

1830 Rummage Sales

43425 SD Hwy. 50 (1/2 miles West of Wal-Mart) Friday, 6/5, 11am-6:30pm Saturday, 6/5, 8am-12:30pm

Baseball pitching machine, kitchenware, home decor, girls and boy's teen girls, women's, tools, lamps, 86" Honda Helix motorcycle, mulch, bicycles, AVON Clearance.

4906 SD Hwy. 314 (4 miles west on 9th St.) Saturday, 6/5, 8am-Noon Kitchen cabinets, interior doors with hardware, ceiling fan with light.

506 W. 3rd Street Friday, 6/4, 8am-5pm Saturday, 6/5, 9am-Noon Lots of books: Children's books and games, Health, Education, Religious, Christian News Encyclopedia (5 volume).

617 Locust (Driveway on 7th) Friday, 6/4, 11am-7pm Saturday, 6/5, 8am-Noon Multi-Family Sale: Stove, clothing: Girl's newborn-12months, boy's 6month-3T, and adult.

903 Prairie Circle (Northwest corner of Airport) Mega Neighborhood Rummage Sale Friday, 6/4, 7am-6pm Saturday, 6/5, 7am-9am

661-5849, 665-5674, 661-2917 Dinette set, rocking chair, 2-daybeds, 25" color TV, 2-entertainment centers, curio cabinet, dresser & chest, sofa, bakers rack, oak table & chairs, bench, small table. King & queen frame, queen box spring, king headboard, toddler bed.

Northern Lights Mobile Home Park 1-1/4 mile west of Wal-Mart Neighborhood sales on Aurora Street Friday, 6/4, 8am-5pm Saturday, 6/5, 8am-3pm

SAVE THE DATE! 2010 Yankton Annual Summer Citywide Rummage Sales August 12-15 Watch your Yankton Daily Press & Dakotan for details!

Yankton Vendor Market 4-H Building 705 Whiting Drive Sat. 6/5, 8am-2pm Scentsy Wickless Candles, Uppercase Living, Home Decor, Hand Crafted Home Décor, Jewelry, Fishing Jigs, Elk Clocks, Hunting & Outdoor Supplies, Name Brand Knives, Body Jewelry, Military Gear, Tee Shirts and Cammo Wear.

1855 Alfalfa - Hay Small square brome bales. Call after 6pm (605)463-2593 local call.

1875 Livestock - Poultry Angus 2 Year Bulls. Semen, blood tested. Average 1800 pounds. Shots and Ivormec. (605)941-3830, (605)246-2472.

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5+14+21+28 & 6+4

Notice of Hearing

Pursuant to SDCL 21-37-4

In the Matter of a Name Change for Deborah Lynn Evans

Time and Place of Hearing: Monday, June 21, 2010 at 9:30am at the Yankton County Courthouse

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Petitioner is seeking a change of name from Deborah Lynn Evans to Deborah Lynn Ricke

Kerri Cook Huber Attorney at Law Blackburn & Stevens LLC 4th & Douglas PO Box 753 Yankton, SD 57078 605-665-5550

State Wetland Mapping Conventions Update

South Dakota (SD)

Notice of Finding of No Significant Impact (FONSI)

ALL INTERESTED PARTIES: Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended; the Council on Environmental Quality Regulations (40 CFR, Part 1500); and the Natural Resources Conservation Service (NRCS) Regulations (7 CFR, Part 650); the NRCS gives notice that an environmental impact statement is not being prepared for the State Wetland Mapping Conventions Update in SD.

The environmental assessment of this federal action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Janet Oertly, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this action.

The purpose of the action is to provide timely customer service. The recommended action allows the optional use of offsite wetland procedures on certain potential wetlands and is described as follows: Potential wetlands that are depressional, not manipulated, not mapped on National Wetland Inventory (NWI), and have less than or equal to 30 percent wetland signatures would be labeled as Nonwetland (NW). Potential wetlands that are depressional, manipulated, not mapped on the NWI, and have less than or equal to 30 percent wetland signatures would be labeled NW/Prior Converted (PC). Potential wetlands that are depressional, not manipulated, have greater than or equal to 65 percent wetland signatures regardless of NWI status would be labeled as Wetland (W) if the soil was mapped hydric or had mapped hydric inclusions.

The notice of FONSI has been forwarded to the Environmental Protection Agency and to various federal, state, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests and basic data developed during the environmental assessment are on file and may be reviewed by contacting Kevin Luebke, Biologist, USDA-NRCS, 200 4th St. SW, Rm. 203, Huron, SD 57350. Mr. Luebke may be reached by phone at (605) 352-1242, or by e-mail at kevin.luebke@usda.usda.gov.

No administrative action on the implementation of this action will be taken until 30 days after the date of this notice.

JANET L. OERTLY State Conservationist

YANKTON COUNTY COMMISSION MEETING

The regular meeting of the Yankton County Commission was called to order by Chairman Bruce Jensen at 4:00 PM on Tuesday, May 4th, 2010.

Roll Call was taken with the following Commissioners present: Donna Freng, Bruce Jensen, Mark Johnson and Allen Sinclair. Bill Tamisica was absent. Consolidated Board members Charlie Gross and Paul Lowrie were also present.

Action 10167C: A motion was made by Freng and seconded by Johnson to set the agenda with the following additions/corrections: Napa Junction railroad crossing discussion. Voting Aye: All Nay: None Motion carried.

Action 10168C: A motion was made by Sinclair and seconded by Johnson to approve the minutes of

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the April 20th, 2010 meeting of the Board. Voting Aye: All Nay: None Motion carried.

Action 10169C: A motion was made by Sinclair and seconded by Freng to approve the minutes of the April 20th, 2010 Consolidated Board of Equalization meeting. Voting Aye: All Nay: None Motion carried.

A motion was made by Johnson and seconded by Freng to recess the regular session and convene as a Consolidated Board of Equalization. Voting Aye: All Nay: None Motion carried.

The Board reconvened in regular session.

There were no indigent requests before the Board.

Action 10170EXT: A motion was made by Freng and seconded by Johnson to authorize as a proper charge against the County, travel expenses as presented for the Extension office personnel for the months of May and June, 2010. Voting Aye: All Nay: None Motion carried.

Action 10171H/AUD/RODZ: A motion was made by Johnson and seconded by Sinclair to accept into the record the Secondary Road report for April, 2010, Auditor's Revenue/Expenditure report for March 2010, the Register of Deeds Statement of Transfer Fees for April, 2010 in the amount of \$4,180.00 and copy revenue of \$612.60 and the Register of Deeds Statement of Fees for April 2010 in the amount of \$12,196.00 and the Yankton County Planning Commission minutes for March 9, 2010. Voting Aye: All Nay: None Motion carried.

Action 10172C: A motion was made by Sinclair and seconded by Freng to approve the following claims: Commissioners: River Rat Productions (Services) \$250.00, Yankton County Observer (Legal Notices) \$458.05, Star Publishing (Legal Notices) \$282.05, Yankton Daily P&D (Legal Notices) \$676.36; Elections: Yankton County Observer (Legal Notices) \$16.63; Court: 2 Payees @ \$20.00 (Witness Fees) \$40.00, 1 Payee (Mileage/Witness Fees) \$28.86, Fox, Youngberg & Lewno (Public Defender) \$9,000.00, Kennedy Pier & Knoff (Legal Assistance) \$902.80, Hennepin County Sheriff (Services) \$71.00, Harold's Sherrif (Services) \$347.47, Milwaukee County Sheriff (Services) \$210.00, SD Dept of Health (Lab) \$772.00, SD Human Services Center (Services) \$600.00, Dean Schaefer (Transcripts) \$254.00; Auditor: MT & RC Smith (Worker's Comp) \$170.58; Treasurer: MT & RC Smith (Worker's Comp) \$185.31; Data Processing: Executive Mgmt Finance (Utilities) \$15.00; States Attorney: A & B Business (Maintenance & Supplies) \$41.16, Brown & Saenger (Supplies) \$80.38, Culligan (Supplies) \$12.00, Knology (Utilities) \$155.09, Pitney Bowes (Rental) \$55.52, MT & RC Smith (Worker's Comp) \$49.00, Staples (Supplies) \$279.25; Government Buildings: Ace Hardware (Supplies) \$234.97, City of Yankton (Utilities) \$94.32, MidAmerican Energy (Utilities) \$541.75, Northwestern Energy (Utilities) \$1,864.84, MT & RC Smith (Worker's Comp) \$128.00; Director of Equalization: AllTel (Utilities) \$29.28, Manstrom (Maintenance) \$20,000.00, Yankton County Observer (Legal Notices) \$132.40, MT & RC Smith (Worker's Comp) \$242.65, Western Office Plus (Supplies) \$1,030.95, Yankton P&D (Legal Notices) \$26.82; Register of Deeds: Microfilm Imaging (Supplies) \$39.85, MT & RC Smith (Worker's Comp) \$127.47; Veterans Service Office: MT & RC Smith (Worker's Comp) \$29.80; Predatory Animal: Dept Game Fish & Parks (1st Half 2010 Budget) \$1,753.46; Court House & Safety Center: Ace Hardware (Supplies) \$40.03, City of Yankton (Utilities) \$427.34, Knology (Utilities) \$381.97, MidAmerican Energy (Utilities) \$1,646.31, Northwestern Energy (Utilities) \$4,233.96, MT & RC Smith (Worker's Comp) \$102.00; Sheriff: AllTel (Utilities) \$116.56, (Northtown Automotive (Maintenance) \$1,671.56, Knology (Utilities) \$178.79, Pitney Bowes (Rental) \$55.52, Lewis & Clark Ford (Maintenance) \$596.96, MT & RC Smith (Worker's Comp) \$5,372.00, Second Chance Rescure (Boarding Fee) \$150.00, Verizon Wireless (Utilities) \$108.90; County Jail: CBM Food Service (Meals) \$1,260.98, Benjamin Jensen, DDS (Services) \$263.00, Knology (Utilities) \$88.54, Miller Consulting (Maintenance) \$70.00, Olson's Pest (Maintenance) \$96.00, Pitney Bowes (Supplies) \$55.52, MT & RC Smith (Worker's Comp) \$6,460.00, Yankton Medical Clinic (Services) \$35.77; Coroner: Mark Nickles (Travel) \$11.47; Airport: Avera Sacred Heart Hospital (Hospital Care) \$5,275.64, Xerox (Maintenance) \$56.89; Public Health Nurse: MT & RC Smith (Worker's Comp) \$40.00, Xerox (Maintenance) \$56.89; Ambulance: AllTel

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(Utilities) \$206.20, Bomgaars (Supplies) \$3.51, Battery Exchange (Supplies) \$272.00, City of Yankton (Utilities) \$210.82, Credit Collection (Services) \$655.29, Century Business Products (Maintenance) \$32.59, Jack's Uniforms (Supplies) \$55.99, Darla Edinger (Services) \$1,500.00, Knology (Utilities) \$166.42, Henry Schein (Supplies) \$431.40, MidAmerican Energy (Utilities) \$284.99, Master-Tech Auto (Maintenance) \$447.76, Northwestern Energy (Utilities) \$508.75, Mark Nickles (Registration Fee) \$150.00, Power Source Electric (Maintenance) \$603.78, Positive Promotions (Supplies) \$153.45, MT & RC Smith (Worker's Comp) \$5,491.00, SD Dept of Public Safety (Re-Licensing) \$12.00, Sioux Falls Two-Way Radio (Maintenance) \$760.72, TMC (Maintenance) \$33.04, Tri-State Turf (Maintenance) \$183.58, Western Office Plus (Supplies) \$131.35; Mental Illness Board: Donna Dietrich (Hearings) \$492.67, Nelva Kooistra (Hearings) \$39.00, Cathy Rehlfuss (Hearings) \$39.00, Gary Mikelson (Hearings) \$139.40, Valorie Olson (Hearings) \$25.00; Library: Yankton Community Library (1st Half 2010 Budget) \$10,000.00; Senior Citizens: (Senior Citizens) \$11,232.16; County Extension: City of Yankton (Utilities) \$33.14, Francotyp-Postalia (Rental) \$77.75, J&H Cleaning (Maintenance) \$200.00, Knology (Utilities) \$271.01, MidAmerican Energy (Utilities) \$75.74, Yankton County Observer (Subscription) \$30.00, MT & RC Smith (Worker's Comp) \$44.00, SDCAA (Registration Fee) \$55.00; Soil Conservation: MT & RC Smith (Worker's Comp) \$35.32; Weed: Bomgaars (Supplies) \$169.98, MT & RC Smith (Worker's Comp) \$136.00, Tom Schramm (Supplies) \$28.95; Planning & Zoning: AllTel (Utilities) \$27.28, Patrick Garrity (Travel) \$164.65, MT & RC Smith (Worker's Comp) \$45.87, Western Office Plus (Supplies) \$4.18, Yankton Daily P&D (Legal Notices) \$89.19, Yankton Office Equipment (Supplies) \$209.85; Road & Bridge: AllTel (Utilities) \$31.97, Bomgaars (Supplies) \$369.19, B-Y Water (Utilities) \$1.00, City of Yankton (Utilities) \$34.82, Elresmann Engineering (Supplies) \$24.72, Fullerton's (Supplies) \$120.98, Fastenal (Supplies) \$543.86, Farm Plan (Supplies) \$57.53, Kimball Midwest (Supplies) \$374.56, Peitz GMC Service (Supplies) \$99.82, MT & RC Smith (Worker's Comp) \$5,164.00, Star Publishing (Legal Notices) \$234.70, Sterzinger Crushing (Gravel) \$102,400.00, TMA (Supplies) \$12,588.29; 911 Fund: Qwest (Utilities) \$1,460.48, Planning & Development (Maintenance) \$140.00; 911 Fund: Bullberry Systems (Maintenance) \$12,450.00, City of Yankton (D911 Dispatch) \$15,000.00, Qwest (Utilities) \$1,436.43, TMC Corporation (Supplies) \$36.00; Emergency Management: AllTel (Utilities) \$176.76, Cabel's (Supplies) \$498.92, Hy-Vee (Supplies) \$198.93, Racom (Utilities) \$28.30, MT & RC Smith (Worker's Comp) \$207.00; Misc: Cindy Bergman (Supplies) \$79.08, Total General Fund \$120,917.45, Road & Bridge \$122,085.44, 911 Fund \$29,246.43, Emergency Management \$1,109.91, Misc \$79.08. Voting Aye: All Voting Nay: None Motion carried.

Action 10173C: A motion was made by Sinclair and seconded by Freng to approve the April, 2010 Payroll following gross payroll: Commissioners: \$4,420.75 ; Auditor: \$11,459.35; Treasurer: \$12,144.55; States Attorney: \$19,763.27; Custodian: \$3,349.05; Director of Equalization: \$17,206.65; Register of Deeds: \$9,894.09 & Modereger payout \$2,735.70; Veterans Service: \$1,922.20; Courthouse & Safety Center: \$3,760.30, Sheriff: \$41,183.49; County Jail: \$42,754.88; Coroner: \$747.71, Juvenile Detention: \$70.00, Nurse: \$2,516.86; Ambulance: \$32,151.93; Extension: \$2,638.58; Soil Conservation: \$2,278.09; Weed: \$1,981.94; Planning & Zoning: \$2,959.02; Road & Bridge: \$56,965.92; OEMHS: \$3,810.43. 24-7 Program: \$1,050.00. South Dakota Retirement System (Buy Back) \$166.63, South Dakota Retirement System \$20,583.90 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$314.90, South Dakota Retirement System (Supplemental) \$580.00, American Family Life Assurance Company \$3,640.51, Prepaid Legal Services, Inc. \$154.40, Office of Child Support \$371.00, Office of Child Support \$697.00, Nationwide Retirement Solutions \$128.26, First Dakota National Bank \$18,968.13 (Withholding), First Dakota National Bank \$33,268.20 (FICA) First Dakota National Bank \$7,780.50 (Medicare), Blue Cross Blue Shield \$36,442.65 Gross Payroll \$347,705.52, Net Payroll \$208,711.06. Voting Aye: All Nay: None Motion carried.

Alan Sorensen, Highway Superintendent, advised that the following sealed bids have been received for surplus property indicated:

Action 10174H: A motion was made by Sinclair and seconded by Freng to accept the high bids as noted above for the surplus property items. Voting Aye: All Nay: None Motion carried.

Action 10175H: A motion was made by Freng and seconded by Johnson to authorize the auditor to move all funds received for the aforementioned surplus property to designated funds (within the General Fund) for the Highway Maintenance Shop. Voting Aye: All Nay: None Motion carried.

Action 10176H: A motion was made by Sinclair and seconded by Johnson to authorize the chairman and the auditor to sign the recreational ROW agreement between Yankton County and SDGFP for a non-motorized recreational trail in and through the Chief White Crane area in Section 21, Township 93N, Range 56W. Voting Aye: All Nay: None Motion carried.

The Board discussed a drainage issue adjacent to Walshtown road. The Highway Superintendent advised that there is fiber optic cable in the ditch. The possibility of digging alongside the cable or having the cable relocated will be investigated.

A drainage issue adjacent to the town of Lesterville affecting Dan Bierle's property was discussed and the consensus was that Bierle and the town of Lesterville should attempt to resolve the issue.

The Napa Junction railroad crossing issue was discussed. The county was given permission by the State Railroad Authority many years ago to blacktop over the tracks. The line was purchased and rail cars were to begin using the rail line. The tracks were uncovered at the crossing and then not used and thus gravel was put in the dug out area for safety reasons. The gravel was later removed by the rail line and the Highway department installed stop signs at the crossing again for safety reasons. The Railroad Authority then advised the stop signs should come down.

Action 10177H: A motion was made by Sinclair and seconded by Johnson to send a letter to the SD Railroad Authority advising of the danger to persons traveling through the intersection and requesting that steps be taken to remedy the situation. Voting Aye: All Nay: None Motion carried.

Sharon Guthmiller, Extension Educator, introduced Aaron Weston, recently hired as the 4-H Program/Youth Development Director.

Action 10178Z: A motion was made by Sinclair and seconded by Johnson to recess the regular session and convene as a Board of Adjustment. Voting Aye: All Nay: None Motion carried.

Action 10179Z: A motion was made by Sinclair and seconded by Freng to approve a Minimum Lot Size Variance Permit for James & Kay Blankfield to allow for the reduction of the minimum lot requirement as follows: LEGAL DESCRIPTION (Physical Location): Tract 1, Blankfield Addn., 9.99 Acres N2 NE4 Section 14, Township 95, Range 54, Yankton County, SD.

No public comment received. 1. Planning Commission recommends approval 8-0. 2. A variance as follows: variance of 10.01 acres or proposed lot size of 9.99 acres. 3. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege. 4. No nonconforming lands, structures or buildings were considered grounds for this recommendation. 5. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district. 6. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices. 7. Variance request approval per Article 19, Section 1907, of the Yankton County Zoning Ordinance. Voting Aye: All Nay: None Motion carried.

Action 10180Z: A motion was made by Sinclair and seconded by Johnson to recess the regular session of the Board and reconvene as a Board of Adjustment. Voting Aye: All Nay: None Motion carried.

Action 10181Z: A motion was made by Sinclair and seconded by Freng to approve a Conditional Use Permit, to allow for the construction of a 30 x 40 accessory structure as follows: House of Mary Shrine, Inc, 142 Drees Drive, Yankton, SD LEGAL DESCRIPTION (Physical Location): Timberlane Golf Course 7 Timberlane Golf Course Addn., E2, Section 13, Township 93N, Range 57W, Yankton County, SD.

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Asphalt Plant (1991 ADM SN SNADM229 with tanks bins & silo) Top Coat \$25,700.00 Hutchinson County \$17,000.00 Motor Grader (1974 120 Caterpillar SN 10R3977) Jon Boden \$800.00 Jamesville Colony \$975.00 Top Coat \$1,100.00 Rock Crusher (1970 Cedar Rapids with conveyor & trap) Kellen Sand & Gravel \$32,700.00 Jamesville Colony: \$3,750.00 Crane (1970 Little Giant SN 486449 - salvage only) Randy Jensen \$555.55

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Action 10175H: A motion was made by Freng and seconded by Johnson to authorize the auditor to move all funds received for the aforementioned surplus property to designated funds (within the General Fund) for the Highway Maintenance Shop. Voting Aye: All Nay: None Motion carried.

Action 10176H: A motion was made by Sinclair and seconded by Johnson to authorize the chairman and the auditor to sign the recreational ROW agreement between Yankton County and SDGFP for a non-motorized recreational trail in and through the Chief White Crane area in Section 21, Township 93N, Range 56W. Voting Aye: All Nay: None Motion carried.

The Board discussed a drainage issue adjacent to Walshtown road. The Highway Superintendent advised that there is fiber optic cable in the ditch. The possibility of digging alongside the cable or having the cable relocated will be investigated.

A drainage issue adjacent to the town of Lesterville affecting Dan Bierle's property was discussed and the consensus was that Bierle and the town of Lesterville should attempt to resolve the issue.

The Napa Junction railroad crossing issue was discussed. The county was given permission by the State Railroad Authority many years ago to blacktop over the tracks. The line was purchased and rail cars were to begin using the rail line. The tracks were uncovered at the crossing and then not used and thus gravel was put in the dug out area for safety reasons. The gravel was later removed by the rail line and the Highway department installed stop signs at the crossing again for safety reasons. The Railroad Authority then advised the stop signs should come down.

Action 10177H: A motion was made by Sinclair and seconded by Johnson to send a letter to the SD Railroad Authority advising of the danger to persons traveling through the intersection and requesting that steps be taken to remedy the situation. Voting Aye: All Nay: None Motion carried.

Sharon Guthmiller, Extension Educator, introduced Aaron Weston, recently hired as the 4-H Program/Youth Development Director.

Action 10178Z: A motion was made by Sinclair and seconded by Johnson to recess the regular session and convene as a Board of Adjustment. Voting Aye: All Nay: None Motion carried.

Action 10179Z: A motion was made by Sinclair and seconded by Freng to approve a Minimum Lot Size Variance Permit for James & Kay Blankfield to allow for the reduction of the minimum lot requirement as follows: LEGAL DESCRIPTION (Physical Location): Tract 1, Blankfield Addn., 9.99 Acres N2 NE4 Section 14, Township 95, Range 54, Yankton County, SD.

No public comment received. 1. Planning Commission recommends approval 8-0. 2. A variance as follows: variance of 10.01 acres or proposed lot size of 9.99 acres. 3. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege. 4. No nonconforming lands, structures or buildings were considered grounds for this recommendation. 5. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district. 6. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices. 7. Variance request approval per Article 19, Section 1907, of the Yankton County Zoning Ordinance. Voting Aye: All Nay: None Motion carried.

Action 10180Z: A motion was made by Sinclair and seconded by Johnson to recess the regular session of the Board and reconvene as a Board of Adjustment. Voting Aye: All Nay: None Motion carried.

Action 10181Z: A motion was made by Sinclair and seconded by Freng to approve a Conditional Use Permit, to allow for the construction of a 30 x 40 accessory structure as follows: House of Mary Shrine, Inc, 142 Drees Drive, Yankton, SD LEGAL DESCRIPTION (Physical Location): Timberlane Golf Course 7 Timberlane Golf Course Addn., E2, Section 13, Township 93N, Range 57W, Yankton County, SD.

1. Planning Commission recommends approval 8-0. 2. Granting of conditional use will bring property into compliance with Yankton County Zoning Ordinance, conditional use will not confer on the applicant any special privilege. 3. No nonconforming lands, structures or buildings were considered grounds for this recommendation. 4. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district. 5. Recommendation/condition: If manufactured home is placed on either of the listed lots, the Conditional Use Permit becomes invalid. 6. Approval is per pursuant to Section 1905, 1 - 6, of the Yankton County Zoning Ordinance. Voting Aye: All Nay: None Motion carried.

Action 10183Z: A motion was made by Sinclair and seconded by Freng to recess as a Board of Adjustment and reconvene in regular session. Voting Aye: All Nay: None Motion carried.

Action 10184W: A motion was made by Sinclair and seconded by Freng to approve the contract with the State of South Dakota for weed control within Yankton County for the sum of \$6,443.46 and further to authorize the chairman to sign the document on behalf of the County. Voting Aye: All Nay: None Motion carried.

Action 10185Z: A motion was made by Sinclair and seconded by Johnson to recess the regular session of the Board and reconvene as a Board of Adjustment. Voting Aye: All Nay: None Motion carried.

Action 10186Z: A motion was made by Sinclair and seconded by Johnson to recess the regular session of the Board and reconvene as a Board of Adjustment. Voting Aye: All Nay: None Motion carried.

Action 10187Z: A motion was made by Johnson and seconded by Freng to adopt the following resolution: Whereas it appears that James & Kay Blankfield, owners of record, have caused a plat to be made of the following real property: Tract 1, Blankfield's Addition, N2 NE4, Section 14 Township Ninety-Five (95) N, Range Fifty-Four (54) West of the 5th PM, Yankton County, South Dakota and has submitted such plat to the Yankton County Planning Commission and the County Commission, of Yankton County, South Dakota for approval. Now therefore be it resolved that such plat has been executed according to the 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 plat the proper resolution and certify the same. Voting Aye: All Nay: None Motion carried.

The first reading of Ordinance No. 7 2010-1, an ordinance amending Ordinance No. 7 relating to flood plain management by amending provisions required by a final rule, published July 6, 2010, promulgated by the Federal Emergency Management Agency (FEMA) revising the National Flood Insurance Program (NFIP) was conducted as scheduled.

Comments pro and con were taken from audience members. Pat Garrity, Zoning Administrator, explained adoption of the ordinance will bring the County into compliance with the requirements of the National Flood Insurance Act of 1968 and will allow for floodplain management measures to be applied in special flood hazard areas. Options for residents residing within the designated flood hazard areas were discussed.

Gary Welter, Blue Cross/Blue Shield agent returned to discuss available options for medical insurance for employees for the ensuing insurance year.

Action 10188C: A motion was made by Sinclair and seconded by Johnson to approve option WE8-2F increasing the deductible from \$1,000 to \$1,500 and the co-pay to 30% in network and 40% out of network, to make available option WE7-2F matching the current plan, with the employee to pay the difference between the WE8 single rate and the WE7 rates, and further to allow employees to purchase a life insurance plan at their own expense. Voting Aye: All Nay: None Motion carried.

Welter will conduct an informational meeting with employees to explain their options. All employees will need to attend in order to determine their preferences for payroll information.

The issue of opening a portion of the section line on Highway 310 was returned to the table.

Action 10189C: A motion was made by Sinclair and seconded by Johnson to recess the regular session of the Board and convene in Executive Session to discuss a contractual matter. Voting Aye: All Nay: None Motion carried.

The Board reconvened in regular session at 7:04 PM.

Action 10190H: A motion was made by Sinclair and seconded by Johnson to ask Alan Sorensen to prepare an itemized cost proposal document for ease of determining proposed costs for opening a portion of the section line on Highway 310. Voting Aye: All Nay: None Motion carried.

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Action 10180Z: A motion was made by Johnson and seconded by Sinclair to approve a Minimum Lot Size Variance Permit for Christopher Nelsen to allow for the construction of a machine shed as follows: LEGAL DESCRIPTION (Physical Location): Nelsen Addn., NE4 Section 27, Township 94, Range 55, Yankton County, SD.

1. Planning Commission recommends approval 8-0. 2. A variance as follows: variance of fifty (50) feet or twenty-five (25) feet from lot line. 3. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege. 4. No nonconforming lands, structures or buildings were considered grounds for this recommendation. 5. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district. 6. Recommendations / conditions: Per Findings of Fact on file in Zoning & Auditor's offices. 7. Variance request approval per Article 19, Section 1907, 1-10 of the Yankton County Zoning Ordinance. Voting Aye: All Nay: None Motion carried.

Action 10181Z: A motion was made by Sinclair and seconded by Freng to approve a Minimum Lot Size Variance Permit for LCM Partnership-David Nelson to allow for the construction of a grain bin as follows: LEGAL DESCRIPTION (Physical Location): Tract 2, Miller's Addn., Section 1, Township 92, Range 54, Yankton County, SD.

1. Planning Commission recommends approval 8-0. 2. A variance as follows: variance of fifty (50) feet or twenty-five (25) feet from lot line. 3. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege. 4. No nonconforming lands, structures or buildings were considered grounds for this recommendation. 5. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district. 6. Recommendations / conditions: Per Findings of Fact on file in Zoning & Auditor's offices. 7. Variance request approval per Article 19, Section 1907, 1-10 of the Yankton County Zoning Ordinance. Voting Aye: All Nay: None Motion carried.

Action 10182Z: A motion was made by Johnson and seconded by Freng to approve a Conditional Use Permit, to allow for the construction of a 30 x 40 accessory structure as follows: House of Mary Shrine, Inc, 142 Drees Drive, Yankton, SD LEGAL DESCRIPTION (Physical Location): Timberlane Golf Course 7 Timberlane Golf Course Addn., E2, Section 13, Township 93N, Range 57W, Yankton County, SD.

1. Planning Commission recommends approval 8-0. 2. Granting of conditional use will bring property into compliance with Yankton County Zoning Ordinance, conditional use will not confer on the applicant any special privilege. 3. No nonconforming lands, structures or buildings were considered grounds for this recommendation. 4. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district. 5. Recommendation/condition: If manufactured home is placed on either of the listed lots,