#### 2010 Legal and Public 2010 **Notices**

Yankton County Board of Adjustment, Yankton County, South Dakota, Tuesday, December 2, 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 two (2) acres to .80 acres in a Commercial District and High Density Rural Residential District in Yankton County. Said property is legally described as Tract A, Brandt's Addition, E1/2, SW 1/4, SE 1/4, S10-T93N-R55W, hereinafter referred to as Mission Hill Township, County of Yankton, State of South Dakota. The E911 address is 4202 E. Highway 50, Yankton, SD.

### Plat consideration:

Said property is legally described as: Lot 1 & Lot 2, Tract A, Brandt's Addition, E 1/2, SW 1/4, SE 1/4, S10-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 4202 East Highway 50, Yankton, SD.

Patrick Garrity Zoning Administrator Published once at the approximate cost of \$19.86.

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION Yankton COUNTY NOTICE OF PUBLIC INFORMATION MEETING / **OPEN HOUSE** 

**FOR** Yankton COUNTY MASTER TRANSPORTION PLAN

December 3, 2014 Date: Time: 5:30 p.m. to 7:00 p.m. 5:30p.m.)

Place: Yankton County Government Center 321 West 3rd Street

Yankton, SD 57078

The South Dakota Department of Transportation (SDDOT), in conjunction with Yankton County, will hold the second public information meeting to discuss and receive public input on the development of a Master Transportation Plan for Yankton County. The meeting will include a presentation on the plan development and an opportunity to talk one on one with representatives of the SDDOT, Yankton County and consultant staff.

SRF Consulting Group, Inc. is conducting this public meeting on behalf of Yankton County and the SDDO1. The purpose is to gather community input on possible actions to address the transportation issues identified at the June 2014 public information meeting. Additional information regarding the transportation master plan can be found at www.yanktoncountyplan.com.

The meeting will occur between 5:30 p.m. and 7:00 p.m. at the Yankton County Government Center. SDDOT, county, and consultant staff will be available to discuss the needs and issues of the transportation network and to answer your questions. During this time, you will also have the opportunity to present written comments. A short presentation will be given at approximately 5:30

Notice is further given to individuals with disabilities that this public meeting is being held in a physically accessible place. Any individuals with disabilities who will require a reasonable accommodation in order to participate in the public meeting should submit a request to the department's ADA Coordinator at 605-773-3540 or 1-800-877-1113 (Telecommunication Relay Services for the Deaf). Please request the accommodations no later than 2 business days prior to the meeting in order to ensure accommodations are avail-

For further information regarding the study, contact Steve Gramm at (605) 773-6641 or by email at steve.gramm@state.sd.us.

Notice published twice at the total approximate cost of \$57.49.

DATE

FINDING OF NO SIGNIFICANT IMPACT

TO ALL INTERESTED GOVERNMENTAL AGENCIES AND PUBLIC GROUPS

As required by guidelines for the preparation of environmental impact statements, an environmental review has been performed on the proposed State Revolving Fund (SRF) action below:

### Legal and Public 2010 Notices

PROJECT: Yankton - Water System Project

LOCATION: Yankton County,

PROJECT NUMBER: C462038-05

TOTAL COST/SRF SHARE: \$12,857,000/\$12,850,000

The city of Yankton manages the water utility for the community. The water system consists of supply, treatment, storage, and distribution. Raw water for the city of Yankton is currently obtained from both surface and ground water sources: the Missouri River and two wells located in the Nebraska Well Field. The city uses two treatment facilities to prepare the water for the distribution system.

The city of Yankton is proposing to upgrade the existing water treatment plant No. 2 and construct a new collector well located approximately 1.5 miles downstream of the current water treatment plant along the Missouri River on Paddlewheel Point. A raw water line will be constructed to carry the water from the well to the treatment facility. The additional water source and plant upgrades are necessary because the raw water intake in the Missouri River is no longer operational and the city needs to replace this source to meet design water de-

The city of Yankton was awarded a \$12,850,000 Drinking Water State Revolving Fund (SRF) loan on September 27, 2013 to fund this project. The loan has a rate of 3.00 percent and a term of 30 years. Repayment of the SRF loan will be through a project specific surcharge assessed to each user of the Yankton water system. The current city of water Yankton rate \$40.85/month based on 5,000 gallons usage and includes the surcharge designated for repayment of the SRF loan.

The Water System project will not affect any historical or archaeological resources as was concluded by a Class III Cultural Resources Survey of the project area. In the event of an archaeological or historical resource being unearthed during construction, work will be stopped and the State Historic Preservation Office will

The project should have no direct or indirect adverse effects on plant life or wildlife. The proposed project will not have direct or indirect adverse effects on wetwill occur in waterways or wet- 2014 General election. lands, the project sponsor will be required to secure a Section 404 permit from the appropriate governmental agencies during design of the project. If necessary, any structures will be flood proofed to above flood elevations.

The review process did not indicate that significant environmental impacts would result from the proposed action. Consequently a preliminary decision not to prepare an Environmental Impact Statement has been made. This action is taken on the basis of a careful review of the engineering report, environmental information documents, and other supporting data which are on file at the Department of Environment and Natural Resources (DENR), Division of Financial and Technical Assistance, Pierre, South Dakota, and are available for public scrutiny at the Yankton city office located at 416 Walnut, Yankton, South Dakota.

Comments supporting or disagreeing with this decision may be submitted for consideration by DENR. After evaluating the comments received, the Department will make a final decision; however, no final administrative action will be taken on the project for at least 30 calendar days after release of the Finding of No Significant Impact.

Michael A. Perkovich, Program Administrator Water and Waste Funding Pro-Published once at an approximate cost of \$52.14.

www.yankton.net www.yankton.net www.yankton.net www.yankton.net www.yankton.net www.yankton.net www.yankton.net www.yankton.net

### Legal and Public 2010 **Notices**

PUBLIC MEETING NOTICE A regular monthly meeting of the Yankton County Commission will be held at 4:50 P.M., December 2. 2014 in the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

## NOTICE OF PUBLIC

HEARING HEREBY TAKE NOTICE, the Yankton County Planning Commission, County of Yankton, State of South Dakota, is proposing the adoption of a Zoning Ordinance amendment pertaining to changes in Article 15, Section 1527 - Principle Dwelling Performance Stan-

The Yankton County Commission will hold a Public Hearing, First Reading, on Tuesday, December 2, 2014, at 4:50 P.M. at the Yankton County Government Center, Commission Chambers, 321 West 3rd. St., Yankton, South Dakota. The complete text of the proposed ordinance amendment pertaining to Article 15, referred to above is on file with the Yankton County Auditor and Yankton County Zoning Administrator. The document may be inspected, reviewed, or examined by any interested party by contacting (605) 260-4445.

Written comments may be submitted to the Yankton County Zoning Administrator by 5:00 P.M. on December 1, 2014.

Patrick Garrity Zoning Administrator Published once at the approximate cost of \$15.72.

### YANKTON COUNTY COMMISSION MEETING November 6, 2014

The regular meeting of the Yankton County Commission was called to order by Chairman Bruce Jensen at 3:30 PM on Thursday, November 6th, 2014.

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

Action 14405C: A motion was made by Sinclair and seconded by Freng to approve the meeting agenda with the following additions: 4-H Intern, County Government Center remodeling. All present voted aye; motion carried.

Action 14406C: A motion was made by Harper and seconded by Freng to approve the minutes from the October 21st, 2014 Commission meeting. All present voted aye; motion carried.

The Board canvassed the election lands. If construction activities results from the November 4,

> made by Sinclair and seconded by Freng to accept the results of the election as presented by the Auditor. All present voted aye; motion

> Action 14408C: A motion was made by Harper and seconded by Sinclair to approve the following claims: Commissioners: Menno State Bank (Lower James Water Project 2nd half 2013 payable 2014) \$5 409 67. River Rat Productions (Services) \$450.00, Royal Sport Shop (Supplies) \$120.84; Election: Western Office Technologies (Supplies) \$69.45; Court: 7 Payees @ \$50.00 (Grand Juror Fees) \$350.00, 1 Payee @ \$54.00 (Grand Juror Fee) \$54.00, 1 Payee @ \$20.00 (Witness Fee) \$20.00, 1 Pavee @ \$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, 1 Payee @ \$2.22 (Grand Juror Mileage) \$2.22, 1 Payee @ \$18.50 (Grand Juror Mileage) \$18.50, 1 Payee @ \$8.88 (Grand Juror Mileage) \$8.88, 1 Payee @ \$6.66 (Grand Juror Mileage) \$6.66. 1 Pavee @ \$16.06 (Witness Mileage) \$16.06, Avera Sacred Heart Hospital (Labs) \$22.72, Cedar County Sheriff (Services) \$26.85, Clayton County Sheriff's Office (Services) \$24.04, Fox & Youngberg (Legal Assistance) \$10,500.00, Hy-Vee (Supplies) \$51.96, Kennedy, Pier, Knoff & Loftus (Legal Assistance) \$1,343.10, Koletzky Law Office (Legal Assistance) \$403.20, Tamara Lee (Legal Assistance) \$3,315.76, Nicholson, Tschetter, Adams & Nicholson (Legal Assistance) \$401.14, SD Department of Health (Labs) \$520.00, Shreves Law Office (Legal Assistance) \$1,603.00; Auditor: Federal Safety Compliance (Supplies) \$298.50, LEAF (Rentals) \$159.00; States Attorney: John Billings (Travel) \$82.00, SD Continuing Legal Education (Supplies) \$500.00, West Payment Center (Supplies) \$144.32, Yankton Title Company (Services) \$318.00; CLERP: SDACC (Catastrophic Legal Expense) \$4,335.70; Government Buildings: Ace Hardware (Supplies) \$35.96, City of Yankton (Utilities) \$684.76, Larry's Heating &

Cooling (Repairs) \$394.68, North-

western Energy (Utilities)

\$1,875.77, Trugreen (Mainte-

## Legal and Public 2010 Notices

nance) \$100.00; Director of

Equalization: ESRI (Mainte-

nance) \$2,400.00, McLeod's Printing & Office Supply (Supplies) \$54.80, Lori Mackey (Travel) \$175.38, Western Office Technologies (Supplies) \$114.54; Register of Deeds: Executive Mgmt Finance Office (Utilities) \$21.00; Veteran's Services: SDVSOA (2014 SDVSOA Dues) \$50.00; Court House & Safety Center: City of Yankton (Utilities) \$1,653.26, Kone (Repairs) \$879.73, MidAmerican Energy (Utilities) \$1,370.63. Northwestern Energy (Utilities) \$7,209.69, Trugreen (Maintenance) \$75.00. Yankton Irrigation (Maintenance) \$40.00; Sheriff: Beyond Technology (Computer Services) \$637.50, Steve Bolhouse (Travel) \$11.00, City of Yankton (Ballistic Vests) \$300.00, First Bankcard (Ammunition, Travel & Fuel) \$733.56, Light & Siren (Auto Equipment) \$1,133.91, Lewis & Clark Specialty Hospital (Vaccinations) \$113.10, Northtown Automotive (Maintenance) \$98.63, Pennington County Sheriff (Travel) \$218.40, Quality Communications (Minor Equipment) \$258.00, Unlimited (Repairs) \$204.82, M.T. & R.C. Smith Insurance (Insurance Premiums) \$365.00, South Dakota Sheriff's Association (Uniforms) \$205.95. Clair Sudbeck (Minor Equipment) \$188.62, Yankton Area Mental (Travel) \$60.00: Wellness County Jail: Avera Sacred Heart Hospital (Services) \$2,697.64, CBM Food Service (Food Services) \$4,816.55, Cash-Wa Distributing (Food Services) \$87.40, Diamond Drugs (Medicine/Services) \$208.95, Hy-Vee (Supplies) \$91.15, JJ Benji (Uniforms) \$1,935.60, Lewis & Clark Specialty Hospital (Services & Vaccinations) \$1,016.22, Microsoft Corporation (Maintenance Contracts) \$6.51, Neve's Uniforms (Uniforms) \$149.00, Olson's Pest Technician (Maintenance) \$103.00; **Juvenile Detention:** Minnehaha County Treasurer (Joint Powers Agreement) \$7,387.89; **Ambulance:** Avera Education & Staffing (CPR Cards/Services) \$85.00, Sacred Heart Health Service (Services) \$1,500.00, AT&T (Utilities) \$39.10, Boller Printing (Supplies) \$485.00, Bound Tree Medical (Supplies) \$653.67, City of Yankton (Utilities) \$161.46, Collision Center (Repairs) \$1,731.50, Credit Collection Services (Services) \$262.61, Century Business Products (Rentals & Supplies) \$65.73, Emdeon Business Services (Services) \$130.00, Embroidery & Screen Works (Supplies) \$692.25, Ferdig's Transmission (Maintenance) \$75.48, First Bank Card (Supplies & Travel) \$950.97, Flynn's Flowing Flags (Supplies) \$58.40, G & K Services (Maintenance) \$50.60, Hedahls (Supplies) \$4.92, WOW! Business (Utilities) \$183.29, Kinetic Leasing (Lease) \$3,312.00, Larry's Heating & Cooling (Minor Equipment) \$588.95 Matheson Tri-Gas (Supplies) \$97.90, MidAmerican Energy (Utilities) \$68.87, Northwestern Energy (Utilities) \$749.93, Northtown Automotive (Maintenance) \$83.81, Verizon (Utilities & Supplies) \$489.17, Western Office Technologies (Supplies) \$10.97, Yankton Medical Clinic (Services) \$38.00, Yankton Janitorial Supply (Supplies) \$501.22: Mental Illness Board: Denise Cody (Hearings) \$58.50, Marvin Ekeren (Hearings) \$6.00, Lincoln County Treasurer (Hearings) \$18.00, Lucille Lewno (Hearings) \$855.72, Minnehaha County Treasurer (Hearings) \$180.00, Karen Swanda (Hearings) \$52.50, Dean Schaefer (Hearings) \$327.00; County Extension: Appeara (Supplies) \$40.77, City of Yankton (Utilities) \$34.71, Days Inn (Travel) \$156.00, Hodges Badge Company (Supplies) \$720.46, J & H Clean-Services (Maintenance)

\$200.00, MidAmerican Energy (Utilities) \$16.80, McFarland (Travel) \$19.24. SDSU Extension (Travel) \$50.00, Stephanie Siebrandt (Travel) \$192.82, The Trophy Place (Supplies) \$278.00; Soil Conservation: Cedar Shore Resort (Travel) \$169.90, Yankton County Conservation District (2nd Half 2014 Wages Tree Manager) \$2,500.00; Weed: C & B Operations (Supplies) \$92.98, Bomgaars (Supplies) \$89.88; Zoning: 3-D Specialties (Supplies) \$106.95, Verizon (Utilities & Minor Equipment) \$438.41, Western Office Technologies (Supplies) \$9.98; Economic Development: Keep Yankton Beautiful (2014 Budget Request) \$2,500.00; Road & Bridge: Appeara (Supplies) \$75.26, C & B Operations (Repairs) \$1,065.02, Bomgaars (Supplies) \$219.98, B-Y Water Dis-(Utilities) trict Bierschbach Equipment & Supply (Supplies) \$250.00, City of Yankton (Utilities) \$66.71, Cox Auto Supply (Repairs & Supplies) \$379.92, Concrete Materials (Supplies) \$46,518.12, Century Link (Utilities) \$49.97, Diesel Machinery (Rentals) \$3,420.00, D-P Tools (Supplies) \$41.74, Equipment Blades (Supplies) \$3,689.56, Filter Care (Maintenance) \$87.75, First Bankcard (Supplies & Travel) \$223.58, Kimball Midwest (Supplies) \$894.45, Long's Propane (Fuel) \$34.00, Road King (Supplies) \$18.23, Verizon (Utili-

ties) \$97.02; 911 Fund: Century

## Legal and Public 2010 Notices

Link (Utilities) \$3.48; Emergency Management: First Bankcard (Supplies) \$51.10, Great America Financial Service (Rentals) \$89.19, Hy-Vee (Supplies) \$115.34, MidContinent Communications (Utilities) \$8.91, MidAmerican Energy (Utilities) \$9.35, Racom Corporation (Utilities) Verizon (Utilities) \$144.80; **24-7:** JJ Benji (Supplies) \$1,078.40, Redwood Toxicology Laboratory (Supplies) \$105.00; County Law Library: West Payment Center (Supplies) \$604.64; Tower Fund: Verizon (Reimbursement) \$4.353.13.Total General Fund \$92,946.80, Road & Bridge \$57,225.31, 911 Fund \$3.48, Emergency Management \$450.52, 24/7 \$1,183.40, County Law Library \$604.64, Tower Fund \$4,353.13. All present voted aye; motion carried.

Emergency Management: Paul Scherschligt presented to the board the bid of \$79,000.00 for the portable generator that will be used for shelters and any facilities that may need power during a power outage. Also presented the Emergency Response Plan for Hazardous Substance incidents and received unanticipated expense revenue.

Action 14409OEMHS: A motion was made by Sinclair and second by Freng to authorize the purchase of the portable generator in the amount of \$79,000.00 for the Office of Emergency Management Services. All present voted aye; motion carried.

Action 14410OEMHS: A motion was made by Sinclair and second by Harper to increase the 2014 Emergency Management Budget by \$3,295.04 as an automatic supplement, due to unanticipated revenue from a CERT Grant; also authorized the

automatic budget supplement from POD funds in the amount of \$3,508.99 to Emergency Management for POD expense. All present voted aye; motion carried.

Sheriff: Sheriff Jim Vlahakis reported his office collected \$7,882.01 in fees for the month of October. Jail income for October was \$55,945.03. There were a total of 192 inmates for the month of October, with a total of 4,161 inmate meals served. Income from the 24-7 program was \$6,076.00. Informed the board that Sheriff Vlahakis received a payment in the amount of \$36,000.00 from the State of South Dakota for

anticipated growth of offenders on probation; requested to have that amount be assigned in the General fund for Jail Improvements. Received unanticipated grant monies from Homeland Security for security equipment for the Jail.

Action 14411S: A motion was made by Sinclair and seconded by Freng to assign

\$36,000.00 in the General Fund for Capital Improvements for the Jail Building.

All present voted aye; motion car-

Action 14412S: A motion was made by Freng and seconded by Sinclair to increase the 2014 Jail Budget by \$17,961.00 as an automatic supplement, due to unanticipated revenue from a Homeland Security grant. All present voted aye; motion carried.

Action 14413S: A motion was made by Sinclair and seconded by Harper to approve the monthly Sheriff and Jail reports for October 2014. All present voted aye; motion carried.

Action 14414C: A motion was made by Sinclair and seconded by Freng to approve the

travel request for Lori Mackey and Matt Archer to attend the Ag Task Force Meeting in Pierre, SD November 18, 2014. All present

voted aye; motion carried. Action 14415C: A motion was made by Harper and seconded by Sinclair to approve the October 2014 gross payroll: Commission-\$4,955.77; **Election**: \$940.53; **Auditor**: \$10,680.21; **Treasurer**: \$14,028.28; **States** Attorney: \$21,959.32; Custodian: \$2.679.04: Director of Equalization: \$18,807.32; Register of Deeds: \$11,282.01; Veterans Service: \$1,216.00; Courthouse & Safety Center: \$5,450.76; **Sheriff:** \$48,762.45; County Jail: \$47,949.00; Coroner: \$920.00; Nurse: \$2,466.31; **Ambulance**: \$36,648.59; **WIC**: \$1.235.23: **Extension**: \$5.898.77: Soil Conservation: \$2,176.52; Weed: \$2,758.08; Planning & **Zoning:** \$4,766.08; **Road & Bridge:** \$45,393.92; **OEMHS:** \$5.134.01: **24-7** Program: \$2,840.00. South Dakota Retirement System \$21,735.86 (Other Employees), South Dakota Retire-System \$14,062.32 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$193.62, South Dakota Retirement System (Supplemental) \$3,141.66, American Family Life Assurance Company (AFLAC) \$3,816.19, Legalshield

\$64.75, Office of Child Support

# **Legal and Public**

**Notices** \$953.00, Nationwide Retirement Solutions \$69.44, First Dakota National Bank \$26,114.64 (Withholding), First Dakota National Bank \$36,632.60 (FICA) First Dakota National Bank \$8,567.30 (Medicare), Boston Mutual Life Insurance \$511.76, Colonial Life & Accident \$1,460.18, Avera Health Plans \$43,383.20. Gross Payroll \$298,999.20, Net Payroll \$222,968.43. All present voted aye; motion carried.

Remodeling: The board agreed to proceed with the remodeling of the Contact office and Nurses offices due to water damage that has occurred over past few months.

Action 14416C: A motion was made by Sinclair and seconded Freng to enter into an

agreement to have an Internship for the 4-H office for the 2015 budget year. All present voted aye; motion car-

Commissioner Moore joined the meeting at 4:00 PM.

Action 14417C: A motion was made Moore and seconded by Sinclair to deny the petition from Al Binder to Vacate

south of Pioneer Road. All present voted aye; motion carried.

long of 436th Ave.

the Section Line 66' wide x 500'

Action 14418C: A motion was made by Sinclair and seconded by Harper to close

the remaining 500 feet of 436th Avenue South of Pioneer Road. All present voted aye; motion car-

Action 14419C: A motion was made by Sinclair and seconded by Moore to approve

the following resolution. All present voted aye; motion carried.

YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS YANKTON COUNTY, SOUTH DAKOTA

Resolution No. 14-6-11

WHEREAS, the Yankton County Commission may designate roads in unorganized townships within the county as the Yankton County Commission determines in the best interests of the county; and,

WHEREAS, the Yankton County Commission may expend any funds available from the county highway funds for maintaining such roads as designated in an unorganized township; and,

WHEREAS, South Dakota Codified Law provides that along every section line in this state a public highway is located by operation of law: and

WHEREAS, South Dakota Law provides that Yankton County Commission may repair and maintain roads in its sole discretion and as it deems necessary and advisable; and,

WHEREAS, 310th street has been determined to be a section line right of way; and, adopts the following resolution, to-wit:

NOW THEREFORE, BE IT RESOLVED, that Yankton County Commission, in accordance with SDCL 31-13-12, declares 310th street from 434th Ave to its intersection with Sundance Road to be a county aid road from this date forward, with the level of maintenance to be determined by the Yankton County Commission, in the best interests of the county, and in consideration for the safety and welfare of the traveling public.

Dated this 6th day of November,

Yankton County Commission, Bruce Jensen /s/ ATTEST: Patty Hojem, Yankton Auditor County

Action 14420Z: A motion was made by Freng and seconded by Sinclair to adjourn as regular session and reconvene as Board of Adjustment. All present voted aye; motion carried.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Yard Requirement application from Steve & Jessica Freeling a Variance of Minimum Yard Requirement on a front yard from seventy-five (75) feet on the rear yard to fifty (50) feet to build a cabin in an Agriculture District (AG) in Yankton County. Said property is legally described as 3 acre parcel, NW1/4, South of road, S35-T95N-R54W, hereinafter referred as Marindahl Township, County of Yankton, State of South Dakota. The E911 address TBA 303 St., Volin, SD. The Planning Commission recommended approval 11-1.