

## YANKTON COUNTY COMMISSION MEETING

August 3, 2021

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, August 3, 2021.

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

There were no conflicts of interest reported by Commissioners.

**Action 21354C:** A motion was made by Fox and seconded by Healy to approve the regular meeting agenda as presented. All present voted aye; motion carried, 5-0.

There were public comments by Louis Johnson and Emmett Reistroffer.

Chair Loest closed public comment.

**Action 21355C:** A motion was made by Healy and seconded by Klimisch to approve the 2021 Striping agreement. All present voted aye; motion carried, 5-0.

**Action 21356C:** A motion was made by Klimisch and seconded by Fox to approve the estimate for improving the 4-H parking lot. All present voted aye; motion carried, 5-0.

**Ambulance:** Yankton County Ambulance Director Steve Hawkins appeared before the board to discuss his monthly reports and the Community Health Worker & Grant.

**Action 21357AMB:** A motion was made by Klimisch and seconded by Kettering to approve the 2021 2nd quarter report from the Ambulance Department. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21358AMB:** A motion was made by Healy and seconded by Fox to accept the Community Health Worker and Grant proposals. Fox, Healy and Loest voting aye; Klimisch and Kettering voting nay; motion carried, 3-2.

**Action 21359AMB:** A motion was made by Healy and seconded by Fox to approve a \$2,500 stipend for an Ambulance full-time employee to complete training for the Community Health Worker program, with half to be paid when course is completed and other half at end of 2022. All present voted aye; motion carried.

**Action 21360ROD:** A motion was made by Kettering and seconded by Klimisch to approve the 2021 2nd 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 21361C:** A motion was made by Fox and seconded by Healy to recess the regular session and convene as Board of Adjustment. 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 Jerry Myott. Applicant requested a permit to construct a campground with storage units along the north end of property. Said property is legally described as Lot 11, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

Applicant Jerry Myott spoke on the request.

There was public comment by Matt Evans.

Chair Loest closed public comment.

**Action 21362Z:** A motion was made by Healy and seconded by Kettering to approve based on Findings of Fact from the July 13, 2021 Yankton County Planning Commission meeting the Conditional Use Permit as presented and to include no year-round residents, as built drawings submitted to planning office, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance.

Healy rescinded his motion.

**Action 21363Z:** A motion was made by Healy and seconded by Fox, to approve based on Findings of Fact from the July 13, 2021 Yankton County Planning Commission meeting the Conditional Use Permit as presented and to include no year-round residents, as built drawings submitted to planning office, and west portion fence is optional at applicant's risk, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Fox, Healy, Kettering, and Loest voting aye; Klimisch voting nay, motion carried, 4-1.

**CUP Public Hearing:** This was the time and place for a public hearing for a Conditional Use Permit application from Nate Franzen. Applicant requested a permit for an accessory building in a Moderate Density Residential District that exceeds the maximum sidewall height of 14 feet. Applicant wishes to build an accessory structure with 18 feet sidewalls per Article 7, Section 707. Said property is legally described as Lots 7-8, Block 3, Oak Hills Addition, S13-T93N-R57W hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

Applicant Nate Franzen spoke on the request.

**Action 21364Z:** A motion was made by Klimisch and seconded by Kettering, to approve based on Findings of Fact from the July 13, 2021 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, Fox, Healy, Kettering, and Loest voting aye; motion carried, 5-0.

**Action 21365C:** A motion was made by Kettering and seconded by Klimisch to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

**Action 21366S:** A motion was made by Fox and seconded by Klimisch to approve the 2021 2nd quarter report from the Sheriff's office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21367VSO:** A motion was made by Healy and seconded by Kettering to approve the 2021 2nd quarter report from the Veterans Service Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21368VSO:** A motion was made by Fox and seconded by Kettering to approve a Proclamation Recognizing Purple Heart Veterans and Yankton County as a Purple Heart County. All present voted aye; motion carried.

**Action 21369C:** A motion was made by Kettering and seconded by Healy to approve the 2021 2nd quarter report from the Yankton County Welfare Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Tim Lease from the Boys & Girls Club presented his 2022 request for \$20,000.

**Action 21370C:** A motion was made by Fox and seconded by Klimisch to approve the July 6, 2021, meeting minutes. All present voted aye; motion carried, 5-0.

**Action 21371C:** A motion was made by Klimisch and seconded by Healy to approve the July 16, 2021, meeting minutes. All present voted aye; motion carried, 5-0.

**Action 21372C:** A motion was made by Fox and seconded by Kettering to approve the July 20, 2021, meeting minutes. All present voted aye; motion carried, 5-0.

**Action 21373C:** A motion was made by Kettering and seconded by Fox to approve the following claims:

**Commissioners:** Qualified Presort Services (Supplies) \$5.52; **Elections:** McLeod's Printing & Office Supply (Supplies) \$41.39, Qualified Presort Services (Supplies) \$31.83, Verizon (Rentals) \$280.07; **Court:** Juror Fees \$930.64, Child's Voice Route #63 (Professional Services) \$841.75, Jerry A Miller (Professional Services) \$18.60, Fox & Youngberg PC (Professional Services) \$15,000.00, Horn Law Office LLC (Professional Services) \$1,787.00, Clovia Dee (Professional Services) \$329.80, Dean Schaefer (Professional Services) \$210.00; **Auditor:** Leaf (Rentals) \$159.00, Qualified Presort Services (Supplies) \$102.99, One Office Solution (Supplies) \$47.30; **Treasurer:** Qualified Presort Services (Supplies) \$139.12; **States Attorney:** Robert Klimisch (Supplies) \$222.20, Executive MGMT. Finance (Supplies)

\$33.50, Staples Credit Plan (Supplies) \$154.43; **Government Center Building:** Kopetsky's Ace Hardware (Supplies) \$15.98, Kopetsky's Ace Hardware (Maintenance) \$88.94, Bomgaars (Supplies) \$127.01, Bomgaars (Maintenance) \$17.90 City of Yankton (Utilities) \$2,496.40, Echo Group (Supplies) \$10.76, JCL Solutions (Supplies) \$130.63, Menards (Supplies) \$16.57, Menards (Maintenance) \$38.94, Northwestern Energy (Utilities) \$3,213.60, Olson's Pest Technician (Maintenance) \$82.00, O'Connor Company (Supplies) \$5,830.15; **Director of Equalization:** Qualified Presort Services (Supplies) \$12.11; **Register of Deeds:** John A Conkling Distribution (Supplies) \$62.70, Executive MGMT. Finance (Utilities) \$33.50, Brain Hunhoff (Travel) \$48.30, Qualified Presort Services (Supplies) \$49.52; **VA:** Cody Mangold (Supplies) \$69.66, Qualified Presort Services (Supplies) \$6.05, Verizon (Rentals) \$40.01, One Office Solution (Supplies) \$3.99; **Safety Center Building:** City of Yankton (Utilities) \$986.16, Cole Papers Inc. (Supplies) \$325.25, Menards (Supplies) \$219.42, MidAmerican Energy (Utilities) \$1,891.32, Northwestern Energy (Utilities) \$10,667.10; **Sheriff:** Raider Firearms (Law Enforcement Equipment) \$725.00, Cardmember Services (Travel) \$98.00, Cardmember Services (Fuel) \$29.56, Doug Holland (Travel) \$49.00, Jerome Koenig (Travel) \$49.00, FedEx (Other) \$14.87, Qualified Presort Services (Maintenance Contracts) \$137.20, MT & RC Smith Insurance (Insurance) \$540.00, Two Way Solutions Ins (Auto Equipment) \$4,387.80; **County Jail:** Cham-Tex (Supplies) \$87.36, Jerry Sorbel (Professional Services) \$270.00, Cardmember Services (Travel) \$98.00, Trinity Services Group (Food Services) \$3,930.81, Relx Inc. (Professional Services) \$1,800.00, JCL Solutions (Supplies) \$1,321.07, Menards (Supplies) \$130.49, Olson's Pest Technicians (Maintenance) \$133.00, Phoenix Supply (Supplies) \$151.85; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$8,839.83; **Yankton Area Search & Rescue:** Kopetsky's Ace Hardware (Supplies) \$292.45, Napa Auto Parts of Yankton (Supplies) \$149.30, Creative Product Source (Supplies) \$72.08, Frontier Precision Inc. (Supplies) \$960.00; **Care of Poor:** Opsahl-Kostel Funeral Home (Professional Services) \$1,250.00, Qualified Presort Services (Supplies) \$79.27; **Public Health Nurse:** Qualified Presort Services (Supplies) \$44.38; **Ambulance:** Avera Health (Supplies) \$45.00, Kopetsky's Ace Hardware (Supplies) \$182.96, Avera Sacred Heart Hospital (Supplies) \$74.82, Sacred Heart Health Services (Professional Services) \$1,500.00, Arrow Manufacturing (Supplies) \$508.00, Bomgaars (Supplies) \$74.73, Vast Business (Utilities) \$179.19, City of Yankton (Utilities) \$348.48, Credit Collection Services (Professional Services) \$196.45, Cintas (Supplies) \$91.40, The EMS Training School (Travel) \$15,000.00, Menards (Supplies) \$63.95, Olson's Pest Technicians (Maintenance) \$114.00, Tire Muffler Alignment (Supplies) \$755.90, Yankton Janitorial Supply (Supplies) \$345.45, Yankton County EMS (Bank Fees) \$91.00; **Mental Health Centers:** Lewis & Clark Behavioral Health (3<sup>rd</sup>-4<sup>th</sup> Qtr. Appropriation 2021) \$41,577.16; **Mental Illness Board:** Darcy Lockwood (Hearings) 48.00, Dana Larson (Hearings) \$50.00, Den Herder Law Office (Hearings) \$1,152.68, Mark Katterhagen (Hearings) \$48.00, Lucille M Lewno (Hearings) \$779.62; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$19.99, Buhl's Cleaners (Supplies) \$56.73, Vast Business (Utilities) \$818.00, City of Yankton (Utilities) \$73.38, Hy-Vee (Other) \$14.36, Yankton County Leaders (Maintenance) \$2,518.49; **Weed:** NAPA Auto Parts of Yankton (Supplies) \$69.56; **Planning & Zoning:** Leaf (Rentals) \$104.86, Pheasantland Industries (Supplies) \$27.12, Qualified Presort Services (Supplies) \$75.25; **Road & Bridge:** Appera (Supplies) \$129.59, Bomgaars (Supplies) \$198.04, Presto-X (Maintenance) \$110.00,

Rockmount Research (Supplies) \$601.74, City of Yankton (Utilities) \$166.02, NAPA Auto Parts of Yankton (Supplies) \$328.39, Concrete Materials (Supplies) \$78,031.84, Calibration Technologies (Maintenance) \$2,415.00, Nelson Services LLC (Supplies) \$184.80, Direct TV (Utilities) \$88.99, D-P Tools (Supplies) \$53.72, Growmark FS (Fuel) \$1,670.56, Growmark FS (Supplies) \$0.82, Graham Tire Yankton (Maintenance) \$858.39, Longs Propane Inc. (Fuel) \$37.40, Northwestern Energy (Utilities) \$813.89, O'Reilly Auto Parts (Maintenance) \$47.74, Riverside Hydraulics (Maintenance) \$182.28, MT & RC Smith Insurance (Insurance) \$59.00, SD Department of Transportation (Annual Projects) \$3,989.79; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.36, CenturyLink (Utilities) \$78.54, Midcontinent Communications (Utilities) \$115.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$342.43, Hanson Briggs Specialty (Other) \$802.97, Hanson Briggs Specialty (Supplies) \$1,234.28, Poet Nutrition (Disaster Plan) \$150.00, Great America Financial (Rentals) \$276.78, Midcontinent Communications (Utilities) \$167.47, MidAmerican Energy (Utilities) \$8.00, One Office Solution (Supplies) \$1,156.44; **24/7 Sobriety Fund:** Precision Kiosk Technology (Maintenance) \$1,350.00, Pharmchem Inc. (Supplies) \$5,719.60; **M & PR Fund:** Executive MGMT. Finance (M&PR Fund) \$447.15; **County Law Library:** Thomson Reuters (Supplies) \$193.75; General Fund \$139,463.96, Road & Bridge \$89,968.00, Emergency Management \$4,138.37. All present voted aye; motion carried.

**Action 21374AUD:** A motion was made by Kettering and seconded by Healy to approve the **JULY, 2021 Gross Payroll: Commissioners:** \$5,985.43; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$15,990.07; **Treasurer:** \$18,384.86; **States Attorney:** \$30,818.00; **Government Buildings:** \$6,427.38; **Director of Equalization:** \$20,506.48; **Register of Deeds:** \$12,655.14; **Veterans Service:** \$5,103.74; **Courthouse & Safety Center:** \$5,773.02; **Sheriff:** \$68,991.99; **County Jail:** \$78,201.53; **Coroner:** \$300.00; **Juvenile:** \$0.00; **Nurse:** \$1,069.50; **Ambulance:** \$63,092.67; **WIC:** \$172.50; **Extension:** \$7,320.81; **Soil Conservation:** \$2,597.38; **Weed:** \$4,060.80; **Planning & Zoning:** \$10,419.10; **Road & Bridge:** \$70,429.60; **E911:** \$59.96; **OEM:** \$9,568.01; **24-7 Program:** \$1,490.72. First Dakota National Bank \$33,218.45 (Withholding), First Dakota National Bank \$52,735.10 (FICA) First Dakota National Bank \$12,333.20 (Medicare), South Dakota Retirement System \$32,062.02 (Other Employees), South Dakota Retirement System \$19,765.72 (Sheriff), South Dakota Retirement System (Spouse Opt) \$167.18, South Dakota Retirement System (Supplemental) \$8,016.66, American Family Life Assurance Company (AFLAC) \$4,810.66, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$588.73, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,537.48, Avera Health Plans \$60,031.96, Optilegra \$418.69, United Way of Greater Yankton 10.00, Delta Dental \$1,210.00, VSP Vision \$225.22, Harmelink & Fox Law Office \$293.24, HealthEquity \$3,448.80. Gross Payroll \$439,772.68, Net Payroll \$322,126.95. All present voted aye; motion carried.

**Action 21375C:** A motion was made by Healy and seconded by Fox to approve the 2<sup>nd</sup> quarter Mental Illness hearings income report. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

**Action 21376C:** A motion was made by Fox and seconded by Kettering to advertise for the Veteran's Service Office position. All present voted aye; motion carried.

Marijuana: The commission discussed guidance received from the South Dakota Association of County Commissioners. The States Attorney's Office will develop a draft license to review at the next commission meeting. The general consensus was to allow for ten medical cannabis dispensaries.

HRA Benefit: Julie Auch discussed challenges for matching the first \$750 in medical expenses for employees who have both an HRA and an HSA account. This affects less than 20 employees. It was suggested to seek an outside accounting firm to track these expenses for the county. Commissioner Howey-Fox will investigate options.

There was public comment by Matt Evans.

Chair Loest closed public comment.

Commissioner updates: The commissioners were provided an update on the Human Services Center and discussed proceeding with interviews for the Director of Equalization position, attending the Summit on Building a Crisis Response Continuum August 18-19, scheduling town hall meetings and scheduling a township meeting for the fall.

**Action 21377C:** A motion was made by Kettering and seconded by Fox to recess the regular session at 9:13 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13 and 28-13-1.3 and litigation issue SDCL 1-25-2(3). All present voted aye; motion carried, 5-0.

**Action 21378C:** A motion was made by Fox and seconded by Healy to adjourn the executive session at 9:45 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Action 21379C:** A motion was made by Healy and seconded by Kettering to approve an ambulance bill reduction. All present voted aye; motion carried, 5-0.

Chair Loest reported no action would be taken as a result of the executive session for Litigation.

**Action 21380C:** A motion was made by Fox and seconded by Healy to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, August 17, 2021 at 6:00 p.m.

**Cheri Loest**, Chair  
Yankton County Commission

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