

YANKTON COUNTY COMMISSION MEETING
November 20, 2018

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Thursday, November 20, 2018.

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

There were no conflicts of interest reported by Commissioners.

Action 18427C: A motion was made by Kettering and seconded by Bodenstedt to approve the meeting agenda. All present voted aye; motion carried.

Action 18428C: A motion was made by Kettering and seconded by Bodenstedt to approve the minutes of the November 8, 2018 meeting. All present voted aye; motion carried.

Action 18429C: A motion was made by Bodenstedt and seconded by Kettering to approve the following claims: **General Fund:** Peter Rosberg (Refund-building permit) \$35.00; **Commissioners:** Vast Business (Utilities) \$52.50, Intuvio Solutions (Professional Services) \$49.95, Boys & Girls Club of Brookings (Other) \$20,000.00, Yankton Daily P & D (Publishing) \$519.39; **Elections:** 2018 General Election Workers (10 @ \$150.00) \$1,500.00, (4 @ \$135.00) \$540.00, (1 @ \$155.04) \$155.04, (1 @ \$194.40) \$194.40, (1 @ \$168.90) \$168.90, (1 @ \$70.50) \$70.50, (1 @ \$200.28) \$200.28, (3 @ \$165.00) \$495.00, (1 @ \$178.02) \$178.02, (1 @ \$161.34) \$161.34, (1 @ \$160.08) \$160.08, (1 @ \$141.72) \$141.72, (1 @ \$178.56) \$178.56; (1 @ \$157.56) \$157.56, Rent (2018 General Election-7 @ \$75.00) \$525.00, 2018 Absentee Board (9 @ \$60.00) \$540.00, Election Systems & Software (Supplies) \$2,060.75, Seachange Print Innovation (Supplies) \$175.00, Karen Faerber (Supplies) \$4.84, First Bankcard (Supplies) \$103.72, Qualified Presort Services PC (Supplies) \$147.20, Yankton Daily P & D (Publishing) \$421.71; **Court:** Avera Sacred Heart Hospital (Lab) \$3,220.00, Kent E. Lehr Law Office (Professional Services) \$1,589.40, Department of Social Services (Professional Services) \$93.80, Kennedy Pier & Loftus LLP (Professional Services) \$3,559.80, Gary E. Mikelson (Professional Services) \$660.00; **Auditor:** Vast Business (Utilities) \$161.91, Culligan Water (Supplies) \$13.00, Qualified Presort Services LLC (Supplies) \$122.75, One Office Solution (Supplies) \$279.35; **Treasurer:** Vast Business (Utilities) \$181.29, Scanton (Maintenance) \$36.00, Qualified Presort Services LLC (Supplies) \$123.31, Yankton Daily P & D (Publishing) \$44.38; **Data Processing:** Vast Business (Utilities) \$872.07, Miller Consulting LLC (Maintenance) \$2,840.00; **States Attorney:** Century Business Products (Rentals) \$288.70, John P. Billings (Travel) \$334.02, Culligan Water (Supplies) \$32.50, Qualified Presort Services LLC (Supplies) \$36.83, The State Bar of South Dakota (Travel) \$1,245.00, Security Shredding Service (Maintenance) \$52.50, Yankton Daily P & D (Supplies) \$25.17; **Government Building:** Kopetsky's Ace Hardware (Supplies) \$15.18, Bomgaars (Supplies) \$3.70, Vast Business (Utilities) \$26.25, Echo Electric (Supplies) \$98.08, First Bankcard (Supplies) \$37.65, Johnson Controls (Maintenance) \$6,939.03, JCL

Solutions (Supplies) \$32.54, Mead Lumber (Supplies) \$4.39, Menards (Supplies) \$29.68, MidAmerican Energy (Utilities) \$492.60, M.T. & R.C. Smith Insurance (Insurance) \$324.00, Tire Muffler Alignment (Maintenance) \$323.76, Yankton County Treasurer (Other) \$1,283.06, Yankton Winnelson Company (Supplies) \$78.60; **Director of Equalization:** Vast Business (Utilities) \$209.82, First Bankcard (Travel) \$566.48; **Register of Deeds:** Vast Business (Utilities) \$157.99, Microfilm Imaging Systems, Inc. (Rent) \$336.00, Qualified Presort Services LLC (Supplies) \$63.76; **VA:** Vast Business (Utilities) \$26.25, Miller Consulting LLC (Maintenance) \$55.00, Qualified Presort Services, LLC (Supplies) \$8.51; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$24.99, Bomgaars (Supplies) \$13.25, Vast Business (Utilities) \$825.27, City of Yankton (Utilities) \$176.00, Cole Papers, Inc. (Supplies) \$426.50, Chuck's Sanitary Service (Supplies) \$200.00, First Bankcard (Supplies) \$155.64, Johnson Controls, Inc. (Maintenance) \$5,363.16, Midwest Striping (Maintenance) \$1,341.25, Menards (Supplies) \$38.01; **Sheriff:** Kopetsky's Ace Hardware (Supplies) \$13.98, Art's Garbage Service (Utilities) \$392.40, Vast Business (Utilities) \$111.00, City of Yankton (Fuel) \$3,841.65, Culligan Water (Supplies) \$47.54, Qualified Presort Services, LLC (Maintenance Contract) \$149.64, Lewis & Clark Ford Lincoln (Maintenance) \$566.02, M.T. & R.C. Smith Insurance (Insurance) \$295.00; **County Jail:** Avera Medical Group (Professional Services) \$12,024.17, CBM Food Services (Food Services) \$3,757.72, Cooks Correctional (Supplies) \$38.40, Shindler Foot Clinic (Professional Services) \$400.00, Larry's Heating & Cooling, Inc. (Maintenance) \$199.16, Menards (Supplies) \$24.74, Correctional Risk Service (Inmate Liability Insurance) \$922.25, One Office Solution (Supplies) \$196.30, Yankton Drug Co., Inc. (Professional Services) \$817.88, Yankton Surgical Associates, PC (Professional Services) \$180.00; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$55.86, Menards (Supplies) \$204.85; **Care of Poor:** Qualified Presort Services LLC (Supplies) \$92.48; **Public Health Nurse:** Vast Business (Utilities) \$216.26, TIAA Commercial Finance (Rentals) \$90.96, Qualified Presort Services LLC (Supplies) \$66.03; **Ambulance:** Avera Education & Staffing Solutions (Supplies) \$344.00, Avera Sacred Heart Hospital (Supplies) \$235.81, Bomgaars (Supplies) \$1.19, Vast Business (Utilities) \$179.52, The UPS Store 6716 (Supplies) \$13.12, Bound Tree Medical LLC (Supplies) \$3,309.49, City of Yankton (Supplies) \$866.11, Melisa Smith (Travel) \$216.82, Change Healthcare (Professional Services) \$130.00, Embroidery & Screen Works, Inc. (Supplies) \$228.00, First Bankcard (Supplies) \$1,863.37, First Bankcard (Travel) \$391.25, Miller Consulting LLC (Maintenance) \$140.00, Matheson Tri-Gas, Inc. (Rental) \$67.56, Menards (Supplies) \$50.84, MidAmerican Energy (Utilities) \$288.26, Riverside Auto Body (Maintenance) \$3,825.00, Security Shredding Service (Maintenance) \$35.00, Yankton Medical Clinic (Professional Services) \$179.00, Yankton Janitorial Supplies (Supplies) \$113.51; **Mental Illness Board:** Darcy Lockwood (Hearings-MI) \$42.00, Mark Katterhagen (Hearings-MI) \$42.00, Lewis & Clark Behavioral Health (Hearings-MI) \$1,650.00, Lucille M. Lewno (Hearing-MI) \$556.41, South Dakota Achieve dba Lifescape (Care-MI) \$300.00; **County Extension:** Buhl's Cleaners (Supplies) \$75.64, Vast Business (Utilities) \$431.38, Katie Doty (Travel) \$17.88, Hy-Vee (Supplies) \$17.92, National 4-H Council Supply Service (Supplies) \$162.30; **Weed:** Bomgaars (Supplies) \$65.97, Cox Auto Supply, Inc. (Supplies) \$28.68, First Bankcard (Supplies) \$17.45, Graham Tire Yankton (Maintenance) \$31.80, Graham Tire Yankton (Supplies) \$898.01, Midwest Striping (Supplies) \$187.92; **Planning & Zoning:** American Planning Association (Membership Dues) \$470.00, Hanson

Briggs Specialty Advertising, Inc. (Publishing) \$55.06, Vast Business (Utilities) \$55.94, Qualified Presort Services LLC (Supplies) \$42.73, One Office Solution (Supplies) \$26.87, Yankton Daily P & D (Publishing) \$79.29; **Road & Bridge:** C & B Operations LLC (Maintenance) \$296.13, C & B Operations LLC (Supplies) \$171.74, B-Y Water District (Utilities) \$95.00, Bierschbach Equipment & Supply (Supplies) \$427.00, Battery Exchange (Supplies) \$120.95, Butler Machinery Co. (Rental) \$2,098.72, Butler Machinery Co. (Supplies) \$724.30, Vast Business (Utilities) \$116.41, Brock White Company, LLC (Supplies) \$28,644.00, Presto-X (Maintenance) \$100.00, Country Pride Cooperative (Fuel) \$15,419.32, Country Pride Cooperative (Supplies) \$929.50, Rockmount Research & Alloys (Supplies) \$2,570.03, Plastic Works (Maintenance) \$3,575.00, Best Western Ramkota Hotel (Travel) \$203.98, Mills & Miller (Supplies) \$3,355.38, City of Yankton (Utilities) \$103.23, Cox Auto Supply, Inc. (Supplies) \$497.00, Concrete Materials (Supplies) \$1,431.08, Certified Laboratories (Supplies) \$849.45, Clark Engineering (Bridges) \$28,024.46, Bon Homme Colony (Supplies) \$350.00, Driveline Services (Supplies) \$429.47, Diamond Mowers Inc. (Supplies) \$173.85, First Bankcard (Fuel) \$641.93, First Bankcard (Supplies) \$313.96, First Bankcard (Travel) \$191.46, Fischer Gravel (Supplies) \$50,310.00, Fastenal Industrial & Construction Supply (Supplies) \$42.24, Graham Tire Yankton (Maintenance) \$225.00, Graham Tire Yankton (Supplies) \$17,364.30, Auto Value Yankton (Supplies) \$180.50, Janssen's Garbage Service (Utilities) \$45.00, Kimball Midwest (Supplies) \$2,420.67, Linweld, Inc. (Professional Services) \$10.95, Linweld, Inc. (Supplies) \$2,450.60, Mark's Machinery (Supplies) \$435.70, Midwest Striping (Annual Projects) \$2,808.00, Midwest Striping (Maintenance) \$316.25, Menards (Supplies) \$15.96, Northwestern Energy (Utilities) \$495.97, Yankton County Observer (Professional Services) \$30.00, O'Reilly Auto Parts (Supplies) \$69.71, Overhead Door Company of Sioux City, Inc. (Maintenance) \$150.00, M.T. & R.C. Smith Insurance (Insurance) \$564.00, Slowey Construction, Inc. (Supplies) \$727.40, Southeastern Cooperative (Utilities) \$47.94, Titan Machinery (Rentals) \$3,070.00, Titan Machinery (Supplies) \$200.63, Team Laboratory Chemical Corp (Supplies) \$2,800.00, Team Laboratory Chemical Corp (Annual Projects) \$60,500.00, Team Laboratory Chemical Corp (Supplies) \$305.50, Tabor Lumber Cooperative (Supplies) \$6.90, Winter Equipment Co. (Supplies) \$23,372.88, Yankton Redi Mix (Supplies) \$780.00, Zep Sales & Service (Supplies) \$8,803.52; **Emergency 911 Fund:** Vast Business (Utilities) \$107.81, CenturyLink (Utilities) \$83.20, Golden West Telecommunications (Utilities) \$145.00; **Emergency Management:** Vast Business (Utilities) \$788.81, TIAA Commercial Finance (Rental) \$193.15, City of Yankton (Supplies) \$159.01, Julie DeYonge (Supplies-POD) \$31.89, ESRI (Maintenance) \$400.00, First Bankcard (Supplies) \$1,256.79, First Bankcard (Travel) \$241.62, Leaf (Maintenance) \$99.00, Midcontinent Communications (Utilities) \$3.95, Motorola Solutions Inc. (Grant Equipment) \$23,870.76, MidAmerican Energy (Utilities) \$18.92, Two Way Solutions Inc. (Supplies) \$33.98, Two Way Solutions, Inc. (Grant Equipment) \$1,480.00, Tabor Lumber Cooperative (Supplies) \$167.73, Verizon (Utilities) \$418.70, One Office Solution (Supplies) \$110.06; **24/7 Sobriety Fund:** PharmChem, Inc. (Supplies) \$2,522.00; **Miscellaneous:** SD General Obligation Refunding) \$575,783.75; **Non-Departmental:** Satellite Tracking of People (Tracking People) \$71.50, Byron Nogelmeier (Scram Fee) \$234.00, Byron Nogelmeier (State Disbursement) \$1,825.00; **State of South Dakota:** South Dakota State Treasurer (Fees-Motor Vehicles) \$367,081.83, State of South Dakota (Fees-Waste Fee) \$3,840.75, Fees (Register of Deeds) \$2,620.00; Services: Services

(HC) \$9,630.32, Services (Redfield) \$180.00; South Dakota State Treasurer (State Animal Damage Control Fund) \$1,564.04, SDACO (M & PR Fund) \$654.00. General Fund \$106,742.03, Road & Bridge \$270,402.97, Emergency Management, \$29,264.37. All present voted aye; motion carried.

Acton 18430C: A motion was made by Bodenstedt and seconded by Kettering to approve the 2019 Joint Cooperative Agreement with Planning & Development District III. All present voted aye; motion carried.

Action 18431C: A motion was made by Kettering and seconded by Bodenstedt to approve the renewal of 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 18432C: A motion was made by Kettering and seconded by Bodenstedt to approve the consent agenda. All present voted aye; motion carried.

The Yankton County Welfare Report for October 2018 included 14 contacts, 18 notices of hospitalization, and 8 medical bills for the County Jail.

ROD: The Register of Deeds report from October 2018 showed collection of \$15,600.00 in regular fees; \$8,379.00 in transfer fees; \$3,090.00 in copies revenue.

Veterans Office: VSO Michael McDonald's October 2018 report showed 224 contacts on behalf of veterans last month. McDonald also coordinated transportation of 26 veterans (nine trips) to appointments at the VA Hospital in Sioux Falls.

EMS: Emergency Medical Services monthly report for October 2018 listed 184 total calls. Year to date, Yankton County EMS has collected \$974,875 and spent \$639,319.

Auditor/Treasurer: The Auditor's Monthly Settlement with the Treasurer as of October 31, 2018 showed Total Cash of \$16,895,701.71. The General Fund was \$5,336,033.19; Special Funds were \$2,579,006.07; and Trust and Agency Funds were \$8,980,662.45 adding to a Grand Total of General Ledger Cash and Investments of \$16,895,701.71. A detailed report is on file with the County Auditor.

Sheriff: Sheriff's office collected \$16,803.75 in fees last month. Jail income was \$177,678.83 in October. There were 61 county inmates, 82 city inmates, 41 state inmates and 57 federal inmates. Income from the 24-7 program was \$5,169.00 in October.

MI Income: The MI Illness income for October 2018 was \$7,652.95.

Right of Way requests for Nelson AG Holdings, LLC., in Section 32 Township 95-54 and in Section 5 Township 94-54.

Plat: Whereas it appears, Jon Gunderson, owner of record, has caused a plat to be made of the following real property: Tract A, Tract B, SW1/4, NW1/4, NW1/4, S21/4, S28-T94N-R54W, 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.

Plat: Whereas it appears, Todd Knutson, owner of record, has caused a plat to be made of the following real property: Knutson Tract 1, SE1/4, S9-T95N-R57W, 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.

Plat: Whereas it appears, Russell Leonard, owner of record, has caused a plat to be made of the following real property: Tract 1 and Tract 2, Lot B NE1/4, NE1/4 S31-T94N-R55W, 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.

Plat: Whereas it appears, Whitetail Run, owner of record, has caused a plat to be made of the following real property: Lot 1B, NE1/4, S24-T95N-R56W, 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.

Plat: Whereas it appears, John H. Gunderson, owner of record, has caused a plat to be made of the following real property: Tract 1, Bacon Addition, NE1/4, S16-T95N-R55W, 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.

Plat: Whereas it appears, Doug Marquardt, owner of record, has caused a replat to be made of the following real property: Lots 1, 2 and 3 Trail Acres 2nd Addition, NE1/4, NE1/4, S1-T93N-R55W, 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.

Plat: Whereas it appears, Matthew Christensen/Crestview Homes, owner of record, has caused a plat to be made of the following real property: Lot 70, NE1/4, S21-T93N-R56W, 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.

Emergency Management: Emergency Management Director Paul Scherschligt appeared for the board to approve the resolution for appointment of applicant agent and the mutual aid agreement, which is an intercounty sharing of resources during emergencies or disasters. Scherschligt also discussed the cell tower no longer used by the county.

Action 17433OEM: A motion was made by Bodenstedt and seconded by Kettering to appoint Paul Scherschligt as Applicant Agent for the Pre-Disaster Mitigation Grant Program (PDM). All present voted aye; motion carried.

Action 17434OEM: A motion was made by Bodenstedt and seconded by Kettering to approve the Mutual Aid Agreement. All present voted aye; motion carried.

Planning & Development District III: Greg Henderson, District III Director, appeared before the board to request endorsement of the Zone Revolving Loan fund proposal to the Economic Development Administration. Henderson said there would be no financial support from the county as it is just an endorsement and is part of EDA's application review process.

Patti Davies and Nancy Wenande spoke on the endorsement.

Action 18435C: A motion was made by Bodenstedt and seconded by Kettering to approve the endorsement of Opportunity Zone Revolving Loan Fund Proposal. All present voted aye; motion carried.

Action 18436D: A motion was made by Bodenstedt and seconded by Kettering to recess the regular session and convene as Drainage Board. All present voted aye; motion carried.

Applicant Darrell Nelson spoke on the Drainage Permit.

Action 18437D: A motion was made by Kettering and seconded by Bodenstedt to approve a Drainage Permit request from applicant Nelson Ag Holdings/Gustad Trust, based on Findings of Fact Dated October 23, 2018. Said property is described as W1/2, SE1/4 and E1/2, SE1/4, S11-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. All present voted aye; motion carried.

David Cap commented on the drainage permit.

Action 18438D: A motion was made by Kettering and seconded by Bodenstedt to approve a Drainage Permit request from applicant Kokes Farms, LLC, based on Findings of Fact Dated October 23, 2018. Said property is described as N1/2, S1/2, NE1/4 & S1/2, N1/2, NE1/4, S23-T94N-R57W an S1/2, S1/2, NE1/4, S23-T94N-R57W and 60 A., N/RR, SE1/4, S23-T94N-R57W, hereinafter referred to as Ziskov Township, County of Yankton, State of South Dakota. All present voted aye; motion carried.

Action 18439C: A motion was made by Bodenstedt and seconded by Kettering to recess the Drainage Board and reconvene in regular session. All present voted aye; motion carried.

The board reviewed the human resources department information presented at the previous meeting. Commissioner Kettering said he would speak with other Human Resources in the community and present a final copy at the next meeting.

Highway: Highway Superintendent Brian Gustad, appeared before the board to update the Commissioners on Johnson Bridge. Gustad said one issue they are having is with the beams. Because the beams were not flushed after the weld they had to be shimmed. He said that work will continue through the end of next week and the repairs will still come in under budget. Gustad also requested permission to advertise to purchase excavator. Gustad said the highway department rented the excavator from Titan Machinery for \$32,542.00. If we wish to purchase the equipment we could apply what we have paid towards the excavator. Gustad said we would still have to advertise because it would still be over the \$50,000.00 bid process.

Action 18440HWY: A motion was made by Kettering and seconded by Bodenstedt to authorize the Highway Department to advertise bids for the equipment. All present voted aye; motion carried.

Commissioner Kettering requested States Attorney to address Commissioners Swensen's absence.

Action 18441C: A motion was made by Bodenstedt and seconded by Kettering to recess the regular session at 5:10 p.m. and convene in executive session to discuss personnel and Poor Relief. All present voted aye; motion carried.

Action 18442C: A motion was made by Kettering and seconded by Bodenstedt to adjourn executive session at 5:35 p.m. and reconvene in regular session. All present voted aye; motion carried.

Action 18443C: A motion was made by Bodenstedt and seconded by Kettering to accept Highway Superintendent Brian Gustad letter of resignation. All present voted aye; motion carried.

Action 18444C: A motion was made by Bodenstedt and seconded by Kettering to recommend to approve poor relief case 2 with payment plan, deny case 1, 3 and no decision on case 4. All present voted aye; motion carried

There was one public comment from Cheri Loest.

Action 18445C: A motion was made by Kettering and seconded by Bodenstedt to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, December 4, 2018.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor