

YANKTON COUNTY COMMISSION MEETING
May 2, 2017

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 4:00 PM on Tuesday, May 2, 2017.

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

Action 17131C: A motion was made by Bodenstedt and seconded by Epp to approve the meeting agenda with the following additions: County website and 2018 budget. All present voted aye; motion carried.

Action 17132C: A motion was made by Epp and seconded by Woods to approve the minutes of the April 13, 2017 meeting. All present voted aye; motion carried.

Action 17133C: A motion was made by Bodenstedt and seconded by Woods to approve the minutes of the April 18, 2017 meeting. All present voted aye; motion carried.

Action 17134C: A motion was made by Woods and seconded by Bodenstedt to approve the following claims: **Non-Departmental:** Obligation Recovery Center (Collection Agency) \$270.00, Refund ((Ambulance) \$1,800.00; **Commissioners:** Don Kettering (Travel) \$73.92, Intuvio Solutions (Professional Services) \$49.95, ClubHouse Hotel & Suites (Travel) \$564.00, River Rat Productions (Professional Services) \$625.00; **Elections:** Verizon (Utilities) \$383.49; **Court:** Jurors Fees (10 @ \$50.00) \$500.00, Jurors Fees-MI (1 @ \$4.20) \$4.20, Jurors Fees-MI (1 @ \$2.52) \$2.52, Jurors Fees-MI (1 @ \$29.40) \$58.80, Witness Fees (1 @ \$20.00) \$20.00, Fox & Youngberg, PC (Legal Assistance) \$15,216.20, Jurors Fees-MI (1 @ \$16.80) \$16.80, Lewis & Clark Specialty Hospital (Professional Services) \$1,697.00, Dean Schaefer (Professional Services) \$642.00, West Payment Center (Supplies) \$726.86; **Auditor:** Clubhouse Hotel & Suites (Travel) \$282.00, Culligan (Supplies) \$12.00, Leaf (Rentals) \$49.82, Qualified Presort Services, LLC (Supplies) \$165.11, One Office Solution (Minor Equipment) \$1,039.96, One Office Solution (Supplies) \$174.79; **Treasurer:** Clubhouse Hotel & Suites (Travel) \$282.00, Qualified Presort Services, LLC (Supplies) \$111.52; **Data Processing:** Tyler Technologies (Maintenance) \$1,629.44; **States Attorney:** A & B Business Solution (Rentals) \$229.65, Culligan (Supplies) \$6.00, Executive Management Finance Office (Utilities) \$27.00, Qualified Presort Services, LLC (Supplies) \$106.83, Staples Credit Plan (Supplies) \$319.38; **CLERP:** SDACC (Catastrophic Legal Expense-2nd Qtr) \$4,686.97; **Government Center:** Kopetsky's Ace Hardware (Supplies) \$34.98, City of Yankton (Utilities) \$1,688.40, Cole Papers, Inc. (Supplies) \$69.09, Olson's Pest Technicians (Maintenance) \$79.00, Ron's Auto Glass, Inc. (Maintenance) \$106.50; **Director of Equalization:** Kopetsky's Ace Hardware (Supplies) \$19.96, EcoWater Systems (Supplies) \$30.00, Qualified Presort Service, LLC (Supplies) \$106.12, One Office Solution (Maintenance) \$78.20, One Office Solution (Supplies) \$147.60; **Register of Deeds:** Executive Management Finance Office (Utilities) \$27.00, Microfilm Imaging Systems, Inc. (Rentals) \$336.00, Qualified Presort Services, LLC (Supplies) \$26.84; **VA:** Qualified Presort Services, LLC

(Supplies) \$5.99; **Safety Center Building:** Kopetsky's Ace Hardware (Minor Equipment) \$303.99, Kopetsky's Ace Hardware (Supplies) \$12.99, City of Yankton (Utilities) \$406.86, Cole Papers, Inc. (Supplies) \$612.86, J & P Electrical Service (Maintenance) \$412.86, Johnson Controls, Inc. (Maintenance) \$190.65, Northwestern Energy (Utilities) \$8,065.04, Olson's Pest Technicians (Maintenance) \$110.00, Otis Elevator Company (Maintenance) \$3,200.00; **Sheriff:** Northtown Automotive (Maintenance) \$130.01, Qualified Presort Services, LLC (Maintenance Contract) \$90.23, One Office Solutions, LLC (Maintenance Contract) \$42.08, One Office Solution (Supplies) \$125.47; One Office Solution (Furniture Equipment) \$499.00; **Jail:** CBM Food Services (Food Services) \$6,217.57, Diamond Drugs (Professional Services) \$309.61, Olson's Pest Technicians (Maintenance) \$125.00, PharmChem, Inc. (Supplies) \$250.00, Redwood Toxicology Laboratory, Inc. (Supplies) \$5.08; **Yankton Area Search & Rescue:** Kopetsky's Ace Hardware (Supplies) \$67.97, Bomgaars (Supplies) \$12.99, Cox Auto Supply, Inc. (Supplies) \$80.43, Menards (Supplies) \$196.90; **Care of Poor:** Clubhouse Hotel & Suites (Travel) \$282.00, Qualified Presort Services, LLC (Supplies) \$131.08; **Public Health Nurse:** Everbank Commercial Finance, Inc. (Rentals) \$70.96, Shannon R. Pavel (Supplies) \$6.42, Qualified Presort Services, LLC (Supplies) \$32.99; **Ambulance:** Avera Education & Staffing Solutions (Professional Services) \$315.00, Sacred Heart Health Services (Professional Services) \$1,500.00, City of Yankton (Utilities) \$97.67, Credit Collection Services, Inc. Professional Services) \$384.10, Hedahl's, Inc. (Supplies) \$42.08, MidAmerican Energy (Utilities) \$171.33, Northwestern Energy (Utilities) \$995.47, Olson's Pest Technicians (Maintenance) \$74.00, Daniel Prendable (Travel) \$68.04, Verizon (Utilities) \$821.12; **Mental Illness Board:** Avera Medical Group (Hearings-MI) \$1,500.00, Mark Katterhagen (Hearings-MI) \$25.50, Lincoln County Treasurer (Hearings-MI) \$3,267.91, Lucille M. Lewno (Hearings-MI) \$595.42, Gary E. Mikelson (Hearings-MI) \$746.00, Karen A. Swanda (Hearings-MI) \$25.50, Dean Schaefer (Hearings-MI) \$558.00; **Historical Sites:** Yankton County Historic Society, Inc. (2nd Qtr Allotment 2017) \$8,000.00; **County Extension:** Vast Business (Utilities) \$31.99, City of Yankton (Utilities) \$64.73, Hy-Vee (Other) \$65.32, J & H Cleaning Services (Maintenance) \$200.00, National 4-H Council Supply Service (Other) \$75.80, Olson's Pest Technician (Maintenance) \$150.00, SDSU Extension (Travel) \$51.18, Stephanie Siebrandt (Other) \$57.98, One Office Solution (Supplies) \$156.79; **Planning & Zoning:** Qualified Presort Services, LLC (Supplies) \$37.87; **Road & Bridge:** Bomgaars (Supplies) \$66.13, North Central Rental & Leasing (Rentals) \$3,500.00, Boyer Trucks (Supplies) \$1,613.44, Country Pride Coop (Hwy Fuel) \$615.69, BX Civil & Construction (Supplies) \$375.00, City of Yankton (Utilities) \$92.90, Cox Auto Supply, Inc. (Supplies) \$999.65, CenturyLink (Utilities) \$48.57, Dakotaland Autoglass, Inc. (Supplies) \$130.00, Ehresmann Engineering, Inc. (Supplies) \$462.63, Fleetpride Truck & Trailer Parts (Supplies) \$203.04, Fastenal Industrial & Construction Supply (Supplies) \$33.54, Hedahls, Inc. (Supplies) \$20.80, I State Truck Center (Supplies) \$7.68, Inland Truck Parts and Service (Supplies) \$1,299.10, Kimball Midwest (Supplies) \$564.34, Lyle Signs, Inc. (Supplies) \$347.20, Mead Lumber (Supplies) \$207.97, Menards (Supplies) \$46.40, Yankton County Observer (Publishings) \$16.45, Overhead Door Company of Sioux City, Inc. (Maintenance) \$296.21, Revier Pressure Washers, Inc. (Supplies) \$27.75, Riverside Hydraulics & Labs (Maintenance) \$902.84, Sheehan Mack Sales and Equipment, Inc. (Supplies) \$849.79, Truck Trailer Sales Service, Inc. (Supplies) \$874.30, Vanderhule's (Supplies) \$76.00, Yankton Janitorial Supply (Supplies) \$121.50; **Emergency 911 Fund:** CenturyLink (Utilities)

\$1,332.86, Callcopy, Inc. dba Uptivity (Professional Services) \$2,698.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$13.94, Bomgaars (Supplies) \$126.63, Kulish Farms (Maintenance) \$1,395.00, Hy-Vee (Supplies) \$214.11, MidAmerican Energy (Utilities) \$8.00, Qualified Presort Services, LLC (Supplies) \$6.98, Racom (Utilities) \$33.45, One Office Solution (Supplies) \$324.10, Yankton Computer and Network Services (Maintenance) \$140.00; **County Building:** Overhead Door Company of Sioux City, Inc. (Install Garage Door) \$1,700.00; **24/7 Sobriety Fund:** Purchase Power (Supplies) \$340.30; **NAPPA Junction:** PCI Roads, LLC (Capitol Project) \$74,976.14, Railroad Materials Salvage, Inc. (Capitol Project) \$27,000.00, Stockwell Engineers, Inc. (Capital Project) \$12,874.70; **Clearing Fund:** South Dakota Attorney General (Scram-February and March 2017) \$4,207.00; **Fire/Road District:** KCH Law (Road Expense) \$385.12; **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 (HC) \$7,007.78, Services (Redfield) \$180.00; **SDACO** (M & PR Fund) \$540.00. Total General Fund \$76,598.73, Road & Bridge \$13,798.92, Emergency Management \$2,347.32. All present voted aye; motion carried.

Action 17135C: A motion was made by Woods and seconded by Epp to supplement the Emergency Management Budget due to unanticipated grant revenue in the amount of \$50,720.19. All present voted aye; motion carried.

Action 17136C: A motion was made by Woods and seconded by Bodenstedt to approve the budgeted cash transfers from the General Fund to Emergency Management Services \$60,000 and County Highway Department \$400,000. All present voted aye; motion carried.

Action 17137C: A motion was made by Epp and seconded by Bodenstedt to approve **April, 2017 Gross Payroll: Commissioners:** \$5,362.72; **Auditor:** \$13,446.15; **Treasurer:** \$15,731.69; **States Attorney:** \$24,713.37; **Custodian:** \$4,514.50; **Director of Equalization:** \$22,589.22; **Register of Deeds:** \$11,668.37; **Veterans Service:** \$2,423.52; **Courthouse & Safety Center:** \$7,742.30; **Sheriff:** \$58,544.29; **County Jail:** \$64,296.53; **Coroner:** \$700.00; **Juvenile:** 0.00; **Nurse:** \$2,916.55; **Ambulance:** \$50,233.58; **WIC :** \$1,604.05; **Extension:** \$6,772.51; **Soil Conservation:** \$2,816.78; **Weed:** \$708.66; **Planning & Zoning:** \$7,428.63; **Road & Bridge:** \$75,678.84; **E911:** \$107.12; **OEM:** \$5,416.30; **24-7 Program:** \$3,500.39. South Dakota Retirement System \$29,873.98 (Other Employees), South Dakota Retirement System \$16,846.76 (Sheriff/OEM), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$115.70, 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 \$37,120.38 (Withholding), First Dakota National Bank \$47,455.14 (FICA) First Dakota National Bank \$11,098.40 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,762.53, Avera Health Plans \$56,933.87, Optilegra \$653.62, Services Center Federal Credit Union \$350.00. Gross Payroll \$365,415.87, Net Payroll \$285,868.78. All present voted aye; motion carried.

Tax Deed: Larry Olson appeared before the board to request lowering the bid he submitted for parcel 78.620.00.120 in 2016. Original bid was \$8,777.00 he would like it reduced to \$3,674.00 due to delinquent special assessments.

Action 17138C: A motion was made by Epp and seconded by Woods to approve adjusting the bid to \$3,647.00. All present voted aye; motion carried.

Agreement: Matt Winsand, general manager of Dakota Plains, appeared before the board to request approval of construction agreement for railroad crossing on county road 436th. Winsand also discussed the issues concerning businesses locating at the Napa Junction Rail Park.

Action 17139C: A motion was made by Bodenstedt and seconded by Woods to approve the Construction Agreement. All present voted aye; motion carried.

River Rat Production: Craig Ernster reported to the board his goals and accomplishments on services he provides the county. Ernster also discussed videotaping the planning commission meetings.

Action 17140C: A motion was made by Woods and seconded by Epp to approve videotaping the planning commission meetings, at the cost of \$125.00 per meeting. All present voted aye; motion carried.

Action 17141D: 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.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Yard Requirement application from Erin Riibe. Variance of Minimum Yard Requirement from thirty (30) feet to nineteen (19) feet in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot E, Oak Hills, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 372 Russell Road, Yankton, SD. The Planning Commission recommended approval 8-1.

Action 17142Z: A motion was made by Woods and seconded by Swensen, based on Findings of Fact from the April 11, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Erin Riibe, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from thirty (30) feet to nineteen (19) feet in a Moderate Density Rural Residential District (R-2) Yankton County. Said property is legally described as Lot E, Oak Hills, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is TBD 372 Russell Road, Yankton, 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 Kevin Schrage. Applicant requested a permit for a Hobby Farm (two (2) horses) in a Moderate Density Rural Residential District in Yankton County. Said property is legally described as Lot 4 & Lot 5, Block 4, Woodland Estates, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. E911 address 198 Kniest Avenue, Yankton, SD. The Planning Commission recommended approval 8-1.

Action 17143Z: A motion was made by Bodenstedt and seconded by Swensen to approve a Conditional Use Permit, based on Findings of Fact from the April 11, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, for a Hobby Farm (two (2) horses) in a Moderate Density Rural Residential District in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Lot 4 & Lot 5, Block 4, Woodland Estates, S13-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. E911 address is 198 Kniest Avenue, Yankton, SD. Voting aye: Bodenstedt, Epp, and Swensen. Voting nay: Woods and Kettering. Motion carried 3-2.

Variance Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Yard Requirement application from Leland Nielson. Variance of Minimum Yard Requirement to move a grain bin, build a grain bin and build an accessory structure in an Agriculture District (AG) in Yankton County. Said property is legally described as S1/2, NE1/4, exc Lot H1, S20-T95N-R54W, hereinafter referred to as Marindahl Township, County of Yankton, State of South Dakota. The E911 address is TBD 30055 448th Avenue, Volin, SD. The Planning Commission recommended approval 9-0.

Action 17144Z: A motion was made by Epp and seconded by Bodenstedt, based on Findings of Fact from the April 11, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Leland Nielson, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance to move a grain bin, build a grain bin and build an accessory structure in an Agriculture District (AG) in Yankton County. Said property is legally described as S1/2 NE1/4, exc Lot H1, S20-T95N-R54W, hereinafter referred to as Marindahl Township, County of Yankton, State of South Dakota. The E911 address is 30055 448th Avenue, Volin, SD. All present voted aye; motion carried.

Action 17145C: A motion was made by Bodenstedt and seconded by Epp to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Liability Insurance: After meeting with Roger Smith, Yankton County's insurance agent, Chairman Kettering suggested increasing the county's umbrella liability insurance from 2,000,000.00 to 5,000,000.00.

Action 17146C: A motion was made by Epp and seconded by Woods to increase the Liability Insurance to \$5,000,000.00. Voting aye: Woods, Bodenstedt, Epp and Kettering. Voting nay: Swensen. Motion carried 4-1.

Colonial Life Insurance: Mark Moon discussed the Gap insurance through Colonial Life. The county pays the premium, which is \$10.69 per employee per month. The board stated they would like to know the number of employees benefiting from the policy.

Johnson Controls: Representatives from Johnson Controls presented a proposal to install an upgrade to server software for the Yankton Public Safety Center. Currently the software is a Version 4, which is a web based building automation system. The proposal would upgrade to the current version 8 which controls energy, heating and air conditioning, also would replace the windows XP based machines. The proposal would include 2 reconditioned engines and one will be UL listed smoke control device.

Action 17147C: A motion was made by Woods and seconded by Bodenstedt to accept the proposal from Johnson Controls. Voting aye: Woods, Bodenstedt, Epp and Kettering. Voting nay: Swensen. Motion carried 4-1.

Unorganized Roads: Kevin Huber along with several county residents addressed the board on the expenditures for the unorganized townships. Also some residents commented on who was going to pay for the replacement of the survey pins from reclamation being done on 301st St.

Unorganized/Organized Roads: With further discussion on unorganized and organized townships, Commissioner Kettering suggested forming a committee to discuss solutions. The committee would consist of two commissioners and two residents from each organized and unorganized township. Commissioners Woods and Epp stated they would be on the committee and advertise the four remaining positions.

Action 17148C: A motion was made by Bodenstedt and seconded by Woods to recess the regular session at 6:38 pm and convene in Executive Session to discuss personnel matters. All present voted aye; motion carried.

Action 17149C: A motion was made by Epp and seconded by Bodenstedt to adjourn executive session at 7:25 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.

Added agenda items that were discussed: items to be put the county website and 2018 budget process.

Action 17150C: A motion was made by Bodenstedt and seconded by Woods to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, May 16, 2017.

Don Kettering, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, Auditor