

YANKTON COUNTY COMMISSION MEETING

December 7, 2021

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, December 7, 2021.

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

There were no conflicts of interest reported by Commissioners.

Action 21528C: A motion was made by Kettering and seconded by Healy to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There were no public comments.

Chair Loest closed public comment.

Highway Superintendent Mike Sedlacek presented bids for the Highway 52 Recreation Trail for asphalt overlay. Bids received for asphalt overlay: Asphalt Surfacing Company, \$76,907.24; and Topkote Inc., \$103,142.00. Bids received for concrete crossings: C & C Concrete Construction LLC for \$19,745.88.

Action 21529C: A motion was made by Klimisch and seconded by Healy to approve the bid from Asphalt Surfacing Company for Asphalt Overlay. All present voted aye; motion carried, 5-0.

Action 21530C: A motion was made by Kettering and seconded by Klimisch to approve the bid from C & C Concrete Construction for Concrete Crossings. All present voted aye; motion carried, 5-0.

Keith and Connie Mielke appeared before the board to discuss improvements to West 11th Street. Highway Superintendent said he had figures for improvements consisting of gravel, chip sealing, base stabilizing, stripping, signs and labor with a total cost of approximately \$137,000. No action was taken by the board.

Action 21531C: A motion was made by Healy and seconded by Kettering to approve budget supplements for the following departments: Jail Building, \$58,000; Napa Junction, \$59,000; and Mentally Handicapped, \$96,000. All present voted aye; motion carried, 5-0.

Jessica Atkinson, Director of Equalization appeared before the board for approval to increase GIS Shapefile fees to \$3,000 for Parcels, \$2,500 Road Centerlines and \$2,500 for Address Points and to extend part-time employment.

Action 21532C: A motion was made by Healy and seconded by Kettering to approve the request from Director of Equalization to increase GIS Shapefile fees as presented. All present voted aye; motion carried, 5-0.

Action 21533C: A motion was made by Healy and seconded by Fox to extend part-time employee for up to 10 hours per week with the pay rate of \$21.42 until April 2022. All present voted aye; motion carried, 5-0.

Action 21534C: A motion was made by Healy and seconded by Klimisch to recess the regular session and convene as Board of Adjustment. All present voted 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 Daniel Sobotka. Applicant requested a permit for outdoor storage in a Lakeside Commercial District. Said property is legally described as Lot 17, Whitetail Run, NE1/4, SE1/4, S16-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval, 7-0.

Daniel Sobotka spoke on the CUP request. Bob Tereshinski also commented on the CUP.

Action 21535Z: A motion was made by Fox and seconded by Klimisch, to approve the Conditional Use Permit for David Sobotka with the addition of trees on the north side, based on Findings of Fact from the November 9, 2021 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Fox and Klimisch voting aye; Kettering, Healy and Loest voting nay; motion failed, 2-3.

Action 21536Z: A motion was made by Fox and seconded by Kettering, to approve the Conditional Use Permit, based on Findings of Fact from the November 9, 2021 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Fox, Kettering, Klimisch, Healy and Loest 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 James Den Herder. Applicant requested a permit for a self-storage facility in a Lakeside Commercial District. Said property is legally described as Lot 4, Whitetail Run, NE1/4, SE1/4, S16-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval, 7-0.

James Den Herder spoke on the CUP request.

Action 21537Z: A motion was made by Healy and seconded by Kettering, to approve the Conditional Use Permit for James Den Herder, based on Findings of Fact from the November 9, 2021 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Healy, Kettering, Klimisch, Fox and Loest voting aye; motion carried, 5-0.

Action 21538Z: A motion was made by Healy and seconded by Kettering to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

This was the 2nd reading for the request from Keith Eickhoff to change from Moderate Density Residential to Planned Unit Development.

Action 21539C: A motion was made by Klimisch and seconded by Kettering to approve request from Keith Eickhoff to change from Moderate Density Residential to Planned Unit Development. All present voted aye; motion carried, 5-0.

Action 21540C: A motion was made by Klimisch and seconded by Kettering to recess the commission meeting for five minutes. All present voted aye; motion carried, 5-0.

Action 21241C: A motion was made by Kettering and seconded by Klimisch to reconvene. All present voted aye; motion carried.

Action 21542C: A motion was made by Kettering and seconded by Fox to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried, 5-0.

Ryan Olson appeared before the board to appeal his building permit fee of \$347.00

Action 21543Z: A motion was made by Kettering and seconded by Fox to approve the refund of \$347.00 for Ryan Olson. Roll call vote was taken with Kettering, Fox, Klimisch voting aye; Healy and Loest voting nay; motion failed, 3-2.

Action 21844C: A motion was made by Klimisch and seconded by Kettering to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

Ambulance Administrator Steve Hawkins appeared before the board for approval to add a part-time job classification and to hire two temporary staff members to help with staffing short falls.

Action 21845Amb: A motion was made by Healy and seconded by Fox to create a new job classification for Emergency Medical Responder (EMR) at the pay rate of \$13.40 per hour. All present voted aye; motion carried, 5-0.

Action 21846Amb: A motion was made by Healy and seconded by Kettering to approve two temporary staff members through July 2022. All present voted aye; motion carried, 5-0.

Thomas S. Stange, Executive Director of Lewis & Clark Behavioral Health Services presented a letter of support for a USDA Rural Development loan for the purpose of construction of an essential community facility. The proposed facility will be used to provide community based mental health and substance use treatment services.

Action 21547C: A motion was made by Healy and seconded by Klimisch to approve the Letter of Support for the construction of a proposed Lewis and Clark Behavioral Health Services facility. All present voted aye; motion carried.

The board discussed the County's Property and Liability Insurance quotes from Roger Smith, M.T. & R.C. Smith Insurance Company and Lynn Bren, South Dakota Public Assurance Alliance. No action was taken by the board.

The board discussed health insurance quotes from Blue Cross/Blue Shield and Avera Health Plans and also discussed changing the renewal from June 1st to January 1st.

Action 21548C: A motion was made by Fox and seconded by Klimisch to move the County Health Insurance renewal date to a calendar year beginning January 1, 2022. All present voted aye; motion carried, 5-0.

Action 21549C: A motion was made by to Kettering and seconded by Fox to change county's employee health insurance coverage to Blue Cross/Blue Shield with choice of two plans: PPO \$5,500 deductible or HSA \$5,500 deductible with each employee paying \$45.00 per month. All present voted aye; motion carried, 5-0.

The board discussed having Stockwell Engineering conduct a sanitary study in the Lewis & Clark Lake area. Commissioner Klimisch said Yankton County will receive a grant in the amount of \$14,650 from James River Water Development District, with the County paying \$14,650.

Action 21550C: A motion was made by Klimisch and seconded by Kettering to approve the funding in the amount \$14,650 to update the 2008 Sanitary District Study. Klimisch, Kettering and Fox voted aye; Healy and Loest voted nay; motion carried, 3-2.

The board scheduled Friday January 7th, 2022 at 6:00 p.m. at Czeckers Sports Bar and Grill for the county holiday party.

Action 21551C: A motion was made by Kettering and seconded by Healy to approve the November 16, 2021, meeting minutes. All present voted aye; motion carried, 5-0.

Action 21552C: A motion was made by Healy and seconded by Fox to approve the following claims; **Commissioners:** Yankton County Observer (Publishing's) \$137.61; **Court:** Juror Fees \$512.16, Certified Languages (Professional Services) \$470.25, Great Plains Psychologies (Professional Services) \$2,260.00, Fox & Youngberg PC (Professional Services) \$15,277.20, Horn Law Office LLC (Professional Services) \$396.00, Clovia Dee (Professional Services) \$445.40, Dean Schaefer (Professional Services) \$1,264.00, Thomson Reuters (Supplies) \$193.75; **Auditor:** Qualified Presort Services (Supplies) \$111.35, One Office Solution (Maintenance) \$155.11, Leaf (Rentals) \$159.00; **Treasurer:** Qualified Presort Services (Supplies) \$465.93; **States Attorney:** Culligan (Supplies) \$32.00, Executive MGMT. Plan (Supplies) \$33.50, SD State's Attorney Association (2022 Sues) \$1,349.00; **Government Building:** City of Yankton (Utilities) \$1,997.29, Electair Inc. (Professional Services) \$334.23, Johnson Controls Inc. (Maintenance) \$5,860.92, JCL Solutions (Supplies) \$149.32, Menards (Maintenance) \$120.02, Menards (Supplies) \$5.64, Northwestern Energy (Utilities) \$2,307.75, Olson's Pest Tech (Maintenance) \$82.00, OTIS Elevator Company (Maintenance) \$878.31; **Director of Equalization:** IAAO (2022 Membership Dues) \$1,125.00, JJ Benji (Supplies) \$902.00, Aumentum Technologies (Maintenance) \$11,706.00, Qualified Presort Services (Supplies) \$33.37, Tyler Technologies (Maintenance) \$270.00, One Office Solution (Supplies) \$799.72; **Register of Deeds:** Executive MGMT. Finance (Supplies) \$33.50, Qualified Presort Services (Supplies) \$109.92, One Office Solution (Maintenance) \$21.32; **VA:** Qualified Presort Services (Supplies) \$5.56, Verizon (Rentals) \$40.01, Verizon (Utilities) \$72.19; **Safety Center Building:** Bomgaars (Maintenance)

\$13.96, City of Yankton (Utilities) \$686.57, Cole Papers Inc. (Supplies) \$319.80, Echo Group (Maintenance) \$650.00, Echo Group (Supplies) \$34.50, Johnson Controls (Maintenance) \$5,860.92, Menards (Supplies) \$74.24, Menards (Maintenance) \$117.92, MidAmerican Energy (Utilities) \$4,534.47, Northwestern Energy (Utilities) \$7,571.59; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$36.54, Best Western Plus Ramkota (Travel) \$192.00, Cardmember Services (Travel) \$384.00, Stewart Bass (Travel) \$80.00, Jacks Uniforms & Equipment (Uniforms) \$27.94, Jacks Uniforms & Equipment (Ballistic Vests) \$3,458.77, Midcontinent Communications (Utilities) \$115.00, Northtown Automotive (Maintenance) \$80.76, Qualified Presort Services (Maintenance Contracts) \$115.59, Michael Rothschild (Travel) \$80.00, South Dakota Sheriff's Association (Professional Services) \$1,173.14, Tire Muffler Alignment (Maintenance) \$39.44, James Vlahakis (Travel) \$80.00; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$3,473.41, Bob Barker Company (Supplies) \$842.60, Scott Family Dentistry (Professional Services) \$98.00, Horwath Laundry Equipment (Maintenance) \$188.37, Bow Creek Metal Inc. (Maintenance) \$150.00, Charm-Tex (Supplies) \$196.32, Jerry Sorbel (Professional Services) \$525.00, Cardmember Services (Travel) \$125.00, Diamond Drugs (Professional Services) \$672.88, McKesson Medical (Professional Services) \$48.30, Trinity Services Group (Food Services) \$11,445.30, Lewis Family Drug (Professional Services) \$12.49, NIJO (Professional Services) \$4,455.00, Sturdevants Auto Parts (Auto Expense) \$50.20, JCL Solutions (Supplies) \$1,483.39, Olson's Pest Tech (Maintenance) \$110.00, Phoenix Supply (Supplies) \$232.84, Yankton Rexall Drug (Professional Services) \$675.82; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$3,172.00; **YASR:** Kopetsky's Ave Hardware (Supplies) \$291.49, Danko Emergency Equipment (Supplies) \$129.14, Menards (Supplies) \$53.91; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$55.86; **Public Health Nurse:** Qualified Presort Services (Supplies) \$30.66, Office of Child & Family Services (4th Qtr 2021) \$2,724.50; **Ambulance:** Avera Health (Supplies) \$145.00, Avera Sacred Heart Hospital (Supplies) \$244.49, Sacred Heart Health Services (Professional Services) \$1,500.00, AT & T (Utilities) \$36.05, Bomgaars (Maintenance) \$10.99, Stryker Sales Corporation (Supplies) \$212.50, Stryker Sales Corporation (Maintenance) \$4,744.67, Vast Business (Utilities) \$182.32, City of Yankton (Utilities) \$348.48, Credit Collections Services (Professional Services) \$1,015.95, Aladtec Inc. (Supplies) \$2,547.00, Cintas (Supplies) \$100.00, Quick Med Claims (Supplies) \$2,696.98, Kevin's Plumbing (Supplies) \$139.35, Matheson Tri-Gas Inc. (Supplies) \$149.73, Menards (Supplies) \$163.15, MidAmerican Energy (Utilities) \$588.36, Northwestern Energy (Utilities) \$1,683.89, Verizon (Utilities) \$304.54, Yankton Medical Clinic (Professional Services) \$52.00; **Mentally Handicapped:** SD Achieve dba Lifescape (Care Nov 2021) \$180.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$87.00, Gary Mikelson (Hearings) \$2,118.00, Horn Law Offices LLC (Hearings) \$198.00, Mark Katterhagen (Hearings) \$87.00, Lincoln County Treasurer (Hearings) \$6,168.18, Lucille M Lewno (Hearings) \$1,417.68; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$63.11, Best Western of Huron (Travel) \$199.40, Vast Business (Utilities) \$399.11, City of Yankton (Utilities) \$86.48, Katie Doty (Travel) \$8.98, MidAmerican Energy (Utilities) \$127.70, Northwestern Energy (Utilities) \$203.67; **Weed:** Association of SD County Weed & Pest Boards (Supplies) \$50.00, Verizon (Utilities) \$24.79, One Office Solution (Supplies) \$34.32; **Planning & Zoning:** Schneider Geospatial (Maintenance) \$6,900.00, Qualified Presort Services (Supplies) \$21.75, Verizon (Utilities) \$41.95, One Office Solution (Maintenance) \$113.68, One Office Solution (Supplies) \$47.50, Leaf (Rentals) \$104.86; **Road & Bridge:** Bomgaars (Supplies) \$416.83, Barco Municipal Products (Supplies) \$10,839.70, Butler Machinery Co (Maintenance) \$188.17, Boyer Trucks (Maintenance) \$419.39, SDSU –SD LTAP (Travel) \$125.00, City of Yankton (Utilities) \$149.62, NAPA Auto Parts of Yankton (Supplies) \$95.22, IMEG Corp (Bridges) \$18,750.00, Loideau Construction (Bridges) \$3,902.70, Prather Tool LLC (Supplies) \$311.00, Diesel Machinery ink

(Bridges) \$2,300.00, Dakotaland Autoglass Inc. (Supplies) \$48.40, Dware Inc. (Professional Services) \$4,850.00, Direct TV (Utilities) \$88.99, CHS Inc. (Supplies) \$1,124.20, Diamond Mowers ink (Maintenance) \$371.67, Kent Mettler (Bridges) \$3,504.00, Growmark FS (Fuel) \$1,488.67, Farm & Home Publishers (Publishing's) \$110.50, Grainger (Supplies) \$1,456.20, Graham Tire Yankton (Maintenance) \$828.77, Holland Construction (Bridges) \$20,900.63, I State Truck Center (Maintenance) \$834.15, Kimball Midwest (Supplies) \$308.86, Locators & Supplies (Supplies) \$170.11, Menards (Supplies) \$24.71, Yankton County Observer (Professional Services) \$700.27, Riverside Hydraulics (Maintenance) \$710.87, MT & RC Smith Insurance (Insurance) \$163.00, SD Department of Transportation (Bridges) \$87,129.89, SD Assoc of County Highway (Professional Services) \$350.00, Truenorth Steel (Supplies) \$352.10, Verizon (Utilities) \$61.99, One Office Solution (Supplies) \$34.33; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.36, CenturyLink (Utilities) \$79.05, SD Department of Public Safety (Utilities) \$3,090.00; **Emergency Management:** Kopetsky's Ace Hardware (POD Expense) \$239.94, Kopetsky's Ave Hardware (Supplies) \$85.96, Echo Group (Maintenance) \$1,510.00, MidAmerican Energy (Utilities) \$24.37, Verizon (Utilities) \$814.76, Leaf (Rentals) \$90.00, Great American (Rentals) \$357.18, Midcontinent Communications (Utilities) \$167.47; **Government Buildings:** Menards (Govt Buildings) \$263.49; **24/7 Program:** Cardmember Services (Supplies) \$158.29, Precision Kiosk Technologies (Supplies) \$1,350.00; **Debt Service:** Department of Transportation (Dept. Services-NAPA Junction) \$509,000.00; General Fund \$147,718.88, Road & Bridge, \$163,109.94, Emergency Management, \$3,289.68. All present voted aye; motion carried, 5-0.

Action 21553C: A motion was made by Healy and seconded by Kettering to approve the **NOVEMBER, 2021 Gross Payroll: Commissioners:** \$5,912.47; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$15,990.07; **Treasurer:** \$18,384.86; **States Attorney:** \$35,741.20; **Government Buildings:** \$5,181.98; **Director of Equalization:** \$23,702.30; **Register of Deeds:** \$12,655.14; **Veterans Service:** \$3,328.52; **Courthouse & Safety Center:** \$8,073.41; **Sheriff:** \$64,368.13; **County Jail:** \$81,632.59; **Coroner:** \$300.00; **Juvenile:** \$110.03; **Nurse:** \$2,576.36; **Ambulance:** \$53,178.72; **WIC:** \$1,692.24; **Extension:** \$8,949.01; **Soil Conservation:** \$2,597.38; **Weed:** \$8,763.30; **Planning & Zoning:** \$10,387.54; **Road & Bridge:** \$71,496.84; **E911:** \$0.00; **OEM:** \$9,234.95; **24-7 Program:** \$1,397.55. First Dakota National Bank \$12,459.14 (Withholding), First Dakota National Bank \$53,273.88 (FICA) First Dakota National Bank \$14,783.44 (Medicare), South Dakota Retirement System \$33,276.64 (Other Employees), South Dakota Retirement System \$19,495.04 (Sheriff), South Dakota Retirement System (Spouse Opt) \$175.72, South Dakota Retirement System (Supplemental) \$8,406.66, American Family Life Assurance Company (AFLAC) \$5,526.84, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,288.74, Avera Health Plans \$60,078.35, Optilegra \$332.85, United Way of Greater Yankton 10.00, Delta Dental \$960.78, VSP Vision \$321.81, Harmelink & Fox Law Office \$293.24, HealthEquity \$3,238.80. Gross Payroll \$445,357.80, Net Payroll \$325,689.42. All present voted aye; motion carried, 5-0.

Action 21554Aud: A motion was made by Klimisch and seconded by Healy to adjust the Highway budget due to unanticipated revenue in the amount of \$19,521.30. All present voted aye; motion carried, 5-0.

Action 21555AUD: A motion was made by Healy and seconded by Kettering to approve the budgeted cash transfer of \$80,000.00 from the General Fund to Emergency Management Services. All present voted aye; motion carried, 5-0.

County Auditor Hojem informed the board the county has signed up for the Opioid Settlement.

Action 21556C: A motion was made by Healy and seconded by Klimisch to approve a Memorandum of Understanding contract between SDSU Extension and Yankton County (Counties of South Dakota Program). All present voted aye; motion carried, 5-0.

Action 22557C: A motion was made by Kettering and seconded by Klimisch to approve the 2022 calendar. All present voted aye; motion carried.

The Auditor requested closing county offices December 23, 2021 at 1:00 p.m. for the Christmas Holiday. No action was taken.

There were no public comments.

Chair Loest closed public comments.

Commissioner Updates included employee reviews, December 16th Department Head meeting, and 8-County meeting on December 15th. Kettering also mentioned the Human Services Meeting.

Commissioner Fox left the meeting.

Action 21558C: A motion was made by Healy and seconded by Kettering to recess regular session at 9:35 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13 and 28-13-1.3 and personnel issues SDCL 1-25-2(1). All present voted aye; motion carried, 5-0.

Action 21559C: A motion was made by Healy and seconded by Kettering to adjourn executive session at 10:10 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 21560C: A motion was made by Healy and seconded by Kettering to pay files CW 21-095 through CW 21-107 and pend the balance of the files of CW 21-091, CW 21-107 based on SDCL 28-13-34.2 to SDCL 28-13-27 (6) (a). All present voted aye; motion carried, 4-0.

No action was taken on personnel issues.

Action 21561C: A motion was made by Kettering and seconded by Klimisch to adjourn. All present voted aye; motion carried, 4-0.

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

Cheri Loest, Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor