

**YANKTON COUNTY COMMISSION**  
**January 6, 2026**

The regular meeting of the Yankton County Commission was called to order by Chairman John Marquardt at 6:00 p.m. on Tuesday, January 6, 2026.

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

There were no conflicts of interest reported by Commissioners.

**Action 25403C:** A motion was made by Fox and seconded by Heine to Heine the meeting agenda. All present voted aye; motion carried, 4-0.

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

**Action 25404C:** A motion was made by Klimisch and seconded by Fox approve the following claim: **E911:** City of Yankton \$500,000.00. All present voted aye; motion carried, 4-0.

**Action 25405C:** A motion was made by Heine and seconded by Klimisch to approve the December, 2024 gross payroll: **Commissioners:** \$6,640.96; **Election:** \$0.00; **Auditor:** \$18,277.90; **Treasurer:** \$23,282.97; **States Attorney:** \$45,018.56; **Government Buildings:** \$6,529.52; **Director of Equalization:** \$23,137.62; **Register of Deeds:** \$18,617.90; **Veterans Service:** \$4,276.58; **Courthouse & Safety Center:** \$10,649.68; **Sheriff:** \$96,230.12; **County Jail:** \$104,153.71; **Coroner:** \$1,400.00; **Juvenile:** \$0.00; **Ambulance:** \$87,862.97; **Weed:** \$254.72; **Planning & Zoning:** \$13,087.42; **Road & Bridge:** \$94,444.20; **OEM:** \$12,079.80; **24-7 Program:** \$3,502.73. First Dakota National Bank \$41,920.00 (Withholding), First Dakota National Bank \$68,513.28 (FICA) First Dakota National Bank \$16,023.28 (Medicare), South Dakota Retirement System \$34,040.82 (Other Employees), South Dakota Retirement System \$37,607.10 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$216.08, South Dakota Retirement System (Supplemental) \$5,226.33, American Family Life Assurance Company (AFLAC) \$2,814.28, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$2,621.47, AVERA Health Insurance \$68,753.32, Delta Dental \$1,679.44, VSP Vision \$647.75, HealthEquity \$4,054.00. IBC TPA \$10,649.77, Reliance Life Insurance \$1,302.15, Reliance Dental \$380.88, MASA \$75.00, Aflac Dental \$1,610.11, Gross Payroll \$569,504.36, Net Payroll \$422,529.84. All present voted aye; motion carried, 4-0.

**Action 25406C:** A motion was made by Fox and seconded by Heine to approve the December 16, 2025 meeting minutes. All present voted aye; motion carried, 4-0.

**Action 25407C:** A motion was made by Fox and seconded by Heine to approve the December 29, 2025 meeting minutes. All present voted aye; motion carried, 4-0.

**Action 25408AUD:** A motion was made by Klimisch and seconded by Fox to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of November 30, 2025 showing Total Cash of \$11,226,519.55. The General Fund was \$5,743,799.49; Special Funds were \$3,105,456.78; and Fiduciary Funds were \$2,377,263.28 adding to a Grand Total of General Ledger Cash and Investments of \$11,226,519.55. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 4-0.

Commissioner Klimisch announced there will be an informational meeting on the proposed Yankton County Detention Center at 12:00 p.m. on Jan. 7 at the United Way conference room.

There was a hearing to approve a petition from Kevin Hunhoff to vacate right of way on the section line: Parcel 11.023.100.110 legally described as 67 RDS x 12 RDS Parcel NE1/4, NE1/4, S23-T95N-R56W.

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

**Action 25409C:** A motion was made by Klimisch and seconded by Heine to approve the petition to vacate. All present voted aye; motion carried, 4-0.

The Auditor presented budget supplements for 2025.

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

**Action 25410C:** A motion was made by Klimisch and seconded by Heine to approve \$500,000.00 budget supplement to E911 and \$151,000.00 budget supplement to Rural Access Infrastructure (RAIF) as presented. All present voted aye; motion carried, 4-0.

**Action 25411C:** A motion was made by Klimisch and seconded by Heine to adjourn sine die. All present voted aye; motion carried, 4-0.

The board proceeded to reorganize for 2026 with the following Commissioners present: Wanda Howey-Fox, Dan Klimisch, Ryan Heine and John Marquardt.

The County Auditor called for nominations from the floor for Chairperson of the County Commission for the year 2026.

**Action 2601C:** A motion was made by Klimisch to nominate John Marquardt as Chair, seconded by Heine. All present voted aye; motion carried, 4-0.

**Action 2602C:** A motion was made by Fox to nominate Ryan Heine as Vice Chair and seconded by Klimisch. All present voted aye; motion carried, 4-0.

**Action 2603C:** 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 2604C:** A motion was made by Heine and seconded by Klimisch to approve the 2026 Calendar. All present voted aye; motion carried, 4-0.

**Action 2605C:** A motion was made by Fox and seconded by Heine to approve following 2026 Voting Centers. All present voted aye; motion carried, 4-0.

### **YANKTON COUNTY VOTING CENTERS**

**YANKTON CITY HALL – 416 WALNUT STREET, YANKTON;  
YANKTON FIRE STATION #2 – 201 W. 23<sup>rd</sup> ST., YANKTON;  
GAYVILLE COMMUNITY CENTER - 404 WASHINGTON STREET, GAYVILLE;  
MAYFIELD STORE - 44398 SD HWY 46, IRENE;  
LESTERVILLE FIRE HALL - LESTERVILLE;  
LEWIS & CLARK RECREATION AREA - 43349 SD HWY 52, RURAL YANKTON**

**Action 2606HWY:** A motion was made by Klimisch and seconded by Fox to approve the following resolution. All present voted aye; motion carried, 4-0.

### **Resolution # 2-26**

**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 ton per axle on 430<sup>th</sup> Ave from 300<sup>th</sup> St north to SD HWY 46
- 7 ton per axle on 450<sup>th</sup> Ave from SD HWY 50 north to 310<sup>th</sup> 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 HWY 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/

Yankton County States Attorney Tyler Larsen appeared, to have the board review the South Dakota open meeting requirements

**Action 2607C:** A motion was made by Klimisch and seconded by Heine to acknowledge the board has reviewed open meeting laws in an open meeting. All present voted aye; motion carried, 4-0.

Commissioners discussed the task force boards and asked members of the public interested in serving to contact Commissioner Don Kettering.

**Action 2608C:** A motion was made by Klimisch and seconded by Fox to approve the following claims **Commission:** Health Equity (Group Insurance) \$51.75; South Dakota Association of County Commissioners (Travel) \$5,909.16; **Elections:** Qualified Presort Services (Supplies) \$108.12; Verizon (Rentals) \$200.05; **Court:** Blackburn & Stevens Prof. LLC (Prof Services) \$1,716.78; Youngberg Law, Prof. LLC (Prof Services) \$2,883.21; Brandon Kirkland (Prof Services) \$55.00; Steve Cotton (Prof Services) \$92.30; Hearings (Witnesses) \$2,006.00; Laughlin Law (Prof Services) \$5,124.00; Ivonne Bellew Prof. LLC (Prof Services) \$296.00; Horn Law Office, LLC (Prof Services) \$21,361.00; Kennedy Pier Loftus Reynolds Brandt, LLP (Prof Services) \$4,449.80; Kennedy Pier Loftus Reynolds Brandt, LLP (Neglected) \$8,188.80; Lacorix Law Office (Neglected) \$2,830.50; **Auditor:** McLeod's Printing & Office Supply (Supplies) \$331.50; Qualified Presort Service, LLC (Supplies) \$255.52; South Dakota Association of County Commissioners (Travel) \$31.06; SDACO (Travel) \$743.04; **Treasurer:** LEAF (Rentals) \$146.96; Qualified Presort Service, LLC (Supplies) \$199.12; South Dakota Association of County Commissioners (Travel) \$31.06; SDACO (Travel) \$743.03; **Data Processing:** CSI, LLC (Maintenance) \$383.00; **States Attorney:** Karpel Solutions (Prof Services) \$11,650.00; Qualified Presort Service, LLC (Prof Services) \$28.35; **Government Center:** City of Yankton (Utilities) \$2,129.25; Menards (Supplies) \$45.81; Northwestern

Energy (Utilities) \$2,788.24; Olson's Pest Technicians (Maintenance) \$84.00; **Director of Equalization:** Qualified Presort Service, LLC (Supplies) \$29.74; South Dakota Association of County Commissioners (Travel) \$31.06; **Register of Deeds:** Qualified Presort Service, LLC (Supplies) \$70.62; South Dakota Association of County Commissioners (Travel) \$31.06; SDACO (Travel) \$743.03; **Veterans Service Office:** Qualified Presort Service, LLC (Supplies) \$16.50; South Dakota Association of County Commissioners (Travel) \$31.06; Verizon (Rentals) \$40.01; **Safety Center Building:** City of Yankton (Utilities) \$746.18; Johnson Controls, Inc. (Maintenance) \$289.08; Midcontinent Communications (Utilities) \$947.67; Menards (Supplies) \$36.97; MidAmerican Energy (Utilities) \$3,184.63; **Sheriff:** Cardmember Services (Travel) \$107.09; Cardmember Services (Prof Services) \$150.00; Cardmember Services (Minor Equipment) \$3,454.90; Cardmember Services (K-9 Expense) \$277.95; Rod Pieper (Fuel) \$10.00; AT & T Mobility (Maintenance Contract) \$1,388.57; Interstate All Battery (Supplies) \$10.80; Pennington County Jail (Travel) \$152.31; Qualified Presort Service, LLC (Maintenance Contract) \$302.53; South Dakota Association of County Commissioners (Travel) \$31.06; **County Jail:** Scott Family Dentistry, Inc. (Prof Services) \$199.32; Horwath Laundry Equipment (Maintenance) \$1,550.40; Culligan (Food Service) \$147.00; Cardmember Services (Supplies) \$395.35; Cardmember Services (Travel) \$243.66; Cardmember Services (Other) \$9.99; Trinity Services Group (Food Service) \$10,709.38; AT & T Mobility (Maintenance Contract) \$306.02; Avera Medical Group-Radiology (Prof Services) \$95.77; Assusen Prof. LLC (Prof Services) \$2,797.97; Hy-Vee (Prof Services) \$2.27; Jacks Uniforms & Equipment (Uniforms) \$389.73; JCL Solutions (Supplies) \$1,473.31; Olson's Pest Technicians (Supplies) \$1,473.31; Phoenix Supply (Supplies) \$1,100.50; South Dakota Association of County Commissioners (Travel) \$31.06; Siouxland Oral & Maxillofacial Surgery (Prof Services) \$558.59; **Coroner:** SD Association of County Commissioners (Travel) \$31.06; **Juvenile Detention:** Minnehaha County Juvenile Detention Center (Rentals) \$7,403.50; **Yankton Search & Rescue:** Dive Rescue International (Books) \$200.00; **Poor Relief:** South Dakota Association of County Commissioners (Travel) \$31.06; **Ambulance:** Sacred Heart Health Services (Prof Services) \$1,500.00; City of Yankton (Utilities) \$154.97; Amazon Capital Services (Supplies) \$97.45; House of Brands (Supplies) \$1,311.89; Waystar, Inc. (Prof Services) \$593.46; Avera Health (Supplies) \$211.00; Sacred Heart Health Services (Supplies) \$918.17; Global Test Supply (Supplies) \$129.43; CSI, LLC (Maintenance) \$372.00; Ashley Love (Supplies) \$20.83; Ninth Brain Suite, LLC (Prof Services) \$4,374.00; Menards (Supplies) \$43.24; Northwestern Energy (Utilities) \$883.77; Olson's Pest Technicians (Maintenance) \$119.00; Qualified Presort Service, LLC (Supplies) \$71.89; South Dakota Association of County Commissioners (Travel) \$31.06; Verizon (Utilities) \$353.32; **Mental Illness Board:** DenHerder Law Office (Hearings) \$220.00; Val Larson (Hearings) \$76.00; Fox Law Firm, PLLC (Hearings) \$195.57; Mark Katterhagen (Hearings) \$76.00; Luci Lewno (Hearings) \$1,040.22; **Extension:** Clarity Telecom, LLC (Utilities) \$30.00; FP Mailings Solutions (Other) \$74.85; City of Yankton (Utilities) \$85.52; Great America Financial (Rentals) \$290.44; MidAmerican Energy (Utilities) \$150.82; Olson's Pest Technicians (Maintenance) \$75.00; **Weed:** South Dakota Association of County Commissioners (Travel) \$31.06; Verizon (Utilities) \$10.02; **Planning and Zoning:** Pheasantland Industries (E911 Signs) \$274.72; Qualified Presort Service, LLC (Supplies) \$5.09; South Dakota Association of County Commissioners (Travel) \$31.06; **Highway:** Appear (Supplies) \$166.04; Sanitation Products,

Inc. (Maintenance) \$256.55; C & B Operations, LLC (Maintenance) \$3,368.51; C & B Operations, LLC (Supplies) \$82.29; Bomgaars (Maintenance) \$63.40; Bomgaars (Supplies) \$7.96; B-Y Electric (Utilities) \$89.33; B-Y Water District (Utilities) \$103.00; Barco Municipal Products (Prof Services) \$60.00; Barco Municipal Products (Supplies) \$1,981.87; Butler Machinery Co. (Maintenance) \$131.80; Scotland Redi-Mix (Bridges) \$1,750.00; City of Yankton (Utilities) \$108.09; NAPA Auto Parts of Yankton (Maintenance) \$801.07; NAPA Auto Parts of Yankton (Supplies) \$28.97; Knife River-South Dakota (Supplies) \$2,540.78; CenturyLink (Utilities) \$79.39; IMEG Corp. (Prof Services) \$1,176.40; Blackstrap, Inc. (Supplies) \$5,147.66; Amazon Capital Services (Maintenance) \$59.90; Amazon Capital Services (Supplies) \$160.13; Hlavac Plumbing Heating & AC (Maintenance) \$4,600.83; New Century FS (Highway Fuel) \$10,651.62; MS Foster (Maintenance) \$721.00; MS Foster (Supplies) \$29.87; Gerstner Oil Co. (Supplies) \$224.70; Jim Hawk Tuck Trailers (Supplies) \$623.86; I State Truck Center (Maintenance) \$73.62; LEAF (Supplies) \$230.98; Utica Gravel, Inc. (Gravel) \$150,000.00; Menards (Supplies) \$1,508.93; Midwest Radiator & Exhaust (Maintenance) \$260.00; MidAmerican Energy (Utilities) \$626.20; O'Reilly Auto Parts (Maintenance) \$13.46; Riverside Hydraulics & Labs (Maintenance) \$94.08; Riverside Hydraulics & Labs (Supplies) \$298.88; South Dakota Association of County Commissioners (Travel) \$31.06; South Dakota Department of Transportation (Bridges) \$5,999.17; **E911:** Clarity Telecom, LLC (Utilities) \$1,591.63; CenturyLink (Utilities) \$178.57; Midcontinent Communications (Utilities) \$324.70; **Jail Building:** Reassurance Solutions, Inc. (Maintenance) \$25,000.00; **OEM:** Bomgaars (Supplies) \$269.46; B-Y Electric (Utilities) \$65.00; AT & T Mobility (Utilities) \$81.37; Konexus (LEPC Supplies) \$900.00; Konexus (Equipment Grant) \$900.00; Konexus (Prof Services) \$900.00; Girard Electric, LLC (Supplies) \$95.54; Kaiser Heating & Cooling (Maintenance) \$232.58; Great America Financial (Rentals) \$182.75; LEAF (Rentals) \$137.92; South Dakota Association of County Commissioners (Travel) \$31.06; Verizon (Utilities) \$376.97; **Government Buildings:** Menards (Supplies) \$122.90; **24-7:** Precision Kiosk Technologies (Prof Services) \$1,500.00; **Non-Departmental:** Ambulance Refund (Refund) \$54.49. General Fund \$128,682.51; Road & Bridge \$194,486.37; Emergency Management \$4,172.65. All present voted aye; motion carried, 4-0.

**Action 2609C:** A motion was made by Klimisch and seconded by Fox to recess the meeting for 10 minutes. All present voted aye; motion carried, 4-0.

**Action 2610C:** A motion was made by Fox and seconded by Heine to reconvene. All present voted aye; motion carried, 4-0.

**Rezone:** There was a first reading on a request from Patrick and Jolene Foss to rezone a parcel that is dual zoned. Applicant wishes to rezone a parcel that is zoned Lakeside Commercial (LC) and Moderate Density Residential (MD) to Lakeside Commercial (LC) per Article 18 Section 1803 and Article 20 Section 2003. Said property is legally described as Lot G Fishin' Hole Number 2 in Section 17-93N-56W. The second reading of the rezone request will be at the next commission meeting on January 20, 2026.

Rick Daugherty spoke on the rezone.

**Action 2611C:** A motion was made by Fox 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 Neshers Nest, LLC. Applicant requested a permit to use their property as an AIR/BNB in a Moderate Density Residential District (R2), Article 7 Section 709, and Article 18 Section 1805 and Article 19 Section 1905. Property is Legally described as Kaiser Addition, NE1/4, NW1/4 in Section Seven (7), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5<sup>th</sup> P.M., Yankton County, South Dakota. E9 | 1 address is 43454 310 St., Yankton, South Dakota.

Joe Van Brunt spoke (via phone) spoke on the permit request.

**Action 2612Z:** A motion was made by Heine and seconded by Fox, to approve a Conditional Use Permit for Neshers Nest, LLC, based on Findings of Fact from the December 9, 2025 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1905 of the Yankton County Zoning Ordinance. All present voted aye; motion carried, 4-0.

**Action 2613C:** A motion was made by Klimisch and seconded by Fox to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 4-0.

**Action 2614C:** A motion was made by Fox and seconded by Klimisch to recess the regular session at 7:00 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, 4-0.

**Action 2615C:** A motion was made by Klimisch and seconded by Fox to adjourn executive session at 7:05 p.m. and reconvene in regular session. All present voted aye; motion carried, 4-0.

There was no action taken on executive session.

**Action 2616C:** 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, January 20, 2026 at 6:00 p.m.

**John Marquardt**, Chairman  
Yankton County Commission

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