

## YANKTON COUNTY COMMISSION MEETING

May 4, 2021

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, May 4, 2021.

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

Commissioner Loest said she would like to abstain from voting on Item #10 - Christi Kopp Variance. There were no other conflicts of interest reported by Commissioners.

**Action 21204C:** A motion was made by Kettering and seconded by Fox to approve the amended meeting agenda. All present voted aye; motion carried.

There was one public comment by Mary Alice Halverson.

Chair Loest closed public comment.

**Action 21205C:** A motion was made by Healy and seconded by Fox to approve the April 20, 2021 meeting minutes. All present voted aye; motion carried.

**Action 21206C:** A motion was made by Klimisch and seconded by Kettering to approve the County Board of Equalization minutes of April 23, 2021. Voting aye: Kettering, Klimisch, and Loest. Healy and Fox abstained. Motion carried 3-0.

**Action 21207C:** A motion was made by Kettering and seconded by Klimisch to approve the Consolidated Board of Equalization minutes of April 23, 2021. Voting aye: Kettering, Klimisch, and Loest. Healy and Fox abstained. Motion carried 3-0.

**Action 21208C:** A motion was made by Kettering and seconded by Fox to approve the following claims: **Non-Department:** Department of Revenue & Regulations (2021-2022 Malt Beverage Renewals) \$2,550.00; **Commissioners:** Intuvio Solutions (Professional Services) \$149.85; **Elections:** Tyler Technologies (Maintenance) \$1,980.59; **Court:** Certified Languages (Professional Services) \$8.25, Megan Reeves (Professional Services) \$295.80, Judy Tereschinski (Professional Services) \$70.00, Brianna Kling (Witness Fees) \$31.34, Derrick Pearson (Witness Fees) \$31.34, Fox & Youngberg PC (Professional Services) \$15,000.00, LaCroix Law Office (Neglected) \$297.00, Dean Schaefer (Professional Services) \$800.00; **Auditor:** Qualified Presort Services (Supplies) \$83.11; **Treasurer:** Qualified Presort Services (Supplies) \$195.49; **States Attorney:** Culligan (Supplies) \$14.50, Staples Credit Plan (Supplies) \$521.57; **CLERP:** SDACC (Catastrophic Legal-1<sup>st</sup> Quarter) \$9,589.00; **Government Center Building:** Kopetsky's Ace hardware (Maintenance) \$4.79, City of Yankton (Utilities) \$1,756.89, JCL Solutions (Supplies) \$218.49, Northwestern Energy (Utilities) \$2,312.65, Olson's Pest Technician (Maintenance) \$82.00; **Director of**

**Equalization:** Qualified Presort Services (Supplies) \$20.67, Verizon (Utilities) \$240.06; **Register of Deeds:** Microfilm Imaging Systems (Rentals) \$336.00, Qualified Presort Services (Supplies) \$48.30, One Office Solution (Supplies) \$19.10; **VA:** Qualified Presort Services (Supplies) \$5.53; **Safety Center Building:** Kopetsky's Ace Hardware (Maintenance) \$159.99, City of Yankton (Utilities) \$561.06, Cole Papers Inc. (Supplies) \$545.85, Northwestern Energy (Utilities) \$6,897.96; **Sheriff:** Beyond Technology (Computer Services) \$927.49, Cardmember Services (Fuel) \$40.47, Lamb Motor Company (Auto Expense) \$34,247.00; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$4,028.45, AMG Radiology Yankton (Professional Services) \$257.18, Boller Printing Co (Supplies) \$238.00, Beyond Technology (Security Maintenance) \$243.75, Beyond Technology (Food Services) \$65.00, Scott Family Dentistry (Professional Services) \$576.00, Avera Sacred Heart Hospital (Professional Services) \$665.38, Avera Medical Group Family (Professional Services) \$17.71, Diamond Drugs (Professional Services) \$999.36, McKesson Medical (Supplies) \$315.35, Industrial Chem Labs (Supplies) \$538.81, Trinity Services Group (Food Services) \$7,175.86, Hy-Vee (Professional Services) \$3.00, JCL Solutions (Supplies) \$1,555.76, Olson's Pest Technicians (Maintenance) \$110.00, Strachan Sales Inc. (Food Services) \$240.25, Willcockson Eye Associates (Professional Services) \$128.39; **Coroner:** NMS Labs (Professional Services) \$297.00; **Airport:** City of Yankton (2021 County Share) \$7,500.00; **Care of Poor:** Avera McKennan (Professional Services) \$10,238.32, Avera Heart Hospital (Professional Services) \$2,328.60, Qualified Presort Services (Supplies) \$106.22, Wintz & Ray Funeral home (Professional Services) \$1,250.00; **Public Health Nurse:** Chantell Nielsen (Travel) \$190.92, Qualified Presort Services (Supplies) \$77.15, Office of Child & Family Services (1<sup>st</sup> Half 2021) \$5,449.00; **Ambulance:** Avera Health dba Avera Education & Staffing (Professional Services) \$90.00, Sacred Heart Health Services (Professional Services) \$1,500.00, AT & T (Utilities) \$36.05, Bomgaars (Supplies) \$74.70, City of Yankton (Utilities) \$125.78, Echo Group (Maintenance) \$72.25, Menards (Supplies) \$67.45, MidAmerican Energy (Utilities) \$359.56, northwestern energy (Utilities) \$976.79, Olson's Pest Technicians (Maintenance) \$114.00, Verizon (Utilities) \$305.04; **Mental Health Centers:** Dakotabilities (Care) \$540.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$12.00, Mark Katterhagen (Hearings) \$12.00, Lucille M Lewno (Hearings) \$606.51, Minnehaha County Auditor's Office (Hearings) \$248.32; **Senior Citizens:** City of Yankton (2021 1<sup>st</sup> Qtr) \$3,693.71; **County Extension:** Bomgaars (Supplies) \$15.88, City of Yankton (Utilities) \$73.38, Katie Doty (Other) \$144.32, MidAmerican Energy (Utilities) \$94.17, Olson's Pest Technicians (Maintenance) \$160.00; **Planning & Zoning:** Leaf (Rentals) \$104.86, Qualified Presort Services (Supplies) \$80.68, Verizon (Utilities) \$42.05, One Office Solution (Maintenance) \$63.14; **Road & Bridge:** Butler Machinery Co (Maintenance) \$150.00, City of Yankton (Utilities) \$45.22, NAPA Auto Parts of Yankton (Supplies) \$32.49, Clarks Rentals Inc. (Bridges) \$200.00, Direct TV (Utilities) \$88.99, Graham Tire Yankton (Supplies) \$22.47, Menards (Supplies) \$12.84, Menards (Bridges) \$28.97, Northwestern Energy (Utilities) \$741.24, Southeastern Electric Co (Utilities) \$34.04, Truenorth Steel (Bridges) \$20,509.50, Verizon (Utilities) \$230.88; **Emergency 911 Fund:** City of Yankton (2021 1<sup>st</sup> Qtr) \$31,539.00, CenturyLink (Utilities) \$75.57, Midcontinent Communications (Utilities) \$115.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$507.57, Bomgaars (Supplies) \$67.37, NAPA Auto Parts of Yankton (Maintenance) \$44.03, Boy Scouts of A. Sioux

Council (L & C Scout Camp Safe Room Grant) \$57,752.89, Echo Group (Maintenance) \$37.44, Mead Lumber (Supplies) \$474.80, MidAmerican Energy (Utilities) \$12.90, Verizon (Utilities) \$739.30, One Office Solution (Supplies) \$99.34, Yankton Computer and Networking (Professional Services) \$80.00; **County Buildings:** Harding Glass (Supplies) \$400.00; **24/7 Sobriety Fund:** Beyond Technology (Minor Equipment) \$559.98, Pharmchem Inc. (Supplies) \$1,916.50; General Fund \$137,109.66, Road & Bridge, \$22,096.64, Emergency Management, \$59,815.64. All present voted aye; motion carried.

**Action 21209C:** A motion was made by Klimisch and seconded by Healy to approve the APRIL, 2021 Gross Payroll: **Commissioners:** \$5,690.86; **Court:** \$0.00; **Election:** \$0.00; Auditor: \$15,647.94; **Treasurer:** \$18,468.19; **States Attorney:** \$30,090.62; **Government Buildings:** \$5,933.86; **Director of Equalization:** \$21,547.66; **Register of Deeds:** \$12,463.47; **Veterans Service:** \$3,508.89; **Courthouse & Safety Center:** \$5,258.69; **Sheriff:** \$67,343.15; **County Jail:** \$81,392.96; **Coroner:** \$1,500.00; **Juvenile:** \$66.02; **Nurse:** \$2,551.36; **Ambulance:** \$56,731.98; **WIC :** \$1,555.52; **Extension:** \$7,320.81; **Soil Conservation:** \$2,597.38; **Weed:** \$1,039.14; **Planning & Zoning:** \$10,424.98; **Road & Bridge:** \$72,716.20; **E911:** \$29.09; **OEM:** \$9,550.28; **24-7 Program:** \$1,397.55. First Dakota National Bank \$32,664.63 (Withholding), First Dakota National Bank \$51,976.46 (FICA) First Dakota National Bank \$12,155.64 (Medicare), South Dakota Retirement System \$32,087.88 (Other Employees), South Dakota Retirement System \$20,263.30 (Sheriff), South Dakota Retirement System (Spouse Opt) \$170.29, South Dakota Retirement System (Supplemental) \$7,566.66, American Family Life Assurance Company (AFLAC) \$5,201.71, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,680.12, Optilegra \$463.04, Wellmark BC Health Insurance \$70,665.96, United Way of Greater Yankton 10.00, Delta Dental \$1,253.00, VSP Vision \$225.22, Harmelink & Fox Law Office \$293.24, WageWorks \$3,148.36. Gross Payroll \$434,826.60, Net Payroll \$317,873.57. All present voted aye; motion carried. All present voted aye; motion carried.

**Action 21210AUD:** A motion was made by Fox and seconded by Kettering to approve the following 2021 Malt Beverage License Renewal applications: Riverside Roadhouse, Captain Norm's, The Cottonwood, Pump N Stuff – Riverside Acres, Double T Truck Stop LLC, Mayfield Bar & Grill, Joe's Substation, Gerstner Oil Co., TJ's Mini Mart, Marina Grill, Lewis & Clark Marina, Lewis & Clark Meat Lodge, LLC, Kozy's Bar, Pioneer Spirit, LLC, Lewis & Clark Resort, Tiger Tooth Fireworks.

Approval of 6<sup>th</sup> Meridian, LLC, has been moved to the May 18<sup>th</sup> meeting to be reheard after checking with Planning & Zoning. All present voted aye; motion carried.

**Action 21211AUD:** A motion was made by Healy and seconded by Klimisch to declare the following items as surplus; 2003 Ford Crown Victorian, 2004 Chevrolet Impala, 2011 Dodge Charger, 1995 Ford F150. Highway equipment; Blawknex PF115 Paver and Ford 6600 Mower Tractor. All present voted aye; motion carried.

**Action 21212AUD:** A motion was made by Klimisch and seconded by Fox to adjust the Emergency Management Office budget due to unanticipated grant revenue in the amount of \$57,752.89. All present voted aye; motion carried.

**Action 21213AUD:** A motion was made by Fox and seconded by Klimisch to transfer \$6,211.34 from Capital Project Safety Center to the General Fund, per Legislative Audit. All present voted aye; motion carried.

**Action 21214AUD:** A motion was made by Healy and seconded by Klimisch to transfer designated funds in the amount of \$36,000.00 for the Jail Building to undesignated. All present voted aye; motion carried.

**Action 21215Hwy:** A motion was made by Fox and seconded by Kettering to approve amendment number 3 to agreement #614952 with the South Dakota Department of Transportation. All present voted aye; motion carried.

Sonja Nordbye and Roger Risty from Risty Benefits via Zoom talked about their vision, dental, and life insurance plans.

**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.

**Action 21216AUD:** A motion was made by Healy and seconded by Fox to approve the Avera Health Insurance plan as presented by Julie Auch effective June 1, 2021, which includes changing the current HRA plan of \$750 for all employees on the County health insurance to use towards any medical expenses as they occur. All present voted aye; motion carried 5-0.

**Action 21217C:** A motion was made by Fox and seconded by Kettering 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 Christy Kopp. Variance to decrease the Minimum side yard requirement in an Agriculture District from 75 feet for a side yard to 60 feet, a variance of 15 feet. Said property is legally described as N472' S1/2 SW4 exc Lot 8, S27-T95N-R56W, hereinafter referred to as Central Township, County of Yankton, State of South Dakota.

Applicant Christy Kopp spoke on the request.

**Action 21218Z:** A motion was made by Fox and seconded by Klimisch, to approve the variance application based on Findings of Fact from the April 13, 2021 Yankton County Planning Commission meeting, pursuant to Article 19, Section 1907 of the Yankton County

Zoning Ordinance. Roll call vote was taken with Kettering, Fox, Klimisch voting aye; Healy voting nay; Loest abstaining. Motion failed, 3-1.

Drainage Commission Findings of Facts for JHGAS Farms has been delayed and will be re-scheduled for a later meeting.

**Action 21219C:** A motion was made by Klimisch and seconded by Fox to recess the commission meeting for five minutes. All present voted aye; motion carried.

**Action 21220C:** A motion was made by Fox and seconded by Klimisch to reconvene. All present voted aye; motion carried.

Emergency Management Director Paul Scherschligt appeared before the board for approval of two Local Emergency Management Performance Grant (LEMPG) for Mobile Phone Network and EOC Equipment.

**Action 21221OEM:** A motion was by Fox and seconded by Klimisch to approve the \$9,665.98 Supplemental COVID-19 Grant for EOC Equipment. All present voted aye; motion carried.

**Action 21222OEM:** A motion was by Healy and seconded by Klimisch to approve Amendment #1 Sub-Recipient Agreement for Mobile Phone Network for \$2,719.98. All present voted aye; motion carried.

**Article 5 Review:** The County Commissioners jointly reviewed the recommendations put forth by the Planning Commission. Changes accepted will be put into a final document for review at the next County Commission meeting on May 18, 2021. The first public hearing at the Planning Commission is planned for June 8.

Long Term Housing will be addressed at the next meeting.

Discussion on Marijuana Regulation will be addressed at the next meeting.

There were no public comments.

Chair Loest closed public comment.

There were no Commissioner updates.

**Action 21223C:** A motion was made by Fox and seconded by Healy to recess the regular session at 11:42 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 21224C:** A motion was made by Healy and seconded by Klimisch to adjourn the executive session at 12:07 a.m. and reconvene in regular session. All present voted aye; motion carried.

**Action 21225C:** A motion was made by Fox and seconded by Healy to pay the litigation payment. All present voted aye; motion carried.

**Action 21226C:** A motion was made by Healy and seconded by Fox to pend the files of CS12-017 through CW 21-028 based on the following SDCLs: 28-13-1.3(1); 28-13-34.2; 28-13-33-2; 28-13-3. All present voted aye; motion carried.

**Action 21227AUD:** A motion was made by Kettering and seconded by Klimisch to approve the hiring of Cody Mangold for the temporary position of Veterans Service Officer to start May 24. All present voted aye; motion carried.

**Action 21228C:** A motion was made by Fox and seconded by Klimisch to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, May 18, 2021 at 6:00 p.m.

**Cheri Loest**, Chair  
Yankton County Commission

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