

## YANKTON COUNTY COMMISSION MEETING

November 21, 2023

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 6:00 p.m. on Tuesday, November 21, 2023.

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

Commissioner Fox will abstain from voting on the second set of claims from Harmelink & Fox Law Office. There were no conflicts from the rest of the board.

**Action 23381C:** A motion was made by Fox and seconded by Marquardt to approve the meeting agenda. All present voted aye; motion carried, 5-0.

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

**County Health Insurance:** Julie Auch, representative for health insurance for Yankton County employees appeared to discuss the renewal of the county health insurance. No action was taken.

Brian Hunhoff along with Doug Sall, appeared before the board for approval to fund expansion of current historic photo display on the first floor corridor of the Government Center.

**Action 23382C:** A motion was made by Klimisch and seconded by Fox to approve the photo display at a cost of \$1000.00 each year for a 2-year period. Klimisch, Kettering, Marquardt and Fox voting aye; Heine voting nay; motion carried, 4-1.

Highway Superintendent Mike Sedlacek appeared for approval of the gravel bid received from Schrammpit in the amount of \$7.00 dollars per ton.

**Action 23383C:** A motion was made by Klimisch and seconded by Marquardt to approve the bid from Schrammpit. All present voted aye; motion carried, 5-0.

Dana Schmidt from Yankton Community Library appeared to request approval of agreement for the provision of library services to county residents outside of the City of Yankton.

**Action 23384C:** A motion was made by Fox and seconded by Heine to approve the Agreement for Provision of Library Services. Klimisch, Kettering, Heine and Fox voting aye; Marquardt voting nay; motion carried, 4-1.

**Rezone:** There was a second reading on the request from Merle and Gena Brandt to rezone a parcel that is dual zoned Rural Transition District (RT) and Moderate Density Residential

District (MD) to a Moderate Density Residential District (MD). Said property is legally described as W538.5 feet of the S370.28 of the N489.28 lying adjacent to Plank's Addition and Lots 15, 16 and 17, S4-T93N-R56W.

**Action 23385Z:** A motion was made by Klimisch and seconded by Heine to approve Rezone request from Merle and Gena Brandt. All present voted aye; motion carried, 5-0.

**Action 23386Z:** A motion was made by Klimisch and seconded by Heine to adopt the following resolution: Whereas it appears, Yosvany Cordero Diaz, owner of record, has caused a plat to be made of the following real property: Tract A and Tract B, Lot 1 Block 1, Parcel 1, SW1/4, NE1/4, S14-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, S.D., 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 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, 5-0.

**Action 23387Z:** A motion was made by Fox and seconded by Marquardt to adopt the following resolution: Whereas it appears, Gary Koble, owner of record, has caused a re-plat to be made of the following real property: of Lots 1, 2, 3, 4, 5 and 6 Block 3, Beaver Beach Park, NW1/4, SE1/4, S27-T95N-R56W, to be hereafter known as CMP 1<sup>st</sup> Addition, NW1/4, SE1/4, S27-T95N-R56W, hereinafter referred to as Central 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 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, 5-0.

**Action 23388Z:** A motion was made by Klimisch and seconded by Fox to adopt following resolution: Whereas it appears, Phil Spady, owner of record, has caused a plat to be made of the following real property: Lot 15A, Thon's Addition, S1/2, E1/2, W1/2, NW1/4, S15-T93N-R56W, hereinafter referred to as Utica South 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 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, 5-0.

**Action 23389Hwy:** A motion was made by Heine and seconded by Fox to approve the Resolution 23-09. All present voted aye; motion carried, 5-0.

**RESOLUTION 23-09  
FEDERAL LANDS ACCESS PROGRAM**

**YANKTON COUNTY**

**WHEREAS** the Yankton County endorses the proposed Federal Lands Access Program (FLAP) application, which consists of developing a feasibility study and master plan to provide better access to the Missouri National Recreational River; and

**WHEREAS** the project will comply with all program requirements; and

**WHEREAS** the Yankton of County will assist in project coordination.

**NOW THEREFORE BE IT RESOLVED** by the Yankton County Commission that it will sponsor the Federal Lands Access Program grant application; and

**BE IT FURTHER RESOLVED** that the Yankton County Commission will provide the administrative assistance needed to ensure compliance with all grant requirements.

**Recorded this 21<sup>st</sup> day of November, 2023.**

Don Kettering/s/ - Chairman  
Yankton County Commission

ATTEST  
Karen Faerber/s/  
Deputy Auditor

**Action 23390C:** A motion was made by Fox and seconded by Heine to approve the November 07, 2023 meeting minutes with correction of Action 23373C should have stated Fire and Ice, LLC instead of Hebda Family Produce. All present voted aye; motion carried, 5-0.

**Action 23391C:** A motion was made by Fox and seconded Heine to approve the following claims: **Commissioners:** Clarity Telecom, LLC (Utilities) \$50.50; Child & Family Services-Sioux Falls (Other) \$276.00; Yankton Daily Press & Dakotan (Publishing) \$904.53; **Elections:** Qualified Presort Services (Supplies) \$55.90; **Court:** Avera Sacred Heart Hospital (Lab) \$736.00; Patricia LaCroix (Minor) \$150.00; Josette Lindahl (Prof Services) \$1,500.00; Resolute Law Firm, P.C. (Prof Services) \$9,523.32; Grand Jury (Fees) \$432.64; Witnesses (Fees) \$99.16; Department of Health (Lab) \$1,615.00; Dean Schaefer (Prof Services) \$841.00; Thomson Reuters-West (Supplies) \$1,040.42; **Auditor:** Andersen Telecom, LLC (Prof Services) \$100.00; Clarity Telecom, LLC (Utilities) \$121.00; LEAF (Rentals) \$183.35; McLeod's Printing & Office Supply (Supplies) \$230.00; Qualified Presort Services (Supplies) \$255.38; Thomson Reuters-West (Supplies) \$172.11; **Treasurer:** Clarity Telecom, LLC (Utilities) \$198.10; Qualified Presort Services (Supplies) \$261.71; **Data:** Andersen Telecom, LLC (Prof Services) \$494.90; Clarity Telecom, LLC (Utilities) \$718.82; First Bankcard (Maintenance) \$3,726.78; **States Attorney:** Andersen Telecom, LLC (Maintenance)

\$200.00; Century Business Products (Rentals) \$200.97; Century Business Products (Maintenance) \$157.02; Deb Lillie (Diversion Expense) \$250.00; NDAA Insurance Services (Insurance) \$3,647.00; Culligan (Supplies) \$17.00; John Billings (Travel) \$388.00; State Bar of South Dakota (Travel) \$955.00; Susan Adam (Prof Services) \$366.98; Tyler Larsen (Travel) \$808.58; Lewis & Clark Behavioral Health Services (Diversion Expense) \$55.00; Qualified Presort Services (Supplies) \$30.99; Thomson Reuters-West (Supplies) \$201.58; Yankton Daily Press & Dakotan (Publishing) \$129.31; **Government Center:** Clarity Telecom, LLC (Utilities) \$25.25; Midwestern Mechanical, Inc. (Maintenance) \$120.00; City of Yankton-Landfill (Maintenance) \$5.50; Johnson Controls, Inc. (Maintenance) \$6,338.28; JCL Solutions (Supplies) \$179.90; Menards (Supplies) \$151.00; MidAmerican Energy (Utilities) \$800.83; **Director of Equalization:** Andersen Telecom, LLC (Maintenance) \$100.00; IAAO (Travel) \$720.00; Clarity Telecom, LLC (Utilities) \$193.50; NAPA Auto Parts of Yankton (Maintenance) \$152.97; SDAAO (Travel) \$300.00; Dakota Battery, LLC (Maintenance) \$285.90; ESRI (Maintenance) \$2,350.00; First Bankcard (Supplies) \$79.88; First Bankcard (Travel) \$340.00; Michelle Goeken (Travel) \$136.68; Graham Tire-Yankton (Maintenance) \$738.12; Aumentum Technologies (Maintenance) \$12,795.31; Micofilm Imaging Systems (Maintenance) \$120.00; Qualified Presort Services (Supplies) \$35.40; One Office Solution (Maintenance) \$118.01; **Register of Deeds:** Clarity Telecom, LLC (Utilities) \$171.89; Qualified Presort Services (Supplies) \$51.65; One Office Solution (Supplies) \$57.50; One Office Solution (Maintenance) \$48.07; **Veterans Service Office:** Clarity Telecom, LLC (Utilities) \$25.25; LEAF (Rentals) \$59.15; Qualified Presort Services (Supplies) \$15.64; **Safety Center Building:** Clarity Telecom, LLC (Utilities) \$835.35; City of Yankton (Dumpster Fees) \$152.00; Cole Papers, Inc. (Supplies) \$529.66; Midwest Mechanical, Inc. (Maintenance) \$275.00; Johnson Controls, Inc. (Maintenance) \$6,338.28; Menards (Supplies) \$398.51; Menards (Maintenance) \$56.48; MidAmerican Energy (Utilities) \$680.03; **Sheriff:** City of Yankton (Fuel) \$2,257.61; GR-Emergency Vehicle Outfitters (Maintenance) \$1,150.00; Wolfcom Enterprises (Law Enforcement Equipment) \$3,998.20; Menards (Maintenance) \$.98; Qualified Presort Services (Maintenance Contract) \$206.36; Security Shredding Services (Maintenance) \$40.00; One Office Solution (Maintenance Contract) \$70.26; One Office Solution (Supplies) \$100.84; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$6,069.54; Avera Medical Group (Prof Services) \$1,119.00; Scott Family Dentistry, Inc. (Prof Services) \$438.00; Charm-Tex (Supplies) \$710.40; Clay County Sheriff's Department (Prof Services) \$70.00; Hobart Service (Maintenance) \$395.00; McKesson Medical-Surgical, Inc. (Supplies) \$202.35; Trinity Services Group (Food Service) \$10,321.38; Septic Service of SD-Yankton (Maintenance) \$371.70; EZ Duz it Laundry (Prof Services) \$33.00; Avera Medical Group Hospital (Prof Services) \$157.06; Avera Medical Group Radiology (Prof Services) \$463.66; Avera Medical Group Family Medicine (Prof Services) \$219.60; Stericycle, Inc. (Prof Services) \$280.37; Jacks Uniforms & Equipment (Uniforms) \$466.68; JCL Solutions (Supplies) \$177.40; Correctional Risk Services (Inmate Insurance) \$2,480.00; Pennington County Jail (Travel) \$776.15; Siouxland Oral & Maxillofacial Surgery (Prof Services) \$1,138.00; One Office Solution (Supplies) \$333.63; Yankton Rexall Drug Co. (Prof Services) \$2,306.80; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$20,098.04; Minnehaha County Juvenile Detention Center (Prof Services) \$77.00; **Yankton Area Search and Rescue:** City of Yankton (Supplies) \$28.39; NAPA Auto Parts of Yankton (Equipment Grant) \$197.96; First Bankcard

(Supplies) \$210.43; Truck-Trailer Sales & Service (Services) \$1,036.40; **Care of Poor:** Andersen Telecom, LLC (Prof Services) \$275.00; Qualified Presort Services (Supplies) \$98.25; **Public Health Nurse:** Clarity Telecom, LLC (Utilities) \$201.84; Everbank, N.A. (Rentals) \$58.51; Qualified Presort Services (Supplies) \$22.96; **Ambulance:** Avera Health dba Avera Staffing Solutions (Supplies) \$219.00; Avera Sacred Heart Hospital (Supplies) \$1,248.54; Andersen Telecom, LLC (Maintenance) \$900.00; Clarity Telecom, LLC (Utilities) \$140.92; Bound Tree Medical, LLC (Supplies) \$1,215.19; City of Yankton (Supplies) \$1,202.43; Credit Collection Services (Prof Services) \$66.00; Quick Med Claims (Prof Services) \$2,050.24; Valvoline Instant Oil Change (Maintenance) \$110.86; Auto Mastery (Maintenance) \$215.58; First Bankcard (Travel) \$286.51; First Bankcard (Supplies) \$466.88; First Bankcard (Prof Services) \$181.49; Gayville First Responders (First Responder Supplies) \$1,030.00; Investigative Services (Prof Services) \$174.00; Irene First Responders (First Responder Supplies) \$1,030.00; LEAF (Rentals) \$105.18; Lake Area First Responders (First Responder Supplies) \$1,030.00; Lesterville First Responders (First Responder Supplies) \$1,030.00; Menards (Supplies) \$156.23; Volin First Responders (First Responder Supplies) \$1,030.00; Yankton Daily Press & Dakotan (Publishing) \$272.68; **Mentally Handicapped:** SD Achieve dba Lifescape (Misc.) \$120.00; **Mental Illness Board:** Val Larson (Hearings) \$6.00; Mark Katterhagen (Hearings) \$6.00; Lewis & Clark Behavioral Health Services (Hearings) \$1,065.00; Luci Lewno (Hearings) \$232.25; **County Extension:** Clarity Telecom, LLC (Utilities) \$373.91; Katie Doty (4-H) \$94.99; South Dakota State 4-H (4-H) \$132.00; Yankton County Leaders Association (Grounds Maintenance) \$3,070.59; **Weed:** First Bankcard (Supplies) \$20.12; One Office Solution (Supplies) \$17.51; **Planning and Zoning:** Andersen Telecom, LLC (Prof Services) \$175.00; Clarity Telecom, LLC (Utilities) \$50.50; First Bankcard (Supplies) \$66.37; Microfilm Imaging Systems (Maintenance) \$70.00; Qualified Presort Services (Supplies) \$15.71; Yankton Daily Press & Dakotan (Publishing) \$83.29; **Highway:** Appera (Supplies) \$154.74; C & B Operations, LLC (Maintenance) \$167.58; Butler Machinery Co. (Maintenance) \$1,165.99; Clarity Telecom, LLC (Utilities) \$101.00; Presto-X (Maintenance) \$144.01; Rockmount Research & Alloys (Supplies) \$679.35; NAPA Auto Parts of Yankton (Maintenance) \$108.35; NAPA Auto Parts of Yankton (Supplies) \$626.55; CenturyLink (Utilities) \$73.56; CHS, Inc. (Highway Fuel) \$31,778.00; CM Tools, LLC (Supplies) \$127.50; Denker Tool Service (Supplies) \$484.98; Dakota Battery LLC (Supplies) \$144.95; S & S Equipment, Inc. (Supplies) \$1,337.21; Farm & Home Publishers, Inc. (Publishing) \$70.25; First Bankcard (Supplies) \$351.53; First Bankcard (Travel) \$250.00; Graham Tire-Yankton (Supplies) \$12,067.55; Janssen's Garbage Service (Utilities) \$50.00; Menards (Supplies) \$64.98; Yankton County Observer (Publishing) \$24.86; Riverside Hydraulics & Labs (Maintenance) \$856.05; Spencer Quarries, Inc. (Secondary Roads) \$12,140.74; Truck-Trailer Sales & Service (Maintenance) \$20.50; Team Laboratory Chemical Corp. (Supplies) \$1,015.00; Midwest Tire Admin-/TMA Stores (Maintenance) \$2,400.64; One Office Solution (Supplies) \$17.51; Yankton Janitorial Supplies (Supplies) \$282.85; B-Y Water District (Utilities) \$85.50; **E911:** Clarity Telecom, LLC (Utilities) \$116.08; CenturyLink (Utilities) \$83.20; Golden West Telecommunications (Utilities) \$147.21; Midco Business (Utilities) \$854.54; **Emergency Management:** B-Y Electric (Utilities) \$54.00; Electair, Inc. dba Kaiser Heating & Cooling (Maintenance) \$101.36; First Bankcard (Supplies) \$640.82; First Bankcard (Prof Services) \$235.25; First Bankcard (Maintenance) \$180.54; First Bankcard

(LEPC Supplies) \$422.14; LEAF (Rentals) \$127.44; Midcontinent Communications (Utilities) \$182.84; Midwest Card & ID Solutions (Prof Services) \$2,900.00; MidAmerican Energy (Utilities) \$15.24; Tabor Lumber Coop. (Supplies) \$429.76; **County Buildings:** Culligan (Misc.) \$219.00; ECHO Group (Misc.) \$650.00; Floor Tec (Misc.) \$437.83; Jim Flynn Flowing Flags (Misc.) \$276.00; Mead Lumber (Misc.) \$1,327.32; Menards (Misc.) \$76.61; **24/7:** Pharm-Chem, Inc. (Supplies) \$5,310.21; Redwood Toxicology Laboratories (Supplies) \$30.00; **M & PR Fund:** Andersen Telecom, LLC (Other) \$102.04; **Non-Departmental:** BOKF, N.A. (Debt Service) \$599,540.00; Satellite Tracking of People (Tracking Monitors) \$276.25; Sobriety Testing Refund (CAM Daily Fee) \$55.00; Byron Nogelmeier (CAM Daily Fee) \$2,820.00; Yankton Daily Press & Dakotan (Fire/Road District Publishing) \$45.80; Sobriety Testing Refund (State Participation Fee) \$25.00; Byron Nogelmeier (State Participation Fee) \$126.00; Ambulance Refunds (Fees) \$1,220.62; Marlow, Woodward & Huff, LLC (Sheriff Fees) \$52.50; South Dakota Department of Revenue (Motor Vehicle Fees) \$446,787.63 South Dakota Department of Revenue (Waste Fee) \$4,069.50; South Dakota Department of Revenue (ROD Fees) \$1,870.00; South Dakota Department of Revenue (HSC-Services) \$2,423.26; South Dakota Department of Revenue (Services-Redfield) \$180.00; South Dakota Department of Revenue (Predatory Animal) \$1,368.86; SDACO (M & PR Fund) \$384.00. General Fund \$145,531.48; Road & Bridge \$66,791.73; Emergency Management \$5,289.39. All present voted aye; motion carried, 5-0.

**Action 23392C:** A motion was made by Klimisch and seconded by Marquardt to approve the following claim: **Court:** Harmelink & Fox (Prof Services) \$1,782.03. Voting Aye: Marquardt, Heine, Klimisch and Kettering. Fox abstained; motion carried, 4-0

**Action 23393AUD:** 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 October 31, 2023 showing Total Cash of \$23,678,751.54. The General Fund was \$10,381,119.61; Special Funds were \$2,278,105.23; and Trust and Agency Funds were \$11,019,526.70 adding to a Grand Total of General Ledger Cash and Investments of \$23,678,751.54. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

**Action 23394C:** A motion was made by Klimisch and seconded by Fox to recess the regular session at 7:40 p.m. and convene in executive session to discuss a personnel issue pursuant to SDCL 1-25-2(1). All present voted aye; motion carried, 5-0.

No action was taken on personnel issue.

**Action 23395C:** A motion was made by Klimisch and seconded by Fox to adjourn the executive session at 8:00 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Action 23396C:** A motion was made by Klimisch and seconded by Fox to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, December 5, 2023 at 6:00 p.m.

**Don Kettering**, Chairman  
Yankton County Commission

ATTEST:  
**Karen Faerber**, Deputy County Auditor  
Yankton County