

## YANKTON COUNTY COMMISSION MEETING

November 2, 2021

The regular meeting of the Yankton County Commission was called to order by Co-Chair Joe Healy at 6:00 p.m. on Tuesday, November 2, 2021.

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

There were no conflicts of interest reported by Commissioners.

**Action 21497C:** A motion was made by Kettering and seconded by Fox to approve the meeting agenda. All present voted aye; motion carried, 4-0.

There were no public comments.

Co-Chair Healy closed public comment.

**Action 21498C:** A motion was made by Fox and seconded by Klimisch to approve the October 19, 2021, meeting minutes. All present voted aye; motion carried, 4-0.

**Action 21499C:** A motion was made by Klimisch and seconded by Fox to approve the Citizens of the Year award. All present voted aye; motion carried, 4-0.

**Action 21500C:** A motion was made by Kettering and seconded by Klimisch to approve the following claims; **Commissioners:** Dan Klimisch (Travel) \$75.60; **Elections:** McLeod's Printing & Office Supply (Supplies) \$41.39, Qualified Presort Services (Supplies) \$30.85, Verizon (Rentals) \$280.07; **Court:** Juror Fees \$359.24, Certified Languages (Professional Services) \$250.80, Larson & Nipe Attorneys at Law (Professional Services) \$19,081.41, Fox & Youngberg PC (Professional Services) \$15,000.00, Fox & Youngberg PC (Professional Services) \$774.80, Clovia Dee (Professional Services) \$791.40, Kennedy Pier Loftus & Reynolds (Professional Services) \$2,711.70, Koletzky Law Offices (Delinquent/Minor) \$1,207.80, LaCroix Law Office (Neglected) \$611.75, Sanford Health Pathologies (Professional Services) \$1,200.00, Dean Schaefer (Professional Services) \$342.00; **Auditor:** Ramkota Hotel & Conference Center (Travel) \$154.00, Patty Hojem (Travel) \$239.08, Qualified Presort Services (Supplies) \$267.21, One Office Solution (Supplies) \$379.16; **Treasurer:** Qualified Presort Services (Supplies) \$145.33; **Data:** Tyler Technologies (Maintenance) \$56,719.65; **States Attorney:** Culligan (Supplies) \$8.75, Brianna Haugen (Travel) \$79.96, Executive MGMT. Plan (Supplies) \$33.50, Staples Credit Plan (Supplies) \$231.40; **Government Building:** Bomgaars (Maintenance) \$38.48, City of Yankton (Utilities) \$2,344.84, City of Yankton (Maintenance) \$16.50, NAPA Auto Parts of Yankton (Maintenance) \$159.99, JCL Solutions (Supplies) \$61.34, Menards (Maintenance) \$126.08, Menards (Supplies) \$87.21, Northwestern Energy (Utilities) \$2,622.76, O'Connor Company (Supplies) \$607.14; **Director of Equalization:** SDAAO (Travel) \$1,075.00, Jessica Atkinson (Supplies) \$55.69, South Dakota Department of Revenue (Travel) \$452.00, Skillpath (Travel) \$897.00, Qualified Presort Services (Supplies) \$42.67; **Register of Deeds:** Executive MGMT. Finance (Supplies) \$33.50, Qualified Presort Services (Supplies) \$43.68; **VA:** Ramkota Hotel & Conference Center (Travel) \$154.00, Qualified Presort Services (Supplies) \$7.25, Verizon (Rentals)

\$40.01, One Office Solution (Supplies) \$47.50; **Safety Center Building:** City of Yankton (Utilities) \$887.02, Cole Papers Inc. (Supplies) \$1,322.85, Menards (Supplies) \$53.34, Northwestern Energy (Utilities) \$9,601.18; **Sheriff:** Roger Wolff (Fuel) \$14.60, Xtreme Car Wash (Maintenance) \$267.60, Culligan (Supplies) \$23.25, First Dakota National Bank (Fuel) \$62.36, Jacks Uniforms & Equipment (Uniforms) \$53.95, Midcontinent Communications (Utilities) \$115.00, Menards (Supplies) \$101.53, Northtown Automotive (Maintenance) \$80.76, Pennington County Jail (Travel) \$469.11, Qualified Presort Services (Maintenance Contracts) \$126.99, Tire Muffler Alignment (Maintenance) \$105.94, One Office Solution (Maintenance Contracts) \$46.57; **County Jail:** AMG Radiology Yankton (Professional Services) \$87.62, Avera Medical Group (Professional Services) \$5,176.32, Bob Barker Company (Supplies) \$1,348.16, Scott Family Dentistry (Professional Services) \$584.00, Charm-Tex (Supplies) \$146.70, Culligan (Food Services) \$35.72, Diamond Drugs (Professional Services) \$75.29, Trinity Services Group (Food Services) \$4,016.85, Hy-Vee (Professional Services) \$9.96, JCL Solutions (Supplies) \$1,334.09, Olson's Pest Tech (Maintenance) \$110.00, Correctional Risk Services (Inmate Medical Liab Insurance) \$1,104.00, Siouxland Oral & Maxillofacial Surgery (Professional Services) \$3,396.00, Sterling Solutions Inc. (Professional Services) \$267.72, Tire Muffler Alignment (Auto Expense) \$710.00, One Office Solution (Supplies) \$138.92, One Office Solution (Maintenance Contracts) \$268.09, Yankton Rexall Drug (Professional Services) \$1,637.59; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$17,324.00; **YASR:** Kopetsky's Ave Hardware (Supplies) \$168.30, Menards (Supplies) \$439.73; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$56.70, Wintz & Ray Funeral Home (Professional Services) \$1,250.00; **Public Health Nurse:** Qualified Presort Services (Supplies) \$19.48; **Ambulance:** Avera Health (Supplies) \$60.00, Avera Sacred Heart Hospital (Supplies) \$1,184.26, Sacred Heart Health Services (Professional Services) \$1,500.00, Vast Business (Utilities) \$177.55, City of Yankton (Utilities) \$587.28, Credit Collections Services (Professional Services) \$536.63, Cintas (Supplies) \$100.00, Quick Med Claims (Supplies) \$3,841.62, Matheson Tri-Gas Inc. (Supplies) \$175.35, Menards (Supplies) \$50.78, Motorola Solutions Inc. (Supplies) \$5,212.96, Roger's Family Pharmacy (Supplies) \$122.43, Sanford USD Medical Center (Professional Services) \$2,700.00; **Mentally Handicapped:** Avera Sacred Heart Hospital (Professional Services) \$96,000; **Mental Health Centers:** Dakotabilities (Care) \$540.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$27.00, Mark Katterhagen (Hearings) \$27.00, Lewis & Clark Behavioral (Hearings) \$1,656.00, Lucille M Lewno (Hearings) \$551.56, Minnehaha County Auditor (Hearings) \$233.17; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$25.98, Vast Business (Utilities) \$379.30, City of Yankton (Utilities) \$73.38, Katie Doty (Travel) \$42.68, Hy-Vee (Other) \$12.86, MidAmerican Energy (Utilities) \$8.52, Olson's Pest Technicians (Maintenance) \$150.00; **Weed:** One Office Solution (Supplies) \$44.18; **Planning & Zoning:** Pheasantland Industries (Supplies) \$17.06, Qualified Presort Services (Supplies) \$19.26; **Road & Bridge:** Sanitation Products (Supplies) \$617.80, C & B Operations (Maintenance) \$896.29, Bomgaars (Maintenance) \$155.96, Bomgaars (Supplies) \$85.24, Barco Municipal Products (Supplies) \$1,207.67, Butler Machinery Co (Maintenance) \$37.06, Presto-X (Maintenance) \$118.00, City of Yankton (Utilities) \$127.62, NAPA Auto Parts of Yankton (Supplies) \$531.62, Concrete Materials (Asphalt Roads) \$9,424.80, Certified Laboratories (Supplies) \$1,533.75, IMEG Corp (Bridges) \$10,000.00, Prather Tool LLC (Supplies) \$112.50, Direct TV (Utilities) \$95.24, D-P Tools (Supplies) \$653.72, Growmark FS (Fuel) \$674.96, Gerstner Oil Co (Supplies) \$226.50, I State Truck Center (Maintenance) \$268.65, Locators & Supplies (Supplies) \$908.83, Marks Machinery (Maintenance) \$220.87, Northwestern Energy (Utilities) \$728.64, Yankton County Observer (Professional Services) \$35.00, Riverside Hydraulics (Maintenance) \$161.82, SD Department of Transportation (Bridges) \$82,966.37, SD Department of Transportation (Annual Projects) \$3,337.83, Sioux Equipment Co (Maintenance)

\$156.17, Truenorth Steel (Supplies) \$910.80, One Office Solution (Supplies) \$57.44; **Emergency 911 Fund:** Vast Business (Utilities) \$114.30, CenturyLink (Utilities) \$158.72; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$483.51, Creative Product Source (Supplies) \$206.05, Clubhouse Hotel & Suites (Travel) \$1,220.52, Clarks Rentals Inc. (Supplies) \$135.00, Echo Group (Supplies) \$350.00, MidAmerican Energy (Utilities) \$8.00, Qualified Presort Services (Supplies) \$1.74, Two Way Solutions Inc. (Supplies) \$275.00, One Office Solution (Supplies) \$190.00, Thomson Reuters (Travel) \$900.33; **Domestic Abuse:** River City Domestic Violence (2021 Allocated Women Abuse) \$10,000.00; **Government Buildings:** Kopetsky's Ace Hardware (Govt Buildings) \$481.23, Dakota Basement Systems (Govt Buildings) \$10,552.30, Fejfar Plumbing & Heating (Govt Buildings) \$14,256.00, Menards (Govt Buildings) \$47.47; **24/7 Program:** Pharmchem Inc. (Supplies) \$4,195.75; **Non-Departmental:** Sobriety Testing (Refund) \$79.00; SCRAM (Refund) \$100.00, State Participation Fee (Refund) \$10.00, Cam Daily Fee (Refund) \$20.00; **M & PR Fund:** One Office Solution (Supplies) \$399.28; **Debt Service:** BOKF, NA (Principal & Interest) \$584,973.75, BOKF, NA (Agent Fee) \$400.00; General Fund \$279,023.59, Road & Bridge, \$116,251.15, Emergency Management, \$3,770.15. All present voted aye; motion carried, 4-0.

**Action 21501C:** A motion was made by Klimisch and seconded by Fox to approve the **OCTOBER, 2021 Gross Payroll: Commissioners:** \$5,804.37; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$18,248.18; **Treasurer:** \$21,470.76; **States Attorney:** \$40,192.26; **Government Buildings:** \$9,144.84; **Director of Equalization:** \$25,767.88; **Register of Deeds:** \$15,685.28; **Veterans Service:** \$4,022.30; **Courthouse & Safety Center:** \$7,917.36; **Sheriff:** \$76,719.44; **County Jail:** \$99,070.47; **Coroner:** \$2,981.25; **Juvenile:** \$58.68; **Nurse:** \$3,315.36; **Ambulance:** \$72,249.60; **WIC:** \$1,041.05; **Extension:** \$8,820.81; **Soil Conservation:** \$3,347.38; **Weed:** \$3,870.90; **Planning & Zoning:** \$11,228.86; **Road & Bridge:** \$82,009.44; **E911:** \$59.96; **OEM:** \$10,024.04; **24-7 Program:** \$1,795.63. First Dakota National Bank \$36,027.66 (Withholding), First Dakota National Bank \$63,209.16 (FICA) First Dakota National Bank \$14,783.44 (Medicare), South Dakota Retirement System \$37,985.00 (Other Employees), South Dakota Retirement System \$23,291.44 (Sheriff), South Dakota Retirement System (Spouse Opt) \$193.56, South Dakota Retirement System (Supplemental) \$8,356.66, American Family Life Assurance Company (AFLAC) \$5,611.29, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,288.74, Avera Health Plans \$60,078.35, Optilegra \$332.85, United Way of Greater Yankton 10.00, Delta Dental \$1,520.12, VSP Vision \$307.25, Harmelink & Fox Law Office \$293.24, HealthEquity \$3,285.19. Gross Payroll \$524,891.10, Net Payroll \$393,132.80. All present voted aye; motion carried, 4-0.

**Action 21502C:** A motion was made by Fox and seconded by Klimisch to rescind Motion #21410 from September 7, 2021. All present voted aye; motion carried, 4-0.

**Action 21503C:** A motion was made by Fox and seconded by Kettering to transfer \$434,647.00 from General Fund to Highway. All present voted aye; motion carried, 4-0.

Co-Chair Joe Healy informed the Commission that the Secondary Road levy was changed from .643 to .642.

Bill Conkling appeared before the Commission to request if the Planning and Zoning office can be a drop off site for the Humane Society Donation Drive and to post it on the Yankton County Facebook page.

**Action 21504C:** A motion was made by Kettering and seconded by Fox to approve the request from Bill Conkling. All present voted aye; motion carried, 4-0.

Discussion on IT Services will be presented at the next commission meeting on November 16.

There was one comment from Ryan Heine concerning the Rural Transitional Rezone applications.

There were public comments by Lee Rettig and Butch Becker concerning a rezoning request from Keith Eickoff to change from Moderate Density Residential to Planned Unit Development. 2<sup>nd</sup> reading will be held at next Commission meeting on November 16.

**Action 21505C:** A motion was made by Fox and seconded by Klimisch to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried, 4-0.

**CUP Public Hearing:** This was the time and place for a public hearing to modify the Conditional Use Permit application from Neal Lange. Applicant wishes to add an accessory structure to existing campground per Article 11, Section 1107. Said property is legally described as Tract 1, Lange Addition, in the NE1/4, NW1/4, S15-T93N-R56W, west of the 5<sup>th</sup> P.M., Yankton, South Dakota.

Neal Lange and Butch Becker spoke on the CUP request.

**Action 21506Z:** A motion was made by Klimisch and seconded by Kettering, to approve to modify the Conditional Use Permit as presented, pursuant to Article 11, Section 1107 of the Yankton County Zoning Ordinance. Roll call vote was taken with Fox, Klimisch, Kettering, and Healy voting aye; motion carried, 4-0.

**CUP Public Hearing:** This was the time and place for a public hearing to modify the Conditional Use Permit application from Neal Lange. Applicant wishes to add campsites to his existing campground per Article 11, Section 1107. Said property is legally described as E1/2, W1/2, N1/2, NW1/4, except the N690' thereof, and further excepting highway right-of-way, S15-T93N-R56W, west of the 5<sup>th</sup> P.M., Yankton, South Dakota.

Neal Lange and Butch Becker spoke on the CUP request.

**Action 21507Z:** A motion was made by Kettering and seconded by Fox to approve to modify the Conditional Use Permit as requested pursuant to Article 11, Section 1107 of the Yankton County Zoning Ordinance. Roll call vote was taken with Fox, Klimisch, Kettering, and Healy voting aye; motion carried, 4-0.

**Action 21508Z:** A motion was made by Fox and seconded by Klimisch to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 4-0.

**Action 21509C:** A motion was made by Klimisch and seconded by Kettering to recess the commission meeting for five minutes. All present voted aye; motion carried.

Cheri Loest joined the meeting at 7:30pm.

**Action 21510C:** A motion was made by Klimisch and seconded by Fox to reconvene. All present voted aye; motion carried.

Julie Auch presented insurance quotes with possibility of changing renewal dates from June of each year to start in January instead.

There were comments from Gaard Rops, Butch Becker, and Eric Derickson concerning the proposal for the West Yankton Sanitary Sewer Study.

Co-Chair Healy closed public comments.

**Action 21511C:** A motion was made by Fox and seconded by Klimisch to recess the regular session at 8:20 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 and 28-13-1.3,. All present voted aye; motion carried, 5-0.

**Action 21512C:** A motion was made by Loest and seconded by Fox to pend the files of poor relief cases CW21-082 through CW 21-090 based on the following SDCLs: 28-13-34.2; 28-13-33-2; 28-13-3; 28-13-33. All present voted aye; motion carried, 5-0.

Joe Healy reported no action would be taken on litigation.

**Action 21513C:** A motion was made by Loest and seconded by Klimisch to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, November 16, 2021 at 6:00 p.m.

**Joe Healy**, Co-Chair  
Yankton County Commission

ATTEST:  
**Karen Faerber**, Deputy County Auditor