

YANKTON COUNTY COMMISSION MEETING
May 1, 2018

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Tuesday, May 1, 2018.

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

Action 18156C: A motion was made by Epp and seconded by Kettering to approve the meeting agenda. All present voted aye; motion carried.

Action 18157C: A motion was made by Bodenstedt and seconded by Epp to approve the minutes of the April 17, 2018 meeting. All present voted aye; motion carried.

Action 18158C: A motion was made by Kettering and seconded by Bodenstedt approve the following claims: **Non-Departmental: General Fund: Elections:** BPro, Inc. (Professional Services) \$3,900.00, Qualified Presort Service LLC (Supplies) \$62.68, Verizon (Utilities) \$383.49; **Court:** Avera Medical Group (Professional Services) \$5,500.00, Certified Languages International (Professional Services) \$84.15, Jurors Fees (7 @ \$50.00) \$350.00, Witness Fees (2 @ \$20.00) \$40.00, Jurors Fees- MI (1 @ \$6.72) \$6.72, Jurors Fees-MI (1 @ \$5.88) \$5.88, Jurors Fees-MI (1 @ \$8.40) \$8.40, Fox & Youngberg PC (Professional Services) \$15,000.00, Horn Law Office PC (Professional Services) \$1,024.60; **Auditor:** Hy-Vee (Supplies) \$8.30, Qualified Presort Services LLC (Supplies) \$110.47; **Treasurer:** Harland Technology Service (Maintenance) \$36.00, Qualified Presort Services, LLC (Supplies) \$105.87; **Data Processing:** Tyler Technologies (Maintenance) \$1,710.91; **States Attorney:** Century Business Products (Rentals) \$200.97, Executive Management Finance (Utilities) \$25.50, Freeborn County Sheriff (Professional Services) \$65.00, Graphic Products (Supplies) \$211.65, Hy-Vee (Supplies) \$23.99, Qualified Presort Services Inc. (Supplies) \$146.34, Staples Credit Plan (Supplies) \$312.67, Lisa Ven Osdel (Supplies) \$57.60, Yankton Daily P & D (Supplies) \$54.54, **Government Building:** Kopetsky's Ace Hardware (Supplies) \$206.44, Kopetsky's Ace Hardware (Maintenance) \$19.99, City of Yankton (Utilities) \$2,031.40, Echo Electric (Supplies) \$270.94, Justra's Body Shop, Inc. (Maintenance) \$47.79, JCL Solutions (Supplies) \$122.05, Kaiser Heating & Cooling, Inc. (Maintenance) \$75.00, Northwestern Energy (Maintenance) \$2,256.68, Olson's Pest Technicians (Maintenance) \$79.00; **Director of Equalization:** Kopetsky's Ace Hardware (Supplies) \$37.97, Southgate (Maintenance) \$110.00, JJ Benji (Supplies) \$462.00, Qualified Presort Services LLC (Supplies) \$16.03, One Office Solution (Maintenance) \$80.72, One Office Solution (Supplies) \$51.05; **Register of Deeds:** Executive Management Finance (Utilities) \$25.50, Qualified Presort Services LLC (Supplies) \$34.45, One Office Solution (Supplies) \$181.70; **VA:** Qualified Presort Services LLC (Supplies) \$5.50; **Safety Center Building:** Kopetsky's Ace Hardware (Supplies) \$93.98, City of Yankton (Utilities) \$587.02, Intek Cleaning & Restoration (Supplies) \$307.80, Walsh Construction (Maintenance) \$1,132.50, Menards (Supplies) \$69.66, MidAmerican Energy (Utilities) \$2,148.59, Northwestern Energy (Utilities) \$6,223.98; **Sheriff:** Pennington County

Jail (Travel) \$393.90, Qualified Presort Services LLC (Maintenance Contracts) \$121.49, M.T. & R.C. Smith Insurance (Insurance) \$1,028.00, Yankton Daily P & D (Publishing) \$251.46, Cardmember Services, (Travel) \$476.00; **County Jail:** Avera Sacred Heart Hospital (Professional Services) \$228.52, CBM Food Service (Food Services) \$6,952.92, Charm-Tex (Supplies) \$234.70, Diamond Drugs (Professional Services) \$3,348.17, Jack's Uniforms & Equipment (Uniforms) \$83.44, JCL Solutions (Supplies) \$20.78, Morphotrak, LLC (Maintenance Contract) \$9,069.00, Menards (Supplies) \$156.93, Yankton Drug Co., Inc. (Professional Services) \$1,295.88, Cardmember Services (Supplies) \$128.84; **Coroner:** South Dakota Department of Health (Professional Services) \$100.00, Sanford Health (Professional Services) \$2,100.00; **Juvenile Detention:** Brown County Sheriff's Office (Rentals) \$2,420.00; **Airport:** City of Yankton (2018 County Share-Airport Operations) \$15,000.00; **Care of Poor:** Opsahl-Kostel Funeral Home (Poor Relief) \$2,768.63; Qualified Presort Services, LLC (Supplies) \$141.73, Wintz & Ray Funeral Home (Professional Services) \$319.50; **Public Health Nurse:** Everbank Commercial Finance (Rentals) \$70.96, Qualified Presort Services, LLC (Supplies) \$32.00; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$338.51, Sacred Heart Health Services (Professional Services) \$1,500.00, Bomgaars (Supplies) \$25.66, Vast Business (Utilities) \$182.54, Change Healthcare (Professional Services) \$130.00, South Dakota Office of Rural Health/EMS (Travel) \$12.00, City of Yankton (Utilities) \$139.76, Credit Collection Services, Inc. (Professional Services) \$106.61, Complete Wireless Technology (Supplies) \$200.15, Echo Electric (Supplies) \$143.70, Leaf (Rentals) \$86.72, Matheson Tri-Gas, Inc. (Supplies) \$131.71, Mead Lumber (Supplies) \$18.08, Menards (Supplies) \$22.96, MidAmerican Energy (Utilities) \$374.91, Physio-Control, Inc. (Supplies) \$851.95, Northwestern Energy (Utilities) \$1,138.76, Purchase Power (Supplies) \$31.17, M.T. & R.C. Smith Insurance (Insurance) \$682.00, Verizon (Utilities) \$425.68, One Office Solution (Supplies) \$119.17, Yankton Janitorial Supply (Supplies) \$98.95; **Mental Illness Centers:** Lewis & Clark Behavioral Health (1st and 2nd QTR Appropriation 2018) \$38,049.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$30.00, Kerri Cook-Huber (Hearings) \$100.00, Kennedy Pier & Loftus LLP (Hearings) \$47.00, Mark Katterhagen (Hearings) \$30.00, Lincoln County Treasurer (Hearings) \$517.70, Lucille M. Lewno (Hearings) \$535.44, Gary E. Mikelson (Hearings) \$ 944.00; **Historical Sites:** Yankton County Historical Society, Inc. (2nd Qtr 2018 Allotment) \$8,000.00; **Senior Citizens:** City of Yankton (2018 1st Qtr Senior Citizens) \$7,672.58; **County Extension:** Vast Business (Utilities) \$484.91, City of Yankton (Utilities) \$71.24, Hy-Vee (Supplies) \$35.10, MidAmerican Energy (Utilities) \$71.20; **Weed:** One Office Solution (Supplies) \$18.66; **Planning & Zoning:** Qualified Presort Services LLC (Supplies) \$33.38, Verizon (Utilities) \$17.68; **Road & Bridge:** Bomgaars (Supplies) \$21.65, Broadway Chrysler, Dodge & Jeep (Maintenance) \$523.94, Broadway Chrysler, Dodge & Jeep (Supplies) \$5.81, Battery Exchange (Supplies) \$103.95, Butler Machinery Co. (Supplies) \$999.93, Zep Sales & Service (Supplies) \$252.46, North Central Rental & Leasing (Rentals) \$2,098.72, Country Pride Coop (Hwy Fuel) \$1,016.50, Cox Auto Supply, Inc. (Supplies) \$644.95, CenturyLink (Utilities) \$56.12, Snap On Tools (Supplies) \$223.45, Myers Tire Supply (Supplies) \$1,389.30, Calibration Technologies, Inc. (Maintenance) \$1,599.00, Little Falls Machine (Maintenance) \$690.73, Little Falls Machine (Supplies) \$67.70, Dware, Inc. (Travel) \$135.00, Dakota Alignment & Frame Service (Maintenance) \$215.18, Echo Electric Supply (Supplies) \$71.83, Ehresmann Engineering, Inc. (Supplies) \$195.80, Filter Care of Nebraska

(Supplies) \$71.90, I State Truck Center (Supplies) \$144.96, Menards (Supplies) \$52.75, O'Reilly Auto Parts (Supplies) \$66.86, Riverside Hydraulics & Lab (Maintenance) \$197.84, Riverside Hydraulics & Lab (Supplies) \$2,912.57, M. T. & R.C. Smith Insurance (Insurance) \$2,835.00, Truck Trailer Sales Service, Inc. (Supplies) \$164.95, The Trophy Place (Professional Services) \$236.00, Team Laboratory Chemical Corp (Supplies) \$774.50, Verizon (Utilities) \$59.69, One Office Solution (Supplies) \$18.67; **Emergency 911 Fund:** Vast Business (Utilities) \$1,207.43, Powerphone (Travel) \$729.00, Powerphone (Maintenance) \$2,247.00, City of Yankton (2018 1st Qtr E911 Dispatch Co) \$15,000.00, CenturyLink (Utilities) \$1,295.70, Incontact, Inc. (Professional Services) \$138.26; **Jail Building:** Sentry Security Fasteners, Inc. (Jail Capitol Improvement) \$2,657.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$145.97, Cox Auto Supply, Inc. (Supplies) \$474.99, Helpline Center (211 Services) \$14,000.00, Hy-Vee (Supplies) \$125.90, Menards (Supplies) \$59.91, Midwest Card & ID 2012 (Supplies) \$210.10, MidAmerican Energy (Utilities) \$22.63, Northtown Automotive (Maintenance) \$307.70, Power Source Electric (Maintenance) \$45.92, Racom Corporation (Utilities) \$34.29, Verizon (Utilities) \$128.88, One Office Solution (Supplies) \$227.71, Yankton Computer and Network Services (Minor Equipment) \$658.95; **Government Buildings:** Ron's Auto Glass, Inc. (Building Maintenance-Safety Center) \$8,250.00; **24/7 Sobriety Fund:** PharmChem, Inc. (Supplies) \$2,198.35; **South Dakota State Treasurer:** Fees (Motor Vehicle) \$359,923.51, Fees (Waste Fees) \$5,825.00, Fees (ROD) \$2,250.00; **South Dakota State Treasurer:** Services (HC) \$4,858.15, Services (Redfield) \$180.00; **SDACO (M & PR Fund)** \$550.00. General Fund \$155,914.11, Road & Bridge, \$17,847.71, Emergency Management, \$16,442.95. All present voted aye; motion carried.

Action 18159C: A motion was made by Bodenstedt and seconded by Swensen approve the April, 2018 Gross Payroll: **Commissioners:** \$5,469.99; **Auditor:** \$12,954.82; **Treasurer:** \$16,557.25; **States Attorney:** \$26,483.77; **Custodian:** \$5,339.785; **Director of Equalization:** \$23,033.02; **Register of Deeds:** \$12,076.93; **Veterans Service:** \$3,508.19; **Courthouse & Safety Center:** \$7,007.23; **Sheriff:** \$60,155.61; **County Jail:** \$63,801.11; **Coroner:** \$600.00; **Juvenile:** \$55.08; **Nurse:** \$2,974.88; **Ambulance:** \$59,349.57; **WIC :** \$1,759.38; **Extension:** \$6,854.96; **Soil Conservation:** \$2,873.12; **Weed:** \$1,564.72; **Planning & Zoning:** \$12,424.88; **Road & Bridge:** \$78,212.38; **E911:** \$109.24; **OEM:** \$5,675.46; **24-7 Program:** \$3,420.85. First Dakota National Bank \$33,101.15 (Withholding), First Dakota National Bank \$50,178.74 (FICA) First Dakota National Bank \$11,735.32 (Medicare), South Dakota Retirement System \$32,480.44 (Other Employees), South Dakota Retirement System \$16,274.86 (Sheriff/OEM), South Dakota Retirement System (Spouse Opt) \$119.49, South Dakota Retirement System (Supplemental) \$3,170.45, American Family Life Assurance Company (AFLAC) \$4,784.40, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$50.00, Boston Mutual Life Insurance \$503.09, Colonial Life & Accident 1,315.72, Optilegra \$562.61, Wellmark BC Health Insurance \$57,693.77, United Way of Greater Yankton \$55.00. Gross Payroll \$412,325.19, Net Payroll \$310,265.59. All present voted aye; motion carried.

Action 18160C: A motion was made by Epp and seconded by Kettering to supplement the County Emergency Management Budget due to unanticipated grant revenue in the amount of \$1,032.84. All present voted aye; motion carried.

No action was taken on surplus property.

Action 18161W: A motion was made by Kettering and seconded by Bodenstedt to approve the yearly mosquito contracts. All present voted aye; motion carried.

Action 18162H: A motion was made by Bodenstedt and seconded by Swensen to approve a Right of Way request from B-Y Electric in 93-56. All present voted aye; motion carried.

Ambulance: Ambulance Administer Steve Hawkins appeared to request authorization to advertise for a new ambulance.

Action 18163Amb: A motion was made by Bodenstedt and seconded by Epp to authorize the Ambulance Department to advertise bids for a county ambulance, with the bid opening set for 2:00 PM on Friday, May 25, 2018. All present voted aye; motion carried.

Highway: Highway Superintendent Brian Gustad appeared before the board to report on the 2018 NACE (National Association of County Engineers) conference he attended.

Action 18164Z: A motion was made by Epp and seconded by Bodenstedt 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 Pat Fuks. Variance of Minimum Yard Requirement from seventy-five (75) feet to forty (40) feet in an Agriculture District in Yankton County. Said property is legally described as W1/2, SE1/4, exc Lot R-2, SE1/4, S16-T94N-R57W, hereinafter referred to as Ziskov North Township, County of Yankton, State of South Dakota. The E911 address is 43048 306th Street, Tabor, SD. The Planning Commission recommended approval 8-0.

Action 18165Z: A motion was made by Epp and seconded by Kettering, based on Findings of Fact from the April 10, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Yard Requirement for Pat Fuks, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from seventy-five (75) feet to forty (40) feet in an Agriculture District in Yankton County. Said property is legally described as W1/2, SE1/4, exc Lot R-2, SE1/4, S16-T94N-R57W, hereinafter referred to as Ziskov North Township, County of Yankton, State of South Dakota. The E911 address is 43048 306th Street, Tabor, 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 from Stephen Falkenberg. Variance of Minimum Lot

Requirement from one (1) acre to +/- one (.822) acre in a Lakeside Commercial District in Yankton County. Said property is legally described as Lot A, Lot B and Lot C, Fishin Hole No. 2, S17-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 31111 436th Avenue, Yankton, SD. The Planning Commission recommended approval 8-0.

Action 18166Z: A motion was made by Kettering and seconded by Bodenstedt, based on Findings of Fact from the April 10, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement for Stephen Falkenberg, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from one (1) acre to +/- one (.822) acre in a Lakeside Commercial District in Yankton County. Said property is legally described as Lot A, Lot B and Lot C, Fishin Hole No. 2, S17-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 31111 436th Avenue, 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 Dallas Hansen. Applicants requested a permit to build two (2) 1200 head pork (wean to finisher swine over 55 pounds) (480 AU Animal Units each-960 AU Animal Units total) Class E Finishing barns in an Agriculture District (AG) in Yankton County. Said property is legally described as E1/2, NE1/4, exc Lot H-1 & exc W730', N460', S2-T95N-R54W, hereinafter referred to as Marindahl Township, County of Yankton, State of South Dakota. E911 address is TBA 451st Avenue, Yankton, SD. The Planning Commission recommended approval 8-0.

Applicant Dallas Hansen read a statement on his CUP application. Louis Johnson and Robert Freng also spoke in support of the permit.

Action 18167Z: A motion was made by Kettering and seconded by Epp to approve a Conditional Use Permit, based on Findings of Fact from the April 10, 2018 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to build two (2) 1200 head pork (wean to finisher swine over 55 pounds) (480 AU Animal Units each-960 AU Animal Units total) Class E Finishing barns 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 E1/2, NE1/4, exc Lot H-1 & exc W730', N460', S2-T95N-R54W, hereinafter referred to as Marindahl Township, County of Yankton, State of South Dakota. E911 address is TBA 451st Avenue, Yankton, SD. Roll call vote was taken with all present voted aye; motion carried.

Action 18168C: A motion was made by Bodenstedt and seconded by Swensen to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried

Action 18169C: A motion was made by Bodenstedt and seconded by Kettering to adopt the following resolution Whereas it appears, White Crane Estates LLC, owner of record, has caused a plat to be made of the following real property: Lots 41, 42, 43, and 67, Crestview Homes SD, NE1/4, S21-T93N-R56W, hereinafter referred to as Utica South Township, 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. All present voted aye; motion carried.

Action 18170C: A motion was made by Epp and seconded by Bodenstedt to adopt the following resolution Whereas it appears, Steven Falkenberg, owner of record, has caused a plat to be made of the following real property: Lots A, B and C, Fishin Hole No. 2, Lot 5, Tramp's 6th Addition, NE1/4, S17-T93N-R56W hereby known as Lot D, Lot E, Fishin Hole No. 2, Lot 5, Tramp's 6 Addition, NE1/4, NE1/4, S17-T93N-R56W, hereinafter referred to as Utica South Township, 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. All present voted aye; motion carried.

Emergency Management: Emergency Management Director Paul Scherschligt appeared to request to hire a full time Emergency Management Deputy Director. The board took no action on the request. It would be discussed at a later date.

Health Insurance: County Health Insurance: Julie Fischer, representative from Avera Health Plans appeared to present a health insurance quote for Yankton County's employee health insurance program.

Scheduled June 7th to canvass the June 5, 2018 Primary Election.

Scheduled June 11th to discuss the 2019 County Budget with county department heads.

Action 18171C: A motion was made by Epp and seconded by Bodenstedt to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, May 15, 2018.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor