

## YANKTON COUNTY COMMISSION MEETING

April 20, 2021

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, April 20, 2021.

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

There were no conflicts of interest reported by Commissioners.

**Action 21180C:** A motion was made by Healy and seconded by Kettering to approve the meeting agenda. All present voted aye; motion carried.

There was one comment from Tamara Lee. Chair Loest closed public comment.

**Action 21181C:** A motion was made by Healy and seconded by Kettering to approve the April 5, 2021 meeting minutes. All present voted aye; motion carried.

**Action 21182C:** A motion was made by Healy and seconded by Klimisch to approve the following claims: **Non Departmental:** SD Department of Revenue (State Sales Tax) \$57.78; **Commissioners:** Vast Business (Utilities) \$52.50, Cheri Loest (Travel) \$191.10, First Bankcard (Travel) \$345.06, First Bankcard (Supplies) \$328.05, Yankton Daily P & D (Publishing's) \$380.65; **Elections:** Qualified Presort Services (Supplies) \$20.90; **Court:** Avera Sacred Heart Hospital (Lab) \$1,092.00, Megan Reeves (Professional Services) \$578.40, Juror Fees \$520.16, Stephanie Moen (Professional Services) \$51.00, Mary Anne Meyer (Professional Services) \$15.20, Department of Health (Lab-February 2021) \$720.00, Sanford Health Pathology (Professional Services) \$1,009.73, Dean Schaeffer (Professional Services) \$1,208.00, Thomson Reuters (Supplies) \$1,173.65, Yankton Daily P & D (Publishing's) \$23.57; **Auditor:** Vast Business (Utilities) \$175.00, Culligan (Supplies) \$21.75, Leaf (Rentals) \$159.00, Qualified Presort Services LLC (Supplies) \$130.02, SDACO (Travel) \$185.00, Security Shredding Service (Professional Services) \$35.00, One Office Solution (Maintenance) \$119.24, One Office Solution (Supplies) \$285.00; **Treasurer:** Vast Business (Utilities) \$209.37, Culligan (Supplies) \$35.75, Qualified Presort Services LLC (Supplies) \$159.41, SDACO (Travel) \$185.00, Security Shredding Service (Professional Services) \$35.00; **Data Processing:** Vast Business (Utilities) \$832.83, First Bankcard (Maintenance) \$57.72; **States Attorney:** Executive MGMT Finance Office (Supplies) \$53.25, Century Business Products (Rentals) \$585.53, Debra Lillie (Travel) \$467.38; **Government Building:** Vast Business (Utilities) \$26.25, A Bar K Inc. (Maintenance) \$450.00, Janssen's Garbage Services (Utilities) \$240.00, United Laboratories, Inc. (Supplies) \$1,187.99, MidAmerican Energy (Utilities) \$895.40; **Register of Deeds:** Executive MGMT Finance Office (Supplies) \$53.25, Vast Business (Utilities) \$177.50, Qualified Presort Services (Supplies) \$31.41, SDACO (Travel) \$185.00; **VA:** Vast Business (Utilities) \$26.25, Qualified Presort Services (Supplies) \$6.37; **Director of Equalization:** Vast Business (Utilities) \$229.50, EcoWater Systems (Supplies)

\$30.00, First Bankcard (Supplies) \$147.74, Microfilm Imaging Systems (Maintenance) \$70.00, Yankton 2County Observer (Publishing's) \$210.80, Qualified Presort Services (Supplies) \$34.55, Security Shredding Services (Maintenance) \$35.00, Verizon (Maintenance) \$120.03; **Safety Center Building:** Vast Business (Utilities) \$809.38, City of Yankton (Dumpster Fees) \$192.00, Echo Group (Supplies) \$424.60, Kone Inc. (Maintenance) \$5,093.38; **Sheriff:** Greg Jensen (Travel) \$45.00, City of Yankton (Fuel) \$1,907.54, Culligan (Supplies) \$29.00, The Collision Center (Maintenance) \$311.41, Rod Pieper (Fuel) \$36.85, FedEx (Supplies) \$14.84, Grafex Shoppe (Machinery & Auto Equipment) \$689.65, Jacks Uniforms & Equipment (Uniforms) \$643.45, Lamb Motor Company (Machinery & Auto Equipment) \$34,247.00, Pheasantland Industries (Travel) \$670.37, Qualified Presort Services (Maintenance Contracts) \$113.24, Security Shredding Service (Professional Services) \$35.00, Tire Muffler Alignment (Maintenance) \$25.00, One Office Solution (Supplies) \$33.35, Yankton Daily P & D (Computer Services) \$108.59; **County Jail:** Jerry Sorbel (Professional Services) \$450.00, Culligan (Food Services) \$27.75, Trinity Services Group (Food Services) \$10,720.76, Auto Value Yankton (Auto Expense) \$39.98, JCL Solutions (Supplies) \$363.12, Kaiser Appliance & Refrigeration (Maintenance) \$58.50, Olson's Pest Technician (Maintenance) \$110.00, Correctional Risk Services (Inmate Liab Ins) \$1,053.66, Tire Muffler Alignment (Auto Expense) \$296.64, Yankton Rexall Drug (Professional Services) \$1,442.87; **Coroner:** Sanford Health (Professional Services) \$4,089.00; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$12,932.00; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$57.91; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$104.40, Thomson Reuters (Supplies) \$79.57, Wintz & Ray Funeral Home (Professional Services) \$3,075.00; **Public Health Nurse:** Vast Business (Utilities) \$243.92, TIAA Bank (Rentals) \$70.96, Qualified Presort Services (Supplies) \$81.07; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$288.89, AT & T (Utilities) \$36.05, Arrow Manufacturing (Supplies) \$773.50, Teleflex Funding LLC (Supplies) \$1,345.50, Buhl's Cleaners (Supplies) \$20.00, Bound Tree Medical LLC (Supplies) \$2,720.77, City of Yankton (Fuel) \$897.51, Credit Collection Services (Professional Services) \$105.46, Quick Med Claims (Supplies) \$4,194.75, Lo's Design LLC (Supplies) \$305.12, Jim & Betty Cox (Supplies) \$36.00, Embroidery & Screen Works (Supplies) \$282.00, First Bankcard (Fuel) \$441.94, First Bankcard (Supplies) \$323.18, First Bankcard (Travel) \$157.00, Auto Value Yankton (Maintenance) \$31.17, Janssen's Garbage Services (Utilities) \$300.00, Leaf (Rentals) \$81.43, Matheson Tri-Gas Inc. (Supplies) \$262.63, Matheson Tri-Gas Inc. (Rentals) \$88.59, Northtown Automotive (Supplies) \$735.01, Security Shredding Services (Maintenance) \$35.00, One Office Solution (Supplies) \$616.48, Yankton Medical Clinic (Professional Services) \$257.00; **Mental Handicapped:** SD Achieve dba Lifescape (Care MI March 2021) \$300.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$27.00, Kennedy Pier Loftus & Reynolds (Hearings) \$366.30, Mark Katterhagen (Hearings) \$27.00, Lewis & Clark Behavioral Health Services (Hearings) \$1,104.00, Lucille M. Lewno (Hearings) \$563.02; **Extension:** Buhl's Cleaners (Supplies) \$37.82, Vast Business (Utilities) \$399.11, SDSU Extension (Travel) \$42.63, Northwestern Energy (Utilities) \$218.41; **Planning & Zoning:** Vast Business (Utilities) \$62.50, First Bankcard (Supplies) \$97.00, First Bankcard (Travel) \$318.22, Microfilm Imaging Systems (Rentals) \$70.00, Pheasantland Industries (Supplies) \$52.86, Qualified Presort Services, LLC (Supplies) \$84.22, One Office Solution (Maintenance) \$25.88, Yankton Daily P & D (Publishing's) \$701.12; **Road & Bridge:**

Bomgaars (Supplies) \$261.99, B-Y Electric (Utilities) \$66.07, B-Y Water District (Utilities) \$81.75, Bierschbach Equipment & Supply (Maintenance) \$120.00, Battery Exchange (Maintenance) \$440.00, Vast Business (Utilities) \$228.20, Ban Koe Companies (Utilities) \$1,690.00, Napa Auto Parts of Yankton (Maintenance) \$247.80, Napa Auto Parts of Yankton (Supplies) \$718.25, CenturyLink (Utilities) \$62.35, CHS Inc. (Supplies) \$1,087.90, Echo Electric Supply (Maintenance) \$1,115.87, Echo Electric Supply (Supplies) \$57.49, Growmark FS (Maintenance) \$83.26, Growmark FS (Fuel) \$1,225.23, Growmark FS (Supplies) \$0.60, First Bankcard (Supplies) \$59.60, Fastenal Industrial & Construction Supply (Maintenance) \$191.99, Graham Tire Yankton (Supplies) \$330.62, Janssen's Garbage Service (Utilities) \$45.00, Kimball Midwest (Supplies) \$68.78, Marks Machinery (Maintenance) \$65.68, Menards (Supplies) \$139.58, MidAmerican Energy (Utilities) \$578.54, Spencer Quarries Inc. (Supplies) \$465.24, Southeastern Electric Cooperative Inc. (Utilities) \$62.18, TMA (Maintenance) \$24.72, Uline (Supplies) \$1065.80, One Office Solution (Supplies) \$126.74; **Emergency 911 Fund:** Vast Business (Utilities) \$135.97, Powerphone Inc. (Maintenance) \$299.70, CenturyLink (Utilities) \$83.20, Golden West Telecommunications (Utilities) \$145.00; **Emergency Management:** B-Y Electric (Utilities) \$53.42, City of Yankton (Supplies) \$20.50, Sunset Plaza Mall Office (POD Expense) \$1,000.00, First Bankcard (Travel) \$664.04, First Bankcard (Supplies) \$360.86, First Bankcard (Publishing's) \$6.99, Midcontinent Communications (POD Expense) \$138.52, Tabor Lumber Cooperative (Supplies) \$243.57, Verizon (Utilities) \$104.70; **24/7 program:** Pharmchem Inc. (Supplies) \$3,740.05; **Debt Service:** BONF, NA (Principal & Interest) \$29,973.75, BONF, NA (Agent Fee) \$400.00; **Non-Departmental:** Satellite Tracking of People (Tracking Monitors) \$526.50, Byron Nogelmeier (Cam Daily March Fee) \$2,033.00, Byron Nogelmeier (State Participation March 2021) \$32.00, SD Department of Revenue (HSC) \$5,728.85, SD Department of Revenue (Redfield Services) \$120.00, SD Department of Revenue (Motor Vehicle Fees) \$536,872.74, SD Department of Revenue (Waste Fees) \$6,876.25, SD Department of Revenue (ROD Fees) \$2,760.00, SDACO (M & PR Fund) \$890.00; General Fund \$121,064.72, Road & Bridge, \$10,711.23, Emergency Management, 2,592.60. All present voted aye; motion carried.

**Action 21183AUD:** A motion was made by Healy and seconded by Kettering to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of March 31, 2021 which showed Total Cash of \$11,781,458.20. The General Fund was \$6,317,954.12; Special Funds were \$2,980,593.93; and Trust and Agency Funds were \$2,482,910.15 adding to a Grand Total of General Ledger Cash and Investments of \$11,781,458.20. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21184C:** A motion was made by Klimisch and seconded by Healy to approve the first quarter Mental Illness hearings income report. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21185OEM:** A motion was made by Klimisch and seconded by Healy to adjust the Emergency Management Office budget due to unanticipated grant revenue in the amount of \$1,906.35. All present voted aye; motion carried.

**Action 21186S:** A motion was made by Klimisch and seconded by Healy to adjust the Sheriff's Office budget due to unanticipated grant revenue in the amount of \$434.00. All present voted aye; motion carried.

Maria Schwader from the Department of Legislative Audit presented her findings of the 2018/2019 audit for Yankton County.

**Action 21187C:** A motion was made by Healy and seconded by Klimisch to authorize Chair Loest to sign the 2018/2019 Legislative Audit report and note that management chose not to respond to this finding. All present voted aye; motion carried.

Roger Risty from Risty Benefits, Inc. appeared before the board for approval to present quotes for the Yankton County Health Insurance plan. The board approved the request.

**Action 21188Z:** A motion was made by Klimisch and seconded by Healy to adopt the following resolution: Whereas it appears, Rick Daugherty, owner of record, has caused a plat to be made of the following real property: Lot 32 Baycliffe Estates, W1/2, S12.91, S1/2, SW1/4 Section 7, W1/2, W1/2 Section 18 N of Highway 52 exc Tramp's 7<sup>th</sup> Add and exc Lots 1 and 2 of Parcel A and excepting Parcels B and C, McVay Addition, T93N-R56W, 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. All present voted aye; motion carried.

**Action 21189Z:** A motion was made by Klimisch and seconded by Kettering to adopt the following resolution: Whereas it appears, Bob Law, owner of record, has caused a plat to be made of the following real property: Lots 1, 2, 3, 4 and 5, Tract B, Law Overlook Subdivision, NE1/4, S18-T93N-R56W, County of Yankton, SD, 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. All present voted aye; motion carried.

**Rezone:** The second reading on the request of Michael Kuchta to rezone a Rural Transitional District (RT) to a Moderate Density Rural Residential District (R2).

**Action 21190Z:** A motion was made by Klimisch and seconded by Healy to approve the Michael Kuchta rezone request. Roll call vote was taken with Klimisch, Healy, Kettering and Loest voting aye; motion carried, 4-0.

**Joint Powers:** Al Viereck representing the City of Yankton presented the Eighth Amendment to Revise the Joint Powers Agreement between the City of Yankton, Yankton County, Clay County and the City of Vermillion.

**Action 21191Z:** A motion was made Healy and seconded by Kettering to approve the Eighth Amendment Joint Powers Agreement. All present voted aye; motion carried.

**County Health Insurance:** Julie Auch, representative from Wellmark Blue Cross Blue Shield Insurance for Yankton County's employees, discussed the quotes from Blue Cross Blue Shield, Avera Health and United Health Care. No action was taken.

**Ambulance:** Yankton County Ambulance Director Steve Hawkins appeared before the board to discuss his monthly reports, 5% discount for individuals that pay their bill within 30 days and request a stipend for paramedic field training.

**Action 21192AMB:** A motion was made by Healy and seconded by Kettering to approve the 2021 first quarter report from the Ambulance Department. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21193AMB:** A motion was made by Klimisch and seconded by Kettering to discontinue the 5% Discount as of May 1, 2021. All present voted aye; motion carried.

**Action 21194AMB:** A motion was made by Kettering and seconded by Healy to authorize paying \$40.00 per shift stipends to train paramedics, not to exceed \$800.00. All present voted aye; motion carried.

The following departments presented monthly reports for board approval: Register of Deeds, Sheriff/Jail, Veterans Service and Welfare.

**Action 21195ROD:** A motion was made by Klimisch and seconded by Healy to approve the 2021 first quarter report from the Register of Deeds Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21196S:** A motion was made by Healy and seconded by Kettering to approve the 2021 first quarter report from the Sheriff's office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21197VSO:** A motion was made by Klimisch and seconded by Kettering to approve the 2021 first quarter report from the Veterans Service Office. A detailed report is on file with the County Auditor All present voted aye; motion carried.

**Action 21198C:** A motion was made by Healy and seconded by Klimisch to approve the 2021 first quarter report from the Yankton County Welfare Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**ARTICLE 5:** The board discussed Article 5 of the Yankton County Zoning Ordinance. The board scheduled May 4 commission meeting to discuss and finalize amendments for presentation at a public hearing to be held at the June 8<sup>th</sup> Planning commission meeting.

**Long Term Housing:** Commissioner Klimisch asked Jason Fink from K Construction to talk to the board on housing in Yankton County.

**Off-Sale Liquor License:** The board discussed Senate Bill 152. The bill allows counties to issue off-sale liquor licenses. No county off-sale license may be issued for a retailer located within three miles of the exterior boundary of an incorporated municipality. The board also determines the cost of the license which would be not less than \$300.00 and not over \$500.00. Chair Loest said she will work with the States Attorney's Office in moving forward.

There was one public comment Jay Cutts. Chair Loest closed public comment.

Commissioner updates included Marijuana Law, JDAI meeting in Rapid City and YAPG and Chamber merger.

**Action 21199C:** A motion was made by Kettering and seconded by Healy to recess the regular session at 8:45 p.m. and convene in executive session to discuss litigation issue SDCL 1-25-2(3) and Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted Aye; motion carried.

**Action 21200C:** A motion was made by Healy and seconded by Klimisch to adjourn the executive session at 9:05 p.m. and reconvene in regular session. All present voted aye; motion carried.

**Action 21201C:** A motion was made by Healy and seconded by Kettering to approve Robert Nelson's settlement offer for case CIV. 19-303, CIV 18-143 and CIV 18-141. All present voted aye; motion carried.

**Action 21202C:** A motion was made by Kettering and seconded by Healy to allow States Attorney Rob Klimisch to settle bill with Attorney Meierhenry Sargent LLP. All present voted aye; motion carried.

Chair Loest reported no action would be taken for Poor Relief issue.

**Action 21203C:** A motion was made by Kettering and seconded by Klimisch to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, May 4, 2021 at 6:00 p.m.

**Cheri Loest**, Chair  
Yankton County Commission  
ATTEST:

**Patty Hojem**, County Auditor