

YANKTON COUNTY COMMISSION MEETING
November 5, 2019

The regular meeting of the Yankton County Commission was called to order by Chairman Dan Klimisch at 6:00 PM on Tuesday, November 5, 2019.

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

There were no conflicts of interest reported by Commissioners.

Action 19482C: A motion was made by Healy and seconded by Loest to approve the meeting agenda with addition of video update. All present voted aye; motion carried.

Action 19483C: A motion was made by Kettering and seconded by Loest to approve the minutes of the October 15, 2019 meeting. All present voted aye; motion carried.

There was one public comment by Louie Johnson.

Chairman Klimisch closed the public comment portion of the meeting.

Action 19484C: A motion was made by Kettering and seconded by Loest to approve the following claims; **Non-Departmental:** Anthem Blue Cross Blue Shield (Refund) \$3,360.68; **Commissioners:** Intuvio Solutions (Professional Services) \$99.90, River Rat Productions (Professional Services) \$550.00, Yankton County Observer (Publishing) \$322.95, Qualified Presort Services (Supplies) \$56.59; **Elections:** Qualified Presort Services (Supplies) \$49.49, Verizon (Rentals) \$360.09; **Court:** Certified Languages International (Professional Services) \$125.40, Harmelink & Fox Law Office (Professional Services) \$4,382.42, Harmelink & Fox Law Office (Neglected) \$3,107.76, Fox & Youngberg PC (Neglected) \$1,437.10, Fox & Youngberg PC (Delinquent & Minor) \$399.00, Fox & Youngberg PC (Professional Services) \$13,572.40, Horn Law Office (Professional Services) \$2,270.50, Mary Anne Meyer RDR (Professional Services) \$75.60, Dean Schaefer (Professional Services) \$162.00, Juror Fees (10 X \$50.00) \$500.00, Juror Mileage (1 X 4.20) \$4.20, Juror Mileage (1 X 5.04) \$5.04, Juror Mileage (1 X 21.00) \$21.00, Juror Mileage (2 X .84) \$1.68, Juror Mileage (2 X 8.40) \$16.80; **Auditor:** Qualified Presort Services LLC (Supplies) \$39.29; **Treasurer:** Miller Consulting LLC (Maintenance) \$95.00, Qualified Presort Services, LLC (Supplies) \$112.71; **Data Processing:** Miller Consulting LLC (Maintenance) \$9,321.25, M.T. & R.C. Smith (Insurance) \$158.00, Tyler Technologies (Maintenance) \$51,842.91; **States Attorney:** John P. Billings (Travel) \$273.20, Hy-Vee (Supplies) \$15.46, Miller Consulting LLC (Maintenance) \$1,060.00, Qualified Presort Services LLC (Supplies) \$19.56, Yankton Title Company (Professional Services) \$150.00; **Clerp:** SDACC (Catastrophic Legal Exp 4th Qtr.) \$6,134.00; **Government Building:** Bomgaars (Supplies) \$2.38, Bomgaars (Maintenance) \$19.68, City of Yankton (Utilities) \$2,825.12,

Midwestern Mechanical (Maintenance) \$120.00, Echo Group (Supplies) \$481.60, Ferdig's Transmissions (Maintenance) \$329.59, JCL Solutions (Supplies) \$176.74, Kaisers Heating & Cooling (Maintenance) \$96.94, Northwestern Energy (Utilities) \$2,423.17, Olson's Pest Technicians (Maintenance) \$79.00; **Director of Equalization:** ESRI (Maintenance) \$2,200.00, Pictometry International (Maintenance) \$1,650.00, Qualified Presort Services LLC (Supplies) \$190.96, Verizon (Maintenance) \$175.03; **Register of Deeds:** Ramkota Hotel & Conference Center (Travel) \$207.98, Qualified Presort Services LLC (Supplies) \$48.28, One Office Solution (Supplies) \$109.35; **VA:** Qualified Presort Services LLC (Supplies) \$6.52; **Safety Center Building:** C & B Operation, LLC (Supplies) \$78.32, City of Yankton (Utilities) \$916.17, Cole Paper Inc. (Supplies) \$798.47, Midwestern Mechanical (Maintenance) \$275.00, Echo Group (Maintenance) \$807.25, Menards (Supplies) \$43.84, MidAmerican Energy (Utilities) \$836.72, Northwestern Energy (Utilities) \$9,339.75, Olsen's Pest Technicians (Maintenance) \$101.00; **Sheriff:** Hanson Briggs Specialty Advertising Inc. (Supplies) \$617.81, Beyond Technology (Computer Services) \$1,824.00, Cardmember Services (Travel) \$1,224.00, Cardmember Services (Fuel) \$104.09, The Collision Center (Maintenance) \$90.01, Leaf (Maintenance Contacts) \$293.52, Midcontinent Communications (Utilities) \$115.00, Menards (Maintenance) \$285.72, Menards (Supplies) \$12.65, Northtown Automotive (Maintenance) \$216.94, Qualified Presort Services LLC (Maintenance Contracts) \$132.87, M.T. & R.C. Smith (Insurance) \$67.00, Tire Muffler Alignment (Maintenance) \$638.18, Walmart Community/SYNCB (Supplies) \$114.85; **County Jail:** Avera Medical Group (Professional Services) \$8,596.59, Scott Family Dentistry (Professional Services) \$380.00, City of Yankton (Maintenance) \$24.00, Cardmember Services (Travel) \$184.32, Idemia Identity & Security USA LLC (Maintenance Contracts) \$5,199.00, The Collision Center (Auto Expense) \$780.00, Diamond Dugs (Professional Services) \$984.88, Detco (Supplies) \$917.04, Summit Food Services LLC (Food Services) \$6,185.84, AMG Wound Care (Professional Services) \$195.83, EZ Duz It Laundry (Supplies) \$36.00, Interstate All Battery Center (Supplies) \$65.80, JCL Solutions (Supplies) \$366.11, Light and Siren (Auto Expense) \$1,195.00; **Coroner:** Sanford Health (Professional Services) \$2,325.00; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$48,754.00; **Yankton Area Search & Rescue:** Cox Auto Supply Inc. (Supplies) \$63.99; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$123.15, Yankton Surgical Associates, PC (Professional Services) \$482.44; **Public Health Nurse:** Kopetsky's Ave Hardware (Supplies) \$37.60, Qualified Presort Services, LLC (Supplies) \$30.60; **Ambulance:** Avera Education & Staffing Solutions (Supplies) \$225.00, Avera Sacred Heart Hospital (Supplies) \$508.75, Sacred heart Hospital Services (Professional Services) \$1,500.00, Bomgaars (Supplies) \$19.99, City of Yankton (Utilities) \$390.07, Cintas (Supplies) \$68.13, U-Select-It (Maintenance) \$1,200.00, Change Healthcare (Professional Services) \$133.77, Fox Run Quick Lube (Maintenance) \$86.24, Miller Consulting LLC (Maintenance) \$605.00, Matheson Tri-Gas, Inc. (Supplies) \$183.26, Menards (Supplies) \$83.13, MidAmerican Energy (Utilities) \$53.69, Northwestern Energy (Utilities) \$937.51, Practical Design Group (Maintenance) \$2,300.00, Qualified Presort Services (Supplies) \$48.78, Purchase Power (Supplies) \$751.71, Verizon (Utilities) \$317.84, Yankton Medical Clinic

(Professional Services) \$50.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$111.00, Kerri Cook-Huber (Hearings) \$70.00, Marvin R Ekeren (Hearings) \$27.00, Fox & Youngberg PC (Hearings) \$180.50, Mark Katterhagen (Hearings) \$84.00, Lewis & Clark Behavioral Health (Hearings) \$3,204.00, Lincoln County Treasurer (Hearings) \$955.75, Lucille M. Lewno (Hearings) \$1,973.25; **Library:** Yankton Community Library (2nd Half 2019 Library Services) \$12,000.00; **Senior Citizens:** City of Yankton (3rd Qtr. Senior Citizens-2019) \$8,147.67; **County Extension:** Vast Business (Utilities) \$810.72, City of Yankton (Utilities) \$66.07, Katie Doty (Other) \$10.08, Hy-Vee (Supplies) \$22.35, Miller Consulting LLC (Maintenance) \$35.00, Olson's Pest Technicians (Maintenance) \$150.00, South Dakota State 4-H (Other) \$110.00; **Weed:** Bomgaars (Supplies) \$22.78, Van Diest Supply Co (Chemicals) \$1,298.00, Van Diest Supply Co (Machinery) \$10,950.00; **Planning & Zoning:** River Rat Productions (Professional Services) \$420.00, Investigative Services (Professional Services) \$148.50, Miller Consulting LLC (Maintenance) \$160.00, Planning & Development (Professional Services) \$3,233.75, Pheasantland (Supplies) \$26.40, Qualified Presort Services, LLC (Supplies) \$22.33, Verizon (Utilities) \$352.78, One Office Solution (Maintenance) \$57.58; **Economic Development:** Yankton Area Progressive Growth Inc. (YES3 Contribution) \$10,000.00; **Road & Bridge:** Appera (Supplies) \$112.33, Bomgaars (Supplies) \$44.28, Presto-X (Supplies) \$105.00, Rockmount Research & Alloys (Supplies) \$599.27, City of Yankton (Utilities) \$126.35, Cox Auto Supply, Inc. (Supplies) \$697.67, Concrete Materials (Supplies) \$4,953.12, CenturyLink (Utilities) \$57.96, Clark Engineering (Professional Services) \$2,400.00, Dakota Riggers (Supplies) \$499.14, Echo Electric Supply (Maintenance) \$450.00, Filter Care of Nebraska (Supplies) \$33.90, Fischer Gravel (Supplies) \$10,440.00, Fleetpride Truck & Trailer Parts (Supplies) \$2,299.80, I State Truck Centers (Supplies) \$519.36, Koletzky Implement Inc. (Supplies) \$17.50, Longs Propane Inc. (Fuel) \$70.00, Miller Consulting LLC (Maintenance) \$198.00, Midwest Shipping (Supplies) \$1,500.00, Midwest Radiator & Exhaust (Supplies) \$115.59, Northwestern Energy (Utilities) \$683.38, Revier Pressure Washers (Supplies) \$103.70, Riverside Hydraulics & Labs (Supplies) \$837.06, Transource (Supplies) \$178.92, Sioux City Foundry Company (Supplies) \$3,750.00, Truck Trailer Sales Services INC (Supplies) \$735.13, Titan Machinery (Rentals) \$496.00, Verizon (Utilities) \$91.38, One Office Solution (Supplies) \$72.77, Yankton Janitorial Supply (Supplies) \$49.06; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.33, City of Yankton (3rd Qtr. E911 Dispatch-2019) \$15,000.00, CenturyLink (Utilities) \$1.81; **Jail Building:** Welfl Construction Co (Jail Capitol Improvement) \$97,738.22; **Emergency Management:** Bomgaars (Supplies) \$318.55, Vast Business (Utilities) \$265.62, TIAA Commercial Finance (Rentals) \$193.15, Cox Auto Supply Inc. (Supplies) \$4.99, Echo Group (Maintenance) \$795.00, MidAmerican Energy (Utilities) \$10.21, Embroidery & Screen Works, Inc. (Supplies) \$321.63, Racom Corporation (Utilities) \$36.03, Verizon (Utilities) \$44.61; **Government Buildings:** Kaiser Heating & Cooling (Maintenance) \$555.32; **24/7 Program:** Andre Samuels (Refund-Sobriety Testing) \$7.00, Cody Frazier (Refund-Sobriety Testing) \$33.00, Erick Walters (Refund-Sobriety Testing) \$50.00, Toby Henson (Refund-Sobriety Testing) \$17.00, Michael Harrison (Refund-Sobriety Testing) \$7.00, Pharmchem Inc. (Supplies) \$8,469.97, Redwood Toxicology Laboratory, Inc. (Supplies)

\$25.91; **Misc:** Thomson Reuters (Law Library) \$150.00; General Fund \$227,217.05, Road & Bridge \$32,236.67, Emergency Management, \$1,989.79. All present voted aye; motion carried.

Action 19485C: A motion was made by Healy and seconded by Loest to approve the October, 2019 gross payroll: **Commissioners:** \$5,606.74; **Election:** \$0.00; Auditor: \$13,777.02; **Treasurer:** \$16,984.65; **States Attorney:** \$25,946.77; **Government Buildings:** \$12,391.07; **Director of Equalization:** \$24,944.31; **Register of Deeds:** \$12,059.50; **Veterans Service:** \$3,438.83; **Sheriff:** \$67,305.81; **County Jail:** \$78,626.11; **Coroner:** \$800.00; **Juvenile:** \$426.83; **Nurse:** \$3,049.25; **Ambulance:** \$55,828.59; **WIC :** \$1,550.58; **Extension:** \$7,023.84; **Soil Conservation:** \$2,944.95; **Weed:** \$5,904.87; **Planning & Zoning:** \$6,241.76; **Road & Bridge:** \$67,536.66; **E911:** \$0.00; **OEM:** \$8,661.26; **24-7 Program:** \$3,317.85. First Dakota National Bank \$32,423.37 (Withholding), First Dakota National Bank \$51,348.60 (FICA) First Dakota National Bank \$12,008.90 (Medicare), South Dakota Retirement System \$31,101.58 (Other Employees), South Dakota Retirement System \$19,431.12 (Sheriff), South Dakota Retirement System (Spouse Opt) \$109.98, South Dakota Retirement System (Supplemental) \$4,714.60, American Family Life Assurance Company (AFLAC) \$5,602.34, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$407.46., Colonial Life & Accident \$1,475.98, Optilegra \$467.68, Wellmark BC Health Insurance \$64,674.00, United Way of Greater Yankton \$47.50, Delta Dental \$1,088.00, VSP Vision \$157.75, WageWorks \$1,262.50. Gross Payroll \$424,367.25, Net Payroll \$317,511.46. All present voted aye; motion carried.

Action 19486C: A motion was made by Healy and seconded by Loest to approve the budget supplements for the following departments; \$600,000.00 for the Jail Building, \$94,000.00 for Debt Service Napa Junction, Safety Center Building \$148,000 and Court \$93,000. All present voted aye; motion carried.

Action 19487Aud: A motion was made by Kettering and seconded by Loest to supplement the County Ambulance's Budget due to unanticipated donation revenue in the amount of \$4,099.00. All present voted aye; motion carried.

Action 19488C: A motion was made by Kettering and seconded by Healy to approve the following applications for renewal of retail (on-sale) liquor licenses: Huber Enterprises, LLC dba Mayfield Bar and Grill; Shipwreck, Inc dba The Cottonwood; Donlin Marine, LLC dba Marina Grill; Hebda Family Produce dba Hebda Family Produce; Jerry Flegge and Terry Flegge dba Fleeg's Roadhouse; Captain Norm's, LLC dba Captain Norm's; SAT Enterprises LLC dba TJ's Mini Mart; and Glenridge Golf Course, Inc dba Glenridge Golf Course; 6th Meridian, LLC dba 6th Meridian. All present voted aye; motion carried.

Action 19489C: A motion was made by Healy and seconded by Loest to approve December 24 as a paid day off for Yankton County employees. All present voted aye; motion carried.

Todd Woods appeared before the board to discuss the open meeting laws in regard to the October 1, 2019 agenda item #12.

Action 19490A: A motion was made by Kettering and seconded by Loest to approve purchase of 4 Life Pack 15 Monitor/Defibrillators over the next 4 years. Roll call vote was taken with Healy, Loest, Kettering, Klimisch voting Aye; Swensen voting Nay; Motion carried, 4-1.

Action 19491A: A motion was made by Loest and seconded by Healy to approve to surplus the 4 old Life Pack 15s. Roll call vote was taken with Healy, Loest, Kettering, Klimisch voting Aye; Swensen voting Nay; Motion carried, 4-1.

Highway: Highway Superintendent Mike Sedlacek presented agenda items for board approval: Entrance Application, Contractor Bid for Preservation Grant and commissioner signature for the Force Account Agreement for 2019 Flood.

Action 19492H: A motion was made by Healy and seconded by Kettering to approve the application for Entrance from Stanley Cap located N1/2, SW1/4, 19-94-56, Yankton County. All present voted aye; motion carried.

Action 19493H: A motion was made by Kettering and seconded by Loest to approve the contractor bid for preservation grants. All present voted aye; motion carried.

Action 19494H: A motion was made by Loest and seconded by Healy to approve the Force Account Agreement for 2019 Flood. All present voted aye; motion carried.

Action 19495H: A motion was made by Kettering and seconded by Loest to approve the state bid for rip rap. All present voted aye; motion carried.

Action 19496C: A motion was made by Healy and seconded by Swensen to approve the Agreement for Provision of Library Services for 2020. Roll call vote was taken with Klimisch, Swensen, Kettering, Loest, Healy voting Aye; Motion carried, 5-0.

Cheri Loest presented the Road Task Force report. She noted that the \$0.900/1000 valuation tax levy is incorrect, since Yankton County is now over \$2 billion in total valuation. The maximum levy is now \$0.600/1000. No action could be taken on the report per SDCL. The item will be placed on the Nov 19, 2019 commission agenda for further discussion and action.

There were public comments by Bob Gleich and Howard Kathol.

Chairman Klimisch closed the public comment portion of the meeting.

Joe Healy reported on the concerns with the commission meeting videos.

There was a public comment by Craig Ernster.

Action 19497C: A motion was made by Kettering and seconded by Loest to recess the commission meeting for 5 minutes. All present voted aye; motion carried.

Action 19498C: A motion was made by Swensen and seconded by Healy to reconvene. All present voted aye; motion carried.

Action 19499Z: A motion was made by Swensen and seconded by Loest to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

Variance Public Hearing: This was the time and place for a public hearing for a Variance from Jim Den Herder to decrease minimum lot size from 1 acre to .49 acres and increase the accessory structure size 420 square feet in Yankton County. Said property is legally described as Lot 9 & 10 Blk 3 Oak Hills, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval.

Applicant Jim Den Herder spoke on the Variance request.

Action 19500Z: A motion was made by Kettering and seconded by Klimisch, to approve based on Findings of Fact from the October 8, 2019 Yankton County Planning Commission meeting the Variance to reduce the rear yard requirement from 20 feet to 10 feet as requested by Mr. Den Herder, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Kettering, Swensen, Healy, Loest and Klimisch voting Aye; Motion carried, 5-0.

Action 19501Z: A motion was made by Healy and seconded by Loest, to approve based on Findings of Fact from the October 8, 2019 Yankton County Planning Commission meeting the Variance for an additional accessory structure of 1200 square feet with 12 foot sidewalls as requested by Mr. Den Herder, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance, and contingent upon an easement being filed with the Zoning office between Mr. Olivier and Mr. Den Herder. Roll call vote was taken with Kettering, Swensen, Healy, Loest and Klimisch 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 Sue Hill. Applicant requested a permit for a Hobby Farm in a Low Density Residential District. Said property is legally described as SE4, SE4 Exc E75' and Exc Lts 1-5 Turkey Hill Add'n, S6-T93N-R56W, hereinafter

referred to as Utica South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval.

Applicant Sue Hill spoke on the CUP request.

Action 194502Z: A motion was made by Loest and seconded by Healy, to approve based on Findings of Fact from the October 8, 2019 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, Healy, Loest and Klimisch voting Aye; Motion carried, 5-0.

Variance Public Hearing: This was the time and place for a public hearing for a Variance from Daniel Grant a Variance to decrease minimum side yard requirement for the north side yard from 75 feet to 40 feet and the minimum side yard requirement for the south side yard from 75 feet to 7 feet in Yankton County. Said property is legally described as S464', N1361', E447', W487' in W2, NW4, S19-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval.

Applicant Daniel Grant spoke on the Variance request.

There was one public comment by Louie Johnson.

Chairman Klimisch closed the public comment portion of the meeting.

Action 19504Z: A motion was made by Klimisch and seconded by Loest, to send this variance back to the Planning and Zoning board for further consideration. Roll call vote was taken with Klimisch and Loest voting Aye; Swensen, Kettering and Healy voting Nay; Motion failed, 2-3.

Action 19503C: Motion was made by Swensen and seconded by Loest to re-open public comment. All present voted aye; motion carried.

There was one public comment by Brian McGinnis.

Chairman Klimisch closed the public comment portion of the meeting.

Action 19505Z: A second motion was made by Healy and seconded by Klimisch, to send this variance back to the Planning and Zoning board for further consideration. Roll call vote was taken with Kettering, Swensen, Healy, Loest and Klimisch 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 Crown Castle USA In. Applicant requested a

permit for modifications on an existing tower. Said property is legally described as NW4, S32-T94N-R57W, S6-T93N-R56W, hereinafter referred to as Ziskov North Township, County of Yankton, State of South Dakota.

Action 19506Z: A motion was made by Healy and seconded by Loest, to approve 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, Healy, Loest and Klimisch voting Aye; Motion carried, 5-0.
No action was taken on Clarification of Monitoring Wells.

Action 19507C: A motion was made by Swensen and seconded by Loest to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Action 19508C: A motion was made by Loest and seconded by Swensen to recess the regular session and convene as Drainage Board. All present voted aye; motion carried.

Applicant Scott D. Stevens is requesting a hearing to discuss drainage concerns on property E135' W335' Exc S942.85' Exc Lt H-3, S2, W2, W2, NW4, S15-T93N-R56W.

There were public comments by Debra Bodenstedt and Brian McGinnis.

Action 19509DR: A Motion was made by Kettering and seconded by Loest to continue discussion at the next meeting on November 19, 2019. Roll call vote was taken with Kettering, Swensen, Healy, Loest and Klimisch voting Aye; Motion carried, 5-0.

Action 19510DR: A motion was made by Healy and seconded by Swensen to recess the Drainage Board and reconvene in regular session. All present voted aye; motion carried.

Zoning Enforcement Update: Per request determination was made on the possible expiration of 5 building permits and conditional use permits. Upon review, letters were sent and delivered on Friday, October 25, 2019. Letters were sent out Friday, October 25, 2019 regarding the block retention wall issue stating that the County will not be taking any further action due to it not being addressed in the ordinance.

Conflict of Interest: Rob Klimisch, State's Attorney, reported that there was no financial conflict of interest for Don Kettering with the YAPG.

Commercial Building Permit Fee Discussion: Don Kettering discussed changes to the fees for Ag and commercial buildings.

There was a public comment by Matt Archer.

Action 19511C: Motion was made by Healy and seconded by Swensen to re-open public comment. All present voted aye; motion carried.

There was a public comment by Nancy Wenande.

Chairman Klimisch closed the public comment portion of the meeting.

Action 19512C: A motion was made by Kettering and seconded by Healy to change the Fees for Zoning Services Resolution to \$3.00/1000 valuation for Ag and commercial with a base fee of \$500 and a cap of \$250,000, and to leave residential as is at \$5/1000 valuation. Roll call vote was taken with Kettering and Healy voting Aye; Loest, Swensen, Klimisch voting Nay; Motion failed, 2-3.

Action 19513C: A second motion was made by Loest and seconded by Kettering to change the Fees for Zoning Services Resolution from \$5.00 to \$3.00/1000 valuation for all. Roll call vote was taken with Loest, Healy, Kettering voting Aye; Klimisch and Swensen voting Nay; Motion carried, 3-2.

Action 19514C: A motion was made by Loest and seconded by Kettering to approve to amend the No Thru Truck Resolution to change the fine from \$2,500.00 to \$500.00. Rob Klimisch, State's Attorney, will amend the resolution. Roll call vote was taken with Loest, Healy, Kettering, Klimisch voting Aye; Swensen voting Nay; Motion carried, 4-1.

CAFO Moratorium: Commissioner Swensen made a statement in support of a moratorium.

There were public comments from Bob Gleich and Ray Epp.

Chairman Klimisch closed the public comment portion of the meeting.

Commission Updates: Commissioner Loest stated that there will be a possible quorum at The Quality of Life organization informational meeting on November 9, 2019, 2pm, at The Center.

Action 19515C: A motion was made by Kettering and seconded by Healy to recess the regular session at 9:55 pm and convene in executive session to discuss personnel issue SDCL 1-25-2(1) and litigation SDCL 1-25-2(3). All present voted aye; motion carried.

Action 19516C: A motion was made by Healy and seconded by Kettering to adjourn the executive session at 10:45 pm and reconvene in regular session. All present voted aye; motion carried.

Action 19517C: 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, November 19, 2019 at 6:00 p.m.

Dan Klimisch, Chairman
Yankton County Commission

ATTEST:
Karen Faerber, Deputy County Auditor