

YANKTON COUNTY COMMISSION MEETING
July 3, 2018

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Tuesday, July 3, 2018.

Roll Call was taken with the following Commissioners present: Gary Swensen, Raymon Epp, Don Kettering and Todd Woods; Absent: Debra Bodenstedt.

There were no conflicts of interest reported by Commissioners.

Chairman Woods gave a brief instruction about the addition of the public comment portion of the commission meeting. Comments will be at the end of the meeting. Each speaker will have 3 minutes to their comment.

Action 18234C: A motion was made by Kettering and seconded by Epp to approve the meeting agenda. All present voted aye; motion carried.

Action 18235C: A motion was made by Epp and seconded by Kettering to approve the minutes of the June 19, 2018 meeting. All present voted aye; motion carried.

Action 18236C: A motion was made by Kettering and seconded by Epp to approve the following claims: **Non-Departmental:** Refund (Legal Fee Overpayment) \$14.89, **Commissioners:** River Rat Productions (Professional Fees) \$500.00, Yankton Area Chamber of Commerce (Travel) \$285.05; Vast Business (Utilities) \$52.50, Intuvio Solutions (Professional Services) \$99.90, Yankton County Observer (Publishing) \$412.24, Todd Woods (Travel) \$149.00, Yankton Daily P & D (Publishing) \$707.29; **Elections:** Qualified Presort Services LLC (Supplies) \$77.54, Verizon (Utilities) \$480.12, Election Worker (1 @ \$156.72) \$156.72; **Court:** Jurors Fees (7 @ \$50.00) \$350.00, Jurors Fees-MI (1 @ \$6.72) \$6.72, Jurors Fees-MI (1 @ \$5.88) \$5.88, Jurors Fees-MI (1 @ \$8.40) \$8.40, Fox & Youngberg (Legal Assistance) \$15,000.00, Mary Anne Meyer, RDR (Professional Fees) \$68.00, Dean Schaefer (Professional Services) \$1,255.00, West Payment Center (Supplies) \$334.16; **Auditor:** Patty Hojem (Travel) \$28.56, Quality Presort Services LLC (Supplies) \$121.59; **Treasurer:** Qualified Presort Services, LLC (Supplies) \$114,52; **Data Processing:** Leaf (Rentals) \$104.86; **States Attorney:** Executive Management Finance Office (Utilities) \$25.50, Hy-Vee (Supplies) \$22.99, Qualified Presort Services LLC (Supplies) \$82.60, States Credit Plan (Supplies) \$386.49; **Government Building:** City of Yankton (Utilities) \$2,781.24, Cole Papers Inc. (Supplies) \$95.40, Flynn's Flowing Flags (Maintenance) \$443.60; JCL Solution (Supplies) \$170.99, Menards (Supplies) \$141.06, Menards (Maintenance) \$49.92, Menards (Minor Equipment) \$66.85, Northwestern Energy (Utilities) \$2,757.79; **Director of Equalization:** GIS Workshop (Maintenance) \$1,545.00, Qualified Presort Services, LLC (Supplies) \$49.35, One Office Solution (Supplies) \$7.99, One Office Solution (Maintenance) \$152.26; **Register of Deeds:** Matt Balvin (Travel) \$202.40, Executive Management Finance Office (Utilities) \$25.50, Qualified Presort Services LLC (Supplies)

\$43.17; **VA:** Qualified Presort Services LLC (Supplies) \$8.01, SDVSOA (Travel) \$175.00; **Safety Center Building:** City of Yankton (Utilities) \$712.64, Cole Papers Inc. (Supplies) \$598.58, Jeff Pfeifle (Supplies) \$5.86, Justice Fire & Safety (Maintenance) \$256.00, Johnson Controls, Inc. (Maintenance) \$564.46, Kone, Inc. (Maintenance) \$1,359.91, Larry's Heating & Cooling, Inc. (Maintenance) \$229.50, Menards (Supplies) \$126.94, Northwestern Energy (Utilities) \$9,016.05, Olson's Pest Technicians (Maintenance) \$110.00; **Sheriff:** City of Yankton (Fuel) \$3,460.75, Embroidery & Screen Works, Inc. (Uniforms) \$184.00, Motorola Solutions Inc. (Auto Equipment) \$3,640.31, M.T. & R.C. Smith Insurance (Insurance) \$1,079.00, Jerold Sorbel (Travel) \$14.52, Wegner Auto Company, Inc. (Auto Equipment) \$29,003.00; **County Jail:** Kopetsky's Ace Hardware (Maintenance) \$10.96, Scott Family Dentistry, Inc. (Professional Services) \$858.80, CBM Food Service (Food Services) \$4,075.34, Charm-Tex (Supplies) \$2,117.64, Diamond Drugs (Professional Services) \$2,608.85, Ear, Nose & Throat Associates, P.C. (Professional Services) \$2,640.00, Hy-Vee (Professional Services) \$991.00, Jack's Uniforms & Equipment (Uniforms) \$315.93; **Coroner:** South Dakota Department of Health (Professional Services) \$35.00, Sanford Health (Professional Services) \$2,553.00; **Juvenile Detention:** Minnehaha County Regional Detention Center (Rentals) \$2,244.00; **Yankton Area Search & Rescue:** Dive Rescue International (Supplies) \$416.31; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$122.81, Wintz & Ray Funeral Home & Cremation Service (Professional Services) \$1,250.00; **Public Health Nurse:** Qualified Presort Services LLC (Supplies) \$28.99, South Dakota Department of Health (Other) \$2,575.00; **Ambulance:** Avera Education & Staffing Solutions (Supplies) \$10.00, Avera Sacred Heart Hospital (Supplies) \$634.69, Sacred Heart Health Services (Professional Services) \$1,500.00, Arrow Manufacturing (Supplies) \$53.87, BNSF Railway Company (Rentals) \$1,679.90, City of Yankton (Utilities) \$116.92, City of Yankton (Supplies) \$414.19, Christensen Radiator & Repair (Maintenance) \$44.95, Credit Collection Services, Inc. (Professional Services) \$178.41, Change Healthcare (Professional Services) \$130.00, Embroidery & Screen Works, Inc., (Supplies) \$180.00, Hy-Vee (Supplies) \$13.96, Investigative Services of NE/SD/IA (Professional Services) \$136.50, Leaf (Rentals) \$95.39, Menards (Supplies) \$200.45, MidAmerican Energy (Utilities) \$17.13, Northwestern Energy (Utilities) \$922.64, Olson's Pest Technician (Maintenance) \$74.00, Royal Sport Shop (Supplies) \$240.60, Verizon (Utilities) \$435.91, Wegner Auto Company, Inc. (Travel) \$300.00, One Office Solution (Supplies) \$448.70, One Office Solution (Maintenance) \$49.45, Yankton Janitorial Supply (Supplies) \$98.95; **Mental Illness Board:** Darcy Lockwood (Hearings) \$52.50, Mark Katterhagen (Hearings) \$52.50, Lincoln County Treasurer (Hearings) \$1,143.80, Lucille M. Lewno (Hearings) \$655.91; **County Extension:** Vast Business (Utilities) \$433.06, City of Yankton (Utilities) \$59.82, Hansen Locksmithing, Inc. (Supplies) \$3.00, Hy-Vee (Supplies) \$66.11, JCL Solutions (Supplies) \$56.81, Menards (Supplies) \$17.93, MidAmerican Energy (Utilities) \$27.07, One Office Solution (Supplies) \$215.62, One Office Solution (Maintenance) \$249.25; **Weed:** Bomgaars (Supplies) \$31.26, Agterra Technologies (Supplies) \$560.00, Fairbank Equipment, Inc. (Supplies) \$66.60; **Planning & Zoning:** River Rat Productions (Professional Fees) \$125.00, EMC Insurance Companies (Professional Services) \$2,500.00, Qualified Presort Services, LLC (Supplies) \$42.39, Verizon (Utilities) \$17.68; **Road & Bridge:** Bierschbach Equipment, Inc. (Annual Projects) \$77.00, Butler Machinery Co. (Supplies) \$204.32, Presto-X (Maintenance) \$95.00,

Best Western Ramkota Hotel (Travel) \$101.99, City of Yankton (Utilities) \$12.00, Cox Auto Supply, Inc. (Supplies) \$314.68, Concrete Materials (Annual Projects) \$107,045.49, CenturyLink (Utilities) \$56.12, Certified Testing Service (Professional Services) \$480.00, Minnehaha County Highway Dept. (Machinery Equipment) \$8,000.00, Snap-On Industrial (Supplies) \$503.87, Fairbank Equipment, Inc. (Supplies) \$485.00, Hollaway Construction Co., Inc. (Annual Projects) \$90,953.78, Jebro, Inc. (Supplies) \$16,323.07, Jebro, Inc. (Annual Projects) \$425.00, Longs Propane, Inc. (Hwy Fuel) \$87.50, Menards (Supplies) \$25.92, Overhead Door Company of Sioux City, Inc. (Supplies) \$16.10, M.T. & R.C. Smith Insurance (Insurance) \$187.00, Truck Trailer Sales Service, Inc. (Supplies) \$15.00, Tabor Lumber Cooperative (Supplies) \$42.87, Tabor Lumber Cooperative (Maintenance) \$20.00, Verizon (Utilities) \$56.73, One Office Solution (Supplies) \$27.80; **Emergency 911 Fund:** CenturyLink (Utilities) \$1,257.80; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$220.89, Bomgaars (Supplies) \$186.64, Vast Business (Utilities) \$265.62, City of Yankton (Supplies) \$478.39, Arrowwood Resort & Conference Center at Cedar Shore (Travel) \$144.00, 3-D Specialties, Inc. (Supplies) \$248.10, Hy-Vee (Supplies) \$17.66, MidAmerican Energy (Utilities) \$8.96, Northtown Automotive (Maintenance) \$34.85, Racom Corporation (Utilities) \$34.29, Verizon (Utilities) \$128.88, One Office Solution (Supplies) \$22.84, One Office Solution (Supplies-LEPC) \$78.23; **24/7 Program:** Pharmchem, Inc. (Supplies) \$2,141.25; **Tower Fund:** Crown Castle (Services) \$4,087.22; **State of South Dakota:** Fees (Motor Vehicle) \$432,327.79, Fees (Waste Fee) \$7,489.50, Fees (ROD) \$1,570.00; **State of South Dakota** (Animal Damage Control Fund) \$1,564.05, **State of South Dakota:** Services (HC) \$6,669.78, (Redfield) \$180.00, **SDACO** (M & PR Fund). All present voted aye; motion carried.

Action 18237C: A motion was made by Swensen and seconded by Kettering to approve the June, 2018 gross payroll: **Commissioners:** \$5,469.99; **Election:** \$307.08; Auditor: \$13,954.91; **Treasurer:** \$16,632.25; **States Attorney:** \$28,294.00; **Custodian:** \$6,824.50; **Director of Equalization:** \$22,933.02; **Register of Deeds:** \$12,683.27; **Veterans Service:** \$3,203.13; **Courthouse & Safety Center:** \$6,227.41; **Sheriff:** \$66,755.66; **County Jail:** \$73,925.56; **Coroner:** \$800.00; **Juvenile:** \$34.43; **Nurse:** \$2,974.88; **Ambulance:** \$51,974.31; **WIC :** \$1,635.94; **Extension:** \$7,775.08; **Soil Conservation:** \$2,873.12; **Weed:** \$6,808.16; **Planning & Zoning:** \$8,108.26; **Road & Bridge:** \$72,075.54; **E911:** \$0.00; **OEM:** \$6,179.21; **24-7 Program:** \$3,351.86. First Dakota National Bank \$32,452.91 (Withholding), First Dakota National Bank \$51,312.64 (FICA) First Dakota National Bank \$12,000.44 (Medicare), South Dakota Retirement System \$31,302.20 (Other Employees), South Dakota Retirement System \$19,661.56 (Sheriff/OEM), South Dakota Retirement System (Spouse Opt) \$114.39, South Dakota Retirement System (Supplemental) \$3,170.45, American Family Life Assurance Company (AFLAC) \$5,092.38, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$503.09, Colonial Life & Accident 1,347.78, Optilegra \$580.53, Wellmark BC Health Insurance \$61,839.26, United Way of Greater Yankton \$55.00. Gross Payroll \$421,855.57, Net Payroll \$318,197.46. All present voted aye; motion carried.

Action 18238AUD: A motion was made by Kettering and seconded by Epp to approve the cash transfer from General Fund to Tower Fund in the amount of \$8,500.00 due to 2016 receipting error. All present voted aye; motion carried.

Action 18239Aud: A motion was made by Epp and seconded by Swensen to transfer 2005 Chevy Pickup from the Ambulance Department to the Building & Grounds Department. All present voted aye; motion carried.

Action 18240Z: A motion was made by Kettering and seconded by Epp to adopt the following resolution: Whereas it appears, Dakota Plains Ag Center LLC, owner of record, has caused a plat to be made of the following real property: Lot 5 Lot 1 of Dakota Rail Park Subdivision. County of 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 and erosion and sediment control and the same is hereby approved. The County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried.

Scholarship: Commission Chairman Todd Woods presented Max Hunhoff with a framed certificate in recognition of his 'What Public Service Means to Me' essay, which won the \$1,000 South Dakota Counties scholarship from more than 20 entries.

Highway: Highway Superintendent Brian Gustad appeared before the board to report on the flood update. Gustad stated culverts had to be replaced at the cost of \$3,157.20. The board also discussed the speed limit on 303rd Street.

Action 18241Z: A motion was made by Epp and seconded Kettering to increase the speed limit to 55 miles per hour on 303rd Street. All present voted aye; motion carried.

Action 18242Z: A motion was made by Epp and seconded by Kettering 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 Lakeside Fun Rentals. Applicant requested a permit to provide indoor party/event/facility/amusement in Lakeside Commercial District (LC) in Yankton County. Said property is legally described as Tract A, Lot 2, Parcel D, NE1/4, S17-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. E911 address is 108 Marine Drive, Yankton, SD. The Planning Commission recommended approval 7-1.

Applicant Scott Lindquist commented on the Conditional Use Permit.

Action 18243Z: A motion was made by Kettering and seconded by Epp to approve a Conditional Use Permit, based on Findings of Fact from the June 12, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to provide indoor party/event/facility/amusement in Lakeside Commercial District (LC) in Yankton County for Lakeside Fun Rentals, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Tract A, Lot 2, Parcel D, NE1/4, S17-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. E911 address is 1085 Marine Drive, Yankton, SD. 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 Great Bear Sand & Gravel, LLC. Applicant requested a permit to operate a Quarry (gravel) in an Agriculture District (AG) in Yankton County. Said property is legally described as W1/2, SE1/4, SE1/4, exc part NE James River Road & part SW Jim River Road, E1/2, SE1/4, SE1/4, S32-T95N-R55W, hereinafter referred to as Walshtown Township, County of Yankton, State of South Dakota. E911 address is 30289 NE Jim River Road, Yankton, SD. The Planning Commission recommended approval 8-0.

Applicant Harold Goeden commented on the Variance permit.

Action 18244Z: A motion was made by Kettering and seconded by Swensen to approve a Conditional Use Permit, based on Findings of Fact from the June 12, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to operate a Quarry (gravel) in an Agriculture District (AG) in Yankton County for Great Bear Sand & Gravel, LLC., pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as W1/2, SE1/4, SE1/4, exc part NE James River Road & part SW Jim River Road, E1/2, SE1/4, SE1/4, S32-T95N-R55W, hereinafter referred to as Walshtown Township, County of Yankton, State of South Dakota. E911 address is 30289 NE 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 Yard Requirement from Delos Warriner. Variance of Minimum Yard Requirement on a side yard from seventy-five (75) feet to fifty-two (52) feet to build and accessory structure in an Agriculture District (AG) in Yankton County. Said property is legally described as E1/2, NW1/4, S29-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is 44147 307th Street, Yankton, SD. The Planning Commission recommended approval 8-0.

Action 18245Z: A motion was made by Swensen and seconded by Kettering, based on Findings of Fact from the June 12, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Delos Warriner, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance on a side yard from seventy-five (75) feet to fifty-two (52) feet to build and accessory structure in an Agriculture District (AG) in Yankton County. Said property is legally described

as E1/2, NW1/4, S29-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is 44147 307th Street, Yankton, SD. All present voted aye; motion carried.

Action 18246C: A motion was made by Kettering and seconded by Swensen to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

The first reading of the Amendment of Article 27 Section 2709 (E) Signs Yankton County Ordinance #16 was read by Pat Garrity, Zoning Administrator.

Action 18247Z: A motion was made by Epp and seconded by Kettering to approve and accept into the record the First Reading of a Resolution Recommending the Amendment of Article 27 Yankton County Overlay Districts, Section 2709 (E) Signs, Yankton County Zoning Ordinance #16. Voting Aye: 4 Nay: 0 Motion carried.

AFLAC: Shannon Jepsen, District Sales Coordinators for AFLAC presented accidental death & dismemberment policy at no cost to the county or employee. Jepsen also presented a life insurance policy for county employees. The board had no objection offering the accidental death policy to the employees. The life insurance policy will be discussed during budget hearings.

Historical Society: Crystal Nelson, representing the Yankton County Historical Society, appeared to request support from the County in securing a Transportation Alternatives Grant for the moving and restoration of transportation related structures owned by the museum. The board agreed to support the request.

Public Comment: There were no public comments.

Action 18248C: A motion was made by Epp and seconded by Swensen to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, July 17, 2018.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor