

YANKTON COUNTY COMMISSION MEETING

August 20, 2024

The regular meeting of the Yankton County Commission was called to order by Chairman John Marquardt at 6:00 p.m. on Tuesday, August 20, 2024.

Roll call was taken with the following Commissioners present: Dan Klimisch, Don Kettering, Wanda Howey-Fox, Ryan Heine and John Marquardt.

There were no conflicts of interest reported by Commissioners.

Action 24270C: A motion was made by Kettering and seconded by Fox to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There were no public comments. Chairman Marquardt closed public comment.

Executive Director Rebecca Meier gave an update on the Contact Center. Also speaking was Bob Standen, Contact Board Treasurer. In attendance were staff Kelli Stange and Liz Lynch.

Highway Superintendent Mike Sedlacek appeared for approval of a ROW/Utilities for Bridge Removal and authorization to advertise for sand seal on the bike path and new road broom.

Action 24271Hwy: A motion was made by Klimisch and seconded by Kettering to approve ROW request. All present voted aye; motion carried, 5-0.

Action 24272Hwy: A motion was made by Klimisch and seconded by Heine to authorize the Highway Superintendent to advertise for the repair of the bike path and new road broom.

Emergency Management Director Paul Scherschligt appeared before the board for approval of the Local Emergency Management Performance Grant (LEMPG).

Action 24273OEM: A motion was made by Fox and seconded by Kettering to approve the LEMPG Grant. All present voted aye; motion carried, 5-0.

Action 24274Z: A motion was made by Klimisch and seconded by Fox to adopt the following resolution: Whereas it appears Jason Jatton, owner of record, has caused a Replat to be made of the following real property: Jatton Tract 1, NW1/4, NE1/4 Section 1-95N-54W. Hereafter to be known as Jatton Tract 2, NW1/4, NE1/4, Section 1-95N-54W hereinafter referred to as Marindahl Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and 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, erosion and sediment control and same is hereby approved. County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried, 5-0.

Action 24275C: A motion was made by Fox and seconded by Klimisch to approve the July 29, 2024 regular meeting minutes. All present voted aye; motion carried, 5-0.

Action 24276C: A motion was made by Kettering and seconded by Fox to approve the August 6, 2024 budget hearing meeting minutes. All present voted aye; motion carried, 5-0.

There was a first reading on Definitions and Article 26 Wind Energy Conversion Systems. Speaking at the hearing were: Lori Sletten, Sandra Bakeer, Barbara Steskal, Tina Lee, Rodney Sletten, Todd Christensen, Roger Hofer and Chris Ollson.

Action 24277C: A motion was made by Klimisch and seconded by Fox to recess for five minutes. All present voted aye; motion carried. 5-0.

Action 24278C: A motion was made by Klimisch and seconded by Kettering to reconvene. All present voted aye; motion carried, 5-0.

Action 24279C: A motion was made by Heine and seconded by Fox to change Property line for Non-Participating to 1 mile. Heine, Fox, Klimisch voted aye; Kettering and Marquardt voted nay; motion carried, 3-2.

Action 24280C: A motion was made by Fox and seconded by Kettering to change all above-ground structures to a depth of no less than four (4) feet below and encumbrance required. Fox, Kettering, Klimisch and Marquardt voted aye; Heine voted nay; motion carried, 4-1.

Action 24281C: A motion was made by Heine and seconded by Fox to set Lakes and Rivers to 1 mile and omit streams. All present voted aye; motion carried, 5-0.

Action 24282C: A motion was made by Fox and seconded by Klimisch to change Municipalities to a 1 mile set back. All present voted aye; motion carried, 5-0.

Action 24283C: A motion was made by Klimisch and seconded by Heine to change residences, active churches, businesses, schools and game production areas to a 2-mile setback for Non-Participating. Klimisch and Heine voted aye; Fox, Kettering and Marquardt voted nay; motion failed, 2-3.

Action 24284C: A motion was made by Klimisch and seconded by Heine to change residences, active churches, businesses, schools and game production areas to a 1-mile setback for Non-Participating. Roll call was taken with Kettering, Heine, Fox, Heine, Klimisch and Marquardt voting aye; motion carried, 5-0.

Action 24285C: A motion was made by Heine and seconded by Fox to set all participating in setback chart to 1.5x height. All present voted aye; motion carried, 5-0.

Action 24286C: A motion was made by Fox and seconded by Klimisch to change noise level to 40 dba to the closest non-participating resident. Fox, Klimisch, Kettering and Marquardt voting aye; Heine voted nay; motion carried, 4-1.

Action 24287C: A motion was made by Klimisch and seconded by Heine to recess for five minutes. All present voted aye; motion carried. 5-0.

Action 24288C: A motion was made by Fox and seconded by Kettering to reconvene. All present voted aye; motion carried, 5-0.

Action 24289C: A motion was made by Heine and seconded by Fox to reopen discussion on noise level. Heine, Fox, Kettering and Marquardt voting aye; Klimisch voting nay; motion carried. 4-1.

Action 24290C: A motion was made by Heine to change dba to dbc Motion died for lack of second.

Action 24291C: A motion was made by Fox and seconded by Klimisch to approve the following claims: **Commissioners:** Clarity Telecom LLC (Utilities) \$51.05; SD Association of County Commissioners (Travel) \$800.00; **Elections:** Mcleod's Printing & Office Supply (Supplies) \$1,295.00; Qualified Presort Services (Supplies) \$124.72; **Court:** Avera Sacred Heart Hospital (Lab) \$2,236.00; Blackburn & Stevens Prof. LLC (Prof Services) \$3,734.37; Certified Languages International (Prof Services) \$140.25; Patricia LaCroix (Minor) \$300.00; McClure & Hardy Attorney at Law (Prof Services) \$3,331.50; Grand Jury (Juror Fees) \$1,116.37; Lutheran Social Services (Prof Services) \$357.50; Meierhenry Sargent, LLP (Prof Services) \$14,355.16; Meierhenry Sargent, LLP (Neglected) \$4,087.70; Evans Haigh & Arndt, LLP (Prof Services) \$8,125.26; Confidential Investigative Services (Prof Services) \$2,188.50; Kennedy Pier Loftus & Reynolds (Prof Services) \$368.00; Department of Health (Lab) \$1,935.00; Dean Schaefer (Prof Services) \$316.00; Thomson Reuters-West (Supplies) \$1,134.06; Yankton Daily Press & Dakotan (Other) \$14.69; **Auditor:** Clarity Telecom, LLC (Utilities) \$121.54; LEAF (Rentals) \$183.35; Qualified Presort Services (Supplies) \$255.96; SD Association of County Commissioners (Travel) \$200.00; Thomson Reuters-West (Supplies) \$177.27; **Treasurer:** Clarity Telecom, LLC (Utilities) \$197.70; Qualified Presort Services (Supplies) \$248.06; **Data:** Clarity Telecom, LLC (Utilities) \$719.36; First Bankcard (Maintenance) \$45.73; **States Attorney:** Century Business Products (Rentals) \$230.99; Century Business Products (Maintenance) \$114.01; Deb Lillie (Diversion) \$250.00; Satellite Tracking of People (Diversion) \$39.00; Culligan (Supplies) \$52.25; Yankton Transit (Diversion) \$85.00; Qualified Presort Services (Supplies) \$72.70; Thomson Reuters-West (Supplies) \$211.66; **Government Center:** Clarity Telecom, LLC (Utilities) \$25.80; City of Yankton-Landfill (Maintenance) \$12.00; JCL Solutions (Supplies) \$233.72; Menards (Supplies) \$189.05; MidAmerican Energy (Utilities) \$503.34; Top Notch Window Cleaning (Prof Services) \$982.35; **Director of Equalization:** Clarity Telecom, LLC (Utilities) \$194.04; SDAAO (Travel) \$325.00; Zach Waiter (Travel) \$105.30; First Bankcard (Travel) \$409.00; Microfilm Imaging Systems (Maintenance) \$120.00; Qualified Presort Services (Supplies) \$163.38;

Steinley Real Estate Appraisals (Travel) \$100.00; One Office Solution (Maintenance) \$137.42; **Register of Deeds:** Clarity Telecom, LLC (Utilities) \$172.19; Qualified Presort Services (Supplies) \$62.72; **Veterans Service Office:** Clarity Telecom, LLC (Utilities) \$25.80; LEAF (Rentals) \$59.76; **Safety Center Building:** Clarity Telecom, LLC (Utilities) \$82.99; City of Yankton (Dumpster Fees) \$160.00; Cole Papers, Inc. (Supplies) \$588.39; Menards (Supplies) \$99.35; Menards (Maintenance) \$60.45; SD Federal Property Agency (Supplies) \$15.35; **Sheriff:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$53.00; City of Yankton (Fuel) \$3,036.94; AT & T Mobility (Maintenance Contract) \$848.71; Artistic Custom Badges & Coins (Supplies) \$427.10; Union County Sheriff's Office (Ballistic Vests) \$500.00; FedEx (Maintenance Contract) \$18.07; Pennington County Jail (Travel) \$144.22; Qualified Presort Services (Maintenance Contract) \$180.06; One Office Solution (Maintenance Contract) \$63.82; One Office Solution (Supplies) \$546.27; **County Jail:** Avera McKennan Hospital (Prof Services) \$1,215.59; Avera Sacred Heart Hospital (Prof Services) \$5,484.86; Buhl's Cleaners (Uniforms) \$96.00; Scott Family Dentistry (Prof Services) \$1,717.00; AARMS (Prof Services) \$875.00; ICS Jail Supplies, Inc. (Supplies) \$281.20; Culligan (Supplies) \$55.00; Diamond Drugs (Prof Services) \$7,094.93; McKesson Medical-Surgical (Prof Services) \$90.64; Trinity Services Group (Food Services) \$10,211.01; Avera Medical Group-Wilcoxon Eye Associates (Prof Services) \$111.81; Spectacle Shop, LLC (Prof Services) \$220.00; AT & T Mobility (Maintenance Contract) \$204.41; Guardian Alliance Technologies (Maintenance Contract) \$620.00; Avera Medical Group-Radiology (Prof Services) \$215.63; Physicians Laboratory LLC (Prof Services) \$44.16; Sapphire Heath, LLC (Prof Services) \$1,100.00; Whitney Delforge (Prof Services) \$1,537.50; Marathon Engineering Co. (Maintenance) \$1,725.00; Harding Glass (Maintenance) \$3,120.00; Jack's Uniforms & Equipment (Uniforms) \$93.44; JCL Solutions (Supplies) \$600.46; Menards (Supplies) \$142.35; PharmChem, Inc. (Prof Services) \$2,636.19; Correctional Risk Services (Inmate Insurance) \$2,951.20; Strachan Sales, Inc. (Maintenance) \$672.03; One Office Solution (Maintenance Contract) \$65.42; One Office Solution (Supplies) \$315.93; Yankton Rexall Drug Co. (Prof Services) \$1,143.20; Yankton Medical Clinic (Prof Services) \$1,755.98; **Coroner:** Mark Nickles (Travel) \$52.02; **Yankton Area Search and Rescue:** City of Yankton (Supplies) \$144.99; First Bankcard (Supplies) \$99.87; First Bankcard (Equipment Grant) \$430.42; **Poor Relief:** Qualified Presort Services (Supplies) \$103.84; **Public Health Nurse:** Clarity Telecom, LLC (Utilities) \$202.39; Everbank, N.A. (Rentals) \$58.51; Qualified Presort Services (Supplies) \$28.09; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$14.50; Clarity Telecom, LLC (Utilities) \$143.01; Bound Tree Medical, LLC (Supplies) \$1,245.97; City of Yankton (Supplies) \$1,502.83; Cintas (Prof Services) \$190.68; Ramkota Hotel & Conference Center (Travel) \$116.00; Eric Van Dusen (Travel) \$305.50; Waystar, Inc. (Prof Services) \$643.78; Complete Wireless Technologies (Maintenance) \$103.15; First Bankcard (Prof Services) \$106.09; Floor Tec. (Maintenance) \$223.36; Menards (Supplies) \$33.40; Olson's Pest Technicians (Maintenance) \$119.00; Two Way Solutions, Inc. (Maintenance) \$75.00; Yankton County EMS (Prof Services) \$80.99; **Mentally Handicapped:** Avera McKennan Hospital (Prof Services) \$830.00; Avera Sacred Heart Hospital (Prof Services) \$2,000.00; SD Achieve dba Lifescape (Misc.) \$120.00; **Mental Illness Board:** Fox Law Firm, PLLC (Hearings) \$1,099.00; Val Larson (Hearings) \$21.00; Mark Katterhagen (Hearings) \$21.00; Lewis & Clark Behavioral Health Services (Hearings) \$1,278.00; Lincoln County Treasurer (Hearings) \$2,035.59; Luci

Lewno (Hearings) \$390.00; **Extension:** Lisa Barger (4H) \$40.00; Kathy Jorgensen (4H) \$40.00; Morgan Korthals (4H) \$40.00; Joan Miller (4H) \$40.00; Bobbie Moehring (4H) \$40.00; Barbra Law (4H) \$40.00; Rose Hauger (4H) \$40.00; Elijah Berry (4H) \$40.00; Jackie Dickes (4H) \$40.00; Paul Harnes (4H) \$40.00; Taylor Arens (4H) \$100.00; Bob Evans (4H) \$40.00; Kaycee Michael (4H) \$40.00; Grace Olinger (4H) \$332.60; Addison Haase (4H) \$160.00; Mackenzie Steinbrecher (4H) \$40.00; Mike Bosma (4H) \$108.14; Cheryl Havermann (4H) \$40.00; Jolene Kralicek (4H) \$40.00; Mary Kulish (4H) \$40.00; Northwestern Energy (Utilities) \$240.33; WNAX SAGA Communication (4H) \$293.00; One Office Solution (Supplies) \$163.80; Yankton County Leaders Association (Grounds Maintenance) \$4,636.39; Yankton County Leads Association (4H) \$228.00; **Weed:** Van Diest Supply Co. (Chemicals) \$3,120.00; One Office Solution (Supplies) \$15.68; **Planning and Zoning:** Clarity Telecom, LLC (Utilities) \$51.05; First Bankcard (Travel) \$924.88; Microfilm Imaging Systems (Maintenance) \$70.00; Qualified Presort Services (Supplies) \$15.70; SD Association of County Commissioners (Travel) \$200.00; **Highway:** Bomgaars (Maintenance) \$80.95; B-Y Water District (Utilities) \$78.00; Butler Machinery Co. (Maintenance) \$9,133.44; Clarity Telecom, LLC (Utilities) \$101.00; Terry Schramm (Gravel) \$48,100.00; NAPA Auto Parts of Yankton (Maintenance) \$435.28; NAPA Auto Parts of Yankton (Supplies) \$338.91; Knife River-South Dakota (Supplies) \$19,248.55; Knife River-South Dakota (Asphalt Roads) \$44,827.20; CenturyLink (Utilities) \$72.54; Imeg Corp. (Annual Projects) \$8,323.61; Imeg Corp. (Dust Control Application) \$3,073.32; Diesel Machinery, Inc. (Rentals) \$1,700.00; Gregg Davis Excavation (Emergencies) \$350.00; Amazon Capital Services (Supplies) \$98.98; New Century FS (Highway Fuel) \$1,578.64; Marx Dust Control (Supplies) \$4,320.00; Riverside Concrete (Supplies) \$1,866.22; Dean Vaith (Supplies) \$1,100.00; Fischer Gravel (Bridges) \$3,525.00; I State Truck Center (Maintenance) \$401.56; I State Truck Center (Supplies) \$600.00; Jebro, Inc. (Annual Projects) \$47,406.99; Janssen's Garbage Service (Utilities) \$60.00; MidAmerican Energy (Utilities) \$24.99; Spencer Quarries, Inc. (Emergencies) \$872.46; Spence Quarries, Inc. (Bridges) \$2,572.85; Truck Trailer Sales & Service (Maintenance) \$740.41; TrueNorth Steel (Supplies) \$33,145.20; Tire Muffler Alignment (Maintenance) \$93.55; One Office Solution (Supplies) \$70.14; **E911:** Clarity Telecom, LLC (Utilities) \$1,103.36; CenturyLink (Utilities) \$166.40; Goldenwest Telecommunications (Utilities) \$145.00; **Emergency Management:** First Bankcard (Supplies) \$484.18; First Bankcard (Prof Services) \$202.41; First Bankcard (OEM Disaster Plan) \$58.87; Tabor Labor Coop. (Supplies) \$264.73; **Government Buildings:** Culligan (Supplies) \$228.20; ARS, A Tecta America Co. (Maintenance) \$960.00; **24/7:** Precision Kiosk Technologies (Supplies) \$1,350.00; **Non-Departmental:** Yankton Rural Fire Prot. District (Yankton Rural Fire Refund) \$36,471.49; Lesterville Fire (Lesterville Fire Refund) \$5,314.90; Gayville First Responders (Gayville Fire Refund) \$3,586.55; Irene Fire Department (Irene Fire Refund) \$6,113.94; Menno Rural Fire (Menno Fire Refund) \$1,860.29; Scotland Fire Department (Scotland Fire Refund) \$390.23; Tabor Fire Department (Tabor Fire Refund) \$1,677.77; Volin Fire Department (Volin Fire Refund) \$3,097.47; Vibor Fire District (Viborg Fire Refund) \$633.63; Yankton City Fire Department (Yankton City Fire Refund) \$78,884.20; Satellite Tracking of People (Jail Tracking Monitors) \$438.75; CAM Daily Refunds (Refund) \$408.00; Byron Nogelmeier (Cam Daily Fees) \$3,924.00; State Participation Fee (State Participation Refund) \$28.00; Byron

Nogelmeier (State Participation Fee) \$406.00; General Fund \$131,474.79; Road & Bridge \$234,339.79; Emergency Management \$1,010.19. All present voted aye; motion carried, 5-0.

Action 24292A: A motion was made by Fox and seconded by Kettering to approve the 2024 2nd Quarter MI Report. All present voted aye; motion carried, 5-0.

Action 24293AUD: A motion was made by Klimisch and seconded by Fox to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of July 31, 2024 showing Total Cash of \$12,731,029.72. The General Fund was \$9,215,793.61; Special Funds were \$1,466,673.27; and Trust and Agency Funds were \$2,048,562.84 adding to a Grand Total of General Ledger Cash and Investments of \$12,731,029.72. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

The board discussed the recording of commission meetings. Commissioner Heine suggested having a meeting next week on the recordings.

Action 24294A: A motion was made by Klimisch and seconded by Kettering to approve the quote from RTI Riverside Technologies, Inc for the fire wall in the Government Center, for the amount of \$26,687.53. All present voted aye; motion carried, 5-0.

Commissioner updates: Veterans council meeting and agreement for Irene property was signed.

Action 24295C: A motion was made by Fox and seconded by Klimisch to recess the regular session at 9:55 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13. All present voted aye; motion carried, 5-0.

Action 24296C: A motion was made by Fox and seconded by Heine to adjourn the executive session at 10:00 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 24297C: A motion was made by Fox and seconded by Heine to approve files of MI case CW MI 24-3-001, CW MI 24-3-002, CW MI 24-03-003, CW MI 24-3-004 CW in the amount of \$2,000.00. All present voted aye; motion carried, 4-0.

Action 24298C: A motion was made by Klimisch and seconded by Kettering to adjourn. All present voted aye; motion carried, 5-0. The next regular meeting will be Tuesday, September 3, 2024 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem
Yankton County Auditor