

## YANKTON COUNTY COMMISSION MEETING

June 20, 2023

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 6:00 p.m. on Tuesday, June 20, 2023.

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

There were no conflicts of interest reported by Commissioners.

**Action 23179C:** A motion was made by Fox and seconded by Klimisch to approve the agenda. All present voted aye; motion carried, 5-0.

There were two public comments: Scott Bormann and Bob Currie. Commissioner Kettering closed public comment.

**Action 23180C:** A motion was made by Klimisch and seconded by Fox to approve a resolution to declare June 25 as Diane Reese Day. All present voted aye; motion carried, 5-0.

Michael Barkl appeared before the Commission for a hearing on his medical cannabis license for Cultivation to be located at 29710 US Highway 81, Irene, SD.

**Action 23181C:** A motion was made by Fox seconded by Heine to approve the application for Cultivation. All present voted aye; motion carried, 5-0.

Highway Superintendent Mike Sedlacek appeared before the Board to discuss the NW Jim River Road washout.

**Action 23182C:** A motion was made by Kettering and seconded by Fox to approve Highway Superintendent to request bids for repairing the NW Jim River Road. All present voted aye; motion carried, 5-0.

**Action 23183Z:** A motion was made by Klimisch and seconded by Fox to adopt the following resolution: Whereas it appears Curt Olivier, owner of record, has caused a plat to be made of the following real property: Lot 11 of Block 6, Law Overlook Subdivision, SE1/4 of Section 7, and NE1/4 of Section 18, 93N-56W, 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 23184Z:** A motion was made by Fox and seconded by Klimisch to adopt the following resolution: Whereas it appears Curt Olivier, owner of record, has caused a replat to be made of the following real property: Lot 16 of Block 3, Law Overlook Subdivision, NE1/4 of Section 18, 93N-56W, hereafter to be known as Lot 16A of Block 3, 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 23185Z:** A motion was made by Fox and seconded by Heine to adopt the following resolution: Whereas it appears Kolberg Revocable Trust, owner of record, has caused a plat to be made of the following real property: Tracts 1 and 2, Kolberg's Addn, E1/2, W1/4, SE1/4 of Section 5, of Section 5, 93N-54W, 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 23186Z:** A motion was made by Klimisch and seconded by Marquardt to adopt the following resolution: Whereas it appears LL Cwach, LLC, owner of record, has caused a plat to be made of the following real property: Tract 1, L&L Cwach Addn, SE1/4, NE1/4 of Section 30, 94N-56W, 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 23187Z:** A motion was made by Fox and seconded by Klimisch to adopt the following resolution: Whereas it appears DLK & M, LLC, owner of record, has caused a plat to be made of the following real property: Tract 1, Kronaizl Addn, NW1/4 of Section 1, 93N-57W, 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 23188Z:** A motion was made by Klimisch and seconded by Marquardt to adopt the following resolution: Whereas it appears Bob Law, Inc, owner of record, has caused a plat to be made of the following real property: Tracts 2,3,4, Law Addn, N1/2, SE1/4 of Section 2, 93N-56W, 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 23189C:** A motion was made by Fox and seconded by Klimisch to approve the June 6 and 9, 2023 Meeting minutes with the correction of June 9 **Action 23178C** to say: A motion was made by Heine and seconded by Marquardt to adjourn. All present voted aye; motion carried, 5-0.

**Action 23190C:** A motion was made by Klimisch and seconded by Marquardt to approve the following claims; **Commissioners:** Clarity Telecom, LLC (Utilities) \$50.50; EMC Insurance Companies (Prof Services) \$25,000.00; Yankton Daily Press & Dakotan (Publishing) \$681.28; **Elections:** Qualified Presort Services (Supplies) \$51.23; **Court:** Avera Sacred Heart Hospital (Lab) \$2,001.00; Blackburn & Stevens Prof. LLC (Prof Services) \$4,470.40; Certified Languages International (Prof Services) \$303.60; Patricia LaCroix (Neglected) \$450.00; Juror (Fees) \$570.38; Clovia Dee (Prof Services) \$1,530.00; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$2,993.85; Department of Health (Lab) \$365.00; Dean Schaefer (Prof Services) \$715.00; Thomson Reuters-West (Supplies) \$1,040.42; **Auditor:** Andersen Telecom, LLC (Prof Services) \$50.00; Clarity Telecom, LLC (Utilities) \$121.19; LEAF (Rentals) \$24.83; Qualified Presort Services (Supplies) \$170.91; Security Shredding Services (Maintenance) \$70.00; Thomson Reuters-West (Supplies) \$172.11; **Treasurer:** Clarity Telecom, LLC (Utilities) \$197.36; Qualified Presort Services (Supplies) \$364.74; Security Shredding Services (Maintenance) \$35.00; **Data:** Andersen Telecom, LLC (Prof Services) \$374.49; Clarity Telecom, LLC (Utilities) \$718.82; First Bankcard (Maintenance) \$45.16; Pictometry International (Maintenance) \$22,360.00; **States Attorney:** Andersen Telecom, LLC (Maintenance) \$300.00; Century Business Products (Rentals) \$200.97; Century Business Products (Maintenance) \$250.08; Culligan (Supplies) \$38.96; Tyler Larsen (Travel) \$26.52; Qualified Presort Services (Supplies) \$98.64; Staples Credit Plan (Supplies) \$380.89; Thomson Reuters-West (Supplies) \$201.58; **Government Center:** Kopetsky's Ace Hardware (Maintenance) \$16.31; Clarity Telecom, LLC (Utilities) \$25.25; TruGreen (Maintenance) \$119.09; JCL Solutions (Supplies) \$563.96; Menards (Supplies) \$146.92; MidAmerican Energy (Utilities) \$359.71; **Director of Equalization:** Clarity Telecom, LLC (Utilities) \$193.50; Microfilm Imaging Systems (Maintenance) \$120.00; Yankton County Observer (Publishing) \$197.81; Qualified Presort Services (Supplies) \$19.32; Security Shredding Services (Maintenance) \$35.00; **Register of Deeds:** Clarity Telecom, LLC (Utilities) \$172.15; Executive Management Finance (Supplies) \$46.50; Qualified Presort Services (Supplies) \$46.12; **Veterans Service Office:** Andersen Telecom, LLC (Maintenance) \$100.00; Clarity Telecom, LLC (Utilities) \$25.25; LEAF (Rentals) \$58.60; Qualified Presort Services (Supplies) \$11.22; **Safety Center Building:** Clarity Telecom, LLC (Utilities) \$802.48; City of Yankton (Dumpster Fees) \$152.00; ECHO Group (Maintenance) \$23.10; TruGreen (Maintenance) \$94.14; Johnson Controls, Inc. (Maintenance) \$296.21; Mead Lumber (Maintenance) \$120.40; Menards (Maintenance) \$74.49; Menards (Supplies)

\$150.62; **Sheriff:** Andersen Telecom, LLC (Computer Services) \$250.00; Hanson Briggs Specialty Advertising, Inc. (Supplies) \$128.50; Greg Jensen (Travel) \$14.00; City of Yankton (Fuel) \$2,329.40; NAPA Auto Parts of Yankton (Maintenance) \$43.98; Culligan (Supplies) \$49.96; Rod Pieper (Travel) \$6.04; Guardian Alliance Technologies (Maintenance Contract) \$125.00; Tim Walburg (Travel) \$368.00; FedEx (Prof Services) \$16.93; Jack's Uniforms & Equipment (Uniforms) \$64.95; Northtown Automotive (Maintenance) \$382.20; Qualified Presort Services (Maintenance Contract) \$152.63; M.T. & R.C. Smith Insurance (Prof Services) \$80.00; South Dakota Sheriff's Association (Maintenance Contract) \$880.00; One Office Solution (Maintenance Contract) \$47.55; One Office Solution (Supplies) \$880.25; Yankton Medical Clinic (Prof Services) \$80.00; Broadway Chrysler Jeep Dodge Ram (Auto Equipment) \$40,003.00; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$29,033.15; Scott Family Dentistry, Inc. (Prof Services) \$147.00; Outdoor-Fit Exercise System (Supplies) \$198.50; Jerry Sorbel (Prof Services) \$520.00; Culligan (Maintenance) \$81.94; Trinity Services Group, Inc. (Food Services) \$4,900.46; EZ Duz It Laundry (Maintenance) \$195.00; Avera Medical Group Hospital (Prof Services) \$681.93; Avera Medical Group Radiology (Prof Services) \$10.48; Avera Medical Group Family Medicine (Prof Services) \$71.99; Avera Sacred Heart Hospital (Prof Services) \$186.07; Avera Medical Group Endocrinology (Prof Services) \$234.90; Horizon Health Care, Inc. (Prof Services) \$435.83; Olson's Pest Technicians (Maintenance) \$170.00; Phoenix Supply (Supplies) \$138.70; Correctional Risk Services (Inmate Insurance) \$2,768.30; Siouxland Oral & Maxillofacial Surgery (Prof Services) \$2,326.14; Yankton Rexall Drug Co. (Prof Services) \$2,571.92; Yankton Medical Clinic (Prof Services) \$163.16; Yankton Anesthesiology (Prof Services) \$19.43; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$15,571.92; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$35.87; First Bankcard (Supplies) \$16.97; **Care of Poor:** Andersen Telecom LLC (Prof Services) \$150.00; Qualified Presort Services (Supplies) \$75.55; **Public Health Nurse:** Clarity Telecom, LLC (Utilities) \$202.28; TIAA, FSB (Rentals) \$58.67; Qualified Presort Services (Supplies) \$16.46; **Ambulance:** Kopetsky's Ace Hardware (Supplies) \$26.79; Arrow Manufacturing (Supplies) \$214.98; Clarity Telecom, LLC (Utilities) \$259.10; The UPS Store (Supplies) \$20.89; Bound Tree Medical, LLC (Supplies) \$6,275.86; City of Yankton (Supplies) \$1,207.96; Cintas (Maintenance) \$156.94; Amazon Capital Services (Supplies) \$97.39; First Bankcard (Supplies) \$1,174.75; First Bankcard (Prof Services) \$25.00; Sturdevant's Auto Parts (Supplies) \$155.96; Investigative Services (Prof Services) \$168.00; LEAF (Rentals) \$129.93; Olson's Pest Technicians (Maintenance) \$119.00; One Office Solution (Maintenance) \$29.73; One Office Solution (Supplies) \$68.99; Yankton Janitorial Supplies (Supplies) \$179.00; **Mentally Handicapped:** SD Achieve dba Lifescape (Misc.) \$120.00; **Mental Illness Board:** Darcy Lockwood (Hearings) \$57.00; Gary Mikelson (Hearings) \$2,214.00; Val Larson (Hearings) \$57.00; Dan Fox (Hearings) \$466.75; Lewis & Clark Behavioral Health Services (Hearings) \$184.00; Luci Lewno (Hearings) \$506.60; **Historical Sites:** Yankton County Historical Society (Misc.) \$8,000.00; **County Extension:** Kopetsky's Ace Hardware (Supplies) \$59.48; Clarity Telecom, LLC (Utilities) \$375.74; Northwestern Energy (Utilities) \$196.12; Olson's Pest Technicians (Maintenance) \$150.00; One Office Solution (Supplies) \$387.82; Yankton County Leaders Association (4-H/Other) \$1,502.99; **Weed:** AgTerra Technologies (Maintenance) \$60.00; C & R Supply, Inc. (Maintenance) \$1,784.36; First Bankcard (Maintenance) \$371.11;

Graham Tire-Yankton (Maintenance) \$418.35; Yankton County Observer (Publishing) \$96.00; One Office Solution (Supplies) \$16.73; Yankton Daily Press and Dakotan (Publishing) \$275.25; **Planning and Zoning:** Clarity Telecom, LLC (Utilities) \$50.50; Klass Law Firm, LLP (Prof Services) \$220.00; First Bankcard (Supplies) \$23.50; Microfilm Imaging Systems (Maintenance) \$140.00; Pheasantland Industries (E911 Signs) \$51.05; Qualified Presort Services (Supplies) \$19.19; Yankton Daily Press & Dakotan (Publishing) \$66.21; **Highway:** Appeara (Supplies) \$152.97; Bomgaars (Supplies) \$95.04; B-Y Water District (Utilities) \$108.00; Butler Machinery Co. (Supplies) \$269.82; Clarity Telecom, LLC (Utilities) \$141.02; Presto-X (Maintenance) \$133.34; NAPA Auto Parts of Yankton (Maintenance) \$19.94; NAPA Auto Parts of Yankton (Supplies) \$816.58; Knife River-South Dakota (Asphalt Roads) \$5,312.22; CenturyLink (Utilities) \$64.05; Loiseau Construction (Annual Projects) \$27,177.92; CHS, Inc. (Fuel) \$3,901.80; D-P Tools (Supplies) \$81.95; CM Tools, LLC (Supplies) \$140.00; First Bankcard (Maintenance) \$1,171.11; First Bankcard (Supplies) \$178.95; Fastenal Industrial & Construction Supply (Supplies) \$206.97; Janssen's Garbage Service (Utilities) \$50.00; Kellen & Streit, Inc. (Annual Projects) \$2,153.48; Kimball Midwest (Supplies) \$803.70; Lyle Signs, Inc. (Supplies) \$2,526.53; Locators & Supplies, Inc. (Supplies) \$167.76; Menards (Supplies) \$66.77; MidAmerican Energy (Utilities) \$32.53; Power Source Electric (Utilities) \$2,039.13; Riverside Hydraulics & Labs (Supplies) \$54.24; Slowey Construction, Inc. (Annual Projects) \$1,960.25; Truck Trailer Sales Service (Maintenance) \$88.50; Truck Trailer Sales Service (Supplies) \$108.75; One Office Solution (Supplies) \$16.73; Yankton Janitorial Supply (Supplies) \$128.00; Yankton Redi Mix (Supplies) \$435.00; **E911:** Clarity Telecom, LLC (Utilities) \$114.25; Golden West Telecommunications (Utilities) \$147.21; CenturyLink (Utilities) \$169.30; Clarity Telecom, LLC (Utilities) \$65.98; **Emergency Management:** Boston Shoes to Boots (Supplies) \$47.64; NAPA Auto Parts of Yankton (Supplies) \$218.71; First Bankcard (Supplies) \$808.39; First Bankcard (Prof Services) \$266.09; First Bankcard (Travel) \$576.65; LEAF (Rentals) \$268.38; Menards (Supplies) \$399.36; M.T. & R.C. Smith Insurance (Insurance) \$74.00; Tabor Lumber Coop. (Supplies) \$347.22; One Office Solution (Supplies) \$79.40; Great America Financial (Rentals) \$195.17; **County Buildings:** Culligan (Misc.) \$219.00; **24/7 Program:** PharmChem (Supplies) \$5,500.71; **Non-Departmental:** Satellite Tracking of People (Tracking Monitors) \$195.00; Byron Nogelmeier (CAM Daily Fee) \$3,083.00; Byron Nogelmeier (State Participation Fee) \$212.00; SD Department of Revenue (Motor Vehicle Fees) \$572,335.29; SD Department of Revenue (Waste Fee) \$7,926.75; SD Department of Revenue (ROD Fees) \$1,670.00; SD Department of Revenue (Services-HSC) \$1,211.63; SD Department of Revenue (Services-Redfield) \$180.00; SD Department of Revenue (Predatory Animal) \$1,368.86. General Fund \$751,229.50; Road & Bridge \$50,603.05; Emergency Management \$3,281.01. All present voted aye; motion carried, 5-0.

**Action 23191C:** A motion was made by Klimisch and seconded by Heine to approve the following claims: **Court:** Harmelink & Fox (Prof Services) \$1,079.88. Voting Aye: Klimisch, Heine, Kettering, and Marquardt, Fox abstained; motion carried, 4-0.

**Action 23192AUD:** A motion was made by Fox and seconded by Klimisch to approve the Auditor's Monthly Settlement with the Treasurer as of May 31, 2023, showing Total Cash of

\$17,532,900.13. The General Fund was \$12,575,062.85; Special Funds were \$1,818,415.25; and Trust and Agency Funds were \$3,139,422.03 adding to a Grand Total of General Ledger Cash and Investments of \$17,532,900.13. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

**Action 23193AUD:** A motion was made by Klimisch and seconded by Marquardt to approve the Pooled Cash Report as of May 31, 2023, showing Total Cash in Bank of \$17,532,900.13. All present voted aye; motion carried, 5-0.

Ambulance Assigned Dollars to Unassigned has been postponed until July 5 meeting.

There were three public comments: Laura Kotalik, Chris Patton, Dan Schenkel. Commissioner Kettering closed public comments.

**Action 23194C:** A motion was made by Marquardt and seconded by Fox to recess the regular session at 7:00 p.m. and convene in executive session to discuss litigation issues related to SDCL 1-25-2(3). All present voted aye; motion carried, 5-0.

**Action 23195C:** A motion was made by Fox and seconded by Klimisch to adjourn the executive session at 7:15 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Action 23196C:** A motion was made by Fox and seconded by Heine to approve file #'s CW.MI.23-01.006, CW.MI.23-02.002, CW.MI.23-02.004, CW.MI.23-02.005, CW.MI.23-02.006, CW.MI.23-02.007, and CW.MI.23-02.008 for a total amount of \$4,660.00. All present voted aye; motion carried, 5-0.

**Action 23197C:** A motion was made by Marquardt and seconded by Fox to adjourn. All present voted aye; motion carried, 5-0.

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

**Don Kettering**, Chairman  
Yankton County Commission

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