

YANKTON COUNTY COMMISSION MEETING

January 7, 2025

The regular meeting of the Yankton County Commission was called to order by John Marquardt at 6:00 p.m. on Tuesday, January 7, 2025.

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

Commissioner Fox will abstain from voting on the second set of claims from Harmelink & Fox Law Office. There were no conflicts from the rest of the board.

Action 24435C: A motion was made by Fox and seconded by Heine to approve the meeting agenda with the addition of an executive session for poor relief and litigation. All present voted aye; motion carried, 4-0.

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

Action 24437C: A motion was made by Fox and seconded by Heine to approve the December 17, 2024 meeting minutes. All present voted aye; motion carried, 4-0.

Action 24438C: A motion was made by Klimisch and seconded by Heine to approve the December 27, 2024 meeting minutes. All present voted aye; motion carried, 4-0.

Action 24439C: A motion was made by Fox and seconded by Heine to approve the December, 2024 gross payroll: **Commissioners:** \$6,373.29; **Election:** \$0.00; **Auditor:** \$17,044.10; **Treasurer:** \$18,883.72; **States Attorney:** \$49,963.30; **Government Buildings:** \$6,416.28; **Director of Equalization:** \$23,290.99; **Register of Deeds:** \$17,276.86; **Veterans Service:** \$3,971.66; **Courthouse & Safety Center:** \$10,437.24; **Sheriff:** \$88,657.17; **County Jail:** \$98,928.09; **Coroner:** \$2,300.00; **Juvenile:** \$0.00; **Nurse:** \$3,567.30; **Ambulance:** \$84,183.43; **WIC:** \$551.48; **Extension:** \$4,313.26; **Soil Conservation:** \$2,908.86; **Weed:** \$5,317.44; **Planning & Zoning:** \$12,462.72; **Road & Bridge:** \$81,717.82; **OEM:** \$11,085.89; **24-7 Program:** \$2,544.29. First Dakota National Bank \$41,379.64 (Withholding), First Dakota National Bank \$66,052.98 (FICA) First Dakota National Bank \$15,447.96 (Medicare), South Dakota Retirement System \$33,293.38 (Other Employees), South Dakota Retirement System \$35,976.94 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$200.10, South Dakota Retirement System (Supplemental) \$5,200.00, American Family Life Assurance Company (AFLAC) \$4,976.12, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$3,325.46, AVERA Health Insurance \$69,234.97 Optilegra \$267.42, Delta Dental \$3,756.29, VSP Vision \$737.67, HealthEquity \$3,306.00. Three Rivers TPA \$8,928.83, Reliance Life Insurance \$758.13. Gross Payroll \$552,312.19, Net Payroll \$404,366.61. All present voted aye; motion carried, 4-0.

Action 24440C: A motion was made by Fox and seconded by Heine to approve the following levy corrections; General 2.820, County Buildings .037, Debt Service .105 and Secondary Road .612. All present voted aye; motion carried, 4-0.

Action 23441C: A motion was made by Fox and seconded by Heine to adjourn sine die. All present voted aye; motion carried, 4-0.

The board proceeded to reorganize for 2025 with the following Commissioners present: Wanda Howey-Fox, Dan Klimisch (via phone), Ryan Heine, and John Marquardt. Absent: Don Kettering.

Wanda Howey-Fox took the oath of office for County Commissioner.

The County Auditor called for nominations from the floor for Chairperson of the County Commission for the year 2025.

Action 2501C: A motion was made by Fox to nominate John Marquardt as Chair, seconded by Heine. All present voted aye; motion carried, 4-0.

Action 2502C: A motion was made by Klimisch to nominate Wanda Howey-Fox as Vice Chair, and that nominations cease, seconded by Heine. All present voted aye; motion carried, 4-0.

Action 2503C: A motion was made by Fox and seconded by Heine to approve the following resolution. All present voted aye; motion carried, 4-0.

YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS YANKTON
COUNTY, SOUTH DAKOTA

Resolution No. 2025-1

ESTABLISHING WEIGHT MAXIMUM FOR ROADWAY

WHEREAS, pursuant to SDCL 32-22-25, if, for any reason, the Yankton County Board of County Commissioners determines that an improved highway or any section of it under the Board's jurisdiction would be damaged or destroyed for any reason, the Commission may establish the maximum weight of the vehicle and the load shall be reduced; and,

WHEREAS, those sections of Sleepy Hollow Drive, Crest Lane, Russell Road, Acorn Drive, Oak Hills Drive, and Madison Drive all lie within the: Southwest one-quarter (SWI/4) of Section Thirteen (13) Township Ninety-three North (93), Range Fifty-seven (57) West of the 5th P.M., Yankton County, South Dakota; and, Drees Drive, Lewis &

Clark Trail and Stackerl Avenue all lie within the: East one-half(EI/2) of Section Thirteen (13) Township Ninety-three North (93), Range Fifty-seven (57) West of the 5th P.M., Yankton County, South Dakota have experienced damage due to heavy vehicle traffic; and,

WHEREAS, the Yankton County Highway Superintendent recommends that a 6 ton per axle load rating be established on the herein above described roadways; and,

WHEREAS, pursuant to SDCL 7-18A-8, the adoption of a resolution may take effect immediately for the preservation of the public peace, health, or safety.

NOW THEREFORE BE IT RESOLVED by the Yankton County Board of Commissioners declares that the maximum weight of a vehicle and its load shall be 6 ton per axle load on Sleepy Hollow Drive, Crest Lane, Russell Road, Acorn Drive, Oak Hills Drive, and Madison Drive all lying within the: Southwest one-quarter (SWI/4) of Section Thirteen (13) Township Ninety- three North (93), Range Fifty-seven (57) West of the 5th P.M., Yankton County, South Dakota; and, on Drees Drive, Lewis & Clark Trail and Stackerl Avenue all lying within the: East one-half (EI/2) of Section Thirteen (13) Township Ninety-three North (93), Range Fifty-seven (57) West of the 5th P.M., Yankton County, South Dakota. The Yankton County Superintendent shall provide notice of this restriction by placing at each end of the section of roadway on which the allowable weight limit is reduced and at points of intersection, as deemed necessary by Superintendent, signs indicating the limitations of the gross weight of a vehicle.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately.

Yankton County Chairman, John Marquardt /s/

ATTEST: Patty Hojem, Yankton County Auditor /s/

Action 2504C: A motion was made by Heine and seconded by Fox to approve the following resolution. All present voted aye; motion carried, 4-0.

Resolution 2025-2

WHEREAS, seasonal climatic changes can be detrimental to our Yankton County Highways, and

WHEREAS, the Yankton County Board of Commissioners desire to protect existing Yankton County Paved Highways, ultimately saving tax dollars and,

WHEREAS, South Dakota Codified Laws 32-14-6 allows for the reduction of the legal weight limit, which may be carried upon all county hard surfaced roads within Yankton County,

THEREFORE, BE IT RESOLVED, that certain Yankton County Highways be restricted to a load limit of 6 tons per axle imposed on trucks, trailers, and wagons with the exception of:

- 7 tons per axle on 430th Ave from 300th St north to SD HWY 46
- 7 tons per axle on 450th Ave from SD HWY 50 north to 310th St
- Legal load limit on East Side Drive from SD HWY 50 north 1.5 miles to Whiting Drive
- Legal load limit on County Road 210/Deer Boulevard north of SD HWY 50, extending north 3.2 miles to the entrance of Dakota Plains Ag Center

- County Primary Gravels and County Maintained township gravels as deemed necessary by the Highway Superintendent

Yankton County will allow a permit process for non-divisible loads for overweight/oversize loads. There will be two options:

Option 1: A single trip permit fee of \$150.00 for over 6 tons per axle or 80,000 lbs. Gross Vehicle Weight, with an additional \$25.00 fee for every 2,000 lbs. over 80,000 lbs. (with specified route)

Option 2: An Annual permit fee of \$450.00 for over 6 tons per axle less than 70,000 lbs. Gross Vehicle Weight.

The Yankton County Highway Superintendent will cause to be installed adequate warning signs notifying the traveling public of the load weight restrictions on the restricted county hard surfaced roads and that the restrictions will be in force upon the placing of such signs until such signs are removed and

BE IT FURTHER RESOLVED, that the penalty for the violation of the load restrictions shall be set force in SDCL 32-22-55.

Yankton County Chairman, John Marquardt /s/
ATTEST: Patty Hojem, Yankton County Auditor /s/

Action 2505C: A motion was made by Heine and seconded by Fox to approve two committee assignments for 2025. Extension Board/4-H Liaison: Ryan Heine and Wanda-Howey Fox; Yankton County Conservation District: Wanda Howey-Fox. All present voted aye; motion carried, 4-0.

Action 2506C: A motion was made by Fox and seconded by Heine to approve the Yankton Daily Press & Dakotan and Yankton County Observer as official newspapers for the County. All present voted aye; motion carried, 4-0.

Action 2507C: A motion was made by Klimisch and seconded by Kettering to approve the 2025 Calendar with one change: moving the May 20th meeting to May 19th. All present voted aye; motion carried, 4-0.

Action 2508C: A motion was made by Fox and seconded by Heine to approve the first set of claims: **Elections:** Qualified Presort Services (Supplies) \$94.50; Verizon (Rentals) \$200.05; **Court:** Avera Sacred Heart Hospital (Lab) \$500.00; Blackburn & Stevens Prof. LLC (Prof Services) \$2,160.63; Youngberg Law, Prof. LLC (Prof Services) \$2,767.00; Yellow Robe Consulting, Inc. (Prof Services) \$1,800.00; Horn Law Office, LLC (Prof Services) \$20,500.00; Clovia Dee (Prof Services) \$944.10; Clovia Dee (Minor) \$433.50; Kennedy Pier Loftus & Reynolds (Prof Services) \$2,078.40; Koletzky Law Office, Prof. LLC (Prof Services) \$1,253.50; Dean Schaefer (Prof Services) \$560.00; **Auditor:** McLeod's Printing & Office Supply

(Supplies) \$504.74; Qualified Presort Services (Supplies) \$218.80; One Office Solution (Maintenance) \$86.28; One Office Solution (Supplies) \$76.50; **Treasurer:** LEAF (Rentals) \$133.60; Qualified Presort Services (Supplies) \$150.90; One Office Solution (Supplies) \$439.20; **States Attorney:** Deb Lillie (Diversion) \$255.00; Culligan (Supplies) \$44.00; SD States Attorney Association (Travel) \$1,647.40; One Office Solution (Supplies) \$736.13; **Government Center:** Bomgaars (Supplies) \$179.97; City of Yankton (Utilities) \$2,027.36; Hansen Locksmithing, Inc. (Maintenance) \$14.34; JCL Solutions (Supplies) \$93.60; Menards (Supplies) \$110.93; Northwestern Energy (Utilities) \$2,542.40; Olson's Pest Technicians (Maintenance) \$84.00; One Office Solution (Supplies) \$36.37; **Director of Equalization:** Pictometry International (Maintenance) \$1,650.00; Qualified Presort Services (Supplies) \$56.55; **Register of Deeds:** Qualified Presort Services (Supplies) \$52.20; **Veterans Service Office:** Qualified Presort Services (Supplies) \$15.70; Tyler Technologies (Maintenance) \$449.00; Verizon (Rentals) \$40.01; One Office Solution (Maintenance) \$10.36; **Safety Center Building:** City of Yankton (Utilities) \$672.71; City of Yankton (Dumpster Fees) \$184.00; Pye-Barker Fire & Safety (Maintenance) \$300.00; KONE, Inc. (Maintenance) \$1,910.70; Larry's Heating and Cooling (Maintenance) \$384.36; Menards (Maintenance) \$82.89; MidAmerican Energy (Utilities) \$2,686.76; **Sheriff:** NAPA Autor Parts of Yankton (Maintenance) \$51.56; Cardmember Services (Travel) \$1,100.16; Cardmember Services (Supplies) \$285.15; Cardmember Services (Other) \$180.58; Cardmember Services (Auto Equipment) \$1,096.80; Cardmember Services (Law Enforcement Equipment) \$4,111.23; AT & T Mobility (Maintenance Contract) \$1,508.18; Wolfcom Enterprises (Law Enforcement Equipment) \$135.98; Dolan Consulting Group, Inc. (Travel) \$275.00; Tedder Industries, LLC (Law Enforcement Equipment) \$1,340.75; Galls Inc. (Law Enforcement Equipment) \$102.97; Qualified Presort Services (Maintenance Contract) \$135.47; Yankton Daily Press & Dakotan (Publishing) \$50.00; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$588.19; Scott Family Dentistry, Inc. (Prof Services) \$584.47; Charm-Tex (Supplies) \$1,705.50; Cardmember Services (Other) \$72.14; Cardmember Services (Supplies) \$70.77; Cardmember Services (Travel) \$1,102.80; Diamond Drugs (Prof Services) \$13,774.64; McKesson Medical-Surgical (Prof Services) \$306.74; Trinity Services Group (Food Services) \$5,697.02; AT & T Mobility (Maintenance Contract) \$199.76; NCIC Inmate Communications (Supplies) \$1,679.12; Whitney Delforge (Prof Services) \$1,475.00; Marathon Engineering Co. (Maintenance) \$75.00; Hy-Vee (Prof Services) \$37.99; JCL Solutions (Supplies) \$1,990.29; Menards (Supplies) \$23.53; Olson's Pest Technicians (Maintenance) \$155.00; PharmChem, Inc. (Prof Services) \$4,536.90; **Yankton Area Search & Rescue:** Bomgaars (Supplies) \$287.92; Premier Ventures, LLC (Supplies) \$665.00; **Poor Relief:** Qualified Presort Services (Supplies) \$267.62; Wintz & Ray Funeral Home (Prof Services) \$650.00; **Ambulance:** Avera Health dba Avera Staffing Solution (Supplies) \$150.00; Kopetsky's Ace Hardware (Supplies) \$101.89; City of Yankton (Utilities) \$133.17; Cintas (Maintenance) \$190.68; Amazon Capital Services (Supplies) \$112.79; Stryker Sales, LLC (Minor Equipment) \$1,013.20; Habitat Restore (Furniture) \$550.00; Hy-Vee (Supplies) \$14.99; LEAF (Rentals) \$181.08; Menards (Supplies) \$23.86; Olson's Pest Technicians (Maintenance) \$119.00; Yankton County EMS (Prof Services) \$179.98; **Mentally Handicapped:** SD Achieve dba Lifescape (Misc.) \$120.00; **Mental Illness Board:** Blackburn & Stevens Prof. LLC (Hearings) \$149.50; Val Larson (Hearings) \$33.00; Fox Law Firm, PLLC (Hearings) \$263.22; Mark Katterhagen

(Hearings) \$33.00; Luci Lewno (Hearings) \$426.73; **Extension:** FP Mailing Solutions (Other) \$74.85; City of Yankton (Utilities) \$92.70; Great America Financial Services (Rentals) \$283.55; MidAmerican Energy (Utilities) \$134.41; Olson's Pest Technicians (Maintenance) \$150.00; **Weed:** Association of SD County Weed & Pests Boards (Travel) \$550.00; SD Association of Weed & Pest Supervisors (Travel) \$75.00; **Planning and Zoning:** ESRI (Maintenance) \$1,750.00; Planning & Development District III (Prof Services) \$29,599.00; Pheasantland Industries (E911 Signs) \$27.13; Qualified Presort Services (Supplies) \$1,448; **Highway:** Bomgaars (Supplies) \$84.99; B-Y Electric (Utilities) \$91.49; Barco Municipal Products (Supplies) \$1,405.18; Butler Machinery Co. (Maintenance) \$6,362.29; Butler Machinery Co. (Supplies) \$1,600.65; City of Yankton (Utilities) \$94.15; NAPA Auto Parts of Yankton (Maintenance) \$342.00; NAPA Auto Parts of Yankton (Supplies) \$187.81; Coyote Chemical Company (Supplies) \$1,450.00; Certified Laboratories (Supplies) \$1,658.80; IMEG Corp. (Prof Services) \$16,965.00; IMEG Corp. (Emergencies) \$3,125.00; Clarks Rental, Inc. (Maintenance) \$902.00; Diamond Mowers, Inc. (Maintenance) \$3,726.31; Amazon Capital Services (Supplies) \$34.99; ECHO Electric Supply (Supplies) \$2,328.44; Titan Machinery-Yankton (Maintenance) \$134.62; Titan Machinery-Yankton (Auto Equipment) \$8,250.00; City of Yankton-Landfill (Maintenance) \$5.50; City of Yankton-Landfill (Utilities) \$122.64; Midstate's Equipment & Supply (Maintenance) \$427.69; Francotyp-Postalia, Inc. (Supplies) \$68.85; Kaiser Appliance & Refrigeration (Supplies) \$1,129.83; Kimball Midwest (Supplies) \$245.19; LEAF (Supplies) \$124.98; Utica Gravel, Inc. (Gravel) \$148,000.00; Menards (Supplies) \$4,226.32; Northwestern Energy (Utilities) \$1,281.61; Olson's Pest Technicians (Prof Services) \$100.00; Overhead Door Company of Sioux City (Prof Services) \$3,656.32; Riverside Hyradulics & Alloys (Maintenance) \$104.12; Two Way Solutions, Inc. (Maintenance) \$99.96; Southeastern Electric Co. (Utilities) \$41.13; Truck Trailer Sales & Service (Supplies) \$60.00; TMA (Supplies) \$801.40; Town of Lesterville (Utilities) \$994.00; Uline (Supplies) \$1,638.81; One Office Solution (Supplies) \$34.69; **E-911:** Clarity Telecom, LLC (Utilities) \$1,146.38; CenturyLink (Utilities) \$74.75; Midcontinent Communications (Utilities) \$150.39; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$395.51; Bomgaars (Supplies) \$282.91; Xtreme Car Wash (Maintenance) \$56.00; AGAP, LLC dba Power Source Electric (Supplies) \$280.00; Verizon (Utilities) \$212.32; Great America Financial (Rentals) \$157.17; LEAF (Rentals) \$129.42; **Government Buildings:** Heiman, Inc. (Misc.) \$1,074.00; **24/7:** Precision Kiosk Technologies (Prof Services) \$1,500.00; PharmChem, Inc. (Supplies) \$1,806.51; Redwood Toxicology Laboratories (Supplies) \$269.25; **M & PR Fund:** One Office Solution (Supplies) \$379.71; **Misc.:** Cardmember Services (Opioid Funding) \$598.84; **Non-Departmental:** General Fund \$134,815.01; Road & Bridge \$211,906.76; Emergency Management \$1,513.33. All present voted aye; motion carried, 5-0.

Action2509C: A motion was made by Heine and seconded by Klimisch approve the second set of claims: **Court:** Harmelink & Fox (Prof Services) \$793.13. Voting aye: Heine, Klimisch and Marquardt. Fox abstained. Motion carried, 3-0.

There were comments about a potential juvenile detention center from Dick Strassburg and Tyler Klatt from Tegra Architecture, Sioux Falls, SD.

There were no commissioner updates

Commissioner Klimisch left the meeting.

Action 2510C: A motion was made by Fox and seconded by Heine to recess the regular session at 6:40 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, 3-0.

Action 2511C: A motion was made by Fox and seconded by Heine to adjourn executive session at 7:00 p.m. and reconvene in regular session. All present voted aye; motion carried, 3-0.

Action 2512C: A motion was made by Fox and seconded by Heine to pend the three poor relief matters until the next meeting. All present voted aye; motion carried, 3-0.

There was no action on contractual matters.

Action 2513C: A motion was made by Heine and seconded by Fox to adjourn. All present voted aye; motion carried, 3-0.

The next regular meeting will be Tuesday, January 21, 2025 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, Yankton County Auditor