

YANKTON COUNTY COMMISSION MEETING  
April 4, 2017

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

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

**Action 17103C:** A motion was made by Woods and seconded by Swensen to approve the meeting agenda. All present voted aye; motion carried.

**Action 17104C:** A motion was made by Bodenstedt and seconded by Epp to approve the minutes of the March 21, 2017 meeting. All present voted aye; motion carried.

**Action 17105C:** A motion was made by Epp and seconded by Bodenstedt to approve the following claims: **Non-Departmental: General Fund:** Ambulance (Refund) \$155.00; **Commissioners:** Don Kettering (Travel) \$41.16, Debra Bodenstedt (Travel) \$199.08, River Rat Productions (Professional Services) \$500.00, Todd Woods (Travel) \$257.20; **Elections:** Qualified Presort Service, LLC (Supplies) \$27.83, Verizon (Utilities) \$383.49; **Court:** Michael Thunker (Witness Fees) \$20.00, Fox & Youngberg, PC (Legal Assistance) \$15,393.60, Kennedy Pier Knoff & Loftus, LLP (Legal Assistance) \$868.20, Lewis & Clark Specialty Hospital (Professional Services) \$1,593.00, Pollard Law, PC (Legal Assistance) \$194.00, Dean Schaefer (Professional Services) \$258.40; **Auditor:** Patty Hojem (Travel) \$229.08, Leaf (Rentals) \$12.13, Qualified Presort Service, LLC (Supplies) \$314.28, One Office Solution (Supplies) \$245.68; **Treasurer:** Qualified Presort Services, LLC (Supplies) \$118.99; **States Attorney:** ADA County Sheriff's Office (Professional Services) \$55.00, Executive Management Finance Office (Utilities) \$27.00, Hy-Vee (Supplies) \$15.57, Qualified Presort Services, LLC (Supplies) \$59.70, Staples Credit Plan (Supplies) \$87.91; **Government Center:** Kopetsky's Ace Hardware (Supplies) \$2,065.93, Bound Tree Medical, LLC (Supplies) \$2,523.45, Ban Koe Companies, Inc. (Maintenance) \$695.00, City of Yankton (Utilities) \$1,644.48, Cole Papers, Inc. (Supplies) \$20.50, Johnson Controls, Inc. (Maintenance) \$129.60, Menards (Supplies) \$19.97, Northwestern Energy (Utilities) \$2,183.87; **Director of Equalization:** Matt Archer (Travel) \$47.55, SDAAO (Travel) \$450.00, Qualified Presort Services, LLC (Supplies) \$45.08, One Office Solution (Maintenance) \$60.27; **Register of Deeds:** Executive Management Finance Office (Utilities) \$27.00, Qualified Presort Services LLC (Supplies) \$37.56; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$957.32, City of Yankton (Utilities) \$439.80, Cole Papers, Inc. (Supplies) \$656.24, Johnson Controls, Inc. (Maintenance) \$115.97, Menards (Supplies) \$177.76, Northwestern Energy (Utilities) \$5,967.81; **Sheriff:** Collection Trust Publications (Books) \$100.00, Xtreme Car Wash (Maintenance) \$64.80, First National Bank of Omaha (Other) \$30.30, Interstate All Battery Center (Law Enforcement Equipment) \$44.95, Northtown Automotive (Maintenance) \$45.81, Qualified Presort Services LLC (Maintenance Contracts) \$136.05, Jerold Sorbel (Maintenance) \$41.18, One Office Solution (Maintenance Contracts) \$51.77; **Jail:** CBM Food Services (Food Services) \$3,004.57, Charm-Tex (Maintenance) \$368.64, Division of Motor

Vehicles (Other) \$6.00, EZ Duz It Laundry (Supplies) \$74.25, Fejfar Plumbing & Heating, Inc. (Maintenance) \$234.55, Lewis & Clark Specialty Hospital (Professional Services) \$900.00, Menards (Supplies) \$7.58, PharmChem, Inc. (Supplies) \$608.00, Top Quality Glove (Supplies) \$480.00; **Coroner:** Sanford Health (Professional Services) \$2,350.00; **Care of Poor:** Qualified Presort Services, LLC (Supplies) \$141.18; **Public Health Nurse:** Qualified Presort Services, LLC (Supplies) \$36.00; **Ambulance:** Sacred Heart Health Services (Professional Services) \$4,500.00, Stryker Sales Corporation (Supplies) \$1,268.32, Century Business Products (Rentals) \$42.00, Yankton Auto Body (Repairs) \$675.25, City of Yankton (Utilities) \$86.69, Credit Collection Services, Inc. (Professional Services) \$396.71, Melsia Smith (Travel) \$51.24, Change Healthcare (Professional Services) \$135.20, Ferdig's Transmissions (Maintenance) \$114.74, Graham Tire Yankton (Maintenance) \$488.95, Hedahls, Inc. (Supplies) \$42.08, MidAmerican Energy (Utilities) \$462.93, Northwestern Energy (Utilities) \$1,160.32, Verizon (Utilities) \$348.49, One Office Solution (Supplies) \$153.02; **Mental Illness Board:** Marvin R. Ekeren (Hearings) \$6.00, Mark Katterhagen (Hearings) \$30.00, Lucille M. Lewno (Hearings) \$610.88, Karen A. Swanda (Hearings) \$30.00; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$43.48, Buhl's Cleaners (Supplies) \$41.98, City of Yankton (Utilities) \$42.77, J & H Cleaning (Maintenance) \$200.00, Stephanie Siebrandt (Travel) \$151.57, One Office Solution (Supplies) \$135.46; **Weed:** Francotyp-Postalia, Inc. (Supplies) \$50.00; **Planning & Zoning:** Collection Trust Publications (Supplies) \$240.00, 3-D Specialties, Inc. (E911 Signs) \$27.90, Qualified Presort Services LLC (Supplies) \$45.84, Verizon (Utilities) \$17.39; **Road & Bridge:** Bomgaars (Supplies) \$366.57, B-Y Water District (Utilities) \$119.50, Bierschbach Equipment & Supply (Supplies) \$4,108.00, Butler Machinery Co. (Supplies) \$725.28, Mills & Miller (Supplies) \$1,524.75, City of Yankton (Utilities) \$87.49, Cox Auto Supply, Inc. (Supplies) \$818.80, CenturyLink (Utilities) \$55.48, Certified Laboratories (Supplies) \$3,078.78, D-P Tools (Supplies) \$165.06, Echo Electric Supply (Professional Services) \$450.00, Ehresmann Engineering, Inc. (Supplies) \$258.03, Fejfar Plumbing & Heating, Inc. (Supplies) \$638.88, Fleetpride Truck & Trailer Parts (Supplies) \$818.98, Fairbank Equipment, Inc. (Supplies) \$238.28, Graham Tire Yankton (Supplies) \$5,005.56, Hedahls, Inc. (Supplies) \$718.68, Koletsky Implement, Inc. (Supplies) \$379.80, Kimball Midwest (Supplies) \$1,259.29, Marks Machinery (Supplies) \$77.10, Northwest Energy (Utilities) \$82.74, Road King, Inc. (Supplies) \$18.36, Sheehan Mack Sales and Equipment, Inc. (Supplies) \$1,559.42, Truck Trailer Sales Services, Inc. (Supplies) \$143.50, Vanderhules (Supplies) \$118.00, Verizon (Utilities) \$71.59; **Emergency 911 Fund:** CenturyLink (Utilities) \$1,290.38; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$35.24, Vast Business (Utilities) \$265.62, MidAmerican Energy (Utilities) \$20.09, Qualified Presort Service LLC (Supplies) \$8.38, Racom Corporation (Utilities) \$33.45, Verizon (Utilities) \$128.78, Yankton Computer and Network Services (Supplies) \$49.99; **County Law Library:** West Payment Center (Supplies) \$726.86; **Tower Fund:** Center for Municipal Solutions (Services) \$2,475.00; **Drainage Ditches:** Gregg Davis Excavation & Concrete (Place Culvert) \$5,457.00. Total General Fund \$58,051.20, Road & Bridge \$22,887.92, Emergency Management. All present voted aye; motion carried.

**Action 17106C:** A motion was made by Woods and seconded by Epp to approve the March 2017 Payroll. **Commissioners:** \$5,362.72; **Auditor:** \$13,446.15; **Treasurer:** \$15,429.15; **States Attorney:** \$26,195.77; **Custodian:** \$4,005.52; **Director of Equalization:**

\$23,323.74; **Register of Deeds:** \$11,815.25; **Veterans Service:** \$2,203.20; **Courthouse & Safety Center:** \$7,201.89; **Sheriff:** \$60,352.75; **County Jail:** \$64,635.39; **Coroner:** \$700.00; **Juvenile:** 0.00; **Nurse:** \$3,705.35; **Ambulance:** \$45,012.32; **WIC :** \$1,483.01; **Extension:** \$6,772.51; **Soil Conservation:** \$2,751.21; **Weed:** \$480.06; **Planning & Zoning:** \$8,403.63; **Road & Bridge:** \$68,825.35; **E911:** \$80.34; **OEM:** \$5,743.17; **24-7 Program:** \$3,265.54. South Dakota Retirement System \$28,418.46 (Other Employees), South Dakota Retirement System \$17,344.50 (Sheriff/OEM), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$120.40, South Dakota Retirement System (Supplemental) \$3,560.00, American Family Life Assurance Company (AFLAC) \$4,691.12, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$250.00, First Dakota National Bank \$35,183.02 (Withholding), First Dakota National Bank \$46,477.84 (FICA) First Dakota National Bank \$10,869.76 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,595.01, Avera Health Plans \$58,189.03, Optilegra \$663.04, Services Center Federal Credit Union \$350.00. Gross Payroll \$381,213.02, Net Payroll \$281,244.30. All present voted aye; motion carried.

**Action 17107C:** A motion was made by Epp and seconded by Woods to allow county employees off with pay on Good Friday April 14, 2017. All present voted aye; motion carried.

**Audit Report:** Jeff Schaeffer from the Department of Legislative Audit appeared before the board to present the audit findings for years 2014 and 2015.

**Tax Freeze Process:** Treasurer Patty Vavra appeared before the board to explain the tax freeze process.

**Action 17108Z:** A motion was made by Woods and seconded by Bodenstedt to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried.

**Variance and Conditional Use Permit Public Hearing:** This was the time and place for a public hearing for a Conditional Use Permit application from Marquardt Family Trust. Applicant requested a permit to build a Class D 2400-head pork (finisher swine over 55 pounds) production barn (960 animal units) and a variance of Minimum Property Line Setback requirement of 660 feet to 350 feet in an existing parcel in an Agriculture District (AG) in Yankton County. Said property is legally described as Tract A, SW1/4, S28-T95N-R57W, hereinafter referred to as Lesterville Township, County of Yankton, State of South Dakota. The E911 address is 43048 302<sup>nd</sup> Street, Lesterville, SD. The Planning Commission recommended approval 10-0.

Several county residents voiced their concerns about the CUP permit, citing odor and other issues.

**Action 17109Z:** A motion was made by Bodenstedt and seconded by Epp to approve a Conditional Use Permit on the condition that the applicant plants trees on the east and additional trees on the west and north, based on corrected Findings of Fact from the March 14, 2017 Yankton County Planning Commission meeting and on file in the Zoning

Administrator's Office, to build a Class D 2400-head pork (finisher swine over 55 pounds) production barn (960 animal units) and a variance of Minimum Property Line Setback requirement of 660 feet to 350 feet in an existing parcel in an Agriculture District (AG) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Tract A, SW1/4, S28-T95N-R57W, hereinafter referred to as Lesterville Township, County of Yankton, State of South Dakota. E911 address is 43048 302<sup>nd</sup> Street, Lesterville, SD.

Commissioners discussed the application. Bodenstedt called the question and Woods seconded.

Roll call vote on the application was taken with Bodenstedt, Epp, Kettering, and Woods voting Aye; Swensen Voting Nay; Motion carried, 4-1.

**Action 17110Z:** A motion was made by Bodenstedt and seconded by Woods to recess for 3 minutes. All present voted aye; motion carried.

**Action 17111Z:** A motion was made by Epp and seconded by Bodenstedt to resume the meeting. All present voted aye; motion carried.

Commissioner Epp left commission meeting at 6:10.

**Variance and Conditional Use Permit Public Hearing:** This was the time and place for a public hearing for a Conditional Use Permit application from Jared Schrempp. Applicant requested a permit to build an accessory structure before the principal structure (residential before March 2022) in a Low Density Rural Residential District (R-1) in Yankton County and a variance of Maximum Accessory Structure size from 2,000 square feet to 2,520 square feet in a Low Density Rural Residential District (R-1) in Yankton County. Said property is legally described as E521.75', E1/2, SW1/4, exc Lot 11, Block 2, Kingsley Knolls & exc Lots A & B, Kingsley Knolls, S7-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Kaiser Road, Yankton, SD. The Planning Commission recommended approval 7-3.

**Action 17112Z:** A motion was made by Woods and seconded by Swensen, based on Findings of Fact from the March 14, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Conditional Use Permit and Maximum Accessory Variance for Jared Schrempp, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance to build an accessory structure before the principal structure (residential before March 2022) in a Low Density Rural Residential District (R-1) in Yankton County and a variance of Maximum Accessory Structure size from 2,000 square feet to 2,520 square feet in a Low Density Rural Residential District (R-1) in Yankton County. Said property is legally described as E521.75', E1/2, SW1/4, exc Lot 11, Block 2, Kingsley Knolls & exc Lots A & B, Kingsley Knolls, S7-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 is address is TBA Kaiser 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 PCi Roads, LLC. Applicant requested a permit to provide Temporary Construction Services in a Commercial District (C) in Yankton County. Said property is legally described as Lot 1, Dakota Rail Park Subdivision, exc Lot H31, S21-T94N-R56W, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. E911 address 30668 436<sup>th</sup> Avenue, Yankton, SD. The Planning Commission recommended approval 10-0.

**Action 17113Z:** A motion was made by Woods and seconded by Bodenstedt to approve a Conditional Use Permit, based on Findings of Fact from the March 14, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to provide Temporary Construction Services in a Commercial District (C) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Lot 1, Dakota Rail Park Subdivision, exc Lot H31, S21-T94N-R56W, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. E911 address is 30668 436<sup>th</sup> Avenue, Yankton, SD. All present voted aye; motion carried.

**Action 17114C:** A motion was made by Bodenstedt and seconded by Woods to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

**County Health Insurance:** Julie Auch, representative from Blue Cross Blue Shield appeared to present a health insurance quote for Yankton County's employee health insurance program.

**Action 17115C:** A motion was made by Woods and seconded by Bodenstedt to approve the Loosestrife Management Project in the amount of \$500.00. All present voted aye; motion carried.

**Cleaning:** The board along with Bruce Christensen, Buildings and Grounds Supervisor, discussed cleaning issues at the County Government Center.

**Action 17116C:** A motion was made by Woods and seconded by Bodenstedt to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, April 18, 2017.

**Don Kettering**, Chairman  
Yankton County Commission

ATTEST:  
**Patty Hojem**, Auditor