

YANKTON COUNTY COMMISSION MEETING
October 2, 2018

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Tuesday, October 2, 2018.

Roll Call was taken with the following Commissioners present: Debra Bodenstedt, Gary Swensen, Raymon Epp, Don Kettering and Todd Woods.

There were no conflicts of interest reported by Commissioners.

Chairman Woods wanted it noted for scheduled item 7, Variance Application for Darrell Kortan that his residence is near the applicant.

Action 18360C: A motion was made by Bodenstedt and seconded by Kettering to approve the meeting agenda. All present voted aye; motion carried.

Action 18361C: A motion was made by Kettering and seconded by Bodenstedt to approve the minutes of the September 18, 2018 meeting with the following corrections: Highway; to move up the full depth reclamation of 449th Avenue between 305th and 301st. Street and Action 18357C: should have been seconded by Bodenstedt. Four voted aye with Epp abstaining; motion carried.

Action 18362C: A motion was made by Epp and seconded by Bodenstedt to approve the following claims: **General Fund: Commissioners:** Rayon Epp (Travel) \$214.08, River Rat Productions (Professional Services) \$500.00; **Elections:** Qualified Presort Services, Inc. (Supplies) \$39.67, Verizon (Utilities) \$360.09; **Court:** Avera Sacred Heart Hospital (Professional Services) \$2,000.00, Witness Fees 1 @ \$650.00) \$650.00, Jurors Fees (9 @ \$50.00) \$450.00, Jurors Fees-MI (1 @ \$33.60) \$33.60, Jurors Fees-MI (1 @ \$6.72) \$6.72, Jurors Fees (1 @ \$1.68) \$1.68, Fox & Youngberg, PC (Professional Services) \$15,235.00, Horn Law Office LLC (Professional Services) \$3,110.10, Kaiser Heating & Cooling, Inc. (Supplies) \$113.16, Jurors Fees-MI (1 @ \$16.80) \$16.80, Jurors Fees-MI (1 @ \$12.60) \$12.60, West Payment Center (Supplies) \$777.74; **Auditor:** Arrowwood Resort & Conference Center (Travel) \$94.95, Hansen Locksmithing, Inc. (Supplies) \$9.00, McLeod's Printing & Office Supply (Supplies) \$102.90, Qualified Presort Services LLC (Supplies) \$105.80, One Office Solutions (Supplies) \$174.97; **Treasurer:** Qualified Presort Services LLC (Supplies) \$85.44, Patty L. Vavra (Supplies) \$69.25, Patty L. Vavra (Travel) \$30.00; **States Attorney:** Hy-Vee (Supplies) \$20.99; **Government Building:** Kopetsky's Ace Hardware (Supplies) \$70.47, Battery Exchange (Supplies) \$94.95, City of Yankton (Utilities) \$2,824.22. Electair, Inc. (Supplies) \$57.32, JCL Solutions (Supplies) \$123.73, Menards (Supplies) \$90.92, Northwestern Energy (Supplies) \$2,639.51, Northtown Automotive (Maintenance) \$54.30; **Director of Equalization:** Matt Archer (Travel) \$372.20, Data Cloud Solutions LLC (Professional Services) \$3,310.00, Arrowwood Resort & Conference Center (Travel) \$94.95, Hyatt Place Riverside Downtown (Travel) \$202.62, Qualified Presort Services LLC (Supplies)

\$17.53, Verizon (Supplies) \$491.37, One Office Solution (Maintenance) \$12.45; **Register of Deeds:** Qualified Presort Services LLC (Supplies) \$24.04; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$31,98, Mark's (Maintenance) \$530.02, City of Yankton (Utilities) \$957.28, Cole Papers, Inc. (Supplies) \$686.22, Johnson Controls, Inc. (Maintenance) \$860.44, Menards (Supplies) \$44.42, MidAmerican Energy (Utilities) \$640.45, Northwestern Energy (Utilities) \$8,183.01, Olson's Pest Technicians (Maintenance) \$235.00, Overhead Door Company of Sioux City, Inc. (Supplies) \$588.50; **Sheriff:** Xtreme Car Wash (Maintenance) \$280.00, Cardmember Services (Fuel) \$119.44, Cardmember Services (Law Enforcement Equipment) \$779.29, Embroidery & Screen Works, Inc. (Uniforms) \$264.00, Teri Lippert (Travel) \$73.92, Northtown Automotive (Maintenance) \$434.03, South Dakota Sheriff's Association (Maintenance Contract) \$880.00, Walmart Community/GEMB (Minor Equipment) \$982.42; **County Jail:** Kopetsky's Ace Hardware (Supplies) \$11.58, Avera Sacred Heart Hospital (Professional Services) \$2,454.95, Boller Printing Co. (Supplies) \$89.00, Scott Family Dentistry, Inc. (Professional Services) \$455.00, CBM Food Service (Food Services) \$8,277.66, Cardmember Services (Food Services) \$128.36, Cardmember Services (Supplies) \$120.15, Cardmember Services (Security Maintenance) \$735.64, Goldstar Products, Inc. (Supplies) \$524.92, Diamond Drugs (Professional Services) \$397.20, Jack's Uniforms & Equipment (Uniforms) \$35.99, JCL Solutions (Supplies) \$1,211.15, Menards (Supplies) 175.60; **Coroner:** Sanford Health (Professional Services) \$2,100.00, Wintz & Ray Funeral Home (Travel) \$280.00; **Juvenile Detention:** Lutheran Social Services (Rentals) \$759.20, Minnehaha County Regional Detention Center (Rentals) \$3,141.60; **Care of Poor:** Avera Sacred Heart Hospital (Professional Services) \$74,929.56, Qualified Presort Services, Inc. (Supplies) \$96.97; **Public Health Nurse:** Qualified Presort Services LLC (Supplies) \$32.34; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$297.42, AT & T (Utilities) \$36.77, Arrow Manufacturing (Supplies) \$624.91, Bomgaars (Supplies) \$72.17, Channing Bete Co., Inc. (Supplies) \$429.90, City of Yankton (Utilities) \$174.02, Cole Papers, Inc. (Supplies) \$506.12, Credit Collection Services, Inc. (Professional Services) \$122.85, Brett Moeller (Travel) \$120.00, Cintas (Supplies) \$64.79, Echo Electric (Supplies) \$90.54, Change Healthcare (Professional Services) \$130.00, Ferdig's Transmissions (Maintenance) \$440.95, Graham Tire Yankton (Maintenance) \$91.14, Investigative Services if NE/SD/IA (Professional Services) \$273.00, Leaf (Rentals) \$100.89, Matheson Tri-Gas, Inc. (Supplies) \$113.01, Menards (Supplies) \$517.68, MidAmerican Energy (Utilities) \$17.92, Northwestern Energy (Utilities) \$997.37, Olson's Pest Technicians (Maintenance) \$114.00, M.T. & R.C. Smith Insurance (Professional Services) \$100.00, Sioux Falls Two Way Radio Service, Inc. (Supplies) \$113.87, Verizon (Utilities) \$617.23, One Office Solution (Supplies) \$215.97; **Mental Health Centers:** Lewis & Clark Behavioral Health (3rd & 4th Qtr Appropriation 2018) \$38,04900; **Mental Illness Board:** Darcy Lockwood (Hearings) \$72.00, Mark Katterhagen (Hearings) \$72.00, Lincoln County Treasurer (Hearings-MI) \$1,410.94, Lucille Lewno (Hearings) \$1,179.41, Minnehaha County Auditor (Hearings-MI) \$202.80; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$9.03, City of Yankton (Utilities) \$48.40, Echo Electric (Supplies) \$37.30, Olson's Pest Technicians (Maintenance) \$114.00; **Weed:** Bomgaars (Supplies) \$89.25, Battery Exchange (Supplies) \$39.95, Quality Inn (Travel) \$228.00; **Planning & Zoning:** 3-D Specialties Inc. (Housing Signs) \$78.74, River Rat Productions (Professional Services) \$375.00, Planning & Development District III

(Professional Services) \$6,000.00, Qualified Presort Services LLC (Supplies) \$77.10; **Road & Bridge:** Appera (Supplies) \$110.09, Karla Bossman (Travel) \$23.52, Karla Bossman (Supplies) \$50.00, Bomgaars (Supplies) \$15.99, B-Y Electric (Utilities) \$75.75, Butler Machinery Co. (Rentals) \$211.34, Country Pride Coop (HWY Fuel) \$14,771.79, City of Yankton (Utilities) \$88.72, Cox Auto Supply Inc. (Supplies) \$406.80, Concrete Materials (Annual Projects) \$3,693.52, CenturyLink (Utilities) \$57.70, Comfort Inn & Suites (Travel) \$113.49, Snap On Tools (Supplies) \$65.95, Journey Group (Bridges) \$227,712.40, Topkote (Annual Projects) \$620,473.50, Diesel Machinery, Inc. (Supplies) \$102.95, Filter Care of Nebraska (Supplies) \$44.55, Graham Tire Yankton (Maintenance) \$120.00, I State Truck Center (Supplies) \$1,210.61, Jebro Inc. (Annual Projects) \$16,697.34, Marks Machinery (Supplies) \$79.63, Truck Trailer Sales Service, Inc. (Supplies) \$22.50, Titan Machinery (Rental) \$9,080.00, Yankton RediMix (Emergencies) \$970.00, Yankton Redi Mix (Secondary Roads) \$175.50, Yankton Ag Service, Inc. (Supplies) \$195.00; **Emergency 911 Fund:** Vast Business (Utilities) \$107.00, CenturyLink (Utilities) \$1,386.66; **Jail Building:** Brightway Electric LLC (Jail Capitol Improvement Fund) \$1,677.40, Horwath Laundry Equipment (Jail Capital Improvement Fund) \$11,820.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies-LEPC) \$113.25, Kopetsky's Ace Hardware (Supplies) \$8.97, Bomgaars (Supplies) \$88.75, Bomgaars (Supplies-LEPC) \$24.48, Xtreme Car Wash (Maintenance) \$216.00, Berkley Motors (Rentals) \$258.75, Hy-Vee (Supplies) \$42.57, Midwest Card & ID Solution (Professional Services) \$1,815.00, MidAmerican Energy (Utilities) \$8.00, Qualified Presort Services LLC (Supplies) \$1.19, Racom Corporation (Utilities) \$35.15, One Office Solution (Supplies-LEPC) \$375.00, One Office Solution (Supplies) \$202.37, Yankton Fire Department (Supplies-LEPC) \$282.67; **24/7 Sobriety Fund:** Jack's Uniforms & Equipment (Minor Equipment) \$420.78, PharmChem, Inc. (Supplies) \$2,809.80, Redwood Toxicology Laboratory (Supplies) \$10.00; **State of South Dakota:** South Dakota State Treasurer (Fees-Motor Vehicles) \$427,590.80, State of South Dakota (Fees-Waste Fee) \$5,986.75, State of South Dakota (Fees-ROD) \$2,220.00; **Services:** Services (HC) \$9,906.54, Services (Redfield) \$180.00; **SDACO (M & PR Fund)** \$580.00. General Fund \$19,863.72, Road & Bridge \$896,558.64, Emergency Management, \$3,472.15. All present voted aye; motion carried.

Action 18363C: A motion was made by Kettering and seconded by Swensen to approve the September, 2018 gross payroll: **Commissioners:** \$5,469.99; **Election:** \$0.00; Auditor: \$13,954.91; **Treasurer:** \$16,457.25; **States Attorney:** \$28,686.22; **Custodian:** \$7,195.49; **Director of Equalization:** \$23,108.02; **Register of Deeds:** \$12,045.35; **Veterans Service:** \$3,355.66; **Courthouse & Safety Center:** \$6,505.19; **Sheriff:** \$69,033.78; **County Jail:** \$75,017.68; **Coroner:** \$700.00; **Juvenile:** \$261.63; **Nurse:** \$2,974.88; **Ambulance:** \$53,977.32; **WIC :** \$1,759.38; **Extension:** \$6,854.96; **Soil Conservation:** \$2,873.12; **Weed:** \$6,255.68; **Planning & Zoning:** \$8,093.44; **Road & Bridge:** \$74,720.61; **E911:** \$245.79; **OEM:** \$5,865.46; **24-7 Program:** \$3,426.75. First Dakota National Bank \$33,088.20 (Withholding), First Dakota National Bank \$51,998.38 (FICA) First Dakota National Bank \$12,160.96 (Medicare), South Dakota Retirement System \$31,954.68 (Other Employees), South Dakota Retirement System \$19,834.90 (Sheriff/OEM), South Dakota Retirement System (Spouse Opt) \$118.03, South Dakota Retirement System (Supplemental) \$3,470.45, American Family Life Assurance Company (AFLAC) \$5,816.76,

Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$503.09, Colonial Life & Accident 1,884.12, Optilegra \$507.61, Wellmark BC Health Insurance \$62,458.15, United Way of Greater Yankton \$55.00, Delta Dental \$464.00, VSP Vision \$128.14. Gross Payroll \$428,883.56, Net Payroll \$321,540.31. All present voted aye; motion carried.

Action 18364N: A motion was made by Kettering and seconded Epp to allow all full and part time county employees to receive the yearly flu shot. All present voted aye; motion carried.

County Lien: Brad Elle appeared before the board to request the county assistance lien be dismissed in the amount of \$5,582.51. Elle stated that being the personal representative of his mother's estate, he bid on the property and the lawyer at the time said there was no liens against the property. Elle said had he known about the lien some of it could have been paid by the estate. Kettering recommended contacting the first attorney to pay for it.

Action 18365C: A motion was made by Epp and seconded by Bodenstedt to waive the Lien in the amount of \$5,582.51. Epp, Bodenstedt, Swensen and Woods voting Aye; Kettering Voting Nay; Motion carried, 4-1.

Culvert: Mike Swensen from Turkey Valley appeared before the board to request the county share cost for the replacement of culvert issue. Swensen said the cost of the repair would be roughly \$52,000.00. Swensen stated they thought some FEMA dollars would be available but that has ended. He said they are replacing culvert at this time we would like the county to cover half of the cost, but anything would be helpful.

Action 18366C: A motion was made by Kettering and seconded by Epp to pay Turkey Valley Township \$15,000.00 for the purchase of the culvert. All present voted aye; motion carried.

Commissioner Swensen presented pictures of Battleship South Dakota. He also noted that October is Agent Orange Awareness Month.

Highway: Highway Superintendent Brian Gustad appeared to present the five-year Highway and Bridge Improvement Plan. Commissioner Kettering said he was disappointed in the public turnout for the public meetings.

Action 18367H: A motion was made by Kettering and seconded by Bodenstedt to approve the County Highway and Bridge Improvement Plan Resolution. Bodenstedt, Kettering, Epp and Woods voting Aye; Swensen Voting Nay; Motion carried.

Johnson Bridge: Highway Superintendent Brian Gustad reported the final recommendations prepared by Clark Engineering were submitted to (DOT) Department of Transportation Monday October 1st for approval. Gustad stated he has not heard back from the DOT or Clark

Engineering. Of the three of the bridges, Johnson Bridge has the most grant dollars which is around \$201,000. Estimated cost for the three splices would be \$50,000.00 apiece there would be enough money so the county does not have to come up with the extra dollars. Chairman Woods stated it's come to my attention that there are rumors that trucks have been utilizing the bridge. Gustad said the personnel hasn't seen any but it has been mentioned a game cam, is that something I should move forward with. Woods stated it won't hurt, my biggest concern is trucks utilizing the bridge the fine wood be astronomical in that case we would have to close the bridge. We have done everything to keep the bridge open. If there is a semi truck that drives across the bridge and a citizen sees it they have to report it to the Sheriff's office. Dale Knode said he seen two trucks and took picture of one that crossed the bridge, John Gunderson also stated he had seen truck cross the bridge. Patty Gramkow also stated the commissioners have to close the bridge. The board discussed on what day to close the bridge.

Action 17368Z: A motion was made by Kettering and seconded Bodenstedt to close Johnson Bridge Wednesday October 3rd. Bodenstedt, Kettering, Epp and Woods voting Aye; Swensen Voting Nay; only to give longer notice. Motion carried.

Maintenance: Commissioner Kettering stated he had gotten call from a county resident about drainage issue from Highway 50 to the County Highway Shop. The is maintained by the county since the highway shop has been there and it is a township road. Kettering stated we are not looking at major improvements just some culverts. He also suggested the county taking over the road since they are already maintaining it. Highway Superintendent Brian Gustad stated we are looking to applying for Agri Business grant. But to apply the county has to own the road. Mark Yonke from Yaggie's Grain & Feed and Darrell Nelson also commented on drainage issue. The board approved moving forward and getting more information and talking with the township in regards to the county taking over the road.

Action 17369Z: A motion was made by Epp and seconded by Bodenstedt to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Yard Requirement from Darrell Kortan. Variance of Minimum Yard Requirement in front yard from thirty (30) feet to twenty (20) feet in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 1, Block 7A, Kabeiseman's Addition, N1/2, NW1/4, S8-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Ike's Way, Yankton, SD. The Planning Commission recommended approval 5-1.

Action 18370Z: A motion was made by Kettering and seconded by Bodenstedt, based on Findings of Fact from the September 11, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Darrell Kortan pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance in front yard from thirty (30) feet to twenty (20) feet in a Moderate Density Rural Residential

District (R-2) in Yankton County. With the stipulation the drainage will be underground at the south end of the property and exiting Deer Boulevard ditch, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Said property is legally described as Lot 1, Block 7A, Kabeiseman's Addition, N1/2, NW1/4, S8-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Ike's Way, Yankton, SD. All present voted aye; motion carried.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Chalkstone Bluffs Vacation Property. Applicant requested a permit to operate an airbnb in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 5, Law Overlook S/D, NE1/4, S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. E911 address TBA Okie Dokie Lane, Yankton, SD. The Planning Commission recommended approval 6-0.

Action 18371Z: A motion was made by Bodenstedt and seconded by Kettering based on Findings of Fact from the September 11, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve application Chalkstone Bluffs Vacation Property to operate an airbnb in Moderate Density Rural Residential District (R-2) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Lot 5, Law Overlook S/D, NE1/4, S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. E911 address is TBA Okie Dokie Lane, SD. All present voted aye; motion carried.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Chip Horton. Applicant requested a permit for swimming pool in an Agriculture District (AG) in Yankton County. Said property is legally described as W825', SW1/4, NW1/4, exc Lot R-64, SW1/4, NW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. E911 address 30440 446th Avenue, Volin, SD. The Planning Commission recommended approval 6-0.

Action 18372Z: A motion was made by Kettering and seconded by Bodenstedt based on Findings of Fact from the September 11, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve application Chip Horton for swimming pool in an Agriculture District (AG) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as W825', SW1/4, NW1/4, exc Lot R-64, SW1/4, NW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. E911 address 30440 446th Avenue, Volin, SD. All present voted aye; motion carried.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Yard Requirement from Mary Neal. Variance of Minimum Lot Requirement from one (1) acre to .869 acre in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 6, NE1/4, S24-T95N-R56W, hereinafter

referred to as Central Township, County of Yankton, State of South Dakota. The E911 address is 30027 US Hwy 81, Utica, SD. The Planning Commission recommended approval 6-0.

Action 18373Z: A motion was made by Bodenstedt and seconded by Epp, based on Findings of Fact from the September 11, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement for Mary Neal pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance in in Yankton County. Requirement from one (1) acre to .869 acre in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 6, NE1/4, S24-T95N-R56W, hereinafter referred to as Central Township, Yankton, SD. The E911 address is 30027 US Hwy 81, Utica, SD. All present voted aye; motion carried.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Lot Requirement from Richard Bentley. Variance of Minimum Lot Requirement from one (1) acre to .865 acre in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 7, NE1/4, S24-T95N-R56W, hereinafter referred to as Central Township, County of Yankton, State of South Dakota. The E911 address is 30029 US Hwy 81, Utica, SD. The Planning Commission recommended approval 6-0.

Action 18374Z: A motion was made by Epp and seconded by Kettering, based on Findings of Fact from the September 11, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement for Richard Bentley pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance Yankton County. Requirement from one (1) acre to .865 acre in a Moderate Density Rural Residential District (R-2). Said property is legally described as Lot 7, NE1/4, S24-T95N-R56W, hereinafter referred to as Central Township, County of Yankton, State of South Dakota. The E911 address is 30029 US Hwy 81, Utica, SD. All present voted aye; motion carried.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Lot Requirement from Keith Toczek. Variance of Minimum Lot Requirement from one (1) acre to .63 acre in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Parcel 1A & Parcel 2A, Tract A, S1/2, SE1/4, NW1/4, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 197 Kniest Avenue, Yankton, SD. The Planning Commission recommended approval 6-0.

Action 18375Z: A motion was made by Bodenstedt and seconded by Kettering, based on Findings of Fact from the September 11, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement for Richard Bentley pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance Yankton County. Requirement from one (1) acre to .63 acre in a Moderate Density Rural Residential District (R-2). Said property is legally described as Parcel 1A & Parcel 2A, Tract A,

S1/2, SE1/4, NW1/4, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 197 Kniest Avenue, Yankton, SD. All present voted aye; motion carried

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Lot Requirement from Paul Hejna. Variance of Minimum Lot Requirement from five (5) acres to one +/- (1.27) acres and from five (5) acres to three +/- (3.95) acres in a Low Density Rural Residential District (R-1) in Yankton County. Said property is legally described as Lot Lots 1 thru 8, Block 1, Sherwood Acres, S14-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 146 Nottingham Lane, Yankton, SD. The Planning Commission recommended approval 6-0.

Action 18376Z: A motion was made by Epp and seconded by Bodenstedt, based on Findings of Fact from the September 11, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement for Paul Hejna pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance Yankton County. Requirement from five (5) acres to three +/- (3.95) acres in a Low Density Rural Residential District (R-1) in Yankton County. Said property is legally described as Lot Lots 1 thru 8, Block 1, Sherwood Acres, S14-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 146 Nottingham Lane, Yankton, SD. All present voted aye; motion carried

Action 18377C: A motion was made by Epp and seconded by Bodenstedt to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Action 18378Z: motion was made by Kettering and seconded by Epp to adopt the following resolution Whereas it appears, Jean Turner, Carmen Schramm, Mary Neal and Richard Bentley, owners of record, has caused a replat to be made of the following real property: Lots 1B, 4B, 6B and 7B, NE1/4, S24-T95N-R56W, hereinafter referred to as CentralTownship 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 18379Z: motion was made by Epp and seconded by Kettering to adopt the following resolution Whereas it appears, Keith Toczek, owner of record, has caused a plat to be made of the following real property: Parcel 1A, Parcel 2A, Tract A, S1/2, SE1/4, NE1/4, S13-T93N-R57W, hereinafter referred to as Ziskov South Township 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 18380Z: A motion was made by Bodenstedt and seconded by Kettering to adopt the following resolution Whereas it appears, Paul Hejna, owner of record, has caused a plat to be made of the following real property: Tract A and Tract B, Block 1, Sherwood Acres, S1/2, SW1/4, S11-T93-R57W, hereinafter referred to as Ziskov south Township 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 18381Z: A motion was made by Bodenstedt and seconded by Epp to adopt the following resolution Whereas it appears, Crestview Homes Subdivision, owner of record, has caused a plat to be made of the following real property: Lot 69 NE Corner, S21-T93N-R56W , hereinafter referred to as Utica South Township 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.

With the presenter request a 45 minute and with request unavailable Chairman Woods stated there will be no public comment, Mr. Jones will be allowed 5 minutes on his presentation and then the commissioners will have 5 minutes to ask questions. If a full presentation is requested we can have stand alone meeting for public comment and both sides of the issue.

CAFO'S: David Johnson from, state senator from Ocheyedan, IA, gave a brief presentation on negative environmental effects CAFO'S have had in Iowa. Johnson had asked to do a 45-minute presentation. Chairman Woods stated Johnson could have five minutes to do his presentation and commissioners would be given five minutes to ask questions of Johnson, Woods said there will be no public comments at this time, but a stand-alone meeting count be scheduled in the future for the full presentation and sufficient time for public comment representing both sides of the issue.

Public Comment: The board discussed commissioner Swensen's request to have the public comment portion at the beginning of the meeting.

Action 18382C: A motion was made by Swensen to place the Public Comment item at the beginning of the meeting. Due to lack of second, motion failed.

The board discussed moving forward with process of hiring Personnel Manager for Yankton County. Nancy Wenande of Yankton Area Progressive growth suggested since the county is looking for an HR professional, they should collaborate with other entities to see if the process could be made more effective using those additional resources.

During Public Comment, Kristi Schultz said the Board should have allowed David Johnson to give his entire 45-minute presentation about CAFOs.

Action 18383C: A motion was made by Kettering and seconded by Swensen to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, October 16, 2018.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor