

YANKTON COUNTY COMMISSION MEETING

June 21, 2022

The regular meeting of the Yankton County Commission was called to order by Chairman Joe Healy at 6:00 p.m. on Tuesday, June 21, 2022.

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

There were no conflicts of interest reported by the rest of the Commissioners.

Action 22259C: A motion was made by Loest and seconded by Kettering to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There were no public comments. Chairman Healy closed public comment.

Action 22260C: A motion was made by Klimisch and seconded by Fox to approve a Malt Beverage License for MSN Enterprises, LLC dba Mazing Acres. All present voted aye; motion carried, 5-0.

Highway: Superintendent Mike Sedlacek appeared before board for approval of the federal bridge removal work agreement.

Action 22261HWY: A motion was made by Loest and seconded by Fox to approve the Agreement for Bridge Removal with Department of Transportation. All present voted aye; motion carried, 5-0.

Weed Supervisor Jim Liebesch appeared before the board for approval of the annual mosquito contracts.

Action 22262WD: A motion was made by Loest and seconded by Fox to accept the Yearly Mosquito Spraying Contracts. All present voted aye; motion carried, 5-0.

Kriss Thury was unable to attend the Commission meeting to update the board on The Center. Commissioner Klimisch shared a letter received from Ms. Thury.

Action 22263Z: A motion was made by Klimisch and seconded by Loest to adopt the following resolution: Whereas it appears, David Smit, owner of record, has caused a plat to be made of the following real property: Smit Evergreen Acres, NE1/4, S1-T94N-R54W hereinafter referred to as Volin Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 5-0.

Action 22264Z: A motion was made by Kettering and seconded by Klimisch to adopt the following resolution: Whereas it appears, Bob Law, Inc., owner of record, has caused a plat to be made of the following real property: NE1/4, S18-T93N-R56W hereinafter referred to as Utica South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 5-0.

Action 22265Z: A motion was made by Loest and seconded by Kettering to adopt the following resolution: Whereas it appears, Goshen Nation, owner of record, has caused a replat to be made of the following real property: Lots 2 and 13, SE1/4, NE1/4, S16-T93N-R56W. Hereafter known as Lot 21, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 5-0.

Action 22266Z: A motion was made by Fox and seconded by Loest to adopt the following resolution: Whereas it appears, Roger Hansen Trust, owner of record, has caused a plat to be made of the following real property: Lots 1 and 2 Elmer's Addition, SE1/4, S25-T96N-R55W hereinafter referred to as Mayfield Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 5-0.

Action 22267Z: A motion was made by Kettering and seconded by Fox to adopt the following resolution: Whereas it appears, Tim Paulson, owner of record, has caused a plat to be made of the following real property: NW1/4, SW1/4, S14-T93N-R57W hereinafter referred to as Ziskov South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 5-0.

Action 22268Z: A motion was made by Loest and seconded by Fox to adopt the following resolution: Whereas it appears, Clifford Harvey, owner of record, has caused a plat to be made of the following real property: Plat of Lot 15, being a replat of Lots 11 and 12 Block 3, NW1/4, SE1/4, S27-T95N-R56W hereinafter referred to as Central Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, 5-0.

The commission approved Friday September 9, 2022 as the date for the Yankton County employee picnic; details to follow.

Action 22269C: A motion was made by Kettering and seconded by Klimisch to approve the June 9, 2022, regular meeting minutes. Voting aye: Kettering, Fox, Klimisch and Healy. Loest abstained. Motion carried, 4-0.

Action 22270C: A motion was made by Loest and seconded by Fox to approve the following claims: **Commissioners:** First Bankcard (Supplies) \$98.02; **Elections:** Poll Workers (Elections) \$4,843.30; Election Systems & Software (Supplies) \$100.00; First Bankcard (Supplies) \$62.06; Gayville Community Center (Rentals) \$75.00; Lesterville Fire & Rescue Center (Rentals) \$75.00; Mayfield Store (Rentals) \$75.00; McLeod's Printing and Office Supplies (Supplies) \$54.00; Qualified Presort Services (Supplies) \$182.15; Secretary of State (Election List) \$25.00; SD Game Fish & Parks (Rentals) \$75.00; One Office Solution (Supplies) \$4.56; **Court:** Avera Sacred Heart Hospital (Lab) \$1,230.00; Certified Languages International (Prof Services) \$62.70; Great Plains Psychological Services (Prof Services) \$3,997.50; Horn Law Office LLC (Prof Services) \$2,473.00; Thomson Reuters – West (Supplies) \$83.55; **Auditor:** Andersen Telecom LLC (Prof Services) \$50.00; Qualified Presort Services (Supplies) \$128.36; One Office Solution (Supplies) \$194.40; **Treasurer:** Qualified Presort Services (Supplies) \$197.38; **Data Processing:** Andersen Telecom LLC (Prof Services) \$457.66; First Bankcard (Maintenance) \$45.60; **States Attorney:** Anderson Telecom LLC (Prof Services) \$200.00; Century Business Products (Rentals) \$594.98; Culligan (Supplies) \$16.00; Thomson Reuters – West (Supplies) \$197.63; Yankton Daily Press & Dakotan (Supplies) \$139.64; **Govt Buildings:** Culligan (Supplies) \$206.00; JJ Benji (Other) \$78.00; JCL Solutions (Supplies) \$41.70; Menards (Supplies) \$63.46; MidAmerican Energy (Utilities) \$548.98; **Director of Equalization:** Anderson Telecom LLC (Maintenance) \$200.00; Greg Neugebauer (Travel) \$82.04; Microfilm Imaging Systems (Maintenance) \$120.00; Qualified Presort Services (Supplies) \$19.59; **Register of Deeds:** Executive Management Finance Office (Supplies) \$36.25; Microfilm Imaging Systems (Rentals) \$148.00; Qualified Presort Services (Supplies)

\$43.69; **Veterans Service Officer:** LEAF (Rentals) \$58.10; Qualified Presort Services (Supplies) \$6.70; **Safety Center Building:** Kopetsky's Ace Hardware (Maintenance) \$16.58; Mark's (Maintenance) \$2,531.41; Vast (Utilities) \$800.40; City of Yankton (Maintenance) \$5.50; City of Yankton (Dumpster Fees) \$208.00; Cole Papers Inc (Supplies) \$482.21; Justice Fire & Safety (Maintenance) \$216.00; KONE Inc (Maintenance) \$2,370.30; Menards (Supplies) \$63.80; Menards (Maintenance) \$281.58; **Sheriff:** Anderson Telecom (Computer Services) \$500.00; City of Yankton (Fuel) \$4,503.39; Culligan (Supplies) \$62.50; Qualified Presort Services (Maintenance Contracts) \$159.14; M.T. & R.C. Smith Insurance (Insurance) \$471.00; One Office Solution (Maintenance Contracts) \$186.68; One Office Solution (Supplies) \$15.72; **County Jail:** Avera Medical Group (Prof Services) \$900.00; Boller Printing Co. (Supplies) \$284.00; Scott Family Dentistry (Prof Services) \$1,066.00; Cooks Correctional (Food Services) \$50.75; Culligan (Food Services) \$64.50; Diamond Drugs (Prof Services) \$235.23; Trinity Services Group (Food Services) \$8,195.82; Orthopedic Institute, PC (Prof Services) \$113.00; JCL Solutions (Supplies) \$544.85; Phoenix Supply (Supplies) \$638.82; One Office Solution (Maintenance Contracts) \$91.55; Yankton Rexall Drug Co. (Prof Services) \$867.04; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$36.26; First Bankcard (Maintenance) \$118.57; First Bankcard (Supplies) \$359.88; **Care of Poor:** Andersen Telecom LLC (Prof Services) \$50.00; Qualified Presort Services (Supplies) \$41.68; Thomson Reuters – West (Supplies) \$83.55; **Public Health Nurse:** TIAA, FSB (Rentals) \$58.67; Qualified Presort Services (Supplies) \$36.05; **Ambulance:** Bomgaars (Supplies) \$39.36; Vast (Utilities) \$177.11; City of Yankton (Fuel) \$471.46; Cintas (Maintenance) \$113.45; Quick Med Claims (Prof Services) \$3,286.91; Amazon Capital Services (Supplies) \$130.29; First Bankcard (Supplies) \$665.76; First Bankcard (Prof Services) \$50.00; Menards (Supplies) \$48.55; Olson's Pest Technicians (Maintenance) \$119.00; One Office Solution (Supplies) \$401.50; **Mental Illness Board:** Darcy Lockwood (Hearings) \$52.50; Mark Katterhagen (Hearings) \$52.50; Lewis & Clark Behavioral Health Services (Hearings) \$1,288.00; Lincoln County Treasurer (Hearings) \$532.72; Lucy Lewno (Hearings) \$797.83; **County Extension:** Buhl's Cleaners (Supplies) \$37.82; Vast (Utilities) \$389.11; SDSU Extension (Travel) \$36.86; FP Mailing Solutions (Rentals) \$74.85; Schroeder Memorials (Grounds Maintenance) \$25.00; Northwest Energy (Utilities) \$259.86; Olson's Pest Technicians (Maintenance) \$150.00; Yankton County Leaders (Grounds Maintenance) \$2,349.84; **Weed:** Bomgaars (Supplies) \$351.04; Agterra Technologies (Supplies) \$700.00; NAPA Auto Parts of Yankton (Maintenance) \$23.99; NAPA Auto Parts of Yankton (Supplies) \$103.36; Yankton County Observer (Publishings) \$108.00; One Office Solution (Supplies) \$36.18; Yankton Daily Press & Dakotan (Publishings) \$293.60; **Planning & Zoning:** First Bankcard (Travel) \$39.99; Qualified Presort Services (Supplies) \$12.41; One Office Solution (Supplies) \$13.26; **Highway:** Appeara (Supplies) \$133.36; C & B Operations, LLC (Maintenance) \$270.04; Andersen Telecom LLC (Prof Services) \$50.00; Bomgaars (Maintenance) \$9.18; Bomgaars (Supplies) \$1.29; Bomgaars (Bridges) \$99.99; B-Y Water District (Utilities) \$93.00; Building Sprinkler Inc. (Maintenance) \$2,041.74; Butler Machinery Co. (Maintenance) \$2,196.22; Vast (Utilities) \$141.02; Boyer Trucks (Maintenance) \$245.78; NAPA Auto Parts of Yankton (Maintenance) \$154.21; NAPA Auto Parts of Yankton (Supplies) \$299.32; Knife River-South Dakota (Bridges) \$9,358.00; CenturyLink (Utilities) \$69.82; IMEG Corp. (Prof Services) \$11,179.99; CHS Inc. (Hwy. Fuel) \$35,941.07; Beth

Wilhelms (Travel) \$42.00; D-P Tools (Supplies) \$278.35; CM Tools LLC (Supplies) \$119.50; Our Savior's Lutheran Church (Bridges) \$200.00; Ehresmann Engineering (Supplies) \$24.39; Fairbank Equipment Inc. (Supplies) \$100.92; Janssen's Garbage Services (Utilities) \$45.00; Kellen and Streit Inc. (Maintenance) \$420.00; Kellen and Streit Inc. (Bridges) \$134.48; Kellen and Streit Inc. (Asphalt Road) \$8,551.84; Kimball Midwest (Supplies) \$114.18; Longs Propane (Hwy. Fuel) \$80.00; Menards (Supplies) \$111.96; MidAmerican Energy (Utilities) \$38.76; Revier Pressure Washers (Maintenance) \$814.14; Revier Pressure Washers (Supplies) \$1,089.25; Riverside Hydraulics (Maintenance) \$154.61; Riverside Hydraulics (Supplies) \$276.00; M.T. & R.C. Smith Insurance (Insurance) \$1,327.00; Syds Eastside Auto (Maintenance) \$55.00; SD Department of Transportation (Bridges) \$440.99; Sioux Equipment Co. (Supplies) \$671.84; Spencer Quarries Inc. (Supplies) \$1,361.17; Spence Quarries (Bridges) \$4,241.58; Southeastern Electric Co. (Utilities) \$39.69; Truck Trailer Sales Service (Maintenance) \$40.00; Titan Machinery (Supplies) \$428.62; Titan Machinery (Bridges) \$3,322.00; One Office Solution (Supplies) \$36.19; Yankton Janitorial Supplies (Supplies) \$276.05; **Local Emergency Planning:** Vast (Utilities) \$92.22; CenturyLink (Utilities) \$83.20; Golden West Telecommunications (Utilities) \$145.00; Justice Fire & Safety (Maintenance) \$272.00; **Emergency Management:** Andersen Telecom LLC (Maintenance) \$125.00; First Bankcard (POD) 55.16; First Bankcard (Travel) \$279.62; First Bankcard (Prof Services) \$265.51; First Bankcard (Supplies) \$366.50; First Bankcard (Maintenance) \$474.70; Verizon (Utilities) \$122.15; One Office Solution (Supplies) \$29.68; **Government Buildings:** Jim Flynn (Misc) \$1,069.43; **24/7 Program:** Precision Kiosk Technologies (Supplies) \$1,350.00; Pharmchem Inc. (Supplies) \$1,986.10; **Law Library:** Thomson Reuters – West (Supplies) \$963.35; **Non-Departmental:** Satellite Tracking of People (Tracking Monitors) \$624.00; Byron Nogelmeier (Cam Daily Fee) \$978.00; Byron Nogelmeier (State Participation Fee) \$258.00; SD Department of Revenue (Alcoholic Beverage Fee) \$150.00; General Fund \$58,219.12; Road & Bridge \$87,119.54; Emergency Management \$1,718.32. All present voted aye; motion carried, 5-0.

Action 22271AUD: A motion was made by Kettering and seconded by Fox to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of May 31, 2022 which showed Total Cash of \$17,298,778.86. The General Fund was \$10,975,285.57; Special Funds were \$3,418,021.31; and Trust and Agency Funds were \$2,905,471.98 adding to a Grand Total of General Ledger Cash and Investments of \$17,298,778.86. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Action 22272C: A motion was made by Loest and seconded by Fox to approve the added Volunteers for Workman's Comp Insurance. All present voted aye; motion carried, 5-0.

Commissioner updates included 8-County meeting held in Menno, SD.

Emergency Management Director Paul Scherschligt appeared before the board to address several items, including residents failing to pick up signage for rural addresses. With the increasing numbers of camper villages, residents need to display more visible site numbers for

emergency vehicles. Another concern in the lake area is emergency access to gated residences and communities. Scherschligt suggested placing KNOX Boxes on the gates. Deputy Fire Chief Larry Nickles spoke on the issue. Jay Cutts, a member of the Yankton Rural Fire District, said truck access on some of the narrow roads that have limited access in the lake area could be a major issue. Ambulance Director Steve Hawkins was also in attendance for the discussion.

Commissioner Fox left the meeting.

Zoning changes: There was a second reading of the adoption of the proposed changes to the Yankton County Zoning Ordinance.

Action 22273Z: A motion was made by Loest and seconded by Kettering to approve the Yankton County Ordinance as proposed with following corrections to Article 5: Article 505(17) reference to swimming pools and simplify the proposed chart for 516(6) to state that Non-conforming lots of record that are allowed to develop must meet the following setbacks: All allowable uses 50' Minimum Front Yard, 10" Minimum Side Yard and 50" Minimum Rear Yard. Roll call vote was taken with Loest, Kettering, Klimisch and Healy voting aye. Motion carried, 4-0.

There were no public comments. Chairman Healy closed public comment.

Action 22274C: A motion was made by Kettering and seconded by Klimisch to recess the regular session at 7:10 p.m. and convene in executive session to discuss litigation issues related to SDCL 1-25-2(3) and personnel issues related to SDCL 1-25-2(1). All present voted aye; motion carried, 4-0.

Action 22275C: A motion was made by Kettering and seconded by Klimisch to adjourn the executive session at 8:20 p.m. and reconvene in regular session. All present voted aye; motion carried, 4-0.

No action was taken related to the executive session.

Action 22276C: A motion was made by Loest and seconded by Kettering to adjourn. All present voted aye; motion carried, 4-0.

The next regular meeting will be Tuesday, July 5, 2022 at 6:00 p.m.

Joe Healy, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor