

YANKTON COUNTY COMMISSION MEETING
December 17, 2019

The regular meeting of the Yankton County Commission was called to order by Chairman Dan Klimisch at 6:00 PM on Tuesday, December 17, 2019.

Roll Call was taken with the following Commissioners present: Cheri Loest, Joseph Healy, Gary Swensen and Dan Klimisch; Absent: Don Kettering.

Commissioner Klimisch asked for a brief moment to send prayers to Commissioner Don Kettering for medical problems and for a speedy recovery.

There were no conflicts of interest reported by Commissioners.

Action 19573C: A motion was made by Loest and seconded by Healy to approve the meeting agenda with the following addition: 14A, voting procedure. All present voted aye; motion carried.

Action 19574C: A motion was made by Healy and seconded by Loest to approve the minutes of the December 3, 2019 meeting. All present voted aye; motion carried.

Action 19575C: A motion was made by Loest and seconded by Swensen to approve the minutes of the December 4, 2019 meeting. All present voted aye; motion carried.

Action 19576C: A motion was made by Loest and seconded by Healy to approve the minutes of the December 11, 2019 meeting. All present voted aye; motion carried.

There was one public comment from Phil Tau.

Chairman Klimisch closed the public comment portion of the meeting.

Action 19577C: A motion was made by Healy and seconded by Loest to approve the following claims; **Non Departmental:** State of SD Treasurer (Refunding Overpayment) \$330.18; **Commissioners:** Vast Business (Utilities) \$52.50, Intuvio Solutions (Professional Services) \$49.95, Alternative HRD, LLC (Other) \$1,349.40, Yankton County Observer (Publishing's) \$194.63, MT & RC Smith (2019 Workmen's Comp) \$405.00, Yankton Daily P & D (Publishing) \$591.26; **Elections:** Qualified Presort Services (Supplies) \$45.16; **Court:** Avera Sacred Heart Hospital (Lab) \$962.00, Certified Languages International (Professional Services) \$47.85, Megan Reeves (Professional Services) \$210.80, Kent E Lehr Law Office (Professional Services) \$6,885.04, AMG Wound Care (Lab) \$962.00, Horn Law Office LLC (Professional Services) \$6,088.70, Kennedy Pier Loftus & Reynolds, LLP (Delinquent) \$503.50, Kennedy Pier Loftus & Reynolds, LLP (Professional Services) \$1,660.82, Department of Health (Lab Crt-Nov 2019) \$620.00, Dean Schaefer (Professional Services) \$931.00, Thomson Reuters

(Supplies) \$816.63; **Auditor:** Vast Business (Utilities) \$175.06, Culligan (Supplies) \$13.50, Leaf (Rentals) \$94.42, Qualified Presort Services LLC (Supplies) \$149.79, MT & RC Smith (2019 Workmen's Comp) \$1,226.32, Security Shredding Services (Maintenance) \$35.00, Thomson Reuters (Supplies) \$69.62; **Treasurer:** Vast Business (Utilities) \$209.05, Scantron (Maintenance) \$232.00, McLeod's Printing & Office Supply (Supplies) \$159.90, Qualified Presort Services, LLC (Supplies) \$133.69, MT & RC Smith (2019 Workmen's Comp) \$1,500.84, Security Shredding Services (Maintenance) \$35.00, One Office Solution (Supplies) \$706.68; **Data Processing:** Vast Business (Utilities) \$999.78, First Bankcard (Maintenance) \$53.88, Miller Consulting LLC (Maintenance) \$2,275.00; **States Attorney:** Executive MGMT Finance Office (Utilities) \$24.00, Miller Consulting LLC (Maintenance) \$200.00, MT & RC Smith (2019 Workmen's Comp) \$432.00; **Government Center Building:** C & B Operations LLC (Maintenance) \$68.26, Vast Business (Utilities) \$26.25, Echo Group (Maintenance) \$343.25, First Bankcard (Supplies) \$65.97, Heiman Fire Equipment (Maintenance) \$130.88, Johnson Controls INC (Maintenance) \$188.67, JCL Solutions (Supplies) \$89.71, Menards (Supplies) \$153.48, MidAmerican Energy (Utilities) \$593.39, MT & RC Smith (2019 Workmen's Comp) \$2,297.00; **Director of Equalization:** Vast Business (Utilities) \$229.50, Schneider Geospatial LLC (Maintenance) \$11,340.00, EcoWater Systems (Supplies) \$30.00, Microfilm Imaging Systems (Rentals) \$70.00, Qualified Presort Services LLC (Supplies) \$35.43, MT & RC Smith (2019 Workmen's Comp) \$2,157.53; Security Shredding Services (Maintenance) \$35.00; **Register of Deeds:** Vast Business (Utilities) \$177.50, Executive Mgmt. Finance (Utilities) \$24.00, Microfilm Imaging Systems (Rentals) \$336.00, Microfilm Imaging Systems (Supplies) \$96.29, Qualified Presort Services LLC (Supplies) \$22.61, MT & RC Smith (2019 Workmen's Comp) \$1,080.96, MT & RC Smith (Notary Bonds) \$21.00; **VA:** Vast Business (Utilities) \$26.25, Dataspec INC (Maintenance) \$449.00, Michael McDonald (Travel) \$112.56, Qualified Presort Services LLC (Supplies) \$6.52, MT & RC Smith (2019 Workmen's Comp) \$295.90, One Office Solution (Supplies) \$75.99, Yankton County Treasurer (Supplies) \$8.51; **Safety Center Building:** Vast Business (Utilities) \$833.15, City of Yankton (Dumpster Fees) \$168.00, Cole Papers Inc. (Supplies) \$283.40, Electair INC (Maintenance) \$79.00, Heiman Fire Equipment Co (Maintenance) \$2,008.54 Johnson Controls Inc. (Maintenance) \$435.23, MT & RC Smith (2019 Workmen's Comp) \$2,277.00, Yankton Winnelson Company (Maintenance) \$192.95; **Sheriff:** City of Yankton (Fuel) \$2,754.39, Xtreme Car Wash (Maintenance) \$141.00, Axon Enterprise Inc. (Law Enforcement Equip) \$2,410.00, Culligan (Supplies) \$27.00, FedEx (Supplies) \$13.10, Harding Glass (Maintenance) \$517.90, Auto Value Yankton (Maintenance) \$34.36, Leaf (Maintenance Contracts) \$377.71, Pennington County Jail (Travel) \$517.90, Qualified Presort Services LLC (Maintenance Contracts) \$96.59, MT & RC Smith (2019 Workmen's Comp) \$16,664.00, Sirchie (Supplies) \$489.03, Tire Muffler Alignment (Maintenance) \$2,284.80, One Office Solution (Supplies) \$691.51, Yankton County Treasurer (Other) \$15.00; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$4,327.21, Avera Medical Group (Professional Services) \$3,020.33, Beyond Technology (Professional Services) \$4,617.00, Scott Family Dentistry (Professional Services) \$891.00, Outdoor-fit Exercise Systems (Maintenance) \$110.00, Cooks Correctional (Food Services) \$217.48, Culligan

(Food Services) \$17.50, Summit Food Services LLC (Food Services) \$9,049.62, McKesson Medical-Surgical Inc. (Professional Services) \$45.15, EZ Duz it Laundry (Supplies) \$35.00, Jacks Uniforms & Equipment (Uniforms) \$633.19, JCL Solutions (Supplies) \$20.78, Menards (Supplies) \$63.34, Correctional Risk Services (Inmate Medical Lab INS) \$637.25, MT & RC Smith (2019 Workmen's Comp) \$19,712.00, Strachan Sales, Inc. (Food Services) \$283.50, Strachan Sales, Inc. (Maintenance) \$713.84, Siouxland Oral & Maxillofacial Surgery (Professional Services) \$850.00, Yankton Rexall Drug Co. (Professional Services) \$526.81; **Coroner:** Sanford Health (Professional Services) \$2,544.00; **Yankton Area Search & Rescue:** Kopetsky's Ace Hardware (Minor Equipment) \$575.78, Bomgaars (Supplies) \$265.90, City of Yankton (Supplies) \$82.61, Donovan's Hobby & Scuba Center (Minor Equipment) \$357.12, First Bankcard (Supplies) \$36.67; **Care of Poor:** Hansen Funeral Home Inc. (Professional Services) \$1,250.00, Qualified Presort Services LLC (Supplies) \$63.25; **Public Health Nurse:** Kopetsky's Ace Hardware (Supplies) \$9.18, Vast Business (Utilities) \$239.16, Qualified Presort Services, LLC (Supplies) \$18.29, MT & RC Smith (2019 Workmen's Comp) \$592.00; **Ambulance:** Avera Education & Staffing Solutions (Travel) \$800.00, Avera Education & Staffing Solutions (Supplies) \$405.00, Kopetsky's Ace Hardware (Supplies) \$158.92, AT & T (Utilities) \$36.05, Bomgaars (Supplies) \$105.87, Battery exchange (Supplies) \$29.95, Stryker Sales Corporation (Professional Services) \$1,793.84, Bound Tree Medical LLC (Supplies) \$1,723.76, City of Yankton (Utilities) \$318.91, Cox Auto Supply Inc. (Supplies) \$71.75, Credit Collection Services (Professional Services) \$122.41, Cintas (Maintenance) \$68.13, Ferdig's Transmissions (Maintenance) \$515.09, First Bankcard (Supplies) \$1,713.22, Fox Run Quick Lube (Maintenance) \$86.24, Heiman Fire Equipment Co. Inc. (Maintenance) \$322.64, Leaf (Rentals) \$81.43, Matheson Tri-Gas, Inc. (Rentals) \$75.95, Midcontinent Communications (Utilities) \$8.95, Mead Lumber (Supplies) \$155.00, Menards (Supplies) \$61.14, Olson's Pest Technicians (Maintenance) \$114.00, Power Source Electric (Supplies) \$52.66, Qualified Presort Services (Supplies) \$37.42, MT & RC Smith (2019 Workmen's Comp) \$16,882.00, Vogt's Cleaners (Maintenance) \$7.00, One Office Solution (Supplies) \$275.95; **Mentally Handicapped:** SD Achieve dba Lifescape (Care) \$300.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$84.00, Kerri Cook-Huber (Hearings) \$80.00, Kennedy Pier Loftus & Reynolds LLP (Hearings) \$158.00, Mark Katterhagen (Hearings) \$84.00, Lincoln County Treasurer (Hearings) \$2,105.85, Lucille M. Lewno (Hearings) \$1,092.50; **County Extension:** Buhl's Cleaners (Supplies) \$37.82, Katie Doty (Other) \$31.10, Leaf (Rentals) \$326.37, Miller Consulting LLC (Maintenance) \$20.00, Northwestern Energy (Utilities) \$219.23, MT & RC Smith (2019 Workmen's Comp) \$872.00; **Soil Conservation:** MT & RC Smith (2019 Workmen's Comp) \$257.30; **Weed:** Dware Inc. (Supplies) \$500.00, First Bankcard (Supplies) \$47.91, MT & RC Smith (2019 Workmen's Comp) \$1,677.00; **Planning & Zoning:** Vast Business (Utilities) \$62.50, River Rat Productions (Professional Services) \$140.00, Pheasantland Industries (Supplies) \$16.78, Qualified Presort Services, LLC (Supplies) \$95.94, MT & RC Smith (2019 Workmen's Comp) \$795.15, MT & RC Smith (Notary Bonds) \$42.00, One Office Solution (Supplies) \$19.63, Yankton Daily P & D (Publishing) \$25.03; **Road & Bridge:** Appeara (Supplies) \$112.33, C & B Operations LLC (Supplies) \$1,018.20, B-Y Electric (Utilities) \$84.01,

Butler Machinery Co (Machinery) \$209,536.68, Vast Business (Utilities) \$167.52, Boyer Trucks (Supplies) \$985.05, Cox Auto Supply, Inc. (Supplies) \$190.81, Concrete Materials (Supplies) \$581.44, Christensen Radiator & Repair (Supplies) \$124.06, Dware Inc. (Professional Services) \$3,550.00, Direct TV (Utilities) \$80.99, CHS (Fuel) \$2,483.52, Midway Grain LLC (Supplies) \$326.00, First Bankcard (Supplies) \$237.03, Fastenal Industrial & Construction Supply (Supplies) \$538.93, Graham Tire Yankton (Supplies) \$1,435.81, Auto Value Yankton (Supplies) \$29.99, I State Truck Centers (Supplies) \$266.59, I State Truck Centers (Maintenance) \$341.08, J & W Diesel & Truck Service (Maintenance) \$343.00, J & W Diesel & Truck Service (Supplies) \$22,295.89, Janssen's Garbage Service (Utilities) \$45.00, Lyle Signs Inc. (Supplies) \$317.42, Larry's Heating & Cooling (Maintenance) \$97.50, Mark's Machinery (Machinery) \$22,693.12, Menards (Supplies) \$195.27, Midwest Radiator & Exhaust (Supplies) \$30.00, MidAmerican (Utilities) \$491.64, Yankton County Observer (Publishing's) \$100.15, O'Reilly Auto Parts (Supplies) \$145.99, Pollman Excavation (Maintenance) \$87,673.00, Riverside Hydraulics & Labs (Supplies) \$271.08, Riverside Hydraulics & Labs (Maintenance) \$80.00, MT & RC Smith (2019 Workman's Comp) \$32,375.00, Spencer Quarries Inc. (Supplies) \$7,724.62, Southeastern Electric cooperative INC (Utilities) \$38.82, Truenorth Steel (Supplies) \$6,615.00, Truenorth Steel (Maintenance) \$428,288.00, Vermillion Yankton Joint Solid Waste (Utilities) \$266.40, One Office Solution (Supplies) \$80.13, Yankton County Treasurer (Supplies) \$5.00, Yankton Daily P & D (Publishing's) \$899.15; **Emergency 911 Fund:** Vast Business (Utilities) \$112.69, City of Yankton (Professional Services) \$75,141.00, CenturyLink (Utilities) \$1,358.25, Golden West Telecommunications (Utilities) \$147.18; **Jail Buildings:** Welf Construction Co (Jail Capital Improvement) \$138,844.54; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$496.24, Kopetsky's Ace Hardware (Minor Equipment) \$38.48, Bomgaars (Supplies) \$169.93, B-Y Electric (Utilities) \$54.23, Vast Business (Utilities) \$602.67, Integrated Technology & Security (Professional Services) \$723.68, TIAA Commercial Finance, Inc. (Rentals) \$173.15, City of Yankton (Supplies) \$123.05, City of Yankton (Flood Disaster Expense) \$8,112.17, Xtreme Car Wash (Maintenance) \$41.60, The Response Group (Supplies) \$2,618.94, The Response Group (LEPC Grant) \$1,231.06, First Bankcard (Supplies) \$154.65, First Bankcard (Travel) \$508.77, First Bankcard (LEPC Grant) \$329.67, Heiman Fire Equipment Co, Inc. (Maintenance) \$98.00, Leaf (Rentals) \$56.18, Leaf (Professional Services) \$99.00, Miller Consulting LLC (Maintenance) \$40.00, Menards (Supplies) \$359.81, Midwest Card & ID Solutions (Professional Services) \$4,250.00, Motorola Solutions Inc. (Equipment Grant) \$12,338.50, MT & RC Insurance (2019 Workman's Comp) \$1,150.00, Two way Solutions Inc. (Equipment Grant) \$629.96, Telephone System and Service Inc. (Professional Services) \$336.50, Tabor Lumber Cooperative (Supplies) \$895.50, One Office Solution (Supplies) \$676.49; **Government Buildings:** Electair, Inc. (Maintenance) \$17.92; **24/7 Program:** Pharmchem Inc. (Supplies) \$2,169.80, Redwood Toxicology Laboratory Inc. (Supplies) \$1,995.85; **MISC:** Thomson Reuters (Supplies) \$150.00; **Non-Departmental:** Satellite Tracking of People LLC (Tracking Monitors) \$178.75, Byron Nogelmeier (Cam Daily Fee) \$1,485.00, Byron Nogelmeier (State Participation) \$200.00, SD Department of Revenue (Fees-Motor Vehicle)

\$340,983.44, SD State Treasurer (Fees-Waste) \$5,114.25, SD State Treasurer (Fees-ROD) \$1,620.00, SDACO (M & PR Fund) \$584.00; General Fund \$179,149.27, Road & Bridge, \$833,161.22, Emergency Management, \$36,308.23. All present voted aye; motion carried.

Action 19578AUD: A motion was made by Healy and seconded by Loest to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash report as of November 31, 2019 showed Total Cash of \$11,438,155.83. The General Fund was \$6,081,921.80; Special Funds were \$3,637,095.09; and Trust and Agency Funds were \$1,719,138.94 adding to a Grand Total of General Ledger Cash and Investments of \$11,438,155.83. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 19579Aud: A Motion was made by Loest and seconded by Healy to approve the Juvenile Detention Center agreement with Minnehaha County for 2020. All present voted aye; motion carried.

Smith Insurance: Roger Smith presented property and casualty renewal policies and pricing. Mr. Smith said the county's liability insurance has increased 10%. Smith also said the county can lower the deductible or delete coverage on older equipment. Chairman Klimisch said he would volunteer to sit down and discuss options with Mr. Smith and the Auditor Patty Hojem.

There will be a special Commission meeting at 10:00 a.m., December 30, 2019.

Highway: Highway Superintendent Mike Sedlacek appeared for board approval of an entrance application and also gave an update on the James River bridge repairs. Sedlacek said the design is complete, they are working on plans that will be sent to contractor and quotes will be sent hopefully in January. Chairman Klimisch was concerned about the 180 day deadline for the repair. Klimisch asked if there was someone they could talk to about an extension. Sedlacek said he has been talking to Tammy Williams and Shane Carnahan from Department of Transportation. Fleeg's Bridge is complete and Johnsons Bridge was started today and will be finished tomorrow.

Action 19580H: A motion was made by Swensen and seconded by Loest to approve the application for Entrance from Gregg Davis located in S25-T96N-R54W, Yankton County. All present voted aye; motion carried.

Action 19581C: A motion was made by Swensen and seconded by Loest to reappoint Michael McDonald as the Veteran's Service Officer through the first Monday in January, 2023. Roll call vote was taken with Swensen, Loest, Healy, and Klimisch voting Aye; motion carried, 4-0.

Sound System: Jon Andersen and Chris Schloss, from Andersen Telecom. LLC, explained quotes they presented for the audio system upgrade in the commission chambers. No action was taken.

911 Radio Project: Duane Johnson from the city appeared to update the commission on the dispatch project and request carryover of funds for budget year 2020. Auditor Hojem said budget dollars cannot be carried over. When project is finished in 2020, there will have to be a budget supplement. No action was taken

Zoning Enforcement: Vetter said there is an appeal hearing scheduled tomorrow and a second one on December 26, 2019. Chairman Klimisch asked States Attorney what the process is going forward after board of adjustment decisions. Klimisch said they can appeal the board's rulings to the circuit court.

Yankton County States Attorney read the statute referring to the voting requirement. No county official may participate in discussions or voting if official has a conflict of interest.

Plat: Action 19582Z: A motion was made by Loest and seconded by Healy to adopt the following resolution: Whereas it appears, Nelson Wetland Conservation Easement, owner of record, has caused a plat to be made of the following real property: NW1/4, SE1/4 S10-T96N-R54W, hereinafter referred to as Turkey Valley 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. Roll call vote was taken with Loest, Healy, Swensen and Klimisch voting Aye; Motion carried, 4-0.

Planning & Zoning: Planning and Zoning Administrator Gary Vetter read the county mission statement. Mr. Vetter sent the document to the department heads and they were ok with it. Chairman Klimisch suggested adopting the mission statement in January 2020. No action was taken.

Action 19583C: A motion was made by Swensen and seconded by Loest to recess for 5 minutes. All present voted aye; motion carried.

Action 19584C: A motion was made by Swensen and seconded by Loest to reconvene. All present voted aye; motion carried.

Action 19585D: A motion was made by Loest and seconded by Healy to recess the regular session and convene as Drainage Board. All present voted aye; motion carried.

Randy Golden appeared before the board to present more information of surface water runoff at the property legally described as LT BP1 in SE4, NE4, 15-93-56

Kerri Cook Huber spoke on behalf of Ryken Legacy Land Trustees on the continued objection of the Yankton County Drainage Board making declaration of the surface water runoff on the property.

No action was taken by the board.

Action 19586C: A motion was made by Healy and seconded by Loest to recess the Drainage Board and reconvene in regular session. All present voted aye; motion carried.

Planning & Zoning: Gary Vetter said there have been discussions with states attorneys and legal consultant and recommendations moving forward on and start working on some resolutions on the ordinance in this upcoming year.

Ambulance Taskforce: There were eleven residents who submitted their names for the ambulance task force: John Kraft, Tom Slowey, Cherie Hoffman, Kevin Frangenberg, Brian Steward, Levi Stevens, Stephanie Horst, Catherine R. Cuka, Mark Nickles, Vernon C. "Skip" VanDerhule and Shelly Stockstad-Erickson. Commissioner Loest said 4 from this group will be chosen plus a representative from Yankton City, Avera Sacred Heart, Human Services Center and Loest and Commissioner Healy. Loest said it is possible the first meeting of the taskforce will be the 2nd Monday in January in the evening.

Action 19587C: A motion was made by Swensen and seconded by Loest to approve Stephanie Horst, Tom Slowey, Cherie Hoffman and Brian Steward as members of the ambulance taskforce. All present voted aye; motion carried.

There was no public comment.

Chairman Klimisch closed the public comment portion of the meeting.

Commission Updates: HR consultant Alternative HRDHR is progressing and should have a report by January 2020 and the Government Center Pot Luck will be December 19. Chairman Klimisch mentioned he had met with tower consultant and gave recommendations on article 5

Action 19588C: A motion was made by Swensen and seconded by Loest to recess the regular session at 8:00 pm and convene in executive session to discuss litigation SDCL 1-25-2(3). All present voted aye; motion carried.

Action 19589C: A motion was made by Swensen and seconded by Loest to adjourn the executive session at 9:15 pm and reconvene in regular session. All present voted aye; motion carried.

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

Action 19590C: A motion was made by Swensen and seconded by Healy to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, January 7, 2020 at 6:00 p.m.

Dan Klimisch, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor