

## YANKTON COUNTY COMMISSION MEETING

July 5, 2022

The regular meeting of the Yankton County Commission was called to order by Vice Chair Cheri Loest at 6:00 p.m. on Tuesday, July 5, 2022.

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

Commissioner Kettering had a conflict with the West 11<sup>th</sup> Street Resolution (Item 11). There were no conflicts of interest reported by the rest of the Commissioners.

**Action 22282C:** A motion was made by Fox and seconded by Kettering to approve the meeting agenda with one addition: Item 5A Register of Deeds quarterly report. All present voted aye; motion carried, 5-0.

There were no public comments. Chair Loest closed public comment.

The board discussed implementing a 5% adjustment to the 2023 wage matrix.

Register of Deeds Brian Hunhoff presented his 2<sup>nd</sup> quarter report for 2022.

**Action 22283ROD:** A motion was made by Kettering and seconded by Klimisch to approve Register of Deeds 2<sup>nd</sup> quarter report. All present voted aye; motion carried, 5-0.

**Action 22284C:** A motion was made by Healy and seconded by Klimisch to approve a two day Malt Beverage License for Upper Deck. All present voted aye; motion carried, 5-0.

**Mead Cultural Building: Historical Society:** Crystal Nelson, representing the Yankton County Historical Society, appeared to request support from the County in securing a Transportation Alternatives Grant for restoration of the historic depot and Mead Cultural Education Center Updates. Nelson also updated the board on other projects.

**Action 22285C:** A motion was made by Fox and seconded by Klimisch to approve the letter of support for the SD Transportation Alternative Grant and to authorize Commissioner Klimisch to sign for the County. All present voted aye; motion carried, 5-0.

**Action 22286C:** A motion was made by Fox and seconded by Kettering to approve the June 21, 2022, regular meeting minutes. All present voted aye. Motion carried, 5-0.

**Action 22287C:** A motion was made by Kettering and seconded by Fox to approve the June 30, 2022, regular meeting minutes. All present voted aye. Motion carried, 5-0.

**Action 22288C:** A motion was made by Healy and seconded by Fox to approve the following claims: **Commissioners:** Wellmark Blue Cross and Blue Shield of SD (HAS Fees) \$1,110.00; Yankton County Observer (Publishings) \$159.69; **Elections:** Yankton County Observer (Publishings) \$8.78; Qualified Presort Services (Supplies) \$113.34; Verizon (Rentals) \$280.07; One Office Solution (Supplies) \$7.60; **Court:** Patricia LaCroix (Neglected) \$2,053.00; Patricia LaCroix (Prof Services) \$500.00; John Billings (Prof Services) \$4,191.50; Luci Youngberg, Youngberg Law (Prof Services) \$2,651.50; Dan Fox, Fox Law Firm PLLC (Prof Services) \$2,500.00; Horn Law Office LLC (Prof Services) \$12,500.00; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$2,046.90; Dean Schaefer (Prof Services) \$862.00; Juror Fees (Court) \$341.16; **Auditor:** Patty Hojem (Travel) \$113.82; Qualified Presort Services (Supplies) \$114.29; One Office Solution (Supplies) \$20.52; LEAF (Rentals) \$159.00; **Treasurer:** Qualified Presort Services (Supplies) \$192.40; **States Attorney:** Tyler Larsen (Travel) \$878.87; Verizon (Utilities) \$31.90; **Govt Buildings:** City of Yankton (Utilities) \$2,209.04; JCL Solutions (Supplies) \$51.68; Northwestern Energy (Utilities) \$3,183.94; Olson's Pest Technicians (Maintenance) \$82.00; **Director of Equalization:** SDAAO (Travel) \$1,800.00; Qualified Presort Services (Supplies) \$23.61; One Office Solution (Supplies) \$268.80; **Register of Deeds:** Executive Management Finance (Supplies) \$338.75; Qualified Presort Services (Supplies) \$49.46; One Office Solution (Supplies) \$58.58; **Veterans Service Officer:** Qualified Presort Services (Supplies) \$6.11; Verizon (Utilities) \$41.90; Verizon (Rentals) \$40.01; **Safety Center Building:** Kopetsky's Ace Hardware (Maintenance) \$31.98; City of Yankton (Utilities) \$842.92; Fejfar Plumbing & Heating (Maintenance) \$5.70; Fastenal Industrial & Construction Supply (Maintenance) \$39.99; Johnson Controls, Inc. (Maintenance) \$574.78; Menards (Maintenance) \$55.39; MidAmerican Energy (Utilities) \$1,281.53; Northwestern Energy (Utilities) \$8,490.97; **Sheriff:** Cardmember Services (Maintenance Contracts) \$42.96; Interstate All Battery Service (Supplies) \$52.20; Midcontinent Communications (Utilities) \$125.39; Northtown Automotive (Maintenance) \$276.35; Pennington County Jail (Travel) \$786.03; Qualified Presort Services (Maintenance Contracts) \$119.58; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$251.80; Scott Family Dentistry (Prof Services) \$1,009.00; Jerry Sorbel (Prof Services) \$360.00; Trinity Services Group (Food Service) \$8,116.82; Hy-Vee (Prof Services) \$449.78; JCL Solutions (Supplies) \$480.93; Olson's Pest Technicians (Maintenance) \$115.00; Tire Muffler Alignment (Auto Expense) \$146.26; One Office Solution (Supplies) \$28.55; **Coroner:** Sanford Health (Prof Services) \$4,669.00; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$4,369.00; **Yankton Area Search & Rescue:** Kopetsky's Ace Hardware (Supplies) \$116.96; Bomgaars (Supplies) \$149.97; NAPA Auto Parts of Yankton (Supplies) \$123.98; Two Way Solutions (Supplies) \$79.95; **Care of Poor:** Avera Sacred Heart Hospital (Prof Services) \$352.76; Qualified Presort Services (Supplies) \$69.49; **Public Health Nurse:** Office of Child & Family Services (Other) \$2,790.00; Qualified Presort Services (Supplies) \$25.34; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$780.16; Sacred Heart Health Services (Prof Services) \$1,500.00; BNSF Railway Company (Rentals) \$1,890.75; City of Yankton (Utilities) \$138.88; Credit Collection Services (Prof Services) \$166.38; Amazon Capital Services (Supplies) \$83.67; McLeod's Printing & Office Supply (Supplies) \$72.90; MidAmerican Energy (Utilities) \$40.95; Northwestern Energy (Utilities) \$633.68; Verizon (Utilities) \$304.29; **Mental Illness Board:**

Darcy Lockwood (Hearings) \$55.50; Patricia LaCroix (Hearings) \$308.53; Mark Katterhagen (Hearings) \$55.50; Lucy Lewno (Hearings) \$763.09; **County Extension:** City of Yankton (Utilities) \$73.38; **Weed:** NAPA Auto Parts of Yankton (Maintenance) \$44.48; Verizon (Utilities) \$24.76; **Planning & Zoning:** Yankton County Observer (Publishings) \$10.05; Pheasantland Industries (Supplies) \$101.39; Qualified Presort Services (Supplies) \$19.81; Verizon (Utilities) \$41.90; LEAF (Rentals) \$104.86; **Highway:** Appera (Supplies) \$133.81; Bomgaars (Supplies) \$33.98; Butler Machinery Co (Maintenance) \$1,017.86; Presto-X (Maintenance) \$118.00; Ban Koe Companies, Inc. (Maintenance) \$426.20; City of Yankton (Utilities) \$681.32; NAPA Auto Parts of Yankton (Maintenance) \$148.73; NAPA Auto Parts of Yankton (Supplies) \$724.47; Knife River- South Dakota (Bridges) \$13,207.00; DirecTV (Utilities) \$93.99; Dakota Fluid Power Inc. (Maintenance) \$939.10; D-P Tools (Supplies) \$67.64; Asphalt Surfacing Company (Asphalt Road) \$130,231.94; Fischer Gravel (Bridges) \$1,175.00; Hollaway Construction Co, Inc. (Bridges) \$61,224.60; Jebro Inc. (Asphalt Road) \$22,511.08; Lyle Signs Inc. (Supplies) \$1,424.47; Northwestern Energy (Utilities) \$770.09; Riverside Hydraulics & Labs (Maintenance) \$100.61; SD Department of Transportation (Bridges) \$1,314.69; Truck Trailer Sales Service Inc. (Maintenance) \$825.86; Titan Machinery (Maintenance) \$21.68; Verizon (Utilities) \$61.94; B-Y Electric (Utilities) \$41.00; Southeastern Electric (Utilities) \$33.91; **Local Emergency Planning:** Bluepeak (Utilities) \$1,100.36; City of Yankton (Supplies) \$1,599.00; CenturyLink (Utilities) \$87.39 **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$170.88; Bomgaars (Supplies) \$61.28; Boston Shoes to Boots (Supplies) \$214.95; NAPA Auto Parts of Yankton (Supplies) \$35.48; Blue Valley Public Safety Inc. (Maintenance) \$5,156.76; MidAmerican Energy (Utilities) \$9.73; Two Way Solutions (Supplies) \$1,346.95; Verizon (Utilities) \$1,261.16; One Office Solution (Supplies) \$63.78; **24/7 Program:** PharmChem Inc. (Supplies) \$3,648.20; **Non-Departmental:** Brosz Engineering Inc. (Prof Services) \$7,440.00; General Fund \$82,635.49; Road & Bridge \$237,328.97; Emergency Management \$8,320.97. All present voted aye; motion carried, 5-0.

**Action 22289C:** A motion was made by Kettering and seconded by Klimisch to approve the **June 2022 Gross Payroll: Commissioners:** \$5,941.14; **Court:** \$0.00; **Election:** \$1,081.41; **Auditor:** \$16,765.44; **Treasurer:** \$19,366.75; **States Attorney:** \$33,810.79; **Government Buildings:** \$8,265.89; **Director of Equalization:** \$21,811.23; **Register of Deeds:** \$15,418.67; **Veterans Service:** \$3,931.33; **Courthouse & Safety Center:** \$7,700.45; **Sheriff:** \$67,625.72; **County Jail:** \$86,396.51; **Coroner:** \$697.50; **Juvenile:** \$51.98; **Nurse:** \$2,841.98; **Ambulance:** \$55,981.88; **WIC:** \$1,673.62; **Extension:** \$8,120.70; **Soil Conservation:** \$2,941.12; **Weed:** \$8,626.00; **Planning & Zoning:** \$11,372.65; **Road & Bridge:** \$73,472.02; **E911:** \$0.00; **OEM:** \$13,769.47; **24-7 Program:** \$1,591.85. First Dakota National Bank \$32,739.70 (Withholding), First Dakota National Bank \$56,581.62 (FICA) First Dakota National Bank \$13,232.82 (Medicare), South Dakota Retirement System \$35,657.84 (Other Employees), South Dakota Retirement System \$20,533.38 (Sheriff), South Dakota Retirement System (Spouse Opt) \$183.41, South Dakota Retirement System (Supplemental) \$10,165.00, American Family Life Assurance Company (AFLAC) \$4,858.02, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident

\$1,107.04, Wellmark Blue Cross/Blue Shield \$63,596.15, Optilegra \$291.31, United Way of Greater Yankton 10.00, Delta Dental \$1,358.28, VSP Vision \$298.02, HealthEquity \$2,145.00. Gross Payroll \$469,313.10, Net Payroll \$348,552.37. All present voted aye; motion carried 5-0.

**Action 222900EM:** A motion was made by Fox and seconded by Klimisch to adjust the Emergency Management Office budget due to unanticipated insurance revenue of \$5,286.46. All present voted aye; motion carried, 5-0.

**Rezone:** There was a first reading on the request from Ralph Marquardt to rezone a Rural Transitional District (RT) to a Commercial District (C). The second reading of the rezone request will be at the next commission meeting on July 19, 2022.

Dave Husby, representative for applicant Marquardt, spoke on the rezone.

**Action 22291C:** A motion was made by Fox and seconded by Healy to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

**Variance Public Hearing:** This was the time and place for a public hearing for a Variance of application from Debra Kotalik-Pulfrey. Variance to the minimum lots size to build a second residence on a non-conforming lot in an Agriculture District. Said property is legally described as Tract 3, Bierle's Addition, NE1/4, S14-T95N-R57W, hereinafter referred to as Lesterville Township, County of Yankton, State of South Dakota.

Applicant spoke on the request. Also in attendance were Eric Pulfrey, Darcy Griffen, Denise Bierle Spect and Darin Bierle.

**Action 22292Z:** A motion was made by Klimisch and seconded by Fox, to approve the variance application based on Findings of Fact from the June 14, 2022 Yankton County Planning Commission meeting, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Klimisch, Fox and Kettering voting aye; Healy and Loest voting nay; motion failed, 3-2.

**Action 22293Z:** A motion was made by Healy and seconded by Kettering to approve the building permit and refund the \$450.00 to the applicant.

Commissioner Healy rescinded his motion. Healy said this should be an advisory to the Zoning Board to issue a building permit and to refund the \$450.00.

**CUP Public Hearing:** This was the time and place for a public hearing for a Conditional Use Permit application from Goshen Nation (c/o Lyle and Greg Schut). Applicant is requesting a Conditional Use Permit to construct buildings for storage and shop areas in a Lakeside Commercial District. Said property is legally described as Lot 21, Whitetail Run, SE1/4, NE1/4,

S16-T93-R56, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

Dan Specht, representative for the applicant, spoke on the CUP request. Also speaking was Greg Schut.

**Action 22294Z:** A motion was made by Healy and seconded by Fox, to approve the Conditional Use Permit, based on Findings of Fact, with stipulation that there be no residences in the units, from the June 14, 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 all voting aye; motion carried, 5-0.

**Action 22295Z:** A motion was made by Kettering and seconded by Fox to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

**Action 22296C:** A motion was made by Fox and seconded by Healy to approve the West 11<sup>th</sup> Street Road Improvement Resolution. Roll call vote was taken with Loest, Klimisch, Fox, Healy voting aye, Kettering abstaining; motion carried, 4-0.

There were no public comments. Chair Loest closed public comment.

There were no Commissioner updates.

There was discussion on the indigent care documents.

Commissioner Healy left the meeting.

**Action 22297C:** A motion was made by Fox and seconded by Klimisch to recess the regular session at 8:10 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried, 4-0.

**Action 22298C:** A motion was made by Fox and seconded by Klimisch to adjourn the executive session at 8:25 p.m. and reconvene in regular session. All present voted aye; motion carried, 4-0.

**Action 22299C:** A motion was made by Fox and seconded by Kettering to approve files of poor relief case CW MI 22-2-005, CW MI 22-2-009, CW MI 22-2-011, CW 21-4-055 and CW 21-4-056 in the amount of \$16,510.04 based on following SDCLs: 28-13. All present voted aye; motion carried, 4-0.

**Action 22300C:** A motion was made by Fox and seconded by Kettering to deny files of poor relief case CW 21-01-002, 21-01-003, 21-01-004, 21-04-004, 21-04-007, 21-04-008, 22-1-044

in the amount of \$34,779.30 based on following SDCLs: 28-13-1-1.1, 28-13-33, 28-13-1.3(1). All present voted aye; motion carried, 4-0.

**Action 22301C:** A motion was made by Fox and seconded by Klimisch to adjourn. All present voted aye; motion carried, 4-0.

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

**Cheri Loest**, Vice-Chair  
Yankton County Commission

ATTEST:

**Patty Hojem**, County Auditor