

YANKTON COUNTY COMMISSION MEETING
December 3, 2019

The regular meeting of the Yankton County Commission was called to order by Chairman Dan Klimisch at 6:00 PM on Tuesday, December 3, 2019.

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

There were no conflicts of interest reported by Commissioners.

Action 19539C: A motion was made by Kettering and seconded by Loest to approve the meeting agenda with the following change: Items 8-9-10 will be moved up in the meeting. All present voted aye; motion carried.

Action 19540C: A motion was made by Loest and seconded by Healy to approve the minutes of the November 15, 2019 meeting. All present voted aye; motion carried.

Action 19541C: A motion was made by Healy and seconded by Loest to approve the minutes of the November 19, 2019 meeting. All present voted aye; motion carried.

There was public comments from Phil Tau and Paige Herrig.

Chairman Klimisch closed the public comment portion of the meeting.

Highway: Highway Superintendent Mike Sedlacek appeared for board approval of the bid used by Turner County from True North for prefabricated modular bridge.

Action 19542C: A motion was made by Kettering and seconded by Loest to approve the bid from True North. Roll call vote was taken with Kettering, Loest, Healy and Klimisch voting Aye; Swensen Voting Nay; Motion carried, 4-1.

Sedlacek also informed the board that he had spoken to Tammy Williams from Department of Transportation and DOT will help with the Jamesville Bridge repair. The county has 180 days to repair the bridge. After 180 days, DOT paying 80% and County paying 20%. Mr. Sedlacek also informed the board Fleeg's Bridge will be closed for repair December 4th from 9:00 am to 5:00 pm and December 5th and 6th from 7:00 am to 5:00 pm.

Dave Murchison commented on the bridge closing.

Bridge Inspections: The board discussed having annual inspections rather than the mandatory every other year inspections required by Department of Transportation. Chairman Klimisch said this is more of a safety issue of the citizens. Commissioners

Healy said he would like to see the cost and what the state says on annual versus bi-annual. Commissioner Loest also said she would like to know the cost before we make a decision on what's best for the county.

Action 19543C: A motion was made Klimisch and seconded by Kettering to have annual inspections on James River Bridges. Roll call vote was taken with Klimisch, Kettering and Swensen Voting Aye; Loest and Healy voting Nay; motion carried 3-2.

Emergency Management Director Paul Scherschligt appeared to update the board on the 2nd kick off meeting, which was held earlier this morning on applicants with public assistance.

Action 19544C: A motion was made by Loest and seconded by Healy to approve the following claims; **Non-Departmental:** Sobriety Testing (Refund) \$50.00, Vanessa Schultz (Refund-Ambulance) \$3.52, Shannon R Pavel (Travel) \$216.86; **Commissioners:** Yankton Transit (Budget Request) \$5,000.00, River Rat Productions (Professional Services) \$825.00; **Elections:** Qualified Presort Services (Supplies) \$45.71, Verizon (Rentals) \$360.09; **Court:** Fox & Youngberg PC (Professional Services) \$15,313.50, Megan Reeves (Professional Services) \$1,886.12, Arliss Fost (Witness Fees) \$28.70, Juror Fees (10 X \$50.00) \$500.00, Juror Mileage (1 X 4.20) \$4.20, Juror Mileage (1 X 5.04) \$5.04, Juror Mileage (1 X 21.00) \$21.00, Juror Mileage (2 X .84) \$1.68, Juror Mileage (2 X 8.40) \$16.80; **Auditor:** Ramkota Hotel & Conference Center (Travel) \$231.00, Patty Hojem (Travel) \$25.20, Qualified Presort Services LLC (Supplies) \$161.15, One Office Solution (Supplies) \$182.85, One Office Solution (Maintenance) \$161.09; **Treasurer:** Qualified Presort Services, LLC (Supplies) \$439.94; **Data Processing:** Data Cloud Solutions, LLC (Professional Services) \$427.62, Pictometry International (Professional Services) \$7,438.72; **States Attorney:** Century Business Products (Rentals) \$428.95, NDAA Insurance Services (Insurance) \$2,735.00, Hy-Vee (Supplies) \$28.98, Qualified Presort Services LLC (Supplies) \$36.58, Staples Credit Plan (Rentals) \$717.55, The State Bar of South Dakota (Travel) \$415.00; **Clerp:** SDACC (Catastrophic Legal Added Expense) \$4,409.00; **Government Building:** Bomgaars (Supplies) \$49.87, City of Yankton (Utilities) \$2,111.68, Echo Group (Maintenance) \$195.97, JCL Solutions (Supplies) \$426.00, Menards (Supplies) \$69.29, Northwestern Energy (Utilities) \$2,363.42, Olson's Pest Technicians (Maintenance) \$79.00, Otis Elevator Company (Maintenance) \$826.50; **Director of Equalization:** Qualified Presort Services LLC (Supplies) \$89.79, Verizon (Maintenance) \$175.03, One Office Solution (Maintenance) \$98.68; **Register of Deeds:** Qualified Presort Services LLC (Supplies) \$33.96, One Office Solution (Supplies) \$6.96; **VA:** Michael McDonald (Supplies) \$15.77, Qualified Presort Services LLC (Supplies) \$6.59; **Safety Center Building:** City of Yankton (Utilities) \$629.77, Echo Group (Maintenance) \$22.00, JCL Solutions (Supplies) \$1,209.00, Menards (Supplies) \$139.50, MidAmerican Energy (Utilities) \$1,552.75, Northwestern Energy (Utilities) \$7,493.59, Olsen's Pest Technicians (Maintenance) \$376.00; **Sheriff:** Bomgaars (Law Enforcement Equipment) \$629.94, Beyond Technology (Computer Services) \$1,309.50, Cardmember Services

(Travel) \$105.40, Robert Perry (Fuel) \$11.98, Auto Value Yankton (Maintenance) \$226.99, JJ Benji (Uniforms) \$1000.00, Midcontinent Communications (Utilities) \$115.00, Northtown Automotive (Maintenance) \$26.95, Pennington County Jail (Travel) \$832.85, Qualified Presort Services LLC (Maintenance Contracts) \$106.14, Jerold Sorbel (Fuel) \$36.00, Streicher's Inc. (Law Enforcement Equipment) \$57.98, One Office Solution (Supplies) \$174.15, One Office Solution (Minor Equipment) \$370.35; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$424.87, Avera Medical Group (Professional Services) \$1,213.00, Beyond Technology (Security Maintenance) \$1,309.50, AARMS (Maintenance Contracts) \$1,800.00, Nelson Electric and Electronic Service (Maintenance) \$97.85, Avera Medical Group Radiology (Professional Services) \$89.55, Diamond Dugs (Professional Services) \$499.39, AMG Wound Care (Professional Services) \$44.51, Sterricycle Inc. (Maintenance Contracts) \$228.00, Hy-Vee (Supplies) \$54.96, JCL Solutions (Supplies) \$1,773.56, Phoenix Supply (Supplies) \$393.26, Tire Muffler Alignment (Auto Expense) \$293.55, One Office Solution (Maintenance Contracts) \$40.22; **Coroner:** Sanford Health (Professional Services) \$4,869.00; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$17,710.00; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$158.02; **Public Health Nurse:** Qualified Presort Services, LLC (Supplies) \$35.71; **Ambulance:** Kopetsky's Ace Hardware (Supplies) \$167.01, Avera Sacred Heart Hospital (Supplies) \$173.30, Sacred Heart Hospital Services (Professional Services) \$1,500.00, Teleflex Funding LLC (Supplies) \$1,345.50, Bomgaars (Supplies) \$90.94, Vast Business (Utilities) \$182.98, City of Yankton (Utilities) \$236.15, Credit Collections Services (Professional Services) \$558.39, Aladtec Inc. (Professional Services) \$2,310.00, Cintas (Supplies) \$68.13, Powers Port A Pot (Supplies) \$52.66, Embroidery & Screen Works (Supplies) \$30.00, Ferdig's Transmission (Maintenance) \$423.18, Hy-Vee (Supplies) \$44.02, Menards (Supplies) \$51.95, MidAmerican Energy (Utilities) \$231.53, Northwestern Energy (Utilities) \$983.85, Qualified Presort Services (Supplies) \$80.58, Jean Scherschligt (Supplies) \$52.83, Tire Muffler Alignment (Maintenance) \$790.60, Verizon (Utilities) \$197.33, One Office Solution (Supplies) \$129.99, One Office Solution (Maintenance) \$36.58, Yankton Janitorial Supply (Supplies) \$274.28; **Mental Illness Board:** Darcy Lockwood (Hearings) \$15.00, Mark Katterhagen (Hearings) \$15.00, Lucille M. Lewno (Hearings) \$691.75; **County Extension:** A & T Industries (Other) \$157.21, Vast Business (Utilities) \$810.75, City of Yankton (Utilities) \$72.35, Hy-Vee (Supplies) \$82.07, MidAmerican Energy (Utilities) \$25.39; **Weed:** Association of SD County Weed & Pest Boards (Travel) \$50.00, Association of SD County Weed & Pest Boards (Supplies) \$0.55, SD Association of County Weed & Pest Supervisors (Supplies) \$50.00; **Planning & Zoning:** Farm & Home Publishers, LTD (Supplies) \$56.00, Qualified Presort Services, LLC (Supplies) \$15.58, Verizon (Utilities) \$44.61; **Road & Bridge:** C & B Operations, LLC (Supplies) \$379.60, Bomgaars (Supplies) \$19.99, Butler Machinery Co (Maintenance) \$403.24, City of Yankton (Utilities) \$99.57, Cox Auto Supply, Inc. (Supplies) \$256.72, CenturyLink (Utilities) \$62.65, Clark Engineering (Professional Services) \$4,206.42, Snap on Tools (Supplies) \$884.89, D-P Tools (Supplies) \$359.95, Filter Care of Nebraska (Supplies) \$25.75, Fischer Gravel (Supplies) \$204,870.00, Fastenal Industrial & Construction Supply (Supplies) \$241.19, Graham Tire Yankton

(Supplies) \$187.85, I State Truck Centers (Supplies) \$29.29, Kimball Midwest (Supplies) \$242.52, Elwood Lippert (Annual Projects) \$210,064.95, Utica Gravel, Inc. (Supplies) \$379,907.86, Motorola (Supplies) \$720.00, Midwest Radiator & Exhaust (Supplies) \$170.00, Northwestern Energy (Utilities) \$735.86, Schenkel Demolition (Supplies) \$1,755.04, Verizon (Utilities) \$91.38, Williams Septic Service (Utilities) \$300.00, One Office Solution (Supplies) \$68.55, Yankton Janitorial Supply (Supplies) \$292.30; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.33, CenturyLink (Utilities) \$70.07; **Emergency Management:** Bomgaars (Supplies) \$107.91, City of Yankton (Maintenance) \$5.50, Cox Auto Supply Inc. (Supplies) \$88.68, Menards (Supplies) \$364.74, MidAmerican Energy (Utilities) \$16.11, Racom Corporation (Utilities) \$36.03, Verizon (Utilities) \$212.16; **Government Buildings:** Ron's Auto Glass Inc. (Supplies) \$499.97; **24/7 Program:** Pharmchem Inc. (Supplies) \$3552.10, Redwood Biotech (Supplies) \$26.30, Redwood Toxicology Laboratory, Inc. (Supplies) \$1,969.16; **Napa Junction:** Department of Transportation (Debt Services) \$429,000.00; General Fund \$108,254.19, Road & Bridge \$806,375.57, Emergency Management, \$831.13. All present voted aye; motion carried.

Action 19545C: A motion was made by Kettering and seconded by Loest to approve the November, 2019 gross payroll: **Commissioners:** \$5,606.74; **Election:** \$0.00; Auditor: \$13,910.34; **Treasurer:** \$17,178.08; **States Attorney:** \$26,094.84; **Government Buildings:** \$11,776.06; **Director of Equalization:** \$25,424.31; **Register of Deeds:** \$12,422.10; **Veterans Service:** \$3,282.51; **Sheriff:** \$67,825.55; **County Jail:** \$78,612.30; **Coroner:** \$700.00; **Juvenile:** \$148.16; **Nurse:** \$3,049.25; **Ambulance:** \$64,918.53; **WIC :** \$1,677.14; **Extension:** \$7,801.54; **Soil Conservation:** \$2,944.95; **Weed:** \$1,170.30; **Planning & Zoning:** \$9,474.07; **Road & Bridge:** \$71,699.44; **E911:** \$0.00; **OEM:** \$7,857.55; **24-7 Program:** \$3,433.01. First Dakota National Bank \$33,985.21 (Withholding), First Dakota National Bank \$52,801.14 (FICA) First Dakota National Bank \$12,348.54 (Medicare), South Dakota Retirement System \$32,357.52 (Other Employees), South Dakota Retirement System \$19,443.94 (Sheriff), South Dakota Retirement System (Spouse Opt) \$117.44, South Dakota Retirement System (Supplemental) \$4,714.60, American Family Life Assurance Company (AFLAC) \$5,401.06, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$407.46., Colonial Life & Accident \$1,475.98, Optilegra \$467.68, Wellmark BC Health Insurance \$66,298.68, United Way of Greater Yankton \$47.50, Delta Dental \$1,172.00, VSP Vision \$181.54, WageWorks \$1,262.50. Gross Payroll \$437,006.74, Net Payroll \$326,180.66. All present voted aye; motion carried.

Action 19546Aud: A motion was made by Kettering and seconded by Healy to supplement the Emergency Management budget due to unanticipated grant revenue and donations in the amount of \$6,115.14. All present voted aye; motion carried.

Action 19547C: A motion was made by Kettering and seconded by Loest to approve the renewal of the County's agreement for provider services with the S.D. Department of Health. The agreement is made for the purposes of providing clerical services for the Women, Infants and Children (WIC) Program in Yankton County. All present voted aye; motion carried.

E911 Dispatch Air Conditioning Replacement: Dennis Evans, from Johnson Controls Inc., appeared before the board for approval of installing a second air conditioning unit in the E911 dispatch center at the Yankton Safety Center.

Action 19548C: A motion was made by Healy and seconded by Loest to approve of the Johnson Controls bid of \$12,444.00. Roll call vote was taken with Healy, Loest, Swensen, Kettering and Klimisch voting Aye; Motion carried, 5-0.

Planning & Zoning: Planning and Zoning Administrator Gary Vetter presented a draft of county mission statement/vision statement. Commissioner Healy said during the strategic planning meetings with District III, a vision/mision statement was discussed. Healy said most counties and cities have them except for Yankton County. It would work as a marketing tool for anyone who would want to move to the county and holds accountability to staff and elected officials. The board requested Mr. Vetter to forward the draft to department officials for their input.

Gary Vetter discussed with the Commission that the Comprehensive Plan from 2003 should be updated and wanted to start the discussion on possibly developing a new plan for the next 20 years. A couple of estimates were discussed in the \$100,000 to \$150,000 range from the companies that did Pennington County, City of Box Elder and City of Yankton. Also, in regards to the zoning ordinance, it was discussed about possibly getting outside zoning legal consulting based on some potential litigation regarding the validity of the current ordinance. No action was taken at this time

Permit Fees: Mr. Vetter asked the effective date for the approval of the change in the building permit fees. Auditor Hojem said the Resolution 19-10 was published November 27th and Rob Klimisch said the change will be effective 20 days after publication.

Zoning Enforcement: Gary Vetter said the hearings have been scheduled for December 4th, 11th and 18th.

Action 19549Z: A motion was made by Swensen and seconded by Loest 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 Tim Binder. Applicant requested a permit to develop multi-family dwellings in the second-story of a commercial building as well as in

the northern portion of a secondary building in a Lakeside Commercial District. Said property is legally described as S200' W330' Parcel A NE4 NW4 Exc Lt H-2, S15-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval.

Applicant Tim Binder spoke on the CUP request.

Action 19550Z: A motion was made by Healy and seconded by Kettering, to approve based on Findings of Fact from the November 12, 2019 Yankton County Planning Commission meeting the Conditional Use Permit as presented, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Roll call vote was taken with Healy, Kettering, Swensen, Loest and Klimisch voting Aye; Motion carried, 5-0.

Action 19551C: A motion was made by Swensen and seconded by Healy to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Alan Betchan with AAB Engineering, LLC appeared before the commission. Mr. Betchan's firm is the civil engineer of record for a proposed Dollar General location west of Yankton along Highway 52. The property is part of a common plan for a larger tract of land that abuts south Deer Boulevard and Highway 52. South Dakota Department of Transportation said there would be no drive connection to Highway 52 and requests that the existing 16th line access be improved and used as a common access point for the property to the south of 52 and west of Deer Boulevard. The access configuration would be acceptable but DOT cannot accept maintenance responsibilities for significant access point. Dollar General developer proposed to construct the roadway to County standards, then transfer this portion of the roadway to Yankton County.

Ryan Heine commented on the request.

No action was taken.

Sound System: Chairman Klimisch said at the next commission meeting, they will receive a quote for updating the sound system for the commission chambers.

Mike Swensen commented on the sound system.

Commissioners: Chairman Klimisch asked if there are any suggestions from the board on the Pennington County code of conduct book that was presented at the November 19th meeting. Klimisch suggested adding different conflicts of interests, and said items should be on county website not on social media. Commissioner Loest said she had social media and radio.

It was the consensus of the board to refrain from reading letters from individuals. If they cannot attend the meeting, they can have someone stand in for them.

There was no public comment.

Commission Updates: Commissioner Swensen said he still has contact with Washington. Commissioner Loest mentioned the Ambulance Taskforce application by November 11th. Chairman Klimisch mentioned a letter from SDACC President Cindy Heiberger.

Action 19552C: A motion was made by Swensen and seconded by Healy to recess the regular session at 8:00 pm and convene in executive session to discuss personnel issue SDCL 1-25-2(1) and litigation SDCL 1-25-2(3). All present voted aye; motion carried.

Action 19553C: A motion was made by Swensen and seconded by Healy to adjourn the executive session at 9:00 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 19554C: A motion was made by Swensen and seconded by Loest to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, December 17, 2019 at 6:00 p.m.

Dan Klimisch, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor