

YANKTON COUNTY COMMISSION MEETING
July 17, 2018

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Tuesday, July 17, 2018.

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

There were no conflicts of interest reported by Commissioners.

Chairman Woods made a statement that at the time of Board of Adjustment he would ask the States Attorney's office if there was a conflict of interest since his property is within the range of the applicant's property.

Action 18251C: A motion was made by Epp and seconded by Kettering to approve the meeting agenda. All present voted aye; motion carried.

Action 18252C: A motion was made by Kettering and seconded by Bodenstedt to approve the minutes of the July 3, 2018 meeting. All present voted aye; motion carried.

Action 18253C: A motion was made by Kettering and seconded by Bodenstedt to approve the minutes of the July 11, 2018 meeting. All present voted aye; motion carried.

Action 18254C: A motion was made by Bodenstedt and seconded by Epp to approve the following claims: **Commissioners:** Debra Bodenstedt (Travel) \$46.20, First Bankcard (Travel) \$100.00, Donald Kettering (Travel) \$176.40, Yankton County Observer (Publishing) \$357.15, Yankton Daily P & D (Publishing) \$475.07; **Elections:** BPRO, Inc. (IT Election Day Support) \$10,100.00, Miller Consulting LLC (Maintenance) \$150.00, Yankton County Observer (Publishing) \$196.31, Qualified Presort Services LLC (Supplies) \$27.09, Yankton Daily P & D (Publishing) \$30.03; **Court:** Avera Sacred Heart Hospital (Professional Services) \$792.00, Witness Fees (1 @ \$500.00) \$500.00, Taladega County Sheriff (Professional Services) \$100.00, Great Plains Psychological Services (Professional Services) \$4,172.50, Horn Law Office LLC (Professional Services) \$2,732.80, South Dakota Department of Health (Lab) \$1,090.00, West Payment Center (Supplies) \$1,028.74; **Auditor:** Culligan Water (Supplies) \$6.50, First Bankcard (Kansas State Bank (Lease Agreement) \$501.83, Leaf (Rental) \$380.49, Quality Presort Services LLC (Supplies) \$154.94, Security Shredding Service (Maintenance) \$35.00, One Office Solution (Supplies) \$18.13, One Office Solution (Maintenance) \$108.74; **Treasurer:** Kansas State Bank (Lease Agreement) \$692.24, Qualified Presort Services, LLC (Supplies) \$156.73, Security

Shredding Service (Maintenance) \$35.00; **Data Processing:** First Bankcard (Maintenance) \$48.76, Kansas State Bank (Lease Agreement) \$4,648.75, Miller Consulting LLC (Maintenance) \$56.25; **States Attorney:** Culligan Water (Supplies) \$6.50, Erich Johnke (Travel) \$342.52, Kansas State Bank (Lease Agreement) \$1,190.30, Qualified Presort Services LLC (Supplies) \$74.07; **Government Building:** Kopetsky's Ace Hardware (Supplies) \$7.20, Echo Electric (Supplies) \$83.16, First Bankcard (Supplies) \$65.82, Janssen's Garbage Service (Utilities) \$240.00, JCL Solutions (Supplies) \$950.37, Menards (Supplies) \$32.13, MidAmerican Energy (Utilities) \$253.72, Olson's Pest Technicians (Maintenance) \$79.00; **Director of Equalization:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$423.73, First Bankcard (Travel) \$325.00, First Bankcard (Supplies) \$10.62, Kansas State Bank (Lease Agreement) \$817.20, Microfilm Imaging Systems, Inc. (Maintenance) \$70.00, Security Shredding Service (Maintenance) \$35.00; **Register of Deeds:** Kansas State Bank (Lease Agreement) \$654.47, Microfilm Imaging System (Rentals) \$336.00, Qualified Presort Services, Inc. (Maintenance) \$23.17, One Office Solution (Maintenance) \$10.12; **VA:** Kansas State Bank (Lease Agreement) \$150.88, Michael McDonald (Travel) \$104.58, Qualified Presort Services LLC (Supplies) \$5,50; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$64.57, Electair (Maintenance) \$448.95, First Bankcard (Supplies) \$305.11, Johnson Controls, Inc. (Maintenance) \$2,193.00, Menards (Supplies) \$46.14, MidAmerican Energy (Utilities) \$627.02, Olson's Pest Technicians (Maintenance) \$125.00; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$49.95, Vast Business (Utilities) \$111.00, Darren Moser (Fuel) \$65.30, Culligan Water (Supplies) \$13.58, Fox Run Quik Lube (Maintenance) \$57.49, Jacks Uniforms & Equipment (Uniforms) \$73.94, Jacks Uniforms & Equipment Law Enforcement Equipment) \$54.94, Northtown Automotive (Maintenance) \$177.17, Qualified Presort Services, Inc. (Maintenance Contract) \$248.90, Sioux Falls Two Way Radio Service, Inc. (Auto Equipment) \$125.00, Walmart Community/GEMB (Law Enforcement Equipment) \$39.97, Walmart Community/GEMB (Other) \$29.84, One Office Solution (Supplies) \$29.00, One Office Solution (Maintenance Contract) \$71.78; **County Jail:** Kopetsky's Ace Hardware (Supplies) \$134.99, Bob Barker Company, Inc. (Supplies) \$316.00, CBM Food Service (Food Services) \$11,545.59, EZ DUZ It Laundry (Supplies) \$74.10, JCL Solutions (Supplies) \$1,737.34, Menards (Supplies) \$161.54, Correctional Risk Services (Inmate Liability Insurance) \$1,097.00, Top Quality Glove (Supplies) \$455.00, One Office Solution (Maintenance Contract) \$47.61, Yankton Drug Co., Inc. (Professional Services) \$2,601.84; **Juvenile Detention:** Minnehaha County Regional Detention Center (Rentals) \$448.80; **Yankton Area Search & Rescue:** Kopetsky's Ace Hardware (Supplies) \$273.90; **Care of Poor:** Avera Sacred Heart Hospital (Services) \$1,336.83, Kansas State Bank (Lease Agreement) \$489,96, Qualified Presort Services LLC (Supplies) \$79.12; **Public Health Nurse:** TIAA Commercial Finance (Rental) \$70.96, Shannon R. Pavel (Supplies) \$3.94, Qualified Presort Services LLC (Supplies) \$60.18; **Ambulance:** Kopetsky's Ace Hardware

(Supplies) \$46.88, AT & T (Utilities) \$36.30, Arrow International (Supplies) \$1,330.00, Channing Bete Co., Inc. (Supplies) \$174.71, ESO Solutions, Inc. (Maintenance) \$5,764.50, Bound Tree Medical, LLC (Supplies) \$1,869.68, Cintas (Supplies) \$61.36, Berkley Motors (Maintenance) \$425.00, Thompson Signs LLC dba Mayer Signs (Supplies) \$725.00, First Bankcard (Supplies) \$1,077.58, First Bankcard (Travel) \$279.00, Graham Tire Yankton (Maintenance) \$373.36, Janssen's Garbage Service (Utilities) \$300.00, Kansas State Bank (Lease Agreement) \$1,208.18, Miller Consulting LLC (Maintenance) \$37.50, Matheson Tri-Gas, Inc. (Rentals) \$65.70, Menards (Supplies) \$169.15, Physio-Control, Inc. (Maintenance Agreement) \$11,662.20, South Dakota Department of Labor (Salary) \$702.00, Tire Muffler Alignment (Maintenance) \$585.82, One Office Solution (Supplies) \$16.90, Yankton Medical Clinic (Professional Services) \$129.00; **Mental Health Centers:** Ability Building Services, Inc. (Second Half 2018 Budget Allotment) \$11,192.50; **Mental Illness Board:** Darcy Lockwood (Hearings) \$52.50, Kerri Cook-Huber (Hearings) \$100.00, Dana Larson (Hearings) \$75.00, Mark Katterhagen (Hearings) \$52.50, Lewis & Clark Behavioral Health Services (Hearings) \$1,440.00, Lincoln County Treasurer (Hearings) \$1,285.25, Lucille M. Lewno (Hearings) \$347.91, Gary E. Mikelson (Hearings) \$1,783.00, South Dakota Achieve dba Lifescape (Care) \$180.00, Dean Schaefer (Hearings) \$666.00; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$132.14, Buhl's Cleaners (Supplies) \$37.82, FP Mailing Solutions (Other) \$105.00, Katy Doty (Travel) \$33.60, Katy Doty (Supplies) \$7.00, First Bankcard (Supplies) \$50.00, Kansas State Bank (Lease Agreement) \$438.78, Leaf (Rental) \$176.40, Northwestern Energy (Utilities) \$441.25, National 4-H Council Supply Company (Other) \$138.81, South Dakota State 4-H Office (2018 SD State Fair Passes) \$100.00, SDSU Extension (Travel) \$69.50, One Office Solution (Supplies) \$71.93, Yankton County Leaders Association (Ground Maintenance) \$1,268.40, Yankton Fire & Safety Company (Maintenance) \$30.00; **Weed:** Bomgaars (Supplies) \$47.96, C & R Supply, Inc. (Auto Equipment) \$13,625.19, First Bankcard (Supplies) \$59.45, Yankton County Observer (Publishing) \$485.00, One Office Solution (Supplies) \$20.53; **Planning & Zoning:** First Bankcard (Supplies) \$44.90, Kansas State Bank (Lease Agreement) \$495.85, Qualified Presort Services, LLC (Supplies) \$10.03, One Office Solution (Maintenance) \$25.22, Yankton Daily P & D (Publishing) \$218.24; **Road & Bridge:** Appeara (Supplies) \$103.06, Sioux Falls Crane & Hoist, Inc. (Maintenance) \$460.00, Karla Bossman (Travel) \$54.96, Karla Bossman (Supplies) \$11.99, B-Y Electric (Utilities) \$70.03, B-Y Water District (Utilities) \$88.00, Bierschbach Equipment, Inc. (Supplies) \$-36.20, Bierschbach Equipment, Inc. (Other) \$77.00, Battery Exchange (Supplies) \$108.95, Butler Machinery Co. (Rental) \$4,197.44, Butler Machinery Co. (Supplies), Butler Machinery Co. (Supplies) \$1,401.94, Boyer Trucks (Supplies) \$44.56, Country Pride Coop (Hwy Fuel) \$19,810.50, Best Western Ramkota Hotel (Travel) \$242.00, City of Yankton (Utilities) \$181.93, Cox Auto Supply, Inc. (Supplies) \$263.15, Concrete Materials (Annual Projects) \$20,775.93, Clark Engineering, Inc. (Bridges) \$5,596.12, Snap

On Tools (Supplies) \$253.00, Dakota Riggers (Supplies) \$165.72, Direct TV (Utilities) \$93.49, DriveLine Services (Supplies) \$1,073.34, Ehresmann Engineering, Inc. (Supplies) \$19.46, Filter Care of Nebraska (Maintenance) \$339.45, First Bankcard (Asphalt Road) \$603.13, First Bankcard (Supplies) \$221.23, First Bankcard (Travel) \$24.70, I State Truck Center (Supplies) \$145.87, Janssen's Garbage Service (Utilities) \$45.00, Kaiser Heating & Cooling (Maintenance) \$90.00, Kimball Midwest (Supplies) \$127.57, Kansas State Bank (Lease Agreement) \$250.92, Mead Lumber (Annual Projects) \$67.66, Northwestern Energy (Utilities) \$709.13, Yankton County Observer (Publishing) \$135.00, O'Reilly Auto Parts (Supplies) \$179.22, Road King, Inc. (Supplies) \$48.22, Riverside Hydraulics & Labs (Supplies) \$89.81, South Dakota Department of Transportation (Professional Services) \$5,728.21, Sioux Equipment Co. (Maintenance) \$349.90, Slowey Construction, Inc. (Emergencies) \$722.00, Southeastern Electric Cooperative, Inc. (Utilities) \$38.52, Truck Trailer Sales Service, Inc. (Supplies) \$21.40, The Road Guy Const. Co., Inc. (Bridges) \$6,270.00, Titan Machinery (Supplies) \$3,920.85, TrueNorth Steel (Supplies) \$1,147.50, TrueNorth Steel (Emergencies) \$3,315.00, One Office Solution (Supplies) \$20.54, Yankton Daily P & D (Publishing) \$550.50; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.25, Golden West Telecommunications (Utilities) \$147.18, Justice & Fire Safety (Maintenance) \$200.00; **Jail Building:** Drain Masters, Inc. (Jail Capital Improvement Fund) \$331.00, Welfl Construction Co. (Jail Capital Improvement Fund) \$10,320.00; **Emergency Management:** B-Y Electric (Utilities) \$53.78, Battery Exchange (Maintenance) \$215.90, Vast Business (Utilities) \$523.49, TIAA Commercial Finance, Inc. (Rentals) \$193.15, Clubhouse Hotel & Suites (Travel) \$1,391.00, First Bankcard (Travel) \$304.60, First Bankcard (Supplies) \$343.89, Kansas State Bank (Lease Agreement) \$719.07, Leaf (Rentals) \$119.87, Miller Consulting LLC (Maintenance) \$18.75, Midcontinental Communications (Utilities) \$22.90, Menards (Supplies) \$239.11, Qualified Presort Services, Inc. (Supplies) \$24.62, Sioux Falls Two Way Radio Services, Inc. (Auto Equipment) \$7,544.31, Tabor Lumber Cooperative (Supplies) \$107.14, Verizon (Utilities) \$418.70, One Office Solution (Maintenance) \$81.84; **Debt Service:** Miscellaneous (Agent Annual Fee-2018) \$800.00; **Non-Department:** Satellite Tracking of People, LLC (Tracking Monitor) \$390.00; **Fire/Road District:** Yankton County Observer (Publishing) \$23.62; **State of South Dakota:** Fees (Motor Vehicle) \$446,511.78, Fees (Waste Fee) \$7,323.75, Fees (ROD) \$1,980.00; **State of South Dakota:** Services (HC) \$6,827.62, (Redfield) \$180.00, **SDACO** (M & PR Fund) \$500.00. General Fund \$123,448.54, Road & Bridge, \$80,217.70, Emergency Management, \$12,322.12. All present voted aye; motion carried.

Action 18255C: A motion was made by Bodenstedt and seconded by Swensen to approve the consent agenda. All present voted aye; motion carried.

The Yankton County Welfare Report for June 2018 included 13 contacts, 8 notices of hospitalization, and 6 medical bills for the County Jail.

ROD: The Register of Deeds report from June 2018 showed collection of \$11,810.00 in regular fees; \$8,900.00 in transfer fees; \$3,148.00 in copies revenue.

Veterans Office: VSO Michael McDonald's June 2018 report showed 141 contacts on behalf of veterans last month. McDonald also coordinated transportation of 25 veterans (eight trips) to appointments at the VA Hospital in Sioux Falls.

EMS: Emergency Medical Services monthly report for June 2018 listed 174 total calls. Year to date, Yankton County EMS has collected \$369,194 and spent \$498,167.

Auditor/Treasurer: The Auditor's Monthly Settlement with the Treasurer as of June 30, 2018, showed Total Cash of \$9,402,958.26. The General Fund was \$5,940,445.65; Special Funds were \$2,298,290.78; and Trust and Agency Funds were \$1,164,221.83 adding to a Grand Total of General Ledger Cash and Investments of \$9,402,958.26. A detailed report is on file with the County Auditor.

Sheriff: Sheriff's office collected \$12,945.00 in fees last month. Jail income was \$166,103.22 in June. There were 62 county inmates, 75 city inmates, 46 state inmates and 39 federal inmates. Income from the 24-7 program was \$5,234.00 in June.

MI Income: The MI Illness income for June 2018 was \$7,585.90.

Right of Way applications from Bon Homme Yankton Electric in Townships 93-57, 94-55, 94-56, 94-57, 95-55 and 95-56.

Nurse Quarterly Report: Health Nurse: Julie DeYonge, RN, provided the 2018 second quarter report from the S.D. Department of Health and Yankton County WIC Office.

Action 18256C: A motion was made by Bodenstedt and seconded by Epp to approve the 2019 provisional budget. All present voted aye; motion carried.

MH Watershed: Zoning Administrator Pat Garrity discussed the process of reinstating the tax levy for the Mission Hill Watershed.

Leann Johnson commented on the discussion of the watershed.

Action 18257Z: A motion was made by Bodenstedt and seconded by Kettering to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

States Attorney stated there would be no conflict of interest for Chairman Woods.

Woods then asked the applicant if there was any objection and he had no objection.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Maximum Accessory Structure Application from Don Swift. Variance of Maximum Accessory Structure Size Requirement from 1,200 sq. ft. with twelve (12) foot sidewalls to 2,688 sq. ft. with ten foot two inches (10'2") foot sidewalls in a Medium Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 13, Block 9, Kabeiseman's Addition, N1/2, NW1/4, S17-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 142 Katherine Way, Yankton, SD. The Planning Commission recommended approval 8-0.

There were no proponents for the variance request, there were two opponents who spoke.

Zoning Administrator Pat Garrity did submit several letters from residents who opposed the application.

Beau Barrett, representing the applicant, stated because a wealth of letters have come in that they haven't had a chance to look at and because senior partner Mike Marlow wanted to be present but was called away on business, they would like to request a continuance to the next commission meeting.

Sabrina Saylor, attorney from Dakota Dunes, South Dakota represented residents opposed to the variance. Saylor stated since the residents have incurred attorney fees and costs for representation in this matter and made arrangements to be present, they request the continuance be denied.

Action 18258Z: A motion was made by Kettering to approve the continuance request, but it died for lack of second.

Beau Barrett, attorney representing the applicant, gave a power point showing the change in the size of the building and changing the building material to laminated wood and vinyl siding to match the main residence rather than a metal building. Mr. Barrett stated there would be trees planted to the north to help block any view. Applicant, Mr. Swift, stated the trees will be staggered and the

building matches his house and will be obscured by the trees. Mr. Barrett stated the hardship for the variance is because the automobiles and antiques are stored outside, and it would allow applicant to store them in a low profile building.

Chairman Woods requested comments from proponents for the variance.

Ann Swift commented in favor of approving the variance application.

Chairman Woods requested comments from opponents for the variance.

Bob Fullenkamp stated he is opposed to the project.

Sabrina Saylor, attorney representing various residents of the Marina Del development, stated after reviewing the findings of facts there are at least three sections in the findings that were opposite of the requirements to approve the variance. The hardship being claimed by the applicant is weak and would not withstand scrutiny from a court, Saylor said. She requested the variance be denied.

Carol Breck and Jeannie Pyron also spoke in opposition of the variance.

Mr. Barrett gave a brief statement of rebuttal.

Action 18259Z: A motion was made by Bodenstedt and seconded by Epp to deny the variance application. Roll call vote on the application was taken with Bodenstedt, Epp, Swensen, Kettering and Woods voting Aye; Motion carried, 5-0.

Action 18260C: 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.

Cell Phone Provider: Zoning Administrator Pat Garrity presented different entities to provide expert service regarding cell phone towers. At this time the zoning office uses Center for Municipal Solutions. Garrity stated he would like to change to Community Wireless Consultants out of Litchfield, MN. Joe Egge representing Community Wireless spoke briefly to the board.

Action 18261C: A motion was made Bodenstedt and seconded by Epp to approve the following resolution. All present voted aye; motion carried.

**Yankton County Commission
Yankton County, South Dakota
Resolution**

Date: July 17, 2018

Department: Planning and Zoning

Motion by Commissioner: Bodenstedt

Second by Commissioner: Epp

A Resolution Recommending the Amendment of Article 27
Yankton County Overlay Districts
SD Hwy 52 Corridor Overlay District, Section 2709, (E), Signs
Yankton County Zoning Ordinance #16

WHEREAS, South Dakota Codified Law 11-2-13 allows Yankton County to establish zoning regulations; and,

WHEREAS, The Yankton County Zoning Ordinance (Ordinance #16) establishes zoning regulations in Yankton County, South Dakota; and,

WHEREAS, Article 20, Section 2003 of The Yankton County Zoning Ordinance (Ordinance #16) gives the Yankton County Commission powers to approve amendments to The Yankton County Zoning Ordinance (Ordinance #16); and,

The Yankton County Planning Commission hereby agrees Yankton County offers one of the most scenic drives in South Dakota. The view from Chalkstone Hill is spectacular and the corridor ends at beautiful Lewis and Clark Lake. This rich natural environment should be complemented by a vibrant built environment. The Highway 52 Corridor Overlay District (HC) provides basic guidelines that promote quality design along the most visible and heavily traveled road corridor in the Yankton County zoning jurisdiction: Highway 52 from the City of Yankton to Lewis and Clark Lake. The Highway 52 Corridor Overlay District is intended to: Encourage development design that strengthens the physical character and image of Yankton County; Support the value of property and quality of development in the major highway corridor; set basic requirements for good site design and development, building design, landscaping, and signage without discouraging creativity and flexibility in design; permit safe and convenient transportation access and circulation for motorized and non-motorized vehicles, and for pedestrians; manage the impact of commercial and industrial development on adjacent residential neighborhoods.

WHEREAS, the Highway Corridor Overlay District (HC) applies to the following areas:

- Land within 650 feet south and north side of the centerline of Highway 52 within the planning jurisdiction of Yankton County.
- The eastern terminus of the Corridor Overlay District is the intersection of Highway 52 and lower Chalkstone Road.
- The western terminus of the Corridor Overlay District is the intersection of Highway 52 and Welkom Avenue. This area shall include all property zoned Lakeside Commercial on the north side of Highway 52.

NOW, THEREFORE, BE IT RESOLVED, that the Yankton County Commission, in order to establish a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of the impact of all Hwy 52 corridor activity, and to protect the health, safety and welfare of the County of Yankton, approve amendment adoption of Article 27, Corridor Overlay Districts, Highway 52 Corridor Overlay District, Section 2709, (E), Signs, to amending Yankton County Zoning Ordinance (Ordinance #16).

First Reading: July 3, 2018

Motion: Epp Second: Kettering Aye: 4 Nay: 0

Second Reading: July 17, 2018

Motion: Bodenstedt Second: Epp Aye: 5 Nay: 0

Effective Date: August 10, 2018

(E) SIGNS

All permanent signs shall be designed, constructed and maintained in accordance with the following standards:

1. Attached signs shall be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building. All signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure. All signs shall be maintained in a safe and legible condition at all times, including the replacement of defective or damaged parts, painting, repainting, cleaning and other services required for maintenance of the signs. All signs with an electronic message display capability shall have internal ambient light monitors installed which automatically adjust brightness to the level defined in this chapter. If a sign is not so maintained, then the owner shall be notified in writing and required to remove the sign or to immediately bring the sign into compliance.
2. All lots abutting Highway 52 shall use monument or ground signs, shall not exceed ~~ten (10) feet~~ fifteen feet (15) in height and ~~twelve (12) feet in length~~ and shall not exceed 120 square feet on each side and / or pole signs which shall not exceed ~~thirty (30) feet in height~~. Each pole sign shall not exceed thirty (30) feet in height and sixty (60) one hundred twenty (120) square feet on each side for electronic signs and / or sixty (60) one hundred twenty (120) square feet for traditional text / graphics signs. Multi-tenant business sign shall not exceed two (2) square feet / one (1) linear foot of street frontage with maximum of four hundred (400) square feet on each side.
3. All lots abutting Highway 52 exterior building on-site signs shall not exceed two (2) square feet / one (1) linear foot of structure frontage with maximum total of two hundred (200) square feet of signage for each structure.
4. Illuminated signs shall be so shielded, shaded or directed so that the light intensity shall not adversely affect the surrounding or facing premises nor adversely affect the safe vision of operators of vehicles on private or public roads. No illumination, including traditionally illuminated signs, shall exceed a brightness level of 0.3 foot candles above ambient light at the nearest property line of abutting property.
5. A landscaped base area shall be provided for all signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign shall be landscaped.

The landscaped area may include trees, shrubs, flowering perennials, ornamental tall grass, fountains, water features, decorative stonework, planters, sculpture, decorative paving, turf grass, loose stone, and mulch.

6. All banner signs will require a special permit for a period not exceeding sixty (60) days in a calendar year for a fee of \$50.00 for each sign permit. A banner sign permit for a period not exceeding three (3) days in a calendar year for a fee of \$25.00 for each sign permit.
7. All property in the Hwy 52 Corridor Overlay District in existence as of the date of this amended Overlay Ordinance which is not in compliance with the requirements of Article 27, Section E: Signs, #6, shall be made to comply with all such regulations within twelve (12) months of the date of this amendment to the Corridor Overlay District.
8. Lots not abutting the designated highway are allowed signs as regulated by Article 14 of the Yankton County Zoning Ordinance.

Culvert: Kevin Huber from Mayfield Township appeared before the board to request the county share cost for the replacement of culvert issue. Huber said the cost of the repair would be roughly \$65,000.00. Huber stated the Township is asking the county to pay for the culvert only, which would be \$35,000.00.

Action 18262C: A motion was made by Swensen and seconded by Woods for discussion only to pay Mayfield Township \$35,000.00 for the culvert. Swensen Voting Aye; Bodenstedt, Kettering, Epp and Woods voting Nay; Motion failed 1-4.

Action 18263C: A motion was made by Bodenstedt and seconded by Kettering to pay Mayfield Township \$20,000.00 for the purchase of the culvert. Roll call vote was taken with All present voting aye; motion carried.

Action 18264C: A motion was made by Kettering and seconded by Bodenstedt to recess the regular session at 7:00 p.m. and convene in executive session to discuss a personnel issue with Director of Equalization. Bodenstedt, Kettering, Epp and Woods voting Aye; Swensen Voting Nay; Motion carried.

Action 18265C: A motion was made by Epp seconded by Bodenstedt to adjourn executive session at 7:30 p.m. and reconvene in regular session. All present voted aye; motion carried.

Action 18266C: A motion was made by Bodenstedt and seconded by Epp to table the issue until the board receives legal input. Bodenstedt, Epp, Kettering and Woods voting Aye. Swensen did not vote. Motion carried.

Public Comment: There was one public comment from Louis Johnson. Mr. Johnson thanked the commissioners who showed up and took interest in his open house to learn about it. He said a lot of people attended and he thought maybe it had opened up a few people's eyes. Johnson also commented on the town of Mission Hill pumping raw sewage into the creek.

Action 18267C: 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, August 7, 2018.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor