

YANKTON COUNTY COMMISSION MEETING

October 18, 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, October 18, 2022.

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

There were no conflicts of interest reported by Commissioners.

Action 22402C: A motion was made by Klimisch and seconded by Kettering to approve the meeting agenda with removal of Auditor/Treasurer and Pooled Cash Reports. All present voted aye; motion carried, 3-0.

There was one public comment from Cheri Johnson. Vice-Chair Loest closed public comment.

County Health Insurance: Julie Auch, representative from Wellmark Blue Cross Blue Shield Insurance for Yankton County employees, discussed quotes from Blue Cross Blue Shield. No action was taken.

Ambulance Administrator Steve Hawkins appeared before the board for approval of his 2022 third quarter report. Hawkins also asked for board approval to change two employee job titles to Deputy Ambulance Administrator and Field Training Officer Supervisor with no increase in the wage. The board asked the Ambulance Administrator to present the job description for approval.

Troy Cowman asked for board approval to hire two full time EMT staff to help with filling shifts during the week.

Action 22403AMB: A motion was made by Klimisch and seconded by Kettering to approve the third quarter report for 2022. All present voted aye; motion carried, 3-0.

Action 22404AMB: A motion was made by Kettering and seconded by Loest to allow the Ambulance Department to hire two EMTs at grade three. All present voted aye; motion carried, 3-0.

Highway Superintendent Mike Sedlacek appeared to discuss bids received for Stone Church Bridge replacement. Bids received were: Grangaard Construction, Inc. \$8,756,100.05; SFC Civil Constructors \$10,499,888.50; and Kea Constructors LLC \$12,333,336.20. Sedlacek said the BIG grant limit was \$4,000,000 this year, but the state government has raised the BIG grant maximum to 8,000,000 for 2023. Sedlacek suggested the board reject all bids and reapply in January of 2023.

Action 22405Hwy: A motion was made by Kettering and seconded by Klimisch to reject all bids submitted for the Stone Church Bridge replacement. All present voted aye; motion carried, 3-0.

Rezone: There was a second reading on the request from East River Electric to rezone two parcels from Rural Transitional (RT) and Low Density Residential (LD) to Moderate Density Residential (MD) per Article 1809 and Article 20 Section 203. Said property is legally described as Lots 1 and Lots 2 Lewis and Clark Substation Addition in the SW4, SW1/4 of Section 15 and the NW1/4, NW1/4 of Section 22-T93-R56 West of 5th Principal Meridian, Yankton County, South Dakota. Containing 3.00 Acres more or less.

Commissioner Howey-Fox joined the meeting at 6:55 p.m.

Jerae Wire representing East River Electric and Stephanie Horst from B-Y Electric spoke on the rezone. Greg Henderson, Amy Neu, John Neu, Tim Kellen and Ryan Heine commented on the request.

Action 22406C: A motion was made by Kettering and seconded by Fox to approve the Rezone request from East River Electric based on Findings of Fact from the June 14, 2022 Yankton County Planning Commission meeting, pursuant to Article 18, Section 1809 and Article 20 2003 of the Yankton County Zoning Ordinance. Roll call vote was taken with Kettering, Fox, Klimisch and Loest voting aye; motion carried, 4-0.

Zoning changes: There was a second reading of the adoption of proposed changes to the E911 Ordinance 11 Amendment to the Yankton County Zoning Ordinance.

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

Action 22407C: A motion was made by Fox and seconded by Klimisch to adopt the changes to the E911 Ordinance 11. Roll call vote was taken with Fox, Klimisch, Kettering and Loest voting aye; motion carried, 4-0.

Zoning: There was a second reading of the Definitions, Article 14, Article 15 and Article 17 Amendment of the Yankton County Zoning Ordinance.

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

Action 22408C: A motion was made by Fox and seconded by Kettering to adopt the Definitions, Article 14, Article 15 and Article 17 of the Zoning Ordinance. Roll call vote was taken with Fox, Kettering, Klimisch and Loest voting aye; motion carried, 4-0.

Action 22409Z: A motion was made by Kettering and seconded by Fox to adopt the following resolution: Whereas it appears Lucille Healy, owner of record, has caused a plat to be made of the following real property: Tract 1, SW1/4, SE1/4, S28-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 4-0.

Action 22410Z: A motion was made by Kettering and seconded by Fox to adopt the following resolution: Whereas it appears East River Electric, owners of record, has caused a plat to be made of the following real property: Lots 1 and 2 Lewis and Clark Substation Addition, SW1/4, SW1/4 S15-T93N-R56W, and NW1/4, NW1/4 S22-T93N-R56W hereinafter referred to as Utica South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 4-0.

Action 22411Z: A motion was made by Kettering and seconded by Klimisch to adopt the following resolution: Whereas it appears Curt Olivier, owner of record, has caused a plat to be made of the following real property: Lots 12 and 13 Block 3, Law Overlook Subdivision, NE1/4 S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 4-0.

Action 22412Z: A motion was made by Kettering and seconded by Klimisch to adopt the following resolution: Whereas it appears Norman Kramer, owner of record, has caused a plat to be made of the following real property: Tracts 1 and 2 Lot 1, exc North 110 feet thereof, Binder's Subdivision, N1/2, N1/2, NE1/4 S17-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 4-0.

Dave Mingo from the City of Yankton appeared before the board for approval to Rezone ETJ A-1 Agricultural to ETJ B-2 for Owners Justus and Michelle Hirschman. Legal description; Highway Business in the City's extraterritorial jurisdiction the North 260 feet of the NE1/4, SW1/4 of the North 18 acres, Exc Lots H1 and H2, S8-T93N-R55W and Outlot 1 NE1/4, NE1/4, SW1/4 Exc Parcels beginning at the SW corner of Outlot 1, thence N208', Thence Northeasterly Parallel with the South Boundary Line Outlot 1 208' Thence South 208' thence Southwesterly 208' to the point of beginning.

Action 22413Z: A motion was made by Fox and seconded by Kettering to approve the rezone request for Justus and Michelle Hirschman. All present voted aye; motion carried, 4-0.

Veterans Service Officer Cody Mangold appeared before the board to present his third quarter report for 2022. He also gave an update on the Veterans Office activity.

Action 22414VSO: A motion was made by Kettering and seconded by Klimisch to approve the 2022 third quarter report from the Veterans Service Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 4-0.

Register of Deeds Brian Hunhoff presented his third quarter report for 2022.

Action 22415ROD: A motion was made by Klimisch and seconded by Fox to approve the Register of Deeds third quarter report. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 4-0.

Action 22416S: A motion was made by Fox and seconded by Klimisch to approve the 2022 third quarter report from the Sheriff's office. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 4-0.

Action 22417C: A motion was made by Kettering and seconded by Loest to approve the October 4, 2022 meeting minutes. Kettering, Loest, Fox voted aye; Klimisch voted nay; motion carried, 3-1.

Action 22418C: A motion was made by Fox and seconded by Kettering to approve the following claims: **Commissioners:** Don Kettering (Travel) \$256.20; Bluepeak (Utilities) \$50.50; First Bankcard (Supplies) \$421.43; Yankton County Observer (Publishing) \$285.12; Yankton Daily Press & Dakotan (Publishing) \$335.20; **Elections:** KNOWiNK LLC (Prof Services) \$7,000.00; McLeod's Printing & Office Supply (Supplies) \$12.00; Yankton County Observer (Publishing) \$11.30; Qualified Presort Services (Supplies) \$383.60; **Court:** Avera Sacred Heart Hospital (Lab) \$1,305.00; Resolute Law Firm, P.C. (Prof Services) \$15,200.81; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$5,764.50; Department of Health (Lab) \$660.00; MSCO-JED Civil Process Sector (Prof Services) \$200.00; Court Services-Central (Prof Services) \$40.00; Dean Schaefer (Prof Services) \$1,143.00; Wagner Community Memorial Hospital (Prof Services) \$500.00; Thomson Reuters-West (Supplies) \$1,244.53; Harmelink & Fox Law Office

(Prof Services) \$1,090.37; **Auditor:** Bluepeak (Utilities) \$121.20; Qualified Presort Services (Supplies) \$115.70; Security Shredding Services (Maintenance) \$35.00; One Office Solution (Supplies) \$34.43; One Office Solution (Maintenance) \$92.17; **Treasurer:** Bluepeak (Utilities) \$198.05; Qualified Presort Services (Supplies) \$188.18; Security Shredding Services (Maintenance) \$35.00; One Office Solution (Maintenance) \$263.89; **Data:** Bluepeak (Utilities) \$718.82; First Bankcard (Maintenance) \$3,118.32; **States Attorney:** Century Business Products (Rentals) \$673.87; Culligan (Supplies) \$63.00; State Bar of South Dakota (Travel) \$500.00; Tyler Larsen (Travel) \$450.80; Verizon (Utilities) \$31.90; **CLERP:** SDACC (Misc.) \$1,218.00; **Government Buildings:** Kopetsky's Ave Hardware (Maintenance) \$14.84; Bluepeak (Utilities) \$25.25; Janssen's Garbage Service (Maintenance) \$240.00; Menards (Supplies) \$46.47; MidAmerican Energy (Utilities) \$662.26; Yankton Winnelson Company (Maintenance) \$17.90; **Director of Equalization:** Bluepeak (Utilities) \$193.50; Alternative HR, LLC (Prof Services) \$175.00; Greg Neugebauer (Travel) \$88.04; First Bankcard (Supplies) \$95.83; Microfilm Imaging Systems (Maintenance) \$120.00; Qualified Presort Services (Supplies) \$28.81; Security Shredding Services (Maintenance) \$35.00; One Office Solution (Supplies) \$14.23; One Office Solution (Maintenance) \$152.04; **Register of Deeds:** Bluepeak (Utilities) \$171.50; Qualified Presort Services (Supplies) \$39.47; **Veteran's Service Office:** Bluepeak (Utilities) \$25.25; Qualified Presort Services (Supplies) \$31.43; Verizon (Utilities) \$41.90; One Office Solution (Supplies) \$40.30; One Office Solution (Maintenance) \$7.20; **Safety Center Building:** Bluepeak (Utilities) \$820.07; City of Yankton (Dumpster Fees) \$144.00; Cole Papers, Inc. (Supplies) \$159.38; Fejfar Plumbing & Heating (Maintenance) \$306.64; Johnson Controls, Inc. (Maintenance) \$2,359.08; KONE, Inc. (Maintenance) \$336.06; Menards (Supplies) \$7.97; Menards (Maintenance) \$34.92; **Sheriff:** Kopetsky's Ace Hardware (Supplies) %6.59; Roger Wolff (Fuel) \$10.54; City of Yankton (Fuel) \$3,155.61; Darren Moser (Travel) \$14.00; Xtreme Car Wash (Travel) \$280.80; Culligan (Supplies) \$39.25; Pennington County Jail (Travel) \$414.81; Qualified Presort Services (Maintenance Contracts) \$161.85; Security Shredding Services (Maintenance) \$35.00; One Office Solution (Maintenance Contracts) \$38.13; One Office Solution (Supplies) \$1,142.29; **County Jail:** Anesthesiology Associates (Prof Services) \$19.43; AMG Radiology-Yankton (Prof Services) \$413.07; Avera Medical Group (Prof Services) \$900.00; Charm-Tex (Supplies) \$373.90; Jerry Sorbel (Prof Services) \$405.00; Culligan (Food Services) \$42.50; Diamond Drugs (Prof Services) \$436.27; Sterricycle, Inc. (Prof Services) \$281.16; Trinity Services Group Inc. (Food Service) \$12,798.38; Spectacle Shop, LLC (Prof Services) \$210.00; Overland Rehab Services (Prof Services) \$109.88; Phoenix Supply (Supplies) \$702.96; Correctional Risk Services (Inmate Liability Insurance) \$1,710.00; Siouxland Oral & Maxillofacial Surgery (Prof Services) \$2,011.00; One Office Solution (Supplies) \$47.48; One Office Solution (Maintenance Contracts) \$535.98; Yankton Rexall Drug Co. (Prof Services) \$1,700.99; **Yankton Search and Rescue:** Two Way Solutions, Inc. (Supplies) \$335.59; **Care of Poor:** Qualified Presort Services (Supplies) \$88.51; Thomson Reuters-West (Supplies) \$83.55; **Public Health Nurse:** Bluepeak (Utilities) \$202.07; Qualified Presort Services (Supplies) \$23.90; Office of Child & Family Services (Other) \$2,790.00; TIAA Bank (Rentals) \$58.67; **Ambulance:** Boston Shoes to Boots (Supplies) \$170.00; City of Yankton (Supplies) \$438.30; ECHO Group (Supplies) \$250.00; Yankton Daily Press & Dakotan (Publishing) \$192.68; First Bankcard (Supplies)

\$1,084.82; Janssen's Garbage Service (Utilities) \$300.00; Matheson Tri-Gas Inc. (Rentals) \$53.21; Menards (Supplies) \$75.11; Northwestern Energy (Utilities) \$2,248.18; Verizon (Utilities) \$304.29; One Office Solution (Supplies) \$239.96; One Office Solution (Maintenance) \$31.69; **Mentally Handicapped:** Dakotabilities (Misc.) 540.00; SD Achieve dba Lifescape (Care Sept. 2022); **Mental Illness Board:** Darcy Lockwood (Hearings) \$30.00; Val Larson (Hearings) \$45.00; Kennedy Pier Loftus & Reynolds, LLP (Hearings) \$585.30; Mark Katterhagen (Hearings) \$15.00; Lewis & Clark Behavioral Health Services (Hearings) \$736.00; Lincoln County Treasurer (Hearings) \$2,314.11; Lucy Lewno (Hearings) \$598.21; **County Extension:** One Office Solution (Supplies) \$283.82; **Weed:** Bomgaars (Supplies) \$53.65; C & R Supply Inc. (Supplies) \$79.66; CMRS-FP (Supplies) \$50.00; Graham Tire-Yankton (Maintenance) \$866.76; Verizon (Utilities) \$24.73; One Office Solution (Supplies) \$82.84; **Planning and Zoning:** Bluepeak (Utilities) \$50.50; First Bankcard (Travel) \$544.50; First Bankcard (Supplies) \$289.00; First Bankcard (Maintenance) \$56.48; Microfilm Imaging Systems (Rentals) \$70.00; Pheasantland Industries (Supplies) \$37.54; Qualified Presort Services (Supplies) \$25.45; Verizon (Utilities) \$41.90; One Office Solution (Supplies) \$19.58; Yankton Daily Press & Dakotan (Publishing) \$235.84; **Highway:** Appera (Supplies) \$140.69; Bomgaars (Maintenance) \$2.88; Bomgaars (Supplies) \$5.99; B-Y Electric (Utilities) \$62.63; B-Y Water District (Utilities) \$89.25; Butler Machinery Co. (Maintenance) \$89.80; Bluepeak (Utilities) \$141.02; Boyer Trucks (Maintenance) \$619.61; NAPA Auto Parts of Yankton (Maintenance) \$117.87; NAPA Auto Parts of Yankton (Supplies) \$190.87; Knife River-South Dakota (Asphalt Road) \$231,045.02; Clarks Rental Inc. (Supplies) \$54.18; CHS Inc. (Highway Fuel) \$33,628.94; Diamond Mowers, Inc. (Maintenance) \$1,928.50; CMRS-FP (Supplies) \$50.00; CM Tools LLC (Supplies) \$312.00; Our Savior's Lutheran Church (Bridges) \$200.00; Titan Machinery-Yankton (Maintenance) \$164.50; Titan Machinery-Yankton (Asphalt Road) \$714.50; Fastenal Industrial & Construction Supply (Supplies) \$155.54; Jebro Inc. (Supplies) \$100.00; Jebro Inc. (Annual Project) \$40,629.42; Janssen's Garbage Service (Utilities) \$50.00; Midwest Striping (Maintenance) \$1,900.00; Menards (Supplies) \$108.78; Midwest Radiator & Exhaust (Supplies) \$33.00; MidAmerican Energy (Utilities) \$22.43; Yankton County Observer (Publishing) \$4.81; O'Reilly Auto Parts (Supplies) \$349.00; Revier Pressure Washers (Supplies) \$168.05; The Road Guy Construction Co. (Asphalt Road) \$346,270.83; Verizon (Utilities) \$61.94; One Office Solution (Supplies) \$82.85; Yankton Daily Press & Dakotan (Publishing) \$55.57; **Local Emergency Planning:** Bluepeak (Utilities) \$114.21; City of Yankton (Travel) \$829.97; CenturyLink (Utilities) \$83.20; Golden West Telecommunications (Utilities) \$292.18; **Jail Building:** Siouxland Mobile Welding (CAP Improvement) \$571.35; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$580.68; B-Y Electric (Utilities) \$52.73; Xtreme Car Wash (Maintenance) \$97.60; ECHO Group (Maintenance) \$350.00; First Bankcard (Prof Services) \$61.26; First Bankcard (Travel) \$974.51; First Bankcard (Supplies) \$1,022.47; Stockman's Motorsports (Equipment Grant) \$4,250.00; Verizon (Utilities) \$816.86; One Office Solution (Supplies) \$1,822.04; **Government Buildings:** Culligan (Misc.) \$206.00; ARS, Atecta America Company, LLC (Misc.) \$31,125.00; Steward Carpet Center (Misc.) \$4,961.12; **Non-Departmental:** Refund (State Participation Fee) \$39.00; Refund (SCRAM) \$5.00; Satellite Tracking of People (Tracking Monitors) \$250.00; Refund (CAM Daily Fee) \$1.00; Byron Nogelmeier (State Participation Fee) \$298.00; Byron

Nogelmeier (CAM Daily Fee) \$2,890.00; Refund (Sobriety Testing) \$59.00; Secretary of State (Election Copies) \$250.00; SD Department of Revenue (Finger Prints) \$86.45; SD Department of Revenue (Notary Fee) \$11.70; SD Department of Revenue (Other Copies) \$2.47; SDACO (M & PR Fund) \$562.00; SD Department of Revenue (Election Copies) \$20.87; SD Department of Revenue (Motor Vehicle Fees) \$495,647.82; SD Department of Revenue (Waste Fees) \$6,723.00; SD Department of Revenue (ROD Fees) \$1,850.00; SD Department of Revenue (Predatory Animal Fees) \$1,368.86; SD Department of Revenue (Services-HSC) \$4,155.97; SD Department of Revenue (Services-Redfield) \$180.00. General Fund \$94,099.62, Road & Bridge \$659,550.47, Emergency Management \$10,028.15. All present voted aye; motion carried, 4-0.

Action 22419C: A motion was made by Klimisch and seconded by Kettering to approve the claim from Harmelink and Fox Law Office for \$1,090.37. Voting aye: Klimisch, Kettering and Loest. Fox abstained. Motion carried 3-0.

Action 22420C: A motion was made by Klimisch and seconded by Fox to allow the County Auditor to request payment from the Local Assistance and Tribal Consistency Fund. All present voted aye; motion carried, 4-0.

The board discussed continuation of livestreaming county meetings on YouTube and using Zoom. It was the consensus of the board to stay with YouTube at this time.

The board discussed amending the code of conduct policy in the county handbook, pertaining to executive sessions. Commissioner Fox said she will draft an addendum for board approval.

The board discussed following the state policy on holidays or amending the current holiday schedule. It was the consensus of board to move forward with following the state policy on holidays as outlined in SDCL 1-5-1. The change would take effect Jan. 1, 2023. Vice Chair Loest will draft an addendum for board review.

There was one public comment from Ryan Heine. Vice-Chair Loest closed public comment.

Commissioner updates include: Rural Access application due by 10/31/22, Highway 50 project and Juvenile Detention Center.

Action 22421C: A motion was made by Fox and seconded by Kettering to recess the regular session at 8:25 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 22422C: A motion was made by Fox and seconded by Kettering to adjourn the executive session at 8:35 p.m. and reconvene in regular session. All present voted aye; motion carried, 4-0.

Action 22423C: A motion was made by Fox and seconded by Kettering to pay county mental illness cases 1-16 \$500.00 per case for total amount of \$8,000.00 based on the following SDCL 1-25-2, 28-13 and 28-13-1.3. All present voted aye; motion carried, 4-0.

Action 22424C: 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, November 1, 2022 at 6:00 p.m.

Cheri Loest, Vice-Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor