

YANKTON COUNTY COMMISSION MEETING

April 21, 2015

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 3:30 PM on Tuesday, April 21, 2015.

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

Action 15154C: A motion was made by Epp and seconded by Freng to approve the meeting agenda. All present voted aye; motion carried.

Action 15155C: A motion was made by Bodenstedt and seconded by Freng to approve minutes from the March 16 and April 7, 2015 Commission meetings. All present voted aye; motion carried.

Action 15156C: A motion was made by Freng and seconded by Bodenstedt to approve the South Dakota State Remittance checks in the amount of \$410,490.05 for April 2015. All present voted aye; motion carried.

Action 15157C: A motion was made by Bodenstedt and seconded by Freng to approve the following claims: **General Fund: Commissioners:** Don Kettering (Travel) \$18.50, Yankton County Observer (Publishing) \$381.46, M.T. & R.C. Smith Insurance (Workmen's Comp) \$11,058.00, Yankton Daily P & D (Publishing) \$1,144.54; **Court:** Affordable Self Storage (Services) \$80.00, 9 Payees @ \$50.00 (Grand Juror Fees) \$450.00, 1 Payee @ \$8.88 (Grand Juror Mileage), 1 Payee @ \$3.70 (Grand Juror Mileage), Harmelink Fox & Ravensberg (Legal Assistance) \$808.59, Horn Law Office, Prof. (Legal Assistance) \$279.00, 1 Payee @ \$2.96 (Grand Juror Mileage), 1 Payee @ \$2.22 (Grand Juror Mileage), SD Dept. of Health (Lab) \$630.00, 1 Payee @ \$7.40 (Grand Juror Mileage), 2 Payees @ \$1.48 (Grand Juror Mileage) \$2.96, Dean Schaefer (Services) \$546.40, 1 Payee @ \$0.74 (Grand Juror Mileage), 1 Payee @ \$17.02 (Grand Juror Mileage), West Payment Center (Supplies) \$703.82, **Auditor:** Hy-Vee (Supplies) \$26.50, M.T. & R.C. Smith Insurance (Workmen's Comp) \$522.00, SDACO (Travel) \$175.00, Western Office Technologies (Supplies) \$48.43, **Treasurer:** Yankton County Observer (Publishing) \$166.26, M.T. & R.C. Smith Insurance (Workmen's Comp) \$522.00, SDACO (Travel) \$175.00, Western Office Technologies (Supplies) \$187.96, **Data:** Tyler Technologies (Maintenance) \$1,477.95, **States Attorney:** Culligan (Supplies) \$6.00, Graphic Products (Supplies) \$201.76, M.T. & R.C. Smith Insurance

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(Workmen's Comp) \$690.00, **Government Buildings:** Buhl's Cleaners (Maintenance) \$35.50, Janssen's Garbage Service (Utilities) \$240.00, MidAmerican Energy (Utilities) \$566.77, M.T. & R.C. Smith Insurance (Workmen's Comp) \$9,916.00, TruGreen (Maintenance) \$100.00; **Director of Equalization:** Southgate (Repairs & Maintenance) \$79.50, Michelle Goeken (Supplies) \$88.06, Microfilm Imaging System (Maintenance) \$70.00, M.T. & R.C. Smith Insurance (Workmen's Comp) \$1,495.00, Western Office Technologies (Supplies) \$75.25, Yankton Daily P & D (Publishing) \$-12.92; **Register of Deeds:** Microfilm Imaging System (Rental) \$466.00, M.T. & R.C. Smith Insurance (Workmen's Comp) \$522.00, SDACO (Travel) \$175.00; **Veterans Service Officer:** Michael McDonald (Travel) \$11.10, M.T. & R.C. Smith Insurance (Workmen's Comp) \$168.00; **Court House & Safety Center:** Ace Hardware (Supplies) \$3.98, City of Yankton (Utilities) \$168.00, Kone, Inc. (Repairs & Maintenance) \$263.70, M.T. & R.C. Smith Insurance (Workmen's Comp) \$13,186.00, Yankton Janitorial Supply (Supplies) \$778.60; **Sheriff:** City of Yankton (Fuel) \$3,443.99, Freedom Valu Center (Repairs & Maintenance) \$38.50, WOW! Business (Utilities) \$111.00, Yankton County Observer (Publishing) \$13.30, M.T. & R.C. Smith Insurance (Workmen's Comp) \$13,875.00, Western Office Technologies (Maintenance Contract) \$62.76, Western Office Technologies (Supplies) \$9.00; **County Jail:** CBM Food Service (Food Services) \$2,460.64, Cash-Wa Distributing (Food Services) \$21.50, Chemco Inc. (Repairs & Maintenance) \$1,464.00, Hansen Locksmithing Inc. (Repairs & Maintenance) \$15.00, Lewis & Clark Family Medicine (Professional Services) \$96.00; Moore Medical LLC (Supplies) \$70.40, Correctional Risk Service (Inmate Medical Liability Insurance) \$954.18, M.T. & R.C. Smith Insurance (Workmen's Comp) \$4,824.00, Western Office Technologies (Maintenance Contract) \$42.47; **Yankton Area Search & Rescue:** Dynamite Divers, LLC (Equipment Grant) \$3,409.98, Dakota Scuba (Equipment) \$612.00, Kmart (Supplies) \$95.96, SD Department of Health (Equipment Grant) \$9.00, Signs by Design (Supplies) \$37.00; **Airport:** 2015 Chan Gurney Airport - \$15,000.00; **Care of Poor:** Wintz & Ray Funeral Home (Services) \$1,250.00, Yankton Drug Co., Inc. (Medicine/Services) \$342.59; **Public Health Nurse:** M.T. & R.C. Smith Insurance (Workmen's Comp) \$168.00, Western Office Technologies (Supplies) \$195.50; **Ambulance:** Avera Education & Staffing (Professional Services) \$335.00, Ace Hardware (Supplies) \$225.70, Avera Sacred Heart Hospital (Supplies) \$1,369.85, C & B Operations, LLC (Supplies) \$115.88, Arrow International (Supplies) \$354.75, Avera McKennan School (Travel) \$2,250.00, Stryker Sales Corporation (Equipment) \$12,628.95, VAST Business (Utilities) \$189.47, Bound Tree Medical LLC (Supplies) \$1,073.13, Emdeon Business Service (Professional Services) \$130.00, G & K Services (Repairs & Maintenance) \$5.08, Hansen Locksmithing Inc. (Supplies) \$1,245.00, Janssen's Garbage Service (Utilities) \$135.00, Kmart (Supplies) \$193.15, Knox Company

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(Supplies) \$5,612.00, Matheson Tri-Gas, Inc. (Rentals) \$198.55, Menards (Supplies) \$72.84, Northtown Automotive (Maintenance) \$63.35, Olson's Pest Technician (Maintenance) \$69.50, Overhead Door Company (Repairs & Maintenance) \$1,444.45, Purchase Power (Supplies) \$320.99, M. T. & R.C. Smith Insurance (Workmen's Comp) \$1,555.00, Sioux Falls Two Way Radio (Supplies) \$122.94, TMA (Maintenance) \$18.61, Western Office Technologies (Supplies) \$156.01, Yankton Janitorial Supply (Supplies) \$382.00, , **Mentally Handicapped:** Dakota Abilities (Care) \$360.00; **Mental Illness Board:** Blackburn & Stevens (Hearings) \$202.41, Denise M. Cody (Hearings) \$90.00, Joan Kittelson (Hearings) \$45.00, Lewis & Clark Behavioral Health (Hearings) \$1,440.00, Lucille M. Lewno (Hearings) \$1,114.95, Karen Swanda (Hearings) \$67.50, South Dakota Achieve (Services) \$180.00, Dean Schaefer (Hearings) \$390.00; **Library:** Yankton Community Library (2015 Payment) \$10,000.00; **Senior Citizens:** City of Yankton (1st Qtr Senior Citizens Share) \$5,337.74, City of Yankton (4th Qtr 2014 Final Billing) \$2,825.71; **County Extension:** Ace Hardware (Supplies) \$40.44, Appera (Maintenance) \$40.21, Leaf (Rentals) \$288.00, Northwestern Energy (Utilities) \$152.74, Rural Mfg. Co., Inc. (Supplies) \$400.00, M.T. & R.C. Smith Insurance (Workmen's Comp) \$918.00, Stephanie Siebrandt (Travel) \$32.58, Stephanie Siebrandt (Miscellaneous) \$61.60, Western Office Technologies (Supplies) \$28.74; **Soil Conservation:** M.T. & R.C. Smith Insurance (Workmen's Comp) \$720.00; **Weed:** Bomgaars (Supplies) \$2.49, Cox Auto Supply, Inc. (Supplies) \$39.99, Graham Tire-Yankton (Supplies) \$934.62, Midwest Stripping (Repairs & Maintenance) \$300.00, M.T. & R.C. Smith Insurance (Workmen's Comp) \$6,354.00, Western Office Technologies (Supplies) \$24.83, Yankton Daily P & D (Publishing) \$92.44; **Planning & Zoning:** M. T. & R.C. Smith Insurance (Workmen's Comp) \$496.00, Western Office Technologies (Supplies) \$39.21, Yankton Daily P & D (Publishing) \$53.29; **Road & Bridge:** C & B Operations, LLC (Repairs & Maintenance) \$230.43, Sioux Falls Crane (Supplies) \$1,118.73, Bomgaars (Repairs & Maintenance) \$1,496.53, B-Y Electric (Utilities) \$31.33, B-Y Water District (Utilities) \$44.75, Butler Machinery (Repairs & Maintenance) \$26,924.23, Boyer Trucks (Repairs & Maintenance) \$304.95, Brock White Company (Supplies) \$6,637.50, City of Yankton (Utilities) \$5.50, Cox Auto Supply, Inc. (Repairs & Maintenance) \$486.53, Cox Auto Supply, Inc. (Supplies) \$656.68, Concrete Materials (Supplies) \$1,646.40, Certified Laboratories (Supplies) \$705.97, Direct TV (Utilities) \$62.99, Dakota Fluid Power, Inc. (Repairs & Maintenance) \$409.00, Ehresmann Engineering, Inc. (Supplies) \$18.63, Fastenal Industrial (Supplies) \$18.30, Graham Tire-Yankton (Supplies) \$5,200.00, Richard Hlavac (Supplies) \$420.00, Janssen's Garbage Service (Utilities) \$45.00, Kimball Midwest (Supplies) \$164.97, Larry's Heating & Cooling, Inc. (Supplies) \$250.00, Linweld, Inc. (Supplies) \$510.17, Midwest Striping (Repairs & Maintenance) \$2,979.00, MidAmerican Energy (Utilities) \$202.30, North

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Central International (Supplies) \$2,484.94, Pollman Excavation (Bridges) \$5,797.20, Riverside Hydraulics (Repairs & Maintenance) \$344.10, M.T. & R.C. Smith Insurance (Workmans Comp) \$41,422.00, Stern Oil Company, Inc. (Fuel) \$2,289.34, Sheehan Mack Sales (Repairs & Maintenance) \$48.64, Schenkel Demolition (Excise Tax) \$8.00, Schenkel Demolition (Supplies) \$400.00, SD State Treasurer (Excise Tax) \$141.30, Spencer Quarries, Inc. (Bridges) \$15,453.26, Southeastern Electric (Utilities) \$57.39, ShurCo (Supplies) \$112.20, Truck Trailer Sales Service (Repairs & Maintenance) \$7,554.18, Team Laboratory Chemicals (Supplies) \$189.50, Vanderhules (Supplies) \$867.00, Western Office Technologies (Supplies) \$91.38, Yankton Daily P & D (Publishing) \$281.26, Yankton Janitorial Supply (Supplies) \$89.95; **911 Fund:** Ace Hardware (Supplies) \$147.75, Lexington Corporation (Repairs & Maintenance) \$1,578.00, City of Yankton (1st Qtr E911 Dispatch) \$15,000.00, Golden West Telecommunications (Utilities) \$147.21, WOW! Business (Utilities) \$1,100.00, Western Office Technologies (Supplies) \$116.97; **Emergency Management:** Ace Hardware (Supplies) \$23.92, Bomgaars (Supplies) \$129.98, B-Y Electric (Utilities) \$42.98, Hacecky Enterprises dba Berkley Motors (Equipment) \$24,800.00, VAST Business (Utilities) \$458.34, CDW Government, Inc. (Supplies) \$99.98, Century Business Leasing (Rental) \$208.99, HyVee (Supplies-LEPC) \$47.80, Sioux Falls Two Way Radio (Repairs & Maintenance) \$250.00, Truxedo (Equipment) \$250.00, Tabor Lumber Cooperative (Supplies) \$327.50, Western Office Technologies (Supplies) \$316.52; **Government Buildings:** Personal Touch (Miscellaneous) \$700.00, Brown & Saenger (Miscellaneous) \$2,393.98; **Tower Fund:** Center for Municipal Solutions (Services) \$948.27, Center for Municipal Solutions (AT & T Services) \$2,650.00; **Non-Departmental:** Mettler Fertilizer (Surveying – Turkey Valley) \$600.00, John Nelson (Copies) \$39.00, Pollman Excavation (Ditch Tree Removal) \$8,163.28; **Clearing Fund:** SD Attorney General (Scram Fees/24-7) \$2,990.00; **24/7 Sobriety Fund:** South Dakota Attorney General (1st Qtr 24/7 State PBT Fees) \$933.00,

Total General Fund \$160,702.05, Road & Bridge \$128,202.43, 911 Fund \$18,089.93, Emergency Management \$26,956.01, Court House Buildings & Structure \$3,093.98. All present voted aye; motion carried.

Action 15158C: A motion was made by Bodenstedt and seconded by Epp to approve the 2015 Malt Beverage License application from Barton Bickley dba Lewis & Clark Meat Lodge, LLC. All present voted aye; motion carried.

Housing and Redevelopment: Ann Horton, Executive Director of the Yankton Housing and Redevelopment Commission (HRC) appeared before the Board to request the County to approve a joint powers agreement with YHRC. Currently, the County provides rental assistance through the US Department of Housing and Urban Development's Housing Choice Voucher Program, within the corporate city limits of Yankton. Horton also stated that expanding our jurisdiction will allow us to assist families throughout the county, and not just in the City of Yankton.

Action 15159C: A motion was made by Kettering and seconded by Freng to move forward with the intent to establish the joint powers agreement. All present voted aye; motion carried.

Sheriff: Sheriff Jim Vlahakis presented his monthly report, presented a bid received for the Security System and requested approval to increase his jail staff.

Action 15160S: A motion was made by Freng and seconded by Kettering to accept the bid from Integrated Technology & Security (ITS) in the amount of \$160,826.00. All present voted aye; motion carried.

Action 15161S: A motion was made by Kettering and seconded by Bodenstedt to allow the Sheriff's Department to proceed with hiring two additional employees. All present voted aye; motion carried.

Keystone Pipeline: Mark Johnson, TransCanada Representative, asked the Commissioners to issue a declaration by resolution form to continue their support of the Keystone XL Pipeline project.

Action 15162C: A motion was made by Bodenstedt and seconded by Kettering to approve the following resolution. All present voted aye; motion carried.

RESOLUTION 15-4

WHEREAS, the United States relies - and will continue to rely for many years - on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

WHEREAS, the South Dakota Association of County Commissioners (SDACC) urges the United States Congress to support continued and increased development and delivery of oil from Canada to the United States; and
WHEREAS, the Keystone XL pipeline is critical to the creation of South Dakota jobs and to our state's economic, and energy development; and now

THEREFORE BE IT RESOLVED that the Yankton County Board of Commissioners supports the Keystone XL expansion project and the continued and increased development and delivery of oil from North American oil reserves to American refineries through the State of South Dakota.

Todd Woods,
County Commission Chairman

ATTEST:
Patty Hojem, County Auditor

Health Nurse: Julie DeJong appeared before the board to submit the quarterly report and to introduce the new Community Health Nurse Jen Wechsler.

Action 15163H: A motion was made by Bodenstedt and seconded by Epp to approve Right of Way applications submitted by David Healy and G. Jeffery Hines. All present voted aye; motion carried.

Action 15164DR: A motion was made by Kettering and seconded by Freng to recess the regular session and reconvene as Drainage Board. All present voted aye; motion carried.

Action 15165DR: A motion was made by Epp and seconded by Freng to approve the Drainage permit for David Healy, based on Findings of Fact dated March 31, 2015. Said property is legally described as Miley Tract 1, exc N132', W330', S11-T-95N-R55W, Hereinafter referred to as Walshtown Township, County of Yankton, State of South Dakota. All present voted aye; motion carried.

Action 15166DR: A motion was made by Bodenstedt and seconded by Kettering to approve the Drainage permit for David Healy, based on Findings of Fact dated March 31, 2015. Said property is legally described as N1/2, NW1/4, exc Lt H1, S3-T95N-R55W,

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Hereinafter referred to as Walshtown Township, County of Yankton, State of South Dakota. All present voted aye; motion carried.

Action 15167C: A motion was made by Kettering and seconded by Freng to adjourn as Drainage Board and reconvene in regular session. All present voted aye; motion carried

Action 15168C: 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.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from AT & T Crowncastle LLC Law. Applicant requested a permit to provide modification of an existing Wireless Telecommunication tower in Yankton County. Said property is legally described as Lts 2, 3 & 4, SW1/4, NW1/4, S13-T95N-R56W , hereinafter referred to as Central Township, County of Yankton, State of South Dakota. E911 address is 29950 439th Ave., Utica SD. The Planning Commission recommended approval 13-0. No public comments were received at the meeting.

Action 15169Z: A motion was made by Kettering and seconded by Epp, based on Findings of Fact from the April 14, 2015 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Conditional Use Permit for AT & T Crowncastle LLC Law to provide modification of an existing Wireless Telecommunication tower in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Lts 2, 3 & 4, SW1/4, NW1/4, S13-T95N-R56W, hereinafter referred to as Central Township, County of Yankton, State of South Dakota. E911 address is 29950 439th Ave., Utica, 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 AT & T SBA Communications Corp. Applicant requested a permit to provide modification of an existing Wireless Telecommunication tower in Yankton County. Said property is legally described as N385', E726', N1/2, NE1/4, S15-T93N-R54W, hereinafter referred to as Gayville Township, County of Yankton, State of South Dakota. E911 address is 31109 450th Ave., Gayville SD. The Planning Commission recommended approval 13-0. No public comments were received at the meeting.

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Action 15170Z: A motion was made by Freng and seconded by Kettering, based on Findings of Fact from the April 14, 2015 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Conditional Use Permit for AT & T SBA Communications to provide modification of an existing Wireless Telecommunication tower in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as N385', E726', N1/2, NE1/4, S15-T93N-R54W, hereinafter referred to as Gayville Township, County of Yankton, State of South Dakota. E911 address is 31109 450th Ave., Gayville SD. All present voted aye; motion carried. All present voted aye; motion carried.

Action 15171C: A motion was made by Freng and seconded by Bodenstedt to adjourn as Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

SRF Consulting: William Troe, Transportation Planner with SRF Consulting Group, presented to the board the Yankton County Transportation Master Plan update. The document that Mr. Troe presented documents summarizing the key components of the transportation plan. It includes issues identified by the public, available funding and strategies to address those issues. Estimated cost for projects, school districts and to gain insight into the state of Yankton County's transportation system.

Health Insurance: Julie Auch, of Dakota Care stated she could not at this time submit a competitive quote for the County Health Insurance Plan.

Representative: T.J. Nelson, representative for Senator Mike Rounds canceled appointment to appear at the meeting.

Health Insurance: Pete Sanchez appeared before the Board to discuss the County joining the SD Health Insurance Pool for Counties.

Rail Authority: Commissioner Bodenstedt presented to the Board a resolution to establish the Yankton County regional Railroad Authority. It was the consensus of the Board to schedule a public hearing on May 6 to receive input for or against the Railroad Authority.

Action 15172C: A motion was made by Bodenstedt and seconded by Kettering to advertise the notice for a public hearing. All present voted aye; motion carried.

Weed Spraying: Commissioner discussed the proper procedures to deal with the spraying of weeds in the County.

Meetings: The Board discussed times and agenda format for future meetings. No changes will be made at this time.

Action 15173C: A motion was made by Bodenstedt and seconded by Epp to accept a refunding bond proposal from Dougherty & Company LLC, for the Yankton Safety Center.

Action 15174ROD/VSO/Pooled Cash/Aud-Treas/Ambulance: A motion was made by Freng and seconded by Epp to approve the following monthly department reports. All present voted aye; motion carried.

The Register of Deeds report from March 2015 showed collection of \$13,532.00 in regular fees; \$4,972.00 in transfer fees; and \$1,417.50 in copies revenue.

The Auditor's Monthly Settlement with the Treasurer as of March, 2015 showed Total Cash of \$7,495,642.54. The General Fund was \$4,559,831.43; Special Funds were \$1,268,397.55; and Trust and Agency Funds were \$1,667,413.56 adding to a Grand Total of General Ledger Cash and Investments of \$7,495,642.54. A detailed report is on file with the County Auditor.

VETERANS OFFICE: VSO Michael McDonald's report showed 60 contacts on behalf of veterans last month.

EMS: Emergency Medical Services monthly report for March 2015 listed 195 total calls. Yankton County EMS has collected \$205,695 and spent year to date \$183,616.

MI: MI Income was reported in the amount of \$9,751.75.

E911: Roger Willcut appeared before the board to request purchasing the E911 directory.

Action 15175C: A motion was made by Epp and seconded by Kettering to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, May 5, 2015.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor

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