

YANKTON COUNTY COMMISSION MEETING

February 1, 2022

The regular meeting of the Yankton County Commission was called to order by Chairman Joe Healy at 6:00 p.m. on Tuesday, February 1, 2022.

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

There were no conflicts of interest reported by Commissioners.

Action 2252C: A motion was made by Fox and seconded by Klimisch to approve the meeting agenda. All present voted aye; motion carried, 5-0.

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

Action 2253C: A motion was made by Loest and seconded by Kettering to approve the January 18, 2022 meeting minutes. All present voted aye; motion carried, 5-0.

Action 2254C: A motion was made by Kettering and seconded by Fox to approve the following claims: **General Fund: Commissioners:** Qualified Presort Services (Supplies) \$1.54; **Elections:** Qualified Presort Services (Supplies) \$31.41; McLeod's Printing & Office (Supplies) \$1,809.00; Secretary of State (Election List) \$100.00; Verizon (Rentals) \$280.07; **Court:** Juror Fees \$601.15; Jeanne M. Bossman (Professional Services) \$1,780.20; Fox & Youngberg (Professional Services) \$15,000.00; Kennedy Pier Loftus & Reynolds, LLP (Professional Services) \$121.80; Dean Schaefer (Professional Services) \$666.00; **Auditor:** Qualified Presort Services (Supplies) \$56.40; One Office Solution (Supplies) \$160.00; **Treasurer:** Qualified Presort Services (Supplies) \$163.92; Yankton County Treasurer (Supplies) \$79.82; **States Attorney:** Culligan (Supplies) \$40.75; Executive MGMT Finance (Supplies) \$36.25; Staples Credit Plan (Supplies) \$98.51; Verizon (Utilities) \$31.91; **Government Buildings:** City of Yankton (Utilities) \$1,861.69; Kopetsky's Ace Hardware (Supplies) \$39.97; Menards (Supplies) \$83.03; Northwestern Energy (Utilities) \$2,389.43; O'Connor Company (Supplies) \$202.36; United Laboratories Inc. (Supplies) \$345.70; **Director of Equalization:** Qualified Presort Services (Supplies) \$22.98; One Office Solution (Supplies) \$99.66; ; **Register of Deeds:** Qualified Presort Services (Supplies) \$50.52; Executive MGMT Finance (Supplies) \$36.25; **Veteran's Service Office:** Verizon (Utilities) \$41.91; Verizon (Rentals) \$40.01; **Safety Center Building:** City of Yankton (Utilities) \$600.36; Cole Papers Inc. (Supplies) \$322.87; Carrot-Top Industries Inc. (Maintenance) \$320.36; Echo Group (Maintenance) \$76.00; Menards (Supplies) \$54.51; Northwestern Energy (Utilities) \$7,258.12; Olson's Pest Technician (Maintenance) \$133.00; Overhead Door Company (Maintenance) \$133.13; **Sheriff:** Culligan (Supplies) \$24.75; Midcontinent Communications (Utilities) \$125.00; Motorola Solution Inc. (Equipment) \$15,084.00; Qualified Presort Services (Utilities) \$232.38; SD Special Pay Plan (Vacation/Sick Payout) \$6,778.22; SD Special Pay Plan

(Vacation/Sick Payout) \$45.00; Tire Muffler Alignment (Maintenance) \$46.35; **County Jail:** Horwath Laundry Equipment (Supplies) \$55.14; Trinity Services Group (Food) \$11,386.66; Hy-Vee (Professional Services) \$611.91; JCL Solutions (Supplies) \$1,769.07; Tire Muffler Alignment (Maintenance) \$77.25; Yankton Rexall Drug Co. (Professional Services) \$2,042.87; **Coroner** Sanford Health (Professional Services) \$2,100.00; **Yankton Area Search & Rescue:** Napa Auto Parts Of Yankton (Supplies) \$201.43; M.T & R.C Smith Insurance (Insurance) \$7,268.00; **Care of Poor:** Qualified Presort Services (Supplies) \$60.45; **Public Health Nurse:** TIAA Commercial Finance (Rentals) \$58.67; Qualified Presort Services (Supplies) \$18.67; **Ambulance:** Avera Health dba Avera Education and Staffing (Supplies) \$50.00; Kopetsky's Ace Hardware (Supplies) \$172.66; Avera Sacred Heart Hospital (Supplies) \$254.71; Sacred Heart Health Services (Professional Services) \$1,500.00; Arrow Manufacturing (Supplies) \$164.00; Buhl's Cleaners (Maintenance) \$12.78; Buhl's Cleaners (Supplies) \$7.00; Stryker Sales Corporation (Minor Equipment) \$24,776.10; Vast Business (Utilities) \$181.70; Bond Tree Medical LLC (Supplies) \$2,497.56; City of Yankton (Utilities) \$112.68; Credit Collection Services (Professional Services) \$166.15; Lexipol (Professional Services) \$1,612.00; Amazon Capital Services (Supplies) \$73.99; First Bankcard (Supplies) \$134.01; Investigative Services (Professional Services) \$408.00; Menards (Supplies) \$134.81; MidAmerican Energy (Utilities) \$1,562.61; Olson's Pest Technician (Maintenance) \$114.00; M.T & R.C Smith Insurance (Insurance) \$11,448.00; Two Way Solutions Inc. (Maintenance) \$202.99; Stitchin Corner & More (Supplies) \$506.25; Tire Muffler Alignment (Maintenance) \$627.50; Verizon (Utilities) \$304.34; One Office Solution (Supplies) \$191.50; **Mentally Handicapped:** Dakota Abilities (Care) \$540.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$15.00; Gary Mikelson (Hearings) \$1,005.00; Mark Katterhagen (Hearings) \$15.00; Lucille M. Lewno (Hearings) \$526.53; SD Human Services Center (Hearings) \$600.00; **County Extension:** SDSU Extension (Travel) \$32.56; City of Yankton (Utilities) \$73.38; HY-Vee (Other) \$5.48; Northwestern Energy (Utilities) \$478.35; Yankton Daily P&D (Supplies) \$133.09; **Weed:** Bomgaars (Supplies) \$39.99; Kaiser Appliance & Refrigeration (Supplies) \$369.97; Verizon (Utilities) \$24.77; One Office Solution (Supplies) \$48.81; **Planning & Zoning:** Pheasantland Industries (Supplies) \$55.62; Qualified Presort Services (Supplies) \$22.87; Verizon (Utilities) \$41.91; **Highway:** Bomgaars (Maintenance) \$106.48; B-Y Electric (Utilities) \$111.75; Butler Machinery Co. (Maintenance) \$1,499.71; Butler Machinery Co. (Supplies) \$137.16; Boyer Trucks (Maintenance) \$1,906.93; City of Yankton (Utilities) \$52.02; Napa Auto Parts of Yankton (Supplies) \$245.25; Napa Auto Parts of Yankton (Maintenance) \$160.41; Centurylink (Utilities) \$63.08; Clarks Rental (Supplies) \$20.50; Prather Tools LLC (Supplies) \$175.00; D-P Tools (Supplies) \$148.31; Kent Mettler (Bridges) \$960.00; Ehresmann Engineering (Supplies) \$197.15; Fastenal Industrial (Supplies) \$1.56; Graham Tire Yankton (Maintenance) \$1,694.91; I State Truck Center (Maintenance) \$419.86; Kaiser Appliance & Refrigeration (Supplies) \$62.97; Kimball Midwest (Supplies) \$414.15; Marks Machinery (Maintenance) \$210.64; Menards (Supplies) \$52.97; RDO Equipment Co. (Maintenance) \$95.23; Riverside Hydraulics (Maintenance) \$38.70; SD Department of Transportaion (Bridges) \$21,566.52; Truck Trailer Sales (Maintenance) \$388.95; Verizon (Utilities) \$61.95; Winter Equipment (Supplies) \$28,242.23; **Local Emergency Planning:** Vast Business (Utilities) \$1,109.31; CenturyLink (Utilities) \$76.09; **Emergency Management:** Xtreme Car Wash

(Supplies) \$25.60; Kaiser Heating & Cooling; (Supplies) \$214.18; MidAmerican Energy; \$62.92; Northtown Automotive (Maintenance) \$890.48; M.T. & R.C. Insurance (Insurance) \$6,446.00; Verizon (Utilities) \$812.16; **24/7 Program:** Refund (Sobriety Testing) \$64.00; **American Rescue Plan Act:** John Slemp (Hotel Reimbursement) \$938.30; **Rural Access Fund (Emergency Management):** Kopetsky's Ace Hardware (Supplies) \$1,283.40; **County Law Library:** Thomson Reuters-West (Supplies) \$963.35; **Non-Departmental:** Refund (State Participation Fee) \$10.00. General Fund \$134,400.08, Road & Bridge \$59,034.39, E911 \$1,185.40, Emergency Management, \$8,451.34, Non-Departmental \$2,320.75. All present voted aye; motion carried, 5-0.

Action 2255C: A motion was made by Loest and seconded by Fox to approve the following claim in the amount of \$1,283.40 from and for the funds to be taken out of the American Rescue Plan Act (ARPA) funds. All present voted aye; motion carried, 5-0.

Action 2256C: A motion was made by Fox and seconded by Klimisch to approve the **JANUARY, 2022 Gross Payroll: Commissioners:** \$5,890.90; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$18,018.69; **Treasurer:** \$16,859.02; **States Attorney:** \$32,081.04; **Government Buildings:** \$7,354.55; **Director of Equalization:** \$23,416.71; **Register of Deeds:** \$14,613.16; **Veterans Service:** \$3,597.70; **Courthouse & Safety Center:** \$7,195.16; **Sheriff:** \$67,400.96; **County Jail:** \$76,432.16; **Coroner:** \$1,300; **Juvenile:** \$110.03; **Nurse:** \$3,037.62; **Ambulance:** \$52,557.03; **WIC:** \$0.00; **Extension:** \$7,526.64; **Soil Conservation:** \$2,668.45; **Weed:** \$0.00; **Planning & Zoning:** \$11,000.73; **Road & Bridge:** \$81,992.66; **E911:** \$0.00; **OEM:** \$11,258.13; **24-7 Program:** \$1,500.80. First Dakota National Bank \$32,953.79 (Withholding), First Dakota National Bank \$53,592.84 (FICA) First Dakota National Bank \$12,533.92 (Medicare), South Dakota Retirement System \$33,208.66 (Other Employees), South Dakota Retirement System \$18,781.68 (Sheriff), South Dakota Retirement System (Spouse Opt) \$175.49, South Dakota Retirement System (Supplemental) \$8,340.00, American Family Life Assurance Company (AFLAC) \$5,528.53, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$341.43, Colonial Life & Accident \$1,288.74, Wellmark Blue Cross/Blue Shield \$64,364.34, Optilegra \$332.85, United Way of Greater Yankton 10.00, Delta Dental \$1,304.66, VSP Vision \$283.46, HealthEquity \$2,220.00. Gross Payroll \$445,866.14, Net Payroll \$329,870.21. All present voted aye; motion carried, 5-0.

No action was taken on Juneteenth Holiday agenda item.

Action 2257AUD: A motion was made by Fox and seconded by to approve the following resolution. All present voted aye; motion carried.

RESOLUTION #2022-2
County Rangeland Fire Protection

WHEREAS the County has not established a Rangeland Fire Protection Plan;

BE IT HEREBY RESOLVED, that the list of individuals set forth below, are hereby authorized to request rangeland fire assistance on behalf of the County of Yankton as specified in SDCL 41-20A-11. The authority to request assistance as provided shall continue in full force and effect until terminated or modified by resolution of the County of Yankton Board of Commissioners.

County Fire Assistance Authorization list:			
Effective Date: February 1, 2022			
Name of Individual	Position	Daytime Phone	Emergency or Cell Phone
Paul Scherschligt	Emg. Mgmt. Dir.	605-661-4289	605-661-4289
Erin Hacecky	Emg. Mgmt.	605-660-9851	605-660-9851
Jim Vlahakis	Sheriff	605-260-2750	605-661-8597
Mike Rothschadl	Chief Deputy Sheriff	605-668-3567	605-661-1828

BE IT HEREBY RESOLVED, that Paul Scherschligt, Emergency Management Director, is appointed County Rural Fire Coordinator for the County of Yankton. The County Rural Fire Coordinator is hereby authorized to act as a single point of contact, on behalf of the County of Yankton, in dealing with administrative matters such as burn bans, billings, or questions about this Rangeland Fire Agreement specific to the County. This authority shall continue in full force and effect until terminated or modified by resolution of the County of Yankton Board of Commissioners.

Dated the 1st day of February, 2022.

Yankton County Chairman, Joe Healy /s/

ATTEST: Patty Hojem, Yankton County Auditor /s/

Cody Mangold, Yankton County Veterans Service Officer, informed the board he has been appointed as the South Dakota Veterans Department Service Officer.

Gary Vetter, Planning and Zoning Director, appeared before the board to discuss zoning priorities. Commissioner Kettering suggested the board send their priorities to Mr. Vetter and discuss at a later date.

Action 2258C: A motion was made by Loest and seconded by Fox 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 Jen Holst. Applicant requested a permit to use her property as a hobby farm in a Low Density Residential District. Said property is legally described as Lt 2, C.C. Hollow, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota.

Jen and Andy Holst spoke on the CUP request. Chairman Healy closed public comment.

Action 2259Z: A motion was made by Klimisch and seconded by Fox, to approve the Conditional Use Permit not to exceed 10 animal units, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Klimisch, Fox, Kettering, Loest and Healy voting aye; motion carried, 5-0.

Action 2260C: A motion was made by Klimisch and seconded by Kettering to recess the commission meeting for five minutes. All present voted aye; motion carried, 5-0.

Action 2261C: A motion was made by Kettering and seconded by Loest to reconvene. All present voted aye; motion carried, 5-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Neal Lange. Applicant wishes to add on to an accessory structure in an existing campground. Said property is legally described as Tract 1, Lange Addition, NE1/4, NW1/4, S15-T93-R56, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota.

Neal Lange spoke on the CUP request.

Action 2262Z: A motion was made by Fox and seconded by Klimisch, to approve the Conditional Use Permit, based on Findings of Fact from the January 11, 2022 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 Fox, Klimisch, Kettering, Loest and Loest Healy voting aye; motion carried, 5-0.

Action 2263Z: A motion was made by Loest and seconded by Fox to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Rezone: There was a first reading on the request from Ehresmann Holdings, LLC to rezone from Commercial and Agriculture to Commercial. The second reading of the rezone request will be at the next commission meeting on February 15, 2022.

Eric Taylor commented on the rezone request. There were public comments from Edward and Elliot Waddell. Chairman Healy closed public comment.

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

Commissioner updates included: Commissioner Kettering attended the District III, Thrive and Human Services Center meetings; Transportation study and JDI updates; Commissioner Klimisch said he received calls concerning why the county paid for City of Yankton's radios. Chairman Healy mentioned he talked to Jesse Baily about the Unite Us project.

Action 2264C: A motion was made by Fox and seconded by Loest to recess the regular session at 7:10 p.m. and convene in executive session to discuss personnel issues SDCL 1-25-2(1) and Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried, 5-0.

Action 2265C: A motion was made by Loest and seconded by Kettering to adjourn the executive session at 7:45 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 2266C: A motion was made by Fox and seconded by Loest to pend the files of poor relief cases CW22-012 through CW 22-020 based on the following SDCLs: 28-13-34.2; 28-13-33.2; 28-13-33-3; 28-13-1.3(1); 28-13-1.1 and 28-13-27(6)(a). All present voted aye; motion carried, 5-0.

Action 2267C: A motion was made by Loest and seconded by Fox to reclassify the States Attorney clerk position to Legal Administrator and approve advertisement of the position. All present voted aye; motion carried, 5-0.

No action was taken on personnel.

Action 2268C: A motion was made by Kettering and seconded by Fox to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, February 15, 2022 at 6:00 p.m.

Joe Healy, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor