

YANKTON COUNTY COMMISSION MEETING

May 21, 2024

The regular meeting of the Yankton County Commission was called to order by John Marquardt at 6:00 p.m. on Tuesday, May 21, 2024.

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

There were no conflicts reported from the board.

Action 24158C: A motion was made by Fox and seconded by Kettering to approve the meeting agenda. All present voted aye; motion carried, 5-0.

There were no public comments. Chairman Marquardt closed public comment.

Kriss Thury, Director of The Center, appeared before the board to give an update on programs, services and upcoming fundraising events. Thury also thanked Yankton County for their continued support of The Center.

Jim Liebesch, Yankton County weed supervisor, presented the annual joint powers agreement for weed spraying services with the State of South Dakota and also provided a weed department update.

Action 24159WD: A motion was made by Klimisch and seconded by Heine to accept the Weed Spraying Joint Agreement with the State of South Dakota. All present voted aye; motion carried, 5-0.

Action 24160RD: A motion was made by Klimisch and seconded by Heine to accept petitions submitted to form the Sundance Ridge Road District. All present voted aye; motion carried, 5-0.

Action 24161AUD: A motion was made by Fox and seconded by Heine to approve the claims: **Commissioners:** Clarity Telecom, LLC (Utilities) \$50.50; First Bankcard (Supplies) \$95.58; Brian Hunhoff (Other) \$217.87; Hy-Vee (Supplies) \$44.09; Yankton Daily Press & Dakotan (Publishing) \$640.38; **Elections:** First Bankcard (Supplies) \$24.51; McLeod's Printing & Office Supply (Supplies) \$28.64; **Court:** Avera Sacred Heart Hospital (Lab) \$1,889.06; Blackburn & Stevens Prof. LLC (Prof Services) \$184.88; Patricia LaCroix (Minor) \$1,275.00; Josette Lindahl (Prof Services) \$11,500.00; Resolute Law Firm, P.C. (Prof Services) \$21,387.60; Grand Jury (Fees) \$510.18; Lutheran Social Services (Prof Services) \$727.02; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$8,095.30; Department of Health (Prof Services) \$1,500.00; Dean Schaefer (Prof Services) \$1,485.00; Thomson Reuters-West (Supplies) \$1,134.06; Yankton Daily Press & Dakotan (Publishing) \$57.28; **Auditor:** Clarity Telecom, LLC (Utilities) \$121.00; First Bankcard (Supplies) \$19.70; LEAF (Rentals) \$183.35; Thomson Reuters-West (Supplies) \$177.27; **Treasurer:** Clarity Telecom, LLC (Utilities) \$197.23; LEAF (Rentals) \$137.32; **Data:** Clarity Telecom, LLC (Utilities) \$718.82; First Bankcard (Maintenance) \$2,000.26; Tyler Technologies (Prof Services) \$2,336.45; **States Attorney:** Satellite Tracking of People (Diversion) \$149.50; Culligan (Supplies) \$17.50; Yankton Transit

(Diversion) \$310.00; Qualified Presort Services (Supplies) \$124.49; Security Shredding Services (Maintenance) \$40.00; The Lodge at Deadwood (Travel) \$696.00; Thomson Reuters-West (Supplies) \$211.66; **Government Center:** Clarity Telecom, LLC (Utilities) \$25.25; City of Yankton (Supplies) \$956.06; JCL Solutions (Supplies) \$472.00; MidAmerican Energy (Utilities) \$522.66; **Director of Equalization:** Clarity Telecom, LLC (Utilities) \$193.50; First Bankcard (Supplies) \$81.57; First Bankcard (Travel) \$110.00; JJ Benji (Supplies) \$68.00; Menards (Maintenance) \$151.14; Microfilm Imaging Systems (Maintenance) \$120.00; Steinley Real Estate Appraisals (Travel) \$350.00; **Register of Deeds:** Clarity Telecom, LLC (Utilities) \$171.83; Brian Hunhoff (Supplies) \$45.00; Brian Hunhoff (Travel) \$251.94; **Veterans Service Office:** Clarity Telecom, LLC (Utilities) \$25.25; LEAF (Rentals) \$59.15; **Safety Center Building:** Clarity Telecom, LLC (Utilities) \$79.99; City of Yankton (Dumpster Fees) \$184.00; Cole Papers, Inc. (Supplies) \$470.96; Johnson Controls, Inc. (Maintenance) \$513.69; Menards (Supplies) \$244.77; Menards (Maintenance) \$213.10; **Sheriff:** City of Yankton (Fuel) \$2,394.90; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$150.61; Culligan (Supplies) \$57.00; Trinity Services Group (Food Services) \$10,202.63; First Bankcard (Supplies) \$102.16; Jacks Uniforms & Equipment (Uniforms) \$84.94; Menards (Supplies) \$34.95; Correctional Rist Services (Inmate Solutions) \$2,463.30; **Coroner:** Avera Sacred Heart Hospital (Prof Services) \$3,160.00; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$25,418.16; **Yankton Area Search & Rescue:** City of Yankton (Supplies) \$142.81; NAPA Auto Parts of Yankton (Maintenance) \$369.52; R & D Repair (Maintenance) \$109.79; First Bankcard (Supplies) \$2,126.00; First Bankcard (Maintenance) \$175.45; **Public Health Nurse:** Clarity Telecom, LLC (Utilities) \$201.91; Everbank, N.A. (Rentals) \$58.51; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$386.49; Clarity Telecom, LLC (Utilities) \$280.79; Cintas (Maintenance) \$190.68; Amazon Capital Services (Supplies) \$83.18; Henry Schein (Supplies) \$181.57; USPS (Supplies) \$50.00; First Bankcard (Supplies) \$358.33; First Bankcard (Prof Services) \$469.63; Hy-Vee (Supplies) \$59.82; Investigative Services (Prof Services) \$149.00; LEAF (Rentals) \$151.54; Menards (Supplies) \$177.55; Olson's Pest Technicians (Maintenance) \$119.00; MidAmerican Energy (Utilities) \$85.35; **Mentally Handicapped:** SD Achieve dba Lifescape (Misc.) \$120.00; **Mental Illness Board:** Val Larson (Hearings) \$45.00; Fox Law Firm, PLLC (Hearings) \$762.25; Mark Katterhagen (Hearings) \$45.00; Lewis & Clark Behavioral Health Services (Hearings) \$1,491.00; Luci Lewno (Hearings) \$162.25; **Extension:** Katie Doty (Travel) \$25.50; Northwestern Energy (Utilities) \$172.74; Olson's Pest Technicians (Maintenance) \$150.00; **Weed:** Bomgaars (Supplies) \$6.98; NAPA Auto Parts of Yankton (Supplies) \$20.74; CMRS-FP (Supplies) \$30.00; First Bankcard (Supplies) \$42.23; Menards (Supplies) \$85.97; Yankton County Observer (Publishing) \$216.00; Van Diest Supply Co. (Supplies) \$10,195.20; One Office Solution (Supplies) \$12.92; **Planning and Zoning:** Clarity Telecom, LLC (Utilities) \$50.50; First Bankcard (Prof Services) \$169.81; First Bankcard (Supplies) \$18.01; First Bankcard (Travel) \$1,156.47; Microfilm Imaging Systems (Maintenance) \$70.00; Yankton Daily Press & Dakotan (Publishing) \$39.75; **Highway:** A-OX Welding Supply Co. (Supplies) \$99.10; Automatic Building Controls (Maintenance) \$522.00; Avera Sacred Heart Hospital (Prof Services) \$82.00; Sanitation Products, Inc. (Maintenance) \$138,957.00; Avera Medical Group Occupational Therapy (Prof Services) \$35.18; Bomgaars (Supplies) \$41.96; B-Y Water District (Utilities) \$93.00; Butler Machinery Co.

(Supplies) \$2,069.24; Clarity Telecom, LLC (Utilities) \$101.00; NAPA Auto Parts of Yankton (Supplies) \$2,328.53; Christiansen Radiator & Exhaust (Supplies) \$348.47; CenturyLink (Utilities) \$70.45; DakotaLand Auto Glass, Inc. (Supplies) \$175.71; Driveline Services (Supplies) \$370.00; CMRS-FP (Supplies) \$30.00; Amazon Captial Services (Supplies) \$97.22; New Century FS (Highway Fuel) \$3,389.96; Fejfar Plumbing & Heating (Maintenance) \$477.43; First Bankcard (Supplies) \$99.57; I State Truck Center (Supplies) \$148.38; Janssen's Garbage Service (Supplies) \$60.00; Koletzky Implement, Inc. (Supplies) \$246.92; Menards (Supplies) \$200.06; Midwest Radiator & Exhaust (Supplies) \$42.43; MidAmerican Energy (Utilities) \$154.42; Peitz GMC Service, Inc. (Supplies) \$275.34; Spencer Quarries, Inc. (Asphalt Roads) \$100,927.84; Truck Trailer Sales & Service (Maintenance) \$197.29; Truck Trailer Sales & Service (Supplies) \$162.25; Midwest Tire Admin-/TMA (Maintenance) \$1,946.57; One Office Solution (Supplies) \$26.23; **Emergency Management:** PD's Mobile RV Repair (Maintenance) \$419.93; Drone Nerds (Supplies) \$30.00; First Bankcard (Supplies) \$1,034.44; First Bankcard (Prof Services) \$899.51; First Bankcard (Travel) \$799.79; First Bankcard (LEPC) \$1,035.46; LEAF (Rentals) \$160.82; Tabor Lumber Coop. (Supplies) \$414.24; **County Buildings:** Culligan (Misc.) \$228.20; Johnson Controls, Inc. (Misc.) \$13,183.50; **24/7:** Precision Kiosk Technologies (Supplies) \$1,350.00; PharmChem (Prof Services) \$5,406.90; **Non-Departmental:** South Dakota Department of Revenue (Motor Vehicle Fees) \$476,355.66; South Dakota Department of Revenue (Waste Fees) \$4,524.00; South Dakota Department of Revenue (ROD Fees) \$2,380.00; South Dakota Department of Revenue (HSC Services) \$3,990.03; South Dakota Department of Revenue (Redfield Services) \$120.00; Satellite Tracking of People (Jail Tracking Monitors) \$204.75; Byron Nogelmeier (CAM Daily Fees) \$4,303.00; Byron Nogelmeier (State Participation Fees) \$310.00; Ambulance Refunds (Fees) \$746.31. General Fund \$129,342.21; Road & Bridge \$253,775.55; Emergency Management \$4,794.19. All present voted aye; motion carried, 5-0.

Action 24162AUD: A motion was made by Fox and seconded by Klimisch to accept the first quarter 2024 Mental Illness hearings income report. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Action 24163Z: A motion was made by Klimisch and seconded by Fox to adopt the following resolution: Whereas it appears Brent Drotzmann, owner of record, has caused a plat to be made of the following real property: Plats of Lots 1 thru 20, Deer Boulevard Estates, SE1/4 of Section 9 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 24164C: A motion was made by Fox and seconded by Kettering to approve the April 19, 2024 Consolidated Board of Equalization minutes. All present voted aye; motion carried, 5-0.

Action 24165C: A motion was made by Fox and seconded by Heine to approve the April 19, 2024 County Board of Equalization minutes. All present voted aye; motion carried, 5-0.

Action 24166C: A motion was made by Heine and seconded by Fox to approve the May 7, 2024 regular meeting minutes. All present voted aye; motion carried, 5-0.

Commission updates: EMS Week, Memorial Day program, and work requirement for Medicaid.

Rezone: There was a second 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).

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

Action 24167Z: A motion was made by Klimisch and seconded by Kettering to approve Rezone request from Tom Brady. All present voted aye; motion carried, 5-0.

Rezone: There was a second 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).

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

Action 24168Z: A motion was made by Fox and seconded by Heine to approve the Rezone request from Ryan List. All present voted aye; motion carried, 5-0.

Action 24169Z: A motion was made by Klimisch and seconded by Fox to adopt the following resolution: Whereas it appears Ryan List, owner of record, has caused a plat to be made of the following real property: Plat of Lots 1-5, Paige Addition, E1/2, SW1/4 of Section 10 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 24170AUD: A motion was made by Fox and seconded by Klimisch to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of April 30, 2024 showing Total Cash of \$24,166,060.67. The General Fund was \$10,268,264.72; Special Funds were \$2,059,808.83; and Trust and Agency Funds were \$11,837,987.12 adding to a Grand Total of General Ledger Cash and Investments of \$24,166,060.67. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Action 24171C: A motion was made by Fox and seconded by Heine to recess the regular session at 6:38 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 24172C: A motion was made by Klimisch and seconded by Fox to adjourn executive session at 7:00 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

Action 24173C: A motion was made by Fox and seconded by Heine to approve payment to Avera Heart Hospital to resolve Case 66CIV18-000141, PR CW.17.2.001 in the amount of \$11,526.11. All present voted aye; motion carried, 5-0.

Action 24174C: A motion was made by Fox and seconded by Klimisch to approve repayment plan to Avera McKennan Hospital Lawsuit for case 66CIV19-000303 for \$9,228.00. All present voted aye; motion carried, 5-0.

There was no action on personnel and contractual matters.

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

Action 24175C: 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, June 6, 2024 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem
Yankton County Auditor