

## YANKTON COUNTY COMMISSION MEETING

June 4, 2020

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 PM on Thursday June 4, 2020.

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

There were no conflicts of interest reported by Commissioners.

**Action 20230C:** A motion was made by Healy and seconded by Kettering to approve the meeting agenda. Healy, Kettering, Klimisch and Loest voting aye; Swensen nay; motion carried. 4-1

There was one public comment from Gary Swensen. Commissioner Kettering objected to the public comment.

Chair Loest closed public comment.

**Action 20231C:** A motion was made by Kettering and seconded by Healy to approve the minutes of May 19, 2020 meeting. All present voted aye; motion carried.

**Action 20232C:** A motion was made by Healy and seconded by Swensen to approve the following claims: **Commissioners:** River Rat Productions (Professional Services) \$275.00, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.24; **Elections:** Election Systems & Software Inc. (Supplies) \$5,461.67, Qualified Presort Services (Supplies) \$2,098.53, Verizon (Rentals) \$320.08; **Court:** Avera Sacred Heart Hospital (Professional Services) \$1,811.06, Avera Medical Group (Professional Services) \$67.76, Hy-Vee (Supplies) \$13.99, Dean Schaefer (Professional Services) \$156.00; **Auditor:** Qualified Presort Services (Supplies) \$78.28, One Office Solutions (Supplies) \$280.98, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Treasurer:** Qualified Presort Services (Supplies) \$537.99, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Data Processing:** Miller Consulting LLC (Maintenance) \$2,500.00; **States Attorney:** Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Clerk:** SDACC (catastrophic Exp-2<sup>nd</sup> Qtr. 2020) \$9,589.00; **Government Center Building:** Kopetsky's Ace Hardware (Maintenance) \$72.55, Bomgaars (Supplies) \$111.01, City of Yankton (Utilities) \$1,637.62, City of Yankton (Maintenance) \$12.00, Flynn's Flowing Flags (Maintenance) \$1,280.00, JCL Solutions (Supplies) \$203.26, Mead Lumber (Maintenance) \$32.49, Menards (Maintenance) \$228.93, Menards (Supplies) \$31.36, Northwestern Energy (Utilities) \$2,470.57, Olson's Pest Technicians (Maintenance) \$82.00, OTIS Elevator Company (Maintenance) \$848.04; **Director of Equalization:** Professional Development Academy (Travel) \$495.00, Microfilm Imaging Systems (Maintenance) \$70.00, Qualified Presort Services (Supplies) \$29.69, One Office Solution (Supplies) \$198.49, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Register of Deeds:** Qualified Presort Services (Supplies) \$40.52, Yankton

Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **VA:** Qualified Presort Services (Supplies) \$5.52, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Safety Center Building:** Bomgaars (Supplies) \$68.84, City of Yankton (Utilities) \$596.71, City of Yankton (Dumpster Fees) \$176.00, Cole Paper Inc. (Supplies) \$720.63, Johnson Controls Inc. (Maintenance) \$464.65, Menards (Supplies) \$25.99, Menards (Maintenance) \$108.11, Northwestern Energy (Utilities) \$6,834.17; **Sheriff:** Watch Guard Video (Maintenance) \$361.07, City of Yankton (Fuel) \$1,565.65, Xtreme Car Wash (Maintenance) \$160.80, Interstate All Battery (Supplies) \$25.03, Jacks Uniforms & Equipment (Uniforms) \$203.99, Midcontinent Communications (Utilities) \$115.00, Northtown Automotive (Maintenance) \$176.89, Qualified Presort Services (Maintenance Contracts) \$102.63, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **County Jail:** Kopetsky's Ace Hardware (Supplies) \$89.99, Avera Sacred Heart Hospital (Professional Services) \$72.78, Horwath Laundry Equipment (Maintenance) \$1,385.91, Jerry Sorbel (Professional Services) \$157.50, Diamond Drugs (Professional Services) \$556.68, Summit Food Services, LLC (Food Services) \$17,501.54, McKesson Medical-Surgical Inc. (Professional Services) \$47.75, Hy-Vee (Professional Services) \$70.21, JCL Solutions (Supplies) \$304.50, Menards (Supplies) \$166.09; **Coroner:** Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$20,136.50; **Yankton Area Search & Rescue:** Bomgaars (Supplies) \$47.45, City of Yankton (Fuel) \$19.14; **Care for the Poor:** Qualified Presort Services (Supplies) \$150.71; **Public Health Nurse:** Qualified Presort Services (Supplies) \$91.38, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Ambulance:** Kopetsky's Ace Hardware (Supplies) \$37.70, Sacred Heart Health Services (Professional Services) \$1,500.00, AT&T (Utilities) \$36.05, Bomgaars (Supplies) \$67.39, Battery Exchange (Supplies) \$29.95, City of Yankton (Utilities) \$43.09, City of Yankton (Fuel) \$371.47, Echo Group (Supplies) \$84.60, Menards (Supplies) \$139.42, MidAmerican Energy (Utilities) \$78.52, Northwestern Energy (Utilities) \$1,049.98, Olsen's Pest Technicians (Maintenance) \$114.00, Qualified Presort Services (Supplies) \$45.91, Verizon (Utilities) \$315.94, Yankton Medical Clinic (Professional Services) \$38.00, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Mental Illness Board:** Darcy Lockwood (Hearings) \$51.00, McClure & Hardy Attorney (Hearings) \$230.50, Mark Katterhagen (Hearings) \$51.00, Lincoln County Treasurer (Hearings) \$87.80, Lucille M Lewno (Hearings) \$862.75; **Extension:** Vast Business (Utilities) \$405.36, South Dakota Magazine (Other) \$50.00, City of Yankton (Utilities) \$72.35, Leaf (Rentals) \$121.56, MidAmerican Energy (Utilities) \$32.27, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Soil Conservation:** Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Weed:** Van Diest Supply co (Chemicals) \$1,943.75, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Planning & Zoning:** River Rat Productions (Professional Services) \$140.00, Pheasantland Industries (Supplies) \$16.72, Qualified Presort Services (Supplies) \$31.10, Verizon (Utilities) \$44.23, One Office Solution (Supplies) \$9.50, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Road & Bridge:** Bomgaars (Supplies) \$140.18, Bierschbach Equipment & Supply (Supplies) \$62.95, Butler Machinery Co (Maintenance) \$2,860.00, Butler Machinery Co (Supplies) \$500.71, Boyer Trucks (Supplies) \$271.96, Midwest Ready Mix & Equipment (Supplies) \$387.00, City of Yankton (Utilities) \$198.35, Cox Auto Supply, Inc. (Supplies) \$363.76, Concrete (Supplies) \$2,072.07, CenturyLink (Utilities) \$54.68, Bon Homme Colony (Maintenance) \$4,000.00,

Direct TV (Utilities) \$83.99, Filter Care of Nebraska (Supplies) \$51.90, Kimball Midwest (Supplies) \$120.29, Northwestern Energy (Utilities) \$706.90, O'Reilly Auto Parts (Supplies) \$8.86, Transource (Supplies) \$155.94, Verizon (Utilities) \$90.72, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Emergency 911 Fund:** Vast Business (Utilities) \$110.59, Powerphone Inc. (Travel) \$516.00, CenturyLink (Utilities) \$154.24; **Jail Building:** Welfl Construction Co (Jail Capital Improvement) \$25,854.81; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$105.89, Bomgaars (Supplies) \$99.35, Bomgaars (Disaster Plan) \$95.47, Xtreme Car Wash (Maintenance) \$86.40, Electair, Inc. (Maintenance) \$76.57, Miller Consulting LLC (Maintenance) \$360.00, MidAmerican Energy (Utilities) \$9.04, Racom Corporation (Utilities) \$36.03, Verizon (Utilities) \$685.78, One Office Solution (Supplies) \$169.00, Yankton Area Chamber of Commerce (Chamber Dues 2020) \$23.36; **Government Building:** Direct Technologies LLC (Maintenance) \$285.26, Welfl Construction Co (Professional Services) \$6,220.00; **24/7 Sobriety Fund:** Sobriety Testing (Refund) \$11.00, CAM Daily Fee (Refund) \$16.00, Scram Bracelets (Refund) \$80.00, Intoximeters Inc. (Supplies) \$2,119.75, Pharmchem Inc. (Supplies) \$1,427.50; General Fund \$91,995.87, Road & Bridge \$12,153.62, Emergency Management, \$1,746.89. All present voted aye; motion carried.

**Action 20233C:** A motion was made by Healy and seconded by Kettering to approve the **MAY, 2020 Gross Payroll: Commissioners:** \$5,903.74; **Court:** \$0.00; **Election:** \$802.49; **Auditor:** \$14,748.10; **Treasurer:** \$17,451.73; **States Attorney:** \$26,266.08; **Government Buildings:** \$6,860.02; **Director of Equalization:** \$25,536.98; **Register of Deeds:** \$12,847.64; **Veterans Service:** \$3,361.89; **Courthouse & Safety Center:** \$6,183.59; **Sheriff:** \$65,976.07; **County Jail:** \$78,582.98; **Coroner:** \$600.00; **Juvenile:** \$119.21; **Nurse:** \$3,122.44; **Ambulance:** \$63,157.55; **WIC :** \$1,587.82; **Extension:** \$7,190.02; **Soil Conservation:** \$3,1113.25; **Weed:** \$4,322.91; **Planning & Zoning:** \$10,146.70; **Road & Bridge:** \$69,855.65; **E911:** \$0.00; **OEM:** \$8,705.28; **24-7 Program:** \$917.70. First Dakota National Bank \$34,421.45 (Withholding), First Dakota National Bank \$52,667.04 (FICA) First Dakota National Bank \$12,317.18 (Medicare), South Dakota Retirement System \$32,723.70 (Other Employees), South Dakota Retirement System \$19,806.80 (Sheriff), South Dakota Retirement System (Spouse Opt) \$221.54, South Dakota Retirement System (Supplemental) \$5,566.66, American Family Life Assurance Company (AFLAC) \$5,557.49, 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 \$1,290.40, Optilegra \$448.84, Wellmark BC Health Insurance \$67,817.18, United Way of Greater Yankton \$47.50, Delta Dental \$1,172.00, VSP Vision \$181.54, WageWorks \$1,212.50. Gross Payroll \$437,558.84, Net Payroll \$323,493.62. Healy, Kettering, Klimisch and Loest voted aye; Swensen voted nay; motion carried. 4-1

The Board canvassed the election results from the June 2, 2020 Primary election.

**Action 20234C:** A motion was made by Klimisch and seconded by Healy to accept the results of the election as presented by the Auditor. All present voted aye; motion carried.

**Action 20235Hwy:** A motion was made by Klimisch and seconded by Kettering to approve Entrance application from Blake Carda in Township 95-56. All present voted aye; motion carried.

**Commission Agenda:** Although it is legal to add items to the agenda prior to its approval, the general consensus of the board to avoid this situation when possible.

**Public Comment:** Chair Loest read the proposed guideline for public comment period. The proposed guideline will say "Public comment is a time for persons to address this body on any subject. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. There shall be no personal attacks against the members of this body, County Staff, or any other individual. The Chair has the authority to enforce this policy. Failure to adhere to these rules may result in forfeiture of the remaining speaking time".

There were two comments from Patty Gramkow and Louis Johnson.

**Action 20236C:** A motion was made by Healy and seconded by Kettering to approve the guideline with the following addition; there shall be no personal attacks against the members of this body, County Staff, Individuals and organizations. Healy, Kettering, Klimisch and Loest voted aye; Swensen voted nay; motion carried. 4-1

**Email Privileges:** The board discussed the requirement to reinstate Commissioner Swensen's email privileges. Commissioner Healy asked that Mr. Swensen sign the county email policy and apologize for improper use of the county email.

**Salary:** Chair Loest presented salary adjustments compared to similar populated counties. It was the consensus of the board to discuss the adjustments at budget time.

**County Health Board:** It was the consensus of the commission to keep the County Health board through the final commission meeting at the end of December. The health board was to end June 4<sup>th</sup> 2020.

**Drainage Commission:** Planning and Zoning Administrator Gary Vetter appeared before the board to request approval to advertise for three positions that will be open on the Drainage Commission.

This was the First Reading of the Yankton County Commission Adoption of Proposed Subdivision Regulation Amendments to the Yankton County Ordinance 2020, Ordinance No. 20-23. The second reading will be. The second reading will be at the June 16<sup>th</sup> commission meeting.

There was one public comment from Gary Swensen.

Chair Loest closed public comment.

**Commissioner updates:** It was noted that there will be a Planning and Zoning work session June 8<sup>th</sup> 2020 at 6:00 p.m. in the commission chambers.

**Action 20237C:** A motion was made by Kettering and seconded by Healy to recess the regular session at 7:30 p.m. and convene in executive session to discuss litigation SDCL 1-25-2(3). All present voted aye; motion carried.

**Action 20238C:** A motion was made by Swensen and seconded by Healy to adjourn the executive session at 7:50 p.m. and reconvene in regular session. All present voted aye; motion carried.

Chair Loest reported no action would be taken as a result of the executive session for Litigation.

Commissioner Klimisch objected to this statement and requested a vote be taken. Swensen supported his request, while Healy and Kettering supported the Chair's statement. No motions were made and discussion ended.

**Action 20239C:** A motion was made by Kettering and seconded by Healy to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, June 16, 2020 at 6:00 p.m.

**Cheri Loest**, Chair  
Yankton County Commission

ATTEST:  
**Patty Hojem**, County Auditor