

YANKTON COUNTY COMMISSION MEETING

January 5, 2021

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, January 5, 2021.

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

There were no conflicts of interest reported by Commissioners.

Action 20582C: A motion was made by Klimisch and seconded by Healy to approve the meeting agenda with the following correction: Item 6 will be changed to Item 7A Claims. All present voted aye; motion carried.

There were no public comments.

Chair Loest closed public comment.

Action 20583C: A motion was made by Healy and seconded by Klimisch to approve the December 15, 2020 meeting minutes. All present voted aye; motion carried.

Action 20584C: A motion was made by Kettering and seconded by Klimisch to approve the December 29, 2020 meeting minutes. All present voted aye; motion carried.

Action 20585C: A motion was made by Healy and seconded by Klimisch to approve the December, 2020 gross payroll: **Commissioners:** \$5,606.74; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$15,256.84; **Treasurer:** \$17,590.33; **States Attorney:** \$29,247.73; **Government Buildings:** \$6,330.55; **Director of Equalization:** \$28,581.38; **Register of Deeds:** \$11,953.96; **Veterans Service:** \$3,521.98; **Courthouse & Safety Center:** \$5,622.78; **Sheriff:** \$66,136.26; **County Jail:** \$78,953.28; **Coroner:** \$1,600.00; **Juvenile:** \$0.00; **Nurse:** \$10,117.64; **Ambulance:** \$63,411.76; **WIC :** \$1,020.60; **Extension:** \$7,500.02; **Soil Conservation:** \$0.00; **Weed:** \$4,400.00; **Planning & Zoning:** \$10,273.23; **Road & Bridge:** \$76,146.90; **E911:** \$28.66; **OEM:** \$8,505.11; **24-7 Program:** \$1,035.69. First Dakota National Bank \$35,911.75 (Withholding), First Dakota National Bank \$54,436.94 (FICA) First Dakota National Bank \$12,731.24 (Medicare), South Dakota Retirement System \$33,585.30 (Other Employees), South Dakota Retirement System \$19,768.46 (Sheriff), South Dakota Retirement System (Spouse Opt) \$233.90, South Dakota Retirement System (Supplemental) \$5,616.66, American Family Life Assurance Company (AFLAC) \$5,565.61, 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 \$486.66, Wellmark BC Health Insurance \$67,958.20, United Way of Greater Yankton \$20.00, Delta Dental \$1,253.00, VSP Vision \$210.66, Harmelink &

Fox Law Office \$293.24, WageWorks \$3,078.36. Gross Payroll \$452,913.44, Net Payroll \$334,139.59. All present voted aye; motion carried.

The board proceeded to reorganize for 2021 with the following Commissioners present: Wanda Fox, Joseph Healy, Don Kettering, Dan Klimisch and Cheri Loest.

The Auditor called for nominations from the floor for Chairperson of the County Commission for the year 2021.

A motion was made by Klimisch to nominate Joseph Healy as Chair. Motion died for lack of a second.

A motion was made by Kettering and seconded by Healy to nominate Cheri Loest for Chair.

Action 2101C: A motion was made by Klimisch and seconded by Healy that nominations cease and a unanimous ballot be cast for Cheri Loest as Chair. All present voted aye; motion carried.

A motion was made by Klimisch to nominate Don Kettering as Vice Chair. Motion died for lack of a second.

Action 2102C: A motion was made by Kettering to nominate Joseph Healy as Vice Chair, seconded by Loest. All present voted aye; motion carried.

Commissioners Don Kettering and Wanda Howey-Fox took their oaths of office.

Action 2103C: A motion was made by Healy and seconded by Kettering to approve the following claims: **Commissioners:** SDACC (2021 Dues) \$3,894.05, Yankton County Observer (Publishing's) \$370.69, SD Department of Health (Professional Services) \$920.00, The Trophy Place (Supplies) \$31.95; **Elections:** Kansas State Bank (Lease Agreement) \$284.57, Verizon (Rentals) \$320.08; **Court:** Juror Fees (\$50.00 x 8) \$400.00, Juror Mileage (\$0.84 x 2) \$1.68, Juror Mileage (\$4.20 x 2) \$8.40, Juror Mileage (\$5.04 x 1) \$5.04, Juror Mileage (\$8.40 x 1) \$8.40, Harmelink & Fox Law Office (Professional Services) \$3,660.36, Murphy Law Office PC (Professional Services) \$857.60, Dean Schaefer (Professional Services) \$1,188.00, Thomson Reuters (Supplies) \$975.35; **Auditor:** Leaf (Rentals) \$159.00, SDACC (2021 Dues) \$28.13, Kansas State Bank (Lease Agreement) \$596.59, Qualified Presort Services (Supplies) \$138.58, SDACO (2021 Dues) \$698.56, One Office Solution (Supplies) \$15.35; **Treasurer:** SDACC (2021 Dues) \$28.13, Kansas State Bank (Lease Agreement) \$1,076.05, Yankton County Observer (Publishing's) \$179.10, Qualified Presort Services (Supplies) \$134.40, SDACO (2021 Dues) \$698.55; **Data:** Kansas State Bank (Lease Agreement) \$1,242.92, Miller Consulting LLC (Maintenance) \$300.00; **States Attorney:** Executive MGMT. Finance (Utilities) \$43.88, Kansas State Bank (Lease Agreement) \$1,029.39; **Government Center Building:** NAPA Auto Parts of Yankton (Maintenance) \$107.01, JCL Solutions (Supplies) \$282.12, Northwestern Energy (Utilities) \$2,253.08, Olson's Pest Technicians (Maintenance)

\$82.00; **Director of Equalization:** SDACC (2021 Dues) \$28.13, Kansas State Bank (Lease Agreement) \$1,117.18, Miller Consulting LLC (Maintenance) \$56.25, Aumentum Technologies (Maintenance) \$15,214.56, Qualified Presort Services (Supplies) \$34.00, One Office Solution (Supplies) \$90.90; **Register of Deeds:** SDACC (2021 Dues) \$28.13, Executive MGMT. Finance (Utilities) \$43.87, Kansas State Bank (Lease Agreement) \$737.56, Miller Consulting LLC (Maintenance) \$93.75, Qualified Presort Services (Supplies) \$61.05, SDACO (2021 Dues) \$698.55; **VA:** SDACC (2021 Dues) \$28.13, Kansas State Bank (Lease Agreement) \$149.15; **Safety Center Building:** Cole Papers Inc. (Supplies) \$288.39, Justice Fire & Safety (Maintenance) \$200.00, Midwest Striping (Maintenance) \$325.00, Menards (Supplies) \$119.84, MidAmerican Energy (Utilities) \$1,957.06; **Sheriff: VA:** SDACC (2021 Dues) \$28.13, Business Bulletin, LLC (Professional Services) \$300.00, FedEx (Other) \$14.53, Qualified Presort Services (Maintenance Contracts) \$123.66; **County Jail:** Summit Food Services, LLC (Food Services) \$3,016.70, JCL Solutions (Supplies) \$762.14, Olson's Pest Technician (Maintenance) \$110.00; **Coroner:** SDACC (2021 Dues) \$28.13; **Care of Poor:** SDACC (2021 Dues) \$28.13, Kansas State Bank (Lease Agreement) \$393.04, Qualified Presort Services (Supplies) \$181.26, Wintz & Ray Funeral Home (Professional Services) \$1,250.00; **Public Health Nurse:** SDACC (2021 Dues) \$28.13, Qualified Presort Services (Supplies) \$70.04; **Ambulance:** SDACC (2021 Dues) \$28.13; Credit Collections Services (Professional Services) \$509.61, Kansas State Bank (Lease Agreement) \$653.08, Northwestern Energy (Utilities) \$1,037.88, Verizon (Utilities) \$304.79; **Mental Illness Board:** Darcy Lockwood (Hearings) \$27.00, Kerri Cook-Huber (Hearings) \$50.00, Mark Katterhagen (Hearings) \$27.00, Lincoln County Treasurer (Hearings) \$1,942.20, Lucille M Lewno (Hearings) \$290.00; **County Extension:** SDACC (2021 Dues) \$28.13, Kansas State Bank (Lease Agreement) \$487.14; **Weed:** SDACC (2021 Dues) \$28.13; **Drainage Commission:** Missouri Sedimentation (2021 Annual Membership) \$1,000.00; **Planning & Zoning:** Leaf (Rentals) \$104.86, SDACC (2021 Dues) \$28.13, Boller Printing Co (Supplies) \$84.00, Schneider Bulletin LLC (Maintenance) \$6,900.00, Business Bulletin LLC (Professional Services) \$300.00, Kansas State Bank (Lease Agreement) \$173.82, Miller Consulting LLC (Maintenance) \$80.00, Planning & Development District III (2021 Membership Dues) \$28,245.00, Qualified Presort Services (Supplies) \$24.15, Verizon (Utilities) \$42.00, One Office Solution (Maintenance) \$127.94; **Road & Bridge:** SDACC (2021 Dues) \$28.13, A-Ox Welding Supply Co (Supplies) \$57.60, Bomgaars (Supplies) \$9.98, Bierschbach Equipment & Supply (Supplies) \$394.95, Battery Exchange (Supplies) \$129.95, Boyer Trucks (Supplies) \$501.90, Brock White Company LLC (Supplies) \$234.85, Rockmount Research & Alloy's (Supplies) \$741.75, City of Yankton (Utilities) \$38.42, Napa Auto Parts of Yankton (Supplies) \$218.82, IMEG Corp (Bridges) \$2,004.69, Snap on Tools (Supplies) \$744.61, Dakotaland Autoglass Inc. (Supplies) \$68.40, CHS Inc. (Supplies) \$1,153.30, Beth Williams (Travel) \$72.45, Diamond Mowers Inc. (Supplies) \$152.92, Eagle Air Compressor Repair (Supplies) \$224.00, Francotyp-Postalia Inc. (Supplies) \$68.85, Fastenal Industries & Construction Supply (Supplies) \$170.62, Graham Tire Yankton (Maintenance) \$77.80, Auto Value Yankton (Supplies) \$139.04, Kansas State Bank (Lease Agreement) \$537.60, Lyle Signs Inc. (Supplies) \$726.52, Marks Machinery (Supplies) \$1,272.22, Midwest Radiator & Exhaust (Supplies) \$108.00, SD Department of Transportation (Professional Services) \$3,840.54, SD Department of Transportation (Annual Projects) \$207.57, Truck Trailer Sales Services

(Supplies) \$32.50, Verizon (Utilities) \$86.88, One Office Solution (Supplies) \$28.70, Yankton Janitorial Supply (Supplies) \$65.00; **Emergency 911 Fund:** Justice Fire & Safety (Maintenance) \$200.00; **Emergency Management:** SDACC (2021 Dues) \$28.13, Kansas State Bank (Lease Agreement) \$581.57, Qualified Presort Services (Supplies) \$9.18, Verizon (Utilities) \$734.67; **Government Buildings:** Automatic Buildings Controls (Maintenance) \$2,277.00; General Fund \$92,147.39, Road & Bridge, \$14,138.56, Emergency Management, \$1,353.55. Voting aye: Healy, Kettering, Klimisch and Loest. Fox abstained from the Harmelink & Fox Law Office Claim but approved the balance. All present voted aye; motion carried.

Action 2104C: A motion was made by Kettering and seconded by Healy to approve the 2021 calendar. All present voted aye; motion carried.

Action 2105C: A motion was made by Kettering and seconded by Fox to adopt the following Board committee assignments for 2021. All present voted aye; motion carried.

Ambulance Liaison: Cheri Loest
Chamber Governmental Affairs: Don Kettering
Chamber of Commerce Board of Directors: Wanda Howey-Fox
Community Health Nurse Liaison: Joe Healy
County Planning Commission/Yankton City-County Planning Committee: Don Kettering
District III Board: Dan Klimisch
Director of Equalization Liaison: Cheri Loest
Drainage Board: Cheri Loest
E911 Committee: Cheri Loest and Wanda Howey-Fox
Emergency Contact Commissioner: Cheri Loest
Emergency Contact Staff Member: Patty Hojem
Emergency Management Liaison/Homeland Security/Local Emergency Planning: Cheri Loest
Extension Board/4-H Liaison: Joe Healy
Federal Prison Camp Community Relations Board: Don Kettering
Historical Society Board: Dan Klimisch
Human Services Center Board: Don Kettering
Information Technology: Dan Klimisch
Joint Powers Committee: Joe Healy
Library Board: Dan Klimisch
Mental Health Board: Don Kettering
Napa Railroad Authority Board: Wanda Howey-Fox
Physical Plant Supervisor/Grounds Maintenance: Dan Klimisch
Road Committee/Highway Liaison: Cheri Loest & Joe Healy
Safety Center Committee: Includes two county commissioners (Wanda Howey-Fox and Joe Healy), county auditor (Patty Hojem), county sheriff (Jim Vlahakis), two city commissioners, city police chief, and city manager.
The Center Board: Dan Klimisch
Veteran's Liaison: Don Kettering

Weed Board: Cheri Loest

Yankton Area Progressive Growth: Wanda Howey-Fox and Don Kettering

Yankton City-County Planning Committee: Howey-Fox and Dan Klimisch

Yankton County Conservation District: Joe Healy

Yankton County Rail Authority: Wanda Howey-Fox and Joe Healy

Action 2106C: A motion was made by Fox and seconded by Kettering to name Yankton Daily Press & Dakotan and Yankton County Observer as official newspapers for the County. All present voted aye; motion carried.

Jim Vlahakis, Yankton County Sheriff, presented bids received for the food service for the jail. Bids were: Summit Food Service, Trinity Food Service and Consolidated Food Service.

Action 2107C: A motion was made by Healy and seconded by Kettering to approve the bid from Trinity Services Group for the jail food service. All present voted aye; motion carried.

The board scheduled January 22, 2021 at 9:00 a.m., for a special commission meeting to discuss the Property/Liability Insurance quotes.

The board scheduled January 25, 2021 at 6:00 p.m. and February 5, 2021 at 9:00 a.m. to discuss Article 5 amendments.

Action 2108C: A motion was made by Fox and seconded by Klimisch to accept the resignation of Lori Mackey, Director of Equalization, and to approve advertising for applications for the position. All present voted aye; motion carried.

Chair Loest said it was a pleasure to work with Lori Mackey over the last couple of years. The office runs as efficiently as any DOE office across the state. Loest said it is a huge loss to see her go and offered sincere thanks to Lori for her 16 years of service to the county.

Commissioner Klimisch asked for a round of applause for Lori Mackey.

Planning Commission: Planning and Zoning Administrator Gary Vetter appeared before the board to request approval to advertise for the position vacated by Paul Harens on the Planning Commission.

The board discussed changing the regular commission meeting times.

Action 2109C: A motion was made by Klimisch and seconded by Fox to keep the meetings at 6:00 pm as scheduled. Roll call vote was taken with Klimisch, Fox, Healy, Kettering and Loest voting aye; motion carried, 5-0.

Action 2110C: A motion was made by Healy and seconded by Fox 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 Brad King. Variance to a proposed plat for Minimum Yard Requirement of 20 acres to 2.385 acres (a variance of 17.615 acres) in order to bring the lot more into compliance in a Rural Transitional District (RT). Said property is legally described Tract 4A in DJ's Addition Lying South of Tract 4 DJ's Addition, S16-T93N-R55W, hereinafter referred to as Mission Hill Township, County of Yankton, State of South Dakota.

Applicant Brad King spoke on the request.

Action 2111Z: A motion was made by Healy and seconded by Fox, to approve the variance application based on Findings of Fact from the November 10, 2020 Yankton County Planning Commission meeting on the condition there is a deed restriction that the lots are not to be sold separately, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Healy, Howey-Fox, Kettering, Klimisch and Loest voting aye; Motion carried, 5-0.

Action 2112Z: A motion was made by Healy and seconded by Kettering to adopt the following resolution: Whereas it appears, Brad King, owner of record, has caused a plat to be made of the following real property: Lot A, S16-T93N-R55W, hereinafter referred to as Mission Hill Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and the 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.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Phil Spady. Applicant requested a permit for a repair shop, motor vehicle in a Lakeside Commercial District (LC) at a proposed camper dealership. Said property is legally described as Lot 7, Thon's Addition, SE1/4, NW1/4, S15-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

Mariah Nelson spoke on the CUP request.

Action 2113Z: A motion was made by Klimisch and seconded by Healy, to approve based on Findings of Fact from the December 8, 2020 Yankton County Planning Commission meeting the Conditional Use Permit as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Klimisch, Healy, Kettering, Fox and Loest voting aye; motion carried, 5-0.

Action 2114C: A motion was made by Kettering and seconded by Healy to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

The first reading of the Rezone request from Brian and Stephanie Wieman. To rezone a Moderate Density Rural Residential District (R2) and Lakeside Commercial District (LC) to a Moderate Density Rural Residential District (R2). The hearing for the second reading will be January 19, 2021. There was no public comment on the request.

There were no public comments.

Chair Loest closed public comment.

Commissioner updates: Kettering thanked Chair Loest for the letter sent to the employees.

Action 2115C: A motion was made by Kettering and seconded by Fox to recess the regular session at 7:30 p.m. and convene in executive session to discuss litigation issue SDCL 1-25-2(3). All present voted Aye; motion carried.

Action 2116C: A motion was made by Kettering and seconded by Fox to adjourn the executive session at 8:50 p.m. and reconvene in regular session. All present voted Aye; motion carried.

No action was taken on litigation.

Action 2117C: A motion was made by Fox and seconded by Healy to adjourn. All present voted Aye; motion carried.

The next regular meeting will be Tuesday, January 19, 2021 at 6:00 p.m.

Cheri Loest, Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor