

## **YANKTON COUNTY COMMISSION MEETING**

March 15, 2022

The regular meeting of the Yankton County Commission was called to order by Chairman Joe Healy at 6:00 p.m. on Tuesday, March 15, 2022.

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

There were no conflicts of interest reported by Commissioners.

**Action 22114C:** A motion was made by Fox and seconded by Loest to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There were public comments from Ryan Heine and Brian Hunhoff. Chairman Healy closed public comment.

Highway Superintendent Mike Sedlacek appeared before the board for approval of the Hutchinson County bid for milling from Loiseau Construction, Inc., Sedlacek said it would take care of the two projects for this year, profile mill for Walshtown road and full depth milling on East Side Drive.

**Action 22115Hwy:** A motion was made by Kettering and seconded by Loest to approve the bid from Loiseau Construction. All present voted aye; motion carried, 5-0.

**Action 22116C:** A motion was made by Klimisch and seconded by Fox to approve the following proclamation. All present voted aye; motion carried, 5-0.

### **Yankton County Proclamation Proclamation designating March 29, 2022 as "Welcome Home Vietnam Veteran's Day"**

**Whereas**, the Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Viet Cong in conflict with the United States Armed Forces and South Vietnam; and

**Whereas**, the United States became involved in Vietnam because policymakers in the United States believed that if South Vietnam fell to a Communist government then Communism would spread throughout the rest of Southeast Asia; and

**Whereas**, members of the United States Armed Forces began serving in an advisory role in the South Vietnamese in 1961; and

**Whereas**, as a result of the Gulf of Tonkin incidents on August 2, 1964, and August 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution, on August 7, 1964, which

effectively handed over war-making powers to President Johnson until such time as "peace and security" had returned to Vietnam; and

**Whereas**, in 1965, United States Armed Forces ground combat units arrived in Vietnam; and

**Whereas**, by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969 a peak of approximately 543,000 troops was reached; and

**Whereas**, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

**Whereas**, on March 29, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam; and

**Whereas**, more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded; and

**Whereas**, members of the United States Armed Forces, who served bravely and faithfully for the United States during the Vietnam War, were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War; and

**Whereas**, it was also the first time in history America failed to welcome its veterans back as heroes; and

**Whereas**, the establishment of a "Welcome Home Vietnam Veterans Day" would be an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War; and

**Whereas**, Yankton, SD, in Yankton County is known as the Veterans Town; and

**Now**, therefore be it resolved that the Yankton County Commissioners do hereby recognize March 29, 2022 as "Welcome Home Vietnam Veterans Day". The Yankton County Commissioners further honors and recognizes the contributions of veterans of the Armed Forces who served in Vietnam.

Dated this 15<sup>th</sup> day of March, 2022.

Yankton County Chairman, Joseph Healy /s/

ATTEST: Patty Hojem, Yankton County Auditor /s/

**Action 22117Z:** A motion was made by Kettering and seconded by Loest to adopt the following resolution: Whereas it appears, Jon Maras, owner of record, has caused a replat to be made of the following real property: Lots 6 & 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereafter to be known as Lot 12, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W hereinafter referred to as Utica South Township, 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.

**Action 22118Z:** A motion was made by Loest and seconded by Fox to adopt the following resolution: Whereas it appears, Cheryl Boeckman, owner of record, has caused a replat to be made of the following real property: Lot K & Lot L, NE1/4, SE1/4, S7-T93N-R56W, hereinafter referred to as Lot K1 and Lot L1, NE1/4, SE1/4 referred to as Utica South Township, 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.

**Action 22119Z:** A motion was made by Klimisch and seconded by Loest to adopt the following resolution: Whereas it appears, Ehresmann Holdings LLC, owner of record, has caused a plat to be made of the following real property: Tract B, S1/2, SW1/4, S33-T94N-R56W, hereinafter referred to as Utica North Township, 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.

Ross Den Herder presented an Affirmation of Easement Rights and Hold Harmless Agreement for board approval.

**Action 22120C:** A motion was made by Kettering and seconded by Fox to approve the Affirmation of Easement Rights and Hold Harmless Agreement. Kettering, Fox, Klimisch and Healy voted aye; Loest voted nay; motion carried, 4-1.

**Planning Commission:** Planning and Zoning Administrator Gary Vetter appeared before the board to inform the board he will advertise for two positions that will be open on the zoning board.

**Action 22121C:** A motion was made by Loest and seconded by Kettering to approve the March 1, 2022 meeting minutes. All present voted aye; motion carried, 5-0.

**Action 22122C:** A motion was made by Loest and seconded by Kettering to approve the following claims: **Commissioners:** Don Kettering (Travel) \$72.24; Vast Business (Utilities) \$50.50; Alternative HR LLC. (Professional Services) \$108.75; Yankton County Observer (Publishing) \$326.56; Yankton Daily P&D (Publishing) \$716.26; **Elections:** Yankton County

Observer (Publishing) \$37.29; Qualified Presort Service (Supplies) \$10.56; Secretary of State (Voter Lists) \$100.00; Verizon (Rentals) \$280.07; Yankton Daily P&D (Publishing) \$46.08; **Court:** Juror Fees (Court) \$4,149.16; Best Western Kelly Inn (Professional Services) \$77.00; Hy-Vee (Juror Meals) \$72.90; Horn Law Office (Professional Services) \$383.80; Lacroix Law Office (Professional Services) \$176.75; Pizza Ranch (Juror Meals) \$95.43; Department of Health (Labs) \$1,210.00; Dean Schaefer (Professional Services) \$1,104.00; Thomson Reuters (Supplies) \$1,046.90; **Auditor:** Vast Business (Utilities) \$121.44; Leaf (Rentals) \$159.00; Mcleod's Printing & Office Supply (Supplies) \$108.90; Qualified Presort Services (Supplies) \$167.98; One Office Solution (Supplies) \$207.64; One Office Solution (Maintenance) \$153.72; **Treasurer:** Andersen Telecom (Professional Services) \$300.00; Vast Business (Utilities) \$197.08; Qualified Presort Services (Supplies) \$129.37; Yankton Daily P&D (Publishing) \$35.42; **Data Processing:** Andersen Telecom LLC (Professional Services) \$400.00; Vast Business (Utilities) \$718.82; First Bank Card (Maintenance) \$125.52; **States Attorney:** Andersen Telecom LLC (Professional Services) \$300.00; Century Business Products (Rentals) \$562.91; Culligan (Supplies) \$37.25; Jerry A. Miller (Travel) \$105.84; Mary Holzwarth (Supplies) \$36.00; Karpel Solutions (Professional Services) \$7,875.00; Tyler Larsen (Travel) \$32.84; Security Shredding Services (Maintenance) \$35.00; TriTech Software Systems (Professional Services) \$504.00; Verizon (Utilities) \$31.91; **Govt Buildings:** Bomgaars (Supplies) \$6.99; Vast Business (Utilities) \$25.25; Culligan (Utilities) \$206.00; JCL Solutions (Supplies) \$144.49; Olson's Pest Technicians (Maintenance) \$82.00; United Laboratories Inc. (Supplies) \$159.32; **Director of Equalization:** Andersen Telecom LLC (Professional Services) \$500.00; Vast Business (Utilities) \$193.50; NCRAAO 2022 (Travel) \$1,300.00; First Bankcard (Maintenance) \$527.18; Matt Archer (Professional Services) \$750.00; Microfilm Imaging Systems (Maintenance) \$180.00; Qualified Presort Services (Supplies) \$5,852.16; Steinley Real Estate Appraisals (Travel) \$350.00; One Office Solution (Maintenance) \$120.78; **Register of Deeds:** Vast Business (Utilities) \$171.50; Qualified Presort Services (Supplies) \$32.56; One Office Solutions (Supplies) \$236.78; One Office Solutions (Maintenance) \$23.59; **Veterans Service Officer:** Andersen Telecom LLC (Professional Services) \$150.00; Vast Business (Utilities) \$25.25; Leaf (Rentals) \$58.10; Verizon (Utilities) \$41.91; Verizon (Rentals) \$40.01; One Office Solution (Maintenance) \$6.00; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$54.49; Kopetsky's Ace Hardware (Maintenance) \$18.97; Vast Business (Utilities) \$847.14; City of Yankton (Dumpster Fees) \$96.00; Cole Papers Inc. (Supplies) \$874.96; Electair, Inc. (Maintenance) \$4,770.42; Midwest Radiator & Exhaust (Supplies) \$16.59; MidAmerican Energy (Utilities) \$4,315.13; **Sheriff:** Andersen Telecom LLC (Computer Services) \$150.00; City of Yankton (Fuel) \$2,300.39; Graham Tire Yankton (Maintenance) \$709.84; Jacks Uniforms & Equipment (Uniforms) \$869.99; Jacks Uniforms & Equipment (Ballistic Vests) \$979.38; Pennington County Jail (Travel) \$144.22; Qualified Presort Services (Maintenance Contracts) \$282.43; One Office Solution (Supplies) \$237.50; One Office Solution (Maintenance Contracts) \$84.20; Yankton Medical Clinic (Vaccinations) \$72.00; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$224.56; Avera Medical Group (Professional Services) \$675.00; Hanson Briggs Specialty Services (Supplies) \$49.99; Integrated Technology & Security (Security Maintenance) \$1,359.40; Horwath Laundry Equipment (Supplies) \$1,243.60; Jerry Sorbel (Professional Services) \$510.00; Trinity Services

Group (Food Service) \$7,757.26; EZ Duz It Laundry (Supplies) \$185.00; JCL Solutions (Supplies) \$371.36; Northtown Automotive (Auto Expense) \$113.10; Correctional Risk Services (Inmate Medical Liability Insurance) \$1,184.96; One Office Solution (Supplies) \$237.50; Yankton Rexall Drug Co. (Professional Services) \$1,629.26; Yankton Medical Clinic (Professional Services) \$17.25; **Coroner:** First Bankcard (Supplies) \$9.25; **Yankton Area Search & Rescue:** First Bankcard (Supplies) \$525.18; **Care of Poor:** Qualified Presort Services (Supplies) \$44.08; SD Association of Counties (Travel) \$50.00; Thomson Reuters (Supplies) \$83.55; Wintz & Ray Funeral Home (Professional Services) \$1,669.50; **Public Health Nurse:** Vast Business (Utilities) \$202.67; TIAA Commercial Finance (Rentals) \$157.34; Qualified Presort Services (Supplies) \$9.79; **Ambulance:** Andersen Telecom LLC (Professional Services) \$250.00; Boston Shoes to Boots (Supplies) \$150.00; Stryker Sales Corporation (Maintenance) \$620.00; Bound Tree Medical LLC (Supplies) \$138.68; City of Yankton (Fuel) \$756.74; Christensen Radiator & Repair (Maintenance) \$363.75; Cintas (Maintenance) \$113.45; Johns Service (Maintenance) \$382.47; Amazon Capital Services (Supplies) \$206.70; First Bankcard (Professional Services) \$89.00; First Bankcard (Fuel) \$231.09; First Bankcard (Supplies) \$60.60; Leaf (Rentals) \$89.67; Matheson Tri-Gas Inc. (Rentals) \$81.27; Matheson Tri-Gas Inc. (Supplies) \$172.27; MidAmerican Energy (Utilities) \$1,013.82; Northwestern Energy (Utilities) \$1,209.98; Roger's Family Pharmacy (Supplies) \$94.17; Verizon (Utilities) \$422.13; **Mentally Handicapped:** SD Achieve dba Lifescape (Care Feb 2022) \$180.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$45.00; Den Herder Law Office (Hearings) \$2,257.90; Koletsky Law Office (Hearings) \$246.40; Mark Ketterhagen (Hearings) \$45.00; Lewis & Clark Behavioral Health (Hearings) \$1,104.00; Lucille Lewno (Hearings) \$686.59; Minnehaha County Auditor (Hearings) \$153.11; **County Extension:** Buhl's Cleaners (Supplies) \$37.82; SDSU Extension (Travel) \$30.13; Leaf (Rentals) \$282.11; MidAmerican Energy (Utilities) \$256.22; Northwestern Energy (Utilities) \$213.38; **Weed:** Crossroads Hotel & Huron Events Center (Travel) \$551.94; First Bankcard (Travel) \$45.04; Verizon (Utilities) \$24.77; Van Diest Supply Co. (Supplies) \$107.40; One Office Solution (Supplies) \$58.63; **Planning & Zoning:** Andersen Telecom LLC (Professional Services) \$50.00; Vast Broadband (Utilities) \$50.50; Leaf (Rentals) \$104.86; Microfilm Imaging Systems (Rentals) \$70.00; Pheasantland Industries (Supplies) \$19.34; Qualified Presort Services (Supplies) \$10.65; Verizon (Utilities) \$41.91; One Office Solution (Maintenance) \$74.46; Yankton Daily P&D (Publishing) \$131.24; **Highway:** Appera (Supplies) \$132.43; Bomgaars (Supplies) \$144.30; B-Y Electric (Utilities) \$75.27; B-Y Water District (Utilities) \$78.00; Butler Machinery (Maintenance) \$577.94; Butler Machinery (Supplies) \$78.55; Vast Business (Utilities) \$101.00; Boyer Trucks (Maintenance) \$513.69; Boyer Trucks (Supplies) \$110.84; Ban Koe Companies, Inc (Maintenance) \$356.75; Napa Auto Parts of Yankton (Supplies) \$281.12; Handel Repair (Maintenance) \$219.19; Direct TV (Utilities) \$100.24; Diesel Specialties Inc. (Maintenance) \$3,237.16; First Bankcard (Professional Services) \$35.00; I State Truck Center (Maintenance) \$89.50; Janssen's Garage Service (Utilities) \$45.00; Kaiser Appliance & Refrigeration (Supplies) \$78.96; Menards (Supplies) \$169.96; MidAmerican Energy (Utilities) \$1,463.04; NorthWestern Energy (Utilities) \$1,358.94; Transource (Maintenance) \$324.98; SD Department of Transportation (Bridges) \$4,240.92; Two Way Solutions Inc. (Maintenance) \$285.94; Southeastern Electric Coop (Utilities) \$35.99; Security Shredding Services (Maintenance)



\$35.00; Truck Trailer Sales Service (Maintenance) \$325.00; Verizon (Utilities) \$61.95; One Office Solution (Supplies) \$58.62; Yankton Daily P&D (Publishing) \$42.92; **Local Emergency Planning:** Golden West Telecommunications (Utilities) \$145.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$161.97; Southgate (Maintenance) \$1,100.00; Bomgaars (Supplies) \$91.96; B-Y Electric (Utilities) \$55.38; Napa Auto Parts of Yankton (Supplies) \$245.19; Clubhouse Hotel & Suites (Travel) \$751.04; ESRI (LEPC) \$1,875.00; ESRI (Professional Services) \$1,875.00; First Bankcard (Supplies) \$1,472.18; First Bankcard (Professional Services) \$61.26; First Bankcard (POD) \$55.20; First Bankcard (Travel) \$220.00; Great America Financial Services (Rentals) \$223.79; Leaf (Rentals) \$90.00; Midcontinent Communications (Utilities) \$167.89; Tabor Lumber Coop (Supplies) \$843.52; Verizon (Utilities) \$812.16; One Office Solutions (Supplies) \$71.57; One Office Solutions (Maintenance) \$149.91; **Government Buildings:** Carrot-Top Industries (Govt Buildings) \$149.54; Online Stores Inc. (Govt Buildings) \$428.32; **Non-Departmental:** Refund (Sobriety Testing) \$9.00; **24/7 Program:** Precision Kiosk Technologies (Supplies) \$1,350.00; Pharmchem Inc. (Supplies) \$3,019.20; Redwood Toxicology Laboratories (Supplies) \$359.00; **M&PR Fund:** Andersen Telecom LLC (Professional Services) \$400.00; **County Law Library:** Thomson Reuters (Supplies) \$197.63; **Non-Departmental:** Yankton County Observer (Publishing) \$3.45; Yankton Daily P&D (Publishing) \$5.12; Satellite Tracking of People (Tracking Monitors) \$1,186.25; Byron Nogelmeier (Cam Daily Fee Jan 2022- Feb 2022) \$3,353.00; Refund (State Participation) \$27.00; Byron Nogelmeier (State Participation Fee Jan 2022- Feb 2022) \$399.00; SD Department of Revenue (Services-HSC) \$2,434.89; SD Department of Revenue (Services-Redfield) \$120.00; SD Department of Revenue (Fees-Motor Vehicle) \$405,197.10; SD Department of Revenue (Fees-Waste Fee) \$6,240.25; SD Department of Revenue (Fees-ROD) \$2,230.00; SDACO (M&PR Fund) \$400.00; General Fund \$82,050.70; Road & Bridge \$14,658.20; Emergency Management \$10,323.02. All present voted aye; motion carried, 5-0.

**Rezone:** There was a second reading on the request from Dallas Keller to rezone a Rural Transitional District (RT) to Moderate Density Residential District (R2).

**Action 22123Z:** A motion was made by Fox and seconded by Klimisch to approve the rezone. Roll call vote was taken with Fox, Klimisch, Kettering, Loest and Healy voting aye; motion carried, 5-0.

**Action 22124AUD:** A motion was made by Kettering and seconded by Klimisch to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of February 28, 2021 which showed Total Cash of \$13,974,533.75. The General Fund was \$8,888,165.07; Special Funds were \$2,449,858.75; and Trust and Agency Funds were \$2,636,509.93 adding to a Grand Total of General Ledger Cash and Investments of \$13,974,533.75. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

**Action 22125AUD:** A motion was made by Loest and seconded by Fox to surplus items presented by the Auditor. All present voted aye; motion carried, 5-0.

**Action 22126AUD:** A motion was made by Fox and seconded by Klimisch to remove all reference to the HRA text or dialog from the county handbook. All present voted aye; motion carried, 5-0.

The board discussed employee holidays. The consensus of the board was to send an email to county employees on what they prefer.

There were no public comments. Chairman Healy closed public comment.

Commissioner updates included: Commissioners Fox and Klimisch toured the county jail, GOED information, District meeting is March 16<sup>th</sup> in Vermillion, and the The Center Rock-A-Thon will be March 17, 2022.

**Action 22127C:** A motion was made by Fox and seconded by Kettering to recess the regular session at 7:00 p.m. and convene in executive session to discuss personnel issues SDCL 1-25-2(1) and Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried, 5-0.

**Action 22128C:** A motion was made by Loest and seconded by Fox to adjourn the executive session at 7:25 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Action 22129C:** A motion was made by Fox and seconded by Loest to deny the files CW 21-077, 21-078 & 22-012 based on the following SDCL 28-13-3, the three applicants failed to establish residence in Yankton County. All present voted aye; motion carried, 5-0.

**Action 22130C:** A motion was made by Loest and seconded by Kettering to pay the file CW 22-026 as mental health hold on the following SDCL 27A-10-6. All present voted aye; motion carried, 5-0.

No action was taken on executive session.

**Action 22131C:** A motion was made by Kettering and seconded by Fox to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, April 5, 2022 at 6:00 p.m.

**Joe Healy**, Chairman  
Yankton County Commission

ATTEST:  
**Patty Hojem**, County Auditor