

YANKTON COUNTY COMMISSION MEETING

July 2, 2024

The regular meeting of the Yankton County Commission was called to order by John Marquardt at 6:00 p.m. on Tuesday, July 2, 2024.

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

Commissioner Fox reported conflicts on Agenda Item 11 and a claim from Harmelink & Fox Law Office; Chairman Marquardt reported a conflict on Agenda Item 6. There were no other conflicts reported by the rest of the board.

Action 24206C: A motion was made by Fox and seconded by Heine to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There was a public comment from Jerry Webber. Chairman Marquardt closed public comment.

Auditor Hojem presented results of the Post Election Audit for the June 4, 2024 Primary Election. The US Presidential and SD State Senate races in District 18 were audited by a five-person board. After manually counting votes, the results of both races matched the election night tabulator count and County canvas with 100% accuracy.

Chairman Marquardt left the meeting

The board and Highway Superintendent Mike Sedlacek discussed purchasing property adjacent to the highway shop in Irene, SD. The seller is asking \$100,000.00 for the property. The seller said he would reduce his asking price to \$80,000.00 if the county deeds over the current county owned property. Sedlacek said the current building is not in good shape and has no heat. A new hoop building can be insulated and will hold both the motor grader and plow attached.

Action 24207C: A motion was made by Klimisch and seconded by Heine to declare the Irene Highway building as Surplus. Roll call vote was taken with Klimisch, Heine, Fox, and Kettering voting aye; motion carried, 4-0.

Action 24208C: A motion was made by Klimisch and seconded by Heine to have Commissioner Fox hire an appraiser for the county-owned property. Roll call vote was taken with Klimisch, Heine, Kettering and Fox voting aye; motion carried, 4-0.

Action 24209C: A motion was made by Heine and seconded by Kettering to accept the offer if appraisal of the county-owned property is \$20,000 or less. If appraisal of the county-owned property comes back over \$20,000, the issue will come back to the board for more

discussion. Roll call was taken with Heine, Kettering, Klimisch and Fox voting aye; motion carried, 4-0.

Chairman Marquardt re-joined the meeting.

Preston Crissey, Yankton County Sheriff, appeared for approval of title change for Deputies and to reinstate the 10% Jail Hold to the jail building fund.

Action 24210C: A motion was made by Klimisch and seconded by Fox to table action on title change for Deputies. Klimisch, Heine and Fox voting aye; Kettering and Marquardt voting nay; motion carried; 3-2.

Action 24211C: A motion was made by Fox and seconded by Heine to table request to reinstate the 10% Jail Hold. Klimisch, Heine and Fox voting aye; Kettering and Marquardt voting nay; motion carried, 3-2.

There was a public discussion on the Ambulance Service. Speaking were Jerry Webber, Pauline Akland, Ambulance Administrator Eric Van Dusen and City Commissioner Ben Brunick.

Action 24212C: A motion was made by Fox and seconded by Heine to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried, 5-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Gary and Carrie Koble. Applicant requested a permit to build an accessory structure in a High Density Residential District that exceeds the maximum aggregate square footage of 1600 square feet. Applicant wishes to build an accessory structure that is 2,304 square feet. Said property is legally described as CMP 1st Addition, NW1/4, SE1/4, S27-T95N-R56W, hereinafter referred to as Central Township, County of Yankton, State of South Dakota.

Gary and Carrie Koble spoke on the CUP request.

Action 24213Z: A motion was made by Klimisch and seconded by Heine to approve the CUP application from Gary and Carrie Koble based on Findings of Fact from the June 11, 2024 Yankton County Planning Commission meeting on the condition the requested truck parking be completed, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. All present voted aye; motion carried, 5-0.

Variance Public Hearing: This was the time and place for a public hearing for a Variance application from Munkvold Land and Cattle. Variance in an Agriculture District (AG). Applicant is requesting a Variance of 25 feet from the front (North) property line to build an Agriculture accessory structure. Said property is legally described as N1/2 NE1/4, N1/2 NW1/4 excluding N2 NE4 & N2 NW4 EXC E280' W380' N180' W60A, S8-T96N-R56W, hereinafter referred to as Jamesville Township, County of Yankton, State of South Dakota.

Applicant Ordell Munkvold spoke on the request.

Action 24214Z: A motion was made by Klimisch and seconded by Heine, to approve the variance application based on Findings of Fact from the June 11, 2024 Yankton County Planning Commission meeting, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Klimisch, Heine, Kettering and Marquardt voting aye; Fox abstaining. Motion carried, 4-0.

Action 24215C: A motion was made by Fox and seconded by Kettering to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 24216C: A motion was made by Kettering and seconded by Heine to approve the June 18, 2024 regular meeting minutes. All present voted aye; motion carried, 5-0.

Action 24217AUD: A motion was made by Fox and seconded by Klimisch to approve the June 2024 Payroll; **Commissioners:** \$6,373.29; **Election:** \$1,190.33; **Auditor:** \$16,902.18; **Treasurer:** \$21,779.72; **States Attorney:** \$40,873.85; **Government Buildings:** \$6,524.25; **Director of Equalization:** \$24,404.15; **Register of Deeds:** \$17,621.18; **Veterans Service:** \$3,971.66; **Courthouse & Safety Center:** \$9,622.33; **Sheriff:** \$83,768.46; **County Jail:** \$98,598.34; **Coroner:** \$950.00; **Juvenile:** \$143.48; **Nurse:** \$3,497.36; **Ambulance:** \$85,475.06; **WIC:** \$948.15; **Extension:** \$4,313.26; **Soil Conservation:** \$2,908.86; **Weed:** \$7,977.82; **Planning & Zoning:** \$12,367.44; **Road & Bridge:** \$84,958.12; **OEM:** \$13,345.83; **24-7 Program:** \$2,486.90. First Dakota National Bank \$41,428.33 (Withholding), First Dakota National Bank \$66,256.32 (FICA) First Dakota National Bank \$15,495.54 (Medicare), South Dakota Retirement System \$34,693.92 (Other Employees), South Dakota Retirement System \$33,434.08 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$202.72, South Dakota Retirement System (Supplemental) \$5,127.32, American Family Life Assurance Company (AFLAC) \$4,398.84 Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$605.25, Medica Health Insurance \$80,944.45, Optilegra \$285.34, Delta Dental \$2,722.12, VSP Vision \$539.50, HealthEquity \$3,206.00. Gross Payroll \$551,101.02, Net Payroll \$410,864.33. All present voted aye; motion carried, 5-0.

Action 24218C: A motion was made by Fox and seconded by Kettering to approve the following claims: **Commissioners:** Intuvio Solutions (Prof Services) \$179.85; Health Equity (Group Insurance) \$101.25; Yankton County Observer (Publishing) \$369.61; Yankton Daily Press & Dakotan (Publishing) \$673.44; **Elections:** Poll Workers (Primary Election) \$6,169.55; Election Systems & Software (Supplies) \$66.73; Gayville Community Center (Polling Place) \$100.00; Lesterville Fire & Rescue (Polling Place) \$100.00; Mayfield Store (Polling Place) \$100.00; Qualified Presort Service, LLC (Supplies) \$175.75; SD Game Fish & Parks (Polling Place) \$100.00; Verizon (Rentals) \$280.07; Yankton Daily Press & Dakotan (Publishing) \$664.77; **Court:** Blackburn & Stevens Prof, LLC (Prof Services) \$3,873.03; Grand Jury (Juror) \$379.58; Patricia LaCroix (Minor) \$225.00; Youngberg Law, Prof. LLC (Prof Services)

\$2,650.00; Philip Terwilliger (Prof Services) \$5,172.60; Horn Law Office, LLC (Prof Services) \$13,250.00; Clovia Dee (Minor) \$3,355.30; Clovia Dee (Prof Services) \$386.20; Kennedy Pier Loftus & Reynolds (Prof Services) \$2,606.80; Koletzky Law Office, Prof. LLC (Minor) \$1,376.20; Koletzky Law Office, Prof. LLC (Prof Services) \$1,242.00; Dean Schaefer (Prof Services) \$1,162.00; Thomson Reuters-West (Supplies) \$1,134.06; Yankton Daily Press & Dakotan (Publishing) \$38.30; **Auditor:** Ramkota Hotel & Conference Center (Travel) \$156.00; McLeod's Printing & Office Supply (Supplies) \$125.20; Qualified Presort Service, LLC (Supplies) \$110.67; Security Shredding Service (Maintenance) \$80.00; Thomson Reuters-West (Supplies) \$854.89; **Treasurer:** Qualified Presort Service, LLC (Supplies) \$185.59; Security Shredding Service (Maintenance) \$40.00; **States Attorney:** Security Shredding Service (Maintenance) \$40.00; Verizon (Utilities) \$85.46; **Government Center:** City of Yankton (Utilities) \$269.05; TruGreen (Maintenance) \$116.29; Goldstar Products, Inc. (Supplies) \$338.72; JCL Solutions (Supplies) \$44.08; Menards (Supplies) \$356.00; Menards (Maintenance) \$44.94; Menards (Minor Equipment) \$359.97; Northwestern Energy (Utilities) \$3,072.98; Olson's Pest Technicians (Maintenance) \$84.00; **Director of Equalization:** Michelle Goeken (Travel) \$18.36; Qualified Presort Service, LLC (Supplies) \$44.75; Security Shredding Service (Maintenance) \$40.00; **Register of Deeds:** Qualified Presort Service, LLC (Supplies) \$52.08; **Veterans Service Office:** Verizon (Rentals) \$40.01; Verizon (Utilities) \$43.36; **Safety Center Building:** Bomgaars (Supplies) \$46.97; City of Yankton (Utilities) \$2,339.46; TruGreen (Maintenance) \$91.92; Goldstar Products, Inc. (Supplies) \$338.72; Justice Fire & Safety (Maintenance) \$363.00; Johnson Controls, Inc. (Maintenance) \$273.47; KONE, Inc. (Maintenance) \$1,438.94; Midcontinent Communications (Utilities) \$918.80; Menards (Supplies) \$362.24; Northwestern Energy (Utilities) \$8,157.92; **Sheriff:** NAPA Auto Parts of Yankton (Maintenance) \$81.56; Cardmember Services (Fuel) \$42.26; Cardmember Services (Maintenance) \$71.53; Cardmember Services (Uniforms) \$148.08; Cardmember Services (Auto Equipment) \$209.99; Cardmember Services (Law Enforcement Equipment) \$246.71; Cardmember Services (Ammunition) \$849.78; Cardmember Services (Minor Equipment) \$209.86; Lo's Designs LLC dba Mayer Signs (Supplies) \$285.71; Stryker Sales, LLC (Law Enforcement Equipment) \$644.60; Artistic Custom Badges & Coins (Supplies) \$427.10; Brooks Schild (Travel) \$33.00; Qualified Presort Service, LLC (Maintenance Contract) \$178.00; Tire Muffler Alignment (Maintenance) \$1,632.27; One Office Solution (Supplies) \$227.23; Yankton Daily Press & Dakotan (Maintenance Contract) \$50.00; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$9,163.69; Boller Printing Co. (Supplies) \$288.00; Scott Family Dentistry, Inc. (Prof Services) \$533.00; AARMS (Prof Services) \$350.00; Cardmember Services (Prof Services) \$96.16; Cardmember Services (Supplies) \$24.37; Diamond Drugs (Prof Services) \$10,873.75; Trinity Services Group (Food Services) \$5,013.01; Avera Medical Group-Hospital (Prof Services) \$529.30; Avera Medical Group-Radiology (Prof Services) \$45.26; Invitae Corporation (Prof Services) \$584.90; Hy-Vee (Prof Services) \$77.97; JCL Solutions (Supplies) \$1,016.24; M.T. & R.C. Smith Insurance (Insurance) \$80.00; One Office Solution (Supplies) \$321.12; **Coroner:** Arica Nickles (Supplies) \$8.34; **Yankton Search & Rescue:** Bomgaars (Supplies) \$99.94; NAPA Auto Parts of Yankton (Supplies) \$43.45; **Poor Relief:** Qualified Presort Service, LLC (Supplies) \$65.60; **Public Health Nurse:** Qualified Presort Service, LLC (Supplies) \$25.24; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$111.45; BNSF Railway Co. (Rentals)

\$2,005.89; ESO Solutions, Inc. (Prof Services) \$3,046.50; City of Yankton (Utilities) \$282.50; Credit Collection Services (Prof Services) \$659.59; Cintas (Prof Services) \$190.68; Fidelity Petroleum SD, LLC dba Valvoline Instant Oil Change (Maintenance) \$125.20; Graham Tire-Yankton (Maintenance) \$41.35; Investigative Services (Prof Services) \$151.00; Menards (Supplies) \$23.92; MidAmerican Energy (Utilities) \$25.32; Northwestern Energy (Utilities) \$899.25; Northtown Automotive (Maintenance) \$2,108.18; Overhead Door Company of Sioux City (Maintenance) \$132.75; Tire Muffler Alignment (Maintenance) \$4,662.30; Verizon (Utilities) \$785.71; Yankton Daily Press & Dakotan (Publishing) \$229.09; **Mentally Handicapped:** Avera Sacred Heart Hospital (Prof Services) \$3,500.00; **Mental Illness Board:** Blackburn & Stevens Prof. LLC (Hearings) \$402.50; Val Larson (Hearings) \$27.00; Fox Law Firm, PLLC (Hearings) \$623.75; Mark Katterhagen (Hearings) \$27.00; Lincoln County Treasurer (Hearings) \$1,060.09; **Historical Sites:** Yankton County Historical Society, Inc. (2024 Allotment) \$16,000.00; **Extension:** LeeAnn Freng (4-H) \$40.00; Clarity Telecom, LLC (Utilities) \$406.91; Lisa Barger (4-H) \$40.00; City of Yankton (Utilities) \$86.00; Hy-Vee (4-H) \$35.52; Great America Financial Service (Rentals) \$283.55; MidAmerican Energy (Utilities) \$39.41; Stephanie Siebrandt (4-H) \$40.00; **Weed:** NAPA Auto Parts of Yankton (Supplies) \$144.73; Verizon (Utilities) \$26.15; **Planning and Zoning:** Verizon (Utilities) \$43.36; Yankton Daily Press & Dakotan (Publishing) \$277.75; **Highway:** Appeara (Supplies) \$152.49; Bomgaars (Supplies) \$231.05; Bomgaars (Annual Projects) \$59.98; B-Y Electric (Utilities) \$68.49; Butler Machinery Co. (Supplies) \$1,197.83; City of Yankton (Utilities) \$364.34; NAPA Auto Parts of Yankton (Supplies) \$358.54; Knife River-South Dakota (Asphalt Roads) \$199,605.25; IMEG Corp. (Annual Projects) \$10,050.22; Nelson Repair (Supplies) \$536.03; Amazon Capital Services (Supplies) \$6.29; City of Yankton-Landfill (Utilities) \$60.18; New Century FS (Highway Fuel) \$1,772.67; I State Truck Center (Supplies) \$720.32; Jebro, Inc. (Annual Projects) \$66,886.38; Jebro, Inc. (Asphalt Roads) \$29,878.60; Janssen's Garbage Service (Utilities) \$60.00; Kaiser Heating & Cooling (Prof Services) \$501.32; Mead Lumber (Supplies) \$41.98; Menards (Supplies) \$115.56; Northwestern Energy (Utilities) \$819.60; O'Reilly Auto Parts (Supplies) \$23.30; Power Source Electric (Prof Services) \$572.12; Truck Trailer Sales & Service (Supplies) \$341.65; Midwest Tire/TMA (Maintenance) \$29.19; Verizon (Utilities) \$61.33; One Office Solution (Supplies) \$24.47; **Emergency Management:** Bomgaars (Supplies) \$304.87; Great America Financial Service (Rentals) \$157.73; Midcontinent Communications (Utilities) \$177.84; MidAmerican Energy (Utilities) \$9.25; Two Way Solution (Maintenance) \$444.49; Verizon (Utilities) \$944.70; **County Buildings:** AGAP, LLC dba Power Source Electric (Misc.) \$232.50; **24/7:** PharmChem, Inc. (Prof Services) \$2,032.56; **Non-Departmental:** South Sundance Road District (Publishing) \$54.21. General Fund \$140,241.56; Road & Bridge \$314,539.18; Emergency Management \$2,038.88. All present voted aye; motion carried, 5-0.

Action 24219C: A motion was made by Klimisch and seconded by Heine approve the second set of claims: **Court:** Harmelink & Fox Law Office (Minor) \$348.45. Voting aye: Heine, Klimisch, Marquardt and Kettering. Fox abstained. Motion carried, 4-0.

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

Commission updates: Association successes this past year; Cyber Security, Indigent Legal and 911 surcharge.

Action 24220C: A motion was made by Fox and seconded by Kettering to recess the regular session at 7:35 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 and contractual matters. All present voted aye; motion carried, 5-0.

Action 24221C: A motion was made by Fox and seconded by Kettering to adjourn executive session at 8:05 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 24222C: A motion was made by Fox and seconded by Klimisch to approve CW.BUR.24-2001 for funeral cost in the amount of \$1,250.00. All present voted aye; motion carried, 5-0.

There was no action taken on contractual matters.

Action 24223C: A motion was made by Fox and seconded by Klimisch to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, July 16, 2024 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem
Yankton County Auditor