

YANKTON COUNTY COMMISSION MEETING

September 1, 2020

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 1, 2020.

Roll call was taken with the following Commissioners present: Joseph Healy, Dan Klimisch, Gary Swensen, Don Kettering; Chair Cheri Loest appeared telephonically via Zoom but was unable to access audio for the purpose of participating in the meeting until 6:15 p.m.

There were no conflicts of interest reported by Commissioners.

Action 20368C: A motion was made by Klimisch and seconded by Swensen to approve the meeting agenda. All present voted aye; motion carried.

There were two public comments from Brian Hunhoff and Gary Swensen.

Vice Chairman Healy closed public comment.

Action 20369C: A motion was made by Klimisch and seconded by Swensen to approve the minutes of August 18, 2020 meeting with the following correction; **Action 20362C** should have read Healy, Kettering and Loest voted aye; Klimisch and Swensen voted nay; motion carried, 3-2. All present voted aye; motion carried.

Action 20370C: A motion was made by Klimisch and seconded by Kettering to approve the following claims with correction on claim for Brian Hunhoff should be \$146.90. Intuvio Solutions (Professional Services) \$99.90; **Elections:** Election Systems & Software (Supplies) \$1,276.67, Qualified Presort Services (Supplies) \$55.71, Verizon (Rentals) \$320.08, One Office Solution (Supplies) \$183.15; **Court:** Juror Fees (\$50.00 x 8) \$400.00, Juror Mileage (\$0.84 x 2) \$1.68, Juror Mileage (\$8.40 x 2) \$16.80, Juror Mileage (\$4.20 x 1) \$4.20, Juror Mileage (\$5.04 x 1) \$5.04, Megan Reeves (Professional Services) \$261.80, Kent E. Lehr Law Office (Delinquent/Minor) \$2,088.50, Harmelink & Fox Law Office (Delinquent/Minor) \$1,403.49, Harmelink & Fox Law Office (Legal Assistance) \$1,327.89, Larson & Nipe Attorneys at Law (Legal Assistance) \$5,085.73, Hy-Vee (Supplies) \$21.38; **Auditor:** Patty Hojem (Travel) \$51.24, Qualified Presort Services (Supplies) \$62.48; **Treasurer:** Qualified Presort Services (Supplies) \$141.05; **Data:** Miller Consulting LLC (Maintenance) \$3,028.00; **States Attorney:** Executive MGMT. Finance (Utilities) \$29.25, Miller Consulting LLC (Maintenance) \$240.00; **Government Center Building:** Kopetsky's Ave Hardware (Supplies) \$34.57, City of Yankton (Utilities) \$2,060.02, Echo Group (Maintenance) \$84.60, Flynn's Flowing Flags (Professional Services) \$100.00, Heiman Inc. (Maintenance) \$192.00, Justra's Body Shop Inc. (Professional Services) \$105.00, JCL Solutions (Supplies) \$53.84, Menards (Maintenance) \$35.49, Northwestern Energy (Utilities) \$3,572.39, OTIS Elevator Company (Maintenance) \$848.04, United Laboratories Inc. (Supplies) \$525.39; **Director of Equalization:** Matt Archer (Travel) \$96.60, Miller Consulting LLC (Maintenance) \$60.00,

Jeffery Puthoff (Travel) \$188.40, Qualified Presort Services (Supplies) \$13.73, Verizon (Utilities) \$162.01; **Register of Deeds:** Executive MGMT. Finance (Utilities) \$29.25, Brian Hunhoff (Supplies) \$146.90, Miller Consulting LLC (Maintenance) \$120.00, Micro Tek Solutions (Supplies) \$96.82, Qualified Presort Services (Supplies) \$33.96, One Office Solution (Supplies) \$54.33; **VA:** Qualified Presort Services (Supplies) \$6.09; **Safety Center Building:** Kopetsky's Ace Hardware (Maintenance) \$10.88, Bomgaars (Supplies) \$66.73, City of Yankton (Utilities) \$779.71, Cole Papers Inc. (Supplies) \$788.77, Menards (Supplies) \$65.97, Northwestern Energy (Utilities) \$10,151.97, Top Notch Window Cleaning (Professional Services) \$345.00; **Sheriff:** Mozak's Inc. (Minor Equipment) \$888.00, Cardmember Services (Fuel) \$37.56, Qualified Presort Services (Maintenance) \$111.74, One Office Solution (Supplies) \$66.13; **County Jail:** Mark Payer (Supplies) \$24.00, Cardmember Services (Security Maintenance) \$73.74, Cardmember Services (Food Services) \$10.18, Summit Food Services, LLC (Food Services) \$5,419.42, Sherwin Williams Company (Maintenance) \$51.81, Jerold Sorbel (Food Services) \$8.47, Jerold Sorbel (Professional Services) \$240.00; **Coroner:** Sanford Health (Professional Services) \$9,468.00; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$20,373.40; **YASR:** Battery Exchange (Supplies) \$520.50, Two Way Solutions Inc. (Supplies) \$826.41; **Contact Center:** Qualified Presort Services (Supplies) \$91.66; **Public Health Nurse:** Qualified Presort Services (Supplies) \$61.94; **Ambulance:** Avera Health dba Avera Education & Staffing (Travel) \$40.00, Sacred Heart Health Service (Professional Services) \$1,500.00, City of Yankton (Utilities) \$261.35, Cintas (Supplies) \$68.13, Quick Med Claims (Supplies) \$2,648.72, Change Healthcare (Professional Services) \$155.83, Kaiser Heating & Cooling (Maintenance) \$2,090.34, Miller Consulting LLC (Maintenance) \$600.00, Menards (Supplies) \$228.36, MidAmerican Energy (Utilities) \$14.11, Northwestern Energy (Utilities) \$1,063.18, Olson's Pest Technicians (Maintenance) \$114.00, Qualified Presort Services (Supplies) \$13.53, Verizon (Utilities) \$304.69; **Mental Illness Board:** Darcy Lockwood (Hearings) \$66.00, Mark Katterhagen (Hearings) \$66.00, Lucille M. Lewno (Hearings) \$1,056.00; **Senior Citizens:** City of Yankton (2nd Quarter Senior Citizens) \$4,529.12; **County Extension:** Vast Business (Utilities) \$399.11, City of Yankton (Utilities) \$59.75, Clay County 4-H Leaders (Professional Services) \$63.85, MidAmerican Energy (Utilities) \$8.52, Olson's Pest Technicians (Maintenance) \$150.00, One Office Solution (Supplies) \$210.46; **Weed:** C & B Operations LLC (Supplies) \$215.29, Cox Auto Supply Inc. (Supplies) \$24.49, C & R Supply Inc. (Supplies) \$118.73, Van Diest Supply Co (Chemicals) \$1,906.25; **Planning & Zoning:** Qualified Presort Services (Supplies) \$82.56, Verizon (Utilities) \$41.98; **Road & Bridge:** Appeara (Supplies) \$116.41, Bomgaars (Supplies) \$13.85, Broadway Chrysler, Dodge & Jeep (Supplies) \$447.00, Battery Exchange (Supplies) \$180.00, Butler Machinery Co (Supplies) \$379.44, City of Yankton (Utilities) \$172.77, Cox Auto Supply Inc. (Supplies) \$515.22, Concrete Materials (Annual Projects) \$246,317.10, Direct TV (Utilities) \$83.99, Loiseau Construction (Annual Projects) \$185,540.00, Calibration Technologies (Maintenance) \$1,251.95, Nelson Services LLC (Supplies) \$112.20, 3-D Specialties Inc. (Supplies) \$144.36, Beth Wilhelms (Travel) \$57.33, Kimball Midwest (Supplies) \$153.84, Lyle Signs Inc. (Supplies) \$2,348.79, Longs Propane Inc. (Fuel) \$52.50, Menards (Supplies) \$41.91, Midwest Radiator & Exhaust (Maintenance) \$105.00, Northwestern Energy (Utilities) \$928.02, O'Reilly Auto Parts (Supplies) \$9.31, Overhead Door Company of Sioux City Inc. (Maintenance) \$290.25,

Riverside Hydraulics & Labs (Supplies) \$6.78, SD Department of Transportation (Annual Projects) \$1,757.55, Truck Trailer Sales Services Inc. (Supplies) \$425.00, Verizon (Utilities) \$86.85, One Office Solution (Supplies) \$39.62, Yankton Daily P & D (Publishing's) \$148.82, Yankton Fire & Safety Company (Maintenance) \$929.25; **Emergency 911 Fund:** City of Yankton (2nd Quarter E911 Dispatch) \$29,348.25, CenturyLink (Utilities) \$73.92, Midcontinent Communications (Utilities) \$115.00, SD Department of Public Safety (Utilities) \$3,215.00; **Emergency Management:** First Bankcard (Disaster Plan) \$2,961.96, Kopetsky's Ace Hardware (Supplies) \$34.06, Bomgaars (Supplies) \$170.36, Boston Shoes to Boots (Supplies) \$211.00, Menards (Supplies) \$562.89, MidAmerican Energy (Utilities) \$8.00, Verizon (Utilities) \$733.64, One Office Solution (Supplies) \$2.58, Yankton Janitorial Supply (Disaster Plan) \$594.00; **24/7 Sobriety Fund:** Pharmchem Inc. (Supplies) \$1,236.00; **Non-Departmental:** Pollman Excavation (YC County Ditch) \$19,576.57; General Fund \$100,305.81, Road & Bridge, \$442,655.11, Emergency Management, \$5,278.49. All present voted aye; motion carried.

Action 20371C: A motion was made by Kettering and seconded by Klimisch to approve the **AUGUST, 2020 Gross Payroll: Commissioners:** \$5,606.74; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$15,256.84; **Treasurer:** \$17,590.33; **States Attorney:** \$29,247.73; **Government Buildings:** \$6,296.70; **Director of Equalization:** \$25,536.98; **Register of Deeds:** \$13,037.81; **Veterans Service:** \$3,521.98; **Courthouse & Safety Center:** \$5,588.93; **Sheriff:** \$66,135.71; **County Jail:** \$79,710.19; **Coroner:** \$800.00; **Juvenile:** \$220.36; **Nurse:** \$3,122.44; **Ambulance:** \$60,011.43; **WIC :** \$1,847.02; **Extension:** \$7,190.02; **Soil Conservation:** \$3,113.25; **Weed:** \$7,053.75; **Planning & Zoning:** \$10,451.97; **Road & Bridge:** \$72,089.77; **E911:** \$57.32; **OEM:** \$8,525.32; **24-7 Program:** \$996.36. First Dakota National Bank \$34,573.20 (Withholding), First Dakota National Bank \$53,191.90 (FICA) First Dakota National Bank \$12,439.98 (Medicare), South Dakota Retirement System \$33,275.74 (Other Employees), South Dakota Retirement System \$19,858.52 (Sheriff), South Dakota Retirement System (Spouse Opt) \$228.42, South Dakota Retirement System (Supplemental) \$5,616.66, American Family Life Assurance Company (AFLAC) \$5,509.21, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,455.14, Optilegra \$496.08, Wellmark BC Health Insurance \$69,353.99, United Way of Greater Yankton \$47.50, Delta Dental \$1,253.00, VSP Vision \$196.10, WageWorks \$3,219.04. Gross Payroll \$443,008.95, Net Payroll \$326,931.12. All present voted aye; motion carried.

Action 20372C: A motion was made by Klimisch and seconded by Swensen to approve the Allen Kokesh Bridge Dedication Program use agreement. All present voted aye; motion carried.

Action 20373C: A motion was made by Klimisch and seconded by Kettering to allow all full and part time county employees to receive the yearly flu shot. All present voted aye; motion carried.

Prevailing Wind Park: Scott Creech, Prevailing Wind Park, LLC appeared for the board to sign off on the completion certificate for the Road Use and Repair Agreement for Prevailing Wind Park. Mr. Creech said the project was finished and had talked to Highway Superintendent Mike Sedlacek. Chair Loest said she had talked to Mr. Sedlacek and the roads were about in the same condition as when the project started. Commissioner Klimisch said he would like to have something in writing. Loest said she would contact the Highway Superintendent and have something at the next commission meeting.

Action 20374C: A motion was made by Kettering to approve the completion certificate.

Action 20375C: A motion was made by Klimisch and seconded to Kettering to have Highway Superintendent Sedlacek present in writing before approval of the certificate. All present voted aye; motion carried.

Kettering withdrew his motion.

Hearing: There was a first reading on the adoption of proposed amendment to Ordinance 14, for the imposition, collection and enforcement of a wheel tax in Yankton County. The second reading of Yankton County Ordinance No. 20-25 will be at the next commission meeting on September 17, 2020.

County Handbook: The board discussed changes to proposed employee handbook that will be placed on the September 17th, 2020 commission meeting for approval. All present voted aye; motion carried.

Historical Society: Crystal Nelson, representing the Yankton County Historical Society, appeared to request a resolution from the County Commission in securing a Transportation Alternatives Grant for the moving and restoration of transportation related structures owned by the museum. Commissioner Klimisch offered to work with Crystal and States Attorney to draft the resolution.

Planning Commission: Zoning Administrator presented names for the open position on the zoning board. The names were: Chris Barkl, Cathy Weiss, Jay Cutts, Gen Ekeren, Dr. Cindy Franklin, James Feldhacker, and Emily Radech.

Action 20376Z: A motion was made by Kettering and seconded by Loest to appoint Chris Barkl to a two year term for the Zoning Commission Board. All present voted aye; motion carried.

Action 20377C: A motion was made by Swensen 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 Jon Moser. Applicants requested a permit for a swimming pool in a Moderate Density Residential District. Said property is legally described as N 300', S 633', E 196', W 656', SE1/4, NE1/4, S7-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval 6-0.

Jon Moser spoke on the CUP request.

Action 20378Z: A motion was made by Klimisch and seconded by Kettering, to approve on the same condition as approved by the Planning Commission, based on Findings of Fact from the August 11, 2020 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, Kettering, Loest and Healy voting aye; Swensen voting nay; motion carried, 4-1.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of application from Connor Mulherin Variance of a Minimum Lot Width from 2.64 +/- to +e.41 acres and increase the existing width to 270.00 in an Agriculture District. Said property is legally described as Lot 1, Red Cedar Subdivision, E1/2, SW1/4, S32-T96N-R54W, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval 6-0.

Connor Mulherin spoke on the CUP request.

Action 20379Z: A motion was made by Kettering and seconded by Klimisch to approve the variance application based on Findings of Fact from the August 11, 2020 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 Kettering, Klimisch, Loest, Swensen and Healy voting aye; motion carried, 5-0.

Action 20380Z: A motion was made by Klimisch and seconded by Kettering to adopt the following resolution. Whereas it appears, Connor Mulherin, owner of record, has caused a plat to be made of the following real property: Lot 1, Red Cedar Subdivision, E1/2, SW1/4, S32-T96N-R54W, 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. Roll call vote was taken with Klimisch, Kettering, Swensen, 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 Wally Bakke. Applicants requested a permit for an Open Sales Area

and a Repair Shop, Motor Vehicle and Equipment. Said property is legally described as SW1/4, SE1/4, S31-T96N-R54W, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval 6-0.

Applicant Wally Bakke spoke on the CUP request.

Action 20381Z: A motion was made by Klimisch and seconded by Swensen, to approve on the same condition as approved by the Planning Commission, based on Findings of Fact from the August 11, 2020 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, Swensen, 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 Ehresmann Holdings, LLC. Applicants requested a permit for a Training Tower. Said property is legally described as S1/2, SW1/4, Lots 1 and 3, Lot A and S 851.23', E450', S33-T94N-R56W, and excluding Luken's First, Third, Fourth, Fifth Addition and Lot H1, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval 6-0.

Applicant Eric Taylor spoke on the CUP request.

Action 20382Z: A motion was made by Kettering and seconded by Swensen, to approve on the same condition as approved by the Planning Commission, based on Findings of Fact from the August 11, 2020 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, Swensen, Klimisch Loest and Healy voting aye; motion carried, 5-0.

Action 20383C: 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.

2021 Budget: Commissioner Swensen commented on the proposed 2021 Budget.

There were no public comments.

Vice Chairman Healy closed public comment.

Commissioner updates: Commissioner Swensen said he will have a conference call with Washington DC. Other items mentioned were Kokesh Bridge dedication, District III meeting in Mitchell, the Center is celebrating 50 years, 8-Co Meeting and State Convention September 14th and 15th.

Chair Loest Left the meeting.

Action 20384C: A motion was made by Klimisch and seconded by Swensen to recess the regular session at 7:40 pm and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried.

Action 20385C: A motion was made by Swensen and seconded by Klimisch to adjourn the executive session at 8:05 pm and reconvene in regular session. All present voted aye; motion carried.

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

Action 20385C: A motion was made by Swensen and seconded by Kettering to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, September 17, 2020 at 6:00 p.m.

Joseph Healy, Vice Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor