

YANKTON COUNTY COMMISSION MEETING
April 3, 2018

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Tuesday, April 3, 2018.

Roll Call was taken with the following Commissioners present: Debra Bodenstedt, Raymon Epp, Don Kettering and Todd Woods; Absent: Gary Swensen.

Action 18116C: A motion was made by Epp and seconded by Bodenstedt to approve the meeting agenda with the following addition: new custodian position. All present voted aye; motion carried.

Action 18117C: A motion was made by Bodenstedt and seconded by Epp to approve the minutes of the March 20, 2018 meeting with the following correction: Action 18110D should have read Drainage Board instead of Ditch Board. All present voted aye; motion carried.

Action 18118C: A motion was made by Kettering and seconded by Bodenstedt approve the following claims: **Non-Departmental: Commissioners:** Don Kettering (Travel) \$253.80, Raymon Epp (Travel) \$199.08, Intuvio (Professional Services) \$49.95, Clubhouse Hotel & Suites (Travel) \$730.00, River Rat Productions (Professional Services) \$500.00, River Rat Productions (Maintenance) \$128.60, Todd Woods (Travel) \$64.00; **Elections:** McLeod's Printing & Office Supply (Supplies) \$393.40, Qualified Presort Service LLC (Supplies) \$38.88, Verizon (Utilities) \$383.49; **Court:** Witness (1 @ \$300.00) \$300.00, Jurors Fees (8 @ \$50.00) \$350.00, Jurors Fees-MI (1 @ \$6.72) \$6.72, Jurors Fees-MI (1 @ \$5.88) \$5.88, Jurors Fees-MI (1 @ \$8.40) \$8.40, Jeff Larson Law LLP (Professional Services) \$3,168.95, Den Herder Law Office (Professional Services) \$1,588.60, Fox & Youngberg, PC (Professional Services) \$15,582.80, Horn Law Office, LLC (Professional Services) \$1,143.98, West Payment Center (Supplies) \$167.08; **Auditor:** Miller Consulting LLC (Maintenance) \$40.00, Qualified Presort Services LLC (Supplies) \$103.13, One Office Solution (Supplies) \$206.44; **Treasurer:** Qualified Presort Services, LLC (Supplies) \$117.27; **Data Processing:** Leaf (Rentals) \$104.86, Miller Consulting LLC (Maintenance) \$340.00; **States Attorney:** Century Business Products (Rentals) \$277.00, H-Vee (Supplies) \$23.99, Miller Consulting, LLC (Maintenance) \$20.00, Qualified Presort Services, LLC (Supplies) \$154.32; **Government Building:** Kopetsky's Ace Hardware (Supplies) \$370.08, Thompson Signs dba Mayer Signs (Maintenance) \$90.40, City of Yankton (Utilities) \$1,711.64, Echo Electric (Supplies) \$353.04, JCL Solutions (Supplies) \$217.47, Northwestern Energy (Utilities) \$2,289.75, Sherwin Williams Company (Supplies) \$21.71; **Director of Equalization:** Qualified Presort Services LLC (Supplies) \$50.05, One Office Solution (Supplies) \$55.94, Yankton Daily P & D (Publishing) \$214.33; **Register of Deeds:** Microfilm Imaging Systems, Inc. (Rentals) \$336.00, Qualified Presort Services LLC (Supplies) \$39.19; **Safety Center Building:** City of Yankton (Utilities) \$507.08, Cole Papers, Inc. (Supplies) \$585.75, Bruening Construction (Maintenance) \$794.15, Johnson Controls (Maintenance) \$852.07, Menards (Supplies) \$15.61, MidAmerican Energy (Utilities) \$2,677.43, Northwestern Energy (Utilities) \$5,582.22,

Olson's Pest Technicians (Maintenance) \$235.00, Sherwin Williams Company (Supplies) \$166.67; **Sheriff:** Clint Clites (Professional Services) \$105.00, Collection Trust Publications (Books) \$100.00, Cardmember Services (Fuel) \$181.47, Division of Motor Vehicles (Other) \$4.00, Hansen Locksmithing, Inc. (Maintenance) \$33.00, Jack's Uniforms & Equipment (Uniforms) \$99.95, Northtown Automotive (Maintenance) \$411.26, Qualified Presort Services, Inc. (Maintenance Contracts) \$164.84, Sioux Falls Two Way Radio Service, Inc. (Law Enforcement Equipment) \$352.95, James C. Vlahakis (Professional Services) \$105.00, One Office Solution (Maintenance Contract) \$73.81, One Office Solution (Furniture) \$550.00; **County Jail:** Bob Barker Company, Inc. (Supplies) \$98.97, Scott Family Dentistry, Inc. (Professional Services) \$541.00, ICS Jail Supplies, Inc. (Supplies) \$360.29, CBM Food Service (Food Services) \$9,835.12, Charm-Tex (Supplies) \$713.06, Avera Medical Group Radiology (Professional Services) \$192.31, Cardmember Services (Auto Expense) \$708.97, Cardmember Services (Supplies) \$56.30, Avera Sacred Heart Hospital (Professional Services) \$149.87, Diamond Drugs (Professional Services) \$1,106.18, Hy-Vee (Professional Services) \$266.28, Jack's Uniforms & Equipment (Uniforms) \$126.93, Menards (Supplies) \$78.04, Moore Medical LLC (Professional Services) \$130.47, PharmChem, Inc. (Supplies) \$1,216.00, M.T. & R.C. Smith Insurance (Professional Services) \$80.00, One Office Solution (Supplies) \$28.76, One Office Solution (Security Maintenance) \$49.86; **Coroner:** Wintz Funeral Home (Travel) \$280.00, South Dakota Department of Health (Professional Services) \$35.00, Sanford Health (Professional Services) \$10,887.00, Wintz & Ray Funeral Home (Travel) \$280.00; **Juvenile Detention:** Brown County Sheriff's Office (Other) \$2,860.00; **Yankton Area Search & Rescue:** Sioux Falls Two Way Radio Service, Inc. (Supplies) \$212.95; **Care of Poor:** Miller Consulting LLC (Maintenance) \$60.00, Qualified Presort Services, LLC (Supplies) \$136.21; **Public Health Nurse:** Qualified Presort Services, LLC (Supplies) \$39.24; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$1,264.65, Sacred Heart Health Services (Professional Services) \$1,500.00, Vast Business (Utilities) \$188.39, Century Business Products (Rentals) \$177.11, City of Yankton (Utilities) \$139.76, Pelton Physical Therapy (Professional Services) \$100.00, Hilton Hotels & Resorts (Travel) \$286.09, Change Healthcare (Professional Services) \$130.00, G & K Services (Maintenance) \$61.36, Miller Consulting LLC (Maintenance) \$20.00, MidAmerican Energy (Utilities) \$652.06, Physio-Control, Inc. (Utilities) \$835.68, Olson's Pest Technicians (Maintenance) \$74.00, Pitney Bowes (Rentals) \$215.34, Purchase Power (Supplies) \$64.90; **Mental Illness Board:** Darcy Lockwood (Hearings) \$6.00, Mark Katterhagen (Hearings) \$6.00, Lucille M. Lewno (Hearings) \$173.75, Gary E. Mikelson (Hearings) \$642.00; **Senior Citizens:** City of Yankton (4th Qtr 2017) \$1,754.43; **County Extension:** Vast Business (Utilities) \$41.86, City of Yankton (Utilities) \$59.82, Katie Doty (Other) \$38.27, Hy-Vee (Supplies) \$11.65, Miller Consulting LLC (Maintenance) \$225.00, MidAmerican Energy (Utilities) \$105.13, SDSU Extension (Travel) \$67.34; **Planning & Zoning:** 3-D Specialties, Inc. (E911 Signs) \$52.83, River Rat Productions (Professional Services) \$250.00, Qualified Presort Services, LLC (Supplies) \$86.76, One Office Solution (Supplies) \$687.72; **Road & Bridge:** Bomgaars (Supplies) \$301.00, B-Y Electric (Utilities) \$84.07, Butler Machinery Co. (Supplies) \$100.51, Country Pride Coop (Hwy Fuel) \$871.50, City of Yankton (Utilities) \$80.13, CenturyLink (Utilities) \$56.31, C & R Supply, Inc. (Supplies) \$1,382.31, Clarks Rental, Inc. (Supplies) \$21.00, Snap On Tools (Supplies) \$35.35, Tim Kocmich (Professional Services) \$128.00, Diesel Machinery, Inc. (Supplies) \$1,118.79,

Driveline Services (Maintenance) \$104.16, Driveline Services (Supplies) \$76.54, Ehresmann Engineering Inc. (Supplies) \$152.69, Auto Value Yankton (Supplies) \$17.29, Lyle Signs Inc. (Supplies) \$745.44, Mark's Machinery (Supplies) \$16.95, Midwest Striping (Maintenance) \$2,199.00, Menards (Maintenance) \$146.91, Midwest Radiator & Exhaust (Maintenance) \$170.00, O'Reilly Auto Parts (Supplies) \$14.99, Riverside Hydraulics & Labs (Maintenance) \$917.83, Sherwin Williams Company (Supplies) \$735.72, Truck Trailer Sales Service, Inc. (Maintenance) \$218.75, Truck Trailer Sales Service, Inc. (Supplies) \$565.55, One Office Solution (Supplies) \$65.43, Yankton Janitorial Supply (Supplies) \$122.20; **Emergency 911 Fund:** Vast Business (Utilities) \$107.59, Powerphone (Travel) \$729.00, CenturyLink (Utilities) \$1,294.87, CenturyLink (Utilities) \$1.49, Incontact, Inc. (Professional Services) \$2,127.00; **Jail Building:** Menards (Jail Capital Improvement Fund) \$550.70; **Emergency Management:** Vast Business (Utilities) \$265.62, Hy-Vee (Supplies-LEPC) \$125.90, Karl's TV (Minor Equipment) \$549.91, Miller Consulting, LLC (Maintenance) \$450.00, MidAmerican Energy (Utilities) \$29.05, Power Source Electric (Maintenance) \$188.57, Sioux Falls Two Way Radio Service, Inc. (Supplies) \$2,894.30, One Office Solution (Supplies) \$135.27, One Office Solution (Minor Equipment) \$349.99, One Office Solution (Supplies-LEPC) \$27.90; **24/7 Program:** PharmChem, Inc. (Supplies) \$1,798.65, Redwood Toxicology Laboratory, Inc. (Supplies) \$10.00; **County Law Library:** West Payment Center (Supplies) \$777.74; **South Dakota State Treasurer:** Fees (Motor Vehicle) \$310,299.61, Fees (Waste Fee) \$155.00, Fees (ROD) \$2,470.00; **South Dakota State Treasurer:** Services (HC) \$5,328.14, Services (Redfield) \$180.00, **SDACO (M & PR Fund)** \$392.00. General Fund \$86,244.19, Road & Bridge, \$10,448.42, Emergency Management, \$5,016.51. All present voted aye; motion carried.

Action 18119C: A motion was made by Kettering and seconded by Epp to approve March 2018 Payroll: **Commissioners:** \$5,469.99; **Auditor:** \$13,360.27; **Treasurer:** \$16,457.25; **States Attorney:** \$27,485.48; **Custodian:** \$3,789.81; **Director of Equalization:** \$22,933.02; **Register of Deeds:** \$12,039.47; **Veterans Service:** \$3,050.60; **Courthouse & Safety Center:** \$5,409.32; **Sheriff:** \$70,602.31; **County Jail:** \$62,665.32; **Coroner:** \$900.00; **Juvenile:** \$0.00; **Nurse:** \$2,974.88; **Ambulance:** \$47,052.58; **WIC :** \$1,512.50; **Extension:** \$6,854.96; **Soil Conservation:** \$2,873.12; **Weed:** \$1,865.60; **Planning & Zoning:** \$8,608.00; **Road & Bridge:** \$69,153.17; **E911:** \$54.62; **OEM:** \$5,245.54; **24-7 Program:** \$3,064.84. First Dakota National Bank \$30,021.49 (Withholding), First Dakota National Bank \$47,827.74 (FICA) First Dakota National Bank \$11,185.56 (Medicare), South Dakota Retirement System \$29,406.22 (Other Employees), South Dakota Retirement System \$16,987.72 (Sheriff/OEM), South Dakota Retirement System (Spouse Opt) \$108.65, South Dakota Retirement System (Supplemental) \$3,170.45, American Family Life Assurance Company (AFLAC) \$4,926.66, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$503.09, Colonial Life & Accident 1,315.72, Optilegra \$569.50, Wellmark BC Health Insurance \$55,848.20, United Way of Greater Yankton \$55.00. Gross Payroll \$296,998.46, Net Payroll \$202,649.34. All present voted aye; motion carried.

Action 18120C: A motion was made by Kettering and seconded by Epp to approve the Day of Prayer use agreement. All present voted aye; motion carried.

Right of Way application from David Healy was pulled from consent agenda for discussion.

Action 18121C: A motion was made by Bodenstedt and seconded by Epp to approve the consent agenda. All present voted aye; motion carried.

Plat: Whereas it appears, Deerfield Trucking, owner of record, has caused a plat to be made of the following real property: Tract 2, Whitetail Run, NE1/4, SE1/4, 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 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.

Entrance Application request from Jim Stucky in Township 93-57.

Action 18122C: A motion was made by Epp and seconded by Bodenstedt to approve the Right of Way application from David Healy in Township 95-55. All present voted aye; motion carried.

Highway: Highway Superintendent Brian Gustad and Clark Engineering out of Sioux Falls, SD appeared before the board to discuss the 2018 bridge projects. They are located on 431st Street in Odessa Township, 436th Avenue in Jamesville Township and 303rd Street in Walshtown Township. Gustad stated these structures were awarded bridge grant money through the BIG (Bridge Improvement Grant) from the Department of Transportation and will be rehabilitation projects. Adam Polley from Clark Engineering touched on what the work will entail on the structures. Polley also stated the County will pay 100% of the project and be reimbursed 80% at the end of the year.

Action 18123H: A motion was made by Kettering and seconded by Epp to approve the right of way certification for Jamesville project 68-076-048. All present voted aye; motion carried.

Action 18124H: A motion was made by Kettering and seconded by Epp to approve the right of way certification for Walshtown project 68-134-120. All present voted aye; motion carried.

Action 18125H: A motion was made by Epp and seconded by Kettering to approve the right of way certification for Odessa project 68-030-018. All present voted aye; motion carried.

Action 18126H: A motion was made by Epp and seconded by Kettering to approve the utilities certificate for Odessa project BRF 6213 (00) 17-1. All present voted aye; motion carried.

Action 18127H: A motion was made by Bodenstedt and seconded by Kettering to approve the utilities certificate for Jamesville project BRF 6345 (00) 17-2. All present voted aye; motion carried.

Action 18128H: A motion was made by Bodenstedt and seconded by Kettering to approve the utilities certificate for Walshtown project BRF 6368 (00) 17-3. All present voted aye; motion carried.

Action 18129H: A motion was made by Epp and seconded by Bodenstedt to authorize Clark Engineering to advertise bids for the three projects. All present voted aye; motion carried.

Action 18130Z: A motion was made by Epp and seconded by Bodenstedt 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 Daniel Healy. Applicant requested a permit to operate a Quarry (gravel) in an Agriculture District (AG) in Yankton County. Said property is legally described as W1/2, SE1/4 & SE1/4, SE1/4 and Lots 5, 6 and 9, S18-T95N-R55W, hereinafter referred to as Walshtown Township, County of Yankton, State of South Dakota. E911 address 44064 300th St., Utica, SD. The Planning Commission recommended approval 8-0.

Action 18131Z: A motion was made by Kettering and seconded by Bodenstedt to approve a Conditional Use Permit for Daniel Healy, based on Findings of Fact from the March 13, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to operate a Quarry (gravel) in an Agriculture District in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as W1/2, SE1/4, & SE1/4, SE1/4 and Lots 5, 6 and 9, S18-T95N-R55W, hereinafter referred to as Walshtown Township, County of Yankton, State of South Dakota. E911 address is 44064 300th Street, Utica, SD. All present voted aye; motion carried.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Yard Requirement application from Orlando Munkvold. Variance of Minimum Yard Requirement from twenty (20) acres to six +/- (6.54) acres in an Agriculture in Yankton County. Said property is legally described as NE1/4, S23-T96N-R56W, hereinafter referred to as Jamesville Township, County of Yankton, State of South Dakota. The E911 address is 43863 294th Street, Menno, SD. The Planning Commission recommended approval 8-0.

Action 18132Z: A motion was made by Bodenstedt and seconded by Epp, based on Findings of Fact from the March 13, 2018 Yankton County Planning Commission meeting and

on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement from twenty (20) acres to six +/- (6.54) acres in an Agriculture district (AG) in Yankton County, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Said property is legally described as NE1/4, S23-T96N-R56W, hereinafter referred to as Jamesville Township, County of Yankton, State of South Dakota. The E911 address is 43863 294th Street, Menno, SD. All present voted aye; motion carried.

Action 18133C: A motion was made by Epp and seconded by Bodenstedt to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Action 18134Z: A motion was made by Kettering and seconded by Epp to adopt the following resolution: Whereas it appears Orlando Munkvold, owner of record, has caused a plat to be made of the following real property: Tract 1, Munkvold Metal Addition, NE1/4, S23-T96N-R56W, hereinafter referred to as Jamesville Township, 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.

Zoning: Zoning Administrator Pat Garrity requested the board appoint Denise Wubben as Deputy Zoning Administrator.

Action 18135Z: A motion was made by Bodenstedt and seconded by Kettering to appoint Denise Wubben as Deputy Zoning Administrator. All present voted aye; motion carried.

Insurance: Roger Smith from MT & RC Smith Insurance appeared before the board to discuss the Property and Liability insurance and putting emergency response team volunteers on Yankton County Workman's Comp.

Action 18136: A motion was made by Epp and seconded by Bodenstedt to place the Emergency response team volunteers on Yankton County Workman's Comp. All present voted aye; motion carried.

Abstain Procedure: Rescheduled to the next commission meeting.

Liaison: Chairman Woods re-assigned Debra Bodenstedt as building supervisor liaison.

The board discussed creating a full time custodian position.

Action 18137C: A motion was made by Epp and seconded by Bodenstedt to recess the regular session at 5:10 p.m. and convene in executive session to discuss litigation. All present voted aye; motion carried.

Action 18138C: A motion was made by Kettering and seconded by Bodenstedt to adjourn executive session at 5:40 p.m. and reconvene in regular session. All present voted aye; motion carried.

Chairman Woods reported no action would be taken as a result of the executive session.

Action 18139C: A motion was made by Bodenstedt and seconded by Kettering to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, April 17, 2018.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor