

YANKTON COUNTY COMMISSION MEETING
February 7, 2017

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 4:00 PM on Tuesday, February 7, 2017.

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

Action 1748C: A motion was made by Woods and seconded by Bodenstedt to approve the meeting agenda with the following additions: Using Federal prisoners for county work, spring commissioner conference, progress on West City Limits Road, Emergency Management Conference and Ag United article. All present voted aye; motion carried.

Action 1749C: A motion was made by Bodenstedt and seconded by Woods to approve the minutes of the January 17, 2017 meeting. All present voted aye; motion carried.

Action 1750C: A motion was made by Woods and seconded by Bodenstedt to approve the following claims: **Non-Departmental:** Clay County Treasurer (Court Appointed Attorney) \$172.00; **Commissioners:** Debra Bodenstedt (Travel) \$95.10, Intuvio Solutions (Professional Services) \$49.95, Meierhenry Sargent LLP (Professional Commissioners) \$10,304.11, River Rat Productions (Professional Services) \$500.00, JoDeans Steak House & Lounge (Supplies) \$1,247.32, Yankton County Observer (Publishing's) \$456.77; **Elections:** Qualified Presort Services LLC (Supplies) \$27.20, Verizon (Utilities) \$383.49; **Court:** Thurman Law Office (Legal Assistant) \$4,137.71, Juror Fees-Crt (9 @ \$50.00) \$450.00, Juror Fees-Crt (30 @ \$10.00) \$300.00, Jurors Fees-MI (3 @ \$4.20) \$12.60, Jurors Fees-MI (2 @ \$2.52) \$5.04, Juror Fees-MI (3 @ \$29.40) \$88.20, Jurors Fees-MI (1 @ \$79.40) \$79.40, Jurors Fees-MI (2 @ \$1.68) \$3.36, Jurors Fees-MI (1 @ \$0.84) \$0.84, Juror Fees-MI (1 @ \$8.40) \$8.40, Jurors Fees-MI (2 @ \$16.80) \$33.60, Jurors Fees (1 @ \$3.36) \$3.36, Fox & Youngberg, PC (Legal Assistance) \$15,000.00, Harmelink, Fox & Ravensborg Law Office (Legal Assistance) \$18,649.26, Horn Law Office, LLC (Legal Assistance) \$1,780.80, LaCroix Law Office (Legal Assistance) \$1,100.57, Pollard Law, PC (Legal Assistance) \$1,057.10; **Auditor:** Culligan (Supplies) \$12.00, Hy-Vee (Supplies) \$38.50, Leaf (Rentals) \$159.00, Qualified Presort Services, LLC (Supplies) \$290.26, Security Shredding Service (Maintenance) \$35.00, West Payment Center (Supplies) \$159.12; **Treasurer:** Harland Technology Services (Maintenance) \$34.68, Qualified Presort Services, LLC (Supplies) \$5,471.60, Security Shredding Services (Maintenance) \$35.00; **Data:** Leaf (Rentals) \$166.01; **States Attorney:** A & B Business Solutions (Rentals) \$223.92, Nebraska Department of Motor Vehicles (Supplies) \$3.00, Executive Management Finance Office (Utilities) \$27.00, Hy-Vee (Supplies) \$40.88, South Dakota State's Attorney Association (Dues) \$1,323.00, Sheriff of Woodbury County (Travel) \$9.26, South Dakota Continuing Legal Education, Inc. (Supplies) \$500.00; **Government Center:** Buhl's Cleaners (Maintenance) \$34.07, Ban Koe Systems, Inc. (Maintenance) \$360.00, City of Yankton (Utilities) \$1,666.44, Cole Papers, Inc. (Supplies) \$41.45, Johnson Controls, Inc. (Maintenance) \$5,055.37, Northwestern Energy (Utilities) \$2,292.46, Olson's Pest Technicians (Maintenance) \$79.00; **Director of Equalization:** South Dakota Magazine

(Professional Services) \$25.00, Qualified Presort Services, LLC (Supplies) \$14.08, Security Shredding Services (Maintenance) \$35.00, One Office Solution (Maintenance) \$63.38; **Register of Deeds:** Executive Management Finance Office (Utilities) \$27.00, Microfilm Imaging Systems, Inc. (Supplies) \$104.55, Qualified Presort Services, LLC (Supplies) \$34.08; **VA:** Qualified Presort Services, Inc. (Supplies) \$5,98; **Safety Center Building:** City of Yankton (Utilities) \$450.78, Cole Papers, Inc. (Supplies) \$61.28, Fejfar Plumbing & Heating, Inc. (Maintenance) \$107.15, Fastenal Industrial & Construction Supply (Supplies) \$1.04, Johnson Electric Co. LLP (Maintenance) \$282.43, Johnson Controls, Inc. (Maintenance) \$5,055.38, MidAmerican Energy (Utilities) \$3,654.17, Northwestern Energy (Utilities) \$5,409.83, Olson's Pest Technicians (Maintenance) \$110.00, Redlinger Brothers Plumbing & Heating Co. (Maintenance) \$230.81; **Sheriff:** Vast Business (Utilities) \$111.00, Lamb Chevrolet and Implement, Inc. (Auto Equipment) \$35,558.00, Mid-States Organized Crime Information Center (Professional Services) \$150.00, National Sheriffs Association (Professional Services) \$115.00, Northtown Automotive (Maintenance) \$76.05, Qualified Presort Services, LLC (Maintenance Contracts) \$156.39, One Office Solution (Supplies) \$71.45; **Jail:** AMG Radiology Yankton (Professional Services) \$22.33, Scott Family Dentistry (Professional Services) \$342.00, CBM Food Service (Food Services) \$9,604.44, DT Pharmacy (Professional Services) \$590.28, Peloton Physical Therapy (Professional Services) \$542.89, EZ Duz IT Laundry (Uniforms) \$133.00, Hy-Vee (Professional Services) \$121.72, Lewis & Clark Family Medicine, PC (Professional Services) \$1,012.00, Lewis & Clark Specialty Hospital (Professional Services) \$1,012.50, Medical Imaging & Procdrs PLLC (Professional Services) \$25.24, Menards (Supplies) \$97.79, Willcockson Eye Associates PC (Professional Services) \$93.14, One Office Solution (Minor Equipment) \$369.49; **Coroner:** Mark Nickles (Travel) \$19.74, Mark Nickles (Supplies) \$2.67, South Dakota Department of Health (Professional Services) \$135.00, Sanford Health (Professional Services) \$14,127.68; **Yankton Area Search & Rescue:** Bomgaars (Supplies) \$21.97, Graingers (Equipment Grant) \$3,150.00, Kaiser Appliance & Refrigeration (Maintenance) \$70.49, Sioux Falls Two Way Radio Service, Inc. (Supplies) \$2,900.77; **Care of Poor:** Goglin Funeral Home & Legacy Crematory (Professional Services) \$1,569.50, Qualified Presort Service, LLC (Supplies) \$151.39; **Public Health Nurse:** Everbank Commercial Finance, Inc. (Rentals) \$70.96, Qualified Presort Services, LLC (Supplies) \$81.70, South Dakota Department of Health (1st Qtr Budget 2017) \$2,575.00; **Ambulance:** AT & T (Utilities) \$35.00, Century Business Products (Rentals) \$42.00, Change Healthcare (Professional Services) \$135.20, Bound Tree Medical LLC (Supplies) \$5,994.35, City of Yankton (Utilities) \$97.67, Credit Collection Services, Inc. (Professional Services) \$255.60, UnityPoint Health-St Lukes (Travel) \$130.00, Gary's Repair (Repairs and Maintenance) \$150.00, G & K Services (Maintenance) \$55.30, Graham Tire Yankton (Maintenance) \$425.35, Hy-Vee (Supplies) \$27.66, Matheson Tri-Gas, Inc. (Supplies) \$143.66, MidAmerican Energy (Utilities) \$890.75, Northwestern Energy (Utilities) \$1,156.21, Neve's Uniforms Inc. (Supplies) \$9,663.96, Olson's Pest Technicians (Maintenance) \$74.00, Sioux Falls Two Way Radio Service, Inc. (Maintenance) \$443.49, Verizon (Utilities) \$348.49; **Mental Health Centers:** Ability Building Services, Inc. (1st Half 2017 Budget Allotment) \$11,192.50; **Mental Illness Board:** Darcy Lockwood (Hearings-MI) \$15.00, Denise Cody (Hearings-MI) \$12.00, Marvin R. Ekeren (Hearings-MI) \$67.50, Mark Katterhagen (Hearings-MI) \$130.50, Lincoln County Treasurer (Hearings-MI) \$1,446.94, Lucille M. Lewno (Hearings-MI) \$2,212.47, Minnehaha County Auditor (Hearings-MI)

\$270.00, Karen A. Swanda (Hearings-MI) \$36.00, South Dakota Achieve (Hearings-MI January 2017) \$180.00; **Historical Sites:** Yankton County Historical Society, Inc. (1st Qtr Allotment) \$8,000.00; **Senior Citizens:** City of Yankton (2016 4th Qtr Senior Citizens) \$10,815.17; **County Extension:** Vast Business (Utilities) \$32.16, South Dakota Magazine (Other) \$50.00, SDSU Extension (Travel) \$21.15, FP Mailing Solutions (Other) \$105.00, City of Yankton (Utilities) \$53.75, J & H Cleaning Services (Maintenance) \$200.00, Leaf (Rentals) \$176.40, Danielle McFarland (Supplies) \$121.04, Northwestern Energy (Utilities) \$232.49, SDSU Extension (4-H Advisory Salary) \$3,774.00, Stephanie Siebrandt (Other) \$223.72, One Office Solution (Supplies) \$29.72; **Weed:** SD Department of Agriculture (Travel) \$120.00; **Drainage Comm.:** Missouri Sedimentation (Missouri Sedimentation Action) \$1,000.00; First Bankcard (Supplies) \$50.00, One Office Solution (Supplies) \$21.10; **Planning & Zoning:** Pat Garrity (Travel) \$7.25, 3-D Specialties, Inc. (E911 Signs) \$28.72, Qualified Presort Services, LLC (Supplies) \$46.08, Verizon (Utilities) \$17.39; **Economic Development:** Yankton Area Progressive Growth, Inc. (2017 Economic Development Commitment) \$40,000.00; **Road & Bridge:** Kopetsky's Ace Hardware (Supplies) \$85.30, Bomgaars (Supplies) \$70.96, B-Y Water District (Utilities) \$105.50, Zep Sales & Service (Supplies) \$7,360.96, Ban Koe Systems, Inc. (Maintenance) \$360.00, Ban Koe Systems, Inc. (Utilities) \$1,673.00, City of Yankton (Utilities) \$76.31, Cox Auto Supply, Inc. (Supplies) \$399.89, Century Link (Utilities) \$55.48, Ehresmann Engineering, Inc. (Supplies) \$173.44, Fleetpride Truck & Trailer Parts (Supplies) \$1,770.75, Fastenal Industrial & Construction Supply (Supplies) \$9.25, Hedahls, Inc. (Supplies) \$131.49, Kaiser Appliance & Refrigeration (Supplies) \$742.91, Menards (Supplies) \$109.99, Newman Traffic Signs (Supplies) \$1,929.25, Riverside Hydraulics & Labs (Supplies) \$139.62, Sherwin Williams Company (Maintenance) \$558.15, Sherwin Williams Company (Supplies) \$8.22, South Dakota Association of County Highway Superintendents (Professional Services) \$275.00, South Dakota Association of County Highway Superintendents (Travel) \$80.00, Shurco (Supplies) \$222.38, Security Shredding Service (Maintenance) \$35.00, Truck Trailer Sales Service, Inc. (Supplies) \$263.47, Uline (Supplies) \$870.42, Vanderhule's (Supplies) \$166.00, Verizon (Utilities) \$72.32, One Office Solution (Supplies) \$60.32; **Emergency 911 Fund:** Vast Business (Utilities) \$1,206.81, City of Yankton (2016 4th Qtr E911 Dispatch) \$15,000.00, Century Link (Utilities) \$1,369.77, South Dakota Department of Public Safety (Utilities) \$3,590.00; **Emergency Management:** Bomgaars (Maintenance) \$41.98, Cox Auto Supply, Inc. (Supplies) \$252.75, Kaiser Heating & Cooling, Inc. (Supplies) \$238.68, MidAmerican Energy (Utilities) \$34.50, Qualified Presort Services, Inc. (Supplies) \$66.53, Racom Corporation (Utilities) \$33.45, Verizon (Utilities) \$128.78, One Office Solution (Supplies) \$172.60; **24/7 Program:** FedEx (Supplies) \$5.89, Redwood Toxicology Laboratory, Inc. (Supplies) \$5.00; **NAPA Junction:** Midland Contracting, Inc. (Capitol Project) \$54,351.93, Core Engineering & Consulting, Inc. (Capitol Project) \$1,176.40, Stockwell Engineers, Inc. (Capitol Project) \$3,347.04; **Tower Fund:** Center for Municipal Solutions (Services) \$6,249.80. Total General Fund \$266,545.93, Road & Bridge \$17,805.38, Emergency Management \$17,805.38. All present voted aye; motion carried.

Action 1751C: A motion was made by Bodenstedt and seconded by Woods to approve the January, 2017 gross payroll: **Commissioners:** \$5,362.72; **Auditor:** \$14,376.15; **Treasurer:** \$15,429.15; **States Attorney:** \$24,993.37; **Custodian:** \$4,582.11; **Director**

of Equalization: \$22,171.96; **Register of Deeds:** \$11,823.45; **Veterans Service:** \$2,194.56; **Courthouse & Safety Center:** \$7,915.57; **Sheriff:** \$62,076.43; **County Jail:** \$65,345.88; **Coroner:** \$1,100.00; **Juvenile:** 0.00; **Nurse:** \$2,916.55; **Ambulance:** \$46,529.47; **WIC :** \$1,432.82; **Extension:** \$6,722.51; **Soil Conservation:** \$2,751.21; **Weed:** \$858.24; **Planning & Zoning:** \$7,328.63; **Road & Bridge:** \$80,196.30; **E911:** \$26.78; **OEM:** \$5,411.26; **24-7 Program:** \$3,498.38. South Dakota Retirement System \$30,082.50 (Other Employees), South Dakota Retirement System \$18,038.60 (Sheriff/OEM), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$121.97, South Dakota Retirement System (Supplemental) \$3,460.00, American Family Life Assurance Company (AFLAC) \$4,362.22, Legalshield \$25.90, Office of Child Support \$1,007.00, Nationwide Retirement Solutions \$69.44, First Dakota National Bank \$37,327.99 (Withholding), First Dakota National Bank \$48,259.40 (FICA) First Dakota National Bank \$11,286.48 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,718.71, Avera Health Plans \$58,816.61, Optilegra \$618.74. Gross Payroll \$395,470.50, Net Payroll \$290,910.91. All present voted aye; motion carried.

Action 1752C: A motion was made by Bodenstedt and seconded by Woods to move \$25,000.00 from assigned dollars in the General fund for Security System to unassigned. All present voted aye; motion carried.

Action 1753Hwy: A motion was made by Woods and seconded by Bodenstedt to approve Right of Way request for Northwestern Energy for Sections 34, 22 & 27 in Township 94-56. All present voted aye; motion carried.

Action 1754Z: A motion was made by Bodenstedt and seconded by Woods to adopt the following resolution: Whereas it appears, Jason Harmelink, owner of record, has caused a plat to be made of the following real property: Lot A & Lot B Tract 1 Harmelink's Addition, W1/2 28-95N-55W and E1/2 29-95N-55W, Walshtown 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.

Commissioner Bodenstedt presented information regarding implementing Federal prisoners to perform various duties for the county.

Chairman Kettering mentioned the county workshop March 15 and 16 in Pierre, SD. Kettering also commented about an article on the Ag United website about a family farm in the Scotland area.

Action 1755Z: 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 Public Hearing: This was the time and place for a public hearing for a Variance of Minimum Lot Requirement application from Clarence & Marian Koletzky Trust. Variance of Minimum Lot Requirement from twenty (20) acres to sixteen +/- (16.99) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as W1/2, SW1/4, exc BY 1st, 2nd & 3rd Addition and E1/2, SW1/4 exc 3.5 A., S7-T93N-R57W, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is TBD 428th Avenue, Tabor, SD. The Planning Commission recommended approval 8-0.

Action 1756Z: A motion was made by Woods and seconded by Bodenstedt, based on Findings of Fact from the January 10, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Variance for Clarence & Mariam Koletzky Trust, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from twenty (20) acres to sixteen +/- (16.99) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as W1/2, SW1/4, exc BY 1st, 2nd & 3rd Addition and E1/2, SW1/4 exc 3.5 A., S7-T93N-R57W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is TBD 306th Street, 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 Lot Requirement application from Edward Johnson Revocable Trust. Variance of Minimum Lot Requirement from twenty (20) acres to five +/- (5.76) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as SE1/4, NW1/4, exc S 11' and NE1/4, NW1/4 and W1/2, NW1/4, NE1/4 & W1/2, SW1/4, NE1/4, exc S 11", S26-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is 30750 444th Avenue, Mission Hill, SD. The Planning Commission recommended approval 8-0.

Action 1757Z: A motion was made by Bodenstedt and seconded by Woods, based on Findings of Fact from the December 13, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement Variance for Edward Johnson Revocable Trust, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from twenty (20) acres to five +/- (5.76) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as SE1/4, NW1/4, exc S 11' and NE1/4, NW1/4 and W1/2, NW1/4, NE1/4 & W1/2, SW1/4, NE1/4, exc S 11", S26-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is 30750 444th Avenue, Mission Hill SD. All present voted aye; motion carried.

Action 1758Z: 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.

Zoning: Zoning Administrator Pat Garrity presented to the board his 2016 year-end Yankton County Planning Staff Report.

Action 1759C: A motion was made by Woods and seconded by Bodenstedt to accept the petition submitted to form the Oak Hills/Rasmussen Road District. All present voted aye; motion carried.

Rural Site Study: Greg Loest appeared to discuss the Rural Site Analysis study which was conducted by District III Planning and Development in 2016.

Action 1760: A motion was made by Bodenstedt and seconded by Woods to accept the bid from PCI Roads, LLC in the amount of \$2,962,646.70 for concrete paving for the Napa Junction Rail Park Road. All present voted aye; motion carried.

Non-Elected Evaluations: Commissioner Woods stated he had a few evaluations to be returned. As soon as they are submitted he will begin scheduling appointments with the department heads. Woods also stated he would like two commissioners at the evaluations.

Liquor Licenses: There was no discussion, rescheduled to the next commission meeting.

YAPG: Al Doeve, Project Executive for Yankton Area progressive Growth (YAPG) Yes3 Initiative appeared before the board to discuss YAPG the five year funding campaign. YAPG requested to the board to increase the county's contribution from \$40,000 to \$50,000 per year for five years.

Action 1761: A motion was made by Woods and seconded by Bodenstedt effective for the 2018 budget, to pledge Fifty Thousand (\$50,000) an increase from Forty Thousand (\$40,000) per year for five (5) years to Yankton Area Progressive Growth. All present voted aye; motion carried.

Storm Shelter: Emergency Management Director Paul Scherschligt, appeared before the board to request permission to allow the Lewis and Clark Boy Scout organization to work on a Pre-Disaster Mitigation project. The project is the development of Storm Shelter for their site west of Yankton. Scherschligt stated there would be no cost to the county because Federal Grants will be requested.

Action 1762: A motion was made by Bodenstedt and seconded by Woods to allow the Lewis and Clark Boy Scout organization to move forward with the storm shelter with no cost to the county. All present voted aye; motion carried.

Chairman Kettering requested Scherschligt to speak on the Incident Command System (ICS 300) class. The classes consist of learning the roles and responsibilities in the event of a disaster. Chairman Kettering recommended all departments participate in classes.

Commission Meetings: There was no discussion rescheduled to the next commission meeting.

Action 1763C: 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, February 21, 2017.

Don Kettering, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, Auditor