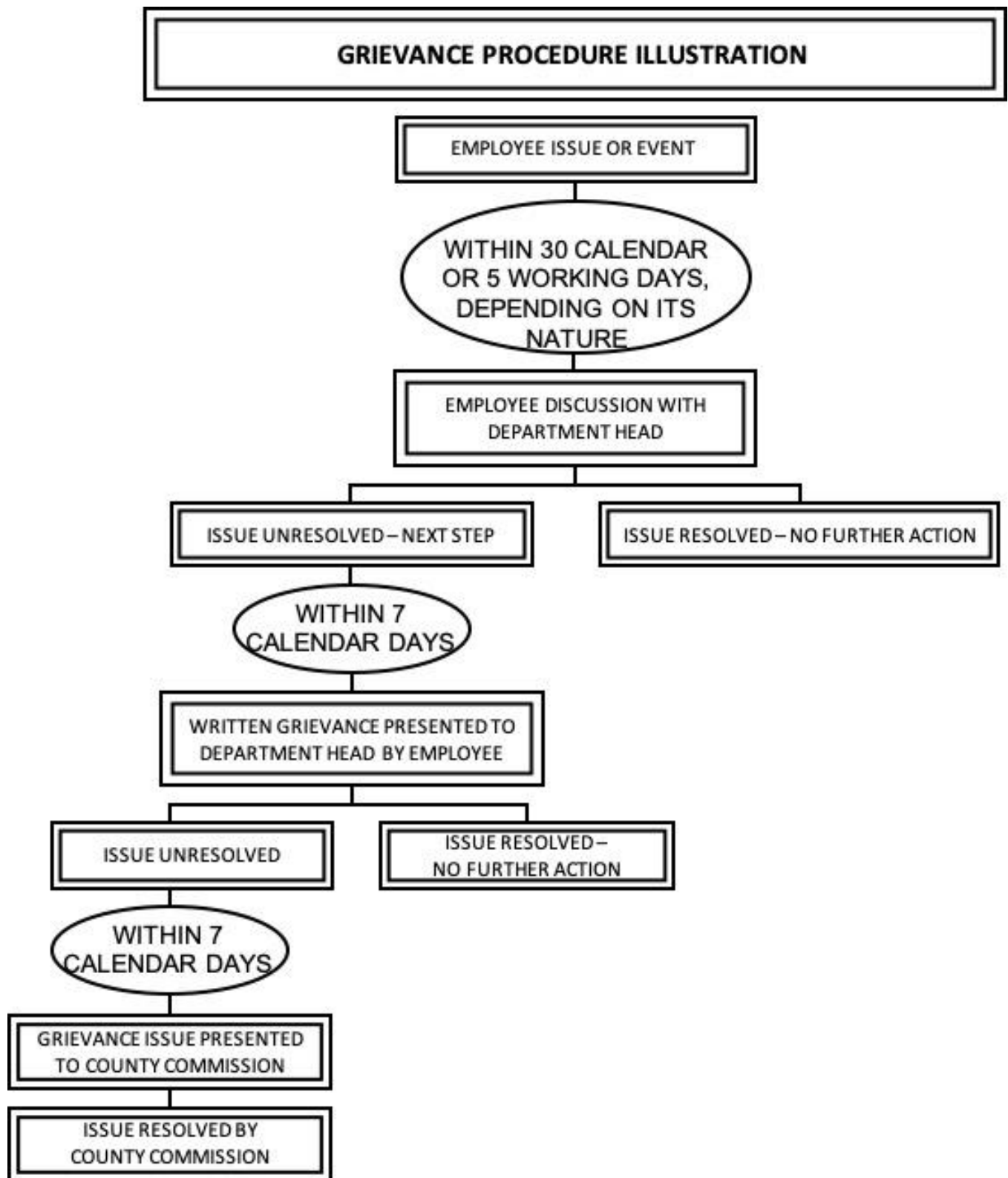
Grievance: An alleged violation, misrepresentation, or inequitable application of an existing agreement, contract, resolution, policy, rule or regulation, of County Commissioners or of any County office.

County Office: Any office under the supervision of the County Commissioners or of any elected County Officer.

Department Head: The County Officer in charge of the employee's office. Where applicable, it also refers to the Board of County Commissioners.

2. All employee grievances will be handled in the manner set out by this resolution. Failure to follow this grievance procedure will result in the grievance being dismissed with prejudice.
 - a. The employee will discuss the grievance with his/her department head. If the grievance is of a non-recurring nature, this step must be within thirty (30) calendar days of the event leading to the grievance. If the grievance is of a recurring nature, this step must be taken within five (5) working days of the event leading to the grievance.
 - b. If the grievance cannot be reconciled through step one to the employee's satisfaction within one week (7 calendar days) from the time the grievance is originally presented to his/her department head, the employee shall present the department head with a written grievance which shall state specifically the event(s) causing the grievance, all actions taken by the employee to resolve it and the action the employee desires the employer to take.
 - c. The department head shall resolve the grievance by themselves if he/she is able to and if he/she feels it is justified. If the department head cannot resolve it within one week (7 calendar days), he/she shall present it to the Board of County Commissioners for discussion at its next regularly scheduled meeting.
 - d. The Commissioners shall render a decision on the grievance at the meeting in which it is presented. The Commissioners may postpone a decision to the next regularly scheduled meeting if additional information or legal advice is needed.
3. The Burden of Proof in this procedure shall be on the employee. The employee will have to furnish the evidence necessary to prove any contested facts.
4. This procedure is for the benefit of the individual employees only. It may not be used by a non-employee (including former employees who have resigned, retired or been dismissed), nor by employee associations or by labor unions.
5. The department head should carry out the following four steps with fairness, firmness, and understanding, since these are fundamental to the satisfactory handling of any grievance.
 - a. The department head shall:
 - i. Receive the grievance properly;
 - ii. Arrange for privacy;
 - iii. Give a good hearing;
 - iv. Give their full attention;
 - v. Don't interrupt;
 - vi. Ask questions to make certain all the facts are given;
 - vii. Repeat the essentials to the employee in their own words to assure accurate communication; and

- viii. Assure the employee of prompt action.
 - b. Get the facts:
 - i. Check every angle;
 - ii. Check the union agreement (if applicable);
 - iii. Check State law and County practices; and
 - iv. Examine the employment record of the employee involved.
 - c. Take action within one week:
 - i. If the employee is right, take steps to correct the situation and prevent its recurrence; and
 - ii. If the employee is wrong, explain decisions to them.
 - d. Follow-up:
 - i. Make sure actions are carried out;
 - ii. Maintain an atmosphere which will promote high morale; and
 - iii. Check with employees to find out whether there are potential irritations, which may become grievances, and take steps toward their removal.
- 6. Department heads shall not discourage employees from coming to them with grievances. Neither shall an employer discriminate against or take discriminatory action against an employee who has filed or is in the process of filing a grievance. Although they may be troublesome and time-consuming, it is better that employees make their grievances known than to keep them within themselves. An unheard grievance can be a serious infection, which before long may undermine the morale of an entire office.
- 7. The following illustration is a representation of the County's grievance procedure. It does not supersede the County's written policies, nor does it infer that the same steps will be taken in all cases. Its purpose is to show typical steps and time frames.



1003 SEPARATION OF EMPLOYMENT

Termination of employment is an inevitable part of personnel activity within any organization and many reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation – voluntary employment separation initiated by an employee
- Discharge – involuntary employment termination initiated by the organization
- Lay-off – involuntary employment termination initiated by the organization for non-disciplinary reasons
- Retirement – voluntary employment termination initiated by the employee meeting age, length of service and any other criteria for retirement from the organization.

As a matter of courtesy, non-exempt employees who desire to leave County employment are requested to give a 2-week notice. Exempt employees are requested to give at least a 30-day notice. Retirement notices should be given as far in advance as possible. Separation notices should be in written form. Generally, the last day worked will be recognized as the termination date. Employees will be paid for all time worked up to the separation date and time in accordance with the Fair Labor Standards Act. Paid time off will be paid out at the next pay period to employees that provide adequate notice and as set forth in this Handbook.

Employees must return all equipment belonging to the County on or before the last day of employment including but not limited to, all keys, County telephones and/or radios, and charge card (if issued). No final settlement of pay will be made until all items are returned in appropriate condition, unless it conflicts with state or federal laws. The cost of replacing non-returned items may be deducted from the final paycheck to the extent permitted by law. Furthermore, any outstanding financial obligations owed to the County will also be deducted from the final check.

Since employment at Yankton County is based on mutual consent between both the employee and the County, both the employee and Yankton County have the right to terminate employment at will, with or without cause, at any time.

Employee benefits will be affected by employment termination. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

1004 REINSTATEMENT

Employees who resign from an SDRS benefits eligible position with the County may be reinstated to their former position and rate of pay under the following conditions.

1. The vacated position or an equivalent position is open;
2. The Department Head and County Commission approve the reinstatement; and
3. The employee forfeits all previously accrued leave and seniority.

Re-employment at any time later than two weeks after separation will be treated as new employment in all respects, including the requirement to compete in an open selection process.

APPENDIX: CODE OF CONDUCT



CODE OF CONDUCT

FOR COUNTY COMMISSIONERS, ELECTED AND APPOINTED DEPARTMENT
HEADS, MEMBERS OF ALL BOARDS, COMMISSIONS, COMMITTEES, TASK
FORCES OR OTHER APPOINTED ADVISORY GROUPS

YANKTON COUNTY, SOUTH DAKOTA

ADOPTED BY THE YANKTON COUNTY BOARD OF COMMISSIONERS

2020

PREFACE

Business Ethics and Conduct

The successful business operation and reputation of Yankton County is built upon the principles of fair dealing and ethical conduct. The reputation of county governance for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of personal conduct, integrity and public service.

The continued success of Yankton County is dependent upon the public's trust and those who serve the public on behalf of the County should be dedicated to preserving that trust. County Commissioners, elected and appointed department heads, members of all boards, commissions, committees, task forces or other appointed advisory groups owe a duty to Yankton County and the public to act in a way that will merit the continued trust and confidence of the public.

Yankton County expects its elected officials, appointed department heads, members of boards, commissions, committees, task forces and other appointed advisory groups to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest, unethical or disruptive behavior. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct.

It is the policy of the County of Yankton, South Dakota, to uphold, promote and demand the highest standard of ethical behavior from its elected and appointed department heads and individuals serving on all boards, commissions, committees, task forces or other appointed advisory groups, hereinafter referred to collectively as "Members." It is presumed that all Members have chosen to serve in order to preserve and protect the present and the future of the County. Honesty, integrity and fairness are hallmarks of public service.

This code has been created to ensure that all Members have clear guidelines for carrying out their responsibilities in their relationships with each other, with all other county employees, with the citizens of Yankton County and with all other private and governmental entities.

SECTION 1: Obey the Laws

Obeying the law, both in letter and in spirit, is the foundation on which this County's ethical standards are built. The Members shall support the Constitution of the United States and the State of South Dakota as well as all federal, state and local laws, rules and regulations.

SECTION 2: Responsibility of Public Service

Members are to be trustworthy, respectful, responsible, fair, caring and promote citizenship at all times and are not entitled to special consideration or treatment based on their official position or responsibility. In addition to the above:

- A. Members should actively pursue policy goals they believe to be in the best interest of all residents within the parameters of orderly decision-making and the laws and rules governing those decisions.
- B. Members should respect the legitimacy of the goals and interests of other Members and should respect the rights of others to pursue goals and policies different from their own.
- C. Members, who sit on county boards, commissions, committees, advisory groups, task forces, etc., do not individually speak for the body itself unless approved by the Member body to do so.

- D. Members should dispose of the business of the County in a deliberate manner that assures citizens have meaningful knowledge of and input into their decisions.
- E. Members should conserve the resources of the County in their charge. They should employ county equipment, property, funds and personnel only in legally permissible pursuits and in a manner that exemplifies excellent stewardship.
- F. No Member may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated.
- G. No person may offer or give to a Member, directly or indirectly, and no Member may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the Member's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the Member.
- H. Members are cautioned to refrain from giving legal advice or other related direction to members of the public on matters under investigation by Yankton County departments/offices, on matters pending before the courts or government bodies and on any matters where a conflict of interest would caution against any such communication.

SECTION 3: Members' Conduct with County Employees

Governance of the County relies on the cooperative efforts of the Members and the County employees who implement and administer adopted policies and procedures within the County. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community. The following are examples of how the Members should relate to the employees of Yankton County:

- A. Members should treat all employees as professionals. Clear, honest communication that respects the abilities, experience and dignity of each employee is expected. Poor behavior or disrespectful comments toward employees are not acceptable.
- B. Members should never publicly criticize employees. Public criticism of employees leads to poor morale of the employees and undermines their effectiveness with the public and is detrimental to their performance.
- C. Members should not attempt to influence by intimidation or other unethical means, the decisions or opinions of employees on issues that may come before the Planning Commission, Board of Commissioners or other Member bodies.
- D. Individual Members may not intentionally coerce or intimidate employees or interfere with employees' duties or authority.
- E. Members, with the exception of elected and appointed department heads interacting with their own employees, shall not instruct nor direct employees to perform duties related to the employee's job.
- F. Requests for information and clarification on items of County business is allowed and encouraged. Communication is most effective when the Member contacts the Department Head or Elected Official in charge. Members in general should always respect and interact appropriately when requesting information pertinent to County business.

SECTION 4: Conduct in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Members toward an individual participating in a public meeting. Every effort should be made to be fair and impartial in listening to public comments. Members should listen to comments from the public and ask for clarification if they do not understand the comment. Members should not disparage or insult other Members, County employees or other members of the public.

The Chairperson presiding over any meeting, which is subject to open meetings laws or not, shall not allow an individual or other Member to interfere with the orderly progression of meetings. Personal attacks against any Member, County employees or any other person are not allowed regardless of whether the meeting is in session or in recess. If the audience dialogue or Member discussion becomes disruptive or abusive, the Chairman has the option to ask the offending individual(s) to leave or have the individual(s) removed from the meeting by law enforcement.

SECTION 5: Open Government

The citizens of Yankton County expect and deserve open government. South Dakota's open meetings law embodies the principle that the public is entitled to the greatest possible information about public affairs and is intended to encourage public participation in government.

Members who are subject to the Open Meetings Laws of the State of South Dakota shall conduct themselves in a manner that fully adheres to the intention of state laws concerning open meetings and transparency of actions. These Members are encouraged to employ a "mindset of openness" in conducting the affairs of the County in an open meeting and should resort to conducting business in executive session only when allowed by law.

SECTION 6: Conflict of Interest

In the execution of official County business, a Member shall not put himself or herself in a position where his or her personal interest conflicts with his or her duties and responsibilities. Members shall disclose any personal relationships to the governing body in the instance where there could be an appearance of a conflict of interest. The Member shall not use official information acquired in the course of their duties for personal gain.

SECTION 7: Violation of Code of Conduct

Violations of this Code of Conduct may result in disciplinary action taken by the Board of County Commissioners. Disciplinary action may involve public or private reprimand at the discretion of the appropriate governing body and may include removal from serving on an appointed body or removal from Office as provided in law.

Date of Adoption: February 4, 2020

**South Dakota 2020
Transportation Alternatives
Grant Application**

Due date: Oct. 1, 2020

Application for

Submitted by

Project and contact information

Project name

Organization/sponsor name

Co-sponsor name (if applicable)

Contact name and title of person responsible for application

Address

City State Zip code

Phone number Email address

Contact name and title of person responsible for the project

Address

City State Zip code

Phone number Email address

Project type

Select the most applicable activity for which the project is eligible. Check only **one** project type.

Bicycle/pedestrian/nonmotorized facility

Safe routes for nondrivers

Conversion and use of railroad corridors for trails

Turnouts, overlooks and viewing areas

Community improvement activities

Environmental mitigation activity

Safe Routes to School Program—infrastructure

Safe Routes to School Program—non-infrastructure

Boulevards and roadways in former right of way

Project location

County City/town

Specific location, street, road, facility name

Project limits (closest street, intersection, etc.)

If the project is linear in nature, provide the project length in linear feet.

Project description

In the space below, provide a concise description of your project and how the project will benefit the affected community or area. **Specifically describe the project purpose and the need for the project.**

Project relevancy to Transportation Alternatives criteria

- A.1. Is the project on or near a federal, state or county highway? No Yes Which highway?
- A.2. Is the project near another transportation system? (city streets, public transit, existing trails) No Yes
If yes, explain below.

A.3. How does the project provide a safe alternative to vehicular travel within your community? What goods and services will now be linked by a safe route for pedestrian, bicycle or mobility-challenged travelers? How will this project improve the quality of routes for non-motorized transportation?

B.1. Is the project compatible with relevant state, regional and local planning? Is it part of a larger master plan?

B.2. Is the project within one of the state's metropolitan planning areas (MPAs) ? Yes No Not applicable

If yes, has the project been presented to the metropolitan planning organization (MPO), or is it part of an MPA/MPO plan? Yes No

Explain in B.1. above.

B.3. Will this project be constructed as part of:

An SDDOT project, such as a shared-use path constructed with a highway widening project? Yes No

A Local Project, such as a pathway constructed as part of a bigger park or roadway project? Yes No

If yes, please describe the project, type of work and estimated dates of the proposed construction.

The project described in this application will be done at the same time as the above-referenced project.

The project described in this application will be done after the above-referenced project.

C.1. How feasible is this project? For example: Can it only be built in conjunction with a road project? Does the project hinge on the receipt of addition funding or right of way?

C.2. Explain which agency is responsible for the operation and maintenance of the completed project and the source of funds used.

C.3. Describe the anticipated maintenance needs by task. Indicate frequency of maintenance and estimated annual cost.

C.4. If awarded Transportation Alternatives funding, final plans will be submitted to the SDDOT by Sept. 2022. The project will be constructed in spring/summer 2023.

Would the proposed project be able to meet this time line? Yes No

D.1. What are the environmental considerations for this project? Check all that apply.

Impacts to wetlands	Impacts to stream crossing	Project located on previously undisturbed ground
Impacts to floodplain	Impacts to endangered species	
Detention pond needed	Project near contaminated soil site	
Tree removal needed	Project near park, recreation area or historic site.	

Impacts should be evaluated by a professional knowledgeable in the specified area. Describe impacts below.

E.1. How has the community been involved in project planning? How has the community shown support for the project?

E.2. Were public meetings held for this project? Yes No

If yes, include meeting minutes or summary and sign-in sheet with the documents to accompany the TA application as instructed on p. 11, the Transportation Alternative Application Checklist.

List supporting organizations, individuals below. Send copies of letters of support with your TA application.

- 1.
- 2.
- 3.
- 4.
- 5.

E.3. Is the committed or anticipated local match greater than 18.05%? Yes No

If yes, what percentage?

List all sources of matching funds by **source, type** and **estimated amount**.

- 1.
- 2.
- 3.
- 4.
- 5.

Has all local match been secured? Yes No

If no, please explain below.

F.1. What level of public usage will this project receive? What will be the public and social value? If this is a Safe Routes to School project, how many children are enrolled in the affected school (K-8), and how many are within a two-mile radius?

G.1. Does this project involve more than one governmental entity?

H.1. Will this project be within a designated disadvantaged area of the state or address a designated disadvantaged or underserved population?

Yes No

If yes, please explain below

I.1. How will the project improve the economic well-being of the community?

J.1. How did safety concerns for pedestrian or bicycle travel inspire this program? How were the safety concerns identified? How will this project resolve the safety concerns for various transportation user groups?

J.2. Explain how the starting and stopping points of your project were determined, and why they are logical beginning and ending points.

J.3. If you are requesting funding for Safe Routes to School non-infrastructure components, explain the non-infrastructure elements of your project below.

K.1. Ordinances and design

Check any statements that apply to your city/county/tribe or the area where the proposed project is located:

We have a snow removal ordinance requiring residents to clear snow from sidewalks within 24 hours of a snow event.

We have a snow removal ordinance requiring residents to clear snow from sidewalks within 48 hours of a snow event.

We do not have a snow removal ordinance.

Our city/county/tribe will be responsible for snow removal if this project is constructed.

Check any statements that apply to your city/county/tribe or the area where the proposed project is located:

We have and enforce an ordinance requiring sidewalks to be constructed as part of all new construction/development, either by the homeowner/business owner, developer or city/tribe.

We have an ordinance requiring sidewalks to be constructed as part of all new construction/development, either by the home/business owner, developer or city/tribe, but allow businesses to delay construction or do not enforce the ordinance at all.

We do not have an ordinance requiring sidewalks to be constructed as part of all new construction/development.

Check any statements that apply to your city/county/tribe or the area where the proposed project is located:

We have and enforce an ordinance requiring sidewalks to be kept in good repair, maintained and/or replaced by the home/business owner, developer or city/tribe.

We have an ordinance requiring sidewalks to be kept in good repair, maintained and replaced, but have not enforced it in the past. If so, please explain below what steps you have taken to enforce this ordinance from this time forward.

We do not have an ordinance requiring sidewalks to be kept in good repair, maintained and replaced by the home/business owner, developer or city/tribe.

Use the area below for any additional information on the above items.

- K.2. **This section should be completed by the engineering design/consultant.** Explain the items on your project that you believe will need a design exception. If 8' wide trail was proposed in place of 10' wide, list the acceptable circumstance(s): expected bicycle traffic is low, expected occasional pedestrian traffic, right of way constraints, frequent passing and resting opportunities, or maintenance vehicle loading will not cause damage. Attach a graphic showing the specific design exception location with dimensions.

L.1. Signature

The project sponsor possesses legal authority to nominate the Transportation Alternatives project and to finance, acquire and construct the proposed infrastructure project and/or finance, lead and complete the proposed non-infrastructure project. The project sponsor certifies that it is willing and able to manage, maintain and operate the project. With this signature, the sponsor authorizes the nomination of the Transportation Alternatives project, including all understanding and assurances contained herein, and authorizes the person identified as the official representative of the sponsor to act in connection with the nomination and to provide any additional information that may be required.

Name

Title

Typed/electronic signature

Date

Project sponsor organization

M. Project costs

Accurate estimates of project costs are critical for both the proposed Transportation Alternatives project and the ability of Transportation Alternatives to program funds. Cost estimates must be prepared by an engineering, landscape architecture or architectural firm selected from the SDDOT's approved list. Professionals preparing cost estimates should refer to the South Dakota Construction Cost Index and Average Unit Bid Prices found on the SDDOT website at <http://apps.sd.gov/applications/hc65c2c/HC65BidLetting/ebscontractorinfo.aspx>. Any work completed before federal authorization will not be eligible for reimbursement.

In addition to the summary table below, a detailed, itemized cost estimate is required to be included with all applications. Standard SDDOT bid items, found at <http://apps.sd.gov/HC70SBI/main.aspx>, shall be used whenever possible. For guidance, go to 2015 *Standard Specification for Roads and Bridges* sections 100-740, which have specific method of measurement subsections numbered XXX.4 and basis of payment subsections numbered XXX.5. For example: Portland cement concrete pavement is covered in section 380, with method of measurement in section 380.4 and basis of payment in 380. 5.

Cost estimate prepared by

Phone

Agency/firm

Email address

Typed signature

Date

or

Electronic signature

Type of work	Federal share	Sponsor share/local match	Total
Design/engineering			
Right-of-way acquisition			
Utility relocations			
Environmental mitigation			
Construction			
Construction engineering			
Non-infrastructure			
	Federal share	Local Match	Total
TOTAL			

Transportation Alternatives

Application Checklist

All the following items must be completed and included in the application document or attached in 8 1/2" x 11" digital format for the application to be reviewed. Maps, graphics and other documents submitted in formats larger than 8 1/2' x 11' format will not be accepted and will be removed from the application.

Transportation Alternatives application and project costs form

Detailed cost estimate and description of match. To be completed by your selected engineering/design consulting firm and must include detailed bid items. **Submit in Excel or similar format.**

Detailed map of the project site, showing location and termini

Detailed cross-section

Overall map showing the project's connectivity to the rest of the community paths, sidewalks and other community amenities. Map should show the proposed project and future phases or master plans.

Applicant's commitment to a minimum 18.05% local match

Meeting minutes from any public meetings relevant to the project

Letters of support from local residents and organizations

Applicant's or other commitment to maintain the completed project

Relevant information such as applicable portions of planning studies, master plans, photographs with captions or phasing plans

Scope of services prepared by the engineering/design consultant and submitted on the consulting firm letterhead

Scope of work completed by the engineering/design consultant and submitted as the completed PDF form

Resolution from the eligible sponsor, including the meeting minutes recording approval of the resolution

Letter of acceptance for the SDDOT Region Engineer or County Highway Superintendent, if the project will be constructed in county or state highway right of way

Completed application and supporting documents electronically submitted to SDDOT before 5 p.m., Oct. 1, 2020.

Instructions for submitting the Transportation Alternatives application

1. Complete the application electronically in the PDF format.
2. The form can be saved and re-opened multiple times as the document is completed. It does not need to be filled in all at once. "Save as" and rename the file before starting to complete the application.
3. There are several pull-downs, areas that accept only numbers, areas that require recognizable email addresses and other required formats throughout the document. Warning popups will offer suggestions on how to proceed if an answer is inserted in the wrong format.
4. All narrative sections are limited to the original response space in the blank application. **Narrative overflowing the designated space will not be visible in printed format, and therefore will not be reviewed by the Advisory Committee. Additional pages of narrative will not be accepted and will not be reviewed by the Advisory Committee.**
5. **Handwritten signatures are not required and shall not be included.** The application must be reviewed and approved by the person so assigned to the resolution. Following the sponsor's approval, a digital or typed signature shall be inserted into the application.
6. When the application is complete, it shall be **saved** as a PDF and given the name of the sponsor first. Example: Mitchell TA Application. **Do not print as a PDF.**
7. All attachments, except the detailed cost estimate, shall be saved as PDFs (in color, if applicable) and submitted electronically. All attached files should be named in a descriptive format. Example: Mitchell Letters of Support. No documents should exceed 8 1/2" x 11" in size. The detailed cost estimate must be submitted in Excel or similar format.
8. The total application, including the title page, application form and attachments shall not exceed 30 pages. Pages exceeding 30 will not be reviewed. This instruction sheet may be deleted from the application form prior to submittal and will not be counted.
9. **The application and all attachments shall be submitted by email to Transportation Alternatives Coordinator Logan Gran at Logan.Gran@state.sd.us.**
10. Transmittal email subject lines shall read "TA Application," followed by the sponsor's name. Example: TA Application Mitchell. The email shall include a list of all files attached to the email. If more than one email is required due to system limitations, the applicant shall note in the transmittal email how many additional emails are to follow.
11. Mailed or faxed applications will not be accepted. If you encounter difficulties with the PDF form or with attaching the supporting documents to an email, contact Logan Gran at (605) 773-4912 before Oct. 1, 2020, for instructions.
12. Applications and supporting documents received after 5 p.m. on Oct. 1, 2020, will not be accepted.
13. Direct all questions about the application, eligibility or other Transportation Alternatives items to Logan Gran at (605) 773-4912 or Logan.Gran@state.sd.us.

Planning Commission Applicants

1. Chris Barkl
2. Jay Cutts
3. Glen Ekeren
4. Jim Feldhacker
5. Cindy Franklin
6. Emily Radech
7. Cathy Weiss

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 07/02/20

Applicant

Moser – Conditional Use Permit

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 1805 ☒ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for a swimming pool in a Moderate Density Residential District. Said property is legally described as N 300' of the S 633' of the E 196' of the W 656' of the SE1/4 of the NE1/4, Section 7, T93N R56W of the 5th PM, Yankton County, South Dakota less highways and roads hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

PC: Article 7 Section 707

Article 18 Section 1805

BOA: Article 7 Section 707

Article 19 Section 1905

Planning Commission date: 08/11/20
Board of Adjustment date: 09/01/20

Time: 7:05 PM
Time: 7:00 PM

Yankton County

 Variance X Conditional Use Rezoning

Owner: Jon and Kara Moser

Owners Address: 213 Firefly Dr., Yankton, SD 57078

Owners Phone: 605-660-9211

Applicants Name,
if different from

Owner: Jon and Kara Moser

Applicants

Address: 213 Firefly Dr., Yankton, SD 57078

Job Address: 213 FIREFLY DR

Legal: N300 S633 E196 W656 SE4 NE4

Section,
Township, Range: 7-93-56

Zoning Classification: R2

Affected Zoning Ordinance: 707 and 1805 Section 1905707

Reason for Request: Swimming Pool


List Specific Hardships:

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): 08/11/2020 7:05

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE): 09/01/2020 7:00

Application Fee: \$300.00 Check #: 1928 Receipt #:

Date: _____

Signature:  Jon and Kara Moser

Jon and Kara Moser

07/10/2020

YANKTON COUNTY

APPLICATION # CUP-20-009

(Type or Print)

OWNER: Jon & Kara Moser

OWNERS ADDRESS: 213 Firefly Dr.

OWNERS DAYTIME PHONE#: 605-660-9211

DATE OF BUILDING PERMIT REQUEST: 7-2-20

DESCRIPTION OF BUILDING PERMIT: Swimming Pool

REASON FOR BUILDING PERMIT DENIAL: _____

DATE OF DENIAL: _____

JOB ADDRESS: 213 Firefly Dr.

LEGAL: N300' S633' E196' W656' SE4 NE4

TOWNSHIP: 93 SECTION: 7

EXISTING USE OF PROPERTY: R2

PRESENT ZONING CLASSIFICATION: R2

PROPOSED ZONING CLASSIFICATION: _____

AFFECTED SECTION OF ZONING ORDINANCE: 707

REASON FOR REQUEST: _____

LIST SPECIFIC HARDSHIPS: _____

Applications will not be accepted nor acted upon until the following information has been provided by the applicant:

- A) Detailed Site Plan (Refer to handout)
- B) Location and Use of Adjacent Structures
- C) Application Fee(s)

SCHEDULED FOR PLANNING COMMISSION ACTION (Date): August 11, 2020

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date): September 1, 2020

*TENTATIVE DATE: Final date announced at Planning Commission Meeting:

APPLICATION FEE: \$ 300 CHECK #: 1928 RECEIPT #: 5252

The undersigned acknowledges/declares that all the facts and representations stated in this application are true and by signing, acknowledges the cost and the procedure for the processing of the application and certifies that the property described by the legal description is not delinquent.

[Signature]
Name of Applicant

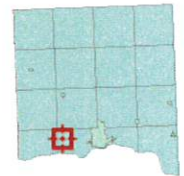
7-2-20
Date

[Signature]
Signature of Applicant/Owner

7-2-20
Date



Overview



Legend

- Townships
- Parcels
- City Limits
- Streets and Roads
- City ETJ (Extra Territorial Jurisdiction)
- <all other values>
- 0
- Gayville Zoning**
- AR Agricultural - Residential
- B-1 Business
- R-1 Residential

Parcel ID - 09.007.100.115
 Address - 213 FIREFLY DR
 Owner - MOSER, JONATHAN B (D)
 MOSER, KARAK (D)

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

Date created: 7/2/2020
 Last Data Uploaded: 7/2/2020 8:17:53 AM

Developed by  **Schneider**
 GEOSPATIAL

DRAFT YANKTON COUNTY BUILDING PERMIT APPLICATION

Each building site must have a separate site plan

JOB ADDRESS 213 FIREFLY DR, YANKTON, SD 57078		PARCEL ID 09.007.100.115																									
LEGAL DESCRIPTION N300' S633' E196' W656' SE4 NE4																											
OWNER NAME AND MAILING ADDRESS MOSER, JONATHAN B 213 FIREFLY DR YANKTON SD 57078 MOSER, KARA K			PHONE/CELL (605) 661-9324 / (605) 660-9211																								
CONTRACTOR Self	MAIL ADDRESS	PHONE																									
ARCHITECT OR DESIGNER Self	MAIL ADDRESS	PHONE																									
USE OF BUILDING:		SETBACKS																									
CLASS OF WORK: New		Front: 200 Rear: 66																									
DESCRIBE WORK: Deck		Side: 74 Side: 100																									
VALUATION OF WORK: \$		Mobile/Manufactured Home Tax Affidavit:																									
SPECIAL CONDITIONS:																											
App. Accepted By:	Site Plans Check By:	Approved for Issuance By:	PERMIT FEE: \$0.00 Check #																								
<p style="text-align: center;">NOTICE</p> <p>THIS PERMIT WILL EXPIRE IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN ONE HUNDRED EIGHTY (180) DAYS OR CONSTRUCTION IS NOT SUBSTANTIALLY COMPLETED WITHIN TWO (2) YEARS OF ISSUANCE.</p> <p>I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF THE YANKTON COUNTY ZONING ORDINANCE OR ANY OTHER FEDERAL, STATE, OR LOCAL LAW REGULATING CONSTRUCTION ACTIVITIES OR THE USE OF ANY PROPERTY.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  </div> <div style="text-align: right;"> <p>07/02/2020</p> </div> </div>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Type of Construction</td> <td style="padding: 2px;">Sewer</td> <td style="padding: 2px;">Water</td> </tr> <tr> <td style="padding: 2px;">Wood</td> <td style="padding: 2px;">Septic</td> <td style="padding: 2px;">B-Y Water</td> </tr> <tr> <td style="padding: 2px;">Total Square Feet</td> <td colspan="2" style="padding: 2px;">Number of Stories</td> </tr> <tr> <td style="padding: 2px;">450</td> <td colspan="2" style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Zoning District</td> <td colspan="2" style="padding: 2px;">Number of Accessory Buildings</td> </tr> <tr> <td style="padding: 2px;">R2</td> <td colspan="2" style="padding: 2px;">Yes</td> </tr> <tr> <td style="padding: 2px;">Number of Dwelling Units</td> <td colspan="2" style="padding: 2px;">Property/Parcel/Lot Size (Acres)</td> </tr> <tr> <td style="padding: 2px;"></td> <td colspan="2" style="padding: 2px;">1</td> </tr> </table>	Type of Construction	Sewer	Water	Wood	Septic	B-Y Water	Total Square Feet	Number of Stories		450			Zoning District	Number of Accessory Buildings		R2	Yes		Number of Dwelling Units	Property/Parcel/Lot Size (Acres)			1	
Type of Construction	Sewer	Water																									
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450																											
Zoning District	Number of Accessory Buildings																										
R2	Yes																										
Number of Dwelling Units	Property/Parcel/Lot Size (Acres)																										
	1																										
<p>Signature of Land Owner</p> <p style="text-align: right;">Date</p> <p style="font-size: small; margin-top: 10px;">BY THIS SIGNATURE, THE ZONING ADMINISTRATOR IS AUTHORIZED TO ENTER UPON THE PROPERTY DESCRIBED FOR THE PURPOSE OF INSPECTION</p>			<p>For County Officials Use Only</p> <p>When properly validated (in this space), this is your permit.</p> <p>The above application is hereby approved.</p> <p>Building Permit Number:</p> <p>Post Construction?</p>																								
			Date																								

From: Harry Redman [mailto:Harry.Redman@districtiii.org]

Sent: Monday, August 3, 2020 10:36 AM

To: Jessica Atkinson <jessica@co.yankton.sd.us>; Gary Vetter <gary@co.yankton.sd.us>

Subject: swimming pool safety barriers

Good morning,

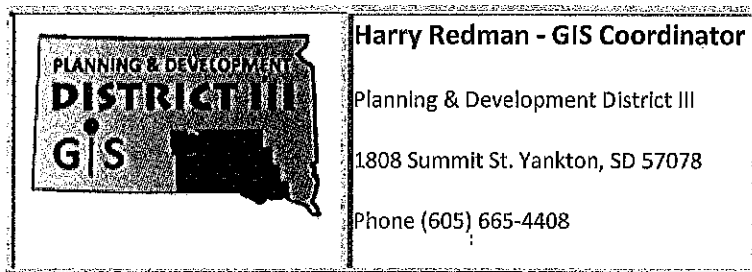
I know I have had some discussions in the past with Gary on swimming pools and conditional use permits, but I was wondering does the county have a minimum safety specs for pools? Example some cities require two layers of fence or walls? I know that is extreme, but I didn't know if you had anything or if it's up to the county commission to require anything or is it your office that recommends barriers?

I ask because I received a letter regarding the Moser's pool. I know early this spring they said they have a "plan" for a barrier, so I thought I would do my own checking to see if they put anything on the permit. Or do you not require that type of information. There are about 14 little kids in the neighborhood so I just want to make sure some type of barrier is required on the conditional use permit.

I'm in favor of the pool, I just want to make sure there are safety measures in place.

Thanks

Harry



FINDINGS OF FACT – CONDITIONAL USE PERMIT

Jon Moser – CUP-2020-9

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	Applicant is requesting a Conditional Use Permit for a swimming pool in a Moderate Density Residential District.
2. Was notice of public hearing given per Section 1803 (3-5)?	Mailed – 7/30/20 Published – 07/31/20
3. Attend the public hearing	08/11/20
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	Move approval of CUP application by Jon Moser 6-0
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;	No additional traffic, house with a driveway
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	House on property with refuse and service area
d. Utilities, with reference to locations, availability, and compatibility;	Utilities available
e. Screening and buffering with reference to type, dimensions, and character;	4-4.5 ft fence with gate and lock on gate
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	None planned
g. Required yards and other open spaces; and	Yes
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.	Generally compatible and will not adversely affect public interest and does include a fence for added security

AFFIDAVIT OF MAILING

I, Kara Moser, hereby certify that on the 30th day of July, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

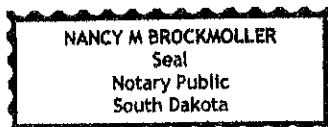
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

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

Dated the 3rd day of August, 2020.

Kara Moser
(Name)
Affiant

Subscribed and sworn to before me this 3rd day of August, 2020.



Nancy M Brockmoller
Notary Public - South Dakota
My commission expires: 04/30/2025

(SEAL)

NOTIFICATION

July 31, 2020

Jon & Kara Moser
213 Firefly Dr
Yankton, SD 57078

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 11th day of August, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for a swimming pool in a Moderate Density Residential District. Said property is legally described as N 300' of the S 633' of the E 196' of the W 656' of the SE1/4 of the NE1/4, Section 7, T93N R56W of the 5th PM, Yankton County, South Dakota less highways and roads hereinafter referred to as Utica South Township, County of Yankton, State of 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,

Jon & Kara Moser
Petitioners

ARENS, JAMES L (D)
117 BIRD DOG DR
YANKTON SD 57078

ARENS, JAMES L (D)
43487 KAISER RD
YANKTON SD 57078

BATCHELLER, JAY (D)
30967 436 AVE
YANKTON SD 57078

BRUNICK, LLOYD (D)
31012 435 AVE
YANKTON SD 57078

GILLEN, TYLER C (D)
912 S FAWN CT
SIOUX FALLS SD 57110

GRAHAM, BARRY REVOCABLE TRUST (E)
PO BOX 18
YANKTON SD 57078

GREENEWAY, DAVID L (D)
31055 435 AVE
YANKTON SD 57078

GUBBELS, DAVID J (D)
108 MARINA PARK DR
YANKTON SD 57078

HENNING, ERIC (D)
202 FIRE FLY DR
YANKTON SD 57078

JAMES, MICAH (D)
43465 KAISER RD
YANKTON SD 57078

KABEISEMAN, WILLIAM J (D)
1210 DOUGLAS AVE
YANKTON SD 57078

KAISER, DIANE (D)
12317 HASCALL ST
OMAHA NE 68144

KNUDSEN, KEITH A (D)
107 7 ST
LAUREL NE 68745

KOUPAL, RICHARD G (D)
100 HORSESHOE HOLLOW DR
YANKTON SD 57078

KRIER, TREY J (D)
109 MARINA PARK DR
YANKTON SD 57078

LAW, ROBERT (D)
3812 SD HWY 314
YANKTON SD 57078

LOHFF, GARY W (D)
43472 KAISER RD
YANKTON SD 57078

LONG, AMY S (D)
102 MARINA PARK DR
YANKTON SD 57078

MCMENAMY, GAYLENE (D)
31051 435 AVE
YANKTON SD 57078

MCMENAMY, WM C (D)
31051 435 AVE
YANKTON SD 57078

MENTELE, ADAM (D)
103 MARINA PARK DR
YANKTON SD 57078

MOSER, JONATHAN B (D)
213 FIREFLY DR
YANKTON SD 57078

MYERS, RUSSELL L (D)
43474 KAISER RD
YANKTON SD 57078

NEUMAYR, JAMES R (D)
2504 BURLEIGH ST
YANKTON SD 57078

PAVLISH, JOSHUA W (D)
105 BIRD DOG DR
YANKTON SD 57078

PHILIPS, TIMOTHY H (D)
43473 KAISER RD
YANKTON SD 57078

RASMUSSEN, RANDY L (D)
43498 KAISER RD
YANKTON SD 57078

REDMAN, HARRY R (D)
223 FIRE FLY DR
YANKTON SD 57078

RICHMAN, KIM A (D)
834 BRIGGS AVE
HASTINGS NE 68901

ROBERTS, BRYCE B (D)
1303 WEST 19 ST #4
YANKTON SD 57078

SCHWEITZER, MELINDA A (D)
43486 KAISER RD
YANKTON SD 57078

SHUDAK, DAN REVOCABLE TRUST (D)
214 HORSESHOE HOLLOW DR
YANKTON SD 57078

SMIT, KENNETH (D)
215 FIREFLY DR
YANKTON SD 57078

STACH, GREGORY T (D)
31060 435 AVE
YANKTON SD 57078

WESTERMAN, MARK (D)
43481 KAISER RD
YANKTON SD 57078

WINTERRINGER, MARK (D)
148 MARINA DELL AVE
YANKTON SD 57078

YOUMANS, LUKE (D)
222 FIRE FLY DR
YANKTON SD 57078

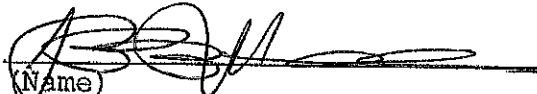
AFFIDAVIT OF MAILING

I, Kara Moser Jon Moser, hereby certify that on the 23rd day of August, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 foot radius of the proposed project to the most recent address of the recipient known to your Affiant.

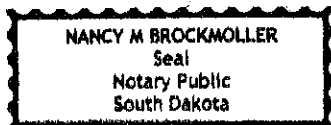
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

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


Dated the 25th day of August, 2020.


(Name)
Affiant

Subscribed and sworn to before me this 25th day of August, 2020.



(SEAL)


Notary Public - South Dakota
My commission expires: 04/30/2025

NOTIFICATION

August 22, 2020

Jon & Kara Moser
213 Firefly Dr
Yankton, SD 57078

Dear Yankton County Property Owner:

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, at 7:00 P.M. on the 1st day of September, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for a swimming pool in a Moderate Density Residential District. Said property is legally described as N 300' of the S 633' of the E 196' of the W 656' of the SE1/4 of the NE1/4, Section 7, T93N R56W of the 5th PM, Yankton County, South Dakota less highways and roads hereinafter referred to as Utica South Township, County of Yankton, State of 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,

Jon & Kara Moser
Petitioners

ARENS, JAMES L (D)
117 BIRD DOG DR
YANKTON SD 57078

ARENS, JAMES L (D)
43487 KAISER RD
YANKTON SD 57078

BATCHELLER, JAY (D)
30967 436 AVE
YANKTON SD 57078

BRUNICK, LLOYD (D)
31012 435 AVE
YANKTON SD 57078

GILLEN, TYLER C (D)
912 S FAWN CT
SIOUX FALLS SD 57110

GRAHAM, BARRY REVOCABLE TRUST (I
PO BOX 18
YANKTON SD 57078

GREENEWAY, DAVID L (D)
31055 435 AVE
YANKTON SD 57078

GUBBELS, DAVID J (D)
108 MARINA PARK DR
YANKTON SD 57078

HENNING, ERIC (D)
202 FIRE FLY DR
YANKTON SD 57078

JAMES, MICAH (D)
43465 KAISER RD
YANKTON SD 57078

KABEISEMAN, WILLIAM J (D)
1210 DOUGLAS AVE
YANKTON SD 57078

KAISER, DIANE (D)
12317 HASCALL ST
OMAHA NE 68144

KNUDSEN, KEITH A (D)
107 7 ST
LAUREL NE 68745

KOUPAL, RICHARD G (D)
100 HORSESHOE HOLLOW DR
YANKTON SD 57078

KRIER, TREY J (D)
109 MARINA PARK DR
YANKTON SD 57078

LAW, ROBERT (D)
3812 SD HWY 314
YANKTON SD 57078

LOHFF, GARY W (D)
43472 KAISER RD
YANKTON SD 57078

LONG, AMY S (D)
102 MARINA PARK DR
YANKTON SD 57078

MCMENAMY, GAYLENE (D)
31051 435 AVE
YANKTON SD 57078

MCMENAMY, WM C (D)
31051 435 AVE
YANKTON SD 57078

MENTELE, ADAM (D)
103 MARINA PARK DR
YANKTON SD 57078

MOSER, JONATHAN B (D)
213 FIREFLY DR
YANKTON SD 57078

MYERS, RUSSELL L (D)
43474 KAISER RD
YANKTON SD 57078

NEUMAYR, JAMES R (D)
2504 BURLEIGH ST
YANKTON SD 57078

PAVLISH, JOSHUA W (D)
105 BIRD DOG DR
YANKTON SD 57078

PHILIPS, TIMOTHY H (D)
43473 KAISER RD
YANKTON SD 57078

RASMUSSEN, RANDY L (D)
43498 KAISER RD
YANKTON SD 57078

REDMAN, HARRY R (D)
223 FIRE FLY DR
YANKTON SD 57078

RICHMAN, KIM A (D)
834 BRIGGS AVE
HASTINGS NE 68901

ROBERTS, BRYCE B (D)
1303 WEST 19 ST #4
YANKTON SD 57078

SCHWEITZER, MELINDA A (D)
43486 KAISER RD
YANKTON SD 57078

SHUDAK, DAN REVOCABLE TRUST (D)
214 HORSESHOE HOLLOW DR
YANKTON SD 57078

SMIT, KENNETH (D)
215 FIREFLY DR
YANKTON SD 57078

STACH, GREGORY T (D)
31060 435 AVE
YANKTON SD 57078

WESTERMAN, MARK (D)
43481 KAISER RD
YANKTON SD 57078

WINTERRINGER, MARK (D)
148 MARINA DELL AVE
YANKTON SD 57078

YOUMANS, LUKE (D)
222 FIRE FLY DR
YANKTON SD 57078

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 06/02/20

Applicant

Connor Mulherin - Variance

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

☐ LC - Lakeside Commercial ☐ RT-Rural Transitional

Variance needed:

☒ Section 513 ☐ Section 515 ☐ Section 705 ☐ Section 805 ☒ Section 1907

North Side/ Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

East Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

South Side / Yard lot line: ____ feet or no closer than ____ feet to the ____ lot line.

West Side / Yard lot line ____ feet or no closer than ____ feet to the ____ lot line.

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Applicant is requesting a Variance of the Minimum Lot Requirement and a Variance of the Minimum Lot Width in an Agriculture District. The existing lot is 2.64+/- and the proposed lot increases the lot to +3.41 acres and increases the existing width to 270.00 feet. Said property is legally described as Proposed Lot 1 of Red Cedar Subdivision lying in the E1/2 of the SW1/4 of Section 32, T96N, R54W of the 5th P.M., Yankton County, South Dakota hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44726 SD Hwy 46, Irene, South Dakota.

PC: Article 5 Section 513 Article 18 Section 1807

BOA: Article 5 Section 513 Article 19 Section 1907

Planning Commission date: 08/11/20
Board of Adjustment date: 09/01/20

Time: 7:10 PM
Time: 7:05 PM

YANKTON COUNTY
APPLICATION # Var-20-005

CPMULHERIN85@a
gmail.com

(Type or Print)

OWNER: Connor Patrick Mulherin

OWNERS ADDRESS: 44726 SD Hwy 46 Irene, SD

OWNERS DAYTIME PHONE#: 804-314-8457

DATE OF BUILDING PERMIT REQUEST: N/A

DESCRIPTION OF BUILDING PERMIT: _____

REASON FOR BUILDING PERMIT DENIAL: N/A

DATE OF DENIAL: _____

JOB ADDRESS: 44726 SD Hwy 46 Irene

LEGAL: N480' S555' W240 E2 SW4

TOWNSHIP: 32-96-54

SECTION: _____

EXISTING USE OF PROPERTY: Ag residential

PRESENT ZONING CLASSIFICATION: Ag

PROPOSED ZONING CLASSIFICATION: N/A

AFFECTED SECTION OF ZONING ORDINANCE: 513

REASON FOR REQUEST: include tree lines & power pole

LIST SPECIFIC HARDSHIPS: increasing lot size which is currently non-conforming to include tree line and power pole

Applications will not be accepted nor acted upon until the following information has been provided by the applicant:

- A) Detailed Site Plan (Refer to handout)
- B) Location and Use of Adjacent Structures
- C) Application Fee(s)

SCHEDULED FOR PLANNING COMMISSION ACTION (Date): 7/14/20

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date): 8/4/20

*TENTATIVE DATE: Final date announced at Planning Commission Meeting:

APPLICATION FEE: 450

CHECK #: 5174

RECEIPT #: 5222

The undersigned acknowledges/declares that all the facts and representations stated in this application are true and by signing, acknowledges the cost and the procedure for the processing of the application and certifies that the property described by the legal description is not delinquent.

Connor Mulherin
Name of Applicant

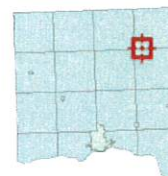
6/2/20
Date

[Signature]
Signature of Applicant/Owner

6/2/20
Date



Overview



Legend

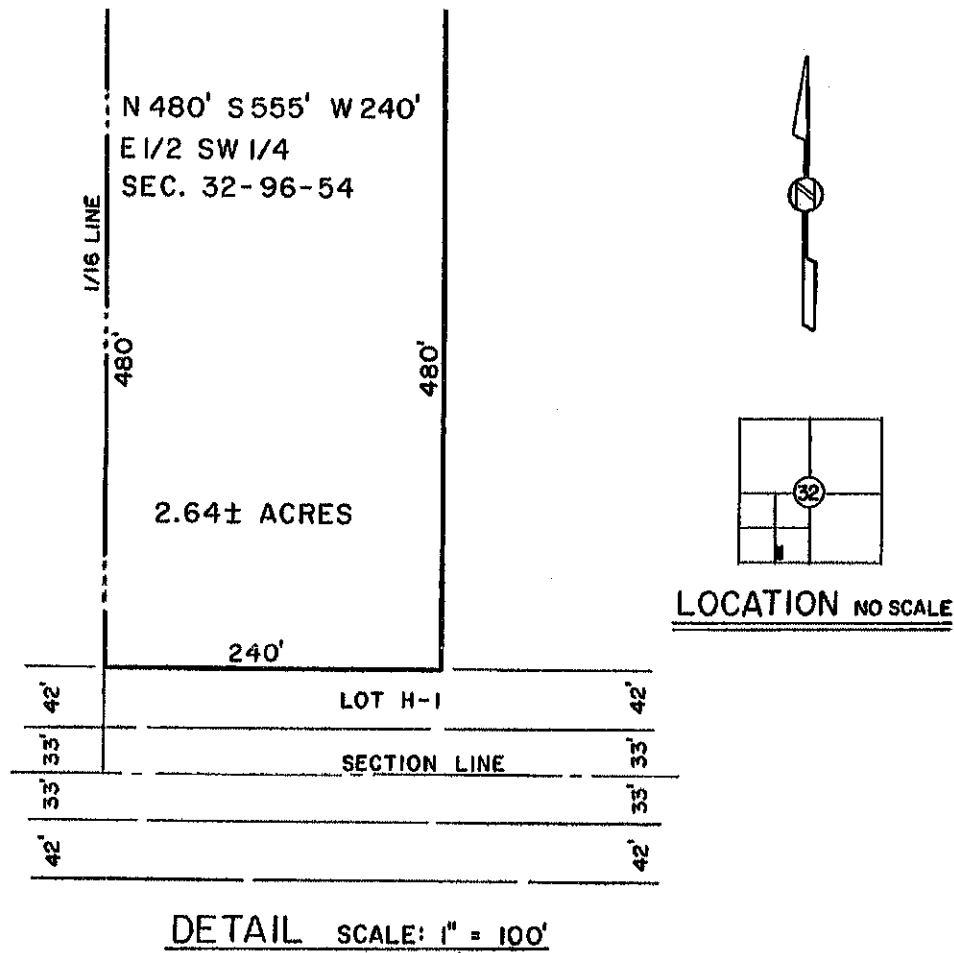
- Townships
- Sections
- Parcels
- City Limits
- Streets and Roads
- County Zoning District**
- <all other values>
- COMMERCIAL
- ETJ
- HIGH DENSITY RESIDENTIAL
- LAKE SIDE COMMERCIAL
- LOW DENSITY RESIDENTIAL
- MODERATE DENSITY RESIDENTIAL
- PLANNED UNIT DEVELOPMENT
- PUBLIC
- RURAL TRANSITIONAL
- Floodplain**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

Parcel ID - 04.032.300.025
 Address - 44726 SD HWY 46
 Owner - GUSTAD, BRIAN D (D)

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

Date created: 6/2/2020
 Last Data Uploaded: 6/1/2020 11:51:28 PM

Developed by  **Schneider**
 GEOSPATIAL



I, Ronald D. Peterson, a Registered Professional Engineer and Land Surveyor of Wakonda, South Dakota, have, at the direction of the owners, prepared a legal description of the following described property

THE NORTH 480 FEET OF THE SOUTH 555 FEET OF THE WEST 240 FEET OF THE EAST ONE-HALF (E1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETY-SIX NORTH (T96N), RANGE FIFTY-FOUR WEST (R54W) OF THE 5TH PRINCIPAL MERIDIAN, YANKTON COUNTY, SOUTH DAKOTA (Containing 2.64 Acres, more or less)

I certify that the dimensions and locations shown on the accompanying detail are true and correct to the best of my knowledge and belief

I certify that I have executed the foregoing Instrument this 5th day of July, 1997

Ronald D. Peterson SEAL
PE & LS NO 2725

Prepared By Ronald D. Peterson,
29714 455th Avenue
Wakonda, SD 57073
(605)263-3526

STATE OF SOUTH DAKOTA } ss
County of Yankton

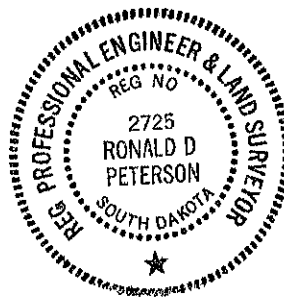
FILED FOR RECORD AT 9:15 A.M.

JUN 03 2003

In Book 118 Pg 323
Synette R. Larson
Register of Deeds



Num ☒ 118
Margin ☒ 118
Paid ☒ 118
68643



FINDINGS OF FACT – VARIANCE

Connor Mulherin – Var-20-005

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 1807:	
1. A. The strict application of the ordinance would produce undue hardship;	Applicant is requesting a Variance of the Minimum Lot Requirement and a Variance of the Minimum Lot Width in an Agriculture District. The existing lot is 2.64+/- and the proposed lot increases the lot to +3.41 acres and increases the existing width to 270.00 feet.
B. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;	Applicant is requesting to increase his property to include the utilities and trees on his parcel
C. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the grant of the variance; and	Will not be of substantial detriment
D. The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, and caprice.	No convenience, profit, and caprice
2. No variance shall be recommended for approval unless the Planning Commission finds the condition or situation of the property concerning or the intended use of the property concerned, or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment of this ordinance.	Applicant is requesting to increase his property to include the utilities and trees on his parcel
3. A. A written application for a variance is submitted demonstrating that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings, in the same district;	
B. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;	Applicant is requesting to increase his property to include the utilities and trees on his parcel
C. The special conditions and circumstances do not result from the actions of the applicant; and	Not the result of the applicant
D. The granting of the variance requested will not confer on	No special privilege is being given

	the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district.	
E.	No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.	They were not considered
F.	Notice of public hearing shall be given, as in Section 1803 (3-5).	Mailed – 07/27/20 Published – 07/31/20
G.	The public hearing shall be held. Any party may appear in person for by agent or by attorney.	Public hearing – 08/11/20
H.	The Planning Commission shall make findings that the requirements of this Section have been met by the applicant for a variance; the Commission shall further make a finding that the reasons set forth in the application justify the recommendation of granting the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; the Planning Commission shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.	Will be in harmony and not injurious or detrimental
I.	In recommending approval of any variance, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance.	Motion to approve the Connor Mulherin Variance from 2.64 acres to 3.41 acres based on the fact that it's coming more into compliance and the new plat will encompass the tress and utilities for the property 6-0
J.	Under no circumstances shall the Planning Commission recommend granting a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.	

AFFIDAVIT OF MAILING

I, Connor Mulhern, hereby certify that on the 27 day of July, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 2640 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 July, 2020.

[Signature]
(Name)
Affiant

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

[Signature]
Notary Public - South Dakota
My commission expires: 2-10-2023



NOTIFICATION

July 31, 2020

Connor Mulherin
44726 SD Hwy 46
Irene, South Dakota 57037

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 2,640 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 11th day of August, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of the Minimum Lot Requirement and a Variance of the Minimum Lot Width in an Agriculture District. The existing lot is 2.64+/- and the proposed lot increases the lot to +3.41 acres and increases the existing width to 270.00 feet. Said property is legally described as Proposed Lot 1 of Red Cedar Subdivision lying in the E1/2 of the SW1/4 of Section 32, T96N, R54W of the 5th P.M., Yankton County, South Dakota hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44726 SD Hwy 46, Irene, 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,

Connor Mulherin
Petitioner

AKLAND, DAVID (D)
29667 448 AVE
IRENE SD 57037

BAKKE, WALLACE S (D)
44650 SD HWY 46
IRENE SD 57037

HAUGER, JEAN M LIVING TRUST (D)
29575 444 AVE
IRENE SD 57037

HAUGER, LOIS C (D)
812 JAMES PL
YANKTON SD 57078

HAUGER, RICHARD TRUST (D)
3209 W BITTERROOT ST
SIOUX FALLS SD 57108

HAUGER, RODNEY (D)
44677 SD HWY 46
IRENE SD 57037

HINSETH, JERALD (D)
44765 SD HWY 46
IRENE SD 57037

HINSETH, JERALD J (D)
44765 SD HWY 46
IRENE SD 57037

HOFMEISTER, KENNETH (LE) (D)
PO BOX 92
PARKER SD 57053

JANKLOW, FREDRIC (D)
PO BOX 211
IRENE SD 57037

MCDONALD, DARRELL J (D)
44327 296 ST
IRENE SD 57037

MULHERIN, CONNOR (D)
44726 SD HWY 46
IRENE SD 57037

VAN WYHE, CRYSTAL J LIV TRUST (D)
1301 S ELMWOOD AVE
SIOUX FALLS SD 57105

YOUNG, DAVID A (D)
22503 LAMBERT AVE
PACIFIC JUNCTION IA 51561

AFFIDAVIT OF MAILING

I, Connor Mulherin, hereby certify that on the 18th day of August, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 2640 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 18th day of August, 2020.

[Signature]
(Name)
Affiant

Subscribed and sworn to before me this 18th day of August, 2020.

[Signature]
Notary Public - South Dakota
My commission expires: 2-10-2023



NOTIFICATION

August 22, 2020

Connor Mulherin
44726 SD Hwy 46
Irene, South Dakota 57037

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 2,640 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, at 7:05 P.M. on the 1st day of September, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of the Minimum Lot Requirement and a Variance of the Minimum Lot Width in an Agriculture District. The existing lot is 2.64+/- and the proposed lot increases the lot to +3.41 acres and increases the existing width to 270.00 feet. Said property is legally described as Proposed Lot 1 of Red Cedar Subdivision lying in the E1/2 of the SW1/4 of Section 32, T96N, R54W of the 5th P.M., Yankton County, South Dakota hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44726 SD Hwy 46, Irene, 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,

Connor Mulherin
Petitioner

AKLAND, DAVID (D)
29667 448 AVE
IRENE SD 57037

BAKKE, WALLACE S (D)
44650 SD HWY 46
IRENE SD 57037

HAUGER, JEAN M LIVING TRUST (D)
29575 444 AVE
IRENE SD 57037

HAUGER, LOIS C (D)
812 JAMES PL
YANKTON SD 57078

HAUGER, RICHARD TRUST (D)
3209 W BITTERROOT ST
SIOUX FALLS SD 57108

HAUGER, RODNEY (D)
44677 SD HWY 46
IRENE SD 57037

HINSETH, JERALD (D)
44765 SD HWY 46
IRENE SD 57037

HINSETH, JERALD J (D)
44765 SD HWY 46
IRENE SD 57037

HOFMEISTER, KENNETH (LE) (D)
PO BOX 92
PARKER SD 57053

JANKLOW, FREDRIC (D)
PO BOX 211
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44327 296 ST
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MULHERIN, CONNOR (D)
44726 SD HWY 46
IRENE SD 57037

VAN WYHE, CRYSTAL J LIV TRUST (D)
1301 S ELMWOOD AVE
SIOUX FALLS SD 57105

YOUNG, DAVID A (D)
22503 LAMBERT AVE
PACIFIC JUNCTION IA 51561

Please Check Plat Type:

☒ Final ☐ Amended ☐ Preliminary ☐ Revision

Development Information

Plat Name: Lot 1 of Red Cedar Spout Wpning
Trc 8 1/2 SW 1/4

Section No: 32 Township No: 9E

Range : 54 Number of Lots/Tracts: 1

Number of Acres: 13.41

How is the property currently being used? AG | residential

What is the proposed use of the property? AG | residential

Surveyor/Engineer Information

Firm Name: Stochell | Brett Kennedy

Address: _____

City: _____ State: _____ Zip _____

Contact Person: _____

Phone: _____

Property Owner Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Contact person: _____

If the property owner is represented by an authorized agent, please provide the following:

Agent's name: _____

Agents Title: _____

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? ☐ Yes ☒ No

2. What is/are the lot size(s) 3.41

3. Is this (plat) an existing farmstead? ☐ Yes ☒ No

4. If a farmstead, how many acres are surrounding it? _____

5. The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? ☒ Yes ☐ No

6. Is this property to have construction on it? ☐ Yes ☐ No
If yes :

Name, address and phone number of contractor(s)

Owner certification

This is to certify that _____
the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section 207 of the Yankton county Zoning Ordinance.

Owner Signature

Owner Signature

This is to certify that _____
acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

Planning Office Use Only: Planning Commission Date: _____

County Commission Date: _____

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

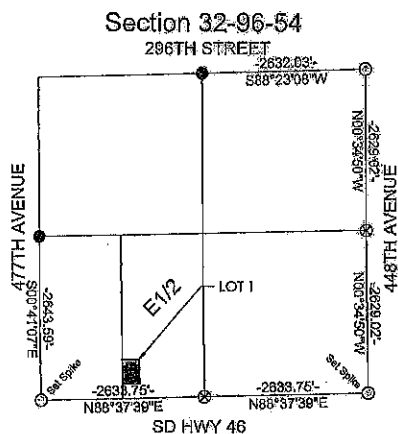
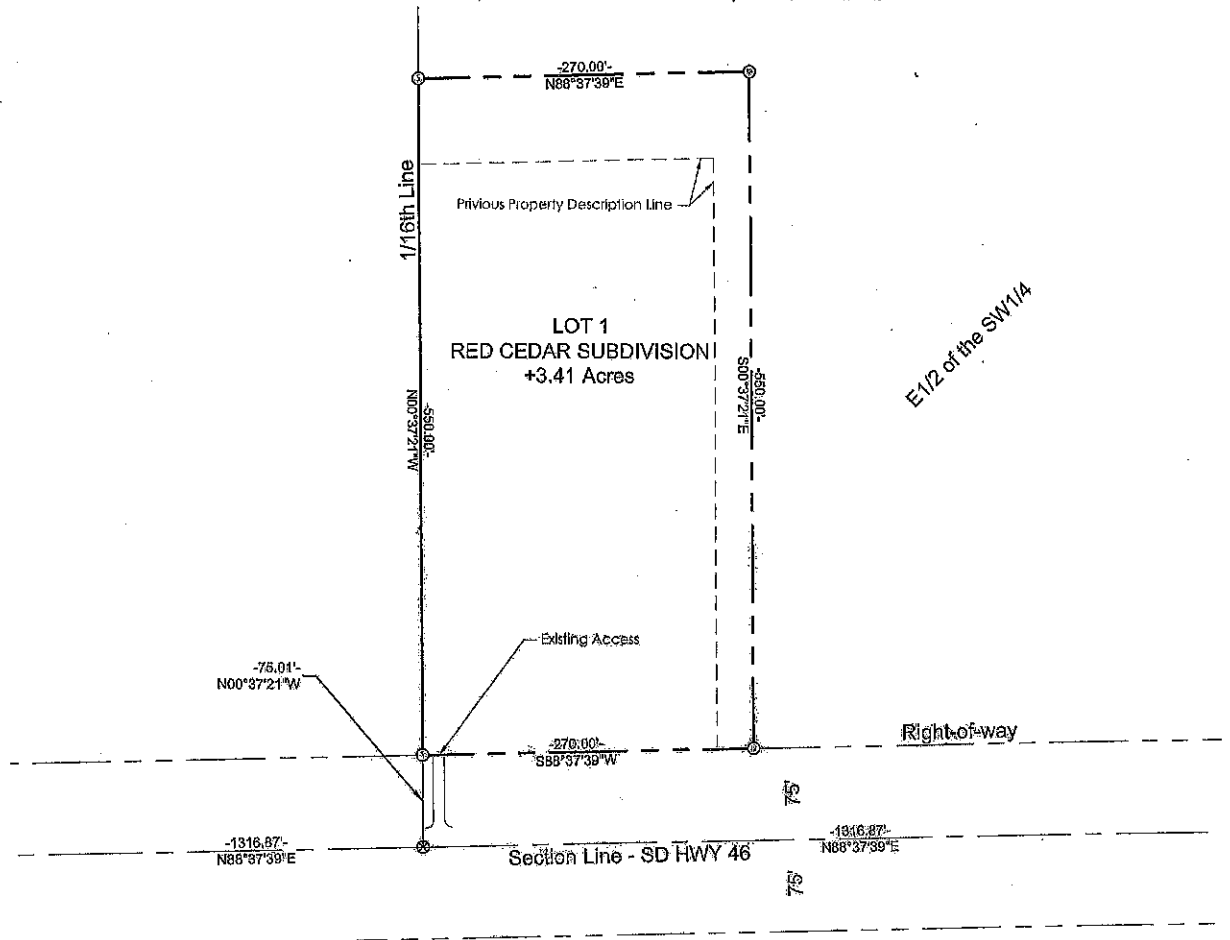
In order to insure prompt approval of your plat, please follow these steps:

☐ Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

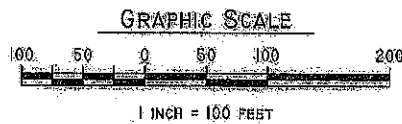
- ☒ 1. All required signatures notarized (owner(s), surveyor)?
- ☒ 2. Taxes paid at County Treasures?
- ☒ 3. County Treasurer's signature?
- ☒ 4. Ownership verified by Director of Equalization and signed?
- ☒ 5. Street authority signature (DOT, Highway, Township)?
- ☒ 6. \$100.00 Fee Paid at Zoning Office?
- ☒ 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- ☒ 8. County Planning Commission Chair signature?
- ☒ 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- ☐ 10. County Commission Chairs signature?
- ☐ 11. County Auditor's signature?
- ☐ 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 7/14/20
Board of Adjustment date: 8/4/20

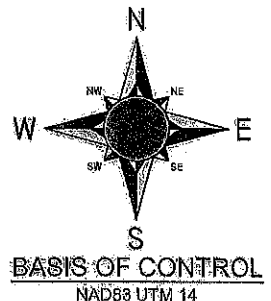
A PLAT OF LOT 1 OF RED CEDAR SUBDIVISION
 LYING IN THE E1/2 OF THE SW1/4 OF SECTION 32, TOWNSHIP 96 NORTH, RANGE 54 WEST
 OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.



Location Map
 1"=2000'



- Legend**
- ⊙ Set 5/8" x 16" Rebar
W/ Cap Stamped
"KENNEDY LS 5350"
 - ⊙ Found Rebar
W/ Cap Stamped
"BRANDT LS 5349"
 - ⊗ Calculated Corner



SURVEYOR'S CERTIFICATE

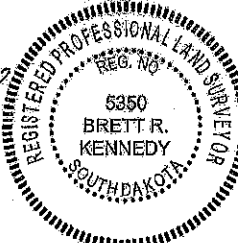
I, Brett R. Kennedy, a Licensed Land Surveyor in the state of South Dakota, do hereby certify that at the request of Connor Mulherin, Wallace S. Bakke and Vivian J. Bakke as owners, and under their direction, did on or prior to May 7, 2020 survey the land described as follows:

A PLAT OF LOT 1 OF RED CEDAR SUBDIVISION LYING IN THE E1/2 OF THE SW1/4 OF SECTION 32, TOWNSHIP 96 NORTH, RANGE 54 WEST OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.

I also hereby certify that this plat is to the best of my knowledge and belief, in all respects, a true description of said property.

Dated this 28th day of May, 2020.

Brett R. Kennedy
 Brett R. Kennedy, LS 5350



PROJECT NUMBER:	20171
CREW CHIEF:	CBARUTT
DRAFTED BY:	BKENNEDY
REVIEWED BY:	JWHITLOCK
DRAWING:	20171 - Plat 32-796N-R54W
LAYOUT:	Plat
SHEET NO. 1 OF 2 TOTAL SHEETS	

Prepared By:



OWNER'S DEDICATION

We, the undersigned, hereby certify that we are the absolute and undivided owners of the land included in this plat, this plat being entitled: A PLAT OF LOT 1 OF RED CEDAR SUBDIVISION LYING IN THE E1/2 OF THE SW1/4 OF SECTION 32, TOWNSHIP 66 NORTH, RANGE 54 WEST OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA, that the plat has been made at our request and under our direction for the purpose of defining and describing the property as shown by this plat, that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations and such development shall be accomplished in such a manner that all waters of the state on or adjacent to the subdivision shall be protected from pollution from sewage from such subdivision, and we hereby dedicate to the public, for public use forever as such, the streets and easements as shown and marked on this plat.

In witness whereof I have hereunto set my hand this 2 day of June, 2020.

By: Connor Mulherin
 COUNTY OF Yankton
 STATE OF South Dakota

On this, the 2nd day of June, 2020, before me, the undersigned, a Notary Public, personally appeared Connor Mulherin, known to me to be the person whose name is subscribed to the foregoing Dedication, and I hereby acknowledge that he/she executed the foregoing instrument.

In witness whereof, I hereunto set my hand and official seal.

My commission expires 04/30/2025
Nancy M Brockmoller
 Notary Public
 Seal
 Notary Public
 South Dakota

In witness whereof we have hereunto set our hands this 8 day of June, 2020.

By: Wallace S Bakke
 Wallace S. Bakke
 COUNTY OF Yankton
 STATE OF South Dakota
 By: Vivian J. Bakke
 Vivian J. Bakke

On this, the 8 day of June, 2020, before me, the undersigned, a Notary Public, personally appeared Wallace S. Bakke and Vivian J. Bakke, known to me to be the person whose name is subscribed to the foregoing Dedication, and I hereby acknowledge that he/she executed the foregoing instrument.

In witness whereof, I hereunto set my hand and official seal.

My commission expires 04/30/2025
Nancy M Brockmoller
 Notary Public
 Seal
 Notary Public
 South Dakota

CERTIFICATE OF PLANNING COMMISSION

I, _____, do hereby certify that the Planning Commission of Yankton County recommends approval of the foregoing Plat.

Dated this _____ day of _____.

Chairperson

COUNTY COMMISSION APPROVAL

Be it resolved that the PLAT OF LOT 1 OF RED CEDAR SUBDIVISION LYING IN THE E1/2 OF THE SW1/4 OF SECTION 32, TOWNSHIP 66 NORTH, RANGE 54 WEST OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA, prepared by Brett R. Kennedy, a duly Licensed Land Surveyor in and for the State of South Dakota, was submitted to the Board of County Commissioners of Yankton County, South Dakota, and that after due consideration of the same Board, the Board, at its meeting held on the _____ day of _____, approved said plat.

Board of County Commissioners

Chairperson

STATE OF SOUTH DAKOTA
 COUNTY OF YANKTON

APPROVAL OF HIGHWAY AUTHORITY

Access to SD HWY 46 is approved. This access approval does not replace the need for any permits required by law to establish the precise access location.

Dated this 8 day of June, 2020.

Ruth Bell
 Highway or Street Authority

CERTIFICATION OF COUNTY AUDITOR

Whereas this plat has been submitted for the approval of the Yankton County Board of Commissioners by the owners of the within platted land and it appears that said lands are outside the boundaries of any municipality and that the system of streets conforms to the system of streets of existing plats and section lines of the County, that adequate provision is made for access to adjacent unplatted lands by public dedication or section lines when physically accessible, that all provisions of any subdivision regulations of the county have been complied with, that all taxes and special assessments upon the tract of subdivision have been fully paid and that the plat and survey thereof have been lawfully executed; therefore, be it resolved by the Yankton County Board of Commissioners that said plat is hereby approved.

I hereby certify that the foregoing resolution is a true and correct copy of the resolution adopted by the Yankton County Board of Commissioners on the date indicated.

Dated this _____ day of _____.

Yankton County Auditor

DIRECTOR OF EQUALIZATION

I, the undersigned, County Director of Equalization for Yankton County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Dated this 25 day of June, 2020.

Don Mackey
 Director of Equalization Yankton County

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer for Yankton County, South Dakota, do hereby certify that all taxes which are liens upon any of the land included in the above and foregoing plat, as shown by the records of my office, have been fully paid.

Dated this 8 day of June, 2020.

Ruth Bell
 Treasurer, Yankton County

CERTIFICATE OF REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF YANKTON)

Filed for record this _____ day of _____, at _____ o'clock _____ M. and recorded in Book _____ on Page _____ therein.

Register of Deeds, Yankton County

PROJECT NUMBER: 20171
 SHEET NO. 2 OF 2 TOTAL SHEETS

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 07/08/20

Applicant Bakke – Conditional Use Permit

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 1805 ☒ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for an Open Sales Area and a Repair Shop, Motor Vehicle and Equipment. Said property is legally described as SW1/4 SE1/4, Section 31, T96N R54W Yankton County, South Dakota less highways and roads hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44650 SD Hwy 46.

PC: Article 5 Section 507 #28 and #37 Article 18 Section 1805
BOA: Article 5 Section 507 #28 and #37 Article 19 Section 1905

Planning Commission date: 08/11/20
Board of Adjustment date: 09/01/20

Time: 7:15 PM
Time: 7:10 PM

Yankton County

Variance

X

Conditional Use

Rezoning

Wally Bakke

44650 SD Hwy 46, Irene, SD

605-661-0609

Applicants Name,
if different from

Wally Bakke

Applicants

44650 SD Hwy 46, Irene, SD

44650 SD HWY 46

SW4 SE4 EXC LT H1

31-96-54

AG

507 and 1805Section 1905507

Buy and sell used cars, pickups, tractors, trailers, farm equipment.

Hardships:

08/11/2020 7:15

09/01/2020 7:10

\$300.00

Check #: 2585

Receipt #:

Signature:

Wally Bakke

Date:

07/10/2020

YANKTON COUNTY
APPLICATION # CUP-20-010

Wally bakke 0609@gmail.com

(Type or Print)

OWNER: Wally Bakke

OWNERS ADDRESS: 44650 SD Hwy 46

OWNERS DAYTIME PHONE#: 605-661-0609

DATE OF BUILDING PERMIT REQUEST: N/A

DESCRIPTION OF BUILDING PERMIT: N/A

REASON FOR BUILDING PERMIT DENIAL: N/A

DATE OF DENIAL: _____

JOB ADDRESS: 44650 SD Hwy 46

LEGAL: S04 S24 Exc Lt H

TOWNSHIP: Rd 96-54

SECTION: 31

EXISTING USE OF PROPERTY: AG

PRESENT ZONING CLASSIFICATION: AG

PROPOSED ZONING CLASSIFICATION: N/A

AFFECTED SECTION OF ZONING ORDINANCE: 507 # 28 & #37

REASON FOR REQUEST: Buy an sell used corn pickup trucks
trailer Farm EQ

LIST SPECIFIC HARDSHIPS: _____

☐ Variance Application
☒ Conditional Use Permit
☐ Rezoning Permit

Applications will not be accepted nor acted upon until the following information has been provided by the applicant:

- A) Detailed Site Plan (Refer to handout)
- B) Location and Use of Adjacent Structures
- C) Application Fee(s)

SCHEDULED FOR PLANNING COMMISSION ACTION (Date): 8/11/20

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date): 9/1/20

*TENTATIVE DATE: Final date announced at Planning Commission Meeting:

APPLICATION FEE: 300

CHECK #: 2585

RECEIPT #: 5250

The undersigned acknowledges/declares that all the facts and representations stated in this application are true and by signing, acknowledges the cost and the procedure for the processing of the application and certifies that the property described by the legal description is not delinquent.

Wally Bakke
Name of Applicant

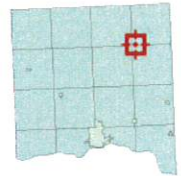
7-8-20
Date

Wally Bakke
Signature of Applicant/Owner

7-8-20
Date



Overview



Legend

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

Parcel ID - 04.031.200.030
 Address - 44650 SD HWY 46
 Owner - BAKKE, WALLACE S (D)
 BAKKE, VIVIAN J (D)
 Acres - 37.75

Disclaimer: Yankton County digital cadastral data are a representation of recorded plats and surveys for use within the Geographic Information System for purposes of data access and analysis. These and other digital data do not replace or

FINDINGS OF FACT – CONDITIONAL USE PERMIT

Wally Bakke – CUP-2020-10

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	Applicant is requesting a Conditional Use Permit for an Open Sales Area and a Repair Shop, Motor Vehicle and Equipment.
2. Was notice of public hearing given per Section 1803 (3-5)?	Mailed – 7/29/20 Published – 07/31/20
3. Attend the public hearing	08/11/20
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	Move approval for Conditional Use Permit for Open Sales Area and Repair Shop 6-0
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, operation no longer than what is currently in existence
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;	Using existing structure, won't have a large operation and no salvage license
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	Refuse available
d. Utilities, with reference to locations, availability, and compatibility;	Has bond and liability insurance and state licensing
e. Screening and buffering with reference to type, dimensions, and character;	Using existing structure
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	No lighting needed or signs planned
g. Required yards and other open spaces; and	Has required yard
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.	Using existing building

AFFIDAVIT OF MAILING

I, Wally B. Miller, hereby certify that on the 2 day of July, 2010, 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 2640 feet radius of the proposed project to the most recent address of the recipient known to your Assistant. A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit 11 or 12. A true and correct copy of the mailing list for owners of real property is attached as Exhibit 13 or 12A.

Dated this 2 day of July, 2010.

Wally B. Miller
(Name)
Assistant

Subscribed and sworn to before me this 29 day of July, 2010.



James Huber
Notary Public - South Dakota
My commission expires 6-19-23

(SEAL)

NOTIFICATION

July 31, 2020

Wally Bakke
44650 SD Hwy 46
Irene, SD 57037

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 2,640 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 7:15 P.M. on the 11th day of August, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for an Open Sales Area and a Repair Shop, Motor Vehicle and Equipment. Said property is legally described as SW1/4 SE1/4, Section 31, T96N R54W Yankton County, South Dakota less highways and roads hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44650 SD Hwy 46.

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,

Wally Bakke
Petitioners

BAKKE, WALLACE S (D)
44650 SD HWY 46
IRENE SD 57037

BROCKMUELLER, JOHN D TRUST (D)
44619 295 ST
IRENE SD 57037

DSS EQUIPMENT & PROPERTY LLC (C)
29541 448 AVE
IRENE SD 57037

HAUGER, LOIS C (D)
812 JAMES PL
YANKTON SD 57078

HAUGER, RICHARD TRUST (D)
3209 W BITTERROOT ST
SIOUX FALLS SD 57108

HAUGER, RODNEY (D)
44677 SD HWY 46
IRENE SD 57037

HEALY, THOMAS G (D)
44219 294 ST
IRENE SD 57037

HOFMEISTER, KENNETH (LE) (D)
PO BOX 92
PARKER SD 57053

JANKLOW, FREDRIC (D)
PO BOX 211
IRENE SD 57037

MCDONALD, DARRELL J (D)
44327 296 ST
IRENE SD 57037

MULHERIN, CONNOR (D)
44726 SD HWY 46
IRENE SD 57037

SEES, JAMES D (D)
29967 444 AVE
VOLIN SD 57072

VAN WYHE, CRYSTAL J LIV TRUST (D)
1301 S ELMWOOD AVE
SIOUX FALLS SD 57105

YOUNG, DAVID A (D)
22503 LAMBERT AVE
PACIFIC JUNCTION IA 51561

AFFIDAVIT OF MAILING

I, Wally Bakke, hereby certify that on the 21
day of Aug, 2020, I mailed by first class mail, postage
prepaid, a true and correct copy of the Notice of Public Hearing
to all owners of real property lying within a 2640 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 8 day of 21, 2020

Wally Bakke
(Name)
Affiant

Subscribed and sworn to before me this 21st day of
August, 2020



(SEAL)

J. Huth
Notary Public - South Dakota
My commission expires: 7-22-2025

NOTIFICATION

August 22, 2020

Wally Bakke
44650 SD Hwy 46
Irene, SD 57037

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 2,640 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, at 7:10 P.M. on the 1st day of September, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for an Open Sales Area and a Repair Shop, Motor Vehicle and Equipment. Said property is legally described as SW1/4 SE1/4, Section 31, T96N R54W Yankton County, South Dakota less highways and roads hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44650 SD Hwy 46.

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,

Wally Bakke
Petitioners

BAKKE, WALLACE S (D)
44650 SD HWY 46
IRENE SD 57037

BROCKMUELLER, JOHN D TRUST (D)
44619 295 ST
IRENE SD 57037

DSS EQUIPMENT & PROPERTY LLC (C)
29541 448 AVE
IRENE SD 57037

HAUGER, LOIS C (D)
812 JAMES PL
YANKTON SD 57078

HAUGER, RICHARD TRUST (D)
3209 W BITTERROOT ST
SIOUX FALLS SD 57108

HAUGER, RODNEY (D)
44677 SD HWY 46
IRENE SD 57037

HEALY, THOMAS G (D)
44219 294 ST
IRENE SD 57037

HOFMEISTER, KENNETH (LE) (D)
PO BOX 92
PARKER SD 57053

JANKLOW, FREDRIC (D)
PO BOX 211
IRENE SD 57037

MCDONALD, DARRELL J (D)
44327 296 ST
IRENE SD 57037

MULHERIN, CONNOR (D)
44726 SD HWY 46
IRENE SD 57037

SEES, JAMES D (D)
29967 444 AVE
VOLIN SD 57072

VAN WYHE, CRYSTAL J LIV TRUST (D)
1301 S ELMWOOD AVE
SIOUX FALLS SD 57105

YOUNG, DAVID A (D)
22503 LAMBERT AVE
PACIFIC JUNCTION IA 51561

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 07/23/20

Applicant Ehresmann Holdings, LLC

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

☐ LC – Lakeside Commercial ☐ RT-Rural Transitional

CUP needed:

☐ Section 507 ☐ Section 607 ☒ Article 25 ☒ Section 1007

☐ Section 1805 ☒ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for a Training Tower. Said property is legally described as S1/2 SW1/4 Including Lots 1 and 3 in Lot A and the S 851.23' of the E 450' of Section 33, T94N R56W, Excluding Tract A and Lot 2 in Lot A as per plat recorded in Book S18, Page 4, and further excluding Luken's First Addition as per plat recorded in Book S10, Page 50 and further excluding Luken's Third Addition, Luken's Fourth Addition and Lukens's Fifth Addition as per plat recorded in Book S13, Page 45, and further excluding Lot H1 as per plat recorded in Book S9, Page 64, Yankton County, South Dakota, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. The E911 address is 4400 West 31st St, Yankton, SD.

PC:	Article 10 Section 1007	Article 18 Section 1805	Article 25
BOA:	Article 10 Section 1007	Article 19 Section 1905	Article 25

Planning Commission date: 08/11/20
Board of Adjustment date: 09/01/20

Time: 7:25 PM
Time: 7:15 PM

Yankton County

 Variance

 X Conditional Use

 Rezoning

Owner: Ehresmann Holdings LLC

Owners Address: _____

Owners Phone: 605-665-3919

Applicants Name,
if different from

Owner: Ehresmann Engineering, Inc

Applicants
Address: _____

Job Address: 4400 WEST 31 ST

Legal: LTS 1 & 3 LT A S2 SW4 & S851.23' E450' EXC TRACT A & EXC LT

Section,
Township, Range: 33-94-56

Zoning
Classification: C

Affected Zoning

Ordinance: 1007 & Article 25 & 1805Section 19051007 & Article 25

Reason for
Request: Building a training tower

List Specific
Hardships: _____

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): 08/11/2020 7:25

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE): 09/01/2020 7:15

Application Fee: \$300.00 Check #: 984 Receipt #: _____

Date:

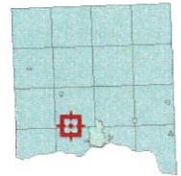
Signature: _____

Ehresmann Holdings LLC

07/23/2020



Overview



Legend

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

Parcel ID - 10.033.300.100
 Address - 4400 WEST 31 ST
 Owner - EHRESMAN HOLDINGS LLC (D)

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

Date created: 7/24/2020
 Last Data Uploaded: 7/24/2020 10:58:50 AM

Completed On 7/23/2020 4:14 PM EST by etaylorisd

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

👁 Sketch Layer

👁 Reference
Layer

▶ 👁 Layer





**EHRESMANN
ENGINEERING INC.**

4400 West 31st St – Yankton, SD 57078

Phone: (605) 665-7532 Fax: (605) 665-9780

<http://www.ehresmannengineering.com>

E-Mail: e.taylor@ehresmannengineering.com

8/3/20

Yankton County Planning and Zoning Commission

Exception List

We are requesting exemption on the following

1. Lot line. We are requesting exemption on the Lot Line. The owner of the land that is Commercially zoned and the land that Ag zoned is owned by the same person. We request that the Lot line distance requirement be waived.
2. Fall Zone. We request that the Fall zone requirement be exempt. Our tower will have a 90' fall zone and would remain on the Commercially zoned land.
3. Engineering Fee. We request exemption on the Engineer Fee. The tower is going to be used as a training tower. We are a structural engineer with over 37 years of experience of designing towers.
4. Balloon. We request this requirement to be removed. This is a training tower.

Eric Taylor
Ehresmann Engineering, Inc.



**EHRESMANN
ENGINEERING INC.**

4400 West 31st St – Yankton, SD 57078

Phone: (605) 665-7532 Fax: (605) 665-9780

<http://www.ehresmannengineering.com>

E-Mail: e.heine@ehresmannengineering.com

August 3, 2020

Subject: 150' Ehresmann Engineering, Inc. Self Supporter-Training Tower
Site: EEI-Yankton
Location: Yankton County, SD
EEI JO#: 106920

As requested, we have designed and can furnish a 150' Ehresmann Engineering, Inc. SSTA self supporting tower to be located in Yankton County, SD. The site will be called EEI-Yankton.

Approximate Coordinates: 42-54-39.0 N
97-28-04.2 W

Property Address: 4400 W 31st Street
Yankton, SD 57078

The tower will be designed as follows:

- In accordance with the Telecommunications Industry Association TIA-222-G Standard
- 90 mph wind with no ice (Vasd)
- Vult = 116 mph wind
- 50 mph wind with 3/4" ice (Vasd)
- 60 mph wind with no ice (service)
- Structure Class II
- Exposure Category C
- Topographic Category 1

Design loading will be included as outlined on stamped calculations sheet #106920 E-1.

This tower design standard takes into account several safety factors including load factors and steel strength capacities. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of built-in safety factors.

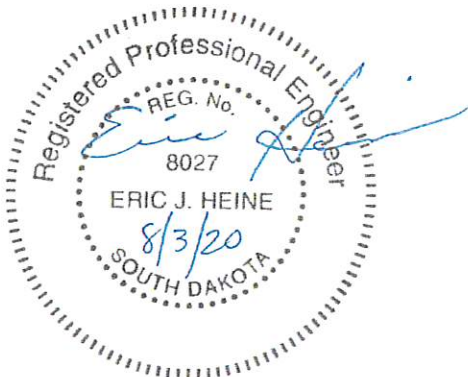
Should the wind speed increase beyond the capacity of the built-in safety factors to the point of failure of one or more structural elements, the most likely location of failure would be within one of the tower sections. For the EEI-Yankton tower as designed, this would most likely be in the section from 100' to 120' which is the highest stressed area of the tower. This would result in a buckling mode, where the steel bends beyond its elastic limit (the point where the section does not return to its normal shape when the wind load is removed).

During this local buckling, the tower will buckle at the location of the highest combined stress ratio and "fold over" onto the portion below. Therefore, this would most likely cause the proposed EEI-Yankton tower to collapse upon itself and fall within a radius of 90' from the base of the tower.

Please note, all opinions outlined in this letter are valid only if an Ehresmann Engineering, Inc. tower is furnished and installed.

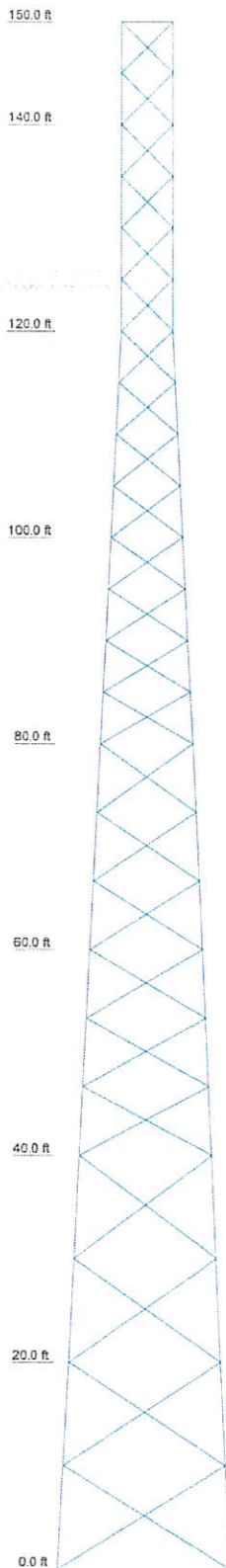
If you have any questions, please feel free to contact us.

Regards,



Eric Heine, P.E.

Section	T8	T7	T6	T5	T4	T3	T2	T1
Legs	HSS12.75x.375	HSS10.75x.365	HSS8.625x.322	HSS5.5x.216	HSS2.875x.203			
Leg Grade	L4x4x1/4	L3 1/2x3 1/2x1/4	L3x3x1/4	A500-50	L2 1/2x2 1/2x5/16	L2x2x3/8	A	A
Diagonals								
Diagonal Grade								
Top Girts								
Face Width (ft)	16.895	14.9115	12.9375	10.9088	9	7.026		5.052
# Panels @ (ft)	4 @ 10	4 @ 10	6 @ 6.66667	6 @ 6.66667	9	14 @ 5		
Weight (lb)	22562.3	4879.3	3882.8	4070.6	3114.0	3234.2	1494.2	403.9



DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
14' EEI Platform w/ Rail	150		

SYMBOL LIST

MARK	SIZE	MARK	SIZE
A	L1 3/4x1 3/4x3/16		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A500-50	50 ksi	62 ksi	A36	36 ksi	58 ksi

TOWER DESIGN NOTES

1. Tower is located in Yankton County, South Dakota.
2. Tower designed for Exposure C to the TIA-222-G Standard.
3. Tower designed for a 90 mph basic wind in accordance with the TIA-222-G Standard.
4. Tower is also designed for a 50 mph basic wind with 0.75 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60 mph wind.
6. Tower Structure Class II.
7. Topographic Category 1 with Crest Height of 0.00 ft.
8. Weld together tower sections have flange connections.
9. Connections use galvanized A325 bolts, nuts and locking devices. Installation per TIA/EIA-222 and AISC Specifications.
10. Tower members are "hot dipped" galvanized in accordance with ASTM A123 and ASTM A153 Standards.
11. Welds are fabricated with ER-70S-6 electrodes.
12. TOWER RATING: 27.2%

ALL REACTIONS
ARE FACTORED

MAX. CORNER REACTIONS AT BASE:

DOWN: 103661 lb
SHEAR: 11986 lb

UPLIFT: -75045 lb
SHEAR: 9238 lb

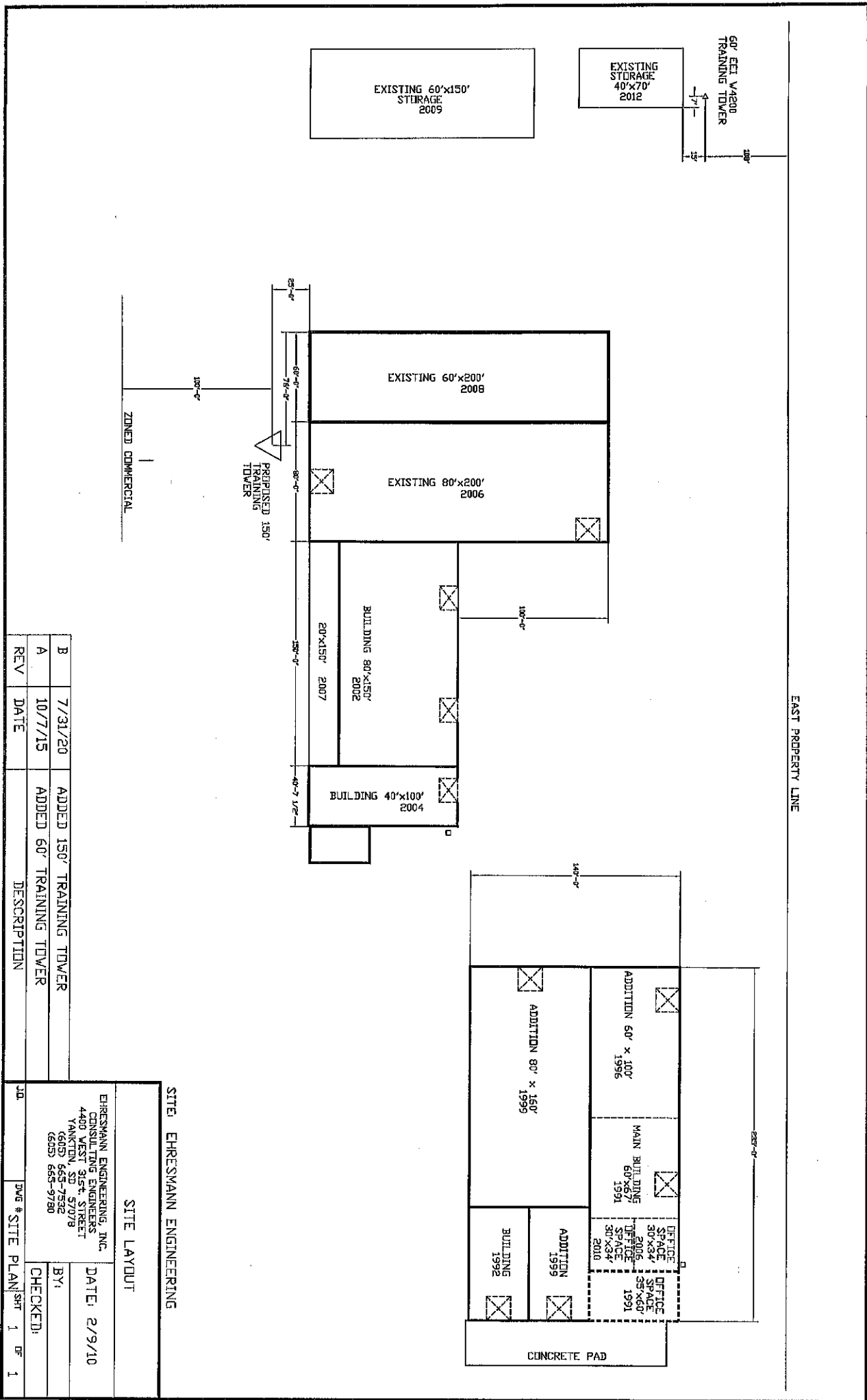
AXIAL
62964 lb
SHEAR
6053 lb
MOMENT
475889 lb-ft
TORQUE 1 lb-ft
50 mph WIND - 0.7500 in ICE

AXIAL
32616 lb
SHEAR
18448 lb
MOMENT
1356834 lb-ft
TORQUE 5 lb-ft
REACTIONS - 90 mph WIND



Ehresmann Engineering, Inc.
4400 W. 31st Street
Yankton, SD
Phone: (605) 665-7532
FAX: (605) 665-9780

Job: **EEI-Yankton, SD 106920**
Project: **150' EEI SSTA SELF SUPPORTING TOWER**
Client: **EEI** Drawn by: **EH** App'd:
Code: **TIA-222-G** Date: **08/03/20** Scale: **NTS**
Path: **Dwg No E-1**



FINDINGS OF FACT – CONDITIONAL USE PERMIT

Ehresmann Holdings – CUP-2020-12

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	Applicant is requesting a Conditional Use Permit for a Training Tower.
2. Was notice of public hearing given per Section 1803 (3-5)?	Mailed – Published – 07/31/20
3. Attend the public hearing	08/11/20
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	Move approval of the CUP with requested exemptions in addition to exemption to Section 2519 6-0
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, no additional traffic due to tower
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;	Parking already exists as building exists
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	Existing commercial operation
d. Utilities, with reference to locations, availability, and compatibility;	Existing commercial operation
e. Screening and buffering with reference to type, dimensions, and character;	Existing commercial operation
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	No new signs or lighting planned
g. Required yards and other open spaces; and	Existing commercial operation
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.	Existing commercial operation

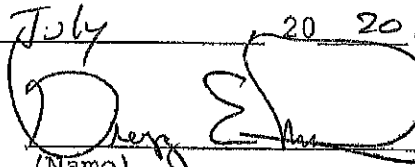
AFFIDAVIT OF MAILING

I, Gregg Ehresmann, hereby certify that on the 28th day of July, 20 20, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 2640 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

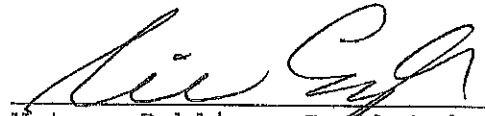
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

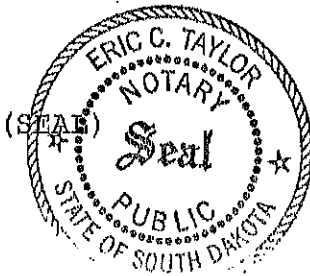
A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 28 day of July, 20 20.


(Name)
Affiant

Subscribed and sworn to before me this 28 day of July, 20 20.


Notary Public - South Dakota
My commission expires: 3/27/22



NOTIFICATION

July 31, 2020

Ehresmann Holdings, LLC
4400 West 31st St
Yankton, SD 57059

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 2,640 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:25 P.M. on the 11th day of August, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for a Training Tower. Said property is legally described as S1/2 SW1/4 Including Lots 1 and 3 in Lot A and the S 851.23' of the E 450' of Section 33, T94N R56W, Excluding Tract A and Lot 2 in Lot A as per plat recorded in Book S18, Page 4, and further excluding Luken's First Addition as per plat recorded in Book S10, Page 50 and further excluding Luken's Third Addition, Luken's Fourth Addition and Lukens's Fifth Addition as per plat recorded in Book S13, Page 45, and further excluding Lot H1 as per plat recorded in Book S9, Page 64, Yankton County, South Dakota, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. The E911 address is 4400 West 31st St.

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,

Ehresmann Holdings, LLC
Petitioners

AHLERS, MARLENE M (D)
2703 DEER BLVD
YANKTON SD 57078

BLACKBURN, DORIS TRUST (D)
6429 CROW VALLEY DR
BETTENDORF IA 52722

DELOZIER, DARRIK D (D)
30878 436 AVE
YANKTON SD 57078

EHRESMAN HOLDINGS LLC (D)
705 WEST 10 ST
YANKTON SD 57078

EHRESMANN, GREGG (D)
705 WEST 10 ST
YANKTON SD 57078

EHRESMANN, PAMELA A TRUST (D)
705 WEST 10 ST
YANKTON SD 57078

HANSON, JUDY K (D)
2809 DEER BLVD
YANKTON SD 57078

KUCHTA, KENNETH L (D)
3501 DEER BLVD
YANKTON SD 57078

LARSON, ROBERT L (D)
30938 436 AVE
YANKTON SD 57078

PLAVEC, JAMES T REV TRUST (D)
30930 SD HWY 314
YANKTON SD 57078

REZAC FAMILY REVOCABLE TRUST (D)
30776 435 AVE
YANKTON SD 57078

SCHWANDT, PHYLLIS (D)
3804 WEST 31 ST
YANKTON SD 57078

TIELKE, JOSEPH H (D)
2905 DEER BLVD
YANKTON SD 57078

TIELKE, MONICA M (D)
% MONICA HORAK
2905 N CONWAY AVE UNIT #11
MISSION TX 78574

WADDELL, EDWARD (D)
30884 436 AVE
YANKTON SD 57078

ZIMMERMAN, DUANE G (D)
2717 DEER BLVD
YANKTON SD 57078

NOTIFICATION

August 22, 2020

Ehresmann Holdings, LLC
4400 West 31st St
Yankton, SD 57059

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 2,640 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, at 7:15 P.M. on the 1st day of September, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for a Training Tower. Said property is legally described as S1/2 SW1/4 Including Lots 1 and 3 in Lot A and the S 851.23' of the E 450' of Section 33, T94N R56W, Excluding Tract A and Lot 2 in Lot A as per plat recorded in Book S18, Page 4, and further excluding Luken's First Addition as per plat recorded in Book S10, Page 50 and further excluding Luken's Third Addition, Luken's Fourth Addition and Lukens's Fifth Addition as per plat recorded in Book S13, Page 45, and further excluding Lot H1 as per plat recorded in Book S9, Page 64, Yankton County, South Dakota, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. The E911 address is 4400 West 31st St.

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,

Ehresmann Holdings, LLC
Petitioners

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