

YANKTON COUNTY COMMISSION MEETING

July 5, 2023

The regular meeting of the Yankton County Commission was called to order by Vice-Chair Wanda Howey-Fox at 6:00 p.m. on Wednesday, July 5, 2023.

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

There were no conflicts of interest reported by Commissioners.

Action 23198C: A motion was made by Klimisch and seconded by Marquardt to approve the agenda with the following addition: item 4C introduce new Ambulance Director. All present voted aye; motion carried, 4-0.

There were no public comments. Vice-Chair Fox closed public comment.

Commissioner Marquardt introduced Eric Van Dusen as the new Yankton County Ambulance Administrator. Mr. Van Dusen thanked the commission for the opportunity and is looking forward to serving the people of Yankton County.

Maria Schwader from the State Department of Legislative Audit presented her findings of the 2020/2021 audit for Yankton County.

Action 23199C: A motion was made by Klimisch and seconded by Heine to approve the 2020/2021 Legislative Audit report and note that management chose not to respond to this finding. All present voted aye; motion carried, 4-0.

The board discussed Sundance Road and South Sundance Road District petitions presented by Todd Huber and Bob Currie. Individuals speaking on the petitions where: Todd Huber, Bob Currie, Wayne Nesje, Tim Wrage, Jim Schmitz, Adam Schilousky, Ron McCabe, Elaine Schmitz and Lisa Huber. The board asked the two parties if they could reach an agreement and form just one district. The approval for the Road District will be at the August 1, 2023 commission meeting.

Gary Vetter presented a policy to be placed in the county handbook to allow animals in the workplace. The board asked the States Attorney to review the document and submit at the next commission meeting.

A motion was made by Marquardt to approve the policy, but motion died for lack of second.

Rezone: There was a first reading on the request from Connie Bornitz to rezone six lots in a Rural Transition District to a Moderate Density Rural Residential District (R2). The second reading of the rezone request will be at the next commission meeting on July 18, 2022.

Margo Mehrman spoke on the rezone.

Action 23200C: A motion was made by Marquardt and seconded by Klimisch to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried, 4-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Kristen Kozak. Applicant request is for an illuminated sign less than 1500 feet from a dwelling in a Lakeside Commercial District. Applicant wishes to install an illuminated sign on a commercial building that is less than 1500 feet from a single family dwelling. Said property is legally described as Lot 25, Lewis and Clark Business Center, located in S16-T93N-R56W.

Kristen Kozak spoke on the CUP application.

Action 23201 Z: A motion was made by Heine and seconded by Klimisch to approve the Conditional Use Permit pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. All present voted aye; motion carried, 4-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Mike Mace. Applicant request is for a two family dwelling in a Moderate Density Residential District. Applicant wishes to construct a twin home on a moderate density residential lot. Said property is legally described as Lot 29, Crestview Homes Subdivision located in S21-T93N-R56W.

Mike Mace spoke on the CUP application. Also speaking were Chuck Mackey and Kevin Guthmiller.

Action 23202Z: A motion was made by Klimisch and seconded by Marquardt to approve the Conditional Use Permit pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Klimisch, Marquardt and Howey-Fox voting aye, and Heine voting nay; motion carried, 3-1.

Action 23203C: A motion was made by Klimisch and seconded by Heine to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 4-0.

Action 23204C: A motion was made by Marquardt and seconded by Klimisch to approve the June 20, 2023 Meeting minutes. All present voted aye; motion carried, 4-0.

Action 23205C: A motion was made by Klimisch and seconded by Heine to approve the following claims; **Elections:** Qualified Presort Services (Supplies) \$69.56; Verizon (Rentals) \$280.07; **Court:** Blackburn & Stevens, Prof. LLC (Prof Services) \$2,396.80; Patricia LaCroix (Neglected) \$150.00; Youngberg Law, Prof. LLC (Prof Services) \$4,827.70; Fox Law Firm, PLLC (Prof Services) \$2,650.00; Juror (Fees) \$814.26; Horn Law Office, LLC (Prof Services) \$13,250.00; Kennedy, Pier, Loftus, & Reynolds, PLLC (Prof Services) \$2,220.20; Dean Schaefer (Prof Services) \$1,044.00; **Auditor:** Qualified Presort Services (Supplies) \$122.44; **Treasurer:** Qualified Presort Services (Supplies) \$322.10; **Data:** Andersen Telecom, LLC (Prof Services) \$182.15; **States Attorney:** Deb Lillie (Diversion Expense) \$500.00; Riverside Technologies, Inc (Other) \$650.00; Sue Adams (Prof Services) \$650.07; Qualified Presort Services (Supplies) \$24.43; M.T. & R.C. Smith Insurance (Insurance) \$80.00; Verizon (Utilities) \$41.99; Andersen Telecom, LLC (Maintenance) \$300.00; **CLERP:** SDACC (2nd Quarter Allotment) \$1,675.00; **Government Center:** Bomgaars (Supplies) \$8.09; City of Yankton (Utilities) \$2,205.41; City of Yankton-Landfill (Other) \$186.90; Menards (Supplies) \$311.24; Northwestern Energy (Utilities) \$3,102.51; Olson's Pest Technicians (Maintenance) \$84.00; O'Connor Company (Maintenance) \$241.76; **Director of Equalization:** Greg Neugebauer (Travel) \$142.62; Zach Waiter (Travel) \$148.62; Holiday Inn City Centre (Travel) \$900.00; Michelle Goeken (Travel) \$117.00; Qualified Presort Service (Supplies) \$39.39; Andrew Wright (Travel) \$66.11; **Register of Deeds:** Qualified Presort Services (Supplies) \$41.73; **Veterans Service Office:** Qualified Presort Services (Supplies) \$8.80; Verizon (Utilities) \$41.99; Verizon (Rentals) \$40.01; **Safety Center Building:** City of Yankton (Utilities) \$846.08; Cole Papers, Inc. (Supplies) \$492.33; ECHO Group (Maintenance) \$157.80; Crescent Electric Supply (Maintenance) \$64.08; Justice Fire & Safety (Maintenance) \$251.00; Menards (Maintenance) \$11.98; Northwestern Energy (Utilities) \$8,691.33; O'Connor Company (Maintenance) \$1,351.21; **Sheriff:** NAPA Auto Parts of Yankton (Maintenance) \$9.18; INTEK Cleaning & Restoration (Maintenance) \$125.00; AT & T Mobility (Maintenance Contract) \$338.10; Guardian Alliance Technicians (Maintenance Contract) \$515.00; Qualified Presort Services (Maintenance Contract) \$300.44; Andersen Telecom, LLC (Computer Services) \$750.00; **County Jail:** Avera Heath dba Avera Education Staffing Solutions (Prof Services) \$400.00; Boller Printing Co. (Supplies) \$144.00; ICS Jail Supplies, Inc. (Supplies) \$282.94; Trinity Services Group (Food Service) \$15,319.00; EZ Duz It Laundry (Uniforms) \$63.50; AT & T Mobility (Maintenance Contract) \$163.79; Jacks Uniforms & Equipment (Uniforms) \$46.99; Olson's Pest Technicians (Maintenance) \$115.00; Yankton Medical Clinic (Prof Services) \$654.59; **Coroner:** Dakota Embalming & Transport Service, Inc. (Prof Services) \$325.00; Mark Nickles (Travel) \$14.00; **Care of Poor:** Opsahl-Kostel Funeral Home (Prof Services) \$1,250.00; Qualified Presort Services (Supplies) \$92.86; **Public Health Nurse:** Qualified Presort Services (Supplies) \$26.19; **Ambulance:** A-OX Welding Supply Co. (Supplies) \$130.14; Avera Sacred Heart Hospital (Supplies) \$279.01; Sacred Heart Health Services (Prof Services) \$1,500.00; Arrow Manufacturing (Maintenance) \$1,050.00; Bomgaars (Supplies) \$74.95; BNSF Railway Company (Rentals) \$1,947.47; Stryker Sales Corporation (Maintenance) \$5,480.67; City of Yankton (Utilities) \$197.59; Quick Med Claims (Prof Services) \$4,935.17; Ace Towing, Inc. (Prof Services) \$532.50; Menards (Supplies) \$61.68; MidAmerican Energy (Utilities) \$25.08; Northtown Automotive (Maintenance) \$288.24; Overhead Door Company (Maintenance) \$763.49; M.T. & R.C. Smith Insurance

(Insurance) \$65.00; Verizon (Utilities) \$570.81; Yankton Daily Press & Dakotan (Supplies) \$133.09; **Mentally Handicapped:** Avera McKennan Hospital (Prof Services) \$3,160.00; Avera Sacred Heart Hospital (Prof Services) \$1,500.00; **Mental Illness Board:** Blackburn & Stevens, Prof. LLC (Hearings) \$149.80; Darcy Lockwood (Hearings) \$79.50; Val Larson (Hearings) \$79.50; Dan Fox (Hearings) \$701.00; Lincoln County Treasurer (Hearings) \$1,911.18; Lucy Lewno (Hearings) \$603.95; Minnehaha County Auditor's Office (Hearings) \$355.20; **County Extension:** FP Mailing Solutions (Supplies) \$74.85; City of Yankton (Utilities) \$79.69; Hy-Vee (4H/Other) \$40.61; MidAmerican Energy (Utilities) \$9.86; **Weed:** Verizon (Utilities) \$24.79; VanDiest Supply Co. (Chemicals) \$3,351.00; **Planning and Zoning:** Pheasantland Industries (E911 Signs) \$64.17; Verizon (Utilities) \$41.99; LEAF (Rentals) \$104.86; Andersen Telecom, LLC (Prof Services) \$50.00; **Highway:** Appera (Supplies) \$152.69; Vermillion Landfill (Utilities) \$246.75; Bomgaars (Supplies) \$175.55; Building Sprinkler, Inc. (Prof Services) \$395.00; Butler Machinery Co. (Maintenance) \$71,000.00; City of Yankton (Utilities) \$657.93; NAPA Auto Parts of Yankton (Supplies) \$669.69; Knife River-South Dakota (Supplies) \$9,094.50; Knife River-South Dakota (Annual Projects) \$17,411.56; Handel Repair (Maintenance) \$210.72; The Fox Stop (Highway Fuel) \$400.00; CM Tools, LLC (Supplies) \$534.95; I State Truck Center (Maintenance) \$223.44; Jebro, Inc. (Annual Projects) \$38,648.74; Lyle Signs, Inc. (Supplies) \$101.02; Longs Propane, Inc. (Supplies) \$61.20; LEAF (Supplies) \$125.30; Power Source Electric (Maintenance) \$520.00; TrueNorth Steel (Bridges) \$37,677.78; Verizon (Utilities) \$60.05; Wieman Construction, LLC (Bridges) \$740.85; Southeastern Electric (Utilities) \$35.08; Northwestern Energy (Utilities) \$786.50; B-Y Electric (Utilities) \$68.83; DirecTv (Utilities) \$95.99; **E911:** Clarity Telecom, LLC (Utilities) \$1,100.36; **Emergency Management:** MacQueen Emergency (Maintenance) \$370.00; Bomgaars (Supplies) \$157.76; Emergency Services Marketing Corp., Inc. (Prof Services) \$183.35; AGAP LLC dba Power Source Electric (Maintenance) \$421.74; Floor Tec. (Maintenance) \$145.36; Hansen Locksmithing, Inc. (Maintenance) \$135.00; Midcontinent Communications (Utilities) \$172.89; Midwest Card & ID Solutions (POD Expense) \$215.00; MidAmerican Energy (Utilities) \$9.25; Verizon (Utilities) \$929.56; Andersen Telecom, LLC (Maintenance) \$325.00. General Fund \$103,155.07; Road & Bridge \$180,094.12; Emergency Management \$3,064.91. All present voted aye; motion carried, 4-0.

Action 23206C: A motion was made by Klimisch and seconded by Heine to approve the June 2023 Gross Payroll: **Commissioners:** \$6,104.70; **Court:** \$0.00; **Election:** \$0.00; **Auditor:** \$16,984.47; **Treasurer:** \$20,520.32; **States Attorney:** \$35,469.40; **Government Buildings:** \$5,523.72; **Director of Equalization:** \$19,696.71; **Register of Deeds:** \$16,821.34; **Veterans Service:** \$3,560.34; **Courthouse & Safety Center:** \$9,969.14; **Sheriff:** \$63,204.80; **County Jail:** \$85,445.21; **Coroner:** \$950.00; **Juvenile:** \$283.33; **Nurse:** \$2,791.63; **Ambulance:** \$57,297.67; **WIC:** \$1,465.47; **Extension:** \$8,187.09; **Soil Conservation:** \$2,898.83; **Weed:** \$8,643.20; **Planning & Zoning:** \$11,613.92; **Road & Bridge:** \$67,571.50; **OEM:** \$11,323.24; **24-7 Program:** \$1,413.72. First Dakota National Bank \$33,065.18 (Withholding), First Dakota National Bank \$54,545.36 (FICA) First Dakota National Bank \$12,756.58 (Medicare), South Dakota Retirement System \$35,210.30 (Other Employees), South Dakota Retirement System \$20,342.04 (Sheriff), South

Dakota Retirement System (Spouse Opt) \$184.28, South Dakota Retirement System (Supplemental) \$3,815.00, American Family Life Assurance Company (AFLAC) \$4,554.92, Legalshield \$25.90, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$783.96, Medica Health Insurance \$61,962.49, Optilegra \$284.42, Delta Dental \$2,278.40, VSP Vision \$604.99, HealthEquity \$3,795.37. Gross Payroll \$457,793.75, Net Payroll \$339,819.74. All present voted aye; motion carried, 4-0.

Action 23207Amb: A motion was made by Klimisch and seconded by Heine to transfer \$93,000.00 assigned dollars to the Ambulance Department for an ambulance remount. All present voted aye; motion carried, 4-0.

Action 23208C: A motion was made by Klimisch and seconded by Marquardt to abate taxes on parcel 31.100.002.140 at 500 Merchant St., Gayville, SD, in the amount of \$17,787.32. All present voted aye; motion carried, 4-0.

There were no public comment. Vice-Chair Fox closed public comments.

Commissioner updates: County funding study, 8-Co meeting in Beresford, change in ambulance billing service, and visit with a judge about juvenile detention.

Action 23209C: A motion was made by Klimisch and seconded by Heine to recess the regular session at 8:05 p.m. and convene in executive session to discuss litigation issues related to SDCL 1-25-2(3). All present voted aye; motion carried, 4-0.

Action 23210C: A motion was made by Klimisch and seconded by Heine to adjourn the executive session at 8:45 p.m. and reconvene in regular session. All present voted aye; motion carried, 4-0.

Action 23211C: A motion was made by Fox and seconded by to approve comp time to eight employees plus one recent retiree in the amount of \$42,430.64, which is accumulated comp time difference for 1½ hour that has been accrued over three years. All present voted aye; motion carried, 4-0.

Action 23212C: A motion was made by Klimisch and seconded by Heine to adjourn. All present voted aye; motion carried, 4-0.

The next regular meeting will be Tuesday, July 18, 2023 at 6:00 p.m.

Wanda Howey-Fox, Vice-Chair
Yankton County Commission

ATTEST:

Patty Hojem, County Auditor
Yankton County