

YANKTON COUNTY COMMISSION MEETING
July 16, 2019

The regular meeting of the Yankton County Commission was called to order by Chairman Dan Klimisch at 6:00 PM on Tuesday, July 16, 2019.

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

Commissioner Healy reported a conflict of interest on an agenda item, due to his father David Healy volunteering for another term on the Drainage Board. Healy will abstain from voting on that item.

Action 19310C: A motion was made by Healy and seconded by Swensen to approve the meeting agenda. All present voted aye; motion carried.

Action 19311C: A motion was made by Kettering and seconded by Loest to approve the minutes of July 2, 2019 meeting. All present voted aye; motion carried.

Action 19312C: A motion was made by Healy and seconded by Swensen to approve the minutes of July 8, 2019 budget meeting. All present voted aye; motion carried.

There were no public comments.

Chairman Klimisch closed the public comment portion of the meeting.

Action 19313C: A motion was made by Loest and seconded by Healy to approve the following claims: **Non-Departmental:** SD Department of Revenue (State Sales Tax) \$122.35; **Commissioners:** Yankton County Observer (Publishing) \$425.27, Yankton Daily P & D (Publishing) \$567.45, Vast Business (Utilities) \$52.50; **Elections:** Qualified Presort Services LLC (Supplies) \$37.49; **Court:** Jeanne M. Bossman, RPR (Professional Services) \$160.00, Thurman Law Office (Professional Services) \$7,082.90, Certified Languages International (Professional Services) \$125.40, Horn Law Office LLC (Professional Services) \$1,064.00, Kennedy Pier Loftus & Reynolds, LLP (Professional Services) \$798.10, LaCroix Law Office (Professional Services) \$412.50, SD Department of Health (Professional Services) \$520.00, Dean Schaefer (Professional Services) \$717.00, Thomson Reuters (Professional Services) \$75.00; **Auditor:** Culligan (Supplies) \$13.50, Vast Business (Utilities) \$175.22, Leaf (Rentals) \$159.00, Qualified Presort Services LLC (Supplies) \$157.87; **Treasurer:** Vast Business (Utilities) \$210.56, Qualified Presort Services, LLC (Supplies) \$127.90; **Data Processing** Vast Business (Utilities) \$999.78, First Bankcard (Maintenance) \$50.91, Leaf (Rentals) \$104.86; **States Attorney:** Culligan (Supplies) \$6.75, Bexar County Clerk (Professional Services) \$772.00, Erich Johnke (Travel) \$314.42; **Government Building:** Wellmark Blue Cross & Blue Shield (Spouse Health Ins Coverage) \$964.04, Janssen's Garbage Services INC (Rentals) \$240.00, Vast Business (Utilities) \$26.25, Menards (Supplies) \$15.02, MidAmerican Energy (Utilities) \$156.57, Olson's Pest Technicians (Maintenance)

\$79.00; **Director of Equalization:** Vast Business (Utilities) \$229.50, Matt Archer (Travel) \$47.00, Southgate (Maintenance) \$115.00, Clubhouse Hotel & Suites (Travel) \$297.00, Ecowater Systems (Supplies) \$30.00, First Bankcard (Supplies) \$34.07, Microfilm Imaging Systems, INC (Maintenance) \$70.00, Lori Mackey (Travel) \$288.08, Qualified Presort Services LLC (Supplies) \$13.03, Verizon (Utilities) \$174.35; **Register of Deeds:** Vast Business (Utilities) \$178.14, Microfilm Imaging Systems, INC (Supplies) \$96.29, Microfilm Imaging Systems, INC (Rentals) \$336.00, Qualified Presort Services LLC (Supplies) \$38.71; **VA:** Vast Business (Utilities) \$26.25, Qualified Presort Services LLC (Supplies) \$7.02, One Office Solution (Supplies) \$47.90; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$33.98, Automatic Building Controls (Maintenance) \$2189.92, Vast Business (Utilities) \$854.53, City of Yankton (Dumpster Fees) \$160.00, Cole Papers, Inc. (Supplies) \$573.00, Heiman Fire Equipment Co INC (Maintenance) \$70.00, Kone INC (Maintenance) \$304.38, MidAmerican Energy (Utilities) \$627.39; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$20.17, Vast Business (Utilities) \$111.00, City of Yankton (Fuel) \$3,006.04, Culligan (Supplies) \$33.75, Rod Pieper (Fuel) \$30.43, Qualified Presort Services LLC (Maintenance) \$118.02, Wegner Auto Company INC (Auto Equipment) \$21,769.00, One Office Solution (Maintenance) \$89.01, One Office Solution (Supplies) \$20.96; **County Jail:** Scott Family Dentistry, INC (Professional Services) \$728.00, Integrated Technology & Security (Security Maintenance) \$591.15, CBM Food Service (Food Services) \$5,254.04, EZ Duz it Laundry (Supplies) \$4.00, JCL Solutions (Supplies) \$50.76, Menards (Supplies) \$109.49, Correctional Risk Services (Inmate Medical) \$1,254.90, Willcockson Eye Associates PC (Professional Services) \$152.00, One Office Solutions (Maintenance Contracts) \$64.46, Yankton Drug Co INC (Professional Services) \$226.74, Yankton Medical Clinic (Professional Services) \$836.92; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$18.66, Danko Emergency Equipment Co (Supplies) \$244.11, Two Way Solutions INC (Supplies) \$329.85; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$72.41, Thomson Reuters (Supplies) \$75.00, Wintz & Ray Funeral Home (Professional Services) \$2,500.00; **Public Health Nurse:** Vast Business (Utilities) \$239.02, TIAA Commercial Finance (Rentals) \$70.96, Qualified Presort Services, LLC (Supplies) \$18.73; **Ambulance:** Avera Education & Staffing Solutions (Supplies) \$140.00, Kopetsky's Ace Hardware (Supplies) \$56.05, AT & T (Utilities) \$36.30, Bomgaars (Supplies) \$62.45, Bound Tree Medical LLC (Supplies) \$1,956.75, City of Yankton (Supplies) \$636.51, Tammie Pedersen (Travel) \$37.80, First Bankcard (Travel) \$961.49, First Bankcard (Professional Services) \$265.58, First Bankcard (Supplies) \$330.78, Fox Run Quick Lube (Maintenance) \$131.24, Janssen's Garage Services INC (Utilities) \$340.00, Kaiser Heating & Cooling (Maintenance) \$143.75, Leaf (Rentals) \$97.71, Matheson Tri-Gas, Inc. (Supplies) \$73.89, Menards (Supplies) \$23.58, Security Shredding Service (Maintenance) \$35.00, Trittech Software Systems (Maintenance) \$4,522.80, Verizon (Utilities) \$1,165.56; **Mentally Handicapped:** South Dakota Achieve dba Lifescape (Care) \$300.00; Mental Health Centers 2019 Budget Request) \$1,440.00, Dakotabilities (Care) \$360.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$42.00, Mark Katterhagen (Hearings) \$42.00, Lewis & Clark Behavioral Health Services (Hearings) \$2,136.00, Lincoln County Treasurer (Hearings) \$1,810.39, Lucille M. Lewno (Hearings) \$578.00, Minnehaha County Auditor (Hearings) \$509.45, Dean Schaefer (Hearings) \$648.00; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$3.59, Buhl's Cleaners (Supplies) \$37.82, Katie Doty (Supplies) \$20.39, Katie Doty (Travel) \$55.44, Leaf (Rentals) \$370.44, Northwestern Energy (Utilities) \$58.26,

Joe Rowe (Professional Services) \$97.67, SDSU Extension (Travel) \$29.71, Yankton Fire & Safety Center (Maintenance) \$120.00; **Weed:** Marks Machinery (Maintenance) \$2,608.55, Marks Machinery (Supplies) \$532.49, Marks Machinery (Other) \$46.44, Yankton County Observer (Publishing) \$240.00, Yankton Daily P & D (Publishing) \$550.50; **Planning & Zoning:** Vast Business (Utilities) \$62.50, The Schneider Corporation (Supplies) \$32,950.00, Qualified Presort Services, LLC (Supplies) \$13.77, Verizon (Utilities) \$97.35, Yankton Daily P& D (Publishing) \$30.27; **Road & Bridge:** C & B Operations, LLC (Supplies) \$793.67, Bomgaars (Supplies) \$27.99, B-Y Electric (Utilities) \$66.76, B-Y Water District (Utilities) \$89.25, Bakke Hlavac Farm Drainage (Bridges) \$2,976.00, Vast Business (Utilities) \$167.60, LG Everist (Supplies) \$2,971.40, LG Everist (Bridges) \$2,558.68, Cox Auto Supply INC (Supplies) \$132.92, Concrete Materials (Supplies) \$1,541.10, Concrete Materials (Bridges) \$4,928.00, Clark Engineering (Bridges) \$4,800.00, Calibration Technologies, INC (Supplies) \$1,960.00, Direct TV (Utilities) \$80.99, CHS (HWY Fuel) \$17,804.77, Beth Wilhelms (Travel) \$56.28, Filter Care of Nebraska (Supplies) \$31.60, First Bankcard (Supplies) \$102.93, Fastenal Industrial & Construction Supply (Supplies) \$122.98, Janssen's Garbage Service (Utilities) \$45.00, Marks Machinery (Supplies) \$44.67, MidAmerican Energy (Utilities) \$20.92, O'Reilly Auto Parts (Supplies) \$27.98, Road King INC (Supplies) \$58.00, Riverside Hydraulics & Labs (Supplies) \$227.60, SD Department of Transportation (Annual Projects) \$14,679.25, Southeastern Electric Cooperative INC (Utilities) \$38.91, Titan Machinery (Rentals) \$3,560.00, Verizon (Utilities) \$515.32; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.25, CenturyLink (Utilities) \$1,351.47, Golden West Telecommunications (Utilities) \$147.21; **Emergency Management:** B-Y Electric (Utilities) \$53.19, Vast Business (Utilities) \$879.60, Integrated Technology & Security (Professional Services) \$2,319.00, TIAA Commercial Finance INC (Rentals) \$173.15, City of Yankton (Supplies) \$195.04, Danko Emergency Equipment (Supplies) \$774.00, First Bankcard (Supplies) \$2,086.26, Leaf (Rentals) \$171.00, Midcontinent Communications (Utilities) \$22.90, Menards (Supplies) \$148.95, Qualified Presort Services, LLC (Supplies) \$9.21, Two Way Solutions (Supplies) \$329.85, Tabor Lumber Cooperative (Supplies) \$182.93, Verizon (Utilities) \$1,858.91, One Office Solution (Supplies) \$91.80; **Misc.:** First National Bank Omaha (Agent Annual Fee) \$800.00; **South Dakota State Treasurer:** Fees (Motor Vehicle) \$411,493.44, Fees (Waste Fee) \$6955.75, Fees (ROD) \$2050.00, Services (HSC) \$8,441.95, Services (Redfield) \$120.00, SDACO (M & PR Fund) \$608.00; General Fund \$118,423.00, Road & Bridge, \$60,430.57, Emergency Management, \$9,295.79. All present voted aye; motion carried.

Action 19314C: A motion was made by Loest and seconded by Swensen to approve the Auditor's Monthly Settlement with the Treasurer as of June 30, 2019 showed Total Cash of \$10,488,519.32. The General Fund was \$5,926,227.60; Special Funds were \$2,548,992.46; and Trust and Agency Funds were \$2,013,299.26 adding to a Grand Total of General Ledger Cash and Investments of \$10,488,669.32, difference of \$150.00 due to a HSA payment. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 19315Aud: A motion was made by Kettering and seconded by Healy to approve the 2019 second quarter report for Mental Illness. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 19316Z: A motion was made by Loest and seconded by Healy to adopt the following resolution: Whereas it appears, Jay and Kathy Fitzgerald, owners of record, have caused a plat to be made of the following real property: Lot A, Lot B Mathison Tract 4, NE1/4, NE1/4 S6-T93N-R56W, 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.

The following departments presented monthly reports for board approval: County Nurse, Register of Deeds, Sheriff/Jail, Veterans Service and Welfare.

Action 19317N: A motion was made by Healy and seconded by Loest to accept the 2019 second quarter report from the S.D. Department of Health and Yankton County WIC Office with correction; baby care visits should have been reported as 30 instead of 43. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 19318ROD: A motion was made by Kettering and seconded by Swensen to approve the 2019 second quarter report from the Register of Deeds Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 19319S: A motion was made by Kettering and seconded by Healy to approve the 2019 second quarter report from the Sheriff's office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 19320VSO: A motion was made by Swensen and seconded by Kettering to approve the 2019 second quarter report from the Veterans Service Office. A detailed report is on file with the County Auditor All present voted aye; motion carried.

Action 19321C: A motion was made by Loest and seconded by Healy to approve the 2019 second quarter report from the Yankton County Welfare Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Ambulance: Yankton County Ambulance Director Steve Hawkins appeared before the board to discuss his monthly reports and present service contract with Avera at Home (Hospice) with an increase to \$350.00 plus \$15.00 per mile instead of current \$300.00 plus \$13.00 a mile. Jill Nuebel from Avera at Home also spoke on the contract. Hawkins also presented a request from the Department of Corrections for a 10% discount for transports by Yankton County Ambulance.

Patty Gramkow commented on the discussion.

Action 19322AMB: A motion was made by Loest and seconded by Healy to approve the contract with Avera at Home (Hospice) for hospice transport services for \$350.00 base rate plus \$15.00 per mile. Roll call vote was taken with Loest, Healy, Kettering, and Klimisch voting Aye; Swensen voting Nay; Motion carried, 4-1.

Action 19323AMB: A Motion was made by Klimisch and seconded by Swensen to deny the 10% discount request for the Transport agreement with Department of Corrections. Roll call vote was taken with Klimisch, Swensen, Healy, Loest and Kettering voting Aye; Motion carried, 5-0.

Action 19324AMB: A motion was made by Healy and seconded by Loest to approve the 2019 second quarter report from the Ambulance Department. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 19325D: A motion was made by Kettering and seconded by Loest to recess the regular session and convene as Drainage Board. All present voted aye; motion carried.

Action 19326D: A motion was made by Loest and seconded by Kettering to reappoint David Healy and Kevin Kirschenmann to the Drainage Board. Roll call vote was taken with Loest, Kettering, Swensen and Klimisch voting Aye; Healy abstain; Motion carried, 4-0.

Action 19327C: A motion was made by Loest and seconded by Kettering to recess the Drainage Board and reconvene in regular session. All present voted aye; motion carried.

The Center: Christy Hauer, Executive Director of The Center, appeared to inform the board about the importance of services, programs and activities at The Center.

Action 19328C: A motion was made by Swensen and seconded by Kettering to recess for ten minutes. All present voted aye; motion carried.

Action 19329C: A motion was made by Swensen and seconded by Loest to reconvene. All present voted aye; motion carried.

Human Resource: Patricia Dougherty from The Weston Group out of Sioux Falls, SD. presented information regarding "Essentials of Human Resource Management" and other types of services offered by The Weston Group.

Utica Property: Cherie Hoffman appeared before the board to request help from the county in removing two to three abandoned structures in the town of Utica. Commissioner Kettering will look into possible solutions and report back to the next meeting.

Highway: Highway Superintendent Mike Sedlacek presented two agenda items for board approval. The 2020 bridge improvement grant (BIG) and the Department of Transportation Funding agreement.

Action 19330C: A motion was made by Kettering and seconded by Swensen to approve the Bridge improvement Grant. Roll call vote was taken with Kettering, Swensen, Healy, Loest and Klimisch voting Aye; Motion carried, 5-0.

Action 19331C: A motion was made by Loest and seconded by Swensen to approve the Department of Transportation Funding Agreement. Roll call vote was taken with Klimisch, Swensen, Healy, Loest and Kettering voting Aye; Motion carried, 5-0.

Road Signs: Highway Superintendent Mike Sedlacek informed the board of the cost of E911 signs and installation. Emergency Management Director Paul Scherschligt volunteered to create a data base to identify where signs are needed. It was suggested he work with District III and Planning and Zoning Office. Who should pay for the signs on private roads was also discussed.

Jail Bid: Jim Schramm from Schramm Architects LLC, read the bids received for the jail renovation project. Bids received were H & R Construction \$774,000.00; Puetz Corp \$792,580.00; Swift Contractors \$754,900.00; Tellinghuisen, Inc. \$886,000.00 and Welfl Construction \$713,800.00. Mr. Schramm also presented charges for additional engineering fees of \$4,000.00. Sheriff James Vlahakis was available to answer any questions from the board.

Action 19332S: A motion was made by Kettering and seconded by Loest to approve the bid from Welfl Construction in the amount of \$713,800.00 and \$4,000.00 for additional engineering fees. All present voted aye; motion carried.

Drainage/Public Nuisance: James DeSaix, from Beresford, SD appeared to request the board to order removal of Monster Blocks and foundation from Lots 4A and 5, in Oak Hills Addition. Mr. DeSaix provided a power point of pictures of the Monster Block wall causing a potential landside, threatening damage to property and life. Mr. DeSaix also talked about the drainage issue. Ralph Linder from GeoTek Engineering, Dennis Michael, Sandra DeSaix and Attorney Brian Kirby commented on the matter. Mr. DeSaix requested several actions he would like the board to consider. The actions that were requested are on file in the Auditor's Office. States Attorney Rob Klimisch will check with Brian McGinnis on the zoning issues and report back to the board.

No Action was taken.

There was no action on District III/Planning & Zoning contract extension.

Fee Increase: The board discussed the increases for permit fees presented by Chairman Klimisch.

Action 19333C: A motion was made by Swensen and seconded by Kettering to approve the fee increases as presented. Roll call vote was taken with Swensen, Kettering and Klimisch voting Aye; Loest and Healy voting Nay; Motion carried, 3-2.

Planning Commission Direction/Guidance: Commissioner Healy said the subdivision section in the ordinance should address the road signs. Chairman Klimisch said there should be some clarity on Class F permits.

Accessory Structure: Commissioner Healy gave an update from the Planning Commission discussion on accessory structures. Healy said accessory structures R1, R2 and R3 were all doubled in size. The proposed change would be anything exceeding the defined maximum allowed structure size and could be addressed as a conditional use. Chairman Klimisch said the Planning Commission will have a work session to finalize any changes. Also proposed changes to Article 10 fireworks sales and Article 1 Section 101 about where the official ordinance should be kept.

There were no public comments.

Chairman Klimisch closed the public comment portion of the meeting.

Commission Updates: Commissioner Swensen mentioned Danish Days in Viborg, SD. Chairman Klimisch presented information on the Zebra Mussel infestation Klimisch also mentioned an air show over Labor Day, the FEMA kickoff and cyber security training for the Government Center employees. Klimisch also said he spoke to a representative from Orion Wind Energy. Commissioner Kettering mentioned the Lewis and Clark Lake Sediment Management Plan meeting in Niobrara, NE., July 25, 2019.

Action 19334C: A motion was made by Swensen and seconded by Healy to recess the regular session at 11:00 pm and convene in executive session to discuss litigation SDCL 1-25-2(3) and personnel issues SDCL 1-25-2(1). All present voted aye; motion carried.

Action 19335C: A motion was made by Swensen and seconded by Loest to adjourn the executive session at 11:45 pm and reconvene in regular session. All present voted aye; motion carried.

Chairman Klimisch reported no action would be taken as a result of the executive session.

Action 19336C: A motion was made by Kettering and seconded by Loest to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, August 6, 2019 at 6:00 p.m.

Dan Klimisch, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor