

## YANKTON COUNTY COMMISSION MEETING

July 18, 2023

The regular meeting of the Yankton County Commission was called to order by Chairman Don Kettering at 6:00 p.m. on Tuesday, July 18, 2023.

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

There were no conflicts of interest reported by Commissioners.

**Action 23221C:** A motion was made by Fox and seconded by Heine to approve the meeting agenda with the following additions: 6B Jim Lane and 15A Solar Farm Discussion. All present voted aye; motion carried, 5-0.

There were public comments from Laura Kotalik and Bon Homme County Commissioner Edward VanGerpen. Chairman Kettering closed public comment.

Mary Fielder, representative of Yankton County 4-H, extended a special invitation to the board and public to attend the Yankton County Fair on August 4<sup>th</sup> and 5<sup>th</sup> at the Pine Acres 4-H Grounds. Also attending were Leaders Michelle Hewit and Megan Cummings. Some of the 4-H members were also present and told commissioners what items they will be showing.

Highway Superintendent Mike Sedlacek appeared for approval of applications for Federal Bridge Improvement Grants and to discuss load limits on West 11<sup>th</sup> Street.

**Action 23222Hwy:** A motion was made by Klimisch and seconded by Marquardt to approve the Bridge Improvement Grant application for Structure 68-030-018. All present voted aye; motion carried, 5-0.

**Action 23223Hwy:** A motion was made by Marquardt and seconded by Fox to approve the Bridge Improvement Grant application for Structure 68-043-023. All present voted aye; motion carried, 5-0.

**Action 23224Hwy:** A motion was made by Heine and seconded by Marquardt to approve the Bridge Improvement Grant application for Structure 68-180-133. All present voted aye; motion carried, 5-0.

**Action 23225Hwy** A motion was made by Klimisch and seconded by Marquardt to approve the Bridge Improvement Grant application for Structure 68-213-040. All present voted aye; motion carried, 5-0.

**Action 23226Hwy:** A motion was made by Klimisch and seconded by Fox to approve the Bridge Improvement Grant application for Structure 68-036-160. All present voted aye; motion carried, 5-0.

**Action 23227Hwy:** A motion was made by Heine and seconded by Klimisch to approve the Bridge Improvement Grant application for Structure 68-080-163. All present voted aye; motion carried, 5-0.

**Action 23228Hwy:** A motion was made by Marquardt and seconded by Klimisch to approve the Bridge Improvement Grant application for Structure 68-186-070. All present voted aye; motion carried, 5-0.

**Action 23229Hwy:** A motion was made by Klimisch and seconded by Heine to approve the Bridge Improvement Grant application for Structure 68-216-050. All present voted aye; motion carried, 5-0.

**Action 232302Hwy:** A motion was made by Fox and seconded by Marquardt to approve the Bridge Improvement Grant application for Structure 68-040-158. All present voted aye; motion carried, 5-0.

**Action 23231Hwy:** A motion was made Fox and seconded by Klimisch to approve the Bridge Improvement Grant application for Structure 68-140-015. All present voted aye; motion carried, 5-0.

**Action 23232Hwy:** A motion was made by Fox and seconded by Heine to approve the Bridge Improvement Grant application for Structure 68-202-130. All present voted aye; motion carried, 5-0.

**Action 23233wy:** A motion was made by Fox and seconded by Heine to approve the Bridge Improvement Grant application for Structure 68-239-080. All present voted aye; motion carried, 5-0.

**Action 23234Hwy:** A motion was made by Marquardt and seconded by Fox to approve the load limit of seven tons per axle at 42,000 pounds max on West 11<sup>th</sup> Street. All present voted aye; motion carried, 5-0.

Jim Lane appeared before the board to request support in the form of resolution to address the safety issue and ability to add to the engineering plans' access points and parking areas around planned bridges for safety purposes. No action was taken.

**Boys and Girls Club:** Caitlyn Christy and Koty Frick appeared before the board to request the continuing allocation of \$35,000.00 per year to support the operation of the Boys and Girls Club, which serves over 1,029 Yankton County youth with services like Teen Court, summer school, workforce development, meals and snacks and other programs.

Brian Hunhoff appeared before the board to present the Register of Deeds second quarter report for 2023.

**Action 23235ROD:** A motion was made by Klimisch and seconded by Fox to approve the 2023 second quarter report from the Register of Deeds Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Ambulance Director Eric Van Dusen and Troy Cowman presented their second quarter monthly report for 2023.

**Action 23236Amb:** A motion was made by Klimisch and seconded by Heine to accept the 2023 second quarter report from the Ambulance Department. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

**Rezone:** There was a second reading on the request from Connie Bornitz to rezone six lots in a Rural Transition District to a Moderate Density Rural Residential District (R2). There were no public comments.

**Action 23237Z:** A motion was made by Klimisch and seconded by Marquardt to approve Rezone request from Connie Bornitz. Roll call vote was taken with Klimisch, Marquardt, Fox, Heine and Kettering voting aye; motion carried, 5-0.

Veterans Service Officer Rob Stickney appeared before the board to present his second quarter report for 2023.

**Action 23238VSO:** A motion was made by Klimisch and seconded by Marquardt to accept the 2023 second quarter report from the Veterans Service Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Preston Crissey, Yankton County Sheriff, presented the department's 2023 second quarter report to the board and introduced new Jail Administrator Todd Brandt.

**Action 23239S:** A motion was made by Marquardt and seconded by Heine to accept the 2023 second quarter report from the Sheriff's Office. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

**Action 23240Z:** A motion was made by Klimisch and seconded by Fox to adopt the following resolution: Whereas it appears White Crane Estates, owners of record, has caused a plat to be made of the following real property: Lots 17, 18, 19, 77, 78 and 79, Crestview Homes Subdivision, NE1/4, Section 21-93N-56W, hereinafter referred to as Utica South 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 23241Z:** A motion was made by Fox and seconded by Marquardt to adopt the following resolution: Whereas it appears Brian Anderson, owner of record, has caused a plat to be made of the following real property: Plat of Anderson Sunrise Addition, SE1/4, SW1/4 Section 12-93N-54W, hereinafter referred to as Gayville 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 23242Z:** A motion was made by Klimisch and seconded by Heine to adopt the following resolution: Whereas it appears ASPS, LLC, owner of record, has caused a plat to be made of the following real property: Lot 1, Lancaster Subdivision, NW1/4, Section 15-93N-56W, hereinafter referred to as Utica South 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.

The commission discussed a request from the Planning Commission for a proposed moratorium on solar farms. Speaking on the discussion were Lauren Nelson from the Planning Commission, George Schermerhorn and Cynthia Konopasek. The board asked Gary Vetter to form a task force that could submit its findings to the commission by the end of the year.

**Action 23243C:** A motion was made by Marquardt and seconded by Klimisch to approve #314 Animals in the Work Place policy for Yankton County. All present voted aye; motion carried, 5-0.

**Action 23244C:** A motion was made by Klimisch and seconded by Marquardt to approve the July 5, 2023 Meeting minutes with the following corrections; no decision will be made on the Sundance Road District at the August 1, 2023 commission meeting and Action 23211C was seconded by Klimisch. All present voted aye; motion carried, 5-0.

**Action 23245C:** A motion was made by Fox and seconded Klimisch to approve the following claims: **Commissioners:** Clarity Telecom, LLC (Utilities) \$50.50; Boys & Girls Club of Brookings, SD, Inc. (Other) \$20,000.00; Yankton County Observer (Publishing) \$308.96; Qualified Presort Services (Supplies) \$11.18; Yankton Daily Press & Dakotan (Publishing) \$426.08; **Elections:** Qualified Presort Services (Supplies) \$54.08; **Court:** Avera Sacred Heart Hospital (Lab) \$500.00; Certified Languages International (Prof Services) \$166.65; Resolute Law Firm, P.C. (Prof Services) \$1,827.70; Juror (Fees) \$515.28; Whalen Law Office, P.C. (Prof Services) \$27,273.05; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$7,187.30; Koletzky Law Office, Prof. LLC (Minor) \$1,699.40; LaCroix Law Office (Neglected) \$6,186.04; Department of Health (Lab) \$925.00; Dean Schaefer (Prof Services) \$224.00; Thomson Reuters-West (Supplies) \$2,220.90; **Auditor:** Clarity Telecom, LLC (Utilities) \$121.22; Qualified Presort Services (Supplies) \$158.36; One Office Solution (Maintenance) \$129.88; One Office Solution (Supplies) \$121.26; Thomson Reuter-West (Supplies) \$172.11; LEAF (Rentals) \$158.52; **Treasurer:** Clarity Telecom LLC (Utilities) \$197.92; Qualified Presort Services (Supplies) \$248.75; **Data:** Clarity Telecom, LLC (Utilities) \$718.82; First Bankcard (Maintenance) \$48.06; **States Attorney:** Century Business Products (Rentals) \$200.97; Century Business Products (Maintenance) \$256.56; Riverside Technologies, Inc. (Supplies) \$54.00; Thomson Reuters-West (Supplies) \$1,208.58; **Government Center:** Kopetsky's Ace Hardware (Supplies) \$92.16; Clarity Telecom, LLC (Utilities) \$25.25; Janssen's Garbage Service (Maintenance) \$270.00; Menards (Supplies) \$95.87; MidAmerican Energy (Utilities) \$377.92; **Director of Equalization:** Clarity Telecom, LLC (Utilities) \$193.50; First Bankcard (Supplies) \$52.75; Microfilm Imaging Systems (Maintenance) \$120.00; Qualified Presort Services (Supplies) \$17.03; Andrea Wright (Travel) \$451.86; One Office Solution (Maintenance) \$113.18; Thomson Reuters-West (Maintenance) \$49.98; **Register of Deeds:** Clarity Telecom, LLC (Utilities) \$172.19; Qualified Presort Services (Supplies) \$55.87; One Office Solution (Supplies) \$80.35; One Office Solution (Maintenance) \$70.97; **Veterans Service Office:** Clarity Telecom, LLC (Utilities) \$25.25; Qualified Presort Services (Supplies) \$12.09; One Office Solution (Maintenance) \$8.64; LEAF (Rentals) \$65.01; **Safety Center Building:** Mark's (Maintenance) \$27.56; Clarity Telecom, LLC (Utilities) \$848.37; City of Yankton (Dumpster Fees) \$144.00; Cole Paper, Inc. (Supplies) \$172.37; AGAP LLC dba Power Source Electric (Maintenance) \$69.23; Fejfar Plumbing & Heating (Maintenance) \$31.07; KONE, Inc. (Maintenance) \$347.64; Menards (Supplies) \$243.48; Menards (Maintenance) \$115.82; Yankton Winnelson Company (Maintenance) \$51.52; **Sheriff:** Jack's Uniforms & Equipment (Uniforms) \$505.55; Pack & Ship (Maintenance Contract) \$191.53; Pennington County Jail (Travel) \$769.01; Qualified Presort Services (Maintenance Contract) \$153.09; One Office Solution (Maintenance Contract) \$52.18; One Office Solution (Supplies) \$122.88; Cardmember Services (Supplies) \$21.91; Cardmember Services (Uniforms) \$231.70; Cardmember Services (Travel) \$30.02; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$578.97; Scotty Family Dentistry (Prof Services) \$584.00; Trinity Services Group (Food Service) \$5,173.91; Avera Medical Group Hospital (Prof Services) \$458.23; Avera Medical Group Radiology (Prof Services) \$826.41; North Central Heart (Prof Services) \$148.56; South Dakota Department of Labor & Regulation (Workman's Comp) \$281.00;

Yankton Rexall Drug, Co. (Prof Services) \$3,371.86; Cardmember Services (Supplies) \$2,718.09; Cardmember Services (Minor Equipment) \$217.74; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$17,765.97; **Yankton Area Search and Rescue:** NAPA Auto Parts of Yankton (Supplies) \$50.94; First Bankcard (Supplies) \$29.65; Two Way Solutions, Inc. (Supplies) \$1,231.78; **Care of Poor:** Qualified Presort Services (Supplies) \$92.35; Thomson Reuters-West (Supplies) \$124.50; **Public Health Nurse:** Clarity Telecom, LLC (Utilities) \$202.16; Qualified Presort Services (Supplies) \$17.36; TIAA, FSB (Rentals) \$58.51; **Ambulance:** Bound Tree Medical, LLC (Supplies) \$3,251.54; John's Service (Maintenance) \$217.23; Amazon Capital Services (Supplies) \$474.53; Savvik Buying Group (Supplies) \$188.00; First Bankcard (Supplies) \$1,955.70; First Bankcard (Maintenance) \$28.74; First Bankcard (Prof Services) \$233.35; Investigative Services, LLC (Prof Services) \$184.50; Janssen's Garbage Service (Maintenance) \$330.00; Matheson Tri-Gas, Inc. (Rentals) \$60.16; Menards (Supplies) \$122.49; Security Shredding Services (Maintenance) \$70.00; Tire Muffler Alignment (Maintenance) \$119.60; One Office Solution (Supplies) \$198.11; Yankton Medical Clinic (Prof Services) \$200.00; LEAF (Rentals) \$142.56; **Mentally Handicapped:** Dakotabilities (Misc.) \$540.00; SD Achieve dba Lifescape (Misc.) \$120.00; **Mental Illness Board:** Lewis & Clark Behavioral Health Services (Hearings) \$2,343.00; Dean Schaefer (Hearings) \$315.00; **Senior Citizens:** City of Yankton (2<sup>nd</sup> Qtr. Fees) \$7,621.52; **County Extension:** Katie Doty (Travel) \$31.92; LEAF (Rentals) \$191.75; Northwestern Energy (Utilities) \$252.26; Olson's Pest Technicians (Maintenance) \$150.00; Yankton Fire & Safety Company (Maintenance) \$35.00; **Weed:** AgTerra Technologies (Supplies) \$600.00; NAPA Auto Parts of Yankton (Supplies) \$83.88; First Bankcard (Supplies) \$14.29; Yankton County Observer (Publishing) \$144.00; One Office Solution (Supplies) \$9.70; Yankton Daily Press & Dakotan (Publishing) \$440.40; **Planning and Zoning:** Clarity Telecom, LLC (Utilities) \$50.50; First Bankcard (Supplies) \$83.76; Microfilm Imaging Systems (Maintenance) \$70.00; Qualified Presort Services (Supplies) \$18.78; One Office Solution (Maintenance) \$127.54; One Office Solution (Supplies) \$6,987.00; Yankton Daily Press & Dakotan (Publishing) \$127.00; **Highway:** Automatic Building Controls (Maintenance) \$480.00; Bomgaars (Supplies) \$182.52; B-Y Water District (Utilities) \$104.25; Butler Machinery Co. (Maintenance) \$1,483.62; Clarity Telecom, LLC (Utilities) \$141.14; Presto-X (Maintenance) \$133.34; NAPA Auto Parts of Yankton (Maintenance) \$447.19; NAPA Auto Parts of Yankton (Supplies) \$40.52; Knife River-South Dakota (Supplies) \$94,294.70; CHS, Inc. (Hwy Fuel) \$30,800.83; City of Yankton-Landfill (Utilities) \$9.46; Francotyp-Postalia, Inc. (Supplies) \$68.85; Fastenal Industrial & Construction Supply (Supplies) \$73.03; I-State Truck Center (Maintenance) \$402.67; Janssen's Garbage Service (Utilities) \$50.00; Kimball Midwest (Supplies) \$584.25; Longs Propane, Inc. (Supplies) \$25.12; Menards (Supplies) \$267.56; Midwest Radiator & Exhaust (Maintenance) \$2,223.36; MidAmerican Energy (Utilities) \$29.51; Transource (Maintenance) \$717.47; SD Department of Transportation (Bridges) \$413.09; Truck Trailer Sales Service (Maintenance) \$454.00; Truenorth Steel (Bridges) \$100,442.06; Vander Haag's Inc. (Maintenance) \$265.00; One Office Solution (Supplies) \$47.63; CenturyLink (Utilities) \$64.23; **E911:** Powerphone, Inc. (Prof Services) \$1,103.00; City of Yankton (2<sup>nd</sup> Qtr. Fees) \$33,149.50; Golden West Telecommunications (Utilities) \$294.45; TriTech Software Systems (Prof Services) \$720.00; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$113.13; B-Y Electric (Utilities) \$53.00; Verizon (Utilities)

\$122.15; First Bankcard (Supplies) \$2,209.40; First Bankcard (Maintenance) \$203.00; First Bankcard (Travel) \$722.37; First Bankcard (Prof Services) \$572.13; Floor Tec (Maintenance) \$201.70; LEAF (Rentals) \$127.44; Tabor Lumber Coop. (Supplies) \$244.63; **County Buildings:** Culligan (Misc.) \$219.00; ARS, A Tecta America Company, LLC (Misc.) \$1,546.56; **24/7 Program:** Precision Kiosk Technologies (Supplies) \$1,350.00; PharmChem, Inc. (Supplies) \$2,589.50; **M & PR Fund:** Riverside Technologies, Inc. (Other) \$6,423.00; One Office Solution (Supplies) \$612.93; **Non Departmental:** Sobriety Testing (Refund) \$9.00; Satellite Tracking of People (Tracking Monitor) \$211.25; Byron Nogelmeier (CAM Daily Fees) \$3,104.00; Byron Nogelmeier (State Participation Fees) \$153.00; SD Department of Revenue (Fingerprints) \$84.83; SD Department of Revenue (Notary Fee) \$5.20; SD Department of Revenue (Other Copies) \$2.80; SD Department of Revenue (Motor Vehicle Fees) \$593,100.24; SD Department of Revenue (Waste Fee) \$8,158.50; SD Department of Revenue (ROD Fees) \$1,340.00; SD Department of Revenue (HSC Services) \$3,011.63; SD Department of Revenue (Redfield Services) \$180.00; SDACO (M & PR Fund) \$508.00. General Fund \$142,008.56; Road & Bridge \$234,245.40; Emergency Management \$4,568.95. All present voted aye; motion carried, 5-0.

**Action 23246AUD:** A motion was made by Klimisch and seconded by Marquardt to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of June 30, 2023 showing Total Cash of \$16,087,142.03. The General Fund was \$11,961,049.79; Special Funds were \$1,817,103.44; and Trust and Agency Funds were \$2,308,988.80 adding to a Grand Total of General Ledger Cash and Investments of \$16,087,142.03. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

There were public comments from Lauren Nelson and Edward VanGerpen. Chairman Kettering closed public comments.

**Commissioner updates:** Thrive meeting report.

**Action 23247C:** A motion was made by Marquardt and seconded by Klimisch to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, August 1, 2023 at 6:00 p.m.

**Don Kettering**, Chairman  
Yankton County Commission

ATTEST:  
**Patty Hojem**, County Auditor  
Yankton County