

YANKTON COUNTY COMMISSION MEETING

September 7, 2021

The regular meeting of the Yankton County Commission was called to order by Vice-Chairman Joseph Healy at 6:00 p.m. on Tuesday, September 7, 2021.

Roll call was taken with the following Commissioners present: Dan Klimisch, Don Kettering, Wanda Howey-Fox, Cheri Loest (via zoom) and Joseph Healy.

There were no conflicts of interest reported by Commissioners.

Commissioner Klimisch was asked by the VFW Auxiliary if they could use the memorial at the County Government Center for September 11, 2021 event. The board approved the request.

Action 21405C: A motion was made by Klimisch and seconded by Kettering to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There were no public comments.

Vice-Chairman Healy closed public comment.

Auditor Hojem administered oath of office to Jessica Atkinson.

DOE: Yankton County Director of Equalization Jessica Atkinson appeared before the board to request approval for Director of Equalization salaries and approve updated job descriptions.

Action 21406DOE: A motion was made by Klimisch and seconded by Fox to approve the updated job description for Field Appraiser/Deputy. All present voted aye; motion carried, 5-0.

Action 21407DOE: A motion was made by Loest and seconded by Kettering to approve the updated job description for Administrative Assistant. All present voted aye; motion carried, 5-0.

Action 21408DOE: A motion was made by Kettering and seconded by Loest to approve the salary increases for Jessica Atkinson to grade 11 step 2. All present voted aye; motion carried, 5-0.

Highway: Superintendent Mike Sedlacek appeared for board approval of gravel bid, transfer dollars to the Highway Department and Fleeg's Bridge load rating. There was one gravel bid received from Utica Gravel for \$7.40 per ton for 30,000 tons.

Action 21409Hwy: A motion was made by Kettering and seconded by Klimisch to approve the bid from Utica Gravel for \$7.40 per ton. All present voted aye; motion carried, 5-0.

Action 21410Hwy: A motion was made by Loest and seconded by Fox to transfer \$434,647 to the Highway Department from American Rescue Plan (ARPA) dollars under the revenue loss category. All present voted aye; motion carried, 5-0.

Action 21411Hwy: A motion was made by Kettering and seconded by Fox to post Fleeg's Bridge weight limit at 24 tons for single and 40 ton for combination with single truck posting. Signs at each end with flashing light. All present voted aye; motion carried, 5-0.

Action 21412C: A motion was made by Kettering and seconded by Fox to approve the 2022 provisional budget. All present voted aye; motion carried.

Emergency Management Director Paul Scherschligt appeared before the board to request a vehicle acquisition for the Emergency Management Department. A bid was received from Broadway Chrysler for a 2022 1500 Tradesman Crew Cab 4X4 pickup for \$47,000. Scherschligt said he would transfer the current vehicle to Search and Rescue.

Action 21413C: A motion was made by Kettering and seconded Loest to approve the request for the acquisition not to exceed \$47,000.

Action 21414C: A motion was made Fox and seconded by Klimisch to amend the previous motion to purchase the 2022 1500 Tradesman Crew Cab 4X4 Pickup not to exceed \$45,000. Roll call vote was taken with Fox, Klimisch voting aye; Kettering, Loest and Healy voting nay; motion failed, 2-3.

Roll call vote was taken on **Action 21413C** with Kettering, Loest and Healy voting aye; Klimisch and Fox voting nay; motion carried, 3-2.

Action 21415C: A motion was made by Fox and seconded by Klimisch to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Concrete Materials. Applicant requested a permit to mine sand and gravel from an Agriculture District. Said property is legally described as NE1/4 and SE1/4, S18-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota.

Justin Foss from Concrete Materials spoke on the CUP request. Also speaking were Daryl Nelson and Dan Hacecky.

Action 21416Z: A motion was made by Kettering and seconded by Klimisch to approve based on Findings of Fact from the August 10, 2021 Yankton County Planning Commission meeting on the condition the requested truck parking to be completed, pursuant to Article

19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Kettering, Klimisch, Fox, Loest and Healy voting aye; motion carried, 5-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Cheryl Boeckman. Applicant requested a permit to build an accessory structure that is 2688 square feet with 16' sidewalls in a Moderate Density Residential District. Said property is legally described as Lot K and L, NE1/4, SE1/4, S7-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

Applicant Cheryl Boeckman spoke on the CUP request.

Action 21417: A motion was made by Klimisch and seconded by Fox, to approve based on Findings of Fact from the August 10, 2021 Yankton County Planning Commission meeting the Conditional Use Permit as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Klimisch, Fox, Kettering, Loest and Healy voting aye; motion carried, 5-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Keith Eickoff. Applicant requested a permit for multifamily housing in a Moderate Residential District (R3). Said property is legally described as Lot 1 Drake Subdivision, SW1/4 of the NW1/4 of the NW1/4, S17-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

Keith Eickoff representing Drake Development spoke on the CUP request.

Action 21418Z: A motion was made by Kettering and seconded by Loest, to approve based on Findings of Fact from the August 10, 2021 Yankton County Planning Commission meeting the Conditional Use Permit as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Kettering, Klimisch voting aye; Fox, Loest and Healy voting nay; motion failed, 2-3.

Action 21419C: A motion was made by Fox and seconded by Klimisch to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

Ambulance: Yankton County Ambulance Director Steve Hawkins appeared before the board for approval of the SD Department of Health Agreement. The Agreement will provide an advanced Life Support (ALS) standby service at Department of Health sponsored vaccinations. The State agreed to pay \$150.00 per hour for standby, plus \$9.50 per mile for travel outside of normal response area.

Action 21420Amb: A motion was made by Fox and seconded by Klimisch to approve the agreement with SD Department of Health. All present voted aye; motion carried, 5-0.

Action 21421Vet: A motion was made by Kettering and seconded by Loest to appoint Cody Mangold as the Veteran's Service Officer with his probation beginning retroactive to May 24, 2021 and at his current salary. All present voted aye; motion carried, 5-0.

Action 21422C: A motion was made Klimisch and seconded by Fox to recess for five minutes. All present voted Aye; motion carried.

Action 21423C: A motion was made by Kettering and seconded by Loest to reconvene. All present voted aye; motion carried, 5-0.

Government Center: Building and Grounds supervisor Jeff Pfeifle presented quotes for repair to the County Government Center foundation. Bids received from Chad Jones Construction \$19,757.37, Dakota Basement Systems \$9,682.06 and James Wiener \$15,600.00.

Action 21424C: A motion was made by Klimisch and seconded by Fox to accept the bid from Dakota Basement Systems. All present voted aye; motion carried, 5-0.

The board discussed the ordinance for Marijuana Licensing. The first reading of the ordinance will be September 21, 2021.

Action 21425C: A motion was made by Fox and seconded by Klimisch to approve the following claims: **Commissioners:** Intuvio Solutions (Professional Services) \$199.80, Cheri Loest (Travel) \$238.94, National Field Archery (Other) \$20,000.00, Yankton County Observer (Publishing's) \$418.30, Yankton Daily P & D (Publishing's) \$998.26; **Elections:** Qualified Presort Services (Supplies) \$74.90, Verizon (Rentals) \$280.07; **Court:** Avera Sacred Heart Hospital (Professional Services) \$1,000.00, Patricia LaCroix (Professional Services) \$85.00, Alvine Weidenaar (Professional Services) \$9,452.73, Theodore D Kessie (Professional Services) \$6,043.75, Fox & Youngberg PC (Professional Services) \$15,000.00, Clovia Dee (Professional Services) \$748.00, SD Attorney General's Office (Professional Services) \$3,392.17, Sanford Health (Professional Services) \$1,200.00, Dean Schaeffer (Professional Services) \$600.00, Yankton Daily P & D (Professional Services) \$25.46; **Auditor:** Patty Hojem (Travel) \$72.24, McLeod's Printing & Office Supplies (Supplies) \$179.90, Qualified Presort Services (Supplies) \$258.49, One Office Solution (Maintenance) \$107.97; **Treasurer:** Qualified Presort Services (Supplies) \$296.07; **States Attorney:** Culligan (Supplies) \$14.50, Executive MGMT. Plan (Supplies) \$33.50, Staples Credit Plan (Supplies) \$97.99, Security Shredding Services (Maintenance) \$35.00; **Government Building:** Kopetsky's Ace Hardware (Maintenance) \$221.69, Bomgaars (Supplies) \$20.77, Bomgaars (Maintenance) \$17.98, City of Yankton (Utilities) \$2,955.05, Johnson Controls (Maintenance) \$286.82, JCL Solutions (Supplies) \$114.55, Menards (Supplies) \$72.63, Northwestern Energy (Utilities) \$3,261.59, Olson's Pest Technicians (Maintenance) \$82.00, OTIS Elevator Co (Maintenance) \$878.31; **Director of Equalization:** Southgate (Maintenance) \$70.00, Qualified Presort Services (Supplies) \$121.48, Verizon (Maintenance) \$120.03, Yankton Daily P & D (Publishing's) \$527.00; **Register of Deeds:** Executive MGMT. Finance (Supplies) \$33.50,

Qualified Presort Services (Supplies) \$87.86; **VA:** Cody Mangold (Travel) \$262.20, Investigative Services (Maintenance) \$ 196.00, Qualified Presort Services (Supplies) \$13.42, Verizon (Rentals) \$40.01, Yankton Daily P & D (Supplies) \$263.50; **Safety Center Building:** City of Yankton (Maintenance) \$5.50, City of Yankton (Supplies) \$1,156.61, Johnson Controls (Maintenance) \$510.00, Menards (Supplies) \$156.94, MidAmerican Energy (Utilities) \$1,608.72, Northwestern Energy (Utilities) \$11,648.49, O'Connor Company (Supplies) \$676.60; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$24.95, Mark Payer (Travel) \$123.40, Culligan (Supplies) \$36.25, Division of Motor Vehicle (Other) \$11.20, Stewart Bass (Travel) \$90.00, EMC Insurance Co (Insurance) \$558.00, Midcontinent Communications (Utilities) \$115.00, Menards (Law Enforcement Equipment) \$429.09, Northtown Automotive (Maintenance) \$80.76, Pennington County Jail (Travel) \$244.85, Qualified Presort Services (Maintenance Contracts) \$270.67, MT & RC Smith Insurance (Insurance) \$558.00, Stopstick LTD (Law Enforcement Equipment) \$201.00, Security Shredding Services (Security Maintenance) \$35.00, Tire Muffler Alignment (Maintenance) \$797.16, One Office Solution (Supplies) \$53.19, One Office Solution (Maintenance Contracts) \$89.80; **County Jail:** Scott Family Dentistry (Professional Services) \$1784.00, Intek Cleaning & Restoration (Auto Expense) \$74.55, Jerry Sorbel (Professional Services) \$630.00, Culligan (Food Services) \$289.00, Diamond Drugs (Professional Services) \$587.18, Trinity Services Group (Food Services) \$4,020.99, Datatek Services (Supplies) \$375.00, EZ Duz it Laundry (Uniforms) \$8.00, Harding Glass (Maintenance) \$3,272.45, Jacks Uniforms & Equipment (Uniforms) \$141.89, JCL Solutions (Supplies) \$2,100.09, Menards (Supplies) \$376.03, Olson's Pest Tech (Maintenance) \$110.00, Phoenix Supply (Supplies) \$728.30, Correctional Risk Services (Inmate Medical Ins June 2021) \$774.30, Correctional Risk Services (Inmate Medical Ins July 2021) \$1,026.72, Yankton Rexall Drug (Professional Services) \$98.21; **Coroner:** Mark Nickles (Travel) \$12.60; **Juvenile Detention Center:** Mark's (Maintenance) \$1,095.02; **Yankton Area Search & Rescue:** Bomgaars (Maintenance) \$427.77, NAPA Auto Parts of Yankton (Supplies) \$79.96, MT & RC Smith Ins (Insurance) \$282.00; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$168.36, SDACC (Travel) \$225.00; **Public Health Nurse:** Qualified Presort Services (Supplies) \$39.16; **Ambulance:** Avera Health (Supplies) \$40.00, Kopetsky's Ace Hardware (Supplies) \$65.86, Avera Sacred Heart Hospital (Supplies) \$473.23, Sacred Heart Health Services (Professional Services) \$1,500.00, AT & T (Utilities) \$36.05, Ethan Smith (Professional Services) \$94.50, B & L Communications (Supplies) \$132.34, City of Yankton (Utilities) \$518.78, Credit Collections Services (Professional Services) \$226.59, Cintas (Supplies) \$91.40, Quick Med Claims (Professional Services) \$5,091.28, Fox Run Quik Lube (Supplies) \$297.22, Menards (Supplies) \$64.99, MidAmerican Energy (Utilities) \$27.65, Northwestern Energy (Utilities) \$1,073.35, Olson's Pest Technicians (Maintenance) \$114.00, Roger's Family Pharmacy (Supplies) \$122.04, Security Shredding Services (Maintenance) \$35.00, Tire Muffler Alignment (Supplies) \$88.04, Verizon (Utilities) \$304.99, Yankton Daily P & D (Publishing's) \$248.31; **Mental Illness Board:** Darcy Lockwood (Hearings) \$67.50, Kennedy Pier Loftus & Reynolds (Hearings) \$435.60, Mark Katterhagen (Hearings) \$67.50, Lewis & Clark Behavioral (Hearings) \$736.00, Lincoln County Treasure (Hearings) \$4,861.65, Lucille M Lewno (Hearings) \$919.54, SD Human Services Center (Hearings) \$600.00; **County Extension:** Bomgaars (4H) \$65.98, Vast Business (Utilities) \$399.11, City of Yankton (Utilities) \$73.38, Hy-Vee (4H) \$5.03, Leaf (Rentals) \$440.35, MidAmerican Energy (Utilities)

\$17.04, Yankton County Leaders (4H) \$123.75; **Weed:** Road King Inc. (Maintenance) \$142.50; **Planning & Zoning:** Leaf (Rentals) \$104.86, Qualified Presort Services (Supplies) \$52.98, Verizon (Utilities) \$42.04, One Office Solution (Maintenance) \$167.21, Yankton Daily P & D (Publishing's) \$64.41; **Road & Bridge:** Appera (Supplies) \$131.67, C & B Operations (Maintenance) \$318.79, Sioux Falls Crane (Maintenance) \$500.00, Bomgaars (Maintenance) \$43.98, Bomgaars (Supplies) \$1.59, Barco Municipal Production (Supplies) \$327.48, Butler Machinery Co (Maintenance) \$1,574.88, Butler Machinery (Supplies) \$10.00, Presto-X (Maintenance) \$110.00, Lincoln County Highway (Asphalt Road) \$2,143.26, City of Yankton (Utilities) \$115.62, NAPA Auto Parts of Yankton (Supplies) \$998.59, NAPA Auto Parts of Yankton (Maintenance) \$50.20, Concrete Materials (Supplies) \$16,308.22, Concrete Materials (Asphalt Roads) \$358,525.14, Comfort Inn & Suites (Travel) \$123.49, Prather Tools LLC (Supplies) \$195.00, Direct TV (Utilities) \$88.99, Growmark FS (Fuel) \$1,791.12, Growmark FS (Supplies) \$0.88, I State Truck Center (Maintenance) \$303.50, I State Truck Center (Supplies) \$28.56, Jebro Inc. (Asphalt Road) \$20,231.52, Jebro Inc. (Annual Projects) \$10,546.08, Kimball Midwest (Supplies) \$421.02, Longs Propane Inc. (Fuel) \$50.75, Marks Machinery (Maintenance) \$134.18, Marks Machinery (Supplies) \$7.67, Menards (Supplies) \$160.20, Northwestern Energy (Utilities) \$807.09, Yankton County Observer (Publishing's) \$23.14, Riverside Hydraulics (Maintenance) \$95.32, SD Department of Transportation (Bridges) \$4,888.55, Southeastern Electric (Utilities) \$4.47, Truck Trailer Sales (Maintenance) \$32.75, Truenorth Steel (Supplies) \$13,112.76, Verizon (Utilities) \$86.95, Yankton Janitorial supply (Supplies) \$355.75; **Emergency 911 Fund:** Vast Business (Utilities) \$135.35, Powerphone Inc. (Travel) \$1,458.00, CenturyLink (Utilities) \$245.50; **Emergency Management:** Bomgaars (LEPC supplies) \$61.95, Bomgaars (Supplies) \$360.23, B-Y Electric (Utilities) \$52.96, Hanson Briggs Specialty (LEPC Supplies) \$322.54, Frontier Precision (Maintenance) \$2,487.24, Embroidery & Screen works (Professional Services) \$288.00, Great American Financial (Rentals) \$292.44, Leaf (Rentals) \$90.00, Midcontinent Communications (Utilities) \$167.47, Menards (Supplies) \$606.12, MidAmerican Energy (Utilities) \$8.00, Ron's Auto Glass Repair (Maintenance) \$250.00, Verizon (Utilities) \$1,027.65; **Government Buildings:** Schieffer Masonry (Govt Buildings) \$816.33; **24/7 Program:** Precision Kiosk Technology (Supplies) \$1,350.00, Pharmchem (Supplies) \$2,055.60; **Non-Departmental:** Sobriety Testing (Refund) \$17.00, State Participation Fee (Refund) \$17.00, General Fund \$127,849.24, Road & Bridge, \$435,395.21, Emergency Management, \$6,014.60. All present voted aye; motion carried, 5-0.

Action 21426C: A motion was made by Kettering and seconded by Klimisch to approve the **AUGUST, 2021 Gross Payroll: Commissioners:** \$5,690.86; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$15,990.07; **Treasurer:** \$18,384.86; **States Attorney:** \$32,541.13; **Government Buildings:** \$7,375.12; **Director of Equalization:** \$22,468.32; **Register of Deeds:** \$12,755.14; **Veterans Service:** \$3,800.81; **Courthouse & Safety Center:** \$6,625.34; **Sheriff:** \$75,436.42; **County Jail:** \$78,827.73; **Coroner:** \$1,500.00; **Juvenile:** \$47.68; **Nurse:** \$2,195.60; **Ambulance:** \$49,306.87; **WIC:** \$172.50; **Extension:** \$7,320.81; **Soil Conservation:** \$2,597.38; **Weed:** \$5,485.32; **Planning & Zoning:** \$10,457.62; **Road & Bridge:** \$79,893.12; **E911:** \$59.96; **OEM:** \$9,214.47; **24-7 Program:** \$1,570.58. First Dakota National Bank \$34,477.68 (Withholding), First Dakota National Bank

\$53,968.68 (FICA) First Dakota National Bank \$12,621.64 (Medicare), South Dakota Retirement System \$33,277.68 (Other Employees), South Dakota Retirement System \$19,647.76 (Sheriff), South Dakota Retirement System (Spouse Opt) \$179.98, South Dakota Retirement System (Supplemental) \$8,106.66, American Family Life Assurance Company (AFLAC) \$4,920.38, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$258.54, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,392.32, Avera Health Plans \$59,275.97, Optilegra \$332.85, United Way of Greater Yankton 10.00, Delta Dental \$1,289.00, VSP Vision \$225.22, Harmelink & Fox Law Office \$293.24, HealthEquity \$3,541.58. Gross Payroll \$449,614.20, Net Payroll \$330,044.38. All present voted aye; motion carried, 5-0.

Action 21427OEM: A motion was made by Klimisch and seconded by Loest to adjust the Emergency Management Office budget due to unanticipated insurance revenue in the amount of \$1,487.24. All present voted aye; motion carried.

Action 21428C: A motion was made by Fox and seconded by Kettering to approve the County Health Nurse recommendation to fill the Part-Time Secretary position. All present voted aye; motion carried. 5-0

Action 21429C: A motion was made by Fox and seconded by Kettering to approve the August 17, 2021, meeting minutes. All present voted aye; motion carried, 5-0.

Action 21430C: A motion was made by Kettering and seconded by Klimisch to approve the August 31, 2021, joint Planning and Commission meeting minutes. Voting aye Kettering, Klimisch, Fox and Healy. Loest abstained. Motion carried 4-0.

Action 21431C: A motion was made by Fox and seconded by Klimisch to approve the August 31, 2021, special meeting minutes with following correction: No public comment should have been stated. Voting aye Kettering, Klimisch, Fox and Healy. Loest abstained. Motion carried 4-0.

There was no public comment.

Vice-Chairman Healy closed public comment.

Commissioner updates: Items mentioned were the District III meeting in Mitchell SD, Commissioner Klimisch asked the board if they had an issue of him checking on the cost of a visibility study for the lake area, Township board meeting Friday, September 10th at 9:00 at the Government Center and NFAA needs volunteers.

Commissioner Loest left the meeting.

Action 21432C: A motion was made by Fox and seconded by Kettering to recess the regular session at 9:20 p.m. and convene in executive session to discuss Poor Relief Issues

SDCL 1-25-2 & 28-13 and 28-13-1.3, litigation issue SDCL 1-25-2(3) and personnel issues SDCL 1-25-2(1) All present voted aye; motion carried, 4-0.

Action 21433C: A motion was made by Fox and seconded by Kettering to adjourn the executive session at 9:35 p.m. and reconvene in regular session. All present voted aye; motion carried, 4-0.

Vice-Chairman Healy reported no action would be taken as a result of the executive session.

Action 21434C: A motion was made by Fox and seconded by Klimisch to adjourn. All present voted aye; motion carried, 4-0.

The next regular meeting will be Tuesday, September 21, 2021 at 6:00 p.m.

Cheri Loest, Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor