

YANKTON COUNTY COMMISSION MEETING

August 18, 2020

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, August 18, 2020.

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

There were no conflicts of interest reported by Commissioners.

Action 20344C: A motion was made by Healy and seconded by Kettering to approve the meeting agenda with the following change: Item 11, Plat, was removed. All present voted aye; motion carried.

There was one public comment from Gary Swensen.

Chair Loest closed public comment.

Action 20345C: A motion was made by Kettering and seconded by Healy to approve the minutes of August 4, 2020 meeting. All present voted aye; motion carried.

Action 20346C: A motion was made by Kettering and seconded by Healy to approve the following claims; **Commissioners:** Vast Business (Utilities) \$52.50, EMC Insurance Companies (Professional Services) \$6,628.04, Yankton county Observer (Publishing's) \$220.92, M.T & R.C. Smith Insurance (Add Dwellings) \$50.00, SD Counties (Travel) \$555.00, Yankton Daily P & D (Publishing's) \$704.23; **Elections:** McLeod's Printing & Office Supply (Supplies) \$2,058.80, Qualified Presort Services (Supplies) \$38.55; **Court:** Pat Beck (Professional Services) \$105.00, Cedar County Sheriff (Supplies) \$18.50, Certified Languages International (Professional Services) \$13.20, Fox & Youngberg PC (Professional Services) \$14,944.00, Fox & Youngberg PC (Neglected) \$647.70, Kennedy Pier Loftus & Reynolds, LLP (Professional Services) \$1,532.60, Department of Health (Lab-July 2020) \$1,010.00, Dean Schaefer (Professional Services) \$522.00, Thomson Reuters (Supplies) \$1,432.71; **Auditor:** Vast Business (Utilities) \$175.35, Culligan (Supplies) \$42.00, Qualified Presort Services LLC (Supplies) \$124.18, M.T. & R.C. Smith Insurance (Bond) \$36.00, SD Counties (Travel) \$185.00, One Office Solution (Supplies) \$149.50; **Treasurer:** Vast Business (Utilities) \$209.73, Culligan (Supplies) \$56.00, Qualified Presort Services, LLC (Supplies) \$173.06, SD Counties (Travel) \$185.00, One Office Solution (Maintenance) \$201.33; **Data Processing:** Vast Business (Utilities) \$832.83, First Bankcard (Maintenance) \$55.06; **States Attorney:** Century Business Products (Rentals) \$536.06, Culligan (Supplies) \$21.00, Staples Credit Plan (Supplies) \$364.91, Security Shredding Services (Professional Services) \$35.00; **Government Building:** Vast Business (Utilities) \$26.25, Carrot-Top Industries Inc. (Supplies) \$178.28, Ehresmann Engineering Inc. (Maintenance) \$64.00, Flynn's Flowing Flags (Supplies) \$372.10, JCL Solutions (Supplies) \$125.11, Menards (Supplies) \$86.73, Menards

(Maintenance) \$74.30, MidAmerican Energy (Utilities) \$296.99, Olson's Pest Technicians (Maintenance) \$82.00; **Director of Equalization:** Southgate (Maintenance) \$250.00, Vast Business (Utilities) \$229.50, South Dakota Grassland (Travel) \$255.00, Microfilm Imaging Systems (Maintenance) \$70.00, Qualified Presort Services (Supplies) \$13.61, One Office Solution (Supplies) \$257.89; **Register of Deeds:** Vast Business (Utilities) \$177.70, Microfilm Imaging Systems (Rentals) \$336.00, Qualified Presort Services LLC (Supplies) \$37.46, SD Counties (Travel) \$185.00; **VA:** Vast Business (Utilities) \$26.25, Qualified Presort Services LLC (Supplies) \$6.03; **Safety Center Building:** Vast Business (Utilities) \$920.67, Echo Group (Maintenance BSMT) \$34.68, Echo Group (Maintenance) \$361.48, Johnson Controls, Inc. (Maintenance) \$496.63, Kaiser Appliance & Refrigeration (Maintenance) \$259.95, Menards (Supplies) \$14.49; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$16.15, City of Yankton (Fuel) \$1,173.62, Xtreme Car Wash (Maintenance) \$270.60, Culligan (Supplies) \$42.00, Interstate All Battery (Supplies) \$67.26, Jacks Uniforms & Equipment (Uniforms) \$525.79, Northtown Automotive (Maintenance) \$578.30, Qualified Presort Services LLC (Maintenance Contracts) \$126.14, South Dakota Department of Labor & Regulations (Unemployment Ins) \$1,857.00, M.T. & R.C. Smith (Vehicle Change) \$886.00, Tire Muffler Alignment (Maintenance) \$707.56, One Office Solution (Supplies) \$49.51; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$11,938.74, Avera Medical Group (Professional Services) \$675.00, Horwath Laundry Equipment (Maintenance) \$124.94, Culligan (Food Services) \$54.00, Summit Food Services (Food Services) \$6,066.31, McKesson Medical-Surgical Inc. (Professional Services) \$141.76, Jean Deffenbaugh (Uniforms) \$34.08, Correctional Risk Services (Inmate Medical Liab Ins) \$551.00, South Dakota Sheriff's Association (Maintenance Contracts) \$880.00, Strachan Sales, Inc. (Food Services) \$391.23, Yankton Rexall Drug Co (Professional Services) \$358.89; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$27.90, First Bankcard (Supplies) \$230.38; **Care of Poor:** Opsahl-Kostel Funeral Home (Professional Services) \$1,275.00, Qualified Presort Services LLC (Supplies) \$99.02, SD Counties (Travel) \$185.00, Thomson Reuters (Supplies) \$77.25; **Contact:** Contact Center (2nd Half 2020 Allotment) \$25,000.00; **Public Health Nurse:** Vast Business (Utilities) \$240.65, TIAA Commercial Finance (Rentals) \$70.96, Qualified Presort Services (Supplies) \$90.69; **Ambulance:** Avera Sacred Heart Hospital (Professional Services) \$198.26, Vast Business (Utilities) \$207.47, Bound Tree Medical LLC (Supplies) \$957.33, City of Yankton (Fuel) \$453.74, Vendnovation LLC (Professional Services) \$1,200.00, Praetorian Digital (Travel) \$1,850.00, Embroidery & Screen Works (Supplies) \$384.50, First Bankcard (Fuel) \$438.81, First Bankcard (Supplies) \$81.91, Leaf (Rentals) \$81.43, Matheson Tri-Gas Inc. dba Lifescape (Rentals) \$80.53, Menards (Supplies) \$75.94, Qualified Presort Services (Supplies) \$29.88, Roger's Family Pharmacy (Supplies) \$81.36, Security Shredding Services (Professional Services) \$35.00, Tire Muffler Alignment (Maintenance) \$557.42, One Office Solution (Supplies) \$455.00; **Mental Handicapped:** SD Achieve dba Lifescape (Care MI July 2020) \$300.00; **Mental Health Centers:** Lewis & Clark Behavioral Health (3rd/4th Qtr Appropriation 2020) \$40,366.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$42.00, Gary Mikelson (Hearings) \$1,131.00, Fox & Youngberg PC (Hearings) \$407.40, Mark Katterhagen (Hearings) \$42.00, Lewis & Clark Behavioral Health (Hearings) \$1,104.00, Lincoln County Treasurer (Hearings) \$1,969.24, Lucille M. Lewno (Hearings) \$659.00; **Extension:** Kopetsky's Ace Hardware (Supplies) \$35.19, Buhl's Cleaners (Supplies) \$94.55,

Leaf (Supplies) \$191.75, Yankton County 4-H Leader Association (Grounds Maintenance) \$2,331.53; **Weed:** C & B Supply Inc. (Supplies) \$89.03, Yankton County Observer (Publishing's) \$144.00, Yankton Daily P & D (Publishing's) \$440.40; **Planning & Zoning:** Vast Business (Utilities) \$62.50, First Bankcard (Supplies) \$50.00, Microfilm Imaging Systems, Inc. (Rentals) \$70.00, Qualified Presort Services, LLC (Supplies) \$49.98, SD Counties (Travel) \$185.00, One Office Solution (Maintenance) \$117.59, One Office Solution (Supplies) \$33.36, Yankton Daily P & D (Publishing's) \$456.24; **Road & Bridge:** Bomgaars (Supplies) \$31.84, B-Y Electric (Utilities) \$67.34, B-Y Water District (Utilities) \$85.50, Battery Exchange (Supplies) \$104.95, Butler Machinery Co. (Supplies) \$41,267.56, Vast Business (Utilities) \$228.20, Boyer Trucks (Supplies) \$7.70, Presto-X (Maintenance) \$105.00, Cox Auto Supply, Inc. (Supplies) \$723.49, Concrete Materials (Supplies) \$765.10, CenturyLink (Utilities) \$55.83, Calibration Technologies, Inc. (Maintenance) \$1,251.95, CHS (Supplies) \$1,055.40, CHS (Fuel) \$1,685.72, Janssen's Garbage Services (Utilities) \$45.00, Longs Propane Inc. (Fuel) \$48.00, Menards (Supplies) \$24.83, MidAmerican Energy (Utilities) \$19.69, Yankton County Observer (Publishing's) \$144.00, M.T. & R.C. Smith (Equipment Change) \$58.00, SD Counties (Travel) \$185.00, Southeastern Electric Cooperative Inc. (Utilities) \$2.73, Truck Trailer Sales Services, Inc. (Supplies) \$69.10, Truenorth Steel (Supplies) \$25,552.90, One Office Solution (Supplies) \$140.53, Yankton Daily P & D (Professional Services) \$275.25; **Emergency 911 Fund:** Vast Business (Utilities) \$123.28, Powerphone Inc. (Travel) \$729.00, CenturyLink (Utilities) \$83.20, Golden West Telecommunications (Utilities) \$145.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$64.72, B-Y Electric (Utilities) \$53.19, City of Yankton (Supplies) \$26.31, Cox Auto Supply Inc. (Maintenance) \$174.55, Xtreme Car Wash (Professional Services) \$67.20, ESRI (Maintenance) \$400.00, First Bankcard (Supplies) \$113.01, Kaiser Appliance & Refrigeration (Maintenance) \$1,141.95, Menards (Supplies) \$55.86, Tabor Lumber Cooperative (Supplies) \$253.87, One Office Solution (Supplies) \$168.14; **24/7 Program:** Pharmchem Inc. (Supplies) \$1,274.20; **Non-Departmental:** Satellite Tracking of People (Tracking Monitors) \$299.00, Byron Nogelmeier (Cam Daily Fee) \$1,818.00, SD Department of Revenue (HSC Services) \$7,831.36, SD Department of Revenue (Redfield Services) \$60.00, SD Department of Revenue (Motor Vehicle Fees) \$506,421.18, SD Department of Revenue (Waste Fees) \$6,965.75, SD Department of Revenue (ROD Fees) \$1,730.00, SDACO (M & PR Fund) \$882.00; General Fund \$159,398.29, Road & Bridge, \$74,000.61, Emergency Management, 2,518.80. Kettering, Healy and Loest voted aye; Klimisch and Swensen voted nay; motion carried. 3-2

Action 20347AUD: A motion was made by Kettering and seconded by Klimisch to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash report as of July 31, 2020 which showed Total Cash of \$9,142,130.87. The General Fund was \$5,380,475.17; Special Funds were \$2,524,253.64; and Trust and Agency Funds were \$1,237,402.06 adding to a Grand Total of General Ledger Cash and Investments of \$9,142,130.87. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 20348C: A motion was made by Kettering and seconded by Healy to approve the 2020 General Election Vote Centers as follows; Yankton City Hall, Yankton Fire Station #2,

Gayville Community Center, Mayfield Bar & Grill, Lesterville Fire Hall and Lewis & Clark Recreation Area. All present voted aye; motion carried.

Action 20349C: A motion was made by Klimisch and seconded by Healy to cancel the special assessments on parcels 78.820.008.070 \$24.32 and 78.820.008.040 \$40.54 per request from Yankton City. All present voted aye; motion carried.

Action 20350C: A motion was made by Healy and seconded by Kettering to change the percentage for jail holds monies that are receipted into a special jail building fund to 10% instead of the current 25%. Healy, Kettering, Klimisch and Loest voted aye; Swensen voted nay; motion carried, 4-1.

Action 20351C: A motion was made by Klimisch and seconded by Kettering to approve the Rich Schild Bridge Dedication Program use agreement. All present voted aye; motion carried.

Action 20352Hwy: A motion was made by Klimisch and seconded by Healy to approve entrance application from Ralph Marquardt in Township 96-54. All present voted aye; motion carried.

Emergency Management Director Paul Scherschligt appeared before the board for approval of the Emergency Management Performance Grant (EMPG) and to update the board on COVID-19.

Action 20353OEM: A motion was made by Healy and seconded by Klimisch to approve the Emergency Management Performance Grant. All present voted aye; motion carried.

Action 20354Z: A motion was made by Kettering and seconded by Healy to adopt the following resolution. Whereas it appears, David Kline, owner of record, has caused a plat to be made of the following real property: Tract 1A Replat of Tract 2 Blk 3 Missouri View Addition, N1/2, NE1/4, S15-T93N-R56W, 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.

Action 20355Z: A motion was made by Healy and seconded by Kettering to adopt the following resolution. Whereas it appears, Todd Huber, owner of record, has caused a plat to be made of the following real property: Lot 15 Sundance Ridge, W1/2, S12-T93N-R57W, 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.

Action 20356Z: A motion was made by Healy and seconded by Kettering to adopt the following resolution. Whereas it appears, DLK & M, LLC, owners of record, have caused a plat to be made of the following real property: Bakke Addition, NW1/4, S1-T93N-R57W, 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.

2021 Budget: Commissioner Swensen commented on the proposed 2021 Budget.

Action 20357C: A motion was made by Kettering and seconded by Healy to recess the commission meeting for five minutes. All present voted aye; motion carried.

Action 20358C: A motion was made by Swensen and seconded by Healy to reconvene. All present voted aye; motion carried.

Hearing: There was a second reading on the adoption of proposed amendments to Ordinance 2020 definitions and Article 5 Agricultural District, Ordinance 20-24.

Several members of the audience spoke at the hearing: Bill Conkling, Paige Herrig, Paty Davies, Heather Fillaus, Chris Barkl, Matt Lyngstad, Mike Schurman, Christy Hauer, Dale Knode, Zane Williams, Louis Johnson, Bruce Jensen, Todd Woods, Ramona Bagstad, Robert Freng, Jeff Barkl, Kristy Schlultz, Deb Bodenstedt and Cathy Weiss.

Action 20359Z: A motion was made by Kettering and seconded by Healy to deny proposed amendments to the Ordinance and to send it back to Planning and Zoning.

Kettering called the question and Healy seconded. Call failed on a 3-2 vote.

After further discussion, Chair Loest asked for a roll call vote on **Action 20359Z**. Kettering, Healy and Loest voted aye; Klimisch and Swensen voted nay; motion carried, 3-2

Action 20360D: A motion was made by Kettering and seconded by Healy to recess the regular session and convene as Ditch Board. All present voted aye; motion carried.

Susan McClure and Paul Crecelius appeared before the board to discuss the procedure on cleaning the Clay Creek Ditch. McClure said they have a private ditch that flows into the Clay Creek Ditch and requested the county pay for the portion that flows through their land. The board agreed to receive a quote from the contractor.

Action 20361C: A motion was made by Swensen and seconded by Healy to recess the Ditch Board and reconvene in regular session. All present voted aye; motion carried.

Employee Handbook: Dan Oakland from Alternative HRD, LLC of Sioux Falls, SD presented proposed changes to the employee handbook. Discussion of the handbook will be placed on the next meeting's agenda for final action.

Wheel Tax: The board discussed an increase to the wheel tax from the current \$4.00 per wheel not to exceed 4 wheels to \$5.00 per wheel not to exceed 4 wheels or the maximum of \$5.00 per wheel not to exceed 12 wheels.

Bruce Jensen and Robert Freng spoke on the discussion.

Action 20362C: A motion was made Healy and seconded by Kettering to approve the \$5.00 per wheel not to exceed 4 wheels. Roll call vote was taken. Healy, Kettering and Loest voted aye; Kettering and Swensen voted nay; motion carried, 3-2.

There were no public comments.

Chair Loest closed public comment.

Commissioner updates: Items mentioned were YAPG zoom meeting, 8-County meeting and Planning and District meeting in Mitchell, SD. Swensen said he will have a conference call with Washington DC.

Action 20363C: A motion was made by Swensen and seconded by Healy to recess the regular session at 10:25 pm and convene in executive session to discuss litigation SDCL 1-25-2(3), personnel issues SDCL 1-25-2(1) and Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried.

Action 20364C: A motion was made by Swensen and seconded by Kettering to adjourn the executive session at 10:45 pm and reconvene in regular session. All present voted aye; motion carried.

Action 20365C: A motion was made by Kettering and seconded by Healy to deny poor relief assistance on Case #1. All present voted aye; motion carried.

Action 20366C: A motion was made by Healy and seconded by Kettering to approve the termination of a Yankton County Employee as requested. Four voted aye with Swensen voting nay; motion carried, 4-1.

Action 20367 C: A motion was made by Swensen and seconded by Healy to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, September 1, 2020 at 6:00 p.m.

Cheri Loest, Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor