

YANKTON COUNTY COMMISSION MEETING

April 5, 2016

The regular meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 4:00 PM on Tuesday, April 5, 2016.

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

Action 16102C: A motion was made by Freng and seconded by Epp to approve the meeting agenda. All present voted aye; motion carried.

Action 16103C: A motion was made by Epp and seconded by Kettering to approve the minutes of the March 14, 2016 meeting. All present voted aye; motion carried.

Action 16104C: A motion was made by Freng and seconded by Kettering to approve the following claims: **General Fund: Non-Departmental:** Blue Cross Blue Shield (Refund-Ambulance) \$96.31, Medicare Part B (Refund-Ambulance) \$743.96; **General Fund: Commissioners:** Don Kettering (Travel) \$241.08, Debra Bodenstedt (Travel) \$241.08, Vast Business (Utilities) \$32.85, Clubhouse Hotel & Suites (Travel) \$1,208.00, Todd Woods (Travel) \$265.18; **Elections:** Sioux Falls School District (Supplies) \$250.00, Election Systems & Software, Inc. (Supplies) \$5,604.00, McLeod's Printing & Office Supplies (Supplies) \$656.89, Verizon (Utilities) \$381.69; **Court:** Blackburn & Stevens Prof. LLC (Legal Assistance) \$1,001.00, City of Yankton (Supplies) \$174.85, Certified Languages International (Services-Court) \$74.25, Fox & Youngberg, PC (Legal Assistance) \$15,230.00, Horn Law Office LLC (Legal Assistance) \$3,247.80; **Auditor:** Hanson Briggs Specialty, Inc. (Supplies) \$189.25, Vast Business (Utilities) \$169.92, Culligan (Supplies) \$287.00, Patty Hojem (Travel) \$21.00, Leaf (Rentals) \$104.86, McLeods Printing & Office Supply (Supplies) \$2,220.00, Pitney Bowes (Rentals) \$105.03, One Office Solution (Supplies) \$205.92; **Treasurer:** Vast Business (Utilities) \$252.88, Harland Technology Services (Maintenance) \$33.32, Pitney Bowes (Rentals) \$105.03; **Data Processing:** Vast Business (Utilities) \$828.52; **States Attorney:** A & B Business Solution (Rentals) \$228.83, Pat Beck (Professional Services) \$60.45, Culligan (Supplies) \$6.00, Executive Management Finance Office (Utilities) \$24.00, Lewis & Clark Specialty Hospital (Professional Services) \$1,121.00, Pitney Bowes (Maintenance) \$58.26, Staples Credit Plan (Supplies) \$897.24; **Government Building:** Vast Business (Utilities) \$86.76, City of Yankton (Utilities) \$125.39, City of Yankton (Utilities) \$1,229.97, Cole Papers, Inc. (Supplies) \$258.75, Menards (Supplies) \$90.72, MidAmerican Energy (Utilities) \$636.63, Northwestern Energy (Utilities) \$2,085.48, Yankton County Treasurer (Special Taxes) \$1,125.38; **Director of Equalization:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$338.67, Vast Business (Utilities)

04-05-16

\$216.83, Pitney Bowes (Rentals) \$105.03, One Office Solution (Maintenance) \$84.62; **Register of Deeds:** Vast Business (Utilities) \$179.99, Executive Management Finance Office (Utilities) \$24.00, One Office Solution (Supplies) \$271.82; **VA:** Vast Business (Utilities) \$31.43; **Safety Center Building:** Vast Business (Utilities) \$665.30, City of Yankton (Utilities) \$312.12, Cole Papers, Inc. (Supplies) \$318.30, Drain Masters (Maintenance) \$380.54, Menards (Supplies) \$258.55, Northwestern Energy (Utilities) \$5,699.93, Sherwin Williams Company (Supplies) \$52.45; **Sheriff:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$49.99, Collection Trust Publications (Books) \$100.00, Freedom Valu Center (Maintenance) \$24.50, Leaf (Maintenance Contracts) \$1,174.00, Pitney Bowes (Maintenance Contracts) \$58.26, Streichers (Law Enforcement Equipment) \$5,312.83, Tire Muffler Alignment (Maintenance) \$126.50, Yankton Motor Company (Maintenance) \$297.00; **County Jail:** American Institutional Company, Inc. (Supplies) \$493.83, Buhl's Cleaners (Repairs & Maintenance) \$175.00, The Collision Center (Auto Expense) \$124.80, CBM Food Service (Food Service) \$9,394.61, Charm-Tex (Supplies) \$713.34, HyVee (Professional Fees) \$94.04, Interstate Batteries (Supplies) \$28.26, JCL Solutions (Supplies) \$754.18, Lewis & Clark Family Medicine (Professional Fees) \$316.00, Lewis & Clark Specialty Hospital (Professional Services) \$900.00, Pitney Bowes (Maintenance Contracts) \$58.26; **Coroner:** Sanford Health (Professional Services) \$4,768.51, Jerold Sorbel (Professional Services) \$25.00; **Juvenile Detention:** Volunteers of America Dakotas (Rentals) \$1,080.00; **Yankton Area Search & Rescue:** Battery Exchange (Supplies) \$259.90, Scott Hesse (Supplies) \$65.66, One Office Solution (Supplies) \$139.81; **Care of Poor:** Crosby Jaeger Funeral Home (Professional Services) \$750.00, Opsahl-Kostel Funeral Home (Professional Services) \$1,250.00, Wintz & Ray Funeral Home & Cremation Service (Professional Services) \$1,515.00; **Catastrophic PR:** SDACC (Catastrophic CO) \$2,612.00; **Public Health Nurse:** Vast Business (Utilities) \$256.12, SD Department of Health (2nd Qtr 2016 Budget) \$2,575.00; **Ambulance:** Sacred Heart Health Services (Professional Services) Professional Services \$1,500.00, AT & T (Utilities) \$35.14, Vast Business (Utilities) \$180.39, Century Business Products (Supplies) \$49.66, Bound Tree Medical LLC (Supplies) \$2,058.96, City of Yankton (Utilities) \$89.91, Cole Papers, Inc. (Supplies) \$410.71, Credit Collection Services (Professional Services) \$72.30, Change Healthcare (Professional Services) \$130.00, G & K Services (Maintenance) \$50.27, Matheson Tri-Gas Inc. (Supplies) \$54.39, Menards (Supplies) \$24.99, Motorola Solutions, Inc. (Supplies) \$773.00, MidAmerican Energy (Utilities) \$262.92, Physio-Control, Inc. (Utilities) \$835.92, Northwestern Energy (Utilities) \$1,003.23, Northtown Automotive (Maintenance) \$45.81, Olson's Pest Technicians (Maintenance) \$69.50, Pitney Bowes (Rentals) \$215.34, Purchase Power (Supplies) \$90.41, Roger's Family Pharmacy (Supplies) \$139.00, One Office Solution (Supplies) \$1,683.15; **Mental Illness Board:** Norma J. Andersen (Hearings) \$21.00, Blackburn & Stevens, Prof. LLC (Hearings) \$248.09, Jerry Pollard (Hearings) \$54.00, Denise M. Cody (Hearings) \$45.00, Marvin R. Ekeren (Hearings) \$6.00, David Knoff (Hearings) \$112.50, Lewis & Clark Behavioral

04-05-16

Health (Hearings) \$640.00, Lincoln County Treasurer (Hearings) \$185.00, Lucille M. Lewno (Hearings) \$0.1,040.19, Cathy Rehfuss (Hearings) \$37.50, Karen A. Swanda (Hearings) \$97.50; **County Extension:** City of Yankton (Utilities) \$47.71, J & H Cleaning Services (Maintenance) \$200.00, Leaf (Rentals) \$176.40, National 4-H Council Supply Service (Other) \$97.55, Stephanie Siebrandt (Supplies) \$31.78, One Office Solution (Supplies) \$64.21; **Planning & Zoning:** Vast Business (Utilities) \$77.89, Collection Trust Public (Supplies) \$240.00, 3-D Specialties, Inc. (E911 Signs) \$27.92; **Weeds:** Karla Bossman (Supplies) \$8.40; **Road and Bridge:** Kopetsky's Ace Hardware (Supplies) \$238.72, Sanitation Products, Inc. (Supplies) \$598.30, Karla Bossman (Professional Services) \$46.84, Bomgaars (Supplies) \$518.74, B-Y Water District (Utilities) \$102.00, Bierschbach Equipment & Supply (Supplies) \$125.00, Battery Exchange (Supplies) \$455.75, Butler Machinery Co. (Supplies) \$1,444.15, Vast Business (Utilities) \$218.78, North Central Rental & Leasing (Rentals) \$3,500.00, Boyer Trucks (Supplies) \$59.25, Country Pride Coop (Hwy. Fuel) \$8,029.28, City of Yankton (Utilities) \$88.95, Cox Auto Supply, Inc. (Supplies) \$215.03, Centurylink (Utilities) \$46.97, Dakotaland Autoglass, Inc. (Supplies) \$203.65, Ehresmann Engineering (Supplies) \$159.30, Fejfar Plumbing & Heating (Supplies) \$83.91, Filter Care (Supplies) \$100.20, Fastenal Industrial & Construction Supply (Supplies) \$35.93, Gary's Repair (Professional Services) \$275.00, Graham Tire Yankton (Supplies) \$158.00, Investigative Services (Professional Services) \$131.50, Inland Truck Parts and Service (Supplies) \$96.61, Johnson Engineering Co. (Professional Services) \$1,912.00, Kaiser Appliance & Refrigeration (Supplies) \$121.96, Mark's Machinery (Supplies) \$165.59, MidAmerican Energy (Utilities) \$709.79, Northwestern Energy (Utilities) \$1,065.23, RPM Unlimited (Repairs & Maintenance) \$411.08, Road King, Inc. (Supplies) \$4,650.00, Revier Pressure Washers, Inc. (Supplies) \$53.89, Stan Houston Equipment (Supplies) \$104.85, Team Laboratory Chemicals (Dust Control) \$12,100.00, Vanderhule's (Hwy-Fuel) \$145.00, One Office Solution (Supplies) \$122.02, Yankton Winnelson Company (Supplies) \$1,508.88; **Emergency 911 Fund:** Allen Electric (Repairs & Maintenance) \$132.60, Vast Business (Utilities) \$1,100.25, CenturyLink (Utilities) \$1,508.92, VPI, Inc. (Professional Services) \$2,406.00; **Emergency Management:** Bomgaars (Supplies) \$361.41, Vast Business (Utilities) \$304.14, National Tower Controls LLC (Repairs & Maintenance) \$1,840.82, Galls (Supplies) \$204.44, Menards (Supplies) \$42.01, MidAmerican Energy (Utilities) \$19.95, Racom Corporation (Utilities) \$32.63, SD Federal Property Agency (Supplies) \$414.75, Sioux Falls Two Way Radio Service, Inc. (Supplies) \$975.00, One Office Solution (Supplies) \$291.07; **Government Buildings:** B.L. Schrempp Masonry (Miscellaneous) \$1,938.00; **24/7 Program:** Redwood Toxicology Laboratory, Inc. (Supplies) \$13.38; **NAPA Junction:** Stockwell Engineers, Inc. (Capitol Project) \$51,858.00, Geotek Engineers & Testing Services, Inc. (Capitol Project) \$4,166.00, Gehm Group, LTD (Capitol Project) \$2,000.00; **County Law Library:** West Payment Center (Supplies) \$679.31; **Clearing Fund-Non-Departmental:** South Dakota Attorney General (Scram Fees) \$1,998.00. Total General Fund \$99,746.48, Road

04-05-16

& Bridge \$40,036.13, Emergency Management \$4,486.22. All present voted aye; motion carried.

Action 16105C: A motion was made by Kettering and seconded by Epp to supplement the Emergency Management Budget due to unanticipated insurance revenue in the amount of \$2,315.82. All present voted aye; motion carried.

Action 16106C: A motion was made by Kettering and seconded by Freng to approve an abatement in the amount of \$1,781.69 due to clerical error for James T. Nichols. All present voted aye; motion carried.

Action 16107C: A motion was made by Epp and seconded by Freng to approve the consent agenda. All present voted aye; motion carried.

Sheriff: Sheriff's office collected \$7,876.87 in fees last month. Jail income was \$85,364.67 in February. There were 95 county inmates, 64 city inmates, 13 state inmates and 88 federal inmates, with a total of 6,848 inmate meals served. Income from the 24-7 program was \$4,837.08 in February.

Payroll: March, 2016 gross payroll: **Commissioners:** \$5,257.57; **Auditor:** \$12,867.30; **Treasurer:** \$14,604.40; **States Attorney:** \$24,228.79; **Custodian:** \$3,785.86; **Director of Equalization:** \$21,645.06; **Register of Deeds:** \$13,716.50; **Veterans Service:** \$2,160.00; **Courthouse & Safety Center:** \$7,284.31; **Sheriff:** \$59,375.02; **County Jail:** \$58,587.69; **Coroner:** \$1,125.00; **Juvenile:** \$115.50; **Nurse:** \$2,716.61; **Ambulance:** \$42,677.74; **WIC :** \$1,437.86; **Extension:** \$6,592.65; **Soil Conservation:** \$2,697.26; **Weed:** \$63.36; **Planning & Zoning:** \$7,184.93; **Road & Bridge:** \$66,211.05; **E911:** \$170.63; **OEM:** \$5,253.91; **24-7 Program:** \$3,242.75. South Dakota Retirement System \$27,135.62 (Other Employees), South Dakota Retirement System \$17,603.12 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$161.37, South Dakota Retirement System (Supplemental) \$3,250.00, American Family Life Assurance Company (AFLAC) \$3,827.21, Legalshield \$25.90, Office of Child Support \$903.00, Nationwide Retirement Solutions \$69.44, First Dakota National Bank \$32,918.51 (Withholding), First Dakota National Bank \$44,394.48 (FICA) First Dakota National Bank \$10,382.50 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,489.55, Avera Health Plans \$54,220.03, Optilegra \$542.55. Gross Payroll \$363,061.75, Net Payroll \$269,339.30.

Approve the day of prayer use agreement.

Plat: Whereas it appears, Robert Law, Inc. owner of record, has caused a replat to be made of the following real property: Lot 4 Blk 2, Law Overlook Subdivision, NE1/4 S18, T93N-R56W, 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.

Plat: Whereas it appears, Terry Saylor owner of record, has caused a replat to be made of the following real property: Lot 5, Blakey's Addn, NW1/4 of NW1/4, S16, T93N-R55W, 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 16108Z: A motion was made by Epp 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 Maximum Accessory Structure application from Alan Eilers for Variance from 800 sq. ft. to 1,680 sq ft. and a variance of Minimum Yard Requirement in the rear yard from twenty (20) feet to ten (10) feet in an High Density Rural Residential District (R-3) in Yankton County. Said property is legally described as Lot 4, Blk 1, Sunrise Addition, S10-T93N-R55W, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address 1600 Sunrise Drive, Yankton, SD. The Planning Commission recommended approval 12-0.

Action 16109Z: A motion was made by Kettering and seconded by Epp, based on Findings of Fact from the March 8, 2015 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, to approve a Maximum Accessory Structure Variance for Alan Eilers, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance from 800 sq. ft. to 1,680 sq. ft. and a variance of Minimum Yard Requirement in the rear yard from twenty (20) feet to ten (10) feet in a High Density Rural Residential District (R-3) in Yankton County. Said property is legally described as Lot 4, Blk 1, Sunrise Addition, S10-T93N-R55W, hereinafter to as Mission

Hill South Township, County of Yankton, State of South Dakota. The E911 address is 1600 Sunrise Drive, 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 Kenneth Mertens. Applicant requested a permit for a Multi-family Dwelling three (3) six (6) Unit Condominiums in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Leona's Addition, NW1/4, exc E131' & exc S50', Less E413.3' & exc Marina Bluffs Condominiums #1-6, Building #1, S17-T93N-R56W hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. E911 address TBA Marina Bluff Court, Yankton, SD. The Planning Commission recommended approval 12-0.

Action 16110Z: A motion was made by Kettering and seconded by Epp to approve a Conditional Use Permit, based on Findings of Fact from the March 8, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, for Kenneth Mertens for a Multi-family Dwelling – three (3) six (6) Unit Condominiums in a Moderate Density Rural Residential District (R-2) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as Leona's Addition, NW1/4, exc E131' & exc S50', Less E413.3' & exc Marina Bluffs Condominiums #1-6, Building #1, S17-T93N-R56W hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. E911 address is TBA Marina Bluff Court, Yankton, SD. Kettering, Epp and Woods Voting Aye and Freng voting Nay; motion carried.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Frank Vellek. Applicant requested a permit for a Quarry Expansion in a Agriculture District (AG) in Yankton County. Said property is legally described as W1/2, NE1/4 exc Lot H1, NW1/4, NE1/4 & E1/2, NW1/4, lying South of Yankton County Highway 585, exc H1, NE1/4, NW1/4, S12-T94N-R6W, hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. E911 address 43904 304th St., Yankton, SD. The Planning Commission recommended approval 11-0.

Action 16111Z: A motion was made by Epp and seconded by Freng to approve a Conditional Use Permit, based on Findings of Fact from the March 8, 2016 Yankton County Planning Commission meeting and on file in the Zoning Administrator's Office, for Frank Vellek for a Quarry Expansion in a Agriculture District (AG) in Yankton County, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. Said property is legally described as W1/2, NE1/4 exc Lot H1, NW1/4, NE1/4 & E1/2, NW1/4, lying South of Yankton County Highway 585, exc H1, NE1/4, NW1/4, S12-T94N-R6W, hereinafter referred to as Utica North Township, County of Yankton, State of South

04-05-16

Dakota. E911 address is 43904 304th St., Yankton, SD. All present voted aye; motion carried.

Action 16112Z: 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 16113Z: A motion was made by Kettering and seconded by Epp to approve a Rezone, from Public District (P) to Agriculture District (AG) in Yankton county, pursuant to Article 1809 (1-8) of the Yankton County Zoning Ordinance, based on the Findings of Facts dated March 8, 2016; said property is legally described as Lot 13 & E15 A Lot 14, S21-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota. The E911 address is TBA Cedar Bluff Road, Mission Hill, SD. All present voted aye; motion carried.

Ambulance: Ambulance Administrator Steve Hawkins appeared before the board to request part time employee being classified as a full time for the summer and also requested authorization to advertise for ambulance remount.

Action 16114EMS: A motion was made by Freng and seconded by Epp to approve the reclassification of Eric Rupe to seasonal/temporary paramedic for the summer. All present voted aye; motion carried.

Action 16115EMS: A motion was made by Kettering and seconded by Freng to authorize EMS Administrator to advertise bids for remounting onto a new 2016 Chevrolet K3500 Chassis, which will be open April 26th 2016 at 2:00 PM at the County Government Center. All present voted aye; motion carried.

Highway: Highway Superintendent Brian Gustad, appeared before the board with 2016 highway bids and several right of way requests. Doug Hevle appeared before the board to request gravel to be placed on 310th St. The Board discussed ongoing drainage issues on Clark Trail.

Commissioner Bodenstedt joined the meeting at 4:50 p.m.

Action 16116H: A motion was made by Kettering and seconded by Epp to accept the Highway bids recommended by the Highway Superintendent. All present voted aye; motion carried.

Action 16117H: A motion was made by Freng and seconded by Epp to approve Right of Way requests for Bon Homme-Yankton Electric in townships 93-56, 93-57, 95-55 and 95-56. All present voted aye; motion carried.

OEM: Paul Scherschligt Emergency Management Director appeared before the board to present the bids received for the rescue boat. Two bids were received Mil Pro Marine in the amount of \$57,560.00 and Rescue One Corp for \$61,144.40.

Action 16118OEM: A motion was made by Kettering and seconded by Bodenstedt to reject all bids on the recommendation of the Emergency Management Director.

Action 16119RD: A motion was made by Kettering and seconded by Freng to authorize the formation of the Oak Park Road District legally described as: Road located in the NW1/4, SE1/4, SW1/4, SE1/4 and NE1/4, SW1/4 of S15-T93N-R57W, of the 5th P.M. of County of Yankton, State of South Dakota. All present voted aye; motion carried.

Constituent Services: T.J Nelson, Constituent Services Representative for Senator Mike Rounds, based out of Sioux Falls, appeared before the board to report on the Senator's projects.

County Health Insurance: Tara Stombaugh, representative from Avera Health Insurance for Yankton County's employee health insurance program, reviewed the current status of the policy and renewal terms. Stombaugh said the County's recent claim history has resulted in a 9.16 percent premium increase for the County in the year ahead. Stombaugh told the Board she will attend the next Commissioner meeting with different options.

The April 19, 2016 commission meeting will be rescheduled to April 26, 2016.

Action 16120C: A motion was made by Epp and seconded by Freng to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, April 26, 2016.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor

04-05-16