

YANKTON COUNTY COMMISSION MEETING
January 8, 2019

The regular meeting of the Yankton County Commission was called to order by Vice-Chairperson Debra Bodenstedt at 4:00 PM on Tuesday, January 8, 2019.

Roll Call was taken with the following Commissioners present: Debra Bodenstedt, Raymon Epp, and Don Kettering; Absent: Todd Woods and Gary Swensen.

There were no conflicts of interest reported by Commissioners.

Action 18527C: A motion was made by Kettering and seconded by Epp to approve the meeting agenda with the following additions: Traffic on Deer Boulevard and Ray Epp award. All present voted aye; motion carried.

Action 18528C: A motion was made by Kettering and seconded by Epp to approve the minutes of the December 28, 2018 special meeting. All present voted aye; motion carried.

Action 18529C: A motion was made by Kettering and seconded by Epp to approve the December, 2018 gross payroll: **Commissioners:** \$5,469.99; **Election:** \$0.00; Auditor: \$13,954.91; **Treasurer:** \$16,457.25; **States Attorney:** \$28,914.90; **Custodian:** \$4,666.85; **Director of Equalization:** \$31,053.36; **Register of Deeds:** \$12,157.73; **Veterans Service:** \$3,355.66; **Courthouse & Safety Center:** \$6,884.04; **Sheriff:** \$66,107.07; **County Jail:** \$77,002.33; **Coroner:** \$500.00; **Juvenile:** \$0.00; **Nurse:** \$2,974.88; **Ambulance:** \$53,497.63; **WIC :** \$1,512.50; **Extension:** \$7,134.96; **Soil Conservation:** \$2,873.12; **Weed:** \$750.28; **Planning & Zoning:** \$8,137.89; **Road & Bridge:** \$79,947.30; **E911:** \$136.55; **OEM:** \$5,700.46; **24-7 Program:** \$3,254.07. First Dakota National Bank \$34,265.00 (Withholding), First Dakota National Bank \$52,474.62 (FICA) First Dakota National Bank \$12,272.38 (Medicare), South Dakota Retirement System \$31,847.64 (Other Employees), South Dakota Retirement System \$19,603.46 (Sheriff/OEM), South Dakota Retirement System (Spouse Opt) \$116.57, South Dakota Retirement System (Supplemental) \$3,600.45, American Family Life Assurance Company (AFLAC) \$5,564.30, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,788.23, Optilegra \$482.80, Wellmark BC Health Insurance \$59,982.59, United Way of Greater Yankton \$77.50, Delta Dental \$543.00, VSP Vision \$128.14. Gross Payroll \$432,443.73, Net Payroll \$324,182.24. All present voted aye; motion carried.

Audit Report: Toby Qualm from the Department of Legislative Audit appeared before the board to present the audit findings for years 2016 and 2017.

Commissioners Bodenstedt mentioned Commissioner Epp being recognized by the South Dakota Pork Producers for his dedication and involvement in the pork industry.

Action 18530C: A motion was made by Epp and seconded by Kettering to adjourn sine die. All present voted aye; motion carried.

New commissioners Dan Klimisch, Cheri Loest and Joe Healy took their oaths of office.

The Auditor called for nominations from the floor for Chairperson of the County Commission for the year 2019.

Action 1901C: A motion was made by Loest and seconded by Healy to nominate Dan Klimisch for Chairperson. All present voted aye; motion carried.

Action 1902C: A motion was made by Healy and seconded by Loest that nominations cease and a unanimous ballot be cast for Dan Klimisch. All present voted aye; motion carried.

The Chairman called for nominations from the floor for Vice Chairperson of the County Commission for the year 2019.

Action 1903C: A motion was made by Healy and seconded by Kettering to nominate Cheri Loest for Vice Chairperson. All present voted aye; motion carried.

Chairman Klimisch moved nominations cease and unanimous ballot be cast for Cheri Loest and seconded by Healy. All present voted aye; motion carried.

Chairman Klimisch thanked the previous commission for their hard work and accomplishments. Klimisch also thanked his family and all of Yankton County for their support. Klimisch said we need a new direction and new ideas to restore citizens' faith in local government, which includes safety, health and welfare of our citizens before corporate interest. Klimisch said County is divided, but now is the time to come together and move Yankton County forward. Klimisch said our jobs will not be easy we will not always agree, but let us be truthful, honest and respectful with each other.

Chairman Klimisch also commented on the passing of Joyce Franklin who served on the Planning and Zoning board and asked for a moment of silence.

Action 1904C: A motion was made by Loest and seconded by Healy to approve the following claims: **Non-Departmental:** David Becker (Refund on Sign Permit) \$35.00; **Commissioners:** Debra Bodenstedt (Travel) \$36.75, Intuvio Solutions (Professional Services) \$99.90, South Dakota Association of County Commissioners (2019 Dues) \$3,866.00, South Dakota of County Commissioners (2019 Dues) \$28.12, The Trophy Place (Supplies) \$89.85; **Elections:** Qualified Presort Services, LLC (Supplies) \$61.27, Verizon (Utilities) \$360.09; **Court:** Jurors Fees (10 @ \$50.00) \$500.00, Jurors Fees-MI (2 @ \$12.60) \$25.20, Sharon Walstad (Professional Services) \$49.40, Jurors Fees-MI (1 @ \$33.60) \$33.60,

Jurors Fees-MI (1 @ \$6.72) \$6.72, Den Herder Law Office (Professional Services) \$651.15, Jurors Fees-MI (1 @ \$1.68) \$1.68, Fox & Youngberg, PC (Professional Services) \$15,000.00, Jurors Fees-MI (1 @ \$16.80) \$16.80, Tschetter & Adams Law Office (Professional Services) \$7,930.78; Kennedy Pier & Loftus, LLP (Professional Services) \$162.80; **Auditor:** Miller Consulting (Maintenance) \$60.00, Qualified Presort Services, LLC (Supplies) \$152.35, South Dakota Association of County Commissioners (2019 Dues) \$28.13, SDACO (2019 Dues) \$698.56, One Office Solution (Maintenance) \$174.69; **Treasurer:** Scantron (Maintenance) \$37.32, Miller Consulting LLC (Maintenance) \$60.00, Qualified Presort Services LLC (Supplies) \$136.76, South Dakota Association of County Commissioners (2019 Dues) \$28.13, SDACO (2019 Dues) \$698.55; **Data Processing:** Leaf (Rentals) \$104.86, Miller Consulting LLC (Maintenance) \$60.00; **States Attorney:** Executive Management Finance (Utilities) \$24.75, Qualified Presort Service (Supplies) \$41.64; **Government Building:** City of Yankton (Utilities) \$2,430.60, Thompson Signs LLC dba Mayer Signs (Maintenance) \$115.00, Echo Electric (Supplies) \$26.19, Electair, Inc. (Maintenance) \$457.92, JCL Solutions (Supplies) \$42.94, Menards (Supplies) \$192.75, Midwest Radiator & Exhaust (Minor Equipment) \$2,774.58, Northwestern Energy (Utilities) \$2,203.89; **Director of Equalization:** EcoWater (Supplies) \$30.00, ESRI (Maintenance) \$2,400.00, Manatron, Inc. (Maintenance) \$4,509.75, Microfilm Imaging System (Maintenance) \$70.00, South Dakota Association of County Commissioners (2019 Dues) \$28.13, Verizon (Maintenance) \$174.39, One Office Solution (Maintenance) \$88.29; **Register of Deeds:** Executive Management Finance Office (Utilities) \$24.75, Miller Consulting LLC (Maintenance) \$40.00, Qualified Presort Services LLC (Supplies) \$38.40, South Dakota Association of County Commissioners (2019 Dues) \$28.13, SDACO (2019 Dues) \$698.55, One Office Solution (Supplies) \$53.34, One Office Solution (Maintenance) \$6.05; **VA:** Qualified Presort Services LLC (Supplies) \$7.00, South Dakota Association of County Commissioners (2019 Dues) \$28.13; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$26.30, Bomgaars (Supplies) \$25.11, City of Yankton (Utilities) \$713.65, Cole Papers, Inc. (Supplies) \$282.78, Echo Electric (Maintenance) \$1,451.00, Echo Electric (Supplies) \$455.38, Justice Fire & Safety (Maintenance) \$200.00, Menards (Supplies) \$42.02, Midwest Radiator & Exhaust (Minor Equipment) \$2,774.58, MidAmerican Energy (Utilities) \$2,889.25, Northwestern Energy (Utilities) \$6,131.08, Olson's Pest Technician (Maintenance) \$110.00; **Sheriff:** Beyond Technology (Minor Equipment) \$1,014.99, Extreme Car Wash (Maintenance) \$181.20, South Dakota Association of County Commissioners (2019 Dues) \$28.13; **County Jail:** CBM Food Service (Food Services) \$9,325.90, Ez Duz It Laundry (Supplies) \$35.10, Hy-Vee (Professional Services) \$87.01, Menards (Supplies) \$231.60; **Coroner:** South Dakota Association of County Commissioners (2019 Dues) \$28.13; **Yankton Area Search & Rescue:** Bomgaars (Supplies) \$239.92, Menards (Supplies) \$245.34; **Care of Poor:** Miller Consulting LLC (Maintenance) \$20.00, Qualified Presort Services, LLC (Supplies) \$147.28, South Dakota Association of County Commissioners (2019 Dues) \$28.13; **Public Health Nurse:** Qualified Presort Services LLC (Supplies) \$36.35, South Dakota Association of County Commissioners (2019 Dues) \$28.12, South Dakota Department of Health (1st Qtr – 2019) \$2,606.00; **Ambulance:** Kopetsky's Ace Hardware (Supplies) \$4.18, Sacred Heart Health Services (Professional Services) \$1,500.00, AT & T (Utilities) \$36.30, Arrow Manufacturing (Supplies) \$575.00, Bomgaars (Supplies) \$76.36, City of Yankton (Utilities) \$114.07, Credit Collection Services, Inc. (Professional Services) \$800.47, Change Healthcare (Professional Services) \$130.00, Leaf (Rentals)

\$92.62, Miller Consulting, LLC (Maintenance) \$120.00, Matheson Tri-Gas, Inc. (Rentals) \$67.56, Menards (Supplies) \$43.39, MidAmerican Energy (Utilities) \$613.81, Northwestern Energy (Utilities) \$1,138.40, Roger's Family Pharmacy (Supplies) \$203.40, South Dakota Association of County Commissioners (2019 Dues) \$28.12, Two Way Solutions, Inc. (Supplies) \$163.90, Verizon (Utilities) \$617.73, One Office Solution (Maintenance) \$56.03; **Mental Illness Board:** Darcy Lockwood (Hearings) \$33.00, Mark Katterhagen (Hearings-MI) \$33.00, Lincoln County Treasurer (Hearings-MI) \$513.40, Lucille M. Lewno (Hearings-MI) \$593.44, Gary E. Mikelson (Hearings-MI) \$1,071.00; **County Extension:** City of Yankton (Utilities) \$66.07, South Dakota Association of County Commissioners (2019 Dues) \$28.12; **Weed:** South Dakota Association of County Commissioners (2019 Dues) \$28.12; **Planning & Zoning:** Southgate (Maintenance) \$45.00, 3-D Specialties Inc. (E911 Signs) \$47.86, River Rat Productions (Professional Services) \$125.00, Planning & Development District III (Professional Services) \$27,662.00, Qualified Presort Services, LLC (Supplies) \$127.29, South Dakota Association of County Commissioners (2019 Dues) \$28.12, One Office Solution (Supplies) \$101.28; **Road & Bridge:** A-Ox Welding Supply Co., Inc. (Supplies) \$12.50, Kopetsky's Ace Hardware (Supplies) \$4.59, Appera (Supplies) \$110.09, C & B Operations, LLC (Maintenance) \$2,818.87, Bomgaars (Supplies) \$4,660.14, B-Y Electric (Utilities) \$90.44, Bierschbach Equipment & Supply (Supplies) \$3,128.00, Broadway Chrysler, Dodge & Jeep (Supplies) \$39.99, Battery Exchange (Supplies) \$27.95, Butler Machinery Co. (Supplies) \$144.55, Vast Business (Utilities) \$213.23, Boyer Trucks (Supplies) \$443.26, Rockmount Research & Alloys (Supplies) \$1,152.88, Mills & Miller (Supplies) \$1,658.79, City of Yankton (Utilities) \$41.03, Cox Auto Supply, Inc. (Supplies) \$965.27, Concrete Materials (Supplies) \$1,032.20, Christensen Radiator & Repair (Maintenance) \$833.93, Centurylink (Utilities) \$57.98, Core Engineering & Consulting, Inc. (Bridges) \$786.70, Clark Engineering (Bridges) \$16,017.85, Snap On Tools (Supplies) \$1,038.60, Little Falls Machine (Supplies) \$886.12, Direct TV (Utilities) \$76.74, Driveline Services (Supplies) \$152.51, Francotyp-Postalia, Inc. (Supplies) \$50.00, Fleetpride Truck & Trailer Parts (Supplies) \$1,807.03, Fastenal Industrial & Construction Supply (Supplies) \$314.46, Graham Tire Yankton (Supplies) \$168.00, Janssen's Garbage Service (Utilities) \$45.00, Locators & Supplies, Inc. (Supplies) \$531.32, Mark's Machinery (Maintenance) \$21.00, Mark's Machinery (Supplies) \$90.98, Miller Consulting LLC (Maintenance) \$120.00, Northwestern Energy (Utilities) \$897.37, O'Reilly Auto Parts (Maintenance) \$152.78, O'Reilly Auto Parts (Supplies) \$20.13, Riverside Hydraulics & Labs (Maintenance) \$263.58, Riverside Hydraulics & Labs (Supplies) \$288.64, South Dakota Association of County Commissioners (2019 Dues) \$28.12, Sioux Equipment Co. (Supplies) \$769.17, Sioux City Foundry Company (Supplies) \$1,690.00, Truck Trailer Sales Service (Maintenance) \$177.50, Truck Trailer Sales Service (Supplies) \$241.63, Team Laboratory Chemical Corp (Supplies) \$775.50, Town of Lesterville (Utilities) \$600.00, One Office Solution (Supplies) \$22.95; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.25, Centurylink (Utilities) \$71.53, Justice Fire & Safety (Maintenance) \$200.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$620.82, Bomgaars (Supplies) \$419.97, B-Y Electric (Utilities) \$56.90, Vast Business (Utilities) \$265.62, TIAA Commercial Finance, Inc. (Rentals) \$173.15, Danko Emergency Equipment (Minor Equipment) \$616.52, Echo Electric (Supplies) \$350.00, Embroidery & Screen Works, Inc. (Supplies) \$69.23, Hy-Vee (Supplies) \$162.91, Leaf (Rentals) \$90.00, Menards (Supplies) \$245.34, MidAmerican Energy (Utilities) \$31.12, Racom Corporation (Utilities) \$35.15, South Dakota Association of County Commissioners

(2019 Dues) \$28.12, Two Way Solutions, Inc. (Maintenance) \$224.99, Verizon (Utilities) \$418.70, One Office Solution (Supplies) \$15.89; **24/7 Sobriety Fund:** Refund (Sobriety Testing) \$13.00; **County Law Library:** KGI Wireless (Reimburse Tower Escrow Fund) \$2,875.00, West Payment Center (Supplies) \$816.63; **Drainage Ditches:** Brosz Engineering, Inc. (Due to Turkey Valley Ditch) \$1,911.68. General Fund \$113998.02, Road & Bridge \$45,469.37, Emergency Management, \$3,824.43. All present voted aye; motion carried.

Action 1905C: A motion was made by Loest and seconded by Healy to name Yankton Daily Press & Dakotan and Yankton County Observer as official newspapers for the County. All present voted aye; motion carried.

Action 1906C: A motion was made by Healy and seconded by Kettering to approve the 2019 calendar. Kettering and Loest Voting Aye; Klimisch and Healy voting Nay; Motion failed 2-2.

Action 1907C: A motion was made by Loest and seconded by Kettering to adopt the Board's committee assignments for 2019. All present voted aye; motion carried.

Ambulance Liaison: Cheri Loest
Chamber Governmental Affairs: Don Kettering
Chamber of Commerce Board of Directors: Dan Klimisch
City Master Plan Committee: Don Kettering
Community Health Nurse Liaison: Gary Swensen
County Planning Commission: Dan Klimisch and Joe Healy
District III Board: Cheri Loest
Director of Equalization Liaison: Cheri Loest
Drainage Board: Cheri Loest
E911 Committee: Gary Swensen, Dan Klimisch
Emergency Contact Commissioner: Dan Klimisch
Emergency Contact Staff Member: Patty Hojem
Emergency Management: Don Kettering and Gary Swensen
Extension Board: Gary Swensen
Federal Prison Camp Community Relations Board: Don Kettering
Highway Department: Don Kettering
Highway 52 Corridor Committee: Joe Healy and Dan Klimisch
Historical Society Board: Gary Swensen
Human Services Center Board: Don Kettering
Joint Powers Committee: Joe Healy
Local Emergency Planning: Don Kettering
Library Board: Joe Healy
Mental Health Board: Don Kettering
Napa Railroad Authority Board: Joe Healy
Physical Plant Supervisor: Joe Healy
Road Committee: Cheri Loest and Don Kettering

Safety Center Committee: Includes two county commissioners (Joe Healy, Gary Swensen), county auditor (Patty Hojem), county sheriff (Jim Vlahakis), two city commissioners, city police chief, and city manager.

Senior Center Board: Dan Klimisch

Weed Board: Cheri Loest

Yankton City/County Planning Committee: Dan Klimisch and Joe Healy

Yankton Area Progressive Growth: Cheri Loest

Yankton County Rail Authority: Don Kettering and Joe Healy

IT: Dan Klimisch

Yankton County Conservation District: Cheri Loest

Action 1908Z: A motion was made by Kettering and seconded by Loest to adopt the following resolution: Whereas it appears, Baycliffe Properties LLC, owner of record, has caused a plat to be made of the following real property: Lots 15 and 16, Baycliffe Estates, W1/2, South 12.91 acres, S1/2 of SW1/4, Section 7, W1/2, W1/2 S18, N of Highway 52, exc platted acres Tramp's 7th Addition and exc Lots 1 and 2 Parcel A, exc Parcels B and C McVay Addition, hereinafter referred to as Utica South 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 Kettering, Loest, Healy and Klimisch voting Aye; Motion carried, 4-0.

Citizen Petition: Phil Tau appeared before the board to request the board open the Yankton County Zoning ordinance for administrative review. Tau said the citizens have lost trust and faith in the county to provide accurate and current information. He said citizens of Yankton County deserve this action before moving forward with decisions that affect all of us. No action was taken by the board.

Commissioner Kettering said he had received a phone call from Bob Law, who lives on Deer Boulevard, saying neighbors had indicated that were a number of trucks with Nebraska license plates using Deer Boulevard going to Napa Junction. Kettering had talked to the acting Highway Superintendent and suggested placing no through truck signs at each end of Deer Boulevard between 314 and Highway 50. Chairman Klimisch requested Kettering and Loest look into the request and place it on the next commission meeting agenda.

Human Resource/Salaries: The board discussed the creating a Human Resource position. It was suggested to form a committee consisting of two commissioners and two department heads to determine specific duties for the position. The board also discussed the extra 1 percent wage increase that was previously requested in 2018. Chairman Klimisch said he would like to hear the presentation from Brian Hunhoff again and to table the discussion until the next commission meeting.

Insurance: Roger Smith from MT & RC Smith Insurance appeared before the board to present Property and Liability insurance quotes from Employers Mutual Casualty (MCI) and South Dakota Public Assurance Alliance (SDPAA). Mr. Smith recommended that two of commission members sit down with himself and the Auditor to compare pricing and coverages then report back to the entire board with the findings.

Chairman Klimisch read a statement from Commissioner Swensen: On December 4th I went to the V.A. Hospital in Sioux Falls for what I thought was the flu or something else. After initial tests they sent me by ambulance to the Heart Hospital in Sioux Falls. Tests indicated I needed a double bypass. December 7th they operated for 5 hours. It was a complete success. Dr. says I will be better than before. I never had a heart attack only some very minor chest pain. Thanks to all who have prayed for me. I will be back soon better than ever the Dr. said. Thank you again for the many Prayers.

4-H Activity Report: Katie Doty appeared before the board to present the 2018 4-H Youth Development Program Activity Report.

Action 1909D: A motion was made by Loest and seconded by Healy to recess the regular session and convene as Ditch Board. All present voted aye; motion carried.

Craig Hansen, Treasurer of the Turkey Valley Ditch Board, appeared to discuss the work that was performed on the ditch and discussed the process of formation of a watershed.

Action 1910C: A motion was made by Loest and seconded by Kettering to recess the Ditch Board and reconvene in regular session. All present voted aye; motion carried.

Planning and Zoning Issues: The board discussed several issues concerning planning and zoning. Commissioner Loest said some of the language in the zoning ordinance is pretty cloudy and should have more clarification. She suggested the planning and zoning board go through and try to clarify some of the language with public input before moving forward. Loest said when updating any changes to the zoning, there should be actions in place to update to be more efficient. Other issues discussed were the number of zoning members by state law and variances for accessory structures.

There was one public comment from Patty Gramkow.

Action 1911C: A motion was made by Loest and seconded by Healy to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, January 22, 2019.

Dan Klimisch, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor