

YANKTON COUNTY COMMISSION MEETING

October 20, 2020

The regular meeting of the Yankton County Commission was called to order by Chair Cheri Loest at 6:00 p.m. on Tuesday, October 20, 2020.

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

There were no conflicts of interest reported by Commissioners.

Action 20441C: A motion was made by Klimisch and seconded by Healy to approve the meeting agenda with the following addition: Item 24A, Conservation staffing. All present voted aye; motion carried.

There was no public comment.

Chair Loest closed public comment.

Action 20442C: A motion was made by Kettering and seconded by Klimisch to approve the October 6, 2020 meeting minutes. Voting aye: Kettering, Klimisch, Swensen and Healy. Loest abstained. Motion carried 4-0.

Action 20443C: A motion was made by Healy and seconded by Klimisch to approve the minutes of the October 12, 2020 meeting. Healy, Klimisch, Kettering, Healy and Loest voted aye; Swensen voted nay; motion carried.

Action 20444C: A motion was made by Klimisch and seconded by Kettering to approve the following claims: **Non Departmental:** Lake County Treasurer (Lien Payment to Lake County) \$75.00, SD Department of Corrections (Overpayment Reimbursement) \$2,000.00; **Commissioners:** Don Kettering (Travel) \$126.84, Hanson Briggs Specialty (Supplies) \$1,974.00, Vast Business (Utilities) \$52.50, Yankton Daily P & D (Publishing's) \$705.32; **Elections:** First Bankcard (Supplies) \$317.81, Qualified Presort Services (Supplies) \$4,609.28, One Office Solution (Supplies) \$28.00; **Court:** Juror Fees (\$50.00 x 6) \$300.00, Juror Mileage (\$0.84 x 2) \$1.68, Juror Mileage (\$8.40 x 1) \$8.40, Juror Mileage (\$4.20 x 1) \$4.20, Aver Sacred Heart Hospital (Lab) \$156.00, Certified Languages International (Professional Services) \$146.85, Megan Reeves (Professional Services) \$47.60, Alvine Weidenaar LLP (Professional Services) \$4,583.00, John Billings (Professional Services) \$2,185.00, Fox & Youngberg PC (Professional Services) 8,631.15, Horn Law Office LLC (Professional Services) \$864.50, Kennedy Pier Loftus & Reynolds (Professional Services) \$2,818.50, Psychological Associates of Yankton (Professional Services) \$3,400.00, Department of Health (Lab-Sept 2020) \$765.00, Dean Schaefer (Professional Services) \$1,795.00, Yankton Daily P & D (Professional Services) \$25.02; **Auditor:** Vast Business (Utilities) \$175.06, Culligan (Supplies) \$21.00, First Bankcard (Supplies) \$39.38, McLeod's

Printing & Office Supply (Supplies) \$270.51, Qualified Presort Services LLC (Supplies) \$88.69, Security Shredding services (Maintenance) \$35.00, One Office Solution (Supplies) \$461.25, One Office Solution (Maintenance) \$149.09; **Treasurer:** Vast Business (Utilities) \$209.91, Culligan (Supplies) \$35.00, Qualified Presort Services, LLC (Supplies) \$151.44, Security Shredding Services (Maintenance) \$35.00; **Data Processing:** Vast Business (Utilities) \$832.83, First Bankcard (Maintenance) \$45.96; **States Attorney:** Century Business Products (Rentals) \$463.06, Culligan (Supplies) \$14.00, Executive MGMT. Finance (Utilities) \$29.25; **CLERP:** SDACC (Catastrophic 4th Quarter) \$9,589.00; **Government Building:** Kopetsky's Ace Hardware (Supplies) \$15.54, Vast Business (Utilities) \$26.25, Echo Group (Maintenance) \$102.51, First Bankcard (Supplies) \$86.25, Janssen's Garbage Services (Utilities) \$240.00, Menards (Supplies) \$9.99, MidAmerican Energy (Utilities) \$229.50; **Director of Equalization:** Vast Business (Utilities) \$229.50, EcoWater systems (Supplies) \$30.00, First Bankcard (Supplies) \$82.52, First Bankcard (Maintenance) \$255.00, Microfilm Imaging Systems (Maintenance) \$70.00, Pictometry International (Maintenance) \$1,650.00, Qualified Presort Services (Supplies) \$81.78, Security Shredding Services (Maintenance) \$35.00, One Office Solution (Maintenance) \$95.80, One Office Solution (Supplies) \$6.06; **Register of Deeds:** Vast Business (Utilities) \$178.31, Executive MGMT. Finance (Utilities) \$29.25, Microfilm Imaging Systems (Rentals) \$336.00, Qualified Presort Services LLC (Supplies) \$52.39; **VA:** Vast Business (Utilities) \$26.25; **Safety Center Building:** Vast Business (Utilities) \$813.97, City of Yankton (Dumpster Fees) \$128.00, Cole Paper Inc. (Supplies) \$340.84, Drain Masters INC. (Maintenance) \$274.77, Echo Group (Maintenance) \$431.74, Johnson Controls INC. (Maintenance) \$1,176.65, Kone INC. (Maintenance) \$315.06; **Sheriff:** Beyond Technology (Minor Equipment) \$7,049.94, Beyond Technology (Computer Services) \$1,324.00, City of Yankton (Fuel) \$3,906.72, Culligan (Supplies) \$28.00, The Collision Center (Maintenance) \$8,445.51, Pennington County Jail (Travel) \$288.44, Qualified Presort Services (Maintenance Contracts) \$118.15, Michael Rothschadl (Travel) \$60.00, Sioux Sales Company-The Police Store (Law Enforcement Equipment) \$5,454.50, Security Shredding Services (Maintenance Contracts) \$192.50, One Office Solution (Furniture) \$376.54; **County Jail:** Avera Medical Group (Professional Services) \$797.00, Broadway Chrysler, Dodge, Jeep (Auto Expense) \$26.65, Beyond Technology (Security Maintenance) \$384.00, Culligan (Food Services) \$18.00, Diamond Drugs (Professional Services) \$805.34, Summit Food Services (Food Services) \$12,773.70, Industrial Chem Labs (Supplies) \$428.61, Jacks Uniforms & Equipment (Uniforms) \$253.76, JCL Solutions (Supplies) \$77.75, Correctional Risk Services (Inmate Medical Liab Ins) \$641.00, Sterling Solutions Inc. (Professional Services) \$255.00, Yankton Rexall Drug Co (Professional Services) \$330.01; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$7.78, First Bankcard (Supplies) \$118.17, Menards (Supplies) \$183.57; **Care of Poor:** Avera McKennan Hospital (Professional Services) \$14,381.45, Avera Heart Hospital (Professional Services) \$4,495.77, Opsahl-Kostel Funeral Home (Professional Services) \$1,250.00, Qualified Presort Services LLC (Supplies) \$113.32; **Public Health Nurse:** Vast Business (Utilities) \$239.01, TIAA Commercial Finance (Rentals) \$70.96, Qualified Presort Services (Supplies) \$59.60; **Ambulance:** Kopetsky's Ace Hardware (Supplies) \$59.04, Avera Sacred Heart Hospital (Professional Services) \$1,043.75, Teleflex Funding LLC (Supplies) \$234.50, Bound Tree Medical LLC (Supplies) \$1,466.79, B & L Communications (Supplies) \$4,240.00, City of Yankton (Fuel) \$941.57, First Bankcard (Fuel)

\$325.78, First Bankcard (Professional Services) \$270.00, Frist Bankcard (Travel) \$89.00, Janssen's Garbage Service (Utilities) \$300.00, Matheson Tri-Gas Inc. dba Lifescape (Supplies) \$102.28, Matheson Tri-Gas Inc. dba Lifescape (Rentals) \$78.35, Menards (Supplies) \$63.27, Motorola Solutions Inc. (Minor Equipment) \$9,852.89, Northtown Automotive (Professional Services) \$68.22, Olson's Pest Technician (Maintenance) \$114.00, Qualified Presort Services (Supplies) \$16.63, Tire Muffler Alignment (Maintenance) \$830.22, One Office Solution (Supplies) \$604.68, Yankton Janitorial Supply (Supplies) \$98.95; **Mental Handicapped:** SD Achieve dba Lifescape (Care MI Sept 2020) \$300.00; **Mental Health Centers:** Dakotabilities (Care Oct-Nov-Dec) \$540.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$64.50, Denise M Cody (Hearings) \$12.00, Fox & Youngberg PC (Hearings) \$6,853.85, Mark Katterhagen (Hearings) \$76.50, Lewis & Clark Behavioral Center (Hearings) \$3,312.00, Lucille M. Lewno (Hearings) \$1,157.50; **Extension:** Kopetsky's Ace Hardware (Supplies) \$0.72, Buhl's Cleaners (Supplies) \$37.82, Lauren Hollenbeck (Other) \$13.13, Lauren Hollenbeck (Professional Services) \$65.00, SDSU Extension (Travel) \$34.16, Katie Doty (Professional Services) \$100.00, Northwestern Energy (Utilities) \$33.64, Yankton County Leaders (Grounds Maintenance) \$1,763.42, Yankton County Leaders (Other) \$500.00; **Weed:** First Bankcard (Supplies) \$113.18; **Planning & Zoning:** Vast Business (Utilities) \$62.50, First Bankcard (Travel) \$31.00, Microfilm Imaging Systems, Inc. (Rentals) \$70.00, Qualified Presort Services, LLC (Supplies) \$23.08, One Office Solution (Maintenance) \$368.31, Yankton Daily P & D (Publishing's) \$236.03; **Road & Bridge:** Appera (Supplies) \$126.21, B-Y Electric (Utilities) \$72.74, B-Y Water District (Utilities) \$81.75, Butler Machinery Co. (Supplies) \$324.98, Vast Business (Utilities) \$228.20, Boyer Trucks (Supplies) \$144.97, Cox Auto Supply, Inc. (Supplies) \$250.36, CenturyLink (Utilities) \$67.41, Journey Group (Bridges) \$159,131.48, Asphalt Surfacing Company (Annual Projects) \$187,540.76, Ehresmann Engineering Inc. (Supplies) \$182.04, Filter Care of Nebraska (Supplies) \$64.15, First Bankcard (Supplies) \$101.48, Janssen's Garbage Services (Utilities) \$45.00, Kimball Midwest (Supplies) \$132.66, Marks Machinery (Supplies) \$1,021.60, MidAmerican Energy (Utilities) \$22.95, O'Reilly Auto Parts (Supplies) \$129.99, Riverside Hydraulics & Labs (Supplies) \$1,934.20, Yankton Daily P & D (Publishing's) \$10.94; **Emergency 911 Fund:** Golden West Telecommunications (Utilities) \$145.00; **Jail Building:** Integrated Technology & Security (Jail Capital Improvement) \$28,440.44; **Emergency Management:** B-Y Electric (Utilities) \$47.32, TIAA Commercial Finance (Rentals) \$193.15, Clarks Rental INC. (Maintenance) \$34.94, First Bankcard (Disaster Plan) \$3,547.83, First Bankcard (Supplies) \$337.31, First Bankcard (Maintenance) \$76.98, Leaf (Rentals) \$90.00, Menards (Maintenance) \$37.98, Qualified Presort Services (Supplies) \$5.52, Tabor Lumber Cooperative (Supplies) \$265.44, One Office Solution (Maintenance) \$43.59, One Office Solution (Furniture) \$239.00; **24/7 Sobriety Fund:** Pharmchem Inc. (Supplies) \$1,456.05; **Non-Departmental:** Satellite Tracking of People (Tracking Monitors) \$292.50, Byron Nogelmeier (Cam Daily Fee) \$2,760.00, SD Department of Revenue (HSC Services) \$5,063.55, SD Department of Revenue (Redfield Services) \$60.00, SD Department of Revenue (Motor Vehicle Fees) \$459,483.21, SD Department of Revenue (Waste Fees) \$6,731.25, SD Department of Revenue (ROD Fees) \$2,340.00, SDACO (M & PR Fund) \$780.00; General Fund \$170,444.97, Road & Bridge, \$351,613.87, Emergency Management, 4,919.06. All present voted aye; motion carried.

Action 20445AUD: A motion was made by Kettering and seconded by Healy to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash report as of September 30, 2020 which showed Total Cash of \$7,606,734.63. The General Fund was \$4,790,654.84; Special Funds were \$1,355,073.18; and Trust and Agency Funds were \$1,461,006.61 adding to a Grand Total of General Ledger Cash and Investments of \$7,606,734.63. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 20446C: A motion was made by Klimisch and seconded by Healy to approve the third quarter MI income. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Action 20447Welfare: A motion was made by Healy and seconded by Klimisch to approve the Welfare third quarter report for 2020. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

DOE: Yankton County Director of Equalization Lori Mackey presented the Board with her equalization report and also announced that Nancy Brockmoller will retire at the end of 2020. Mackey said Brockmoller has been employed with Yankton County for 25 years. Mackey said Nancy has been dedicated to her work and a professional. Mackey said she will be taking with her a great deal of institutional knowledge and will truly be missed. Also discussed was staffing in the office.

Action 20448N: A motion was made by Klimisch and seconded by Healy to accept the third quarter 2020 report for the Nurse and WIC office presented by Julie DeYonge. All present voted aye; motion carried.

Brian Hunhoff, Register of Deeds, presented his 2020 third quarter report.

Action 20449ROD: A motion was made by Kettering and seconded by Klimisch to approve the Register of Deeds third quarter report for 2020. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Jim Vlahakis, Yankton County Sheriff, presented his 2020 third quarter report to the board.

Action 20450S: A motion was made by Klimisch and seconded by Kettering to approve the 2020 3rd quarter report from the Sheriff's office. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Mike McDonald, Veteran's Service Officer, presented his 2020 third quarter report to the board.

Action 20451VSO: A motion was made by Kettering and seconded by Klimisch to approve VSO Michael McDonald's third quarter report for 2020. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

County Franchise: Southeastern Electric Cooperative, Inc. General Manager Brad Schardin (via zoom) presented a request to renew county franchise to construct rural electric transmission and distribution lines in, along and across the Public Highways of Yankton County.

Action 20452C: A motion was made by Healy and seconded by Klimisch to approve the County Franchise Resolution from Southeast Electric Cooperative to operate in Yankton County for the next twenty years. Roll call vote was taken with Healy, Klimisch, Swensen, Kettering and Loest voting aye; motion carried, 5-0.

Action 20453Z: A motion was made by Klimisch and seconded by Healy to adopt the following resolution. Whereas it appears, Sundance Development LLC, owners of record, has caused a plat to be made of the following real property: Lot 17, 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, 5-0.

Action 20454Z: 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 preliminary plat to be made of the following real property: Lots 1-10 of Block 4, Lots 1 & 2 of Block 5 and Lots 1 through 12 of Block 6, Law Overlook Subdivision, SE1/4, S7 & 18-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, 5-0.

Action 20455Z: A motion was made by Klimisch and seconded by Healy 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: Lot 2 Block 5, Law Overlook, SE1/4 Section 7 and NE1/4 Section 18, S7&18-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, 5-0.

Action 20456Z: A motion was made by Klimisch and seconded by Healy to adopt the following resolution. Whereas it appears, John Harper, owner of record, has caused a plat to be made of the following real property: Lot 17 Gavins Gulch, Tract 14, S15-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, 5-0.

Action 20457Z: A motion was made by Klimisch and seconded by Swensen to adopt the following resolution. Whereas it appears, John Harper, owner of record, has caused a plat to be made of the following real property: Lot 4, Engen Tract 13, S15-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, 5-0.

Action 20458Z: A motion was made by Healy and seconded by Klimisch to adopt the following resolution. Whereas it appears, Dennis and Carol Deurmier, owners of record, has caused a plat to be made of the following real property: Lots 456 and 678, Block 1, Marina Dell Subdivision, N1/2, NW1/4, S17-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, 5-0.

The second reading of the Ordinance No. 20-26 (Doug Marquardt Commercial Rezone).

There was no public comment.

Action 20459Z: A motion was made by Healy and seconded by Klimisch to approve the rezone application from Rural Transitional to Commercial. Roll call vote was taken with Healy, Klimisch, Swensen, Kettering and Loest voting aye; motion carried. 5-0

The second reading of the Ordinance No. 20-27 (Just Kidding Farms R1 Rezone).

Matt Winsand spoke on the hearing.

Action 20460Z: A motion was made by Kettering and seconded by Klimisch to approve the rezone application from R2 to R1. Roll call vote was taken with Kettering, Klimisch, Healy, Swensen and Loest voting aye; motion carried, 5-0.

Action 20461C: A motion was made by Klimisch and seconded by Kettering 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 Just Kidding farms. Applicants requested a permit for a Hobby Farm in a Low Density Zone (R1). Said property is legally described as Block 7 Deer Run Subdivision, W1/2, SE1/4, exc Tract 1, S1-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The Planning Commission recommended approval, 8-0.

Matt Winsand spoke on the CUP request.

Action 20462Z: A motion was made by Kettering and seconded by Klimisch, to approve the Conditional Use Permit on contingent of successful rezone, based on Findings of Fact from the September 8, 2020 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Kettering, Klimisch, Swensen, Healy and Loest voting aye; motion carried, 5-0.

Action 20463Z: 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 20464C: A motion was made by Klimisch and seconded by Healy to recess the commission meeting for five minutes. All present voted aye; motion carried.

Action 20465C: A motion was made by Klimisch and seconded by Healy to reconvene. All present voted aye; motion carried.

Commissioner Klimisch recognized Jeff Pfeifle, Buildings and Grounds Supervisor on how well the war memorial looked for the dedications that were recently held. Klimisch, along with Commissioner Swensen, also thanked Jeff for his dedication and the job he has done keeping county buildings clean during the pandemic.

Commissioners Swensen gave a presentation of Yankton County Veterans and the suicide rate among veterans.

Ambulance Administrator presented his 2020 third quarter report.

Action 20466AMB: A motion was made by Klimisch and seconded by Healy to approve the 2020 third quarter report from the Ambulance Department. A detailed report is on file with the County Auditor. All present voted aye; motion carried.

Emergency Management Director Paul Scherschlight appeared before the board for approval to update technology in the Emergency Operations Center (EOC). The technology will enhance video conferencing and update old equipment. Scherschlight received a quote from Andersen Telecom, LLC in the amount of \$18,418.40. Mr. Scherschlight also updated the commissioners on the COVID-19 pandemic.

Action 20467OEM: A motion was made by Klimisch and seconded by Kettering to approve the proposal from Andersen Telecom, LLC not to exceed \$18,418.40. All present voted aye; motion carried.

The board discussed reducing the planning commission to seven members instead of the current nine and have only one commissioner serve on the panel.

Action 20468C: A motion was made by Healy and seconded by Kettering to close the open position and move to six appointed members and one commissioner. Commissioner Klimisch will remain on the planning commission with Commissioner Healy stepping down. Roll call vote was taken with Healy, Kettering and Loest voting aye; Swensen and Klimisch voting nay; motion carried, 3-2.

The board discussed the secretary position for the Conservation District which will be open October 30th, 2020.

There was one public comment from Gary Swensen.

Chair Loest closed public comment.

Commissioner updates: NACO Training, Flyover, Salary Matrix, Drainage ordinance, Farm forum Monday October 26th. Commission Swensen spoke on Washington conference calls.

Action 20469 C: A motion was made by Kettering and seconded by Klimisch to adjourn. All present voted aye; motion carried.

The next regular meeting will be Thursday, November 5, 2020 at 6:00 p.m.

Cheri Loest, Chair
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor