

YANKTON COUNTY COMMISSION MEETING
January 3, 2017

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Tuesday, January 3, 2017.

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

Action 1701C: A motion was made by Bodenstedt and seconded by Epp to set the meeting agenda with the following additions: Department evaluations, an email commissioner Woods received and a recognition. All present voted aye; motion carried. All present voted aye; motion carried.

Action 1702C: A motion was made by Kettering and seconded by Freng to approve the minutes of the December 20, 2016. All present voted aye; motion carried.

Action 1703C: A motion was made by Epp and seconded by Bodenstedt to approve the December, 2016 gross Payroll: **Commissioners:** \$5,257.57; **Auditor:** \$12,951.98; **Treasurer:** \$15,126.63; **States Attorney:** \$24,228.79; **Custodian:** \$3,970.67; **Director of Equalization:** \$22,645.06; **Register of Deeds:** \$11,422.56; **Veterans Service:** \$2,160.00; **Courthouse & Safety Center:** \$7,000.59; **Sheriff:** \$60,877.54; **County Jail:** \$62,383.00; **Coroner:** \$800.00; **Juvenile:** 55.00; **Nurse:** \$2,868.37; **Ambulance:** \$51,591.17; **WIC :** \$1,462.71; **Extension:** \$6,842.65; **Soil Conservation:** \$2,697.26; **Weed:** \$1,064.46; **Planning & Zoning:** \$7,484.93; **Road & Bridge:** \$66,452.74; **E911:** \$26.25; **OEM:** \$5,195.71; **24-7 Program:** \$3,388.75. South Dakota Retirement System \$28,092.20 (Other Employees), South Dakota Retirement System \$17,425.04 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$106.56, South Dakota Retirement System (Supplemental) \$3,450.00, American Family Life Assurance Company (AFLAC) \$4,362.22, Legalshield \$25.90, Office of Child Support \$1,007.00, Nationwide Retirement Solutions \$69.44, First Dakota National Bank \$34,489.86 (Withholding), First Dakota National Bank \$45,937.60 (FICA) First Dakota National Bank \$10,743.48 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,673.86, Avera Health Plans \$58,816.61, Optilegra \$628.16. Gross Payroll \$377,022.55, Net Payroll \$278,816.26.

Action 1704C: A motion was made by Kettering and seconded Epp by to approve the following claims: **Non-Departmental:** Ambulance (Refund) \$52.27; **Commissioners:** River Rat Productions (Professional Services) \$650.00, SD Association of County Commissioners (2016 Dues) \$3,866.00, SD Association of County Commissioners (Travel) \$28.12; **Elections:** Qualified Presort Services LLC (Supplies) \$23.77; **Court:** Avera Sacred Heart Hospital (Lab) \$23.88, Knecht Robinson Law, Inc. (Legal Assistance) \$1,304.66, Fox & Youngberg, PC (Legal Assistance) \$15,000.00, Hy-Vee (Supplies) \$40.99, Harmelink, Fox & Ravensborg, Law Office (Legal Assistance) \$17,810.06, Horn Law Office LLC (Legal Assistance) \$2,148.20, KCH Law (Legal Assistance) \$276.94, Lewis & Clark Specialty Hospital (Professional Services) \$885.00, Dean Schaefer (Professional Services) \$495.00; **Auditor:**

McLeod's Printing & Office Supplies (Supplies) \$205.80, Matt/Parrott/Storey Kenworthy (Supplies) \$270.25, Qualified Presort Service LLC (Supplies) \$199.55, SD Association of County Commissioners (Travel) \$28.12, SDACO (Travel) \$698.56, One Office Solution (Supplies) \$169.99; **Treasurer:** Qualified Presort Services LLC (Supplies) \$82.75; SD Association of County Commissioners (Travel) \$28.12, SDACO (Travel) \$698.55; **Data:** Leaf (Rentals) \$104.96; **States Attorney:** Charles Mix County Sheriff (Professional Services) \$66.00; **Government Center:** City of Yankton (Utilities) \$1,765.26, Johnson Electric Co. (Professional Services) \$1,785.72, Northwestern Energy (Utilities) \$2,190.93, Nebraska Air Filter, Inc. (Supplies) \$88.37, Olson's Pest Technicians (Maintenance) \$75.00, Top Notch Window Cleaning (Maintenance) \$400.00; **Director of Equalization:** Pictometry (Professional Services) \$2,200.00, Qualified Presort Services LLC (Supplies) \$60.60, SD Association of County Commissioners (Travel) \$28.12, One Office Solution (Supplies) \$192.77; **Register of Deeds:** Qualified Presort Services LLC (Supplies) \$47.32, SD Association of County Commissioners (Travel) \$28.12, SDACO (Travel) \$698.55; **VA:** Qualified Presort Services LLC (Supplies) \$5.49, SD Association of County Commissioners (Travel) \$28.12; **Safety Center Building:** Vast Business (Utilities) \$ 826.21, City of Yankton (Utilities) \$406.86, Cole Papers, Inc. (Supplies) \$275.00, Johnson Controls, Inc. (Maintenance) \$156.90, Menards (Supplies) \$73.16, MidAmerican Energy (Utilities) \$3,136.87, Northwestern Energy (Utilities) \$6,813.03; **Sheriff:** Fox Run Quik Lube (Maintenance) \$52.99, John's Service (Maintenance) \$318.61, Northtown Automotive (Maintenance) \$103.05, SD Association of County Commissioners (Travel) \$28.12, Jerold Sorbel (Fuel) \$12.36; **Jail:** AMG Radiology Yankton (Professional Services) \$90.00, CBM Management (Food Services) \$6,112.29, Hy-Vee (Professional Services) \$65.84, Lewis & Clark Specialty Hospital (Professional Services) \$1,125.00, Physicians Laboratory, LTD (Professional Services) \$526.00, Siouxland Oral & Maxillofacial Surgery (Professional Services) \$1,478.00, Jerald Sorbel (Auto Expense) \$11.99; **Coroner:** SD Association of County Commissioners (Travel) \$28.12; **Care of Poor:** Opsahl-Kostel Funeral Home (Professional Services) \$1,250.00, Qualified Presort Services LLC (Supplies) \$137.40, SD Association of County Commissioners (Travel) \$28.13; **Public Health Nurse:** Qualified Presort Services LLC (Supplies) \$28.52, SD Association of County Commissioners (Travel) \$28.13; **Ambulance:** Sacred Heart Health Services (Professional Service) \$1,500.00, AT & T (Utilities) \$35.10, Century Business Products (Rental) \$36.40, City of Yankton (Utilities) \$130.61, Cole Papers, Inc. (Supplies) \$80.39, Credit Collection Services, Inc. (Professional Services) \$157.05, Hedahls, Inc. (Supplies) \$21.42, MidAmerican Energy (Utilities) \$569.54, Northwestern Energy (Utilities) \$928.83, Northtown Automotive (Supplies) \$53.04, Olson's Pest Technicians (Maintenance) \$69.50, Roger's Family Pharmacy (Supplies) \$97.40, SD Association of County Commissioners (Travel) \$28.13; **Mental Illness Board:** Denise M. Cody (Hearings) \$37.50, Mark Katterhagen (Hearings) \$112.50, Lincoln County Treasurer (Hearings) \$896.99, Lucille M. Lewno (Hearings) \$1,398.72, Gary E. Mikelson (Hearings) \$792.00, Karen A. Swanda (Hearings) \$75.00; **County Extension:** Buhl's Cleaners (Supplies) \$18.91, City of Yankton (Utilities) \$53.75, MidAmerican Energy (Utilities) \$112.58, SD Association of County Commissioners (Travel) \$28.13, SDSU Extension (Other) \$20.07, One Office Solution (Supplies) \$205.62; **Weed:** SD Association of County Commissioners (Travel) \$28.13; **Planning & Zoning:** Pat Garrity (Travel) \$50.00, 3-D Specialties, Inc. (E911 Signs) \$27.86, Qualified Presort Services LLC (Supplies) \$9.93, SD Association of

County Commissioners (Travel) \$28.13; **Road & Bridge:** Kopetsky's Ace Hardware (Supplies) \$1.88, Karla Bossman (Supplies) \$54.76, Bomgaars (Supplies) \$221.87, Butler Machinery Co. (Maintenance) \$2,569.40, Butler Machinery Co. (Supplies) \$207.00, North Central Rental & Leasing (Rentals) \$3,500.00, Boyer Trucks (Supplies) \$288.96, Rockmount Research & Alloys (Supplies) \$1,035.30, City of Yankton (Utilities) \$88.49, Cox Auto Supply, Inc. (Supplies) \$243.45, Century Link (Utilities) \$55.57, Ehresmann Engineering, Inc. (Supplies) \$5.32, Fleetwood Truck & Trailer Parts (Supplies) \$240.79, Fastenal Industrial & Construction Supply (Supplies) \$107.11, Hedahls, Inc. (Supplies) \$134.24, I State Truck Center (Supplies) \$4.04, Kimball Midwest (Supplies) \$929.46, Midwest Stripping (Supplies) \$1,344.96, Menards (Supplies) \$4.98, Midwest Radiator & Exhaust (Supplies) \$332.20, Newman Traffic Signs (Supplies) \$1,879.32, Overhead Door Company of Sioux City, Inc. (Supplies) \$40.00, Riverside Hydraulics & Labs (Supplies) \$199.79, Stern Oil Co. (Professional Services) \$6.00, Stern Oil Co. (Supplies) \$4,157.18, SD Association of County Commissioners (Travel) \$28.13, Syd's Eastside Auto (Supplies) \$35.00, SD Department of Transportation (Supplies) \$19,288.78, Sioux Falls Two Way Radio Service, Inc. (Maintenance) \$37.50, Shurco (Supplies) \$172.79, Truck Trailer Sales Service, Inc. (Supplies) \$78.55, One Office Solution (Supplies) \$88.46; **Emergency 911 Fund:** Century Link (Utilities) \$1,260.85, Justice Fire & Safety (Maintenance) \$204.00; **Emergency Management:** JW Fishers Mfg., Inc. (Assessment Assistant Grant) \$41,358.00, Echo Electric (Supplies) \$350.00, Echo Electric (Maintenance) \$350.00, Echo Electric (Maintenance) \$501.00, Echo Electric (Minor Equipment) \$56.00, MidAmerican Energy (Utilities) \$25.91, Qualified Presort Services LLC (Supplies) \$10.35, Racom Corporation (Utilities) \$33.45, SD Association of County Commissioners (Travel) \$28.13; **24/7 Program:** Redwood Toxicology Laboratory, Inc. (Supplies) \$35.00; **County Law Library:** West Payment Center (Supplies) \$822.11; **South Dakota State Treasurer:** Services (HC) \$7,718.06, Services (Redfield) \$180.00; **South Dakota State Treasurer:** Fees (Motor Vehicle) \$297,227.30, Fees (Waste Fees) \$4,979.75, Fees (ROD) \$2,730.00; **SDACO** (M & PR Fund) \$548.00. Total General Fund \$85,904.72, Road & Bridge \$37,381.27, Emergency Management \$42,712.84.

RESOLUTION OF APPRECIATION

THIS RESOLUTION recognizes the service of County Commissioner Donna R. Freng.

WHEREAS, Donna R. Freng began her service on the Yankton County Board of Commissioners on March 20, 2007; and

WHEREAS, Donna Freng chose not to seek reelection in 2016; and

WHEREAS, Donna Freng concludes her service to the Commission on Jan. 3, 2017; and

WHEREAS, Donna Freng is a hard-working, straight-forward, common-sense county commissioner who has performed her duties in a professional and responsible manner; and

WHEREAS, Donna Freng is a champion of rural concerns who has also worked to keep Yankton County growing in a progressive direction; and

WHEREAS, Donna Freng shared her carpentry expertise when construction and maintenance issues arose, and served as Yankton County physical plant supervisor; and

WHEREAS, Donna Freng has represented Yankton County on many boards and committees, including the Extension Board, Library Board, Weed Board, Ditch Board, Joint

Powers Board, Senior Center Board, E911 Committee, Safety Center Committee, Chamber Government Affairs Committee, and others; and

WHEREAS, Donna Freng was a commission liaison to the Yankton County Planning Commission, Community Health Nurse, and Yankton County Historical Society; and

WHEREAS, Yankton County voters elected Donna Freng to represent their best interests on the county commission in the general elections of 2008 and 2012; and

WHEREAS, Donna Freng has devoted 10 years of her life to the Yankton County Board of Commissioners; and

WHEREAS, the Yankton County Commission wishes to thank and formally recognize Donna Freng for her decade of dedicated service to Yankton County.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners that we honor Donna R. Freng on the conclusion of her 10 years on the Yankton County Commission; express our gratitude and appreciation for Donna's faithful service to Yankton County; and extend to her our best wishes for a long, happy and rewarding future.

Todd B. Woods, *Chairman, Yankton County Board of Commissioners*

Chairman Woods, read the above resolution and thanked Commissioner Freng for her service to Yankton County and presented her with a framed copy of the resolution.

The Chairman called for any old business to be brought before the Board. There being none, the States Attorney gave the Oath of Office to Don Kettering and Gary Swensen.

Action 1705C: A motion was made by Epp and seconded by Freng to adjourn sine die. All present voted aye; motion carried.

The Auditor called for nominations from the floor for Chairperson of the County Commission for the year 2017.

Commissioner Woods nominated Don Kettering for chairman.

Action 1706C: A motion was made by Bodenstedt and seconded by Woods that nominations cease and Kettering be nominated Chairman. All present voted aye; motion carried.

Action 1707C: A motion was made by Epp and seconded by Bodenstedt to nominate Todd Woods as Vice Chairman. All present voted aye; motion carried.

Action 1708C: A motion was made by Bodenstedt and seconded by Woods that nominations cease. All present voted aye; motion carried.

Action 1709C: A motion was made by Woods and seconded by Bodenstedt to name [Yankton Daily Press & Dakotan](#) and the Yankton County [Observer](#) as official newspapers for the County. All present voted aye; motion carried.

Action 1710C: A motion was made by Bodenstedt and seconded by Epp to [designate the following](#) Vote Centers. All present voted aye; motion carried.

YANKTON CITY HALL – 416 WALNUT STREET, YANKTON
NATIONAL FIELD ARCHERY ASSOCIATION – 800 ARCHERY LN, YANKTON
JODEANS STEAKHOUSE & LOUNGE – 2809 BROADWAY AVENUE, YANKTON
GAYVILLE COMMUNITY CENTER ~ 404 WASHINGTON STREET, GAYVILLE
MAYFIELD STORE~ 44398 SD HWY 46, IRENE
LESTERVILLE FIRE HALL ~ LESTERVILLE
LEWIS & CLARK RECREATION AREA ~ 43349 SD HWY 52, YANKTON

Action 1711C: A motion was made by Epp and seconded by Bodenstedt to approve the following resolution. All present voted aye; motion carried.

RESOLUTION 17-1

WHEREAS, it will be necessary to appoint election officials in 2017 and
WHEREAS, pursuant to SDCL 12-15-11, the fee paid to election officials shall be established Annually by the board of county commissioners at its first regular meeting of the year; now, Therefore, be it.
Resolved by The Yankton County Board of Commissioners that for the 2017, election officials shall be paid as follows:

Vote Center Superintendent	\$150.00
Vote Center Deputy	\$135.00
Absentee Board	\$100.00
Vote Centers Rental	\$75.00

APPROVED BY THE COMMISSION: January 3, 2017
Yankton County Chairman, Don Kettering /s/
ATTEST: Patty Hojem, Yankton County Auditor /s/

Action 1712C: A motion was made by Woods and seconded by Bodenstedt to adopt the 2017 calendar as distributed. All present voted aye; motion carried.

Committee appointments will be discussed at the January 17th commission meeting.

Action 1713Z: 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 Lot Requirement application from Chris Frick. Variance of Minimum Lot Requirement from twenty (20) acres to nine +/- (9.38) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as NE1/4 exc 60.92 A, E/RD, exc Novak Addition, SE1/4, SW1/4, N1/2, SW1/4, & W 100 A., SE1/4, exc Lots A & B, S17-T94N-R55W,

hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is TBD 306th Street, Yankton, SD. The Planning Commission recommended approval 10-0.

Action 1714Z: A motion was made by Bodenstedt and seconded by Woods, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Variance for Chris Frick, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from twenty (20) acres to nine +/- (9.38) acres in an Agriculture District (AG)) in Yankton County. Said property is legally described as NE1/4 exc 60.92 A, E/RD, exc Novak Addition, SE1/4, SW1/4, N1/2, SW1/4, & W 10 A., SE1/4, exc Lots A & B, S17-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is TBD 306th Street, 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 application from Darlene Jensen. Variance of Minimum Lot Requirement from twenty (20) acres to one (1) acre and from twenty (20) acres to two +/- (2.20) in a Rural Transitional District (RT) in Yankton County. Said property is legally described as Lot A, exc Tracts 1-4, DJ's Addition & E 558', Lot B, S16-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 511 Eastside Drive, Yankton, SD. The Planning Commission recommended approval 10-0.

Action 1715Z: A motion was made by Epp and seconded by Bodenstedt, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Darlene Jensen, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from twenty (20) acres to one (1) acre and from twenty (20) acres to two +/- (2.20) in a Rural Transitional District (RT) in Yankton County. Said property is legally described as Lot A, exc Tracts 1-4, DJ's Addition & E 558', Lot B, S16-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 is address is 511 Eastside Drive, 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 Elton Wek. Applicant requested a permit to provide Temporary Construction Services in a Commercial District (C) in Yankton County. Said property is legally described as E 706.33', SW1/4 exc N 332' & exc S 86' & exc Lot A & exc Lots 4 & 5, Lynsay's Addition, S10-T93N-R55W, hereinafter referred to as Mission Hill south Township, County of Yankton, State of South Dakota. E911 address 1501 Wek Road, Yankton, SD. The Planning Commission recommended approval 10-0.

Action 1716Z: A motion was made by Swensen and seconded by Bodenstedt to approve a Conditional Use Permit, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to

provide Temporary Construction Services in a Commercial District (C) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as E 706.33', SW1/4 exc N 332' & exc S 86' & exc Lot A & exc Lots 4 & 5, Lynsay's Addition, S10-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. E911 address is 1501 Wek Road, 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 Maximum Accessory Structure application from James Ryken. Variance of Minimum Lot Requirement from twenty (20) acres to three +/- (3.77) acres in an Agriculture District (AG) Yankton County. Said property is legally described as N1/2, NE1/4 & NE1/4, NW1/4, S26-T93N,R54W, hereinafter referred to as Gayville Township, County of Yankton, State of South Dakota. The E911 address is 31321 451st Avenue, Gayville, SD. The Planning Commission recommended approval 10-0.

Action 1717Z: A motion was made by Epp and seconded by Bodenstedt, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement for James Ryken, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from twenty (20) acres to three +/- (3.77) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as N1/2, NE1/4 & NE1/4, NW1/4, S26-T93-R54W, hereinafter referred to as Gayville Township, County of Yankton, State of South Dakota. The E911 address is 31321 451st Avenue, Gayville, 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 application from Jeff Gudahl. Variance of Minimum Lot Requirement from one (1) acre to .5 +/- (.467) acre in a Moderate Density rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 9, Block 2, Woodland Estates, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 181 Kniest Avenue, SD, Yankton, SD. The Planning Commission recommended approval 9-0.

Action 1718Z: A motion was made by Woods and seconded by Bodenstedt, based on Findings of Fact from the November 9, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Jeff Gudahl, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from one (1) acre to .5 +/- (.467) acre in a Moderate Density rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 9, Block 2, Woodland Estates, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 is address 181 Kniest Avenue, Yankton, SD. All present voted aye; motion carried.

Representatives from South Dakota Network, LLC appeared to explain the installation of the fiber optic cable and three cell towers. There were also lake area residents who voiced concerns about the cell towers.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from South Dakota Network, LLC. Applicant requested a permit to locate a fifty (50) foot monopole telecommunications tower in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as SD Hwy 52 Right of Way (ROW) & Yankton Rural Fire Station Right of Way (ROW), S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. E911 address is not applicable. The Planning Commission recommended approval 10-0.

Action 1719Z: A motion was made by Woods and seconded by Bodenstedt to approve a Conditional Use Permit, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, for South Dakota Network, LLC. to locate a fifty (50) foot monopole telecommunications tower in a 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 SD Hwy 52 Right of Way (ROW) & Yankton Rural Fire Station Right of Way (ROW), S18-T93N-R56W, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. E911 address is not applicable. Woods, Epp, Bodenstedt and Kettering voting Aye; Swensen Voting Nay; Motion carried.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from South Dakota Network, LLC . Applicant requested a permit to locate a thirty-two (32) foot monopole telecommunications tower in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as SD Hwy 52 Right of Way (ROW) & Kniest Avenue Right of Way (ROW), S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. E911 address is not applicable. The Planning Commission recommended approval 10-0.

Action 1720Z: A motion was made by Epp and seconded by Swensen to approve a Conditional Use Permit, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, for South Dakota Network, LLC. to locate a thirty-two (32) foot monopole telecommunications tower in a 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 SD Hwy 52 Right of Way (ROW) & Kniest Avenue Right of Way (ROW), S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. E911 address is not applicable. Woods, Epp, Swensen and Kettering voting Aye; Bodenstedt Voting Nay; Motion carried.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from South Dakota Network, LLC. Applicant requested a permit to locate a fifty (50) foot monopole telecommunications tower in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as SD Hwy 52 Right of Way (ROW) & Russell Road Right of Way (ROW), S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. E911 address is not applicable. The Planning Commission recommended approval 10-0.

Action 1721Z: A motion was made by Woods and seconded by Epp to approve a Conditional Use Permit on the condition J. Brady approves the location, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, for South Dakota Network, LLC. to locate a fifty (50) foot monopole telecommunications tower in a 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 SD Hwy 52 Right of Way (ROW) & Russell Road Right of Way (ROW), S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. E911 address is no applicable. Roll call vote was taken with Woods, Epp, and Kettering voting Aye; Bodenstedt and Swensen Voting Nay; Motion carried.

Action 1722C: A motion was made by Epp and seconded by Woods to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Action 1723A motion was made by Epp and seconded by Bodenstedt to adopt the following resolution Whereas it appears, Chris Frick owner of record, has caused a plat to be made of the following real property: Lot 1, J & C Addition, SW1/4, SE1/4 S17-T94N-R55W, hereinafter referred to as Mission Hill North Township County of Yankton, S.D., and has submitted such replat 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 1724Z: A motion was made by Bodenstedt and seconded by Woods to adopt the following resolution: Whereas it appears, Darlene Jensen owner of record, has caused a plat to be made of the following real property: Tract 5, DJ's Addition, Lot A & Tract 6, DJ's Addition, Lot B, S16-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, S.D., and has submitted such replat 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 1725Z: A motion was made by Epp and seconded by Swensen to adopt the following resolution: Whereas it appears James Ryken, owner of record, has caused a plat to be made of the following real property: Tract 1, Helen Ryken Addition S26-T93N-R54W, hereinafter referred to as Gayville 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 1726Z: A motion was made by Woods and seconded by Bodenstedt to adopt the following resolution: Whereas it appears, Jeff Gudahl, owner of record, has caused a plat to be made of the following real property: Lot 8, Block 2, Woodland Estates, E1/2 S13-T93N-R57W, hereinafter referred to as Gayville Township, County of Yankton, S.D., and has submitted such replat 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.

Zoning: Zoning Administrator Pat Garrity presented to the commissioners names of the seven applicants applying for the open spot on the planning board. The board appointed Zane Williams to the open seat on the planning commission.

Action 1727H: A motion was made by Epp and seconded by Woods to approve Right of Way requests for East River Electric Power Coop, Inc. in township 94-56. All present voted aye; motion carried.

2017 Bridge Grant Funds: Highway Superintendent Brian Gustad appeared before the board to inform the board that the five-year County Highway and Bridge Improvement Plan was approved by the Department of Transportation and to present the 2017 bridge improvement grants.

Action 1728H: A motion was made by Bodenstedt and seconded by Swensen to approve the bridge grant application for bridge #68-076-048. All present voted aye; motion carried.

Action 1729H: A motion was made by Bodenstedt and seconded by Woods to approve the bridge grant application for bridge 68-134-120. All present voted aye; motion carried.

Action 1730H: A motion was made by Bodenstedt and seconded by Epp to approve the bridge grant application for bridge 68-030-018. All present voted aye; motion carried.

Evaluations: Commissioner Wood stated he would like to have the performance evaluations he previously sent out returned to him by January 15th, so as to meet with the non-elected department heads by the end of the month.

Commissioner Woods was contacted by United Way to invite the board to attend Spark Connections for Community open house on January 6, at 8:30 am. The topic will be safe and affordable housing in the community.

Action 1731C: A motion was made by Epp and seconded by Bodenstedt to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, January 17, 2017.

Don Kettering, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, Auditor