

YANKTON COUNTY COMMISSION MEETING  
August 18th, 2009

The regular meeting of the Yankton County Commission was called to order by Chairman Bruce Jensen at 4:30 PM on Tuesday, August 18th, 2009.

Roll Call was taken with the following Commissioners present: Donna Freng, Bruce Jensen, Mark Johnson, Allen Sinclair and Bill Tamisiea.

**Action 09295C:** A motion was made by Sinclair and seconded by Johnson to set the agenda with the following additions/changes: Lori Mackey – DOE issue, Highway 52 discussion, cancel ambulance liaison discussion  
Voting Aye: All Nay; None Motion carried.

**Action 09296C:** A motion was made by Johnson and seconded by Freng to approve the minutes of the August 4th, 2009 meeting of the Board.  
Voting Aye: All Nay: None Motion carried.

Lori Rust of Historic Downtown Yankton discussed the possibility of the County sponsoring the organization regarding Energy Efficiency and Conservation block grants. The Board will review the issue and make a decision at a later date.

Lori Mackey, DOE, discussed the dissemination of the Pictometry image library files. The Board advised they could be given to District III.

**Action 09297C:** A motion was made by Sinclair and seconded by Johnson to approve as a proper charge against the County, travel expenses for County officials to attend the SD Officials Convention in Watertown, SD September 21st through 23rd, 2009.  
Voting Aye: All Nay: None Motion carried.

**Action 09298Ext:** A motion was made to approve the Extension travel calendar for September, 2009.  
Voting Aye: All Nay: None Motion carried.

**Action 09299Aud/Aud-Tr/Int/MI/S&J:** A motion was made by Johnson and seconded by Tamisiea to accept into the record the Interest allocation report for July 2009 indicating General Fund \$1,498.80, Road & Bridge \$155.66, E911 \$145.86, OEMHS \$1.65, County Buildings \$42.01, Special Highway \$15.94, Safety Center Capital Project \$21.80 and Debt Service \$74.40; the Sheriff's department and Jail report for July, 2009; the Mental Illness report for July, 2009; and the Aud/Treasurer's report for July, 2009 indicating Cash on Hand \$72,251.57, Checking account balances – First Dakota National \$181,352.40 and First National Bank \$16,799.49, Savings Accounts – Wells Fargo Banks \$2,161,511.71, Cor Trust Bank Gayville \$545,893.00, First Dakota National \$853,665.21, Cor Trust Bank Yankton \$540,291.96, 360 Bank \$348,341.20 and First National Bank \$750,686.95; Bad checks \$1,176.40 and Grand total cash and bank balances \$5,471,969.89.

Voting Aye: All Nay: None Motion carried.

**Action 09300C:** A motion was made by Sinclair and seconded by Freng to approve the following claims: **Commissioners:** Investigative Services (Services) \$375.00, Yankton P&D (Publishings) \$561.78; **Elections:** McLeod's Printing (Supplies) \$89.00 **Court:** David Hosmer (Legal Counsel) \$276.00, 7 Payees @ \$50.00 (Grand Jury Fees) \$350.00, 1 Payee (Grand Jury Mileage) \$11.10, 1 Payee (Grand Jury Mileage) \$4.44, 1 Payee (Grand Jury Mileage) \$13.32, 1 Payee (Grand Jury Mileage) \$22.20; **Auditor:** Kansas State Bank (Lease Agreement) \$1,222.42, McLeod's (Supplies) \$91.37; **Treasurer:** Harland Technology (Maintenance) \$63.75, SDACC (Registration) \$160.00, Kansas State Bank (Lease Agreement) \$1,156.47; **Data Processing:** Kansas State Bank (Lease Agreement) \$1,087.13; **States Attorney:** Kansas State Bank (Lease Agreement) \$1,105.05; **Government Buildings:** Buhl's (Maintenance) \$120.13, Big-M Security (Maintenance) \$20.00, Vogt's (Maintenance) \$16.00, Yankton Janitorial (Supplies) \$178.60; **Director of Equalization:** AllTel (Utilities) \$27.10, Kansas State Bank (Lease Agreement) \$1,482.08; **Register of Deeds:** Brown & Saenger (Supplies) \$176.65, Kansas State Bank (Lease Agreement) \$764.37, Microfilm Imaging (Rental) \$609.00, SDACC (Registration) \$160.00, Western Office Plus (Supplies) \$39.47; **Veterans Service:** Kansas State Bank (Lease Agreement) \$402.40; **Sheriff:** City of Yankton (Gasoline) \$1,439.83, Hedahl's (Supplies) \$5.75, Miller Consulting (Maintenance) \$70.00, Knology (Utilities) \$108.97, Printing Specialists (Supplies) \$155.70, Pennington County (Travel) \$182.00, Public Safety Center (Supplies) \$154.65, State Radio Communication (Utilities) \$2,400.00, Yankton Office Equipment (Supplies) \$90.00; **County Jail:** CBM Food Service (Meals) \$1,180.46, Cash-WA Distributing (Supplies) \$1,555.74, Crescent Electric (Supplies) \$40.08, Olson's Pest (Maintenance) \$96.00, Walgreen's (Medicine) \$10.89, Yankton Drug Co. (Medicine) \$798.62; **Juvenile Detention:** Minnehaha Co. Regional (Child Care) \$270.00; **Care of Poor:** Avera McKennan (Hospital Care) \$998.00, Avera University Psychiatric (Services) \$320.49, Avera Sacred Heart Hospital (Hospital Care) \$23,155.56, Kansas State Bank (Lease Agreement) \$815.44, SDACC (Registration) \$160.00, Yankton Drug Co. (Medicine) \$34.12; **Contact:** (2<sup>nd</sup> Half 2009 Budget) \$17,500.00; **Ambulance:** Ace Hardware (Supplies) \$15.87, Aspen Mills (Supplies) \$338.91, Avera Sacred Heart Hospital (Supplies) \$359.00, Battery Exchange (Supplies) \$630.00, City of Yankton (Gasoline) \$771.33, Card Service Center (Supplies) \$340.55, CLIA Laboratory Program (Certificate Fee) \$150.00; Fox Run Quik Lube (Maintenance) \$182.90, Steven Hawkins (Certification) \$75.00, Hedahl's (Supplies) \$28.82, Jack's Uniforms (Supplies) \$55.99, Linweld (Supplies) \$110.14, Master-Tech Auto (Maintenance) \$272.41, Northwestern Energy (Utilities) \$5.00, Qwest (Utilities) \$80.00, Roger's Family Pharmacy (Supplies) \$72.92, Racom (Utilities) \$396.20, TMA (Maintenance) \$985.87, Radioshack (Supplies) \$19.99, Western Office Plus (Supplies) \$143.76; **Mentally Handicapped:** SD Achieve (Services) \$180.00; **Mental Illness Board:** Donna Dietrich (Hearings) \$490.22, Denise Cody (Hearings) \$30.00, Joan Kittelson (Hearings) \$15.00, Minnehaha County Treasurer (Evaluations) \$90.00, Cathy Reh fuss (Hearings) \$45.00, Yavonne Slowey (Hearings) \$362.50; **Extension:** Ace Hardware (Supplies) \$81.36, Appera (Supplies) \$69.94, Mary Bohn (4-H Judge) \$237.80, Cheryl Blackinton (4-H Judge) \$25.00, Kevin Cwach (4-H Judge) \$25.00, Extension Service (Travel) \$560.55, Sarah Fenske (4-H Judge) \$75.00, Ben Fiedler (Supplies) \$272.50, Stewart Howell (4-H Judge) \$98.68, Blaine Hyde (4-H Judge) \$189.70, Hy-Vee (Supplies) \$56.38, Andrew Jensen (4-H Judge) \$43.50, J&H Cleaning (Maintenance) \$200.00, Mary Klimczyk (4-H Judge) \$27.22, Benjamin Kotalik (4-H Judge) \$32.40, Kansas State Bank (Lease Agreement)

\$877.16, LEAF (Rental) \$275.76, David Mogck (4-H Judge) \$112.00, Mary Lynn Mains (4-H Judge) \$26.48, Northwestern Energy (Utilities) \$320.96, National 4-H Council (Supplies) \$86.85, Myles Nielson (4-H Judge) \$30.92, Todd Nordmann (4-H Judge) \$112.00, Eric Peterka (4-H Judge) \$25.00, Judy Rueb (4-H Judge) \$47.20, Larry Remington (Maintenance) \$280.00, Dawn Stoner (4-H Judge) \$25.00, Val Severson (4-H Judge) \$25.00, Lorraine Swee (4-H Judge) \$43.50, The Trophy Place (Supplies) \$65.00, Western Office Plus (Supplies) \$734.99, Adam Wirt (4-H Judge) \$138.48, Yankton County Leaders (4-H Judge) \$65.00; **Weed:** TMA (Maintenance) \$182.07, Van Diest Supply (Supplies) \$1,322.15; **Planning & Zoning:** AllTel (Utilities) \$27.10, Kansas State Bank (Lease Agreement) \$509.24, SD Planners (Dues & Registration) \$382.00, Western Office Plus (Supplies) \$8.60, Yankton Daily P&D (Publishings) \$109.91; **Road & Bridge:** Ace Hardware (Supplies) \$74.45, Appera (Supplies) \$117.91, AllTel (Utilities) \$31.74, B-Y Electric (Utilities) \$25.76, Battery Exchange (Supplies) \$9.50, Buskerud construction (Guard Rail Repair) \$1,675.00, City of Yankton (Utilities) \$48.99, Cox Auto Supply (Supplies) \$246.50, Commercial Asphalt (Asphalt) \$716,937.13, Dakota Alignment (Supplies) \$948.40, Fastenal Industrial (Supplies) \$185.73, Great Plains Int'l (Supplies) \$221.19, Holcomb Freightliner (Supplies) \$333.87, Jim Hawk Truck (Supplies) \$135.33, Hedahl's (Supplies) \$391.04, Johnson Engineering (Services) \$14,000.00, Kaiser Appliance (Supplies) \$24.05, Kansas State Bank (Lease Agreement) \$569.60, Linweld (Supplies) \$724.79, Riverside Hydraulics (Supplies) \$61.98, SD Department of Transportation (Project CS8068) \$375.33, Stern Oil (Fuel) \$3,129.20, Sheehan Mack (Supplies) \$606.00, Southeastern Electric (Utilities) \$17.03, Wick's (Supplies) \$114.66, Yankton Winnelson (Supplies) \$610.72; **911 Fund:** Golden West (Utilities) \$145.00, Knology (Utilities) \$1,100.00, Planning & Development (Maintenance) \$70.00; **Emergency Management:** AllTel (Utilities) \$83.76, Benedictine Health Foundation (Equipment) \$1,000.00, City of Yankton (Gasoline) \$91.66, Knology (Utilities) \$139.45, Kansas State Bank (Lease Agreement) \$683.29, Modern Marketing (Supplies) \$156.44, Proefrock Electric (Labor & Supplies) \$2,000.00; **MISC:** West Payment Center (County Law Library) \$975.00; **Tower Fund:** Center for Municipal (Services) \$2,660.00.

Total General Fund \$76,201.91, Road & Bridge \$741,615.90, 911 Fund \$1,315.00, Emergency Management \$4,154.60, Misc. \$975.00, Tower Fund \$2,660.00.

Manual checks not in totals: SDACC (Reg/Comm) \$160.00, US Post Office (Elections/Supplies) \$300.00 and \$150.00, SD State Treasurer (MI/Services) \$4,110.28, SD Dept of Revenue and Regulation (Hwy/Excise Tax) \$102.04, Pennington County Jail (Sheriff/Services) \$182.00 and Alltel (Services) \$169.70.

Voting Aye: All Voting Nay: None Motion carried 5-0.

**Action 09301C:** A motion was made by Freng and seconded by Johnson to approve an abatement on Parcel 09.021.100.010 in the name of Roland A and Sue Adams in the amount of \$162.84. The structure (NAC10) was valued twice on this parcel.

Voting Aye: All Nay: None Motion carried.

The Board discussed safety concerns on Highway 52 at the Deer Boulevard and Highway 52 intersection. The Auditor was asked to draft a letter to SDDOT expressing the County's concern for vehicular/pedestrian safety at this intersection.

**Action 09302H:** A motion was made by Sinclair and seconded by Johnson to draft a letter regarding the issue.

Voting Aye: All Nay: None Motion carried.

**Action 09303C:** A motion was made by Freng and seconded by Sinclair to authorize the Auditor to advertise a supplement budget hearing to transfer the sum of \$30,000 from general fund undesignated funds to the Safety Center Capital Outlay fund.

Voting Aye: All Nay: None Motion carried.

One indigent request was presented to the Board for consideration. Case #1 request for financial assistance ~ Applicant refused Cobra coverage upon job ending and did not use Midland Group Services for assistance with medical bills and disability assistance. It was the consensus of the Board to deny request as recommended.

The Board discussed the possible construction of a new highway maintenance facility.

**Action 09304H:** A motion was made by Tamisiea and seconded by Johnson to prepare a request for architectural services proposal and advertise the same.

Voting Aye: All Nay: None Motion carried.

The ambulance report for the month of July 2009 was presented by Steve Hawkins. The department responded to 118 calls in July with 99 1<sup>st</sup> calls, 14 2<sup>nd</sup>/3<sup>rd</sup> calls and 16 transfers. \$71,438 was billed out in July and \$59,252 was receipted in for July. Hawkins advised the Commission that the year-to-date cost per resident of Yankton County for ambulance services is -.20 cents. Year-to-date expenditures were \$350,135 and receipts were \$354,447.

**Action 09305A:** A motion was made by Tamisiea and seconded by Johnson to adjust the following bills: \$17,201.58 (Medicare), \$8,888.00 (Medicaid), \$3,882.69 (Misc), and cancel the corresponding liens and two miscellaneous uncollectible bills totaling \$665.96 and the liens moved to inactive status.

Voting Aye: All Nay: None Motion carried

**Action 09306A:** A motion was made by Johnson and seconded by Sinclair to accept into the record the report of the Ambulance Department.

Voting Aye: All Nay: None Motion carried.

**Action 09307C:** A motion was made by Sinclair and seconded by Johnson to recess the regular session of the Board and convene as a Board of Adjustment.

Voting Aye: All Nay: None Motion carried.

**Action 09308Z:** A motion was made by Sinclair and seconded by Tamisiea to approve a **Conditional Use Permit, to allow for the operation of a temporary construction site with portable equipment** as follows:

**Runge Enterprises, Inc, PO Box 86490, Sioux Falls, SD 57118**

**LEGAL DESCRIPTION (Physical Location):** Parcel C, NW4 NW4, Section 17, Township 93N, Range 54W, Yankton County, SD.

1. Planning Commission recommends approval 10-0.

2. Granting of conditional use will bring property into compliance with Yankton County Zoning Ordinance, conditional use will not confer on the applicant any special privilege
  3. No nonconforming lands, structures or buildings were considered grounds for this recommendation
  4. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district;
  5. Approval is per pursuant to Section 1905, Sections 1 through 6 of the Yankton County Zoning Ordinance
- Voting Aye: Sinclair, Tamisiea, Freng, Johnson, Jensen, Nay: None Motion carried 5-0.

**Action 09309C:** A motion was made by Johnson and seconded by Freng to adjourn as a Board of Adjustment and reconvene in regular session.  
 Voting Aye: All Nay: None Motion carried.

**Action 09310Z:** A motion was made by Johnson and seconded by Tamisiea to adopt the following resolution: Whereas it appears that Scott Kelly Parr, owner of record, has caused a plat to be made of the following real property: Lot 21, Baycliffe Estates, W2 S12.91A S2 SW4, Section 7 and in the W2 W2 Section 18 lying North of Highway 52, except platted areas known as Tramp's 7<sup>th</sup> Addition and exc Lots 1 and 2 of Parcel A, and further excepting Parcels B and C, McVay Addition, all in Township Ninety-Three (93) N, Range Fifty-Six (56) West of the 5<sup>th</sup> PM, Yankton County, South Dakota and has submitted such plat to the Yankton County Planning Commission and the County Commission, of Yankton County, South Dakota for approval. Now therefore be it resolved that such plat has been executed according to the 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 plat the proper resolution and certify the same.  
 Voting Aye: Johnson, Jensen, Tamisiea, Freng, Sinclair Nay: None Motion carried 5-0.

**Action 09311Z:** A motion was made by Johnson and seconded by Freng to approve as a proper charge against the County travel expenses for Pat Garrity to attend the 2009 Western Planning Conference in Spearfish, SD September 9<sup>th</sup> through the 11<sup>th</sup>, 2009.  
 Voting Aye: All Nay: None Motion carried.

The Board discussed the lease agreement for the Yankton County Courthouse and Safety Center.

**Action 09312SC:** A motion was made by Johnson and seconded by Sinclair to approve the amended lease contract with the City of Yankton for their space occupancy in the Courthouse and Safety Center.  
 Voting Aye: Johnson, Sinclair, Freng, Jensen Nay: Tamisiea Motion carried 4-1.

Discussion of payment of the general contractor's final billing was deferred until the next meeting of the Board.

**Action 09313C:** A motion was made by Freng and seconded by Johnson to recess the regular session of the Board and convene in Executive Session to discuss pending litigation and a personnel matter.

Voting Aye: All Nay: None Motion carried.

**Action 09314C:** A motion was made by Sinclair and seconded by Freng to reconvene the regular session of the Board.

Voting Aye: All Nay: None Motion carried.

The Chairman announced no action would result from the discussion of a pending litigation or personnel matters.

A motion was made by Sinclair and seconded by Johnson to adjourn.

The next regular meeting of the Board will be Tuesday, September 1st, 2009 at 4:30 PM in the Commission chambers.

Bruce Jensen, Chairman  
Yankton County Commission

ATTEST:  
Paula Jones, Auditor

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