

YANKTON COUNTY COMMISSION MEETING
May 19th, 2009

The regular meeting of the Yankton County Commission was called to order by Chairman Bruce Jensen at 5:00 PM on Tuesday, May 19th, 2009.

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

Action 09176C: A motion was made by Sinclair and seconded by Johnson to set the agenda with the following additions/changes: EMS Week, Safety Center plaque, restaurant liquor license discussion
Voting Aye: All Nay; None Motion carried.

Action 09177C: A motion was made by Tamisiea and seconded by Johnson to approve the minutes of the May 5th, 2009 meeting of the Board.
Voting Aye: All Nay: None Motion carried.

Chairman Jensen asked for a moment of silence for the family of Mike Larson.

Two indigent requests were presented to the Board for consideration. Case #1 request for financial assistance for a medical procedure- applicant is over County income guidelines. It was the consensus of the Board to deny assistance. Case #2 request for financial assistance with medical bills totaling approximately \$8,200.00. It was the consensus of the Board to approve the request and to enter into a repayment agreement with the applicant.

Action 09178Z: A motion was made by Tamisiea and seconded by Johnson to adopt the following resolution: Whereas it appears that Terry W Saylor, owner of record, has caused a plat to be made of the following real property: Lot 6, Block 1, East 50 Industrial Park, Government Lot 3, Section 16, Township Ninety-Three (93) N, Range Fifty-Five (55) West of the 5th 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: All Voting Nay: None Motion carried.

The ambulance report for the month of April 2009 was presented by Randy Webert. The department responded to 116 calls in April with 87 1st calls, 13 2nd/3rd calls and 16 transfers. \$75,883 was billed out in April and \$56,690 was receipted in for April. Webert advised the Commission that the year-to-date cost per resident of Yankton County for ambulance services is -.71 cents. Year-to-date expenditures were \$201,205 and receipts were \$216,448.

Action 09179A: A motion was made by Johnson and seconded by Tamisiea to write off \$21,593.93 (Medicare), \$11,183.02 (Medicaid), \$2,445.87 (Misc), and to write off \$4,374.09 (Misc-uncollectible) and cancel the corresponding liens. .
Voting Aye: All Nay: None Motion carried

Webert advised of events scheduled for EMS week.

Action 09180A: A motion was made by Johnson and seconded by Sinclair to approve as a proper charge against the County, travel expenses for ambulance staff to attend a PALS seminar in Freeman, SD.
Voting Aye: All Nay: None Motion carried.

Action 09181A: A motion was made by Sinclair and seconded by Freng to accept into the record the report of the Ambulance Department.
Voting Aye: All Nay: None Motion carried.

Action 09182C: A motion was made by Sinclair and seconded by Johnson to approve the following applications for malt beverage licenses:

Ma & Pas C Store LLC dba **Ma & Pas C Store** located in Section 12, Township 93N, Range 54W;

Pump N Stuff – Riverside LLC dba **Pump N Stuff** located in Section 15, Township 93N, Range 56W;

Yankton Rodeo Association located in Section 36, Township 94N, Range 56W; and
Joseph D. Syrovatka dba **Joe's Substation** located in Section 4, Township 94N, Range 57W;
Gerstner Oil Co Inc dba **Gerstner Oil Co** located in Section 9, Township 93N, Range 55W;
Captain Norm's LLC dba **Captain Norm's** located in Parcel C Exc Lot H-1 and E15' Parcel D and Exc N370' and s290' W35' E50' Parcel D, Section 17, Township 93, Range 56;
Larpie Enterprises Inc dba **T J's** located in Section 15, Township 93N, Range 56W;
Lewis & Clark Marina LLC dba **Lewis & Clark Marina** located in N2 NW4 SW4, Section 17, Township 93, Range 56;

Jerry Fleege dba **Fleeg's Riverside Road House** located in S108' Outlot A Government Lot 2, Section 3, Township 93, Range 55;

Lynn Brose dba **Mayfield Store** located in Section 34, Township 96N, Range 56W;

Pat Backman dba **Shipwreck Inc The Cottonwood** located in Section 17, Township 93N, Range 56W,

Justin Hacecky dba **Kozy Inn Bar** located in Section 6, Township 93N, Range 56W; and
The following liquor license transfers/applications:

LIQUOR LICENSE TRANSFER

Transfer from Lewis & Clark Marina LLC **to Chef Jean-Paul Nielsen dba Chef Nielsen LLC** located in N2 NW4 SW4 Section 17, Township 93N, Range 56W

Transfer from Captain Norm's to **Captain Norm's LLC** located in Parcel C Exc Lot H-1 and E15' Parcel D and Exc N370' and s290' W35' E50' Parcel D, Section 17, Township 93, Range 56

Voting Aye: All Nay: None Motion carried.

Action 09183W: A motion was made by Tamisiea and seconded by Johnson to approve entering into a grant agreement with the SD Weed & Pest Control Commission for a 50/50 share agreement for the purchase of weed/pest control chemicals not to exceed \$4,000.00.
Voting Aye: All Nay: None Motion carried.

The Board discussed disposing of certain items of surplus property including the structure (house) on property purchased adjacent to the ambulance facility. Commissioners Sinclair, Freng and Tamisiea will view the structure and determine a value.

Action 09184C: A motion was made by Freng and seconded by Johnson to sell the following property by sealed bid: structure situated on Lot 5, Block 8, Lower Yankton Addition; 1 2003 Ford Crown Victoria 4 Door Sedan and property situated in Lesterville, SD and described as Lots 16, 17 & 18 (150' x 142'), Block 2, Original Town and the 24 x 28 garage structure and the 1974 Clifton 24 x 54 mobile home, and further to authorize the Auditor to advertise the same, with a bid award date of June 16th, 2009.

Voting Aye: All Nay: None Motion carried.

(Further information regarding the properties can be obtained from the Auditor's office.)

Action 09185DOE/W/OEMHS/EXT: A motion was made by Sinclair and seconded by Freng to approve as a proper charge against the County, travel expenses for Glenda Waddel & Nancy Brockmoller to attend a Sales Ratio workshop on June 4, 2009 at Mitchell, SD, travel for County officials to attend the eight county district meeting in Elk Point on June 4th, 2009, travel for Jeremy Dangel to attend a FEMA safety training course at Oacoma, SD May 26th through 29th, 2009, travel expenses for Janet Moderreger and Mallory Wriedt to attend a passport training working in Sioux Falls, SD on May 19th, 2009 and Janet Moderreger, Mallory Wriedt and Brian Hunhoff to attend a passport training workshop in Sioux Falls, SD on May 21st, 2009, expenses for Tom Schramm to travel to Sioux Falls on May 15th to pick up chemicals furnished through a grant award and the amended May 2009 and the June 2009 Extension department calendars.

Voting Aye: All Nay: None Motion carried.

Action 09186OEMHS: A motion was made by Tamisiea and seconded by Johnson to authorize a automatic supplements as follows: \$10,000 from General Fund grant revenue to the Sheriff's operating budget and \$16,000 from General Fund grant revenue to the Economic Development budget and further to authorize expenditures in the amount of \$26,000 from the recipient funds.

Voting Aye: All Nay: None Motion carried.

Action 09187S-J/Aud/Aud-Tr/Int/Z: A motion was made by Sinclair and seconded by Tamisiea to accept into the record the Sheriff-Jail report for April, 2009, The Interest allocation report for April 2009 indicating General Fund \$1,298.57, Road & Bridge \$48.52, E911 \$59.93, County Buildings \$16.96, Safety Center Capital Project \$20.34 and Debt Service \$38.34; the Auditor's-Treasurer's reconciliation report for April, 2009 as follows: cash on hand of \$770,744.72, Checking Account Balance \$576,468.05 (1st Dakota National) and \$17,361.21 (First National Bank), Savings Account Balances: Wells Fargo Banks \$1,924,495.59, Cor Trust Bank Gayville \$1,044,980.52, First Dakota National Bank \$1,448,204.16, Cor Trust Bank Yankton \$1,089,473.25; First Federal Bank \$1,047,930.07;

1st National Bank \$629,728.06; Certificates of Deposit: Wells Fargo Bank \$900,000.00. Bad Checks \$1,536.41. Total Cash and Balances \$9,450,922.04; the out-of-county Mental Illness billing for March, 2009 in the amount of \$4,744.19, the Yankton County Planning Commission minutes from April 14 & 20th, 2009, the revenue and expenditure reports for county funds for April 2009 .

Voting Aye: All Nay: None Motion carried.

Action 09188W: A motion was made by Tamisiea and seconded by Sinclair to approve Mosquito Abatement Contracts with the City of Volin and the Town of Lesterville for the 2009 season. Voting Aye: All Nay: None Motion carried.

Action 09189C: A motion was made by Tamisiea and seconded by Sinclair to approve the following claims: **Commissioners:** River Rat Productions (Services) \$250.00, Yankton County Observer (Publishings) \$201.73, Yankton Daily P&D (Publishings) \$595.70; **Elections:** Western Office Plus (Supplies) \$81.49; **Court:** 9 Payees @\$50.00 (Grand Juror Fees) \$450.00, 1 Payee (Grand Juror/mileage) \$11.10, 1 Payee (Grand Juror/mileage) \$4.44, 1 Payee (Grand Juror/mileage) \$79.92, 1 Payee (Grand Juror/mileage) \$133.20, 1 Payee (Grand Juror/mileage) \$26.64, 1 Payee (Grand Juror/mileage) \$17.76, David Bergendahl (Services) \$764.00, Milwaukee County Sheriff (Services) \$175.00, Lorraine Sorensen (Services) \$150.00, Erica Wendling (Services) \$150.00; **Auditor:** MT & RC Smith (Work Comp) \$6.00, Western Office Plus (Supplies) \$226.08; **Treasurer:** Best Western (Travel) \$158.00, Harland Technology (Maintenance) \$63.75, Pam Marchand (Travel) \$213.82, MT & RC Smith (Work Comp) 7.01, Western Office Plus (Maintenance & Supplies) \$166.08; **Data Processing:** Miller Consulting (Maintenance) \$4,360.00; **States Attorney:** Avera Sacred Heart Hospital (Lab) \$669.74, John Billings (Travel) \$317.46, Hewlett-Packard (Maintenance) \$232.87, Erich Johnke (Travel) \$317.46, Miller Consulting (Maintenance) \$35.00, West Payment Center (Books) \$484.00; **Government Buildings:** Ace Hardware (Supplies) \$19.99, Buhl's (Maintenance) \$18.57, Big-M Security (Maintenance) \$20.00, Paula Jones (Supplies) \$89.76, John Swensen (Maintenance) \$57.00; **Director of Equalization:** McLeod's Printing (Supplies) \$167.56, MT & RC Smith (Work Comp) \$7.51, USPS (Box Rent) \$106.00, Western Office Plus (Maintenance & Supplies) \$278.74; **Register of Deeds:** Best Western (Travel) \$158.00, Brian Hunhoff (Travel) \$192.74, Microfilm Imaging Systems (Rental & Supplies) \$624.75, MT & RC Smith (Work Comp) \$4.55, Western Office Plus (Supplies) \$54.96; **Veterans Service:** Western Office Plus (Maintenance) \$9.96, MT & RC Smith (Work Comp) \$1.09; **Predatory Animal:** Dept of Game Fish & Parks (1st Half 2009 Budget) \$1,416.38; **Court House & Safety Center:** Ace Hardware (Supplies) \$171.67, City of Yankton (Utilities) \$144.00, Johnson Controls (Maintenance) \$3,650.00, Nebraska Air Filter (Supplies) \$524.45, John Swensen (Maintenance) \$33.50; **Sheriff:** Noble Ink & Toner (Supplies) \$119.96, City of Yankton (Gasoline) \$1,361.97, David Hunhoff (Maintenance & Supplies) \$223.45, David Hunhoff (Travel) \$151.02, Hart's Auto Supply (Supplies) \$337.31, Hedahls (Supplies) \$59.95, Knology (Utilities) \$113.51, Light & Siren (Supplies) \$250.23, Miller Consulting (Maintenance) \$207.50, Northtown Automotive (Maintenance) \$196.25, Polk City Directories (Supplies) \$215.00, MT & RC Smith (Work Comp & Liability)

\$972.00, Slowey's Auto Body (Maintenance) \$38.00, Western Office Plus (Supplies) \$110.58; **County Jail:** Ace Hardware (Supplies) \$6.74, Noble Ink & Toner (Supplies) \$119.96, CBM Food Service (Meals) \$2,405.05, Cash-WA Distributing (Supplies) \$510.15, Crawford Supply (Supplies) \$169.08, Keefe Supply (Supplies) \$243.96, Karl's TV (Supplies) \$460.00, Olson's Pest (Maintenance) \$96.00, Penny Marketing (Supplies) \$109.84, MT & RC Smith (Work Comp & Liability) \$2,725.00, Vantek Communications (Supplies) \$72.25, Yankton Drug Co. (Medicine) \$421.40, Yankton Medical Clinic (Services) \$41.53; **Juvenile Detention:** Minnehaha County Regional (Child Care) \$3,875.00, Volunteers of America (Shelter Care) \$1,000.00; **Care of Poor:** Xerox (Maintenance) \$52.68, Yankton Drug Company (Medicine) \$18.35; **Public Health Nurse:** Xerox (Maintenance) \$52.68; **Ambulance:** Bound Tree Medical (Supplies) \$249.90, City of Yankton (Gasoline) \$1,754.98, Card Service Center (Supplies) \$88.75, Electair, Inc. (Maintenance) \$111.46, Elsevier Health (Supplies) \$248.68, Fox Run Quik Lube (Maintenance) \$87.95, Steven Hawkins (Travel) \$479.52, Fred Haar Co. (Supplies) \$56.73, Linweld (Supplies) \$36.80, MidAmerican Energy (Utilities) \$60.49, Northwestern Energy (Utilities) \$9.09, Orkin Pest Control (Maintenance) \$71.84, Qwest (Utilities) \$80.00, Roger's Family Pharmacy (Supplies) \$57.29, MT & RC Smith (Work Comp & Liability) \$333.00, Loren Tramp (Maintenance) \$150.00, TMA (Maintenance) \$7.00, USPS (Box Rent) \$106.00, Vogt's Cleaners (Supplies) \$26.00, Western Office Plus (Supplies) \$159.61; **Mentally Handicapped:** SD Achieve (Services) \$180.00; **Mental Illness Board:** Avera Sacred Heart Hospital (Evaluations) \$1,703.83, Donna Dietrich (Hearings) \$654.35, Kabeiseman & Pollard (Hearings) \$41.00, Nelva Kooistra (Hearings) \$75.00, Lewis & Clark BHS (Hearings) \$710.00, Cathy Reh fuss (Hearings) \$75.00; **County Extension:** Ace Hardware (Supplies) \$6.99, Appera (Supplies) \$68.38, April Borders (Books) \$200.00, Knology (Utilities) \$4.54, Leaf (Rental) \$380.28, Northwestern Energy (Utilities) \$211.27, Larry Remington (Maintenance & Supplies) \$318.99, Western Office Plus (Maintenance & Supplies) \$617.72; **Soil Conservation:** MT & RC Smith (Work Comp) \$1.25; **Weed:** MT & RC Smith (Work Comp & Liability) \$67.00, Van Diest Supply (Supplies) \$2,997.45; **Planning & Zoning:** MT & RC Smith (Work Comp) \$1.59, Western Office Plus (Maintenance & Supplies) \$16.84, Yankton Daily P&D (Publishings) \$90.16, Yankton Motor Company (Maintenance) \$70.00; **Road & Bridge:** Ace Hardware (Supplies) \$95.20, Appera (Supplies) \$75.54, B-Y Electric (Utilities) \$25.42, Battery Exchange (Supplies) \$550.00, Butler Machinery (Supplies) \$338.79, City of Yankton (Utilities) \$213.66, Cox Auto Supply (Supplies) \$112.27, Concrete Materials (Supplies) \$309.22, D-P Tools (Supplies) \$91.92, Fastenal (Supplies) \$7.72, Great Plains (Supplies) \$102.18, Huron Culvert (Supplies) \$17,411.55, Holcomb Freightliner (Supplies) \$204.88, Jim Hawk Truck Trailers (Supplies) \$26.00, Hedahls (Supplies) \$767.19, Koletzky Implement (Supplies) \$35.58, Kaiser Appliance (Supplies) \$688.86, Kimball Midwest (Supplies) \$256.32, Long's Propane (Supplies) \$31.05, MidAmerican Energy (Utilities) \$60.00, Professional Security (Services) \$396.00, Ron's Auto Glass (Supplies) \$40.00, Riverside Hydraulics (Supplies) \$896.89, MT & RC Smith (Work Comp & Liability) \$1,969.00, Stern Oil (Fuel) \$7,383.13, Sioux Equipment (Supplies) \$119.78, Sturdevant's Auto (Supplies) \$92.28, Spencer Quarries (Rip Rap) \$80,544.55, Southeastern Electric (Utilities) \$16.01, Western Office Plus (Supplies) \$9.96, Yankton Redi-Mix (Supplies) \$500.00, Yankton Diesel Injection (Supplies) \$2,104.82; **911**

Fund: Golden West (Utilities) \$145.00, Knology (Utilities) \$1,100.00; **Emergency Management:** Dennis Anderson (Services) \$2,500.00, B-Y Electric (Utilities) \$23.00, City of Yankton (Gasoline) \$329.55, Claritus (Supplies) \$209.19, Electair, Inc. (Maintenance) \$610.00, MES – MIDAM (Supplies) \$113.00, MT & RC Smith (Work Comp) \$32.00, Western Office Plus (Supplies) \$360.67; **Capitol Project:** Welfl Construction (Safety Center) \$60,237.00; **Debt Service:** First national Bank Omaha (Interest) \$151,896.88; **MISC:** West Payment Center (Supplies – County Law Library) \$138.75; **Tower Fund** Center for Municipal Society (Services) \$5,180.00, Fred Haar Co. (Services) \$2,284.43.

Total General Fund \$47,447.66, Road & Bridge \$115,475.77, 911 Fund \$1,245.00, Emergency Management \$4,177.41, Government Buildings \$60,237.00, Debt Service \$151,896.88, Misc. \$138.75, Tower Fund \$7,464.43. Manual checks: SD State Treasurer (MI/Services) \$4,271.38, SD Department of Revenue & Regulation (H-Excise Tax) \$136.58 and Welfl Construction Corporation (Safety Center – final payment) \$60,237.00.

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

Action 09190C: A motion was made to hold the final check to Welfl Construction Corporation for further review.

Voting Aye: All Nay: None Motion carried.

Action 09191H: A motion was made by Tamisiea and seconded by Johnson to approve a right-of-way request for Halsey Construction to bore a water line adjacent to County highway 211 in Section 32, township 94N, Range 56W.

Voting Aye: All Nay: None Motion carried.

Action 09192C: A motion was made by Tamisiea and seconded by Johnson to approve the following abatement: Roman Catholic Church (78.430.015.160) in the amount of \$161.04— should have had exempt status.

Voting Aye: All Nay: None Motion carried.

A motion was made by Johnson to adjourn.

The next regular meeting of the Board will be Tuesday, May 5th, 2009 at 4:30 PM in the Commission chambers.

Bruce Jensen, Chairman
Yankton County Commission

ATTEST:
Paula Jones, Auditor