

YANKTON COUNTY COMMISSION MEETING

November 19, 2024

The regular meeting of the Yankton County Commission was called to order by Chairman John Marquardt at 6:00 p.m. on Tuesday, November 19, 2024.

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

Commissioner Fox reported conflicts on the second part of claims from Harmelink & Fox Law Office. There were no other conflicts of interest reported by Commissioners.

Action 24374C: A motion was made by Fox and seconded by Klimisch to approve the meeting agenda with two items postponed to the next commission meeting: October 2024 pooled cash report and 2024 MI quarterly report. All present voted aye; motion carried, 5-0.

There was no public comment. Chairman Marquardt closed public comment.

Lucy Lewno appeared before the board to request approval of Barb Perk and Jerry Christjans as alternate board members to the Yankton County Mental Illness Board. Lewno also requested an increase in pay from \$100 per hour to \$120 per hour for the Board chair and an increase in pay for other board members from \$30 per hour to \$50 per hour.

Action 24375C: A motion was made by Fox and seconded by Heine to appoint Perk and Christjans as alternates on the Yankton County Mental Illness Board. All present voted aye; motion carried.

Action 24376C: A motion was made by Fox and seconded by Heine to increase the Yankton County Mental Illness Board chair and alternate chair's pay to \$120 per hour and to increase other board members pay to \$40 per hour, effective January 1, 2025. All present voted aye; motion carried, 5-0

Medical Cannabis renewal requests were received from Royzzz Growzzz of Yankton LLC, CC Smoke LLC, RiverBend Edge LLC, A2Z LLC, Happy Flower Healing were presented for approval.

Action 24377C: A motion was made by Fox and seconded by Klimisch to approve renewal applications for the listed Medical Cannabis establishments. All present voted aye; motion carried, 5-0

Linda Dobrovolny from the Yankton Community Library appeared to request approval of the Agreement for the Provision of Library Services and to share updates about library services, statistics and happenings. The board also discussed library card fees for residents outside the city limits.

Deputy State's Attorney Tyler Larsen presented Yankton State's Attorney Rob Klimisch with a resolution to commemorate his 20 years of service to Yankton County. State's Attorney staff and Rob's wife Susan Klimisch were also in attendance.

Zoning changes: There was a second reading of proposed changes to the Flood Plain Ordinance in the Yankton County Zoning Ordinance.

There were no public comments on the Zoning change. Chairman Marquardt closed public comment.

Action 24378C: A motion was made by Kettering and seconded by Heine to approve the proposed changes to the Flood Plain in the Yankton County Zoning Ordinance. All present voted aye; motion carried, 5-0.

Rezone: There was a second reading on the request from Brett Kleinschmit to rezone a parcel in Rural Transitional District (RT) per Article 18 Section 1809 and Article 20 Section 2003. Said property is legally described as Lot 1 of List Acreage in the E1/2, SW1/4 of Section 4, lying South of the Public Highway and E1/2 of the NW1/4 of S9-T93N-R56W.

There were no public comments on the rezone. Chairman Marquardt closed public comment.

Action 24379Z: A motion was made by Klimisch and seconded by Fox to approve the Rezone request from Brett Kleinschmit. All present voted aye; motion carried, 5-0.

Action 24380Z: A motion was made by Klimisch and seconded by Kettering to adopt the following resolution: Whereas it appears Steven Bloch, owner of record, has caused a plat to be made of the following real property: Tract 1 Bloch's addition, SE1/4, NE1/4, of Section 33, 95N-57W, hereinafter referred to as Lesterville 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 24381Z: A motion was made by Klimisch and seconded by Fox to adopt the following resolution: Whereas it appear John Kabeiseman, owner of record, has caused a plat to be made of the following real property: Tract 1 John's Addition, NE1/2, SW1/4, lying North of the railroad right of way, Section 19-94N-56W, hereinafter referred to as Utica 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 24382Hwy: A motion was made by Fox and seconded by Klimisch to authorize the Highway Superintendent to advertise for gravel bids. All present voted aye; motion carried, 5-0.

Yankton County Sheriff Preston Crissey appeared to discuss a proposed feasibility study for a Juvenile Detention Center.

Ryan Cwach, representing 4-H members, discussed with the board options for the 4-H/Extension Building. Also commenting were Michelle Nielson, Donna Schwartz and Mary Fielder. It was the consensus of the board to have Commissioners Heine and Marquardt meet with Mr. Cwach and the members of the 4-H Board.

Action 24383C: A motion was made by Klimisch and seconded by Kettering to approve a one-year contract with AAA for collections services and to have the States Attorney review the contract. All present voted aye; motion carried, 5-0.

The board discussed quotes for county health insurance in 2025. Register of Deeds Brian Hunhoff spoke about benefits of the Avera Health Plans proposal, including \$180,000 in savings to taxpayers. Representatives of Risty Benefits, which brokers both Wellmark and Avera options, also recommended the Avera proposal because of the cost savings. Risty representatives also discussed other types of potential coverage for Yankton County, including vision, dental and life insurance.

Action 22384C: A motion was made by Fox and seconded by Heine to select the Risty Benefits package for Avera Health Plans with provisions that: 1) there will be no paycheck deductions for single employee coverage; 2) the county will pay premiums for \$25,000 life insurance and accidental death and dismemberment coverage for employees; 3) Risty Benefits/Avera will include the five commissioners in the Great Life fitness memberships that will be available to county employees at no cost; and 4) Avera will cap any 2026 increase in health insurance coverage at no more than 8 percent. All present voted aye; motion carried, 5-0.

Action 24385C: A motion was made by Fox and seconded by Klimisch to approve the November 7, 2024 regular meeting minutes. All present voted aye; motion carried, 5-0.

The board would like it noted in Action 24360Z's approval of the CUP for Swan Lake LLC that Yankton County will be reimbursed \$1,100,000 to resurface 294th Street.

Action 22386: A motion was made by Fox and seconded by Heine to approve the transfer of designated dollars to undesignated for the State's Attorney Diversion expense. All present voted aye; motion carried, 5-0.

Action 24387AUD: A motion was made by Fox and seconded by Heine to approve the following claims: **Commissioners:** Clarity Telecom, LLC (Utilities) \$50.50; **Elections:** Alyssa Lange (Supplies) \$107.77; First Bankcard (Supplies) \$74.07; Qualified Presort Services (Supplies) \$689.06; Kasi Foss (Supplies) \$38.43); **Court:** Avera Sacred Heart Hospital (Lab) \$2,940.00; Grand Jury (Fees) \$1,960.76; Lutheran Social Services (Prof Services) \$130.00; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$3,4881.10; Koletzky Law Office, Prof. LLC (Prof Services) \$3,105.00; LaCroix Law Office (Neglected) \$1,518.00; Department of Health (Lab) \$950.00; Dean Schaefer (Prof Services) \$1,859.00; Thurman Law Office (Minor) \$9,340.70; **Auditor:** Clarity Telecom, LLC (Utilities) \$121.00; LEAF (Rentals) \$183.35; Qualified Presort Services (Supplies) \$189.72; Thomson Reuters-West (Supplies) \$177.27; **Treasurer:** Clarity Telecom, LLC (Utilities) \$197.33; LEAF (Rentals) \$149.54; Qualified Presort Services (Supplies) \$179.69; **Data Processing:** Clarity Telecom, LLC (Utilities) \$497.03; First Bankcard (Maintenance) \$3,725.15; **States Attorney:** Century Business Products (Rentals) \$230.99; Century Business Products (Maintenance) \$101.56; Satellite Tracking of People (Diversion Expense) \$133.25; Culligan (Supplies) \$57.25; John Billings (Travel) \$108.00; State Bar of South Dakota (Travel) \$955.00; Southeast Public Transit (Diversion Expense) \$360.00; Qualified Presort Services (Supplies) \$190.43; Thomson Reuters-West (Supplies) \$211.66; **Government Center:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$80.00; Boston Shoes to Boots (Maintenance) \$15.00; Clarity Telecom, LLC (Utilities) \$25.25; First Bankcard (Supplies) \$151.98; JCL Solutions (Supplies) \$279.07; Menards (Supplies) \$18.96; MidAmerican Energy (Utilities) \$511.74; **Director of Equalization:** Clarity Telecom, LLC (Utilities) \$193.50; Arrowwood Resort at Cedar Shore (Travel) \$1,714.80; County Inn & Suites-Pierre (Travel) \$872.00; Qualified Presort Services (Supplies) \$43.89; One Office Solution (Maintenance) \$124.91; One Office Solution (Supplies) \$148.63; **Register of Deeds:** Clarity Telecom, LLC (Utilities) \$171.94; Qualified Presort Services (Supplies) \$60.65; One Office Solution (Maintenance) \$78.70; **Veterans Service Office:** Clarity Telecom, LLC (Utilities) \$25.25; LEAF (Rentals) \$59.76; **Safety Center Building:** Clarity Telecom, LLC (Utilities) \$82.99; City of Yankton (Dumpster Fees) \$152.00; Menards (Supplies) \$84.99; O'Connor Company (Supplies) \$1,313.48; **Sheriff:** Manson Briggs Specialty Advertising, Inc. (Supplies) \$307.41; City of Yankton (Fuel) \$3,536.43; Guardian Alliance Technologies (Prof Services) \$295.00; Qualified Presort Services (Maintenance Contract) \$198.60; Security Shredding Services (Maintenance) \$80.00; Tire Muffler Alignment (Maintenance) \$275.97; Yankton Daily Press & Dakotan (Publishing) \$100.00; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$2,620.85; Scott Family Dentistry, Inc. (Prof Services) \$89.83; Diamond Drugs (Prof Services) \$13,184.73; McKesson Medical-Surgical Supply (Prof Services) \$411.09; Trinity Services Group (Food Services) \$10,686.21; Avera Medical Group Radiology (Prof Services) \$13.60; Sapphire Health, LLC (Prof Services) \$550.00; Whitney Delforge (Prof Services) \$1,312.50; American Correctional Association (Travel) \$325.00; JCL Solutions (Supplies) \$2,157.49; Correctional Risk Services (Inmate Insurance) \$2,729.86;Siouxland Oral & Maxillofacial Surgery (Prof Services) \$66.16; Yankton Rexall Drug Co. (Prof Services) \$1,263.21; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$25,141.87; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$91.77; **Poor Relief:** Opsahl-Kostel Funeral Home (Prof Services)

\$1,250.00; Qualified Presort Services (Supplies) \$134.69; **Ambulance:** Teleflex Funding, LLC (Supplies) \$1,330.00; Clarity Telecom, LLC (Utilities) \$87.99; South Dakota Ambulance Association (Prof Services) \$75.00; Bound Tree Medical, LLC (Supplies) \$3,062.81; City of Yankton (Supplies) \$1,409.65; Credit Collection Services (Prof Services) \$148.50; Cintas (Maintenance) \$190.68; Waystar, Inc. (Prof Services) \$978.19; First Bankcard (Supplies) \$96.27; First Bankcard (Travel) \$244.99; First Bankcard (Prof Services) \$161.76; LEAF (Rentals) \$138.54; Menards (Supplies) \$56.90; **Mentally Handicapped:** Avera Sacred Heart Hospital (Prof Services) \$500.00; SD Achieve dba Lifescape (Misc.) \$120.00; **Mental Illness Board:** Val Larson (Hearings) \$15.00; Kennedy Pier Loftus & Reynolds, LLP (Hearings) \$218.50; Koletzky Law Office, Prof. LLC (Hearings) \$287.50; Mark Katterhagen (Hearings) \$15.00; Lewis & Clark Behavioral Health Services (Hearings) \$1,278.00; Lincoln County Treasurer (Hearings) \$1,701.33; Luci Lewno (Hearings) \$216.73; **Extension:** Clarity Telecom, LLC (Utilities) \$1,207.57; Katie Doty (Travel) \$35.10; Hy-Vee (4H) \$82.25; Northwestern Energy (Utilities) \$169.34; SDAE4-HP (Prof Services) \$40.00; Yankton County Leaders Association (Grounds Maintenance) \$2,548.82; **Weed:** Agterra Technologies (Supplies) \$126.59; C & R Supply, Inc. (Supplies) \$450.78; First Bankcard (Supplies) \$189.67; Midwest Striping (Supplies) \$274.00; One Office Solution (Supplies) \$32.84; **Planning and Zoning:** Clarity Telecom, LLC (Utilities) \$50.50; First Bankcard (Supplies) \$26.00; Qualified Presort Services (Supplies) \$24.30; Yankton Daily Press & Dakotan (Publishing) \$102.36; **Highway:** Appera (Supplies) \$157.85; Bomgaars (Maintenance) \$76.87; Bomgaars (Supplies) \$108.38; B-Y Electric (Utilities) \$95.05; B-Y Water District (Utilities) \$78.00; Butler Machinery Co. (Maintenance) \$2,424.69; Clarity Telecom, LLC (Utilities) \$101.00; Scotland Redi-Mix (Bridges) \$1,020.00; NAPA Auto Parts of Yankton (Maintenance) \$276.16; NAPA Auto Parts of Yankton (Supplies) \$645.39; CenturyLink (Utilities) \$73.63; Clarks Rental, Inc. (Rentals) \$63.00; Dakotaland Autoglass, Inc. (Maintenance) \$40.35; Driveline Services (Maintenance) \$1,777.55; Diamond Mowers, Inc. (Maintenance) \$2,492.86; Amazon Capital Services (Supplies) \$327.97; New Century FS (Highway Fuel) \$28,126.27; Ulmer Farm Service (Supplies) \$1,335.90; Sheraton-Sioux Falls (Travel) \$476.00; First Bankcard (Travel) \$392.10; Fastenal Industrial & Construction Supply (Supplies) \$73.56; Gerstner Oil Co. (Maintenance) \$40.90; Graham Tire-Yankton (Maintenance) \$491.20; Graham Tire-Yankton (Supplies) \$9,601.28; Randy Hlavac (Supplies) \$29.27; I State Truck Center (Maintenance) \$2,581.83; Janssen's Garbage Service (Utilities) \$60.00; Kimball Midwest (Supplies) \$373.60; Menards (Supplies) \$504.94; MidAmerican Energy (Utilities) \$35.74; C & C Concrete Construction (Secondary Roads) \$28,125.00; Northern Truck Equipment (Maintenance) \$2,750.00; Riverside Hydraulics & Labs (Maintenance) \$25.10; Sherwin Williams Co. (Supplies) \$67.29; Spence Quarries, Inc. (Supplies) \$976.80; Truck Trailer Sales & Service (Maintenance) \$830.50; Titan Machinery (Supplies) \$358.00; One Office Solution (Supplies) \$32.84; Yankton Daily Press & Dakotan (Publishing) \$31.68; **E-911:** Clarity Telecom, LLC (Utilities) \$1,100.36; Golden West Telecommunications (Utilities) \$145.00; **Emergency Management:** NAPA Auto Parts of Yankton (Supplies) \$98.54; ECHO Group (Maintenance) \$475.00; Verizon (Utilities) \$85.80; First Bankcard (Supplies) \$1,226.36; First Bankcard (Prof Services) \$123.05; First Bankcard (POD Expense) \$162.05; First Bankcard (Minor Equipment) \$1,887.98; First Bankcard (LEPC Supplies) \$307.88; First Bankcard (Maintenance) \$98.82; LEAF (Rentals) \$134.46; Tabor

Lumber Coop. (Supplies) \$319.02; **County Buildings:** Culligan (Misc.) \$228.20; **24/7:** Precision Kiosk Technologies (Prof Services) \$1,500.00; **Non-Departmental:** One Office Solution (M & PR Expense) \$79.31; First Dakota National Bank (Mayfield Township Structure 68-1681-0504) \$74,480.00; BOKF, NA (Safety Center Building Debt Service) \$608,450.00; Satellite Tracking of People (Jail Tracking Monitors) \$471.25; Byron Nogelmeier (CAM Daily Fees) \$3,307.00; Byron Nogelmeier (State Participation Fees) \$289.00; South Dakota Department of Revenue (Motor Vehicle Fees) \$439,635.23; South Dakota Department of Revenue (Waste Fees) \$3,999.00; South Dakota Department of Revenue (ROD Fees) \$1,690.00; South Dakota Department of Revenue (HSC Services) \$5,604.36; South Dakota Department of Revenue (Redfield Services) \$120.00; South Dakota Department of Revenue (Predatory Animal) \$1,368.86; SDACO (M & PR Fund) \$584.00. General Fund \$141,367.78; Road & Bridge \$87,078.55; Emergency Management \$4,918.96. All present voted aye; motion carried, 5-0.

Action 24388C: A motion was made by Heine and seconded by Klimisch to approve the second set of claims: **Court:** Harmelink & Fox Law Office (Prof Services) \$9,229.73. Voting aye: Heine, Klimisch, Marquardt and Kettering. Fox abstained. Motion carried, 4-0.

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

Commissioner updates: There was discussion of You Tube and open meeting laws.

Action 24389C: A motion was made by Fox and seconded by Kettering to recess the regular session at 8:55 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13, personnel and contractual issues. All present voted aye; motion carried, 5-0.

Action 24390C: A motion was made by Klimisch and seconded by Kettering to adjourn executive session at 9:05 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 24391C: A motion was made by Fox and seconded by Heine to approve CW.MI.24-04-002 for \$500.00 and CW.MI.24.04.003 for \$500.00. All present voted aye; motion carried, 5-0.

Action 24392C: A motion was made by Fox and seconded by Heine to approve CW.BUR. 24.04.004 for \$1,250.00 and to pend \$650.00 for opening and closing of burial plot. All present voted aye; motion carried, 5-0.

Action 24393C: A motion was made by Fox and seconded by Kettering to pend CW.BUR. 23.04.001 for opening and closing of burial plot in the amount of \$426.00 and pend CW.Bur.24.02.004 for \$426.00 for opening and closing of burial plot. All present voted aye; motion carried, 5-0.

There was no action on personnel or contractual issues.

Action 24394C: A motion was made by Kettering and seconded by Klimisch to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, December 3, 2024 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem
Yankton County Auditor