

YANKTON COUNTY COMMISSION MEETING

February 4, 2016

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Thursday, February 4, 2016.

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

Action 1636C: A motion was made by Kettering and seconded by Freng to approve the meeting agenda with the following additions: Holiday party, Napa Junction, consent agenda. All present voted aye; motion carried.

Action 1637C: A motion was made by Kettering and seconded by Epp to approve the minutes of the January 19, 2016 meeting. All present voted aye; motion carried.

Action 1638C: A motion was made by Epp and seconded by Freng to approve the following claims: **General Fund: Commissioners:** River Rat Productions (Professional Services) \$500.00; **Court:** Juror Fees (33 at \$10.00) \$330.00; Juror Fees (22 @ \$50.00) \$1,100.00, Juror Fees-MI (2 @ \$6.72) \$13.44, Juror Fees-MI (13 @ \$1.68) \$23.52, Juror Fees-MI (11 @ \$0.84) \$9.24, Juror Fees-MI (4 @ \$8.40) \$33.60, Juror Fees-MI (1 @ \$10.92) \$10.92, Juror Fees-MI (3 @ \$3.36) \$10.08, Juror Fees-MI (4 @ \$4.20) \$16.80, Juror Fees-MI (3 @ \$30.24) \$20.16, Bright House Networks, Inc. (Professional Fees) \$30.00, Juror Fees-MI (1 @ \$5.88) \$5.88, Juror Fees-MI (1 @ \$1.26) \$1.26, Juror Fees-MI (1 @ 19.32) \$19.32, Juror Fees-MI (2 @ \$2.52) \$5.04, Fox & Youngberg (Legal Assistance) \$15,000.00, Horn Law Office, LLC (Legal Assistance) \$182.40, Jody Johnson (Supplies) \$19.95, Lewis & Clark Specialty Hospital (Professional Services) \$1,593.00, Mary Anne Meyer, RDR (Professional Services) \$295.00; **Auditor:** Leaf (Rentals) \$104.86, One Office Solution (Supplies) \$268.03; **States Attorney:** A & B Business Solutions (Rentals) \$218.71, Avera Sacred Heart Hospital (Professional Services) \$500.00, SD SAA (Travel) \$1,323.00, Cedar County Sheriff (Professional Services) \$24.00, Culligan (Supplies) \$6.00, HyVee (Supplies) \$4.69, Purchase Power (Utilities) \$336.17, Sheriff of Woodbury County (Professional Services) \$15.62; **Government Building:** City of Yankton (Utilities) \$1,481.96, Cole Papers, Inc. (Supplies) \$150.33, Echo Electric Supply (Supplies) \$68.94, Northwestern Energy (Utilities) \$2,112.88; **Director of Equalization:** 502 Media Group, Inc. (Professional Services) \$600.00, Manatron, Inc. (Maintenance) \$9,076.43, One Office Solution (Supplies) \$162.96; **Register of Deeds:** Executive Management Finance Office (Utilities) \$24.00; **VA:** One Office Solution (Supplies) \$32.99; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$3.99, City of Yankton (Utilities) \$301.57, Larry's Hearing & Cooling, Inc. (Maintenance) \$614.45, Menards (Supplies)

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\$27.14, Northwestern Energy (Utilities) \$5,412.95; **Sheriff:** Freedom Valu Centers (Maintenance) \$52.50, Hedahl's, Inc. (Maintenance) \$44.21, Interstate Batteries (Supplies) \$19.06, Lamb Motor Company (Auto Equipment) \$56,970.00, National Sheriff's Association (Professional Fees) \$112.00, Purchase Power (Utilities) \$336.16, Streichers (Law Enforcement Equipment) \$7,026.99; **County Jail:** Avera Education & Staffing (Professional Services) \$800.00, Kopetsky's Ace Hardware \$15.92, Avera Sacred Heart Hospital (Professional Services) \$2,440.41, AMG Radiology Yankton (Professional Services) \$20.00, Bow Creek Metal Inc. (Repairs) \$37.50, CBM Food Service (Food Services) \$9,545.77, Diamond Drugs (Professional Services) \$1,717.40, HyVee (Supplies) \$70.93, Lewis & Clark Family Medicine (Professional Services) \$12.06, Larry's Heating & Cooling, Inc. (Maintenance) \$4.20, Lewis & Clark Specialty Hospital (Professional Services) \$1,579.69, Medical Imaging & Procedures LLC (Professional Services) \$202.35, Purchase Power (Utilities) \$336.17, Top Quality Glove (Supplies) \$279.60; **Coroner:** First Bankcard (Supplies) \$81.69, Mark Nickles (Supplies) \$2.74, SD Department of Health (Services) \$35.00; **Juvenile Detention:** Minnehaha County Regional Detention Center (Child Care) \$1,080.00, Volunteers of America Dakotas (Rental) \$1,320.00; **Yankton Area Search & Rescue:** Stitchin Corner & More (Supplies) \$63.60; **Care of Poor:** Wintz & Ray Funeral Home (Professional Services) \$124.20; **Public Welfare:** Yankton Homeless Shelter (2016 Appropriated Fund) \$5,000.00; **Ambulance:** Sacred Heart Health Services (Professional Services) \$1,500.00, AT & T (Utilities) \$35.15, Boston Shoes to Boots (Supplies) \$129.00, Century Business Products (rentals) \$37.37, Elizabeth Brunken (Travel) \$50.00, Bound Tree Medical, LLC (Supplies) \$365.20, City of Yankton (Utilities) \$89.91, Cole Papers, Inc. (Supplies) \$55.64, Credit Collection Services (Professional Services) \$46.35, G & K Services (Maintenance) \$50.27, Graham Tire Yankton (Maintenance) \$66.15, Hansen Locksmithing Inc. (Supplies) \$20.00, Matheson Tri-Gas, Inc. (Supplies) \$97.90, Northwestern Energy (Utilities) \$986.41, MidAmerican Energy (Utilities) \$671.82, Purchase Power (Supplies) \$1,447.25, Trittech Software Systems (Professional Services) \$3,502.80, One Office Solution (Supplies) \$54.42, Yankton Computer and Networking (Supplies) \$74.99; **Mental Illness Board:** Norma J. Andersen (Hearings) \$15.00, Mark Katterhagen (Hearings) \$30.00, Lucille M. Lewno (Hearings) \$511.97, Karen A. Swanda (Hearings) \$45.00; **County Extension:** Vast Business (Utilities) \$290.33, City of Yankton (Utilities) \$47.71, Francotyp-Postalia, Inc. (Rentals) \$89.25, HyVee (4-H Supplies) \$17.45, Leaf (Rentals) \$176.40, Stephanie Siebrandt (Travel) \$147.03, One Office Solution (Supplies) \$4.37; **Historic Sites:** Yankton County Historical Society, Inc. (1st Qtr Alotment-2016); **Weeds:** Bomgaars (Supplies) \$125.61, Cox Auto Supply, Inc. (Supplies) \$47.23, Menards (Supplies) \$26.79, One Office Solution (Supplies) \$13.26; **Soil Conservation:** Yankton County Conservation District (1st Half Wages 2016-Tree Manager) \$2,500.00; **Planning & Zoning:** 3-D Specialties, Inc. (E911 Signs) \$89.12; **Road and Bridge:** Kopetsky's Ace Hardware (Supplies) \$89.48, Bomgaars (Supplies) \$245.51, B-Y Electric (Utilities) \$81.23, Bierschbach Equipment

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(Rental) \$3,150.00, Butler Machinery Co. (Supplies) \$228.13, Interstate Power System (Supplies) \$121.12, City of Yankton (Utilities) \$56.67, Cox Auto Supply, Inc. (Supplies) \$427.94, Century Link (Utilities) \$46.97, Certified Laboratories (Professional Services) \$751.94, Dakota Riggers (Supplies) \$100.98, Dakota fluid Power, Inc. (Supplies) \$318.04, D-P Tools (Supplies) \$109.10, Echo Electric Supply (Supplies) \$812.62, Graham Tire Yankton (Supplies) \$4,717.66, I State Truck Center (Supplies) \$52.00, Johnson Engineering Co. (Professional Fees) \$5,458.00, MidAmerican Energy (Utilities) \$384.85, Newman Traffic Signs (Supplies) \$4,288.38, O'Reilly Auto Parts (Supplies) \$112.56, Overhead Door Company (Professional Services) \$1.96, Overhead Door Company (Maintenance) \$98.04, RPM Unlimited (Maintenance) \$1,179.11, SD Federal Property Agency (Supplies) \$242.00, Truck Trailer Sales Service (Supplies) \$140.00, TMA (Supplies) \$90.00, Vanderhule's (Hwy Fuel) \$23.00, Verizon (Utilities) \$49.99, Wheelco Brake & Supply (Supplies) \$373.32, Winter Equipment Co. (Supplies) \$23,045.36, One Office Solution (Supplies) \$102.32; **Emergency 911 Fund:** City of Yankton (Utilities) \$387.00, Century Link (Utilities) \$1,514.81, L & S Electric (Maintenance) \$521.00; **Emergency Management:** Bomgaars (Supplies) \$67.76, Digital Highway, Inc. (Supplies) \$332.89, Danko Emergency Equipment (Supplies) \$823.88, Helpline Center (2016 211 Disaster Services-ED) \$13,000.00, Hansen Locksmithing, Inc. (Supplies) \$37.50, HyVee (Supplies-LEPC) \$104.04, Midwest Card & ID 2012 (Professional Services) \$500.00, MidAmerican Energy (Utilities) \$33.71, Racom Corporation (Utilities) \$32.63, Sioux falls Two Way Radio Service, Inc. (Supplies) \$4,178.27, One Office Solutions (Supplies) \$334.07, Yankton Computer and Networking (Minor Equipment) \$1,652.74; **24/7 Sobriety Fund:** Menards (Supplies) \$5.99; **Capital Project NAAPA Junction:** Eisenbraun & Associates (Capitol Project) \$25,929.00; **Tower Fund:** Center for Municipal Solutions (Services) \$1,025.00; **Non-Departmental – Clearing Fund:** South Dakota Attorney General (Scram Fees – 24/7) \$1,536.00. Total General Fund \$152,888.66, Road & Bridge \$46,898.28, Emergency Management \$2,097.49. All present voted aye; motion carried.

Action 1639C: A motion was made by Freng and seconded by Kettering to increase the 2016 Napa Junction Project by \$47,536.50 as an automatic supplement, due to unanticipated revenue from the Department of Transportation. All present voted aye; motion carried.

Action 1640C: A motion was made by Epp and seconded by Freng to approve the abatement for Yankton Church Holdings. Property should be exempt. All present voted aye; motion carried.

Register of Deeds: Brian Hunhoff, Register of Deeds presented to the board his 2015 annual report. Hunhoff reported Yankton County set a new record with \$103.4 million

in real estate sales. Register of Deeds staff handled over 9,000 documents and request in 2015.

Action 1641Z: A motion was made by Kettering 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 Lot Requirement application from Jacob and Stephanie Siebrandt, a Variance of Minimum Lot Requirement from twenty (20) acres to five (5) +/- (5.51) acres and Minimum Lot width from five hundred (500) feet to four hundred eleven (411) feet in an Agriculture District (Ag) in Yankton County to build. Said property is legally described as E1/2, NW1/4, S1-T94N-R56W, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. The E911 address 43937 303rd St., Yankton, SD. Ralph Marquardt spoke in opposition to the variance. The Planning Commission recommended approval 10-0.

Action 1642Z: A motion was made by Kettering and seconded by Epp, based on Findings of Fact from the January 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Jacob and Stephanie Siebrandt, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Variance of Minimum Lot Requirement from twenty (20) acres to five (5) +/- (5.51) acres and Minimum Lot width from five hundred (500) feet to four hundred eleven (411) feet in an Agriculture District (Ag) in Yankton County. Said property is legally described as E1/2, NW1/4, S1-T94N-R56W, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. The E911 address is 43937 303rd St., 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 Brian Gustad. Variance of Minimum Yard Requirement on side yard from seventy-five (75) feet to fifteen (15) feet in a Agriculture District (AG) in Yankton County. Said property is legally described as N480', S555', W240', E1/2, SW1/4, S32-T96N-R54W, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address 44726 SD Hwy 46, Irene, SD. The Planning Commission recommended approval 10-0.

Action 1643Z: A motion was made by Epp and seconded by Kettering, based on Findings of Fact from the January 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement Variance for Brian Gustad, 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 fifteen (15) feet in a Agriculture District (AG) in Yankton County. Said property is legally described as N480', S555', W240', E1/2, SW1/4, S32-T96N-R54W, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44726 SD Hwy 46, Irene, 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 Lot Requirement application from Steven Hauger Variance of Minimum Lot Requirement from twenty (20) acres to three +/- (3.19) acres and Minimum Lot Width from five hundred (500) feet to three hundred six +/- (306.19) feet in an Agriculture District (AG) in Yankton County. Said property is legally described as S1/2, NE1/4, S27-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address 29543 444 Ave., Irene, SD. The Planning Commission recommended approval 10-0.

Action 1644Z: A motion was made by Kettering and seconded by Freng, based on Findings of Fact from the January 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Steven Hauger, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Variance of Minimum Lot Requirement from twenty (20) acres to three +/- (3.19) acres and Minimum Lot Width from five hundred (500) feet to three hundred six +/- (306.19) feet in an Agriculture District (AG) in Yankton County. Said property is legally described as S1/2, NE1/4, S27-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address is 29543 444 Ave., Irene, SD. All present voted aye; motion carried.

Action 1645Z: A motion was made by Epp and seconded by Freng to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Action 1646Z: A motion was made by Epp and seconded by Freng to adopt the following resolution: Whereas it appears Jacob and Stephanie Siebrandt, owners of record, have caused a replat to be made of the following real property: Tract 1, Siebrandt Addition, E1/2, NW1/4, S1-T94N-R56W, hereinafter referred to as Utica North Township, County of Yankton, S.D., and has submitted such replat 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.

Action 1647Z: A motion was made by Freng and seconded by Kettering to adopt the following resolution: Whereas it appears Steven Hauger, owner of record, has caused a replat to be made of the following real property: Robert Hauger Tract 1, S1/2, NE1/4, S27-T96N-R55W, hereinafter referred to as Mayfield Township County of Yankton, S.D., and has submitted such replat 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.

Action 1648Z: A motion was made by Kettering and seconded by Freng to adopt the following resolution: Whereas it appears Jerry Poeschl, owner of record, has caused a replat to be made of the following real property: Lot 13, Deerfield Valley, SE1/4, S2-T93N-R57W, hereinafter referred to as Ziskov South Township County of Yankton, S.D., and has submitted such replat 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.

Highway: Highway Superintendent Brian Gustad appeared before the board to present additional cost for a grade raise over structure 68-132-109 in Walshtown Township, and to request authorization to advertise for the 2016 for highway supplies and purchase of a used semi-trailer. Gustad informed the board he will be returning the 2002 Freight liner Dump Truck and replacing it with 2008 Ford F350 Crew Cab Pickup. Gustad also stated the Yankton Signage Program will start in 2017 not 2016 as previously reported.

Action 1649C: A motion was made by Epp and seconded by Freng to authorize the Highway Superintendent to advertise for the 2016 Annual Supplies, with the addition of chip sealing. All present voted aye; motion carried.

Task Force: Gary Moore, who is on the task force committee, supplied the committee with information on sources of funding and ideas to bring to the board. The board is attempting to have Jean Hunhoff appear to discuss some state funding.

Action 1650C: A motion was made by Kettering and seconded by Freng to recess the regular session at 5:20 and convene in Executive Session to discuss personnel matters. All present voted aye; motion carried.

Action 1651C: A motion was made by Freng and seconded by Epp to adjourn executive session at 5:40 pm and 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 1652C: A motion was made by Freng and seconded by Epp to approve the January, 2016 gross payroll: **Commissioners:** \$5,257.57; **Auditor:** \$13,617.30; **Treasurer:** \$14,533.86; **States Attorney:** \$24,422.81; **Custodian:** \$4,632.72; **Director of Equalization:** \$21,745.06; **Register of Deeds:** \$13,104.70; **Veterans Service:** \$1,962.00; **Courthouse & Safety Center:** \$5,613.17; **Sheriff:** \$59,263.40; **County Jail:** \$62,578.82; **Coroner:** \$800.00; **Juvenile:** \$63.25; **Nurse:** \$2,769.48; **Ambulance:** \$40,177.25; **WIC :** \$1,535.38; **Extension:** \$6,592.65; **Soil Conservation:** \$2,697.26; **Weed:** \$1,436.42; **Planning & Zoning:** \$7,184.93; **Road & Bridge:** \$68,292.78; **E911:** \$157.50; **OEM:** \$5,149.15; **24-7 Program:** \$3,534.00. South Dakota Retirement System \$27,640.74 (Other Employees), South Dakota Retirement System \$17,550.88 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$267.24, South Dakota Retirement System (Supplemental) \$3,775.00, American Family Life Assurance Company (AFLAC) \$3,839.57, Legalshield \$25.90, Office of Child Support \$903.00, Nationwide Retirement Solutions \$69.44, First Dakota National Bank \$33,553.58 (Withholding), First Dakota National Bank \$44,893.88 (FICA) First Dakota National Bank \$10,499.30 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,532.31, Avera Health Plans \$55,412.99, Optilegra \$547.30. Gross Payroll \$367,172.46, Net Payroll \$271,641.42. All present voted aye; motion carried.

Consent Agenda: Chairman Woods presented more information on the consent agenda.

Napa Junction: Commissioner Kettering stated that everything is on schedule. The land acquisitions for the right-of-way will start in approximately two weeks. Dakota Plains indicated scales and equipment for construction will be on site the first of March.

Snow: Commissioners Epp and Freng commented on some phone calls they received on the recent snow storm.

Action 1653C: A motion was made by Kettering and seconded by Freng to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, February 16, 2016.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor

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