

YANKTON COUNTY COMMISSION MEETING

October 4, 2022

The regular meeting of the Yankton County Commission was called to order by Chairman Joe Healy at 6:00 p.m. on Tuesday, October 4, 2022.

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

There were no conflicts of interest reported by Commissioners.

Action 22391C: A motion was made by Loest and seconded by Fox to approve the meeting agenda with removal of Item 8. All present voted aye; motion carried, 5-0.

There were public comments from Louis Johnson and Lauren Nelson. Chairman Healy closed public comment.

Register of Deeds Brian Hunhoff appeared before the board to ask for approval of Native American Day as an official county holiday in 2022 and years to follow.

Action 22392C: A motion was made by Klimisch and seconded by Loest to close Monday, Oct. 10 for Native American Day. Klimisch, Loest and Healy voted aye; Fox and Kettering voted nay; motion carried, 3-2.

Commissioner Loest asked that amending of the employee handbook's county holiday schedule be included on the agenda for the Tuesday, Oct. 18 meeting.

Highway Superintendent Mike Sedlacek appeared before the board for approval of the 5 year Highway Plan and a Bridge Improvement Grant. Sedlacek also requested authorization to advertise for gravel.

Action 22393Hwy: A motion was made by Loest and seconded by Kettering to approve the 5 Year Plan. All present voted aye; motion carried, 5-0.

Action 22394Hwy: A motion was made by Loest and seconded by Fox to approve the Bridge Improvement Grant for Structure 68-134-120. All present voted aye; motion carried, 5-0.

Action 22395Hwy: A motion was made by Loest and seconded by Kettering to approve the Highway Superintendent to advertise for gravel. All present voted aye; motion carried, 5-0.

The board discussed the request to remove the Minimum Maintenance sign and to receive maintenance on 310th Street west. The board agreed to blade and remove the snow on the Street.

Rezone: There was a first reading on the request from East River Electric to rezone two parcels from Rural transitional (RT) and Low Density Residential (LD) to Moderate Density Resident (MD) per Article 1809 and Article 20 Section 203. Said property is legally described as Lots 1 and Lots 2 Lewis and Clark Substation Addition in the SW4, SW1/4 of Section 15 and the NW1/4, NW1/4 of Section 22-T93-R56 West of 5th Principal Meridian, Yankton Count, South Dakota. Containing 3.00 Acres more or less. The second reading of the rezone request will be at the next commission meeting on October 18, 2022.

Jerae Wire and Steve Harbock representing East River Electric spoke on the rezone. Greg Henderson, Amy Neu and John Neu and commented on the request.

Zoning changes: There was a first reading of the adoption of the proposed changes to the E911 Ordinance 11 Amendment to the Yankton County Zoning Ordinance. The second reading of the zoning changes will be at the next commission meeting on October 18, 2022.

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

Zoning: There was a first reading of the Definitions, Article 14, Article 15 and Article 17 Amendment of the Yankton County Zoning Ordinance. The second reading of the definition changes will be at the next commission meeting on October 18, 2022.

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

Action 22396C: A motion was made by Loest and seconded by Fox to approve the September 20, 2022 meeting minutes. All present voted aye; motion carried, 5-0.

Action 22397C: A motion was made by Loest and seconded by Kettering to approve the following claims: **Commissioners:** Dan Klimisch (Travel) \$241.60; Clubhouse Hotel & Suites (Travel) \$729.85; **Elections:** Election Systems & Software (Supplies) \$3,593.90; Qualified Presort Service (Supplies) \$83.44; Verizon (Rentals) \$280.07; **Court:** Avera Sacred Heart Hospital (Lab) \$500.00; Youngberg Law, Prof. LLC (Prof Services-Contract) \$2,500.00; Youngberg Law, Prof. LLC (Prof Services) \$1,555.40; Youngberg Law, Prof. LLC (Minor) \$545.40; Dan Fox, Fox Law Firm PLLC (Prof Services-Contract) \$2,500.00; Dan Fox, Fox Law Firm PLLC (Prof Services) \$4,191.50; Horn Law Office LLC (Prof Services-Contract) \$12,500; Clovia Dee (Prof Services) \$3,002.00; Kennedy Pier Loftus & Reynolds LLP (Prof Services) \$292.90; Koletzky Law Office, Prof. LLC (Neglected) \$363.60; LaCroix Law Office (Neglected) \$4,311.15; LaCroix Law Office (Neglected) \$2,053.00; **Auditor:** Qualified Presort Service (Supplies) \$141.85; Andersen Telecom LLC (Prof Services) \$400.00; Clubhouse Hotel & Suites (Travel) \$358.24; **Treasurer:** Qualified Presort Service (Supplies) \$151.48; Clubhouse Hotel & Suites (Travel) \$358.24; **Data:** Andersen Telecom, LLC (Prof Services) \$875.51; **States Attorney:** Century Business Products (Rentals) \$378.29; Culligan (Supplies) \$31.50; Rob Klimisch (Supplies) \$240.00; Staples Credit Plan (Supplies) \$363.79; Andersen Telecom, LLC (Maintenance) \$300.00; **Government Buildings:** Bomgaars (Supplies) \$24.38; City of

Yankton (Utilities) \$2,778.14; ECHO Group (Supplies) \$68.00; TruGreen (Maintenance) \$111.83; JCL Solutions (Supplies) \$323.91; Northwestern Energy (Utilities) \$3,085.87; Olson's Pest Technicians (Maintenance) \$82.00; **Director of Equalization:** Valli Stockland (Travel) \$369.08; Greg Neugebauer (Travel) \$170.00; Michelle Goeken (Travel) \$170.00; Qualified Presort Service (Supplies) \$73.40; Andrea Wright (Travel) \$369.08; Andersen Telecom, LLC (Maintenance) \$750.00; **Register of Deeds:** Executive Management Finance Office (Supplies) \$36.25; Qualified Presort Service (Supplies) \$40.98; **Veteran's Service Office:** Qualified Presort Service (Supplies) \$11.18; Verizon (Rentals) \$40.01; **Safety Center Building:** Bomgaars (Minor Equipment) \$435.38; City of Yankton (Utilities) \$992.82; Cole Papers Inc. (Supplies) \$488.56; TruGreen (Maintenance) \$88.40; MidAmerican Energy (Utilities) \$1,720.93; Northwestern Energy (Utilities) \$10,777.83; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$39.57; Hanson Briggs Specialty Advertising, Inc. (Supplies) \$442.49; NAPA Auto Parts of Yankton (Supplies) \$6.17; Cardmember Services (Fuel) \$166.67; Cardmember Services (Travel) \$400.00; Harding Glass (Maintenance) \$40.00; Jack's Uniforms & Equipment (Uniforms) \$412.99; Midcontinent Communications (Utilities) \$115.39; Northtown Automotive (Maintenance) \$197.00; Qualified Presort Service (Maintenance Contract) \$144.80; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$6,856.52; AMG Radiology Yankton (Prof Services) \$248.49; Bob Barker Company, Inc. (Supplies) \$99.00; Cardmember Services (Food Service) \$110.60; Cardmember Services (Travel) \$375.00; Diamond Drugs (Prof Services) \$182.99; Trinity Services Group (Food Service) \$4,278.16; JCL Solutions (Supplies) \$1,488.04; Olson's Pest Technicians (Maintenance) \$115.00; **Care of Poor:** Avera McKennan Hospital (Prof Services) \$1,212.82; Avera Sacred Heart Hospital (Prof Services) \$663.71; Qualified Presort Service (Supplies) \$119.80; Andersen Telecom, LLC (Prof Services) \$50.00; **Public Health Nurse:** Qualified Presort Service (Supplies) \$14.74; **Ambulance:** Avera Health dba Avera Education & Staffing (Supplies) \$275.00; Kopetsky's Ace Hardware (Supplies) \$103.27; Avera Sacred Heart Hospital (Supplies) \$370.94; Sacred Heart Health Services (Prof Services) \$1,500.00; Bound Tree Medical, LLC (Supplies) \$756.00; City of Yankton (Utilities) \$151.98; Cintas (Maintenance) \$113.45; Quick Med Claims (Prof Services) \$5,574.29; ECHO Group (Supplies) \$110.00; AGAP LLC dba Power Source Electric (Maintenance) \$162.45; Fejfar Plumbing & Heating (Maintenance) \$48.98; Menards (Supplies) \$25.96; MidAmerican Energy (Utilities) \$48.81; Two Way Solutions, Inc. (Maintenance) \$495.00; Tire Muffler Alignment (Maintenance) \$135.37; Lisa Ven Osdel (Prof Services) \$129.98; Yankton Medical Clinic (Prof Services) \$242.00; Yankton Janitorial Supply (Supplies) \$353.45; **Mental Illness Board:** Darcy Lockwood (Hearings) \$33.00; Den Herder Law Office (Hearings) \$111.10; Youngberg Law, Prof. LLC (Hearings) \$242.40; Dan Fox, Fox Law Firm, Prof. LLC (Hearings) \$787.80; Val Larson (Hearings) \$15.00; Mark Katterhagen (Hearings) \$18.00; Lucille Lewno (Hearings) \$594.64; LaCroix Law Office (Hearings) \$308.53; **County Extension:** FP Mailing Solutions (Supplies) \$74.85; City of Yankton (Utilities) \$86.48; Chuck's Sanitary Service (Maintenance) \$175.00; Hy-Vee (4H/Other) \$34.71; LEAF (Rentals) \$223.69; MidAmerican Energy (Utilities) \$8.52; **Planning and Zoning:** Bill Conkling (Travel) \$393.32; Pheasantland Industries (Supplies) \$61.94; LEAF (Rentals) \$104.86; Clubhouse Hotel & Suites (Travel) \$358.24; Andersen Telecom, LLC (Prof Services) \$75.00; **Highway:** Presto-X (Maintenance) \$133.37; City of Yankton (Utilities) \$324.02; NAPA Auto Parts of Yankton (Supplies) \$54.72; Knife River-

South Dakota (Asphalt Road) \$200,591.06; IMEG Corp. (Prof Services) \$20,350.00; IMEG Corp. (Bridges) \$4,210.41; Nelson Service, LLC (Supplies) \$229.66; CHS Inc. (Hwy Fuel) \$2,545.60; CHS Inc. (Supplies) \$2,383.80; D-P Tools (Supplies) \$38.73; FP Mailing Solutions (Supplies) \$68.85; Jebro Inc. (Supplies) \$100.00; Jebro Inc. (Annual Project) \$669,879.39; Kimball Midwest (Supplies) \$172.36; Longs Propane Inc. (Asphalt Road) \$83.60; Riverside Hydraulics (Maintenance) \$161.84; Riverside Hydraulics (Supplies) \$477.78; Slowey Construction Inc. (Supplies) \$556.64; Truck Trailer Sales & Services (Maintenance) \$90.25; Truck Trailer Sales & Services (Supplies) \$138.00; Northwestern Energy (Utilities) \$801.89; Southeastern Electric (Utilities) \$31.12; Direct TV (Utilities) \$93.99; **Local Emergency Planning:** Bluepeak (Utilities) \$1,100.36; **Emergency Management:** Bomgaars (Rentals) \$702.63; Menards (Maintenance) \$147.37; MidAmerican Energy (Utilities) \$9.43; Ron's Auto Glass Repair (Supplies) \$395.00; Andersen Telecom, LLC (Maintenance) \$75.00; Verizon (Utilities) \$122.15; Great American Financial Service (Rentals) \$299.55; LEAF (Rentals) \$90.00; Midcontinent Communications (Utilities) \$167.89; **Non-Departmental:** Ulteig (Yankton Ditch Cleanout) \$2,286.57; Ulteig (Clay Creek Ditch Cleanout) \$2,286.58; River City Domestic Violence Center (Misc.) \$10,000.00; Motorola Solutions, Inc. (Minor Equipment-Chargers) \$3,605.25; Motorola Solutions, Inc. (Minor Equipment-Radios) \$168,202.80; General Fund \$96,382.36, Road & Bridge \$903,517.08, Emergency Management \$2,009.02. Loest, Kettering, Howey-Fox and Healy voted aye; Klimisch voted nay; motion carried, 4-1.

Action 22398C: A motion was made by Loest and seconded by Fox to approve the **SEPTEMBER 2022 Gross Payroll: Commissioners:** \$6,092.49; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$16,492.25; **Treasurer:** \$19,971.03; **States Attorney:** \$33,810.54; **Government Buildings:** \$8,016.54; **Director of Equalization:** \$26,053.33; **Register of Deeds:** \$15,465.88; **Veterans Service:** \$4,152.77; **Courthouse & Safety Center:** \$7,227.80; **Sheriff:** \$63,094.43; **County Jail:** \$96,504.54; **Coroner:** \$597.50; **Juvenile:** \$100.24; **Nurse:** \$3,358.37; **Ambulance:** \$56,261.65; **WIC:** \$1,020.44; **Extension:** \$8,173.80; **Soil Conservation:** \$2,941.12; **Weed:** \$1,561.20; **Planning & Zoning:** \$11,443.74; **Road & Bridge:** \$78,749.39; **E911:** \$0.00; **OEM:** \$10,515.38; **24-7 Program:** \$1,889.19. First Dakota National Bank \$33,999.41 (Withholding), First Dakota National Bank \$57,026.40 (FICA) First Dakota National Bank \$13,336.94 (Medicare), South Dakota Retirement System \$35,324.20 (Other Employees), South Dakota Retirement System \$20,123.20 (Sheriff), South Dakota Retirement System (Spouse Opt) \$181.64, South Dakota Retirement System (Supplemental) \$6,540.00, American Family Life Assurance Company (AFLAC) \$4,927.39, Legalshield \$25.90, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$1,107.04, Wellmark Blue Cross/Blue Shield \$62,112.97, Optilegra \$291.31, Delta Dental \$1,848.56, VSP Vision \$510.05, HealthEquity \$2,250.00. Gross Payroll \$473,557.62, Net Payroll \$355,168.29. All present voted aye; motion carried, 5-0.

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

Commissioner updates included: United Way SD Jobs, DOT meeting October 13, 5:30 at Yankton Fire Station #2, and LATCF funds for revenue sharing counties. Commissioner Klimisch also reported that First Class Little Bear's remains from the Korean War were identified to allow proper burial.

Chairman Healy said the next Planning & Zoning and Commission meetings will be seen on the Yankton County YouTube channel.

Chairman Healy addressed a social media post on the Facebook site "Yankton Buzz" about current and former staff members in the Yankton County Director of Equalization office. Chairman Healy denied allegations about members of the Yankton County Commission in the Facebook post. He said allegations about DOE staff were under investigation by state officials. Chairman Healy discussed a letter he had written in response to the Facebook allegations. The letter stated that the accusations were false and asked members of the County Commission to sign agreeance 15 minutes before this meeting began. Chairman Healy said Commissioner Klimisch was the only commissioner who declined to sign his letter. Commissioner Klimisch said he was not given enough time to make the decision to sign the letter.

Action 22399C: A motion was made by Fox and seconded by Loest to recess the regular session at 7:35 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13 and personnel issues SDCL 1-25-2(1). All present voted aye; motion carried, 5-0.

Action 22400C: A motion was made by Fox and seconded by Klimisch to adjourn executive session at 8:00 p.m and reconvene in regular session. All present voted aye; motion carried, 5-0.

No action was taken on executive session issues.

Action 22401C: A motion was made by Klimisch and seconded by Fox to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, October 18, 2022 at 6:00 p.m.

Joe Healy, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor