

## YANKTON COUNTY COMMISSION MEETING

August 6, 2024

The regular meeting of the Yankton County Commission was called to order by Chairman John Marquardt at 6:00 p.m. on Tuesday, August 6, 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 of interest reported by Commissioners.

**Action 24243C:** A motion was made by Klimisch and seconded by Heine to approve the meeting agenda following changes, reschedule item 8 and add personnel to executive session. All present voted aye; motion carried, 5-0.

There were public comments from Krystina Conway. Chairman Marquardt closed public comment.

**Action 24244C:** A motion was made by Klimisch and seconded by Fox to reopen public comments. All present voted aye; motion carried, 5-0.

There were comments from Juanita O’Gorman and Jacob McManus. Chairman Marquardt closed public comment.

**Action 24245A:** A motion was made by Klimisch and seconded by Fox to approve the Sundance Ridge Road District. Property is located in the NW1/4 S12-T93N-R57W of the 5<sup>th</sup> P. M., Yankton County, South Dakota except for Kabeiseman Tract 4 and Kabeiseman Tract J, and further excepting the property between and adjoining the Kabeiseman Tract 4 and Kabeisema Tract J. SW1/4, S12-T93N-R57W of the 5<sup>th</sup> P.M., Yankton County, South Dakota. S1/2, SE1/4 S12-T93N-R57W of the 5<sup>th</sup> P.M., except for Sundance Ridge Lots 1 through 6, Yankton County, South Dakota, Section 12-T93N-R57W of the 5th PM, Yankton County, South Dakota. All present voted aye; motion carried, 5-0.

Jeremy Heine presented a petition to vacate right of way on section line that runs along Northside of Parcel 01.017,400.150 legally described as N1/2, NW1/4 exclude parcel C, S17-T93N-R54W.

**Action 24246A:** A motion was made by Klimisch and seconded by Heine to approve the petition to vacate. All present voted aye; motion carried, 5-0.

Ambulance Director Eric Van Dusen appeared before the board for approval to change the staffing schedule for billing clerks. The clerks work 35 hours per week now. They would like to change to one week working 39 hours and the next week working 31 hours so they have every other Friday off.

**Action 24247A:** A motion was made by Klimisch and seconded by Heine to approve the scheduling change. All present voted aye; motion carried, 5-0.

**Action 24248C:** A motion was made by Fox and seconded by Heine to approve the July 16, 2024 regular meeting minutes. All present voted aye; motion carried, 5-0.

**Action 24249C:** A motion was made by Klimisch and seconded by Kettering to approve the July 24, 2024 budget hearing meeting minutes. All present voted aye; motion carried, 5-0.

**Action 24250C:** A motion was made by Fox and seconded by Kettering to approve the following claims: **Commissioners:** Dan Klimisch (Travel) \$1,533.73; Vision Real Estate (Prof Services) \$150.00; Yankton County Observer (Publishing) \$165.09; Qualified Presort Services (Supplies) \$10.45; One Office Solution (Supplies) \$24.95; Yankton Daily Press & Dakotan (Publishing) \$1,780.84; **Elections:** Qualified Presort Services (Supplies) \$74.95; Verizon (Rentals) \$280.07; **Court:** Blackburn & Stevens Prof. LLC (Prof Services) \$1,651.24; Certified Languages International (Prof Services) \$717.80; John Billings (Prof Services) \$6,732.25; Josette Lindahl (Prof Services) \$6,500.00; Youngberg Law, Prof. LLC (Prof Services) \$2,767.00; Grand Jury (Fees) \$581.70; Lutheran Social Services (Prof Services) \$540.00; Coos County Sheriff (Fees) \$50.00; Horn Law Office, LLC (Prof Services) \$13,833.00; Kennedy Pier Loftus & Reynolds, LLP (Prof Services) \$575.00; Koletzky Law Office Prof. LLC (Prof Services) \$2,501.50; LaCroix Law Office (Neglected) \$1,596.30; Dean Schaefer (Prof Services) \$2,246.00; **Auditor:** Andersen Telecom, LLC (Prof Services) \$100.00; McLeod's Printing & Office Supply (Supplies) \$245.00; Qualified Presort Services (Supplies) \$169.72; One Office Solution (Maintenance) \$88.88; **Treasurer:** LEAF (Rentals) \$148.04; Qualified Presort Services (Supplies) \$170.98; **Data:** Andersen Telecom, LLC (Prof Services) \$212.25; **States Attorney:** Andersen Telecom, LLC (Maintenance) \$200.00; Matthew Bender & Co., Inc. (Books) \$249.10; Qualified Presort Services (Supplies) \$66.86; Verizon (Utilities) \$87.00; One Office Solution (Supplies) \$427.95; **Government Center:** City of Yankton (Utilities) \$2,315.66; City of Yankton-Landfill (Maintenance) \$12.00; JCL Solutions (Supplies) \$249.86; Menards (Supplies) \$225.64; Northwestern Energy (Utilities) \$3,069.30; Nebraska Air Filter, Inc. (Supplies) \$286.66; Olson's Pest Technicians (Maintenance) \$84.00; **Director of Equalization:** Zach Waiter (Travel) \$341.74; Qualified Presort Services (Supplies) \$75.37; **Register of Deeds:** Executive Management Finance (Supplies) \$65.00; Qualified Presort Services (Supplies) \$46.65; **Veterans Service Office:** Qualified Presort Services (Supplies) \$15.65; Verizon (Utilities) \$44.13; Verizon (Rentals) \$40.01; One Office Supplies (Maintenance) \$10.36; **Safety Center Building:** City of Yankton (Utilities) \$765.26; Clarks Rental, Inc. (Rentals) \$66.00; Jeff Pfeifle (Supplies) \$125.00; ECHO Group, Inc. (Maintenance) \$210.00; Crescent Electric Supply Co. (Maintenance) \$122.43; Midcontinent Communications (Utilities) \$947.80; Menards (Supplies) \$80.15; MidAmerican Energy (Utilities) \$973.17; Northwestern Energy (Utilities) \$9,847.87; Olson's Pest Technicians (Maintenance) \$137.00; SD Federal Property Agency (Supplies) \$30.00; United Laboratories, Inc. (Supplies) \$953.08; **Sheriff:** Roger Wolff (Fuel) \$25.00; Xtreme Car Wash

(Maintenance) \$184.80; Cardmember Services (Other) \$19.88; Cardmember Services (Prof Services) \$18.40; Cardmember Services (Fuel) \$90.94; Cardmember Services (Law Enforcement Equipment) \$3,267.18; Accredited Security (Law Enforcement Equipment) \$183.00; Pennington County Jail (Travel) \$515.44; Qualified Presort Services (Maintenance Contract) \$159.43; TriTech Software Systems (Maintenance Contract) \$4,521.17; Tire Muffler Alignment (Maintenance) \$834.50; Yankton Daily Press & Dakotan (Maintenance Contract) \$240.04; Yankton Fire & Safety Co. (Law Enforcement Equipment) \$64.00; **County Jail:** Charm-Tex (Supplies) \$720.50; Cardmember Services (Minor Equipment) \$291.92; Cardmember Services (Uniforms) \$257.15; Diamond Drugs (Prof Services) \$6,874.42; Trinity Services Group (Food Service) \$16,737.26; Spectacle Shop, LLC (Prof Services) \$250.00; Sapphire Health, LLC (Prof Services) \$550.00; Olivia Sandvold (Supplies) \$24.99; JCL Solutions (Supplies) \$1,814.97; Kaiser Appliance & Refrigeration (Maintenance) \$415.00; Olson's Pest Technicians (Maintenance) \$155.00; Trittech Software Systems (Maintenance Contract) \$6,218.66; **Poor Relief:** Dawn Kirchner (Travel) \$91.34; Opsahl-Kostel Funeral Home (Prof Services) \$1,250.00; Qualified Presort Services (Supplies) \$69.46; Wintz & Ray Funeral Home (Prof Services) \$2,500.00; **Public Health Nurse:** Qualified Presort Services (Supplies) \$24.66; **Ambulance:** Avera Health dba Avera Staffing Solutions (Prof Services) \$16.00; Avera Sacred Heart Hospital (Supplies) \$379.10; The UPS Store (Prof Services) \$23.73; City of Yankton (Utilities) \$230.10; Credit Collection Services (Prof Services) \$144.47; CAN Surety (Prof Services) \$100.00; Savvik Buying Group (Supplies) \$82.99; Waystar, Inc. (Prof Services) \$576.34; Positive Promotions, Inc. (Supplies) \$320.88; Domain Networks (Prof Services) \$289.00; Hy-Vee (Supplies) \$39.28; JCL Solutions (Supplies) \$216.68; Kaiser Hearing & Cooling (Maintenance) \$235.98; LEAF (Rentals) \$144.89; Menards (Supplies) \$128.51; MidAmerican Energy (Utilities) \$21.94; Northwestern Energy (Utilities) \$1,110.40; Olson's Pest Technicians (Maintenance) \$119.00; Tire Muffler Alignment (Maintenance) \$52.00; Verizon (Utilities) \$608.94; Yankton County EMS (Prof Services) \$186.80; **Mental Illness Board:** Blackburn & Steves Prof. LLC (Hearings) \$80.50; Val Larson (Hearings) \$60.00; Fox Law Firm, PLLC (Hearings) \$702.25; Kennedy Pier Loftus & Reynolds (Hearings) \$230.00; Mark Katterhagen (Hearings) \$60.00; Luci Lewno (Hearings) \$768.48; **Extension:** Clarity Telecom, LLC (Utilities) \$407.66; City of Yankton (Utilities) \$72.90; Katie Doty (Travel) \$26.52; Hy-Vee (4-H) \$36.44; Great America Financial (Rentals) \$283.55; MidAmerican Energy (Utilities) \$9.83; Olson's Pest Technicians (Maintenance) \$150.00; South Dakota State 4-H (Travel) \$85.00; Union County 4-H (4-H) \$91.67; **Weed:** Bomgaars (Supplies) \$160.47; AgTerra Technologies (Supplies) \$1,290.00; Verizon (Utilities) \$26.91; Van Deist Supply Co. (Chemicals) \$4,827.70; **Planning and Zoning:** Gary Vetter (Travel) \$210.00; Pheasantland Industries (E911 Signs) \$27.13; Qualified Presort Services (Supplies) \$24.01; Verizon (Utilities) \$44.13; **Highway:** Appeara (Supplies) \$152.69; Bomgaars (Supplies) \$334.11; B-Y Electric (Utilities) \$69.41; Butler Machinery Co. (Maintenance) \$4,099.92; Scotland Redi-Mix (Bridges) \$7,087.50; City of Yankton (Utilities) \$121.44; NAPA Auto Parts of Yankton (Maintenance) \$1,251.95; Knife River-South Dakota (Bridges) \$1,565.50; Knife River-South Dakota (Asphalt Roads) \$208,149.92; CHS, Inc. (Supplies) \$2,490.00; Amazon Capital Services (Supplies) \$14.70; Ehresmann Engineering (Maintenance) \$55.00; Platinum Chemicals, Inc. (Supplies) \$885.00; New Century FS (Highway Fuel) \$2,426.48; TLC Propane (Maintenance) \$49.74; Graham Tire-Yankton (Maintenance) \$1,781.10; Hollaway

Construction Co. (Bridges) \$126,870.34; I State Truck Center (Maintenance) \$1,011.31; LEAF (Supplies) \$124.98; Menards (Maintenance) \$50.71; Menards (Supplies) \$50.70; Motorola (Supplies) \$6,230.96; Northwestern Energy (Utilities) \$850.30; Riverside Hydraulics & Labs (Maintenance) \$93.24; Transource (Maintenance) \$5,131.82; SD Department of Transportation (Bridges) \$239.31; Two Way Solutions (Maintenance) \$315.99; Southeastern Electric Co. (Utilities) \$41.41; Truck Trailer Sales & Service (Maintenance) \$58.00; Titan Machinery (Maintenance) \$293.90; TrueNorth Steel (Supplies) \$33,945.44; Verizon (Utilities) \$61.31; **E911:** CenturyLink (Utilities) \$88.83; Midcontinent Communications (Utilities) \$150.39; TriTech Software Systems (Prof Services) \$3,183.54; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$325.93; Andersen Telecom, LLC (Maintenance) \$100.00; Bomgaars (OEM Disaster Plan) \$47.94; Bomgaars (Supplies) \$89.97; B-Y Electric (Utilities) \$53.00; Hanson Briggs Specialty Advertising (Supplies) \$198.82; Knife River-South Dakota (OEM Disaster Plan) \$446.36; Xtreme Car Wash (Maintenance) \$100.80; Verizon (Utilities) \$122.15; ESRI (Prof Services) \$460.00; AT & T Mobility (Utilities) \$80.08; Great America Financial (Rentals) \$252.61; LEAF (Rentals) \$162.23; Midcontinent Communications (Utilities) \$117.84; MidAmerican Energy (Utilities) \$10.66; Two Way Solutions (Maintenance) \$259.48; Verizon (Utilities) \$958.92; One Office Solution (Supplies) \$31.48; **24/7:** Intoximeter, Inc. (Supplies) \$244.75; PharmChem, Inc. (Supplies) \$5,562.66; **M & PR Fund:** One Office Solution (Supplies) \$72.01; **Non-Departmental:** Yankton County Observer (Road District Publishing) \$19.08. General Fund \$130,688.73; Road & Bridge \$405,904.18; Emergency Management \$3,818.27. All present voted aye; motion carried, 5-0.

**Action 24251A:** A motion was made by Fox and seconded by Heine to approve July 2024 Gross Payroll: **Commissioners:** \$6,373.29; **Election:** \$0.00; **Auditor:** \$17,104.73; **Treasurer:** \$21,646.46; **States Attorney:** \$40,873.85; **Government Buildings:** \$6,714.98; **Director of Equalization:** \$24,237.48; **Register of Deeds:** \$17,390.02; **Veterans Service:** \$3,971.66; **Courthouse & Safety Center:** \$11,083.85; **Sheriff:** \$81,830.88; **County Jail:** \$94,823.50; **Coroner:** \$350.00; **Juvenile:** \$0.00; **Nurse:** \$3,524.00; **Ambulance:** \$69,246.19; **WIC:** \$715.95; **Extension:** \$4,313.26; **Soil Conservation:** \$2,908.86; **Weed:** \$10,033.76; **Planning & Zoning:** \$12,497.02; **Road & Bridge:** \$79,882.91; **OEM:** \$12,152.62; **24-7 Program:** \$2,152.13. First Dakota National Bank \$37,644.61 (Withholding), First Dakota National Bank \$62,895.32 (FICA) First Dakota National Bank \$14,709.50 (Medicare), South Dakota Retirement System \$34,276.04 (Other Employees), South Dakota Retirement System \$31,004.08 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$203.37, South Dakota Retirement System (Supplemental) \$4,975.00, 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 \$79,932.90, Optilegra \$285.34, Delta Dental \$2,672.56, VSP Vision \$521.48, HealthEquity \$3,206.00. Gross Payroll \$523,869.40, Net Payroll \$391,207.09. All present voted aye; motion carried. All present voted aye; motion carried, 5-0.

**Action 24252AUD:** A motion was made by Fox and seconded by Heine to approve the budgeted cash transfers of \$1,000,000 to Highway and \$100,000 to Emergency Management. All present voted aye; motion carried, 5-0.

**Action 24253AUD:** A motion was made by Klimisch and seconded by Heine to approve Application for Abatement for S34-T95N-R54W for \$2,018.69. All present voted aye; motion carried, 5-0.

**Action 24254AUD:** A motion was made by Klimisch and seconded by Fox to increase the mileage rate for employee travel to .65 per mile. All present voted aye; motion carried, 5-0

**Commissioner updates:** Library study, and reschedule September commission meeting due to September 17-18 SD Counties Convention in Rapid City.

**Action 24255C:** A motion was made by Fox and seconded by Kettering to recess for five minutes. All present voted aye; motion carried. 5-0.

**Action 24256:** A motion was made by Fox and seconded by Heine to reconvene. All present voted aye; motion carried, 5-0.

**Action 24257C:** A motion was made by Kettering 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 Wildwood Christian Retreat Center. Applicant wishes to create a retreat center where Christian leaders can come for sabbatical and church staff for retreats. Said property is legally described as SE1/4, S11-T95-R56, hereinafter referred to as Central Township County of Yankton, State of South Dakota.

Trevor and Chelly Thielke spoke on the application.

There were comments from Myles Tieszen, Jan Klimisch, David Ellis and Mike Roche. Chairman Marquardt closed public comment.

**Action 24258Z:** A motion was made by Heine to approve the Conditional Use Permit based on Findings of Fact from the July 9, 2024 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Motion died for lack of second.

**Action 24259Z:** A motion was made by Kettering and seconded by Fox, to deny the CUP request. 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 Fire and Ice. Applicant wishes to erect a large gathering tent to host



bands and have a beer garden. Said property is legally described as Lot 25, Lewis and Clark Business Center, S16-T93-R56, hereinafter referred to as Utica South Township County of Yankton, State of South Dakota.

Beth and Tom Kaltsulas spoke on the request. Chairman Marquardt closed public comment.

**Action 24260Z:** A motion was made by Kettering and seconded by Klimisch, to approve the Conditional Use Permit based on Findings of Fact from the June 11, 2024 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Kettering, Klimisch, Fox and Marquardt voted aye; Heine voted nay, motion carried, 4-1.

**Action 24261C:** A motion was made by Fox and seconded by Klimisch to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Action 24262C:** A motion was made by Klimisch and seconded by Fox to recess for five minutes. All present voted aye; motion carried. 5-0.

**Action 24263:** A motion was made by Fox and seconded by Kettering to reconvene. All present voted aye; motion carried, 5-0.

There was a first reading on Definitions and Article 26 Wind Energy Conversion Systems. Individuals commenting at the Article 26 hearing were: Mike Welsh, Roger Meyer, Gokhan Andi, Randy Wagner, Lori Sletten, Cassie Richelieu, Robert Burns, Rodney Sletten, Sandra Baker, Teri Clark, Thomas Conway, Jackie Mayo, Matt Conway, Josh Justus, John Olson, Sharon Akland, Nancy Wenande, David Ellis, Kay Swihart and Alan Anderson.

**Action 24264C:** A motion was made by Fox and seconded by Kettering to recess for five minutes. All present voted aye; motion carried. 5-0.

**Action 24265C:** A motion was made by Fox and seconded by Heine to reconvene. All present voted aye; motion carried, 5-0.

There were more comments on Article 26 from: Travis Arens, Barbara Steskal, Lauren Nelson, Allan Ward, Todd Christensen, Dan Tacke, Sandy Williams, Steve Brockmueller, Mike Healy, Carla Harper, Tina Lee and Becky McManas.

**Action 24266C:** A motion was made by Klimisch and seconded by Fox to recess the regular session at 10:15 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13 and personnel issues SDCL 1-25-2(1). All present voted aye; motion carried, 5-0.

**Action 24267C:** A motion was made by Klimisch and seconded by Fox to adjourn the executive session at 10:20 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Action 24268C:** A motion was made by Klimisch and seconded by Heine to advertise the Building and Grounds Supervisor position. All present voted aye; motion carried, 5-0.

**Action 24269** 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, August 20, 2024 at 6:00 p.m.

**John Marquardt**, Chairman  
Yankton County Commission

ATTEST:

**Patty Hojem**  
Yankton County Auditor