

YANKTON COUNTY COMMISSION MEETING  
April 7th, 2009

The regular meeting of the Yankton County Commission was called to order by Chairman Bruce Jensen at 4:00 PM on Tuesday, April 7th, 2009.

Roll Call was taken with the following Commissioners present: Donna Freng, Bruce Jensen, Mark Johnson, Allen Sinclair and Bill Tamisiea.

**Action 09105C:** A motion was made by Tamisiea and seconded by Sinclair to set the agenda with the following additions/changes: Craig Ernster - video, Good Friday and 5<sup>th</sup> grade tour

Voting Aye: All Nay; None Motion carried.

**Action 09106C:** A motion was made by Freng and seconded by Johnson to approve the minutes of the March 27, 2009 meeting of the Board.

Voting Aye: All Nay: None Motion carried.

The scheduled Executive Session was rescheduled for the April 21<sup>st</sup> meeting of the Commission.

**Action 09107Ext/W/ROD:** A motion was made by Tamisiea and seconded by Freng to approve as a proper charge against the County, the Extension calendar for the month of April, 2009, travel expenses for Brian Hunhoff to attend the SDACO new officials workshop in Pierre April 8<sup>th</sup> & 9<sup>th</sup>, 2009, travel expenses for Weed Department personnel to attend the 2009 spring mosquito workshop in Sioux Falls, SD on April 30<sup>th</sup> and the SD/NE Purple loosestrife project on April 14<sup>th</sup>, at Niobrara, NE.

Voting Aye: All Nay: None Motion carried.

**Action 09108ROD/H/BH/PC/S/PR:** A motion was made by Sinclair and seconded by Johnson to accept into the record the Register of Deeds' Statement of Transfer Fees collected during the month of March, 2009 in the amount of \$4,949.50 and the Register of Deeds Statement of Fees collected during the month of March, 2009 in the amount of \$12,690.00 and copy fees of \$682.60, the Secondary Road report for March 2009, the report of Bob Hanson, Safety Center Site Inspector, the minutes from the March 10, 2009 Planning Commission meeting, the Sheriff's report for March, 2009 and the Poor Relief report for March, 2009.

Voting Aye: All Nay: None Motion carried.

**Action 09109C** A motion was made by Johnson and seconded by Tamisiea to approve the following claims: **Commissioners:** Knology (Utilities) \$83.85; **Elections:** Western Office Plus (Supplies) \$75.99; **Court:** Affordable Self Storage (Services) \$88.40, Avera Sacred Heart Hospital (Services) \$16.75, David Bergendahl (Services) \$403.40, Brown County Law Enforcement (Services) \$91.50, 29 Payees @\$10.00 (Juror Fees) \$290.00, 10 Payees @\$50.00 (Juror Fees) \$500.00, 13 Payees @ \$200.00 (Juror Fees) \$2,600.00, 1 Payee (Juror Fees/mileage) \$6.66, 1 Payee (Juror/mileage) \$11.10, 3 Payees @\$5.92 (Juror/mileage)

\$17.76, 1 Payee (Juror/mileage) \$3.70, 1 Payee (Juror/mileage) \$4.44, 1 Payee (Juror/mileage) \$7.40, 1 Payee (Juror/mileage) \$2.96, 1 Payee (Juror/mileage) \$1.48, Fox, Youngberg & Lewno (Public Defender) \$9,000.00, Horn Law Office (Legal Counsel) \$3,726.72, Great Plains Psychological (Services) \$1,050.00, David Hosmer (Legal Counsel) \$1,330.78, Kennedy, Pier & Knoff (Legal Counsel) \$4,340.29, SD Dept Health (Lab) \$471.00, Sioux County Sheriff (Services) \$50.42, Creighton Thurman (Legal Counsel) \$3,273.06; **Auditor:** Knology (Utilities) \$87.15, Pitney Bowes (Maintenance) \$62.70, SDACES (Sues) \$10.00, Western Office Plus (Supplies) \$289.02; **Treasurer:** Knology (Utilities) \$91.84, Pam Marchand (Travel) \$42.18, Pitney Bowes (Maintenance & Rental) \$323.70, SDACES (Dues) \$10.00, Western Office Plus (Maintenance) \$61.84; **Data Processing:** Knology (Utilities) \$44.95; **States Attorney:** A&B Business (Maintenance) \$37.42, John Billings (Utilities) \$90.00, Erich Johnke (Utilities) \$90.00, Knology (Utilities) \$150.71, Kansas State Bank (Rental) \$945.67, Pitney Bowes (Maintenance, Rental & Supplies) \$317.98, Staples (Supplies) \$158.21, Great Western Bank (Lease) \$158.46, West Payment Center (Books) \$484.00; **Government Buildings:** Ace Hardware (Supplies) \$46.25, City of Yankton (Utilities) \$70.45, JCL solutions (Supplies) \$97.08, Knology (Utilities) \$25.61, MidAmerican Energy (Utilities) \$902.47, Northwestern Energy (Utilities) \$1,382.86, Yankton Janitorial (Supplies) \$237.03; **Director of Equalization:** AllTel (Utilities) \$26.85, Knology (Utilities) \$84.41, Marshall & Swift (Maintenance) \$4,370.63, Pitney Bowes (Maintenance) \$62.70, SDACES (Dues) \$10.00, SDAAO (Registration Fees) \$400.00, Western Office Plus (Supplies) \$54.56, Western Office Plus (Maintenance) \$58.62, Yankton Daily P&D (Publishings) \$158.62; **Register of Deeds:** Brown & Saenger (Supplies) \$439.80, Executive Mgmt Finance (Utilities) \$56.00, Knology (Utilities) \$93.74, Microfilm Imaging (Rental) \$609.00, Pitney Bowes (Maintenance) \$62.70, SDACES (Dues) \$10.00, Western Office Plus (Supplies) \$44.17; **Veterans Service:** Knology (Utilities) \$84.62, Pitney Bowes (Maintenance) \$62.70, Western Office Plus (Maintenance & Supplies) \$77.22; **Court House & Safety Center:** City of Yankton (Utilities) \$395.05, Crescent Electric (Supplies) \$63.24, Paul Helgerson (Supplies) \$8.98, Knology (Utilities) \$366.78, Larry's Plumbing (Maintenance) \$727.06, MidAmerican Energy (Utilities) \$2,549.25, Northwestern Energy (Utilities) \$4,057.29, Nebraska Air Filter (Supplies) \$298.96; **Sheriff:** AllTel (Utilities) \$81.40, FedEx (Supplies) \$4.58, Hedahl's, Inc. (Supplies) \$31.46, Knology (Utilities) \$141.56, Northtown Automotive (Maintenance) \$54.95, Pump N Stuff (Maintenance) \$12.00, Pennington County Jail (Travel) \$453.90, Pitney Bowes (Rental & Supplies) \$256.28, Pro Auto (Maintenance) \$748.00, Robinson Motors (Maintenance) \$151.34, Stanley Security (Supplies) \$25.97, Apan Publishing (Books) \$143.10, Sioux Falls Two-Way Radio (Maintenance) \$399.00; **County Jail:** Avera Sacred Heart Hospital (Care) \$5,379.08, CBM Food Service (Meals) \$3,725.77, Cash-WA Distributing (Supplies) \$668.55, Hy-Vee (Supplies) \$530.15, Keefe Supply (Supplies) \$506.36, Knology (Utilities) \$79.86, Pitney Bowes (Supplies) \$172.99, Landmann Jungman Hospital (Care) \$991.36, Scotland Medical Clinic (Services) \$24.80, Yankton Janitorial (Supplies) \$93.30, Yankton Radiology (Services) \$1,376.59, Yankton Anesthesiology (Services) \$160.00; **Coroner:** Melisa Smith (Travel) \$47.21; **LEPC:** Hy-Vee (Supplies) \$215.14; **Care of Poor:** Avera Sacred Heart Hospital (Care) \$1,803.13, Physicians Lab (Services) \$62.94, Pitney Bowes (Maintenance) \$62.70, Xerox (Maintenance) \$52.68, Yankton Medical Clinic (Services) \$377.60, Yankton Anesthesiology (Services) \$112.00; **Public Health Nurse:** Knology (Utilities) \$88.98, Pitney Bowes (Maintenance) \$62.70, SD Dept Health (2<sup>nd</sup> Quarter Budget) \$2,575.00, Xerox (Maintenance) \$52.68; **Ambulance:** Ace Hardware (Supplies) \$47.52, AllTel (Utilities)

\$193.55, Bound Tree Medical (Supplies) \$44.00, City of Yankton (Utilities) \$136.76, Credit Collection Service (Services) \$573.95, Card Service Center (Supplies) \$117.92, Century Business Products (Maintenance) \$28.00, Embroidery & Screen Works (Supplies) \$275.50, EMSAR (Supplies) \$281.21, Fejfar Plumbing (Maintenance) \$63.35, Fox Run Quik Lube (Maintenance) \$145.95, Galls (Supplies) \$100.90, Hedahls (Supplies) \$23.80, Darla Edinger (Services) \$1,000.00, Knology (Utilities) \$169.01, Linweld (Supplies) \$15.50, MidAmerican Energy (Utilities) \$510.45, Northwestern Energy (Utilities) \$455.15, Master-Tech Auto Clinic (Maintenance) \$123.60, Daryl Madson (Travel) \$96.20, Mercy Medical Center (Travel) \$320.00, Mark Nickles (Travel) \$206.20, Racon (Utilities) \$762.11, Orkin Pest Control (Maintenance) 71.84, Pitney Bowes (Rental) \$210.00, Public Safety Center (Supplies) \$166.66, Roger's Family Pharmacy (Supplies) \$109.66, Randy Webert (Travel) \$48.10, TMA (Maintenance) \$18.07, Western Office Plus (Supplies) \$56.98, Yankton Janitorial (Supplies) \$108.56; **Mental Health Centers:** Ability Building Service (1<sup>st</sup> Half 2009 Budget) \$10,250.00; **Mental Illness Board:** Avera Sacred Heart Hospital (Evaluations) \$137.77, Donna Dietrich (Hearings) \$546.48, Kabeiseman & Pollard (Hearings) \$82.00, Nelva Kooistra (Hearings) \$45.00, Lincoln County Treasurer (Evaluation) \$67.50, Gary Mikelson (Hearings) \$323.80, Cathy Reh fuss (Hearings) \$45.00; **Arts:** (Yankton Area Arts Association (2009 Budget) \$2,000.00; **County Extension:** Appera (Supplies) \$56.26, Cindy Bergman (Travel) \$60.00, City of Yankton (Utilities) \$31.15, Dolphin Capital Corp. (Rental) \$242.07, Extension Service (Travel) \$274.92, Floor Tec (Maintenance) \$350.00, Fairfield Inn (Travel) \$46.50, Sharon Guthmiller (Travel) \$45.88, Knology (Utilities) \$223.77, MidAmerican Energy (Utilities) \$119.54, Northwestern Energy (Utilities) \$214.75, Dennis Roy (Travel) \$89.87, Turner County 4-H Leader (Supplies) \$99.00, Western Office Plus (Supplies) \$381.74; **Planning & Zoning:** AllTel (Utilities) \$26.85, Knology (Utilities) \$84.35, Printing Specialists (Supplies) \$77.71, Pitney Bowes (Maintenance) \$62.70, Western Office Plus (Supplies) \$117.37, Yankton Office Equipment (Supplies) \$399.70; **Road & Bridge:** AllTel (Utilities) \$31.36, Bomgaars (Supplies) \$347.83, B-Y Electric (Utilities) \$25.31, Butler Machinery (Supplies) \$278.81, City Of Yankton (Utilities) \$46.68, D-P Tools (Supplies) \$152.90, Knology (Utilities) \$89.78, Kimball Midwest (Supplies) \$429.51, Long's Propane (Supplies) \$32.00, Linweld (Supplies) \$139.99, MidAmerican Energy (Utilities) \$60.00, Myers Tire (Supplies) \$93.46, Northwestern Energy (Utilities) \$1,748.48, Pitney Bowes (Maintenance) \$62.70, Qwest (Utilities) \$100.67, Sheehan Mack (Supplies) \$3,267.29, Western Office Plus (Supplies) \$77.23, Yankton Fire & Safety (Supplies) \$172.50, Zep Manufacturing (Supplies) \$250.64; **911 Fund:** Golden West (Utilities) \$145.00, Knology (Utilities) \$2,200.00, Qwest (Utilities) \$1,360.27; **Emergency Management:** AllTel (Utilities) \$51.80, B-Y Electric (Utilities) \$46.00, City of Yankton (Utilities) \$16.40, MidAmerican Energy (Utilities) \$24.95, Racom (Utilities) \$55.80, Western Office Plus (Supplies) \$10.99. Total General Fund \$85,149.87, Road & Bridge \$7,407.14, 911 Fund \$3,705.27, Emergency Management \$205.94. Manual checks not in totals: SD Board of Medical & Osteopathic (Amb) \$50.00 and Sam's Club (Custodian/SC-Supplies) \$1,198.08.

Voting Aye: All Voting Nay: None Motion carried 5-0.

**Action 09110C:** A motion was made by Sinclair and seconded by Freng to approve the following gross payroll: **Commissioners:** \$4,316.81; **Auditor:** \$10,267.24; **Treasurer:** \$11,989.42; **States Attorney:** \$19,100.03; **Custodian:** \$2,707.60; **Director of Equalization:** \$13,463.36; **Register of Deeds:** \$7,789.82; **Veterans Service:** Charles E Haffner \$1,866.22; **Courthouse & Safety Center:** \$3,290.00; **Sheriff:** \$38,448.86;

**County Jail:** \$41,420.05; **Juvenile Detention:** \$501.75; **Nurse:** \$2,443.55; **Ambulance:** \$27,507.01; **Extension:** \$4,190.78; **Soil Conservation:** \$2,138.50; **Weed:** \$2,026.24; **Planning & Zoning:** \$2,791.47; **Road & Bridge:** \$62,472.88; **OEMHS:** \$3,458.63. South Dakota Retirement System \$12,226.76 (Sheriff/EDS), South Dakota Retirement System \$19,612.78 (Other Employees), South Dakota Retirement System (Payroll Deduction) \$352.70, South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$325.05, South Dakota Retirement System (Supplemental) \$450.00, American Family Life Assurance Company \$3,933.57, Prepaid Legal Services, Inc \$14.95, Office of Child Support \$371.00, Office of Child Support \$697.00, Nationwide Retirement Solutions \$128.26, Credit Collections Bureau \$100.00, First Dakota National Bank \$16,209.32 (Withholding), First Dakota National Bank \$31,708.32 (FICA) First Dakota National Bank \$7,415.72 (Medicare) Blue Cross Blue Shield \$33,167.24. Gross Payroll \$326,439.30, Net Payroll \$199,726.63.

Voting Aye: All    Nay: None    Motion carried.

**Action 09111C:** A motion was made by Freng and seconded by Johnson to give county employees seven or eight hours (as applicable) leave, subject to stipulations, for Good Friday.

Voting Aye: All    Nay: None    Motion carried.

**Action 09112C:** A motion was made by Johnson and seconded by Tamisiea to authorize Chairman Jensen to sign a letter of assurance to the State Historic Preservation Office advising no historic properties will be affected by the Deer Boulevard Trail Project.

Voting Aye: All    Nay: None    Motion carried.

**Action 09113C:** A motion was made by Johnson and seconded by Sinclair to write off \$1,110.80 for court appointed attorney liens, said amount representing the cost to the county for collection of ten (10) liens.

Voting Aye: All    Nay: None    Motion carried.

The Board discussed the plaque for the Yankton County Courthouse and Safety Center building. The cost for the plaque is estimated to be approximately \$1,000.00.

**Action 09114C:** A motion was made by Sinclair and seconded by Johnson to authorize the Auditor to advertise a hearing for the transfer of a liquor license from Norm Balaalid to Captain Norm's LLC.

Voting Aye: All    Nay: None    Motion carried.

Craig Ernster advised the Board that he will be videoing with two cameras in the near future. He will also have the ability to provide video of the meeting in a format that can be accessed through the County's website.

**Action 09115C:** A motion was made by Sinclair and seconded by Johnson to continue the contract with Bob Hanson, Safety Center Site Inspector, through the end of April, 2009, due to the project nearing completion.

Voting Aye: All    Nay: None    Motion carried.

**Action 09116A:** A motion was made by Johnson and seconded by Sinclair to close applications for the Ambulance Director as of 5:00 on April 17<sup>th</sup>, 2009.  
Voting Aye: All Nay: None Motion carried.

**Action 09117C:** A motion was made by Johnson and seconded by Sinclair to recess the regular session of the Board and convene as a Board of Adjustment.  
Voting Aye: All Nay: None Motion carried.

Tom Fiedler, Zoning Administrator, introduced Pat Garrity who will assume the position of Zoning Administrator upon Fiedler's retirement. Fiedler also introduced Matt Archer, Appraiser, who is being familiarized with the Zoning process as a backup for Garrity.

**Action 09118Z:** A motion was made by Johnson and seconded by Tamisiea to approve **A Conditional Use Permit, for the construction of a 62 x 100 accessory agricultural building in a Low Density District for Rodger and Donna Harts** as follows:

**Rodger & Donna Harts, 3208 SD Highway 314, Yankton, SD**

**LEGAL DESCRIPTION (Physical Location):** E2 NW4 exc Lot A & E2 exc S80' N1046.4" W150' & exc Parcel A & D & exc E284' N1516" exc N749' NW4, Section 10, Township 93N, Range 56W, Yankton County, SD

1. Planning Commission recommends approval 9-0.
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. No adverse public comments were received  
Approval is pursuant to Section 1905, 1 through 6, of the Yankton County Zoning Ordinance

Voting Aye: Johnson, Tamisiea, Sinclair, Freng, Jensen Nay: None Motion carried.

**Action 09119Z:** A motion was made by Sinclair and seconded by Johnson to approve a **Reduction of Minimum Lot Size and Minimum Lot Width Variance Permit for Our Saviors Lutheran Congregation**, as follows:

**Our Saviors Lutheran Congregation, 29219 431<sup>st</sup> Avenue, Menno, SD**

**LEGAL DESCRIPTION (Physical Location):** Stone church Addition, NE4 NE4, Section 9, Township 96N, Range 57W, Yankton County, SD.

No comments were received either pro or con.

1. Planning Commission recommends approval 9-0.
2. A lot size reduction variance from 20 acres to 1.29 acres.
3. A lot size width reduction variance from 500 feet to 184.71 feet
4. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege
5. No nonconforming lands, structures or buildings were considered grounds for this recommendation

- 6. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district
- 7. Variance request approval per Section 1907, Parts 1 through 10 of the Yankton County Zoning Ordinance

Voting Aye: Sinclair, Johnson, Freng, Tamisiea, Jensen, Nay: None Motion carried 5-0

**Action 09120Z:** A motion was made by Johnson and seconded by Tamisiea to approve a **Reduction of Minimum Lot Size** for **Curtis Ulmer**, as follows:

**Curtis Ulmer, 43105 Stone Church Road, Menno, SD**

**LEGAL DESCRIPTION (Physical Location): Akland Addition, Government Lot 10, Section 10, Township 96N, Range 57W, Yankton County, SD.**

No comments were received either pro or con.

- 1. Planning Commission recommends approval 9-0.
- 2. A lot size reduction variance from 20 acres to 9.57 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. Variance request approval per Section 1907, Parts 1 through 10 of the Yankton County Zoning Ordinance

Voting Aye: Johnson, Tamisiea, Sinclair, Freng, Jensen, Nay: None Motion carried 5-0

**Action 09121Z:** A motion was made by Sinclair and seconded by Freng to approve a **Reduction of Minimum Lot Size and Minimum Lot Width Variance Permit** for **Dennis Everson**, as follows:

**Dennis Everson, 44460 302<sup>nd</sup> Street, Volin, SD**

**LEGAL DESCRIPTION (Physical Location): Tract 2, Elmer Lowe Addition, SW4 SE4, Section 26, Township 95N, Range 55W, Yankton County, SD.**

No comments were received either pro or con.

- 1. Planning Commission recommends approval 9-0.
- 2. A lot size reduction variance from 20 acres to 7.28 acres.
- 3. A lot size width reduction variance from 500 feet to 418.97 feet
- 4. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege
- 5. No nonconforming lands, structures or buildings were considered grounds for this recommendation
- 6. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district
- 7. Variance request approval per Section 1907, Parts 1 through 10 of the Yankton County Zoning Ordinance

Voting Aye: Sinclair, Freng, Johnson, Tamisiea, Jensen, Nay: None Motion carried 5-0

**Action 09122C:** A motion was made by Sinclair and seconded by Johnson to adjourn as a Board of Adjustment and reconvene in regular session.  
Voting Aye: All    Nay: None    Motion carried.

**Action 09123Z:** A motion was made by Johnson and seconded by Tamisiea to adopt the following resolution: Whereas it appears that Curtis & Barbara Ulmer, owners of record, have caused a plat to be made of the following real property: Akland Addition, Gov Lot 2 Section 10, Township Ninety-Six (96) N, Range Fifty-Seven (57) West of the 5<sup>th</sup> PM, and in the NE4 NE4 and Gov Lot 4, Section 9, Township Ninety-Six (96) N, Range Fifty-Seven (57) W of of the 5<sup>th</sup> 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    Voting Nay: None    Motion carried.

**Action 09124Z:** A motion was made by Sinclair and seconded by Tamisiea to adopt the following resolution: Whereas it appears that Dennis A & Janet M Everson, owners of record, have caused a plat to be made of the following real property: Tracts 1 & 2, Elmer Lowe Addition, SW4 SE4, Section 26, Township Ninety-Five (95) N, Range Fifty-Five (55) West of the 5<sup>th</sup> 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    Voting Nay: None    Motion carried.

**Action 09125Z:** A motion was made by Tamisiea and seconded by Johnson to adopt the following resolution: Whereas it appears that Our Saviors Lutheran Congregation, owner of record, has caused a plat to be made of the following real property: Stone Church Addition, NE4NE4, Section 9, Township Ninety-Six (96) N, Range Fifty-Seven (57) West of the 5<sup>th</sup> 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    Voting Nay: None    Motion carried.

Two indigent requests were presented to the Board for consideration. Case #1 request for financial assistance for a medical procedure- applicant meets County guidelines and repriced amount will be \$5,337.16. Case #2 request for financial assistance for medical bills in an approximate amount of \$1,000.00. It was the consensus of the Board to approve payment of both requests as recommended.

The first reading of the Zoning Ordinance Amendment was conducted at 5:00 PM as scheduled, as follows:

Ordinance No 2009-1PZ – An ordinance amending Ordinance 16 ~ regarding Article 12, Article 17, Article 18, Article 19, Article 21, correcting numerical errors in Article 25 and striking the definition of agricultural use covenant running with the land, the striking of Section 1733 and Section 1219 (11) and reserving stricken sections for use at a later date.

Commissioner Tamisiea advised he wished to object to the elimination of Section 1733 which addresses the agriculture covenant.

**Action 09126Z:** A motion was made by Sinclair and seconded by Freng to proceed to the 2<sup>nd</sup> reading of the proposed zoning ordinance amendment, to be scheduled for the April 21<sup>st</sup>, 2009 Commission meeting.

Voting aye: Sinclair, Freng, Jensen Nay: Tamisiea, Johnson Motion carried 3-2.

Sharon Guthmiller, Extension Educator, updated the Board on Extension office activities. Larry Buffington has replaced Todd Bye on the Extension Board. Andres Renteria has been elected chairman of the Extension Board. Guthmiller invited the Board to visit the office, which has been updated. Dennis Roy, 4-H Program coordinator, has completed a web site for 4-h activities. The office has swapped out a copy machine resulting in a monthly savings and has hired J & H carpet service to clean the office which will result in a monthly savings of approximately \$150.00. Guthmiller also discussed her recent trip to Mexico to participate in an experimental learning program addressing disadvantaged Latino farmers.

The board discussed an exhaust fan on the jail dryer. The issue will be researched.

A motion was made by Sinclair to adjourn.

The next regular meeting of the Board will be Tuesday, April 21, 2009 at 4:30 PM in the Commission chambers.

Bruce Jensen, Chairman  
Yankton County Commission

ATTEST:  
Paula Jones, Auditor