

YANKTON COUNTY COMMISSION MEETING

March 4, 2025

The regular meeting of the Yankton County Commission was called to order by Chairman John Marquardt at 6:00 p.m. on Tuesday, March 4, 2025.

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

Commissioner Fox will abstain from voting on the second set of claims.

There were no conflicts reported from the rest of the board.

Action 2567C: A motion was made by Fox and seconded by Klimisch to approve the meeting agenda with the following changes: items 8 and 17 were postponed to the March 18th meeting. All present voted aye; motion carried, 4-0.

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

Yankton County Director of Equalization Michelle Goeken reported on 2025 property values and discussed dates for the local and consolidated boards of equalization. The board set April 8, 2025 at 9:00 a.m. for local appeals. Consolidated Board of Equalization appeals will be scheduled later.

Highway Superintendent Mike Sedlacek appeared for approval of Micro Surfacing and a 5-year county road plan change. The lowest of three bids for Micro Surfacing was from ASTECH Corp. of St. Cloud, MN in the total bid amount of \$1,623,436.43.

Sedlacek said the original 5-year road plan was to do 12 miles of Micro Surfacing on 294th this year. Due to the wind tower project in the northeast part of the county, Sedlacek asked to delay that project and shift that scheduled Micro Surfacing work to other areas. The other areas would be 304th, 303rd, 434th/Kaiser Road and Deer Blvd. Commissioner Fox asked if that proposal is fair to property owners along West 11th who had to pay for their gravel road improvements. Chairman Marquardt said 434th/Kaiser Road gets a large amount of traffic coming off Highway 50 while West 11th was mostly traffic from the west city limits to their homes. Larry Leader and Tom Curran, residents along Kaiser Road, spoke during the discussion. Leader said a majority of residents along 434th/Kaiser Rd were willing to contribute to Micro Surfacing costs and he noted that considerable taxpayer money would be saved by no longer grading those gravel roads twice per week. Commissioner Klimisch said this is a different scenario than West 11th because 434th/Kaiser Road are Yankton County's most heavily traveled gravel roads.

Action 2568HWY: A motion was made by Klimisch and seconded by Kettering to approve the bid from ASTECH Corporation. All present voted aye; motion carried, 4-0.

Action 2569HWY: A motion was made by Klimisch and seconded by Kettering to approve the 5-Year Road Plan change presented by the Highway Superintendent. All present voted aye; motion carried, 4-0.

Brian Hunhoff appeared before the board to present the Register of Deeds annual report for 2024.

Action 2570C: A motion was made by Fox and seconded by Klimisch to recess the regular session and convene as Board of Adjustment. All present voted aye; motion carried, 4-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Steve Zimmerman. Applicant is requesting a Conditional Use Permit for an accessory building in a Moderate Density Residential District that exceeds the maximum aggregate square footage of 2400 square feet per Article 7 Section 707, Article 18 Section 1805, and Article 19 Section 1905. Applicant wishes to build an accessory structure that is 900 square feet and already has over 2400 square feet of accessory structures (8500 Square feet). Said property is legally described as The East Six Hundred Eighty-nine and Seven-Tenths feet (689.7') of the Northeast Quarter of the Southwest Quarter (NE1/4SW 1/4) North of Highway 314, Section Four (4), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5 th P.M., Yankton County, South Dakota. E91 I address is 4412 SD HWY 314, Yankton, South Dakota.

No one spoke on the permit request.

Action 2571Z: A motion was made by Kettering and seconded by Fox, to approve the Conditional Use Permit for Steve Zimmerman, based on Findings of Fact from the February 11, 2025 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. All present voted aye; motion carried, 4-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Dianne List. Applicant requested a permit for fireworks sales in a Lakeside Commercial District per Article 11 Section 1109, Article 18 Section 1805, and Article 19 Section 1905. Property is Legally described as Lot One (1) Huston's Addition in Section Sixteen (16), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5 th P.M., Yankton County, South Dakota. E9 I 1 address is 4210 West 8 th St., Yankton, South Dakota.

No one spoke on the permit request.

Action 2572Z: A motion was made by Fox and seconded by Kettering, to approve the Conditional Use Permit for Dianne List, based on Findings of Fact from the February 11, 2025 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. All present voted aye; motion carried, 4-0.

Action 2573C: A motion was made by Fox and seconded by Kettering to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 4-0.

Tyler Klatt from Tegra Architecture, Sioux Falls, SD. appeared before the board (via phone). Mr. Klatt said this is just a procedural step in this process. He said they have worked closely with Sheriff Crissey to get a committee selected to help with the selection process. Klatt asked the county to publish two proposals: Architect/Engineer Services and Construction Manager. Sheriff Crissey said members of the committee are Steven Luke, Wayne Kindle, Tom Stanage, John Marquardt, Amy Leon, Jason Foote and Alec Martin.

Sheriff Crissey requested an increase in the daily charge rate from \$85.00 to \$108.00 for surrounding counties housing inmates in the Yankton County Jail. Crissey also asked to increase the work release fee from \$20.00 to \$40.00.

Action 2573C: A motion was made by Fox and seconded by Klimisch to approve the requests from Sheriff Crissey. All present voted aye; motion carried, 4-0.

Judy Merchen, Yankton County Conservation District chair, and Dennis Klimisch spoke to the Commission (via phone) to explain what the organization does. Merchen said their District Manager has resigned. Due to the county hiring freeze, they wanted to know their options for the position. Commissioner Klimisch suggested not hiring a replacement.

Action 2574C: A motion was made by Klimisch and seconded by Fox to not hire anyone for the Yankton County Conservation District manager position and instead allocate \$25,000.00 to fund the Conservation District mission. No vote was taken and discussion resumed.

Action 2575C: A motion was made by Kettering and seconded by Klimisch to authorize a 2025 allocation of \$30,000 to the Conservation District. All present voted aye; motion carried, 4-0.

Planning and Zoning Administrator Gary Vetter appeared before the board to inform them he will advertise for two positions that will be open on the county zoning board.

Action 2576Z: A motion was made by Klimisch and seconded by Fox to approve the Zoning Administrator advertising for the open positions. All present voted aye; motion carried, 4-0.

Action 2577C: A motion was made by Fox and seconded by Klimisch to approve the February 18, 2025 meeting minutes. All present voted aye; motion carried, 4-0.

Action 2578C: A motion was made by Klimisch and seconded by Kettering to approve the following claims: **Commission:** Health Equity (Group Insurance) \$54.00; SD Association of County Commissioners (Travel) \$500.00; **Elections:** Qualified Presort Services (Supplies)

\$80.40; Verizon (Rentals) \$200.05; **Court:** Blackburn & Stevens Prof. LLC (Minor) \$2,419.10; Blackburn & Stevens Prof. LLC (Prof Services) \$4,360.75; Youngberg Law, Prof. LLC (Prof Services) \$2,767.00; Sandra Guzman (Prof Services) \$240.00; Grand Jury (Fees) \$560.30; Physicians Laboratory, PC (Prof Services) \$300.00; Horn Law Office, LLC (Prof Services) \$20,500.00; Clovia Dee (Minor) \$3,322.50; Koletzky Law Office Prof. LLC (Minor) \$1,419.00; Dean Schaefer (Prof Services) \$770.00; **Auditor:** Qualified Presort Services (Supplies) \$246.78; **Treasurer:** Qualified Presort Services (Supplies) \$528.24; **States Attorney:** Qualified Presort Services (Supplies) \$54.71; Verizon (Utilities) \$87.12; **CLERP:** SDACC (1st Quarter Allotment) \$12,250.00; **Government Center:** Bomgaars (Maintenance) \$13.43; Buhl's Cleaners (Maintenance) \$50.00; City of Yankton (Utilities) \$2,126.95; Crescent Electric Supply (Supplies) \$17.09; JCL Solutions (Supplies) \$241.35; Menards (Supplies) \$20.91; Northwestern Energy (Utilities) \$2,590.11; Olson's Pest Technicians (Maintenance) \$84.00; OTIS Elevator Company (Maintenance) \$1,018.50; **Director of Equalization:** Marshall & Swift (Licensing & Software) \$393.95; Qualified Presort Services (Supplies) \$48.08; **Register of Deeds:** Qualified Presort Services (Supplies) \$61.27; **Veterans Service Office:** Verizon (Utilities) \$44.19; Verizon (Rentals) \$40.01; **Safety Center Building:** City of Yankton (Utilities) \$775.47; Cole Papers, Inc. (Supplies) \$890.77; Fejfar Plumbing & Heating (Prof Services) \$346.80; Larry's Heating & Cooling (Maintenance) \$101.02; Midcontinent Communications (Utilities) \$949.61; Menards (Maintenance) \$65.28; Northwestern Energy (Utilities) \$5,983.18; Tire Muffler Alignment (Maintenance) \$350.00; Yankton Winnelson Co. (Maintenance) \$3,485.90; **Sheriff:** Bomgaars (K-9 Expense) \$1,226.82; Cardmember Services (Supplies) \$618.38; Cardmember Services (Travel) \$687.41; Cardmember Services (Minor Equipment) \$557.39; Cardmember Services (K-9 Expense) \$1,608.69; Cardmember Services (Maintenance) \$20.53; AT & T Mobility (Maintenance Contract) \$1,244.75; Ray Allen Manufacturing (K-9 Expense) \$758.95; Qualified Presort Services (Maintenance Contract) \$123.55; Two Way Solutions, Inc. (Maintenance Contract) \$440.74; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$304.29; Cardmember Services (Supplies) \$539.85; Diamond Drugs (Prof Services) \$8,830.06; Trinity Services Group (Food Services) \$16,650.59; AT & T Mobility (Maintenance Contract) \$199.93; Hy-Vee (Supplies) \$2.99; Jacks Uniforms & Equipment (Uniforms) \$95.94; Olson's Pest Technicians (Maintenance) \$155.00; Siouxland Oral & Maxillofacial (Prof Services) \$1,972.37; **Yankton Area Search & Rescue:** Bomgaars (Supplies) \$99.45; Dive Rescue International (Maintenance) \$694.95; Layne's World, LLC (Supplies) \$43.95; MT & RC Smith Insurance (Insurance) \$7,521.50; **Poor Relief:** Qualified Presort Services (Supplies) \$88.61; **Ambulance:** Sacred Heart Health Services (Prof Services) \$1,500.00; City of Yankton (Utilities) \$146.66; Credit Collection Services (Prof Services) \$140.25; Cintas (Maintenance) \$201.71; Amazon Capital Services (Supplies) \$1,018.37; Eric VanDusen (Travel) \$345.50; Henry Schein (Supplies) \$1,419.40; Waystar, Inc. (Prof Services) \$889.49; SD Redbook Fund (Supplies) \$276.00; Avera Health (Prof Services) \$171.00; Hy-Vee (Supplies) \$35.04; Menards (Supplies) \$108.04; MidAmerican Energy (Utilities) \$274.94; Northwestern Energy (Utilities) \$348.72; Olson's Pest Technicians (Maintenance) \$119.00; MT & RC Smith Insurance (Insurance) \$11,689.34; Verizon (Utilities) \$640.79; **Mentally Handicapped:** Avera Sacred Heart Hospital (Prof Services) \$500.00; **Mental Illness Board:** Youngberg Law, Prof. LLC (Hearings) \$216.00; Val Larson (Hearings) \$44.00; Fox Law Firm, PLLC (Hearings) \$372.75; Bill Schaefer

(Hearings) \$20.00; Koletzky Law Office, Prof. LLC (Hearings) \$207.00; Mark Katterhagen (Hearings) \$64.00; Luci Lewno (Hearings) \$892.19; **Historical Sites:** Yankton County Historical Society (2025 Contribution) \$20,000.00; **Extension:** Clarity Telecom, LLC (Utilities) \$296.16; City of Yankton (Utilities) \$92.70; Great America Financial (Rental) \$290.44; **Weed:** Bomgaars (Supplies) \$58.45; Verizon (Utilities) \$26.96; **Drainage Commission:** Missouri Sedimentation Action Coalition (2025 Contribution) \$500.00; **Planning and Zoning:** Qualified Presort Services (Supplies); \$24.21; SD Association of County Commissioners (Travel) \$125.00; Verizon (Utilities) \$44.19; **Highway:** Sanitation Products, Inc. (Maintenance) \$1,619.79; C & B Operations, LLC (Supplies) \$82.22; Avera Medical Group-Occupational Therapy (Prof Services) \$106.60; Bomgaars (Maintenance) \$4.49; Bomgaars (Supplies) \$413.28; B-Y Electric (Utilities) \$86.85; Butler Machinery Co. (Maintenance) \$3,538.19; Clarity Telecom, LLC (Utilities) \$198.08; City of Yankton (Utilities) \$58.15; NAPA Auto Parts of Yankton (Maintenance) \$123.04; NAPA Auto Parts of Yankton (Supplies) \$126.38; Rinker Materials (Bridges) \$11,768.70; Certified Laboratories (Supplies) \$239.95; IMEG Corp. (Prof Services) \$4,448.70; Clarks Rental, Inc. (Maintenance) \$34.00; Dakotaland Autoglass, Inc. (Maintenance) \$688.53; Echo Electric Supply (Supplies) \$390.00; Titan Machinery-Yankton (Maintenance) \$420.07; Mid-American Research Chemical (Supplies) \$1,329.56; New Century FS (Highway Fuel) \$18,500.00; Trail King (Maintenance) \$920.24; Graham Tire-Yankton (Maintenance) \$1,625.50; Graham Tire-Yankton (Supplies) \$20.00; Auto Value (Maintenance) \$1,344.03; I State Truck Center (Maintenance) \$537.90; Kimball Midwest (Supplies) \$976.62; LEAF (Utilities) \$124.98; Menards (Maintenance) \$27.78; Menards (Supplies) \$199.29; Northwestern Energy (Utilities) \$1,536.55; Olson's Pest Technicians (Prof Services) \$100.00; Overhead Door Company of Sioux City (Supplies) \$150.00; Riverside Hydraulics & Labs (Maintenance) \$420.13; Truck Trailer Sales & Service (Maintenance) \$400.25; Titan Machinery (Maintenance) \$213.75; TMA (Maintenance) \$276.65; Verizon (Utilities) \$61.31; **E911:** Clarity Telecom, LLC (Utilities) \$1,548.31; CenturyLink (Utilities) \$94.93; Midcontinent Communications (Utilities) \$170.39; TriTech Software Systems (Utilities) \$120.00; **OEM:** NAPA Auto Parts-Yankton (Supplies) \$23.94; NAPA Auto Parts-Yankton (Maintenance) \$179.99; AT & T Mobility (Utilities) \$64.76; Great America Financial (Rentals) \$159.43; MidAmerican Energy (Utilities) \$50.59; MT & RC Smith Insurance (Insurance) \$6,743.40; Verizon (Utilities) \$1,030.64; **Non-Departmental:** Deb Lillie (Diversion Expense) \$155.00. General Fund \$159,180.67; Road & Bridge \$53,111.56; Emergency Management \$8,252.75. All present voted aye; motion carried, 4-0.

A motion was made by Klimisch and seconded by Kettering to approve the second set of claims; **Court:** Harmelink & Fox Law Office (Prof Services) \$957.86. Voting aye: Klimisch, Kettering, and Marquardt. Fox abstained. Motion carried, 3-0.

Action 2579A: A motion was made by Klimisch seconded by Fox to approve February 2025 Gross Payroll: **FEBRUARY, 2025 Gross Payroll: Commissioners:** \$6,640.96; **Election:** \$0.00; **Auditor:** \$17,888.68; **Treasurer:** \$12,012.94; **States Attorney:** \$44,074.89; **Government Buildings:** \$6,874.47; **Director of Equalization:** \$24,790.87; **Register of Deeds:** \$18,315.62; **Veterans Service:** \$4,276.58; **Courthouse & Safety Center:** \$8,823.16; **Sheriff:** \$102,081.53; **County Jail:** \$97,489.61; **Coroner:** \$950.00; **Juvenile:**

\$0.00; **Nurse:** \$3717.13; **Ambulance:** \$78,793.47; **WIC:** \$383.04; **Extension:** \$4,492.32; **Soil Conservation:** \$1,398.60; **Weed:** \$3,421.92; **Planning & Zoning:** \$12,986.15; **Road & Bridge:** \$89,778.24; **OEM:** \$11,705.58; **24-7 Program:** \$3,716.34. First Dakota National Bank \$40,697.45 (Withholding), First Dakota National Bank \$67,632.64 (FICA) First Dakota National Bank \$15,817.36 (Medicare), South Dakota Retirement System \$35,260.70 (Other Employees), South Dakota Retirement System \$37,875.72 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$210.32, South Dakota Retirement System (Supplemental) \$5,240.00, American Family Life Assurance Company (AFLAC) \$1,867.91, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$3,325.46, AVERA Health Insurance \$72,827.35, Delta Dental \$2,709.58, VSP Vision \$756.18, HealthEquity \$4,089.00, Three RiversTPA \$9,479.89, Reliance Life Insurance \$758.13, Reliance Dental \$1,367.59, Gross Payroll \$565,681.10, Net Payroll \$415,772.88. All present voted aye; motion carried, 4-0.

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

Commissioner updates: Commissioners will participate in The Rock-a-thon fundraiser for Meals on Wheels on March 17 at The Center. There was discussion about holding County Commission listening sessions in the rural communities. Commissioner Klimisch commented on Gov. Rhoden's new State Prison Reset Taskforce.

Action 2580C: A motion was made by Fox and seconded by Klimisch to recess the regular session at 8:00 p.m. and convene in executive session to discuss a personnel issue pursuant to SDCL 1-25-2(1). All present voted aye motion carried, 4-0.

Action 2581C: A motion was made by Fox and seconded by Klimisch to adjourn executive session at 8:45 p.m. and reconvene in regular session. All present voted aye; motion carried, 4-0.

No action was taken on personnel matters.

Action 2582C: A motion was made by Fox and seconded by Klimisch to adjourn. All present voted aye; motion carried, 4-0.

The next regular meeting will be Tuesday, March 18, 2025 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, Yankton County Auditor