

YANKTON COUNTY COMMISSION MEETING
August 1, 2017

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 1:00 PM on Tuesday, August 1, 2017.

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

Action 17231C: A motion was made by Epp and seconded by Bodenstedt to approve the meeting agenda with the following additions: Napa Junction road and an event that Commissioner Epp attended. All present voted aye; motion carried.

Action 17232C: A motion was made by Bodenstedt and seconded by Woods to approve the minutes of the July 18, 2017 meeting with the following correction: Action 17223A should have been unanticipated revenue from Department of Transportation, not grant revenue, and the organized/unorganized meeting listed as August 7 should have been August 14. All present voted aye; motion carried.

Action 17233C: A motion was made by Bodenstedt and seconded by Woods to approve the minutes of the July 27, 2017 meeting. Three voted aye with Epp abstaining; motion carried.

Budget: The board discussed the provisional budget presented by the County Auditor. Changes were as follows; Emergency Management: Professional Services \$5,000, Repairs & Maintenance \$15,000; Drainage Commission: no budget. Also discussed county salary increases, the request from Mental Illness Chairman Lucy Lewno and requests from organizations.

Action 17234C: A motion was made by Bodenstedt and seconded Epp to decrease Mental Health Center's budget from \$97,266 to \$95,000. All present voted aye; motion carried.

Action 17235C: A motion was made by Woods and seconded by Epp to increase Lucy Lewno hourly wage from \$90.00 to \$100.00; approve 2% raise for all Yankton County Employees; approve the \$3.00 per hour raise for the Veterans Service Officer and to increase his hours from 30 to 35 per week. All present voted aye; motion carried.

Action 17236C: A motion was made by Bodenstedt and seconded by Woods to cancel the Colonial Life Medical Bridge Policy for county employees. If they wish to continue the policy, it will be up to the employee. All present voted aye; motion carried.

Action 17237C: A motion was made by Woods and seconded by Bodenstedt to approve the budget request from Yankton Transit, Inc. in the amount of \$5,000 for operations. All present voted aye; motion carried.

Action 17238C: A motion was made by Epp and seconded by Woods to approve the 2018 provisional budget. All present voted aye; motion carried.

Action 17239C: A motion was made by Bodenstedt and seconded by Epp to recess the regular session until 4:00 pm. All present voted aye; motion carried.

Action 17240C: A motion was made by Woods and seconded by Bodenstedt to reconvene in regular session. All present voted aye; motion carried.

Commissioner Swensen joined the meeting at 4:00 pm.

Action 17241C: A motion was made by Epp and seconded by Bodenstedt to approve the following claims: **General Fund:** WPS TriCare for Life (Refund) \$30.05; **Commissioners:** Boys & Girls Club of Brookings (Other) \$20,000.00, River Rat Productions (Professional Services) \$750.00; **Elections:** Qualified Presort Services LLC (Supplies) \$29.33, Verizon (Utilities) \$383.49; **Court:** Jurors Fees (10 @ \$50.00) \$500.00, Pollard Law PC (Legal Assistance) \$7,070.89, Certified Languages International (Professional Services) \$21.45, Jurors Fees-MI (1 @ \$4.20) \$4.20, Jurors Fees-MI (1 @ \$2.52) \$2.52, Jurors Fees-MI (2 @ \$29.40) \$58.80, Fox & Youngberg, PC (Legal Assistance) \$15,000.00, Jurors Fees-MI (1 @ \$16.80) \$16.80; Horn Law Office PC (Legal Assistance) \$4,318.60; **Auditor:** McLeod's Printing & Office Supply (Supplies) \$109.90, Qualified Presort Service LLC (Supplies) \$188.17, One Office Solution (Supplies) \$186.84; **Treasurer:** Harland Technology Services (Maintenance) \$34.64, Qualified Presort Services LLC (Supplies) \$80.42; **Data Processing:** Miller Consulting LLC (Maintenance) \$1,946.60; **States Attorney:** Century Business Products (Rental) \$250.17, Qualified Presort Services LLC (Supplies) \$81.40, Staples Credit Plan (Supplies) \$472.37; **Government Center:** Kopetsky's Ace Hardware (Supplies) \$28.98, City of Yankton (Utilities) \$2,372.46, Cole Papers, Inc. (Supplies) \$173.52, J & P Electrical Service (Maintenance) \$100.00, Johnson Controls, Inc. (Maintenance) \$146.78, Menards (Supplies) \$46.35, Northwestern Energy (Utilities) \$2,973.28, Olson's Pest Technicians (Maintenance) \$79.00, Yankton Irrigation (Maintenance) \$85.30; **Director of Equalization:** National Appraisal Guide (Maintenance) \$215.00, Miller Consulting LLC (Maintenance) \$20.00, Qualified Presort Services, LLC (Supplies) \$113.67, Thomson Reuters (Maintenance) \$35.50, Tire Muffler Alignment (Maintenance) \$291.49, One Office Solution (Maintenance) \$156.34; **Register of Deeds:** Miller Consulting LLC (Maintenance) \$100.00, Qualified Presort Services LLC (Supplies) \$25.47; **Safety Center Building:** Thompson Signs dba Mayer Signs (Maintenance) \$175.00, City of Yankton (Utilities) \$805.44, Cole Papers, Inc. (Supplies) \$266.84, Fejfar Plumbing & Heating (Maintenance) \$1,445.55, Johnson Controls, Inc. (Maintenance) \$797.45, Miller Consulting LLC (Maintenance) \$220.00, Northwestern Energy (Utilities) \$9,435.70, MidAmerican Energy (Utilities) \$700.06; **Sheriff:** Fox Run Quik Lube (Maintenance) \$64.49, FedEx (Other) \$12.73, Galls LLC-dba Neve's Uniforms (Uniforms) \$16.47, Interstate All Battery (Supplies) \$106.30, Jack's Uniforms & Equipment (Uniforms) \$12.50, Yankton Motor Company (Maintenance) \$534.83, Vast Business (Utilities) \$111.00; **Jail:** Scott Family Dentistry, Inc. (Professional Services) \$441.00, CBM Food Service (Food Services) \$6,749.41, Charm-Tex (Supplies) \$509.60, PharmChem, Inc. (Supplies) \$1,491.00, Strachan Sales, Inc. (Food Services) \$254.00, Yankton Drug Co., Inc. (Professional Services)

\$96.45, Yankton Medical Clinic (Professional Services) \$49.00; **Yankton Area Search & Rescue:** Dive Rescue International (Travel) \$375.00; **Care of Poor:** Miller Consulting LLC (Maintenance) \$40.00; Qualified Presort Service LLC (Supplies) \$122.93; **Public Health Nurse:** Qualified Presort Services LLC (Supplies) \$19.75; **Ambulance:** Sacred Heart Health Services (Professional Services) \$1,500.00, AT & T (Utilities) \$36.30, Arrow International (Supplies) \$727.56, Vast Business (Utilities) \$184.28, Century Business Products (Rentals) \$42.00, Change Healthcare (Professional Services) \$130.00, Bound Tree Medical LLC (Supplies) \$2,298.79, City of Yankton (Utilities) \$174.53, Credit Collection Services (Professional Services) \$59.09, Ferdig's Transmissions (Maintenance) \$121.34, Hy-Vee (Supplies) \$29.94, Miller Consulting LLC (Maintenance) \$35.00, Mathison Tri-Gas, Inc. (Rental) \$110.62, MidAmerican Energy (Utilities) \$17.89, Northwestern Energy (Utilities) \$950.30, Northtown Automotive (Maintenance) \$556.24, Olson's Pest Technicians (Maintenance) \$74.00, Purchase Power (Supplies) \$637.68, Roger's Family Pharmacy (Supplies) \$327.88, Matheson Tri-Gas Inc. (Supplies) \$128.83; Jean Scherschligt (Travel) \$126.00, Tri-Tech Software System (Maintenance) \$4,522.80, One Office Solution (Supplies) \$586.59, Yankton Daily P & D (Publishings) \$11.04, ; **Mental Illness Board:** Minnehaha County (Hearing) \$112.50, Darcy Lockwood (Hearings) \$93.00, Mark Katterhagen (Hearings) \$93.00, Lincoln County Treasurer (Hearings) \$302.30, Lucille M. Lewno (Hearings) \$1,305.05, Gary E. Mikelson (Hearings) \$721.00; **County Extension:** Mary Bohn (Other) \$125.00, Jan Schiferl (Other) \$35.00, City of Yankton (Utilities) \$75.71, Boys & Girls Club of Yankton (Professional Services) \$25.00, Hy-Vee (Supplies) \$91.13, Investigative Services (Professional Services) \$96.50, Miller Consulting LLC (Maintenance) \$160.00, Olson's Pest Technician (Maintenance) \$150.00, Yankton County 4-H Leaders Association (Grounds Maintenance) \$1,112.78; **Weed:** C & B Operations, LLC (Maintenance) \$665.00, Bomgaars (Supplies) \$13.38, Cox Auto Supply, Inc. (Supplies) \$13.99, Francotyp-Postalia, Inc. (Supplies) \$34.17, Mark's Machinery (Supplies) \$400.13; **Planning & Zoning:** SDPA: Lawrence County P & Z (Travel) \$310.00, Qualified Presort Services, LLC (Supplies) \$4.44, M.T. & R.C. Smith Insurance (Insurance) \$177.50; **Road & Bridge:** Kopetsky's Ace Hardware (Supplies) \$41.55, Appera (Supplies) \$91.92, Bomgaars (Supplies) \$178.02, B-Y Water District (Utilities) \$98.50, Battery Exchange (Supplies) \$109.95, Butler Machinery Co. (Supplies) \$2,205.67, North Central Rental & Leasing (Rentals) \$3,500.00, Brock White Company, LLC (Supplies) \$641.42, City of Yankton (Utilities) \$192.31, Cox Auto Supply, Inc. (Supplies) \$581.94, Concrete Materials (Supplies) \$6,645.60, CenturyLink (Utilities) \$56.02, Certified Laboratories (Supplies) \$807.23, Clark Engineering (Professional Services) \$1,125.00, Diamond Mowers, Inc. (Supplies) \$1,892.31, Dakota Alignment & Frame Service (Maintenance) \$1,123.72, Filter Care of Nebraska (Supplies) \$118.85, Francotyp-Postalia, Inc. (Supplies) \$34.17, Jebro, Inc. (Supplies) \$17,334.41, Kimball Midwest (Supplies) \$148.08, Longs Propane, Inc. (Hwy Fuel) \$32.00, Menards (Supplies) \$159.37, Northwestern Energy (Utilities) \$13.03, Riverside Hydraulics & Labs (Supplies) \$47.07, Stern Oil Company, Inc. (Supplies) \$920.97, Southeastern Electric Cooperative, Inc. (Utilities) \$43.72, One Office Solution (Supplies) \$43.59, Yankton Daily P & D (Supplies) \$148.82, Yankton Winnelson Company (Supplies) \$5.90; **Emergency 911 Fund:** South Dakota Department of Public Safety (Utilities) \$3,090.00, Vast Business (Utilities) \$1,100.25, CenturyLink (Utilities) \$1,295.03; **Management:** Embroidery & Screen Workings, Inc. (Supplies) \$300.33, Miller Consulting LLC (Maintenance) \$40.00, Menards (Supplies) \$71.43, MidAmerican Energy

(Utilities) \$8.00, Racom Corporation (Utilities) \$34.29, One Office Solution (Supplies) \$454.33; **Government Buildings:** Johnson Electric (Building Expense) \$959.80; **24/7 Sobriety Fund:** Redwood Toxicology Laboratory (Supplies) \$24.92; **Tower Fund:** Center for Municipal Solutions (Services) \$300.00; **Clearing Fund:** Satellite Tracking of People LLC (Tracking Monitors) \$1,118.00. Total General Fund \$102,866.72, Road & Bridge \$38,341.14, Emergency Management \$908.38. All present voted aye; motion carried.

Action 17242C: A motion was made by Bodenstedt and seconded by Epp to approve **July 2017 Gross Payroll: Commissioners:** \$5,362.72; **Auditor:** \$13,392.17; **Treasurer:** \$15,899.43; **States Attorney:** \$28,428.11; **Custodian:** \$4,381.84; **Director of Equalization:** \$22,489.22; **Register of Deeds:** \$11,650.01; **Veterans Service:** \$2,276.64; **Courthouse & Safety Center:** \$7,681.65; **Sheriff:** \$67,005.69; **County Jail:** \$66,572.99; **Coroner:** \$800.00; **Juvenile:** \$27.00; **Nurse:** \$3,173.89; **Ambulance:** \$50,695.33; **WIC :** \$2,072.95; **Extension:** \$4,603.47; **Soil Conservation:** \$1,406.00; **Weed:** \$3,128.61; **Planning & Zoning:** \$7,928.58; **Road & Bridge:** \$77,724.98; **E911:** \$53.56; **OEM:** \$5,463.78; **24-7 Program:** \$3,286.44. South Dakota Retirement System \$29,961.60 (Other Employees), South Dakota Retirement System \$18,214.22 (Sheriff/OEM), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$115.97, South Dakota Retirement System (Supplemental) \$3,760.00, American Family Life Assurance Company (AFLAC) \$4,479.39, Legalshield \$25.90, Office of Child Support \$578.00, Nationwide Retirement Solutions \$69.44, Accounts Management \$250.00, First Dakota National Bank \$37,997.31 (Withholding), First Dakota National Bank \$49,481.18 (FICA) First Dakota National Bank \$11,572.28 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,979.35, Wellmark BC Health Insurance \$54,024.59, Optilegra \$668.69, Credit Collection Services \$477.76. Gross Payroll \$405,505.06, Net Payroll \$299,214.26. All present voted aye; motion carried.

Action 17243C: A motion was made by Bodenstedt and seconded by Woods to approve implementing 507A into the employee handbook; as of August 1, 2017, all employees will be paid by electronic deposit on the last working day of each month. Payroll will not be issued in advance. All present voted aye; motion carried.

Action 17244A: A Motion was made by Epp and seconded by Bodenstedt to approve the Juvenile Detention Center agreement with Minnehaha County. All present voted aye; motion carried.

Highway: Highway Administrative Assistant Karla Bossman appeared to present the board with the Yankton County Corridor Highway Plan and to request board approval of the 2017 bridge improvement grants.

Action 17245H: A motion was made by Woods and seconded by Bodenstedt to approve the following Bridge Improvement Grants; BRF 6368(00) 17-3 PCN 06HP, BRF 6345(00) 17-2 PCN 06HN and BRF 6213(00) 17-1 PCN 06HM. All present voted aye; motion carried.

Action 17246Z: A motion was made by Bodenstedt and seconded by Epp 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 Maximum Accessory Structure application from David Willman. Variance of Maximum Accessory Structure Size from 1,200 sq. ft. to 2,000 sq. ft. and sidewalls from twelve (12) feet to fifteen (15) feet in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as E493.99', W982.26', S440.84', SW1/4, SE1/4, S2-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 30909 Sandbar Drive, Yankton, SD. The Planning Commission recommended approval 10-0.

Action 17247Z: A motion was made by Epp and seconded by Woods, based on Findings of Fact from the July 11, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Maximum Accessory Structure for David Willman, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from 1,200 sq. ft. to 2,000 sq. ft. and sidewalls from twelve (12) feet to fifteen (15) feet in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as E493.99', W982.26', S440.84', SW1/4, SE1/4, S2-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 30909 Sandbar Drive, 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 Kevin Kirschenman. Variance of Minimum Lot Requirement from twenty (20) acres to sixteen (16.071) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as Tract 7, Reiser Addition, S12-T96N-R56W, hereinafter referred to as Jamesville Township, County of Yankton, State of South Dakota. The E911 address is 43911 292nd Street, Menno, SD. The Planning Commission recommended approval 10-0.

Action 17248Z: A motion was made by Bodenstedt and seconded by Woods, based on Findings of Fact from the July 11, 2017 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Minimum Lot Requirement for Kevin Kirschenman, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from twenty (20) acres to sixteen (16.071) acres in an Agriculture District (AG) in Yankton County. Said property is legally described as Tract 7, Reiser Addition, S12-T96N-R56W, hereinafter referred to as Jamesville Township, County of Yankton, State of South Dakota. The E911 address is 43911 292nd Street, Menno, SD. All present voted aye; motion carried.

Action 17249C: A motion was made by Woods and seconded by Epp to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried.

Action 17250Z: motion was made by Bodenstedt and seconded by Woods to adopt the following resolution Whereas it appears, Kevin Kirschenman, owner of record, has caused a plat to be made of the following real property: Lot 1, Tract 7, Reiser Addition, NW1/4, S12-

T96N-R56W, hereinafter referred to as Jamesville 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 17251OEMS: A motion was made by Epp and seconded by Bodenstedt to approve the County Rangeland Fire Protection Agreement. All present voted aye; motion carried.

Archery Association: Nancy Wenande appeared before the board to request funding for the 2018 Archery Youth World Championship. Data from South Dakota Tourism shows economic impact from the 2015 archery event was \$2,304,000. Wenande stated she expects the same impact even though the event is an indoor instead of outdoor event. She said the event brings international federations to this community to spend money in Yankton that would not otherwise come to Yankton. We are fulfilling the goal that Yankton has of having off season events. Chairman Kettering stated it will be placed on the next commission meeting for further discussion.

BBB Block Grant: Greg Henderson from District III Planning and Development appeared before the board to provide information on the Bulldoze, Build and Beautify block grant that's available from the Governor's Office of Economic Development.

West City Limits Road: Chairman Kettering read the agreement that was presented to the board for the reconstruction of West City Limits Road. The agreement states that the county agrees to make a one-time payment of \$1,000,000.00 to Yankton City on or before March 1, 2018. If the reconstruction is not finished by January 1, 2024 as stated in the agreement the county will be reimbursed 10% of the original \$1,000,000.00 of the unfinished reconstruction. In any event, the city shall maintain full responsibility for all reconstruction, upkeep and maintenance associated with West City Limits Road. Some county residents voiced their concerns with the onetime payment.

Action 17252C: A motion was made by Woods and seconded by Bodenstedt to approve the West City Limits Road reconstruction agreement with Yankton City. Roll call vote was taken with Woods, Epp, Bodenstedt and Kettering voting Aye; Swensen Voting Nay; Motion carried, 4-1.

Action 17253C: A motion was made by Woods and seconded by Bodenstedt to authorize the County Auditor to advertise for a budget supplement in the amount of \$20,000.00 For the Boys and Girls Club. All present voted aye; motion carried.

Action 17254A: A motion was made by Bodenstedt and seconded by Epp to cancel the real estate property taxes due to tax deed. All present voted aye; motion carried.

Bob Cap Supervisor of Utica Township appeared before the board to request help from the county on replacement of a bridge. It was suggested by the township to replace the bridge with two 10 foot culverts 60 feet long. Estimated cost for the replacement is \$23,000 for two culverts and \$26,500 for installation. James River Water Development District did award \$13,250 towards the replacement. Mr. Cap requested \$35,000 from the county but stated any amount would be appreciated. Chairman Kettering stated he would talk to Brian Gustad, the Highway Superintendent, and place it on the next commission meeting.

Commissioner Swensen discussed possible instillation of toll boths at Johnson Bridge and Fleeg's Bridge to fund replacement of those structures.

The board discussed a fencing issue at Napa Junction.

Commissioner Epp attended the 50th anniversary celebration of the South Dakota Pork Producers in Brookings, SD. Epp also mentioned the ribbon cutting of the Animal Disease Research and Diagnostic Lab in Brookings, SD August 31st and to remind the public of 4-H Achievement days beginning Friday August 4th.

Action 17255C: A motion was made by Woods and seconded by Bodenstedt to recess the regular session at 6:15 p.m. and convene in executive session to discuss legal services. All present voted aye; motion carried.

Action 17256C: A motion was made by Epp and seconded by Bodenstedt to adjourn executive session at 6:58 p.m. and reconvene in regular session. All present voted aye; motion carried.

Chairman Kettering reported no action would be taken as a result of the executive session.

Action 17257C: A motion was made by Bodenstedt and seconded by Woods to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, August 15, 2017.

Don Kettering, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, Auditor