

**2010 Legal and Public Notices**

with Planning and Development District III for 2015. Motion carried. Membership dues are \$380 and required payment is February, 2015.

**OTHER:**

Due to the rain received, there was concern with the muddy alleys due to Golden West not putting gravel down yet. Mayor Pratt will contact Golden West.

**ADJOURNMENT:**

Motion Frank, second Bierle to adjourn the town board meeting at 7:40 pm. Motion carried. Next monthly meeting of the Lester-ville Town Board is scheduled for July 14, 2014 at 7 pm in the fire hall room.

Janelle Munkvold  
Finance Officer  
Published once at the approximate cost of \$59.74.

6+21  
**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, Tuesday, July 1, 2014, at 4:45 P.M. at the Yankton County Government Center, Commission Chambers, 321 West Third St., Yankton, South Dakota.

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, Tuesday, July 1, 2014, at 4:45 P.M. at the Yankton County Government Center, Commission Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of Minimum Lot Requirement from one (1) acre to .26 acre in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 8, Blk. 4, Oak Hills #2, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 224 Acorn Drive, Yankton, SD.

Plat consideration:  
Said property is legally described as: Lot 2A, Parcel C, English Heights, NE1/4, SW1/4, S13-T93N-R57W and Lot 8A, Block 4, Oak Hills Addition, SE1/4, SW1/4, and NE1/4, SW1/4, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 224 Acorn Drive, Yankton, SD.

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Board of Adjustment, Yankton County, South Dakota, Tuesday, July 1, 2014, at 4:50 P.M. at the Yankton County Government Center, Commission Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit in a Lakeside Commercial District (LC) in Yankton County to build a kennel operation. Said property is legally described as Lot 14A, Thon's Addition, SE1/4, NW1/4, S15-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Premier Circle, Yankton, SD.

Patrick Garrity  
Zoning Administrator  
Published once at the approximate cost of \$30.78.

6+21  
**YANKTON COUNTY COMMISSION MEETING**  
June 3, 2014

The regular meeting of the Yankton County Commission was called to order by Chairman Bruce Jensen at 3:30 PM on Tuesday, June 3, 2014.

Roll Call was taken with the following Commissioners present: Bruce Jensen, John Harper, Allen Sinclair, Donna Freng and Garry Moore.

**Action 1556C:** A motion was made by Sinclair and seconded by Freng to approve the meeting agenda with the following additions: executive session personnel, and maintenance agreement Larry's Heating and Cooling. All present voted aye; motion carried.

**Action 1557C:** A motion was

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made by Moore and seconded by Harper to approve the minutes from the May 20th, 2014 Commission meeting. All present voted aye; motion carried.

**Action 1558C:**

A motion was made by Harper and seconded by Freng to approve the following claims: **Non Departmental:** Department of Revenue & Regulation (2014-2015 Malt Beverage License) \$1,975.00, Teresa Hartman (Ambulance Refund) \$50.00; **Commissioners:** River Rat Productions (Services) \$543.47, Yankton County Observer (Legal Notices) \$643.98, SD Department of Health (Services) \$500.00; **Election:** Hy-Vee (Supplies) \$18.42, Marlin Mulloy (Scotland Fire District Election) \$145.90, Yankton County Observer (Legal Notices) \$453.06, Security Shredding Services (Maintenance) \$105.00, Western Office Technologies (Supplies) \$443.04; **Court:** 6 Payees @ \$50.00 (Grand Juror Fees) \$300.00, 1 Payee @ \$54.00 (Grand Juror Fees) \$54.00, 1 Payee @ \$10.00 (Grand Juror Fees) \$10.00, 1 Payee @ \$13.32 (Grand Juror Mileage) \$13.32, 1 Payee @ \$1.48 (Grand Juror Mileage) \$1.48, 1 Payee @ \$7.40 (Grand Juror Mileage) \$7.40, 2 Payee @ \$2.22 (Grand Juror Mileage) \$4.44, 1 Payee @ \$18.50 (Grand Juror Mileage) \$18.50, 1 Payee @ \$8.88 (Grand Juror Mileage) \$8.88, Certified Languages International (Services) \$4.95, Fox & Youngberg (Legal Assistance) \$10,500.00, Hy-Vee (Supplies) \$40.34, Knox County Sheriff (Services) \$64.32, Language Line Services (Services) \$56.40, Nicholson, Tschetter, Adams & Nicholson (Legal Assistance) \$343.99, Pollard & Larson (Legal Assistance) \$1,017.05, Redwood Toxicology Laboratories (Lab) \$25.00, SD Department of Health (Lab) \$370.00; **Auditor:** Hewlett-Packard Company (Supplies) \$398.00, Security Shredding Services (Maintenance) \$35.00; **Treasurer:** Collection Trust Publications (Supplies) \$100.00, Yankton County Observer (Legal Notices) \$6.37, Security Shredding Services (Maintenance) \$35.00, Western Office Technologies (Supplies) \$359.96; **States Attorney:** Staples Credit Plan (Supplies) \$615.28, West Payment Center (Supplies) \$137.45; **Government Buildings:** Ace Hardware (Maintenance) \$64.99, Avera Heart Hospital of South Dakota (Supplies) \$73.00, City of Yankton (Utilities) \$261.24, Northwestern Energy (Utilities) \$1,699.38, Olson's Pest Technicians (Maintenance) \$75.00, Otis Elevator Company (Maintenance) \$708.21; **Director of Equalization:** Ace Hardware (Supplies) \$98.22, GIS Workshop (Maintenance) \$1,500.00, Northtown Automotive (Repairs) \$314.39, ProVal Users Group (Travel) \$990.00, Security Shredding Services (Maintenance) \$35.00; **Court House & Safety Center:** Ace Hardware (Maintenance) \$64.99, Avera Heart Hospital of South Dakota (Supplies) \$73.00, City of Yankton (Utilities) \$1,078.01, Hansen Locksmithing (Maintenance) \$12.00, Larry's Heating & Cooling (Minor Equipment) \$579.00, Menards (Repairs) \$75.94, MidAmerican Energy (Utilities) \$2,054.69, Northwestern Energy (Utilities) \$5,789.74; **Sheriff:** Clint Clites (Travel) \$87.00, First Bankcard (Auto Equipment) \$169.99, Stewart Howell (Travel) \$87.00, LEAF (Maintenance Contracts) \$293.52, Lewis & Clark Specialty Hospital (Vaccinations) \$202.50, South Central Safety (Minor Equipment) \$390.00, James Vlahakis (Travel) \$87.00, Wal-Mart Business (Supplies & Minor Equipment) \$1,117.47; **County Jail:** American Institutional Supply (Supplies) \$471.60, CBM Food Service (Food Services) \$2,337.72, Hy-Vee (Supplies) \$54.90, Lewis & Clark Specialty Hospital (Services & Vaccinations) \$1,330.00, Correctional Risk Services (Services & Inmate Medical Liability Insurance) \$873.41; **Coroner:** Mark Nickles (Supplies) \$2.50; **Juvenile:** FedEx (Supplies) \$11.47; **Yankton Area Search & Rescue:** First Bankcard (Supplies) \$105.99, He-dahls (Supplies) \$160.00; **Poor Relief:** Hy-Vee Pharmacy (Medicine/Supplies) \$31.85; **Ambulance:** Sacred Heart Health Service (Services) \$1,500.00, AT & T (Utilities) \$37.70, Ambill Associates (Services) \$690.00, Boller Printing (Supplies) \$89.00, Bound Tree Medical (Supplies) \$95.58, City of Yankton (Utilities) \$93.21, Credit Collection Services (Services) \$608.72, Century Business Products (Rentals) \$35.00, First Bank Card (Supplies & Travel) \$941.81, Brenda Gobel (Travel) \$59.94, Hy-Vee (Supplies) \$98.56, Matheson Tri-Gas (Supplies) \$52.10, MidAmerican Energy (Utilities) \$94.72, Northwestern Energy (Utilities) \$926.68, Yankton County Observer (Legal Notices) \$32.70, Olson's Pest Technicians (Maintenance) \$69.50, TruGreen (Maintenance) \$29.70, Verizon (Supplies & Utilities) \$692.25, Western Office Technologies (Supplies) \$38.45; **Mental Illness Board:** Denise Cody (Hearings) \$30.00, Lucille Lewno (Hearings) \$437.48, Karen Swanda (Hearings) \$30.00, Shepherd Reporting

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(Hearings) \$60.00; **Senior Citizens:** Senior Companions (1st Half 2014 Budget) \$800.00; **County Extension:** City of Yankton (Utilities) \$93.21, J & H Cleaning Services (Maintenance) \$200.00, JM Enterprises (Grounds Maintenance) \$450.00, WOW! Business (Utilities) \$261.33, List Electric (Maintenance) \$71.63, MidAmerican Energy (Utilities) \$42.49, Stephanie Smolek (Travel & Supplies) \$65.40, Wholesale Supply (Supplies) \$159.35; **Weeds:** Bomgaars (Supplies) \$330.07, C & R Supply (Supplies) \$308.00; **Zoning:** Collection Trust Publications (Supplies) \$100.00, Verizon (Utilities) \$43.55, Western Office Technologies (Supplies) \$5.95; **Economic Development:** Yankton Area Progressive Growth (2014 Commitment) \$40,000.00; **Road & Bridge:** Sanitation Products (Supplies) \$500.00, Sioux Falls Crane & Hoist (Repairs) \$1,576.23, Bomgaars (Supplies) \$82.81, B-Y Water District (Utilities) \$87.00, Bierschbach Equipment & Supply (Supplies) \$556.70, Boyer Trucks (Repairs) \$1,544.93, Brock White Company (Supplies) \$22,522.50, City of Yankton (Utilities & Annual Projects) \$212,630.07, Cox Auto Supply (Maintenance/Repairs & Supplies) \$587.33, Dakota Riggers (Supplies) \$14.30, Ehrsman Engineering (Supplies) \$744.06, Fastenal Industrial & Construction Supply (Supplies) \$95.36, Jim Hawk Truck Trailers (Repairs) \$240.74, Investigative Services of NE/SD/IA (Services) \$126.50, Koletzky Implement (Maintenance) \$25.04, Locators & Supplies (Supplies) \$2,062.86, Light & Siren (Maintenance) \$735.87, Mead Lumber (Repairs) \$44.86, Menards (Supplies) \$14.64, Massmanns (Repairs/Maintenance) \$2,211.08, Midwest Radiator & Exhaust (Repairs) \$40.94, Newman Traffic Signs (Supplies) \$164.79, Pollman Excavation (Bridges) \$2,988.71, Riverside Hydraulics & Labs (Repairs) \$395.28, Stern Oil Company (Fuel/Supplies) \$3,723.07, Sheehan Mack Sales & Equipment (Repairs) \$3,047.74, Titan Machinery (Repairs) \$111.08, Uline (Supplies) \$182.28, Verderhule's (supplies) \$238.25, Verizon (Utilities) \$97.10, Vander Haag's (Repairs) \$160.39, Yankton Janitorial Supply (Supplies) \$87.00; **911 Fund:** Century Link (Utilities) \$1,389.25, WOW! Business (Utilities) \$1,100.00; **Emergency Management:** First Bankcard (Supplies) \$179.55, Hy-Vee (Supplies) \$375.66, WOW! Business (Utilities) \$801.66, Midwest Card & ID 2012 (Supplies) \$8,007.25, MidAmerican Energy (Utilities) \$43.25, Mac (Supplies) \$2,124.00, Yankton County Observer (Legal Notices) \$44.89, Racom Corporation (Utilities) \$31.21, Sioux Falls Two Way Radio Service (Services, Repairs/Maintenance & Supplies) \$733.24, The Blue Cell (Supplies) \$1,500.00, Verizon (Utilities) \$114.41, Western Office Technologies (Supplies) \$404.27, Yankton Computer & Network Services (Supplies) \$59.98; **24/7:** FedEx (Maintenance) \$4.09, Redwood Toxicology Laboratories (Supplies) \$50.00; **County Law Library:** West Payment Center (Supplies) \$604.64. Total General Fund \$92,439.80, Road & Bridge \$257,639.48, 911 Fund \$2,489.25, Emergency Management \$14,419.37, 24/7 \$54.09, County Law Library \$604.64. All present voted aye; motion carried.

**Action 1559C:** A motion was made by Moore and seconded by Sinclair to approve the following Resolution.

COUNTY OF YANKTON  
STATE OF SOUTH DAKOTA  
Yankton County Commission  
June 3, 2014  
Resolution 14-6-A

A RESOLUTION, supporting Yankton Area Progressive Growth (YAPG) in its current Yankton Economic Success (YES) campaign for the continued responsible economic growth in the Yankton Area. WHEREAS, the Yankton County Commission supports the general concept of YAPG and the current YES campaign; and WHEREAS, the Yankton County Commission has been supportive in past campaigns for continued development; and WHEREAS the Yankton County Commission believes in growth from within whenever possible by supporting one another and all local businesses; and WHEREAS, the Yankton County Commission believes continued growth from within also creates rewards and dividends; and WHEREAS, the Yankton County Commission believes in further enhancing economic success by supporting post-secondary education and training to the extent possible at the local level; and WHEREAS, SDCL 7-8-38 indicates that by resolution contributions may be made for economic development purposes, if revenues are available: NOW THEREFORE BE IT RESOLVED, by the Yankton County

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Commission, of the State of South Dakota, that a pledge to YAPG be honored on June 3, 2014 for the current YES Campaign in the amount of Forty Thousand dollars (\$40,000), awarded for the fiscal year of 2014.

BE IT FURTHER RESOLVED, that future pledges are incumbent upon available revenue and must be awarded by resolution as well. All present voted aye; motion carried.

**Bruce Jensen**, Chairman  
Yankton County Commission

ATTEST:  
**Patty Hojem**, County Auditor

**Action 1560C:** A motion was made by Sinclair and seconded by Harper to set June 6, 2014 at 4:30 PM to canvass the June 3, 2014 Primary Election. All present voted aye; motion carried.

**Action 1561C:** A motion was made by Sinclair and second by Moore to approve the temporary 1 Day Liquor License on August 22nd, 2014 for Minerva's Grill & Bar at Lewis & Clark Lodge, 43496 Shore Dr. Yankton, SD. All present voted aye; motion carried

**Action 1562C:** A motion was made by Sinclair and seconded by Freng to recess the regular session and convene in Executive Session to discuss contractual matters. All present voted aye; motion carried.

Chairman Jensen reported no action would be taken as a result of the executive session.

**Action 1563C:** A motion was made by Freng and seconded by Harper to reconvene in regular session. All present voted aye; motion carried

**4-H:** Ryan List appeared before the board to request funding to help with the cost of the repair and expanding the 4-H parking lot. Mr. List received some estimated quotes from the City Manager, Amy Nelson. Spring/summer of 2014 recommended hole patching with the estimated cost of \$5,000.00, fall 2014 recommended crack filling with estimated cost of \$5,000.00 and a full chip seal is recommended the summer of 2015 at approximately \$12,000.00. If requested would present proposal to the Yankton City Commission to contribute to the project.

**Action 1564C:** A motion was made by Sinclair and seconded by Moore to approve the Scotland Fire Election Canvass. All present voted aye; motion carried.

**NWPS:** A Application for permission for grant and renewal of grant to operate, maintain and erect electric transmission and distribution lines on and along the public highways of Yankton County, South Dakota was received from Northwestern Public Service Company a corporation duly qualified to do business in the State of South Dakota, with its principal business office in the City of Huron, Beadle County, South Dakota, engaged in the manufacture, transmission, distribution and sale of electricity for light, heat and power, hereby makes application, pursuant to the provisions of Chapter 31-26 of the South Dakota Compiled Laws of 1967 annotated, as amended, for the right to

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erect and maintain poles, wires and necessary appurtenances for the purpose of conducting electricity for lighting,

heating and power purposes in and along certain public highways in the County of

Yankton, South Dakota, more particularly described hereinafter, for a period of twenty

(20) years and for as long an extended period as the legislature may provide, from and after the 1st day of July, 2014.

**Action 1565C:** A motion was by Moore and seconded by Sinclair that on the 1st day of

July, 2014, at the hour of 3:45 PM, in the County Commissioners Chambers in the County

Government Center in the City of Yankton, County of Yankton, State of South Dakota, will

be the time and place when and where said Application will be heard and considered by the members of the Board of County Commissioners of Yankton County, South Dakota, when

and where all persons, firms, or corporations owning or operating electric, telephone, or

telegraph lines on any part of the highway or highways which the proposed lines may occupy may appear, file objections and show cause why said application should not be granted.

All present voted aye; motion carried.

**Action 1566Z:** A motion was made by Sinclair and seconded by Freng to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

**Action 1566Z:** A motion was made by Sinclair and seconded by Freng 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 Tedd & Lynn Kellen a Variance of Minimum Lot Requirement from twenty (20) acres to one +/- (1) acre in an Agriculture District (AG) in Yankton County. Said property is legally described as E1/2, NE1/4, east of road, Exc Lot H-1 & Exc Marquardt Addition, S20-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is 30662 SW Jim River Road, Yankton, SD. The Planning Commission recommended approval 9-0.

**Action 1567Z:** A motion was made by Sinclair and seconded by Harper, based on Findings of Fact from the May 13, 2014 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Tedd & Lynn Kellen a Variance of Minimum Lot Requirement from twenty (20) acres to one +/- (1) acre in an Agriculture District (AG) in Yankton County. Said property is legally described as E1/2, NE1/4, east of road, Exc Lot H-1 & exc Marquardt Addition, S20-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is 30662 SW Jim River 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 Minimum Lot Requirement application from Claudell & Susan Munkvold a Variance of Minimum Lot Requirement from twenty (20) acres to five +/- (5.53) acres to build a single family house in an Agriculture District (AG) in Yankton County. Said property is legally

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described SW1/4, S13-T96N-R56W, hereinafter referred to as Jamesville Township, County of Yankton, State of South Dakota. The E911 address is 43928 294th St., Irene, SD. The Planning Commission recommended approval 9-0.

**Action 1568Z:** A motion was made by Freng and seconded by Sinclair, based on Findings of Fact from the May 13th, 2014 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Claudell & Susan Munkvold, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance. The variance allows reduction of the Minimum Lot Requirement from twenty (20) acres to five +/- (5.53) acres to build a single family house in an Agriculture District (AG) in Yankton County. Said property is legally described SW1/4, S13-T96N-R56W, hereinafter referred to as Jamesville Township, County of Yankton, State of South Dakota. The E911 address is 43928 294th St., Irene, SD. All present voted aye; motion carried.

**Action 1569DR:** A motion was made by Sinclair and seconded by Freng to adjourn as Board of Adjustment and reconvene in Drainage Board. All present voted aye; motion carried.

**Action 1570DR:** A motion was made by Moore and seconded by Harper to approve the Drainage permit for Skogen Trust, based on Findings of Fact dated April 29, 2014.

Said property is legally described as S1/2, NE1/4 & NE1/4, NE1/4 exc. Evenson Tract 1, S33-T96-R54, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. All present voted aye; motion carried.

**Action 1571DR:** A motion was made by Moore and seconded by Sinclair to approve the

Drainage permit for Skogen Trust, based on Findings of Fact dated April 29, 2014. Said property is legally described as W1/2, NW1/4, & SE1/4, NW1/4, Exc. E16.5' SE1/4, NW1/4 & Exc N33' SE1/4, NW1/4 S28-T95-R54, and NW1/4, NE1/4, NE1/4, NW1/4, E16.5', SE1/4

NW1/4, S28-T96-R54, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. All present voted aye; motion carried.

**Action 1572C:** A motion was made by Freng and seconded by Harper to adjourn as Drainage Board and reconvene in regular session. All present voted aye; motion carried.

**Action 1573Z:** A motion was made by Freng and seconded by Harper to adopt the following resolution: Whereas it appears Tedd & Lynn Kellen, owners of record, have caused a plat to be made of the following real property: Tract 1, Kellen's Addition, NE1/4, NE1/4, S20-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is TBA SW Jim River Road, 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

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**Call 605-665-7811 or stop at 319 Walnut St., Yankton, SD 57078**