

YANKTON COUNTY COMMISSION MEETING

May 7, 2024

The regular meeting of the Yankton County Commission was called to order by John Marquardt at 6:00 p.m. on Tuesday, May 7, 2024.

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

Commissioner Fox will abstain from voting on the second set of claims and Commissioner Heine will abstain from voting on item 16, malt beverage license renewals.

There were no conflicts from the rest of the board.

Action 24138C: A motion was made by Klimisch and seconded by Kettering to approve the meeting agenda with one addition: add personnel to executive session. All present voted aye; motion carried, 5-0.

There was one public comment from Allen Ward. Chairman Marquardt closed public comment.

Steven Luke, Yankton County Jail Administrator, presented the department's 2024 first quarter report.

Action 24139C: A motion was made by Fox and seconded by Heine to accept the Sheriff's office 2024 first quarter report. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Katy Doty, Yankton County 4-H Youth Program Advisor, presented the first quarter report for 2024.

Action 24140C: A motion was made by Klimisch and seconded by Fox to approve the first quarter report for 2024 from the Extension Office. All present voted aye; motion carried, 5-0.

Roy Nielsen III appeared before the Commission (via phone) for a hearing on his license application for a medical cannabis product manufacturing facility to be located at 4200 W 8th St., Yankton, SD.

There was no public comment.

Action 24141C: A motion was made by Fox and seconded by Heine to approve the license application from Roy Nielsen III for a medical cannabis product manufacturing facility. All present voted aye; motion carried, 5-0.

There was no action on Item 8.

Dusty Sperlich, Director from IT Outlet, gave a brief explanation of who they are and the services they can provide to Yankton County. No action was taken.

Rezone: There was a first reading on the request from Tom Brady to rezone three parcels that are Dual Zoned in a Low Density Rural Residential District (LC) and Rural Transitional District (RT) to a Low Density Rural Residential District (LD). The second reading of the rezone request will be at the next commission meeting on May 21, 2024.

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

Rezone: There was a first reading on the request from Ryan List to rezone a lot in a Low Density Rural Residential District (R1) to a Moderate Density Rural Residential District (R2). The second reading of the rezone request will be at the next commission meeting on May 21 2024.

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

Action 24142C: A motion was made by Fox and seconded by Klimisch to recess the regular session and convene as Yankton County Ditch Board. All present voted aye; motion carried, 5-0.

Chris Nelsen, representing Don Johnson (a tax district landowner), requested the board approve emergency work to be done on the Yankton-Clay Ditch. Mr Nelsen said there was a bid let out to clean portions of the ditch which was completed last fall. But work needs to be done on parts of the ditch closer to Gayville. There is still some blockage with beaver dam and cattails impeding the water flow. Mr. Nelsen did talk to Feimer Construction and said the work should not cost more than \$10,000.00.

Action 24143C: A motion was made by Fox and seconded by Klimisch to approve the ditch cleaning not to exceed \$10,000.00. All present voted aye; motion carried, 5-0.

Action 24144C: A motion was made by Fox and seconded by Klimisch to adjourn as Ditch Board and reconvene in regular session. All present voted aye; motion carried, 5-0.

Ambulance Director Eric Van Dusen discussed the final draft of the AP Triton study which analyzed the county's ambulance and EMS service. City Manager Amy Leon also commented on the study results with some of the city commissioners in attendance. It was the consensus of the city officials to have a joint committee study the findings in moving forward.

Action 24145C: A motion was made by Kettering and seconded by Klimisch to approve the April 9, 2024 Consolidated Board of Equalization minutes. All present voted aye; motion carried, 5-0.

Action 24146C: A motion was made by Fox and seconded by Heine to approve the April 16, 2024 regular meeting minutes. All present voted aye; motion carried, 5-0.

Action 24147AUD: A motion was made by Fox and seconded by Klimisch to approve the following Malt Beverage License Renewal applications: Riverside Roadhouse, Captain Norm's, The Cottonwood, Pump N Stuff – Riverside Acres, Double T Truck Stop LLC, Mayfield Bar & Grill, Joe's Substation, Gerstner Oil Co., TJ's Mini Mart, Marina Grill, Lewis & Clark Marina, Lewis & Clark Meat Lodge, LLC, Kozy's Bar, Pioneer Spirit, LLC, Lewis & Clark Resort, 6th Meridian, LLC, Mazing Acres Pumpkin Patch, Fire and Ice and Max. Voting aye: Fox, Klimisch, Kettering and Marquardt; Heine abstained; motion carried, 4-0.

Action 24148AUD: A motion was made by Fox and seconded by Heine to approve the claims: **Commissioners:** Alternative HR, LLC (Prof Services) \$8,337.50; AP Triton, LLC (Prof Services) \$2,441.00; Doug Sall (Other) \$310.74; Yankton County Observer (Publishing) \$345.34; Qualified Presort Services (Supplies) \$34.40; **Elections:** Election Systems & Software (Prof Services) \$2,180.70; Election Systems & Software (Supplies) \$1,827.06; Qualified Presort Services (Supplies) \$244.09; Verizon (Rentals) \$280.07; One Office Solution (Supplies) \$319.06; **Court:** Certified Languages International (Prof Services) \$186.45; Kent E. Lehr Law Office (Prof Services) \$2,047.10; Patricia LaCroix (Minor) \$300.00; Den Herder Law Office (Minor) \$897.00; Youngberg Law, Prof. LLC (Prof Services) \$2,650.00; Youngberg Law, Prof. LLC (Pro Services) \$705.60; Grand Jury (Fees) \$1,026.48; Horn Law Office, LLC (Prof Services) \$13,250.00; Kennedy Pier Loftus & Reynolds, LLP (Minor) \$714.60; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$172.50; LaCroix Law Office (Neglected) \$3,063.50; Dean Schaefer (Prof Services) \$476.00; **Auditor:** Andersen Telecom, LLC (Prof Services) \$175.00; Qualified Presort Services (Supplies) \$393.15; SDACO (Travel) \$100.00; The Trophy Place (Supplies) \$35.95; One Office Solution (Maintenance) \$259.14; One Office Solution (Supplies) \$467.72; **Treasurer:** Andersen Telecom, LLC (Maintenance) \$250.00; Qualified Presort Services (Supplies) \$435.36; **Data:** Andersen Telecom, LLC (Prof Services) \$1,390.31; **States Attorney:** Andersen Telecom, LLC (Maintenance) \$550.00; Century Business Products (Supplies) \$101.44; Deb Lillie (Travel) \$148.00; Tyler Larsen (Travel) \$564.16; Verizon (Utilities) \$85.46; One Office Solution (Supplies) \$232.65; **Government Center:** Kopetsky's Ace Hardware (Supplies) \$80.94; Kopetsky's Ace Hardware (Maintenance) \$127.93; Bomgaars (Minor Equipment) \$182.24; City of Yankton (Utilities) \$2,148.93; JCL Solutions (Supplies) \$276.55; Menards (Supplies) \$182.81; Menards (Maintenance) \$229.20; Northwestern Energy (Utilities) \$2,591.37; Olson's Pest Technicians (Maintenance) \$84.00; **Director of Equalization:** Andersen Telecom, LLC (Maintenance) \$50.00; SDAAO (Travel) \$940.00; Qualified Presort Services (Supplies) \$401.70; One Office Solution (Maintenance) \$148.15; **Register of Deeds:** Executive Management Finance (Supplies) \$63.00; Qualified Presort Services (Supplies) \$106.79; **Veterans Service Office:** Andersen Telecom, LLC (Maintenance) \$50.00; Robert Stickney (Travel) \$194.65; Verizon (Utilities) \$43.36; Verizon (Rentals) \$40.01; One Office Solution (Maintenance) \$8.64; One Office Solution (Supplies) \$88.71; **Safety Center Building:** Kopetsky's Ace Hardware (Maintenance) \$63.28; Kopetsky's Ace Hardware (Supplies) \$26.52; Bomgaars (Minor Equipment) \$182.24; Bomgaars (Maintenance) \$27.45; City of Yankton (Utilities) \$678.48; Crescent Electric Supply (Maintenance) \$122.43; Johnson Controls, Inc. (Maintenance) \$372.95; Midcontinent Communications (Utilities) \$918.86; Menards (Supplies) \$493.28; Menards (Maintenance) \$146.64;

MidAmerican Energy (Utilities) \$1,744.50; Northwestern Energy (Utilities) \$6,891.89; United Laboratories, Inc. (Supplies) \$1,228.67; **Sheriff:** Andersen Telecom, LLC (Computer Services) \$100.00; Hanson Briggs Specialty Advertising, Inc. (Supplies) \$189.87; Cardmember Services (Supplies) \$352.84; Cardmember Services (Fuel) \$155.79; Cardmember Services (Travel) \$81.00; Cardmember Services (Uniforms) \$159.24; Cardmember Services (Auto Equipment) \$474.32; Cardmember Services (Other) \$464.47; Cardmember Services (Minor Equipment) \$1,162.05; Cardmember Services (Ammunition) \$405.80; The Collision Center (Maintenance) \$1,051.80; Les Drake (Travel) \$68.00; Preston Crissey (Travel) \$68.00; AT & T Mobility (Maintenance Contract) \$768.97; GR-Emergency Vehicle Outfitters (Auto Equipment) \$6,926.00; Steven Luke (Travel) \$68.00; FedEx (Maintenance Contract) \$224.55; Qualified Presort Services (Maintenance Contract) \$263.16; Lewis & Clark Ford Lincoln (Maintenance) \$99.00; TriTech Software Systems (Maintenance Contract) \$89.58; Tire Muffler Alignment (Maintenance) \$68.85; The Lodge at Deadwood (Travel) \$255.00; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$3,200.38; Andersen Telecom, LLC (Security Maintenance) \$150.00; Bob Barker Company, Inc. (Supplies) \$984.96; Scott Family Dentistry (Prof Services) \$580.00; AARMS (Prof Services) \$175.00; Culligan (Supplies) \$96.52; Cardmember Services (Minor Equipment) \$150.69; Cardmember Services (Supplies) \$306.90; Diamond Drugs (Prof Services) \$6,531.10; McKesson Medical-Surgical Supplies (Prof Services) \$117.76; Trinity Services Group (Food Services) \$20,255.13; EX Duz It Laundry (Prof Services) \$30.00; AT & T Mobility (Maintenance Contract) \$165.01; Avera Medical Group-Radiology (Prof Services) \$137.63; Avera Medical Group-Endocrinology (Prof Services) \$247.14; NCIC Inmate Communications (Supplies) \$838.36; Whitney Delforge (Prof Services) \$1,862.50; Hy-Vee (Prof Services) \$140.80; JCL Solutions (Supplies) \$2,431.24; Olson's Pest Technicians (Maintenance) \$155.00; Yankton Daily Press & Dakotan (Publishing) \$100.00; Yankton Medical Clinic (Prof Services) \$478.85; Yankton Anesthesiology (Prof Services) \$224.40; **Yankton Area Search & Rescue:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$550.36; Dakota Battery, LLC (Maintenance) \$343.90; **Airport:** City of Yankton (1st Allotment) \$5,000.00; **Poor Relief:** Qualified Presort Services (Supplies) \$156.26; **Catastrophic Relief Program:** SDACC (2nd Allotment) \$1,673.00; **Public Health Nurse:** Qualified Presort Services (Supplies) \$51.20; **Ambulance:** A-OX Welding Supply Co. (Supplies) \$336.29; Kopetsky's Ace Hardware (Maintenance) \$191.98; Sacred Heart Health Services (Prof Services) \$1,500.00; Andersen Telecom, LLC (Maintenance) \$50.00; The UPS Store (Supplies) \$473.73; Bound Tree Medical, LLC (Supplies) \$346.17; City of Yankton (Utilities) \$177.70; Amazon Capital Services (Supplies) \$128.33; Stryker Sales, LLC (Maintenance) \$596.23; Hy-Vee (Supplies) \$59.99; Menards (Supplies) \$107.06; Menards (Minor Equipment) \$299.25; MidAmerican Energy (Utilities) \$274.58; Northwestern Energy (Utilities) \$940.08; Olson's Pest Technicians (Maintenance) \$119.00; Tire Muffler Alignment (Maintenance) \$586.87; Verizon (Utilities) \$556.26; One Office Solution (Supplies) \$13.44; Yankton Medical Clinic (Prof Services) \$98.00; **Mental Illness Board:** Fox Law Firm, PLLC (Hearings) \$1,612.10; Val Larson (Hearings) \$48.00; Mark Katterhagen (Hearings) \$48.00; Lincoln County Treasurer (Hearings) \$1,964.57; Luci Lewno (Hearings) \$819.92; **Historical Sites:** Cramer-Kenyon Heritage Home (2024 Allotment) \$2,000.00; **Senior Citizens:** City of Yankton (1st Allotment) \$6,054.04; **Extension:** Kopetsky's Ace Hardware (4-H) \$18.99;

Andersen Telecom, LLC (Prof Services) \$450.00; Clarity Telecom, LLC (Utilities) \$373.91; City of Yankton (Utilities) \$86.00; South Dakota State 4-H (4-H) \$65.00; Hy-Vee (4-H) \$75.00; Great America Financial (Rentals) \$283.55; MidAmerican Energy (Utilities) \$73.60; One Office Solution (Supplies) \$184.00; **Weed:** Bomgaars (Supplies) \$20.89; NAPA Auto Parts of Yankton (Supplies) \$5.98; Menards (Supplies) \$19.98; Verizon (Utilities) \$26.15; **Planning and Zoning:** Pheasantland Industries (E911 Signs) \$27.13; Qualified Presort Services (Supplies) \$51.70; Verizon (Utilities) \$43.36; One Office Solution (Supplies) \$87.60; **Highway:** Appeara (Supplies) \$152.49; Bomgaars (Supplies) \$696.93; B-Y Electric (Utilities) \$75.50; Plastic Works (Supplies) \$4,000.00; City of Yankton (Utilities) \$98.64; NAPA Auto Parts of Yankton (Supplies) \$336.96; Loiseau Construction (Asphalt Roads) \$100,620.48; Nelson Service, LLC (Supplies) \$400.00; D-P Tools (Supplies) \$99.95; Ehresmann Engineering (Supplies) \$20.53; Denker Tool Service (Supplies) \$308.97; City of Yankton-Landfill (Utilities) \$94.33; UST Testing Service, Inc. (Maintenance) \$750.00; Subsurface, Inc. (Annual Projects) \$124,911.00; White Cap (Supplies) \$1,121.13; New Century FS (Highway Fuel) \$16,037.82; Landsport (Supplies) \$2,020.00; Graham Tire-Yankton (Supplies) \$271.90; Hartington Tree Service (Asphalt Roads) \$1,536.95; Kaiser Appliance & Refrigeration (Supplies) \$981.88; LEAF (Supplies) \$124.98; Menards (Supplies) \$305.15; Northwestern Energy (Utilities) \$915.45; Transource (Supplies) \$1,346.80; Southeastern Electric, Co. (Utilities) \$41.95; Truck Trailer Sales & Service (Supplies) \$306.00; The Lodge at Deadwood (Travel) \$315.00; Verizon (Utilities) \$61.31; One Office Solution (Supplies) \$54.94; **E911:** Clarity Telecom, LLC (Utilities) \$1,100.36; City of Yankton (1st Allotment); CenturyLink (Utilities) \$4,151.86; Midcontinent Communications (Utilities) \$120.39; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$852.59; Andersen Telecom, LLC (Maintenance) \$50.00; B-Y Electric (Utilities) \$53.00; ESRI (Prof Services) \$4,125.00; AT & T Mobility (Utilities) \$40.04; Drone Nerds, Inc. (Supplies) \$1,966.00; Great America Financial Services (Rentals) \$194.80; Midcontinent Communications (Utilities) \$117.84; MidAmerican Energy (Utilities) \$19.35; Verizon (Utilities) \$944.62; One Office Solution (Supplies) \$299.50; **County Buildings:** MOD Painting (Misc.) \$1,170.00; **24/7:** PharmChem (Supplies) \$5,465.16; **M & PR:** Executive Management Finance (Supplies) \$321.53; One Office Solution (Supplies) \$76.26; **Non-Departmental:** Turkey Valley Township (Structure #68-2105-0417) \$9,820.00; Turkey Valley Township (Structure #68-2296-0100) \$7,920.00; BOKF, NA (Debt Service) \$13,450.00; Ambulance Fees (Refund) \$116.50; South Dakota Secretary of State (Election Copies) \$300.00; South Dakota Department of Revenue (Alcoholic Beverage Renewals) \$2,850.00. General Fund \$153,125.01; Road & Bridge \$258,007.04; Emergency Management \$8,662.74. All present voted aye; motion carried, 5-0.

Action 24149AUD: A motion was made by Heine and seconded by Klimisch to approve the second set of claims: **Court:** Harmelink & Fox (Prof Services) \$2,448.63. Voting aye: Heine, Klimisch, Kettering and Marquardt. Fox abstained. Motion carried, 4-0.

Action 24150AUD: A motion was made by Fox and seconded by Kettering to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of March 31, 2024 showing Total Cash of \$12,374,568.03. The General Fund was \$7,771,614.95; Special Funds were \$2,017,963.44; and Trust

and Agency Funds were \$2,584,989.64 adding to a Grand Total of General Ledger Cash and Investments of \$12,374,568.03. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Action 24151AUD: A motion was made by Fox and seconded by Klimisch to approve a budgeted cash transfer of \$100,000.00 to Emergency Management. All present voted aye; motion carried, 5-0.

Action 24152AUD: A motion was made by Marquardt and seconded by Klimisch to approve the **April 2024 Gross Payroll: Commissioners:** \$6,373.29; **Election:** \$21.18; **Auditor:** \$16,902.18; **Treasurer:** \$21,118.28; **States Attorney:** \$40,611.55; **Government Buildings:** \$7,569.20; **Director of Equalization:** \$24,355.55; **Register of Deeds:** \$17,092.98; **Veterans Service:** \$4,152.19; **Courthouse & Safety Center:** \$8,157.33; **Sheriff:** \$69,128.54; **County Jail:** \$98,427.20; **Coroner:** \$1,550.00; **Juvenile:** \$636.08; **Nurse:** \$3,497.36; **Ambulance:** \$68,829.03; **WIC:** \$1,470.60; **Extension:** \$8,426.52; **Soil Conservation:** \$2,908.86; **Weed:** \$1,222.40; **Planning & Zoning:** \$12,367.44; **Road & Bridge:** \$93,691.57; **OEM:** \$11,975.72; **24-7 Program:** \$2,372.12. First Dakota National Bank \$38,477.81 (Withholding), First Dakota National Bank \$62,772.68 (FICA) First Dakota National Bank \$14,680.74 (Medicare), South Dakota Retirement System \$34,958.94 (Other Employees), South Dakota Retirement System \$30,000.10 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$206.36, South Dakota Retirement System (Supplemental) \$5,035.65, American Family Life Assurance Company (AFLAC) \$4,466.65 Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$605.25, Medica Health Insurance \$79,941.73, Optilegra \$303.26, Delta Dental \$2,623.00, VSP Vision \$510.66, HealthEquity \$3,256.00. Gross Payroll \$522,962.17, Net Payroll \$389,736.26. All present voted aye; motion carried, 5-0.

Action 24153: A motion was made by Klimisch and seconded by Heine to supplement the Yankton County Sheriff budget due to unanticipated grant revenue in the amount of \$20,000.00 and to supplement the Emergency Management budget due to insurance revenue in the amount of \$6,003.70. All present voted aye; motion carried, 5-0.

Action 24154C: A motion was made by Fox and seconded by Heine to recess the regular session at 7:40 p.m. and convene in executive session to discuss Poor Relief Issues Pursuant to SDCL 1-25-2 & 28-13 and 28-13-1.3, Personnel Issue Pursuant to SDCL 1-25-2(1) and Contractual matters. All present voted aye; motion carried, 5-0.

Action 24155C: A motion was made by Fox and seconded by Heine to adjourn executive session at 8:10 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 24156C: A motion was made by Fox and seconded by Heine to approve CW.MI.24-02-001 for \$500.00, PR Codified Law 22-22-26 for \$257.28. and CW.MI.24.02.006 \$830.00. All present voted aye; motion carried, 5-0.

There was no action on personnel and contractual matters.

Commission updates: Juvenile task force, summer property task force.

There was one public comment from Jay Cutts. Chairman Marquardt closed public comment.

Action 24157C: 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, May 21, 2024 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem
Yankton County Auditor