

YANKTON COUNTY COMMISSION MEETING

October 6, 2020

The regular meeting of the Yankton County Commission was called to order by Vice Chair Joseph Healy at 6:00 p.m. on Tuesday, October 6, 2020.

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

There were no conflicts of interest reported by Commissioners.

Action 20415C: A motion was made by Kettering and seconded by Klimisch to approve the meeting agenda. All present voted aye; motion carried.

There were public comments from Bob Gleich and Gary Swensen.

Vice Chair Healy closed public comment.

Action 20416C: A motion was made by Kettering and seconded by Klimisch to approve the minutes of September 11, 2020 meeting with one correction: Action 20390C should be after public comment was closed. All present voted aye; motion carried.

Action 20417C: A motion was made by Klimisch and seconded by Kettering to approve the minutes of September 17, 2020 meeting. All present voted aye; motion carried.

Action 20418C: A motion was made by Kettering and seconded by Klimisch to approve a temporary 1 Day Liquor License for Ben's Brewing at Mazing Acres. All present voted aye; motion carried.

Action 20419C: A motion was made by Klimisch and seconded by Kettering to approve the following claims: **Commissioners:** Yankton Count Observer (Publishing's) \$388.03; **Elections:** Election Systems & Software (Supplies) \$3,400.71, Qualified Presort Services (Supplies) \$80.62, Secretary of State (Supplies) \$100.00, Verizon (Rentals) \$320.08, One Office Solution (Supplies) \$207.85; **Court:** Juror Fees (\$50.00 x 8) \$400.00, Juror Fees (\$60.00 x 2) \$120.00, Juror Fees (\$10.00 x 6) \$60.00, Juror Mileage (\$0.84 x 2) \$1.68, Juror Mileage (\$8.40 x 4) \$33.60, Juror Mileage (\$4.20 x 1) \$4.20, Juror Mileage (\$5.04 x 1) \$5.04, Juror Mileage (\$3.36 x 1) \$3.36, Avera Sacred Heart Hospital (Lab) \$804.00, Megan Reeves (Professional Services) \$276.60, Horn Law Office LLC (Professional Services) \$2,023.50, LaCroix Law Office (Neglected) \$1,473.06; **Auditor:** Patty Hojem (Travel) \$83.04, Leaf (Rentals) \$159.00, Qualified Presort Services (Supplies) \$58.54, One Office Solution (Supplies) \$12.38; **Treasurer:** Qualified Presort Services (Supplies) \$154.12; **Government Center Building:** Kopetsky's Ave Hardware (Supplies) \$88.09, Bomgaars (Supplies) \$5.39, City of Yankton (Utilities) \$2,245.23, Sorlien Electric INC. (Maintenance) \$234.69, Johnson Controls INC. (Maintenance) \$745.27, JCL Solutions (Supplies) \$142.96, Midwest Striping

(Maintenance) \$603.84, Mead Lumber (Maintenance) \$20.00, Menards (Maintenance) \$40.11, Northwestern Energy (Utilities) \$3,197.90, Olson's Pest Technicians (Maintenance) \$82.00; **Director of Equalization:** Marshall & Swift/Boeckh (Maintenance) \$656.20, Jeffery Puthoff (Travel) \$68.88, Qualified Presort Services (Supplies) \$16.71, Verizon (Utilities) \$162.01, One Office Solution (Supplies) \$167.27; **Register of Deeds:** Microfilm Imaging System (Rentals) \$336.00, Microfilm Imaging System (Supplies) \$96.82, Qualified Presort Services (Supplies) \$38.10, One Office Solution (Supplies) \$70.13; **VA:** Qualified Presort Services (Supplies) \$6.03; **Safety Center Building:** Kopetsky's Ace Hardware (Maintenance) \$441.45, City of Yankton (Utilities) \$838.94, Cole Papers Inc. (Supplies) \$89.94, Electair Inc. (Maintenance) \$1,618.91, Hy-Vee (Supplies) \$80.35, Menards (Maintenance) \$19.98, Menards (Supplies) \$154.98, MidAmerican Energy (Utilities) \$761.26, Northwestern Energy (Utilities) \$10,484.30, Olson's Pest Technicians (Maintenance) \$133.00; **Sheriff:** Integrated Technology & Security (Minor Equipment) \$2,237.34, Cardmember Services (Travel) \$447.00, The Collision Center (Maintenance) \$327.20, Vishay Dale Electronics (Supplies) \$400.00, FedEx (Supplies) \$13.59, Jack's Uniforms & Equipment (Ballistic Vests) \$867.99, Northtown Automotive (Maintenance) \$687.42, Qualified Presort Services (Maintenance Contracts) \$190.54, Lewis & Clark Ford Lincoln (Maintenance) \$814.55, MT & RC Smith Insurance (Insurance) \$ 81.00, Tire Muffler Alignment (Maintenance) \$19.72, One Office Solution (Supplies) \$80.28, One Office Solution (Minor Equipment) \$279.00; **County Jail:** Charm-Tex (Supplies) \$71.60, Jerry Sorbel (Professional Services) \$555.00, Cardmember Services (Supplies) \$14.88, Summit Food Services, LLC (Food Services) \$8,010.84, Jacks Uniforms & Equipment (Uniforms) \$65.94, Vishay Dale Electronics (Supplies) \$400.00, JCL Solutions (Supplies) \$837.10, Olson's Pest Technicians (Maintenance) \$110.00, Vogt's Cleaners (Supplies) \$30.00; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$23,139.20; **YASR:** Kopetsky's Ace Hardware (Supplies) \$50.97, Menards (Supplies) \$173.94; **Contact Center:** Qualified Presort Services (Supplies) \$125.38; **Public Health Nurse:** Qualified Presort Services (Supplies) \$56.10, Office of Child & Family Services (4th Quarter 2020 Nurse) \$2,671.05; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$964.93, Sacred Heart Health Service (Professional Services) \$1,500.00, AT & T (Utilities) \$36.05, Arrow Manufacturing (Supplies) \$275.00, Bomgaars (Supplies) \$30.56, Vast Business (Utilities) \$179.93, City of Yankton (Utilities) \$286.55, Certified Languages International (Professional Services) \$61.50, Cintas (Supplies) \$68.13, Quick Med Claims (Supplies) \$2,247.66, Electair Inc. (Maintenance) \$5,232.66, Change Healthcare (Professional Services) \$155.83, Hy-Vee (Supplies) \$27.45, Leaf (Rentals) \$81.43, Menards (Supplies) \$128.99, MidAmerican Energy (Utilities) \$18.65, Northwestern Energy (Utilities) \$1,113.63, Qualified Presort Services (Supplies) \$14.39, Roger's Family Pharmacy (Supplies) \$122.04, MT & RC Smith Insurance (Insurance) \$100.00, Verizon (Utilities) \$304.69, Yankton Janitorial Supply (Supplies) \$1,449.20; **Mental Illness Board:** Darcy Lockwood (Hearings) \$102.00, Kerri Cook-Huber (Hearings) \$100.00, Ver Beek Law Prof LLC (Hearings) \$415.44, Kruse Law Office (Hearings) \$321.70, Mark Katterhagen (Hearings) \$102.00, Lewis & Clark Behavioral Health (Hearings) \$1,656.00, Lucille M. Lewno (Hearings) \$1,601.50; **County Extension:** Best Western of Huron (Travel) \$140.00, Lauren Hollenbeck (Travel) \$46.80, Vast Business (Utilities) \$399.50, FP Mailing Solutions (Rentals) \$74.85, City of Yankton (Utilities) \$72.35, Leaf (Rentals) \$191.75, MidAmerican Energy

(Utilities) \$8.52, Olson's Pest Technicians (Maintenance) \$150.00; **Soil Conservation:** Yankton County Conservation (2nd Half Wages for tree Manager) \$2,500.00; **Weed:** CMRS-FP (Supplies) \$25.00; **Planning & Zoning:** Leaf (Rentals) \$104.86, Microfilm Imaging (Supplies) \$70.00, Pheasantland Industries (Supplies) \$42.98, Qualified Presort Services (Supplies) \$103.20, Verizon (Utilities) \$41.98, One Office Solution (Supplies) \$89.80; **Road & Bridge:** Appera (Supplies) \$126.21, C & B Operations LLC (Supplies) \$70.40, Bierschbach Equipment (Supplies) \$471.00, Battery Exchange (Supplies) \$507.85, Bakke Hlavac Farm Drain (Maintenance) \$6,500.00, Pesto-X (Maintenance) \$110.00, City of Yankton (Utilities) \$99.57, Cox Auto Supply Inc. (Supplies) \$87.83, Concrete Materials (Annual Projects) \$36,577.24, CenturyLink (Utilities) \$55.83, Clark Engineering (Bridges) \$22,311.17, Direct TV (Utilities) \$83.99, CHS Inc. (Fuel) \$1,825.64, D-P Tools (Supplies) \$238.32, CMRS-FP (Supplies) \$25.00, Fischer Gravel (Supplies) \$3,844.44, Francotyp-Postalia Inc. (Supplies) \$68.85, I State Truck Center (Maintenance) \$2,829.99, Jebro Inc. (Annual Projects) \$15,129.90, Kaiser Heating & Cooling (Supplies) \$91.97, Kimball Midwest (Supplies) \$213.28, Longs Propane Inc. (Fuel) \$78.00, Marks Machinery (Supplies) \$807.90, Menards (Supplies) \$18.96, Northwestern Energy (Utilities) \$719.11, Yankton County Observer (Publishing's) \$5.38, Overhead Door Company of Sioux City Inc. (Maintenance) \$152.00, Riverside Hydraulics & Labs (Supplies) \$2.36, SD Department of Transportation (Annual Projects) \$51.86, Sioux Equipment Co (Supplies) \$5,345.80, Southeastern Electric co. (Utilities) \$28.78, The Road Guy Const. Co. (Annual Projects) \$34,495.20, Verizon (Utilities) \$86.85, One Office Solution (Supplies) \$31.97, Yankton Janitorial Supply (Supplies) \$578.30; **Emergency 911 Fund:** Vast Business (Utilities) \$1,247.17, CenturyLink (Utilities) \$157.38, Midcontinent Communications (Utilities) \$115.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$542.13, Bomgaars (Supplies) \$51.93, Bound Tree Medical (Disaster Plan) \$88.76, Cox Auto Supply (Supplies) \$102.82, Boy Scouts of A. Sioux (Lewis & Clark Scout Camp Tornado Safe Room Grant) \$83,704.30, Hy-Vee (Supplies) \$197.94, Kaiser Heating & Cooling (Maintenance) \$279.95, Midcontinent Communications (Utilities) \$167.47, MidAmerican Energy (Utilities) \$8.00, Northtown Automotive (Supplies) \$10.21, Qualified Presort Services (Supplies) \$5.52, Two Way Solutions (Supplies) \$1,012.99, Verizon (Utilities) \$733.68; **Domestic Abuse:** River City Domestic Violence Center (2020 Allocated FDS Women's Abuse) \$10,000.00; **Government Buildings:** Anderson Telecom LLC (Government Buildings) \$974.49; **24/7 Sobriety Fund:** Pharmchem Inc. (Supplies) \$2,181.70; **M & PR Fund:** Microfilm Imaging Systems (M & PR Fund) \$96.82; General Fund \$99,333.28, Road & Bridge, \$133,670.95, Emergency Management, \$86,905.70. All present voted aye; motion carried.

Action 20420C: A motion was made by Klimisch and seconded by Swensen to approve the **September, 2020 Gross Payroll: Commissioners:** \$5,824.42; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$15,256.84; **Treasurer:** \$17,590.33; **States Attorney:** \$29,247.73; **Government Buildings:** \$6,921.78; **Director of Equalization:** \$25,745.07; **Register of Deeds:** \$12,633.08; **Veterans Service:** \$3,682.07; **Courthouse & Safety Center:** \$6,094.53; **Sheriff:** \$66,239.95; **County Jail:** \$79,524.33; **Coroner:** \$900.00; **Juvenile:** \$151.73; **Nurse:** \$3,122.44; **Ambulance:** \$52,452.09; **WIC :** \$1,587.82; **Extension:** \$7,190.02; **Soil Conservation:** \$3,113.25; **Weed:** \$3,167.65; **Planning & Zoning:**

\$10,394.07; **Road & Bridge:** \$73,927.54; **E911:** \$28.66; **OEM:** \$8,662.34; **24-7 Program:** \$917.70. First Dakota National Bank \$33,494.63 (Withholding), First Dakota National Bank \$52,082.54 (FICA) First Dakota National Bank \$12,180.58 (Medicare), South Dakota Retirement System \$32,822.00 (Other Employees), South Dakota Retirement System \$19,804.40 (Sheriff), South Dakota Retirement System (Spouse Opt) \$227.47, South Dakota Retirement System (Supplemental) \$5,616.66, American Family Life Assurance Company (AFLAC) \$5,806.61, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$343.24, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,699.76, Optilegra \$496.08, Wellmark BC Health Insurance \$69,353.99, United Way of Greater Yankton \$47.50, Delta Dental \$1,296.00, VSP Vision \$196.10, WageWorks \$3,259.72. Gross Payroll \$434,375.44, Net Payroll \$319,437.18. All present voted aye; motion carried.

Action 20421OEM: A motion was made by Klimisch and seconded by Kettering to supplement the Emergency Management budget due to unanticipated grant revenue in the amount of \$83,704.30. All present voted aye; motion carried.

Health Care Coalition: Emergency Management Director Paul Scherschligt appeared before the board for approval of the Independent Contractor Services Agreement between Yankton County Emergency Management and South Dakota Health Care Coalition. Services would consist of computer programming and inventory assist tracking and training. The board approved the agreement.

COVID-19: Deputy Director of Equalization Matt Archer and Director of Equalization Lori Mackey appeared to present their COVID-19 assessment plan for assessing property in the coming weeks.

Highway: Highway Superintendent Mike Sedlacek appeared (via zoom) to present the five-year Highway and Bridge Improvement Plan, and an entrance application from Northwestern Energy.

Action 20422Hwy: A motion was made by Kettering and seconded by Klimisch to approve the Right of Way application from Northwestern Energy in Township 95-55. All present voted aye; motion carried.

Action 20423Hwy: A motion was made by Kettering and seconded by Klimisch to approve the County 5-Year Highway and Bridge Improvement Plan. Roll call vote was taken with Kettering, Klimisch and Healy voting aye; Swensen voting nay; motion carried, 3-1.

The first reading of the Ordinance No. 20-26 (Doug Marquardt Commercial Rezone). The hearing for the second reading will be October 20, 2020.

There was no public comment.

Action 20424C: A motion was made by Swensen and seconded by Klimisch to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Bryce Morgan & White Crane Estates. Applicants requested a permit for a Dwellings, Two Family (Duplex) in a Moderate Density Zone (R2). Said property is legally described as Lots 28, 29 and 30, Crestview Homes Subdivision, NE1/4, S21-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval 8-0.

Bryce Morgan spoke on the CUP request.

Action 20425Z: A motion was made by Klimisch and seconded by Swensen, to approve the Conditional Use Permit based on Findings of Fact from the September 8, 2020 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 Klimisch, Kettering, Swensen and Healy voting aye; motion carried, 4-0.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of application from SAT Enterprises LLC. Variance of the Minimum Side Yard Requirement of 25 feet to 17 feet, a variance of 8 feet in a Commercial District (C), E150' of the W200' exc S942.85', S1/2, W1/2, W1/2, NW4, S15-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval 8-0.

Applicant Tom Noecker spoke on the Variance application.

Action 20426Z: A motion was made by Kettering and seconded by Klimisch, to approve the variance application based on Findings of Fact from the September 8, 2020 Yankton County Planning Commission meeting the Variance as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Kettering, Klimisch, Swensen and Healy voting aye; Motion carried, 4-0.

Action 20427Z: A motion was made by Klimisch and seconded by Kettering to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

The first reading of the Ordinance No. 20-27 (Just Kidding Farms R1 Rezone). The hearing for the second reading will be October 20, 2020.

Matt and Lonni Winsand spoke on the hearing.

Action 20428C: A motion was made by Klimisch and seconded by Swensen to recess the commission meeting for five minutes. All present voted aye; motion carried.

Action 20429C: A motion was made by Klimisch and seconded by Swensen to reconvene. All present voted aye; motion carried.

Air Cleaning Equipment: The board discussed the request for air cleaning equipment to be installed in the Jail and other Yankton County buildings.

Action 20430C: A motion was made by Klimisch and seconded by Kettering to approve the installation of the air cleaning equipment for the Yankton County Safety Center, Yankton County Jail and the Yankton County Government Center. Roll call vote was taken with Kettering, Klimisch and Swensen voting aye; Healy voting nay; motion carried, 3-1.

Action 20431C: A motion was made by Klimisch and seconded by Kettering to decline the FICA Tax Freeze. All present voted aye; motion carried.

Economic Development: The board discussed economic development and Commissioner Kettering suggested reaching out to Yankton City, YAPG and District III for input.

Commissioner Loest joined the meeting.

Drainage Ordinance: The board discussed the future of drainage issues and would discuss at the next drainage meeting.

There was one public comment from Gary Swensen.

Vice Chair Healy closed public comment.

Commissioner updates: Alan Kokesh Jr. Bridge dedication, proposal for planning and zoning, Team Meeting and Eastern Water Conference.

Commissioner Loest left the meeting.

Action 20432C: A motion was made by Kettering and seconded by Swensen to recess the regular session at 8:40 pm and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13 and Litigation SDCL 1-25-2(3). All present voted aye; motion carried.

Action 20433C: A motion was made by Klimisch and seconded by Kettering to adjourn the executive session at 9:05 pm and reconvene in regular session. All present voted aye; motion carried.

Action 20434C: A motion was made by Klimisch and seconded by Kettering to approve the tolling letter and have Commissioner Healy sign. Roll call vote was taken with Kettering, Klimisch and Healy voting aye; Swensen voting nay; motion carried, 3-1.

Vice Chair Healy reported no action would be taken as a result of the executive session for Poor Relief Issues.

Action 20435C: A motion was made by Swensen and seconded by Klimisch to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, October 20, 2020 at 6:00 p.m.

Joseph Healy, Vice Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor