

YANKTON COUNTY COMMISSION MEETING  
June 6, 2017

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 4:00 PM on Tuesday, June 6, 2017.

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

**Action 17170C:** A motion was made by Woods and seconded by Bodenstedt to approve the meeting agenda with the following additions: July 3<sup>rd</sup> request and West City Limits Road meeting. All present voted aye; motion carried.

**Action 17171C:** A motion was made by Bodenstedt and seconded by Epp to approve the minutes of the May 16, 2017 with the following correction: Action 17158C should have been motion by Kettering and seconded by Bodenstedt. All present voted aye; motion carried.

**Action 17172C:** A motion was made by Epp and seconded by Bodenstedt to approve the following claims: **Non-Departmental:** Department of Revenue & Regulation (2017 -2018 Malt Beverage Renewal) \$312.50; **Commissioners:** Intuvio (Professional Services) \$49.95, Yankton County Observer (Publishing's) \$301.20, Yankton Area Chamber of Commerce (Dues) \$21.47, River Rat Productions (Professional Services) \$750.00; **Elections:** Qualified Presort Services LLC (Supplies) \$29.81, Verizon (Utilities) \$383.49; **Court:** Avera Sacred Heart Hospital (Lab) \$1,416.00, Juror Fees (10 @ \$50.00) \$500.00, Juror Fees-Mileage (1 @ \$4.20) \$4.20, Juror Fees-Mileage (1 @ \$2.52) \$2.52, Juror Fees-Mileage (2 @ \$29.40) \$58.80, Witness Fee (3 @ \$20.00) \$60.00, Witness Fees-Mileage (1 @ \$69.72) \$69.72, Witness Fees-Mileage (1 @ \$13.86) \$13.86, Witness Fees-Mileage (1 @ \$10.50) \$10.50, Fox & Youngberg, PC (Legal Assistance) \$15,000.00, Jurors Fees-MI (1 @ \$16.80) \$16.80, Horn Law Office, LLC (Legal Assistance) \$3,194.40, Kennedy Pier Knoff & Loftus, LLP (Legal Assistance) \$854.40, Dean Schaefer (Professional Services) \$102.60, West Payment Center (Supplies) \$388.00; **Auditor:** Best Western Ramkota Hotel (Travel) \$101.99, Patty Hojem (Travel) \$199.08, Leaf (Rentals) \$142.55, Qualified Presort Services, LLC (Supplies) \$154.78, One Office Solution (Supplies) \$70.88, Yankton Area Chamber of Commerce (Dues) \$21.48; **Treasurer:** Best Western Ramkota Hotel (Travel) \$101.99, Qualified Presort Services, LLC (Supplies) \$136.06, One Office Solution (Supplies) \$511.93, Yankton Area Chamber of Commerce (Dues) \$21.47; **States Attorney:** A & B Business Solution (Rentals) \$229.65, Robert W. Klimisch (Travel) \$624.76, Staples Credit Plan (Supplies) \$456.51, Yankton Area Chamber of Commerce (Dues) \$21.47; **Government Center:** Kopetsky's Ace Hardware (Supplies) \$60.98, City of Yankton (Utilities) \$1,644.48, Cole Papers, Inc. (Supplies) \$402.78, Menards (Supplies) \$53.84, Northwestern Energy (Utilities) \$2,332.67, Otis Elevator Company (Maintenance) \$77.42; **Director of Equalization:** Team Consulting, LLC (Supplies) \$150.00, Qualified Presort Services, LLC (Supplies) \$98.07, Tire Muffler Alignment (Maintenance) \$19.72, One Office Solution (Maintenance) \$135.11, Yankton Area Chamber of Commerce (Dues) \$21.47; **Register of Deeds:** Best Western Ramkota Hotel (Travel) \$199.98, Brian Hunhoff (Travel) \$205.80, Qualified Presort Services, LLC (Supplies) \$29.43,

One Office Solution (Supplies) \$43.13, Yankton Area Chamber of Commerce (Dues) \$21.47; **VA:** Yankton Area Chamber of Commerce (Dues) \$21.47; **Safety Center Building:** City of Yankton (Utilities) \$428.82, Cole Papers, Inc. (Supplies) \$208.10, Echo Electric Supply (Supplies) \$411.28, Johnson Controls, Inc. (Maintenance) \$1,712.46, Menards (Supplies) \$53.45, MidAmerican Energy (Utilities) \$1,187.42, Northwestern Energy (Utilities) \$5,893.84, One Office Solution (Supplies) \$239.96; **Sheriff:** The Collision Center (Auto Equipment) \$203.78, Clint Clites (Travel) \$60.00, FedEx (Other) \$12.87, Interstate All Battery Center (Computer Services) \$105.15, M.T. & R. C. Smith Insurance (Workman's Compensation) \$2,615.00, James C. Vlahakis (Travel) \$60.00, One Office Solution (Maintenance Contracts) \$61.66, Yankton Area Chamber of Commerce (Dues) \$21.47; **Jail:** Scott Family Dentistry, Inc. (Professional Services) \$524.00, Mark Payer (Supplies) \$64.18, CBM Food Services (Food Services) \$9,231.98, Charm-Tex (Supplies) \$145.80, Chief/Law Enforcement Supply (Auto Expense) \$425.49, Diamond Drugs (Professional Services) \$716.11, Interstate All Battery Center (Security Maintenance) \$22.20, Olson's Pest Technician (Maintenance) \$125.00, One Office Solution (Supplies) \$139.43; **Coroner:** Arica Nickles (Travel) \$58.40, Sanford Health (Professional Services) \$4,436.92, Yankton Area Chamber of Commerce (Dues) \$21.47; **Yankton Area Search & Rescue:** Kopetsky's Ace Hardware (Supplies) \$157.73, Bomgaars (Supplies) \$59.97, Cox Auto Supply, Inc. (Supplies) \$16.99, Midwest Card & ID 2012 (Maintenance) \$3,299.92; **Airport:** City of Yankton (2017 Chan Gurney Airport-County Share) \$15,000.00; **Care of Poor:** Qualified Presort Services, LLC (Supplies) \$147.49; **Public Health Nurse:** Qualified Presort Services, LLC (Supplies) \$50.74, Yankton Area Chamber of Commerce (Dues) \$21.47; **Ambulance:** Sacred Heart Health Services (Professional Services) \$1,500.00, AT & T (Utilities) \$36.76, Arrow International (Supplies) \$1,342.59, Bomgaars (Supplies) \$43.96, Stryker Sales Corporation (Minor Equipment) \$877.30, Century Business Products (Rentals) \$42.00, Change Healthcare (Professional Services) \$135.20, City of Yankton (Utilities) \$86.69, Cole Papers, Inc. (Supplies) \$129.23, Credit Collection Services, Inc. (Professional Services) \$72.29, Graham Tire Yankton (Maintenance) \$67.65, Mathison Tri-Gas, Inc. (Supplies) \$121.06, MidAmerican Energy (Utilities) \$105.98, Physio-Control, Inc. (Supplies) \$924.20, Northwestern Energy (Utilities) \$849.99, Olson's Pest Technician (Maintenance) \$74.00, M.T. & R.C. Smith Insurance (Workman's Compensation) \$2,226.00, Sioux Falls Two Way Radio Service, Inc. (Maintenance) \$972.46, Security Shredding Services (Maintenance) \$110.00, Verizon (Utilities) \$348.56, Verizon (Supplies) \$249.99, One Office Solution (Supplies) \$170.93, Yankton Area Chamber of Commerce (Dues) \$21.47; **Mental Illness Board:** Marvin R. Ekeren (Hearings-MI) \$15.00, Mark Katterhagen (Hearings-MI) \$45.00, Lincoln County Treasurer (Hearings-MI) \$151.55, Lucille M. Lewno (Hearings-MI) \$995.30, Gary E. Mikelson (Hearings) \$837.00, Karen A. Swanda (Hearings-MI) \$30.00; **Senior Citizens:** City of Yankton (2017 1<sup>st</sup> Qtr.) \$5,607.67; **County Extension:** Buhl's Cleaners (Supplies) \$37.82, Vast Business (Utilities) \$41.86, City of Yankton (Utilities) \$53.75, Maier's Photography (Supplies) \$96.06, Hy-Vee (4-H Supplies) \$26.16, National 4-H Council Supply Service (Other) \$65.25, Olson's Pest Technician (Maintenance) \$150.00, SDSU Extension (Travel) \$37.27, Stephanie Siebrandt (Supplies/Other) \$5.45, Yankton Area Chamber of Commerce (Dues) \$21.47; **Soil Conservation:** Yankton Area Chamber of Commerce (Dues) \$21.47; **Weed:** Cox Auto Supply, Inc. (Supplies) \$32.97, Van Diest Supply Co. (Chemicals) \$4,487.20, Yankton Area Chamber of Commerce (Dues) \$21.47; **Planning & Zoning:** South

Dakota Magazine (Publishing's) \$50.00, Qualified Presort Service (Supplies) \$30.94, Verizon (Utilities) \$17.40, Yankton Area Chamber of Commerce (Dues) \$21.47; **Road & Bridge:** Kopetsky's Ace Hardware (Supplies) \$65.96, Sanitation Products, Inc. (Supplies) \$586.22, C & B Operations, LLC (Supplies) \$19.44, Karla Bossman (Supplies) \$-15.57, Karla Bossman (Travel) \$57.12, Bomgaars (Supplies) \$10.77, Bomgaars (Secondary Roads) \$119.98, B-Y Water District (Utilities) \$88.00, Butler Machinery Co. (Supplies) \$424.54, North Central Rental & Leasing (Rentals) \$3,500.00, Boyer Trucks (Supplies) \$1,261.83, Interstate Power System (Supplies) \$250.83, City of Yankton (Utilities) \$201.86, Cedar Shore Resort (Travel) \$91.95, Concrete Materials (Annual Projects) \$26,546.65, CenturyLink (Utilities) \$48.57, Handel Repair (Maintenance) \$563.20, DMC Wear Parts (Supplies) \$2,764.14, Loiseau Construction (Professional Services) \$2,528.08, Loiseau Construction (Annual Projects) \$126,404.00, Clarks Rental, Inc. (Secondary Roads) \$250.00, Fastenal Industrial & Construction Supply (Supplies) \$7.70, Kimball Midwest (Supplies) \$262.22, Lyle Signs, Inc. (Supplies) \$711.53, locators & Supplies, Inc. (Supplies) \$2,218.74, Marks Machinery (Supplies) \$24.80, Menards (Supplies) \$8.94, Riverside Hydraulics & Labs (Supplies) \$67.61, Stern Oil Co., Inc. (Supplies) \$684.10, M.T. & R.C. Smith Insurance (Workman's Compensation) \$6,443.00, Sheehan Mack Sales and Equipment, Inc. (Supplies) \$858.70, Sioux Falls Two Way Radio Service, Inc. (Machinery equipment) \$279.96, Truck Trailer Sales Service, Inc. (Supplies) \$46.75, The Road Guy Const. Co., Inc. (Annual Projects) \$7,727.50, Truenorth Steel (Bridges) \$13,694.49, The Lodge at Deadwood (Travel) \$288.10, Verizon (Utilities) \$71.63, One Office Solution (Supplies) \$72.00, Yankton Janitorial Supply (Supplies) \$64.00, Yankton Area Chamber of Commerce, Inc. (Dues) \$21.47; **Emergency 911 Fund:** Vast Business (Utilities) \$1,100.25, City of Yankton (2017 1<sup>st</sup> Qtr Dispatch) \$15,000.00, CenturyLink (Utilities) \$1,240.50; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$14.36, Vast Business (Utilities) \$265.62, 3-D Specialties Inc. (Supplies) \$77.42, Fastenal Industrial & Construction Supply (Supplies) \$4.81, MidAmerican Energy (Utilities) \$11.07, Qualified Presort Services, LLC (Supplies) \$10.45, Racom Corporation (Utilities) \$33.45, Sioux Falls Two Way Radio Service, Inc. (Supplies) \$86.75, Tabor Lumber Cooperative (Supplies) \$216.28, Verizon (Utilities) \$155.51, One Office Solution (Supplies) \$558.89, Yankton Area Chamber of Commerce (Dues) \$21.47; **Government Buildings:** Stewart Carpet Center (Carpet-Safety Center) \$3,043.90; **24/7 Sobriety Fund:** PharmChem, Inc. (Supplies) \$608.00; **Tower Fund:** Velocitel (Reimburse from Tower Fund) \$1,674.55; **Clearing Fund:** Satellite Tracking of People, LLC (Tracking monitors-Jail) \$393.25, South Dakota Attorney General (Scram Fees-May 2017) \$1,773.00; **South Dakota State Treasurer** (Fees) Motor Vehicle \$355,460.74, (Fees) Waste Fee \$6,260.25, (Fees) ROD \$2,090.00; **South Dakota State Treasurer:** Services (Redfield) \$180.00, Services (HC) \$7,007.78; **SDACO** (M & PR Fund) \$540.00. Total General Fund \$103,895.03, Road & Bridge \$199,320.01, Emergency Management \$1,456.08. All present voted aye; motion carried.

**Action 17173C:** A motion was made by Bodenstedt and seconded by Epp to approve the May, 2017 Gross Payroll: **Commissioners:** \$5,362.72; **Auditor:** \$13,856.29; **Treasurer:** \$15,812.58; **States Attorney:** \$24,993.37; **Custodian:** \$4,354.58; **Director of Equalization:** \$22,489.22; **Register of Deeds:** \$11,760.17; **Veterans Service:** \$2,423.52; **Courthouse & Safety Center:** \$7,712.18; **Sheriff:** \$61,687.66; **County Jail:**

\$62,727.95; **Coroner:** \$900.00; **Juvenile:** 81.00; **Nurse:** \$2,916.55; **Ambulance:** \$43,739.25; **WIC :** \$1,604.05; **Extension:** \$7,664.15; **Soil Conservation:** \$2,816.78; **Weed:** \$6,280.26; **Planning & Zoning:** \$7,328.63; **Road & Bridge:** \$71,851.83; **E911:** \$80.34; **OEM:** \$5,358.74; **24-7 Program:** \$3,581.99. South Dakota Retirement System \$29,280.02 (Other Employees), South Dakota Retirement System \$17,153.20 (Sheriff/OEM), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$118.33, South Dakota Retirement System (Supplemental) \$3,760.00, American Family Life Assurance Company (AFLAC) \$4,405.38, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$250.00, First Dakota National Bank \$36,396.74 (Withholding), First Dakota National Bank \$47,346.12 (FICA) First Dakota National Bank \$11,072.96 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,762.53, Wellmark BC Health Insurance \$54,014.93, Optilegra \$653.62. Gross Payroll \$387,437.81, Net Payroll \$286,256.68.

**Action 17174C:** A motion was made by Woods and seconded by Bodenstedt to supplement the Emergency Management Budget due to unanticipated grant revenue in the amount of \$41,358.00. All present voted aye; motion carried.

**Action 17175C:** A motion was made by Woods and seconded by Bodenstedt to approve 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.

**Action 17176W:** A motion was made by Bodenstedt and seconded by Epp to approve the yearly mosquito contracts. All present voted aye; motion carried.

**Action 17177C:** A motion was made by Woods and seconded by Swensen to approve the 2017 Off Sale Malt Beverage License application for Marina Bar and Grill. All present voted aye; motion carried.

**Colonial Life:** Colonial Life Insurance agent Mark Moon appeared before the board to report the number of county employees utilizing the insurance policy. Moon reported there were 11 accident, 8 sickness and 3 wellness claims.

**Action 17178Z:** A motion was made by Bodenstedt and seconded by Epp to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

**Variance Public Hearing:** This was the time and place for a public hearing for a Variance of Minimum Lot Requirement application from Richard and Judy Bierle, a Variance of Minimum Lot Requirement from twenty (20) acres to nine (9) +/- (9.51) acres in an Agriculture District (Ag) in Yankton County to build. Said property is legally described as NE1/4, exc Lot R-18, NE1/4, NE1/4 & exc Lot R-19, SE1/4, NE1/4 & exc Tract 1, Bierle's Addition, S14-T95N-R57W, hereinafter referred to as Lesterville Township, County of Yankton, State of South Dakota. The E911 address 29905 433<sup>rd</sup> Ave., Yankton, SD. The Planning Commission recommended approval 10-0.

**Action 17179Z:** A motion was made by Woods and seconded by Swensen, based on Findings of Fact from the May 9, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Richard and Judy Bierle, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Variance of Minimum Lot Requirement from twenty (20) acres to five (9) +/- (9.51) acres in an Agriculture District (Ag) in Yankton County. Said property is legally described as NE1/4, exc Lot R-18, NE1/4, NE1/4 & exc Lot R-19, SE1/4, NE1/4 & exc Tract 1, Bierle's Addition, S14-T95N-R57W, hereinafter referred to as Lesterville Township, County of Yankton, State of South Dakota. The E911 address is 29905 433<sup>rd</sup> Ave., Yankton, 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 Dale Holcomb. Variance of Minimum Yard Requirement on side yard and rear yard from seventy-five (75) feet to six (6) feet in a Agriculture District (AG) in Yankton County. Said property is legally described as Lot 1, Holcomb S/D, W1/2, SW1/4, S9-T94N-R54W hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address 30448 448<sup>th</sup> Ave., Volin, SD. The Planning Commission recommended approval 10-0.

**Action 17180Z:** A motion was made by Epp and seconded by Bodenstedt, based on Findings of Fact from the May, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement Variance for Dale Holcomb, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Variance of Minimum Yard Requirement on side yard from seventy-five (75) feet to six (6) feet in a Agriculture District (AG) in Yankton County. Said property is legally described as Lot 1, Holcomb S/D, W1/2, SW1/4, S9-T94N-R54W hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 30448 448<sup>th</sup> Ave., Volin, SD. 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 Midland Contracting Inc. Applicant requested a permit to provide Temporary Construction Services in a Commercial District (C) in Yankton County. Said property is legally described as Lot A, NW1/4, NW1/4 & N528', W165', NE1/4, NW1/4 exc Lot H-2, S15-T93N-R55W hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. E911 address TBA SD HWY 50, Yankton, SD. The Planning Commission recommended approval 10-0.

**Action 17181Z:** A motion was made by Bodenstedt and seconded by Epp to approve a Conditional Use Permit, based on Findings of Fact from the May 9, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, for Midland Contracting Inc. for a permit to provide Temporary Construction Services in a Commercial District (C) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Lot A, NW1/4, NW1/4 & N528', W165', NE1/4, NW1/4 exc Lot H-2, S15-T93N-R55W hereinafter referred to as Mission Hill

South Township, County of Yankton, State of South Dakota. E911 address is TBA SD HWY 50, Yankton, SD. All present voted aye; motion carried.

**Action 17182C:** A motion was made by Woods and seconded by Swensen to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

**Action 17183Z:** A motion was made by Woods and seconded by Epp to adopt the following resolution: Whereas it appears Richard and Judy Bierle, owners of record, have caused a plat to be made of the following real property: Tract 3, Bierle's Addition, NE1/4, S14-T95N-R57W, hereinafter referred to as Lesterville 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.

**MI Board:** Mental Illness Chairman Lucy Lewno appeared to have board approval for a new member of the mental illness board and also request a fee increase.

**Action 17184C:** A motion was made by Woods and seconded by Bodenstedt to appoint Darcy Lockwood to a 2 three-year term on the Yankton County Mental Illness Board, effective July 1, 2017. All present voted aye; motion carried.

**Emergency Management:** Emergency Management Director Paul Scherschligt appeared to have the board adopt the Emergency Management records retention and destruction manual for Yankton County.

**Action 17185OEMS:** A motion was made by Bodenstedt seconded by Epp to approve the Emergency Management records manual. All present voted aye; motion carried.

**Action 17186H:** A motion was made by Epp and seconded by Woods to approve the Right-of-Way Application from Clayton Lee in Section 15 in Township 94-55 and LaCroix Construction in Section 11 Township 93-55. All present voted aye; motion carried.

**Action 17187H:** A motion was made by Bodenstedt and seconded by Epp to approve the Entrance Application from Barnes Hay and Feed on 450<sup>th</sup> Avenue, 3-¼ miles N. of Hwy 50. All present voted aye; motion carried.

**Yankton City:** Yankton City Manager Amy Nelson presented the city's annual requests for county funding of shared city-county operations. Nelson requested a \$33,034 county funding for the Senior Citizens Center. She requested no change in the county's current \$15,000 funding for Chan Gurney Municipal Airport. Nelson requested \$143,893 in 2017 for the Dispatch Center – a \$4,191 increase from 2016 funding of \$139,702. The City's funding request for the Yankton Community Library is \$24,000. Total city request for county funding

is \$215,927. Nelson Also requested \$200,000 extra to replace the aging radio infrastructure for the E911 dispatch center. Duane Johnson from the city was also on hand to explain process of the update.

**James River WDD:** Dave Bartel, manager of the James River Water Development District, appeared before the board to present his yearly report.

**Township Task Force:** Commissioners Woods and Epp discussed the organized and unorganized township meeting that was held on May 30<sup>th</sup>. Cheri Loest was appointed Chairperson and Kevin Huber Vice Chairman. The next committee meeting will be June 19 at 7:00 pm in the commissioner's chambers.

**Auditor:** Auditor discussed the 2014–2015 audit and 2018 budget process. Also discussed was having the commissioner packets accessible on the county web site for the public to view.

Chairman Kettering gave an update on the West City Limits Roads meeting with the City which was held Monday, June 5th.

**Action 17188C:** A motion was made by Epp and seconded by Bodenstedt to recess the regular session at 5:45 pm and convene in Executive Session to discuss an ambulance billing. All present voted aye; motion carried.

**Action 17189C:** A motion was made by Epp and seconded by Bodenstedt to adjourn executive session at 6:00 pm and reconvene in regular session. All present voted aye; motion carried.

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

**Action 17190C:** A motion was made by Epp and seconded by Bodenstedt to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, June 20, 2017.

**Don Kettering**, Chairman  
Yankton County Commission

ATTEST:  
**Patty Hojem**, Auditor