

## YANKTON COUNTY COMMISSION MEETING

March 3, 2015

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 3:30 PM on Tuesday, March 3, 2015.

Deputy Auditor Karen Faerber administered the Oath of Office to County Auditor Patty Hojem.

Roll call was taken with the following Commissioners present: Debra Bodenstedt, Don Kettering, Donna Freng and Todd Woods; Absent: Raymon Epp.

Commissioner Epp joined the meeting at 3:35 p.m.

**Action 1580C:** A motion was made by Freng and seconded by Bodenstedt to approve the meeting agenda with the following additions: Rail Park Issue, Utica Bridge, Rip Rap for Fleeg's Bridge and Employee Benefits. All present voted aye; motion carried.

**Action 1581C:** A motion was made by Kettering and seconded by Freng to approve minutes from the February 17th, 2015 Commission meeting. All present voted aye; motion carried.

**Action 1582C:** A motion was made by Freng and seconded by Bodenstedt to approve the following claims: General Fund: New Harvest Land Broker (Refund) \$130.00; Commissioners: River Rat Productions (Professional fees) \$544.10, Town of Gayville (Supplies) \$43.00, WOW! Business (Utilities) \$52.50, SDACO (Travel) \$400.00, Western Office Technologies (Supplies) \$69.99, Todd Woods (Travel/Meals) \$153.85; Elections: Election Systems & Software (Maintenance) \$5,604.00; Court: 10 Payees @ \$50.00 (Grand Juror Fees) \$500.00, 1 Payee @ \$8.88 (Grand Juror Mileage) \$8.88, 1 Payee @ \$3.70 (Grand Juror Mileage) \$3.70, 2 Payees @ \$2.22 (Grand Juror Mileage) \$4.44, 1 Payee @ 2.96 (Grand Juror Mileage) \$2.96, 1 Payee @ \$7.40 (Grand Juror Mileage) \$7.40, 2 Payees @ \$1.48 (Grand Juror Mileage) \$2.96, 1 Payee @ \$0.74 (Grand Juror Mileage) \$0.74, 1 Payee @ \$17.02 (Grand Juror Mileage) \$17.02, Fox & Youngberg (Legal Assistance) \$10,500.00, KCH Law (Legal Assistance) \$543.13, West Payment Center (Supplies) \$634.87; Auditor: WOW! Business (Utilities) \$123.48, Leaf (Rentals) \$209.72, Mail Finance (Maintenance) \$139.94, SDACO (Travel) \$100.00, Security Shredding Service (Maintenance) \$35.00; Treasurer: WOW! Business (Utilities)

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\$336.01, Mail Finance (Maintenance) \$139.94, Security Shredding Service (Maintenance) \$35.00; Data Processing: WOW! Business (Utilities) \$83.85; States Attorney: WOW! Business (Utilities) \$196.90, Staples Credit Plan (Supplies) \$238.71, Security Shredding Service (Maintenance) \$35.00, West Payment Center (Supplies) \$144.32; Government Buildings: City of Yankton (utilities) \$777.59, Northwestern Energy (Utilities) \$1,546.07, Otis Elevator Company (Maintenance) \$728.67, Yankton Janitorial Supply (Supplies) \$888.78, WOW! Business (Utilities) \$83.85; Director of Equalization: WOW! Business (Utilities) \$218.88, IAAO (Professional Services) \$87.50, Marshall & Swift (Repairs and Maintenance) \$339.95, Mail Finance (Maintenance) \$139.94, Security Shredding Service (Maintenance) \$35.00, Western Office Technologies (Supplies) \$63.63, Yankton Daily P & D (Publishing) \$12.92; Register of Deeds: Executive Management Finance (Utilities) \$21.00, WOW! Business (Utilities) \$175.21, Western Office Technologies (Supplies) \$87.20; Veterans Services: WOW! Business (Utilities) \$26.25; Mail Finance (Maintenance) \$139.93; Court House & Safety Center: City of Yankton (Utilities) \$340.95, Echo Electric Supply (Supplies) \$289.50, WOW! Business (Utilities) \$346.35, Olson's Pest Technicians (Maintenance) \$75.00, Northwestern Energy (Utilities) \$4,786.75; Sheriff: Avera Education & Staff (Travel) \$47.17, Fedex (Supplies) \$11.89, WOW! Business (Utilities) \$153.06, Leaf (Maintenance) \$1,174.08, Verizon (Utilities) \$98.88; County Jail: CBM Food Service (Food Services) \$2,138.09, Cooks Correctional (Food Service) \$247.64, Diamond Drugs (Professional Services) \$4.94, HyVee (Supplies) \$55.90, WOW! Business (Utilities) \$73.60, Olson's Pest Technicians (Maintenance) \$103.00, Phoenix Supply (Supplies) \$758.30; Juvenile Detention: Minnehaha County Region (Child Care) \$3,960.00; Public Welfare: 2015 Appropriated Funds-Homeless Shelter \$5,000; Care of Poor: Mail Finance (Maintenance) \$139.94; Ambulance: Sacred Heart Health Service (Prof Services) \$1,500.00, Arrow International (Supplies) \$407.93, Bound Tree Medical LLC (Supplies) \$699.78, City of Yankton (Utilities) \$86.61, Collision Center (Repairs & Maintenance) \$215.53, Chief Supply Corporation (Supplies) \$218.39, Century Business Production (Rentals) \$52.00, Emdeon Business Service (Services) \$162.40, Flynn's Flowing Flags (Supplies) \$146.70, G & K Services (Maintenance) \$50.60, WOW! Business (Utilities) \$187.96, Matheson Tri-Gas Inc. (Supplies) \$97.90, MidAmerican Energy (Utilities) \$1,838.94, Physio-Control, Inc. (Supplies) \$2,270.75, Northwestern Energy (Utilities) \$1,170.63, Olson's Pest Technicians (Maintenance) \$69.50, Purchase Power (Supplies) \$41.92, Roger's Family Pharmacy (Supplies) \$80.29, Trittech Software System (Repairs & Maintenance) \$2,349.80, Western Office Technologies (Supplies) \$240.96; Public Health Nurse: WOW! Business (Utilities) \$201.56, Mail Finance (Maintenance) \$139.94; Mental Illness Board: Norma J Andersen (Hearings) \$15.00,

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Jeanne Collision (Hearing) \$90.00, Kennedy Pier, Knoff & Loftus, LLP (Hearings) \$63.00, Lincoln County Treasurer (Hearings) \$366.25, Lucille M. Lewno (Hearings) \$1,369.93, Gary E. Mikelson (Hearings) \$616.50, Karen A. Swanda (Hearings) \$105.00, Dean Schaefer (Hearings) \$564.00; County Extension: City of Yankton (Utilities) \$46.05, J & H Cleaning Services (Maintenance) \$200.00, WOW! Business (Utilities) \$271.45; Weed: First Bankcard (Travel) \$88.00; Western Office Technologies (Supplies) \$311.35; Soil Conservation: Yankton County Conservation (1<sup>st</sup> Half Wages 2015 Tree Mgr) \$2,500.00; Planning & Zoning: 3-D Specialties, Inc (Supplies) \$104.65, EMC Insurance Companies (Services) \$2,500.00, WOW! Business (Utilities) \$75.00, Mail Finance (Maintenance) \$139.94, Western Office Technologies (Supplies) \$8.98; Road & Bridge: Ace Hardware (Supplies) \$101.02, Mighty Auto Parts (Supplies) \$440.70, Bomgaars (Supplies) \$169.36, B-Y Electric (Utilities) \$159.21, Boyer Trucks (Repairs and Maintenance) \$90.92, City of Yankton (Utilities) \$49.29, Cox Auto Supply, Inc. (Repairs & Maintenance) \$100.84, CenturyLink (Utilities) \$48.07, Ehresmann Engineering, Inc. (Supplies) \$155.02, Filter Care (Maintenance) \$108.75, First BankCard (Repairs & Main/Supplies/Travel, Supplies, Utilities) \$353.55, Graham Tire Yankton (Maintenance) \$360.34, Hedahls, Inc. (Supplies) \$133.19, I State Truck Center (Supplies) \$350.70, Kaiser Appliance & Repair (Supplies) \$124.96, WOW! Business (Utilities) \$122.53, Kimball Midwest (Supplies) \$4,945.96, Medtox Laboratories Inc. (Supplies) \$73.40, Mead Lumber (Supplies) \$89.58, MidAmerican Energy (Utilities) \$1,235.62, Overhead Door Company (Supplies) \$660.00, Printing Specialists (Supplies) \$55.59, Riverside Hydraulics (Supplies) \$311.65, SD Dept. of Transportation (Annual Project) \$2,198.55, SD Dept. of Transportation (Bridges) \$5,616.25, Sioux Falls Two Way Radio (Supplies) \$3,724.68, Truck Trailer Sales Service (Maintenance) \$595.00, Uline (Supplies) \$2,653.33, Wheelco Brake Supply (Maintenance) \$404.56, Western Office Technologies (Supplies) \$185.92, Yankton Janitorial Supply (Maintenance) \$74.16; Yankton Winnelson Company (Supplies) \$43.60; 911 Fund: Century Link (Utilities) \$1,512.62, WOW! Business (Utilities) \$149.27; Emergency Management: Dynamite Divers LLC (Books) \$1,000.00, JEC Counseling, Inc. (Supplies) \$71.00, Century Business Products (Rentals) \$208.99, Danko Emergency Equipment (Supplies) \$1,023.00, MidAmerican Energy (Utilities) \$33.08, Racom Corporation (Utilities) \$31.83, Western Office Technologies (Supplies) \$832.09; Court House Building & Structure: Personal Touch (Painting) \$2,800.00, Robert's Carpentry (Construction) \$6,085.12; 24/7: Redwood Toxicology Lab (Supplies) \$25.00. Total General Fund \$68,701.10, Road & Bridge \$25,692.48, 911 Fund \$1,661.89, Emergency Management \$3,199.99, Court House Buildings & Structure \$8,885.12. All present voted aye; motion carried.

**Treasurer:** Yankton County Treasurer Pam Marchand appeared before the commissioners to announce her resignation as of July 1<sup>st</sup>, 2015. Marchand stated that she has worked 39 years in the office and 20 years as Treasurer. Marchand said she will help in any way to make the transition as smooth as possible.

**Action 1583C:** A motion was made by Kettering and seconded by Epp to accept the resignation of Pam Marchand, Yankton County Treasurer, as of July 1<sup>st</sup>, 2015. All present voted aye; motion carried.

**Boys & Girls Club:** Marc Mooney appeared before the board to thank the commission for the letter of support for the 21<sup>st</sup> Century grant for the Boys and Girls Club. The five year grant is awarded annually through the Department of Education and can range from \$50,000.00 to \$100,000.00.

**Housing Study:** Dan Specht appeared before the board to inform commissioners of the Yankton Area Progressive Growth affordable housing solutions and efforts to identify the needs of the community.

**Action 1584C:** A motion was made by Bodenstedt and seconded by Freng to release liens on property sold in the town of Gayville. All present voted aye; motion carried.

**Action 1585C:** A motion was made by Epp and seconded by Freng to allow the County Auditor to purchase the Bomgar device in the amount of \$270.00 from the Secretary of State's Office for the Primary and General Elections. All present voted aye; motion carried.

**Action 1586OEMHS:** A motion was made by Freng and second by Bodenstedt to authorize the Emergency Management Director to advertise for three warning sirens in the lake area. All present voted aye; motion carried.

**Action 1587Z:** A motion was made by Bodenstedt and seconded by Freng to have the Planning Commission move forward with the review of the Yankton County Comprehensive Plan starting with five members on April 1<sup>st</sup>, 2015. All present voted aye; motion carried.

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**Action 1588Z:** A motion was made by Bodenstedt and seconded by Freng 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 Edward Soukup for Variance of Minimum Yard Requirement from twenty (20) feet to ten (10) feet on rear lot line and from ten (10) feet to six (6) feet on side lot line to build unattached garage in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 7, Nine Acre Addition & Lot 7A, NW1/4, SE1/4, S4-T93-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address 4400 Herman's Loop, Yankton, SD. The Planning Commission recommended approval 11-0.

**Action 1589Z:** A motion was made by Kettering and seconded by Freng, based on Findings of Fact from the February 10, 2015 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Edward Soukup, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Variance of Minimum Yard Requirement from twenty (20) feet to ten (10) feet on rear lot line and from ten (10) feet to six (6) feet on side lot line to build unattached garage in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot 7, Nine Acre Addition & Lot 7A, NW1/4, SE1/4, S4-T93-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 4400 Herman's Loop, 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 Larry Olson for Variance of Minimum Yard Requirement from thirty (30) feet to eighteen (18) feet on the front yard and from twenty (20) feet to nine (9) feet on the rear yard for a house addition in a High Density Rural Residential District (R-3) in Yankton County. Said property is legally described as Lots 9 & 10, Blk 1, Beaver Beach Park, S27-T95N-R56W, hereinafter referred to as Center Township, County of Yankton, State of South Dakota. The E911 address 147 Beaver Beach Road, Utica, SD. The Planning Commission recommended approval 11-0.

**Action 1590Z:** A motion was made by Epp and seconded by Freng, based on Findings of Fact from the February 10, 2015 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Larry Olson, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Variance of Minimum Yard Requirement from thirty (30) feet to eighteen (18) feet on the front yard and from twenty (20) feet to nine (9) feet on the rear yard for a house addition in a High Density Rural Residential District (R-3) in Yankton County. Said property is legally described as Lots 9 & 10, Blk 1, Beaver Beach Park, S27-T95N-R56W, hereinafter referred to as Center Township, County of Yankton, State of South Dakota. The E911 address is 147 beaver Beach Road, 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 Jason Bierwagen for Variance of Minimum Yard Requirement from fifty (50) feet to ten (10) feet on the rear yard for to build a storage structure in a Commercial District (C) in Yankton County. Said property is legally described as E142' Parcel D & S324', W86" Parcel F, SE1/4, SE1/4, S5-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address 4310 East SD Hwy 50, Yankton SD. The Planning Commission recommended approval 10-1.

**Action 1591Z:** A motion was made by Epp and seconded by Kettering, based on Findings of Fact from the February 10, 2015 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Jason Bierwagen, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Variance of Minimum Yard Requirement from fifty (50) feet to ten (10) feet on the rear yard for to build a storage structure in a Commercial District (C) in Yankton County. Said property is legally described as E142' Parcel D & S324', W86" Parcel F, SE1/4, SE1/4, S5-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 4310 East SD Hwy 50, Yankton SD. All present voted aye; motion carried.

**Action 1592C:** A motion was made by Epp and seconded by Freng to adjourn as Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

**Action 1593C:** A motion was made by Bodenstedt and seconded by Freng to recess the regular session and enter executive session to discuss indigent issues with Poor Relief Director Jennifer Adamson. All present voted aye; motion carried.

**Action 1594C:** A motion was made by Freng and seconded by Kettering to 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 1595C:** A motion was made by Freng and seconded by Bodenstedt to approve the February, 2015 gross payroll: **Commissioners:** \$5,104.42; **Auditor:** \$10,840.02; **Treasurer:** \$15,211.30; **States Attorney:** \$23,451.76; **Custodian:** \$3,338.27; **Director of Equalization:** \$20,384.75; **Register of Deeds:** \$12,121.27; **Veterans Service:** \$1,625.64; **Courthouse & Safety Center:** \$6,581.53; **Sheriff:** \$56,145.39; **County Jail:** \$54,528.63; **Coroner:** \$670.00; **Nurse:** \$2,938.82; **Ambulance:** \$37,917.18; **WIC:** \$1,511.30; **Extension:** \$6,216.37; **Soil Conservation:** \$2,394.89; **Weed:** \$676.50; **Planning & Zoning:** \$6,719.88; **Road & Bridge:** \$67,444.58; **E911:** \$297.12; **OEMHS:** \$5,182.88; **24-7 Program:** \$3,990.00. South Dakota Retirement System \$26,282.40 (Other Employees), South Dakota Retirement System \$15,795.00 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$228.36, South Dakota Retirement System (Supplemental) \$2,950.00, American Family Life Assurance Company (AFLAC) \$3,497.32, Legalshield \$64.75, Office of Child Support \$953.00, Nationwide Retirement Solutions \$69.44, First Dakota National Bank \$31,938.12 (Withholding), First Dakota National Bank \$41,753.76 (FICA) First Dakota National Bank \$9,764.92 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,560.15, Avera Health Plans \$48,263.81, Optilegra \$461.54. Gross Payroll \$345,352.50, Net Payroll \$256,082.07. All present voted aye; motion carried.

**YC/CC DITCHES:** Commissioner Bodenstedt informed the board about the ditch meeting held at the Clay County Court House on February 24, 2015.

**Action 1596C:** A motion was made by Kettering and seconded by Epp to adopt the cell phone policy that was presented by Commissioner Freng. All present voted aye; motion carried.

**Action 1597C:** A motion was made by Freng and seconded by Epp to approve travel

to attend the 8-County Meeting in Parker on March 26th, 2015. All present voted aye; motion carried.

**Action 1598C:** A motion was made by Kettering and seconded by Freng to approve the abatement in the amount of \$189.71 for Robert Conrad, due to owner occupied status. All present voted aye; motion carried.

**Annual Report:** It was the consensus of the board to approve the annual report at the next meeting so the commissioners can have extra time to review the reports.

**Rail Park:** Commissioners Kettering and Bodenstedt have been meeting with Yankton Area Progressive Growth and other parties interested in the rail park proposal. The group has been looking into possible sources to fund the project; Kettering also stated that there were issues that needed to be resolved.

**Benefits:** Commissioner Kettering mentioned looking at the benefits for county employees, specifically vacation hours. It was suggested that Gregg Henderson be contacted to come before the board and discuss what services besides wages and benefits they can provide.

**Action 1599C:** A motion was made by Kettering and seconded by Freng to adjourn. All present voted aye; motion carried.

The next regular meeting will be Monday, March 16th, 2015.

**Todd Woods**, Chairman  
Yankton County Commission

ATTEST:  
**Patty Hojem**, County Auditor

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