

YANKTON COUNTY COMMISSION MEETING

April 5, 2022

The regular meeting of the Yankton County Commission was called to order by Chairman Joe Healy at 6:00 p.m. on Tuesday, April 5, 2022.

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

There were no conflicts of interest reported by Commissioners.

Action 22132C: A motion was made by Kettering and seconded by Fox to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There were public comments from Bob Gleich and Lauren Nelson. Chairman Healy closed public comment.

DOE: Yankton County Director of Equalization Jessica Atkinson appeared before the board to request adjusting Board of Equalization from 10:00 a.m. to 12:00 p.m. on April 12th, 2022.

Highway Superintendent Mike Sedlacek appeared before the board for approval of the bridge improvement grant agreement; micro surfacing project on 452nd Ave south from the city limits of Irene to 306th Street (Volin Road) between Yankton and Clay County with both Counties paying \$264,550; and approve items for surplus.

Action 22133Hwy: A motion was made by Loest and seconded by Fox to approve the Bridge Improvement Grant Agreement. All present voted aye; motion carried, 5-0.

Action 22134Hwy: A motion was made by Loest and seconded by Fox to approve the micro surfacing project with Clay County. All present voted aye; motion carried, 5-0.

Action 22135Hwy: A motion was made by Klimisch and seconded by Loest to surplus items presented from Highway Superintendent. All present voted aye; motion carried, 5-0.

Weed: Jim Liebsch, Weed Supervisor, presented the joint powers agreement for weed spraying services with State of South Dakota and the weed department update.

Action 22136WD: A motion was made by Fox and seconded by Kettering to accept the Weed Spraying Joint Agreement with the State of South Dakota. All present voted aye; motion carried, 5-0.

Action 22137C: A motion was made by Klimisch and seconded by Kettering to renew Johnson Controls Contract for Yankton Safety Center and County Government Center. All present voted aye; motion carried, 5-0.

Terry Kirchner representing Yankton Transit appeared before the Board to request continued funding support.

Action 22138C: A motion was made by Loest and seconded by Fox 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 Darin Hochstein. Applicant requested a permit to use his cabin as a vacation rental in a Moderate Density Residential District. Said property is legally described as Lot 1, Gavin's Gulch, Engen Tract Fourteen (14), S15-T93-R57, hereinafter referred to as Ziskov South Township County of Yankton, State of South Dakota. E911 address is 101 Gavin's Gulch Rd., Yankton, South Dakota.

Applicant Daren Hochstein spoke on the request. Others speaking for or against were Gary Dickes, Jessica Flynn and Laura Baker.

Action 22139Z: A motion was made by Loest and seconded by Healy, to approve the Conditional Use Permit, based on Findings of Fact from the March 8, 2022 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 Loest, Healy, Fox, Kettering 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 Jon Maras. Applicant wishes to construct a self-storage facility in a Lakeside Commercial (LC) District. Said property is legally described as Lots 6 and 8, White Tail Run, SE1/4, NE1/4, S16-T93-R56, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

There was no public comment on the request.

Action 22140Z: A motion was made by Kettering and seconded by Fox, to approve the Conditional Use Permit, based on Findings of Fact from the March 8, 2022 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, Fox, Loest, Klimisch and Healy voting aye; motion carried, 5-0.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of application from Stuart Huber. Variance to a minimum lot size in an Agriculture District (AG). Said property is legally described Tracts 1 and 2, Lot A, SE1/4, SE1/4, S34-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota.

Dan Leber spoke on the request.

Action 22141Z: A motion was made by Fox and seconded by Kettering to continue discussion to May 3, 2022 commission meeting. All present voted aye; motion carried, 5-0.

Action 22142C: A motion was made by Kettering and seconded by Klimisch to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 22143Z: A motion was made by Klimisch and seconded by Loest to postpone action on Huber plat to May 3, 2022 commission meeting. All present voted aye; motion carried.

Action 22144C: A motion was made by Loest and seconded by Klimisch to recess the commission meeting for five minutes. All present voted aye; motion carried, 5-0.

Action 22145C: A motion was made by Fox and seconded by Klimisch to reconvene. All present voted aye; motion carried, 5-0.

Nancy Wenande, Yankton Thrive, presented a power point which provided an update on the projects and partners who have been working to create benefits to Yankton County.

Harry Redmon with Planning and Development District III demonstrated internet mapping.

Planning Commission: Zoning Administrator Gary Vetter presented names for two open positions on the Planning Commission: Chris Barkl, Lauren Nelson, Kristi Schulz and Nick Severson.

Action 22146Z: A motion was made by Kettering and seconded by Fox to appoint Chris Barkl and Lauren Nelson to two-year terms on the Planning Commission Board. All present voted aye; motion carried, 5-0.

Keith and Patty Mielke and Bob Tereshinski, with Daisy Kamback in attendance, appeared before the board to discuss improvements on West 11th Street. The residents agreed to help pay for improvements to the road through an assessment on their property. Commissioners chose to move forward with the request and Commissioner Loest said she would work with Auditor and States Attorney to have an agreement to present to the Board.

The board discussed possible legalization of recreational marijuana. Ned Horsted with Cannabis Industry Association of South Dakota was also in attendance.

The board discussed the job description for Development Services Director.

Commissioner Klimisch said 2020 Census information is available by contacting NACO.

Action 22147C: A motion was made by Loest and seconded by Fox to approve the March 11, 2022 meeting minutes. All present voted aye; motion carried, 5-0.

Action 22148C: A motion was made by Loest and seconded by Fox to approve the March 15, 2022 meeting minutes. All present voted aye; motion carried, 5-0.

Action 22149C: A motion was made by Fox and seconded by Loest to approve the following claims: **Commissioners:** Stockwell Engineers, Inc. (Professional Services) \$14,650.00; Alternative HR, LLC (Professional Services) \$2,782.10; Yankton County Observer (Publishing) \$198.25; One Office Solution (Supplies) \$53.87; **Elections:** Qualified Presort Services (Supplies) \$44.37; Verizon (Rentals) \$280.07; One Office Solution (Supplies) \$26.38; **Court:** Juror Fees (Court) \$446.20; Avera Sacred Heart Hospital (Labs) \$1,820.00; Certified Languages International (Professional Services) \$41.25; John Billings (Professional Services) \$4,081.25; Fox & Youngberg PC (Professional Services) \$17,759.05; Great Plains Psychological Services (Professional Services) \$1,487.50; Horn Law Office LLC (Professional Services) \$5,040.20; Kennedy Pier Loftus & Reynolds, LLP (Professional Services) \$3,059.00; Dean Schaefer (Professional Services) \$654.00; **Auditor:** Patty Hojem (Travel) \$21.00; LEAF (Rentals) \$159.00; Qualified Presort Services (Supplies) \$117.50; SDACO (Travel) \$185.00; One Office Solution (Supplies) \$63.15; **Treasurer:** Qualified Presort Services (Supplies) \$176.38; SDACO (Travel) \$185.00; **States Attorney:** Century Business Products (Rentals) \$530.51; Executive MGMT Finance Office (Supplies) \$36.25; SD Special Pay Plan (Vacation/Sick Payout) \$2,954.87; Staples Credit Plan (Supplies) \$574.62; Verizon (Utilities) \$31.91; **Govt Buildings:** Bomgaars (Supplies) \$70.15; City of Yankton (Utilities) \$1,848.59; Echo Group (Maintenance) \$100.80; JCL Solutions (Supplies) \$699.93; Menards (Supplies) \$264.16; MidAmerican Energy (Utilities) \$1,293.39; Northwestern Energy (Utilities) \$2,361.79; Olson's Pest Technicians (Maintenance) \$82.00; Yankton County Treasurer (Other) \$1,497.72; **Director of Equalization:** Jessica Atkinson (Travel) \$21.00; JJ Benji (Supplies) \$147.00; Marshall & Swift/Boeckh, LLC (Maintenance) \$379.95; Yankton County Observer (Publishing) \$205.67; Qualified Presort Services (Supplies) \$34.80; One Office Solution (Supplies) \$27.30; **Register of Deeds:** Executive MGMT Finance (Supplies) \$36.25; Microfilm Imaging Systems, Inc (Rentals) \$148.00; Qualified Presort Services (Supplies) \$29.88; SDACO (Travel) \$185.00; **Veterans Service Officer:** Cody Mangold (Travel) \$162.04; Qualified Presort Services (Supplies) \$5.56; Verizon (Rentals) \$40.01; Verizon (Utilities) \$41.91; **Safety Center Building:** Bomgaars (Maintenance) \$51.98; City of Yankton (Utilities) \$587.26; Cole Papers Inc (Supplies) \$170.14; Echo Group (Maintenance) \$7.42; Justice Fire & Safety (Maintenance) \$200.00; Johnson Controls, Inc (Maintenance) \$1,187.48; Menards (Supplies) \$119.85; Menards (Maintenance) \$109.98; MidAmerican Energy (Utilities) \$2,468.83; Northwestern Energy (Utilities) \$6,920.34; Olson's Pest Technicians (Maintenance) \$133.00; **Sheriff:** Watch

Guard Video (Maintenance) \$345.06; Culligan (Supplies) \$42.50; Cardmember Services (Fuel) \$114.32; Cardmember Services (Travel) \$83.76; Midcontinent Communications (Utilities) \$115.39; Northtown Automotive (Maintenance) \$114.90; Qualified Presort Services (Maintenance) \$128.50; **County Jail:** Horwath Laundry Equipment (Supplies) \$2,557.61; Charm-Tex (Supplies) \$206.70; Jerry Sorbel (Professional Services) \$465.00; Culligan (Food Service) \$198.75; Diamond Drugs (Professional Services) \$151.49; Trinity Services Group (Food Service) \$41,954.39; JCL Solutions (Supplies) \$898.20; Olson's Pest Technicians (Maintenance) \$110.00; Phoenix Supply (Supplies) \$640.96; Strachan Sales, Inc (Food Service) \$608.98 ; **Coroner:** Arica Nickles (Travel) \$18.06; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$8,499.44; **Yankton Area Search & Rescue:** Bomgaars (Supplies) \$179.99 ; **Care of Poor:** Qualified Presort Services (Supplies) \$66.11; **Public Health Nurse:** Qualified Presort Services (Supplies) \$12.00; **Ambulance:** Avera Health dba Avera Education & Staffing (Supplies) \$325.00; Bomgaars (Supplies) \$57.32; Avera Sacred Heart Hospital (Supplies) \$263.32; Sacred Heart Health Services (Professional Services) \$1,500.00; Teleflex Funding LLC (Supplies) \$1,345.50; Stryker Sales Corporation (Supplies) \$455.60; Vast Business (Utilities) \$178.51; Bound Tree Medical (Supplies) \$678.79; City of Yankton (Utilities) \$99.58; Credit Collection Services (Professional Services) \$124.54; Amazon Capital Services (Supplies) \$260.01; Echo Group (Supplies) \$50.40; Electair, Inc (Maintenance) \$357.70; Menards (Supplies) \$224.73; MidAmerican Energy (Utilities) \$831.51; Northwestern Energy (Utilities) \$2,522.62; Olson's Pest Technicians (Maintenance) \$119.00; Verizon (Utilities) \$304.34; One Office Solution (Supplies) \$268.51; Yankton Medical Clinic (Professional Services) \$100.00 ; **Mental Illness Board:** Avera McKennan Hospital (Professional Services) \$745.28; Lincoln County Treasurer (Hearings) \$2,542.71; Lucille M. Lewno (Hearings) \$180.00; **County Extension:** Vast Business (Utilities) \$399.11; FP Mailings (Rentals) \$74.85; City of Yankton (Utilities) \$73.38; Katie Doty (Travel) \$73.08; LEAF (Rentals) \$214.80; MidAmerican Energy (Utilities) \$171.49; Northwestern Energy (Utilities) \$240.01; Oson's Pest Technicians (Maintenance) \$300.00; **Weed:** CMRS-FP (Supplies) \$50.00; Verizon (Utilities) \$24.77; **Planning & Zoning:** LEAF (Rentals) \$104.86; Qualified Presort Services (Supplies) \$19.52; Verizon (Utilities) \$41.91; **Highway:** Kopetsky's Ace Hardware (Supplies) \$31.98; Appera (Supplies) \$136.76; Bomgaars (Maintenance) \$115.97; Bomgaars (Supplies) \$350.66; Butler Machinery Co (Maintenance) \$4,056.18; Brandt Land Surveying (Asphalt Road) \$200.00; Boyer Trucks (Maintenance) \$1,759.55; Boyer Trucks (Supplies) \$100.75; Ban Koe Companies, Inc (Utilities) \$1,690.00; City of Yankton (Utilities) \$55.31; NAPA Auto Parts of Yankton (Maintenance) \$295.42; NAPA Auto Parts of Yankton (Supplies) \$984.64; CenturyLink (Utilities) \$70.08; IMEG Corp. (Bridges) \$33,000.00; Direct TV (Utilities) \$100.24; Beth Wilhelms (Travel) \$45.78; D-P Tools (Supplies) \$72.95; Diamond Mowers Inc (Maintenance) \$244.07; CMRS-FP (Supplies) \$50.00; Nelson Repair (Maintenance) \$329.97; Sties Auto Shop (Maintenance) \$154.99; Fejar Plumbing & Heating (Maintenance) \$8.60; Francotyp-Postalia, Inc (Supplies) \$68.85; Fastenal (Supplies) \$4.19; Kaiser Appliance & Refrigeration (Supplies) \$300.00; Kimball Midwest (Supplies) \$138.07; Menards (Supplies) \$110.05; Northwestern Energy (Utilities) \$1,440.71; Yankton County Observer (Publishing) \$19.08; O'Reilly Auto Parts (Maintenance) \$89.90; O'Reilly Auto Parts (Supplies) \$7.99; Riverside Hydraulics & Lab (Maintenance) \$299.57; SD Department of Transportation (Bridges)

\$1,319.70; Sturdevant's Auto Supplies (Maintenance) \$56.93; Southeastern Electric Coop Inc. (Utilities) \$63.55; Truck Trailer Sales Services (Maintenance) \$104.50; ULINE (Supplies) \$410.67; Verizon (Utilities) \$61.95; Vermillion Landfill (Utilities) \$252.70; **Local Emergency Planning:** Vast Business (Utilities) \$1,213.14; Powerphone, Inc (Travel) 729.00; CenturyLink (Utilities) \$236.31; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$106.55; Bomgaars (Supplies) \$263.93; NAPA Auto Parts of Yankton (Supplies) \$135.48; Echo Group (Supplies) \$150.24; Great America Financial (Rentals) \$227.25; LEAF (Rentals) \$81.00; Midcontinent Communications (Utilities) \$167.89; MidAmerican Energy (Utilities) \$31.23; Northtown Automotive (Maintenance) \$31.80; Tabor Lumber Cooperative (Supplies) \$305.81; Verizon (Utilities) \$812.35; Yankton Computer and Network Services (Supplies) \$17.99; **24/7 Program:** Pharmchem (Supplies) \$1,986.10; **M&PR Fund:** One Office Solution (Supplies) \$717.52; **Non-Departmental:** SD Department of Revenue (Sales Tax Return) \$103.03 General Fund \$152,035.75; Road & Bridge \$48,602.31; Emergency Management \$2,331.52. All present voted aye; motion carried, 5-0.

Action 22150C: A motion was made by Klimisch and seconded by Fox to approve the March, 2022 gross payroll: **Commissioners:** \$5,942.82; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$14,503.76; **Treasurer:** \$19,529.30; **States Attorney:** \$36,279.34; **Government Buildings:** \$4,777.57; **Director of Equalization:** \$25,038.70; **Register of Deeds:** \$16,260.09; **Veterans Service:** \$3,618.95; **Courthouse & Safety Center:** \$7,202.55; **Sheriff:** \$71,795.50; **County Jail:** \$89,538.68; **Coroner:** \$997.50; **Juvenile:** \$5.38; **Nurse:** \$2,841.98; **Ambulance:** \$59,418.40; **WIC:** \$735.32; **Extension:** \$8,120.70; **Soil Conservation:** \$2,945.53; **Weed:** \$212.32; **Planning & Zoning:** \$11,376.01; **Road & Bridge:** \$77,926.43; **E911:** \$0.00; **OEM:** \$10,340.35; **24-7 Program:** \$1,671.64. First Dakota National Bank \$32,641.31 (Withholding), First Dakota National Bank \$56,776.62 (FICA) First Dakota National Bank \$13,278.40 (Medicare), South Dakota Retirement System \$34,343.20 (Other Employees), South Dakota Retirement System \$21,663.86 (Sheriff), South Dakota Retirement System (Spouse Opt) \$179.89, South Dakota Retirement System (Supplemental) \$9,640.00, American Family Life Assurance Company (AFLAC) \$5,422.45, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,107.04, Wellmark Blue Cross/Blue Shield \$62,050.18, Optilegra \$314.93, United Way of Greater Yankton 10.00, Delta Dental \$1,219.98, VSP Vision \$283.46, HealthEquity \$2,295.00. Gross Payroll \$469,917.82, Net Payroll \$349,448.01. All present voted aye; motion carried, 5-0.

Action 22151Aud: A motion was made by Klimisch and seconded by Fox to allow the County Auditor to hire a temporary employee from May 1, 2022 to June 10, 2022 for the June 7, 2022 primary election. All present voted aye; motion carried, 5-0.

Action 22152Hwy: A motion was made by Klimisch and seconded by Kettering to supplement the County Highway Department Budget due to unanticipated grant revenue in the amount of \$31,250.00. All present voted aye; motion carried, 5-0.

Action 22153Hwy: A motion was made by Loest and seconded by Kettering to supplement the County Highway Budget due to unanticipated insurance revenue in the amount of \$67,608.00. All present voted aye; motion carried, 5-0.

Action 22154Sheriff: A motion was made by Loest and seconded by Fox to supplement the County Sheriff's Budget due to unanticipated miscellaneous revenue in the amount of \$709.84. All present voted aye; motion carried, 5-0.

There was one public comment from Bob Gleich. Chairman Healy closed public comment.

Commissioner updates were on the 8-County meeting in Vermillion on March 16.

Action 22155C: A motion was made by Fox and seconded by Klimisch to recess the regular session at 9:25 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried, 5-0.

Action 22156C: A motion was made by Loest and seconded by Klimisch to adjourn the executive session at 9:40 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 22157C: A motion was made by Loest and seconded by Fox to pend files of poor relief case CW 22-027 through CW 22-030 and CW 22-035 through 22-043 based on following SDCLs: 28-13-33.2; 28-13-34.2; 28-13-1.1. All present voted aye; motion carried, 5-0.

There was no action on litigation.

Action 22158C: A motion was made by Fox and seconded by Klimisch to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, April 19, 2022 at 6:00 p.m.

Joe Healy, Chairman
Yankton County Commission

ATTEST:

Patty Hojem, County Auditor