

## YANKTON COUNTY COMMISSION MEETING

November 7, 2024

The regular meeting of the Yankton County Commission was called to order by Chairman John Marquardt at 6:00 p.m. on Thursday, November 7, 2024.

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

Commissioner Fox reported conflicts on the second part of claims from Harmelink & Fox Law Office. There were no other conflicts of interest reported by Commissioners.

**Action 24353C:** A motion was made by Fox and seconded by Klimisch to approve the meeting agenda with one addition: executive session for contractual matter. All present voted aye; motion carried, 5-0.

There was one public comment from Ed Van Gerpen. Chairman Marquardt closed public comment.

The Board canvassed election results from the November 5, 2024 General election.

**Action 24354C:** A motion was made by Klimisch and seconded by Kettering to accept results of the election as presented by the Auditor. All present voted aye; motion carried, 5-0.

The Auditor asked Chairman Marquardt to draw for the vote center and local race that will be subject to a Post Election Audit to be held November 20, 2024. Lesterville Fire Hall was drawn for the Post Audit.

Lisa Schults from AAA Collections presented a proposal to assist the county on delinquent receivables for bad debt in accordance with the Fair Debt Collection Practices Act and Federal Law. No action was taken.

**County Health Insurance:** Jennifer Grate, representing Missouri River Associates, presented quotes for Blue Cross Blue Shield and Avera Health Plans. No action was taken.

**County Health Insurance:** Sonja Nordbye, representing Risty Benefits, presented quotes for Avera Health Plans, Blue Cross Blue Shield and Health Partners. No action was taken.

**Action 24355C:** A motion was made by Klimisch and seconded by Fox to recess for 5 minutes. All present voted aye; motion carried. 9-0.

**Action 24356C:** A motion was made by Fox and seconded by Heine to reconvene. All present voted aye; motion carried, 9-0.

**Action 24357C:** 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 Swan Lake Wind, LLC. Applicant is requesting a permit for a large wind energy conversion system per Article 5 Section 507 and Article 26 Section 2605. Applicant is requesting to place 37 Large Wind Towers in an Agricultural Districts throughout Mayfield and Turkey Valley Townships in Yankton County. Said towers will be placed in Sections 1, 2, 3, 4, 9, 11, 13, 14, 22, 23, 24, 25, 27 and 28 T96N-R55W, and sections 6, 7, 17, 20, 28, 31, 32 and 33, T96N-R545W, County of Yankton, State of South Dakota.

Speaking for the request were: Gokhan Andi, Christopher Thankan, Dr. Chris Olson and Alan Anderson.

Speaking against the request were: Krystina Conway, Lori Sletten, Steve Brockmueller, Mike Nutley, Teri Clark, Lauren Nelson, Julie Auch, Mark Murphy, Sharon Ackland, Sandra Baker and Mike Healy.

**Action 24358C:** A motion was made by Kettering and seconded by Fox to recess for 5 minutes. All present voted aye; motion carried. 5-0.

**Action 24359C:** A motion was made by Fox and seconded by Heine to reconvene. All present voted aye; motion carried, 5-0.

Also speaking for the request were Ralph Marquardt, Eugene Hornstra, Roger Hofer, Doug Marquardt and Nancy Wenande.

**Action 24360Z:** A motion was made by Fox and seconded by Kettering to approve the existing CUP under the ordinance existing at time it was submitted provided the company maintains the road and bridge to the condition it was at the start of construction, maintains it during construction and decommissioning, and completes the requested truck parking, based on Findings of Fact from the August 18, 2024 Yankton County Planning Commission meeting, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Roll call vote was taken with Fox, Kettering and Marquardt voting aye; Heine and Klimisch voting nay; motion carried, 3-2.

**Action 24361C:** A motion was made by Fox and seconded by Kettering to recess the Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Zoning changes:** There was a first reading of the adoption of the Flood Plain to the Yankton County Zoning Ordinance. The second reading of the zoning changes will be at the next commission meeting on November 19, 2024.

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

**Action 24362HWY:** A motion was made by Klimisch and seconded by Fox to approve the Road Broom bid from RDO Equipment Co. in the amount of \$77,000.00. All present voted aye; motion carried, 5-0.

**Rezone:** There was a first reading on the request from Brett Kleinschmit to rezone a parcel in Rural Transitional District (RT) per Article 18 Section 1809 and Article 20 Section 2003. Said property is legally described as Lot 1 of List Acreage in the E1/2, SW1/4 of Section 4, lying South of the Public Highway and E1/2 of the NW1/4 of S9-T93N-R56W. The second reading of the rezone request will be at the next commission meeting on November 19, 2024.

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

There was a hearing on the request from Kenneth and Carol Guenther to vacate portion of parcel 13.013.200.101 located between parcel 13.013.300.010 and parcel 13.013.100.223.

**Action 24363C:** A motion was made by Fox and seconded by Heine to approve the October 15, 2024 regular meeting minutes. All present voted aye; motion carried, 5-0.

**Action 24364AUD:** A motion was made by Fox and seconded by Heine to approve the following claims: Intuvia Solutions (Prof Services) \$179.85; Yankton County Observer (Publishing) \$238.01; Yankton Daily Press & Dakotan (Publishing) \$480.32; **Elections:** McLeod's Printing & Office Supply (Supplies) \$140.48; Yankton County Observer (Publishing) \$870.24; Qualified Presort Services (Supplies) \$376.29; Verizon (Rentals) \$200.05; One Office Solution (Maintenance) \$700.00; One Office Solution (Supplies) \$507.14; Yankton Daily Press & Dakotan (Publishing) \$1,766.48; **Court:** Blackburn & Stevens Prof. LLC (Prof Servies) \$7,616.10; Certified Languages International (Prof Services) \$26.40; Patricia LaCroix (Minor) \$300.00; Youngberg Law, Prof. LLC (Prof Services) \$2,767.00; East River Psychological Services (Prof Services) \$2,500.00; Witnesses (Fees) \$40.00; Tyler Larsen (Supplies) \$40.94; Horn Law Office, LLC (Prof Services) \$20,500.00; Kennedy Pier Loftus & Reynolds PLLC (Minor) \$312.40; Koletzky Law Office, Prof. LLC (Prof Services) \$4,137.90; Dean Schaefer (Prof Services) \$2,093.00; **Auditor:** Hireclick (Prof Services) \$149.00; McLeod's Printing & Office Supply (Supplies) \$225.90; Qualified Presort Services (Supplies) \$103.47; One Office Solution (Maintenance) \$86.28; One Office Solution (Supplies) \$266.50; **Treasurer:** Andersen Telecom, LLC (Maintenance) \$50.00; Hireclick (Prof Services) \$149.00; Qualified Presort Services (Supplies) \$191.28; Yankton County Treasurer (Supplies) \$104.78; **Data Processing:** Andersen Telecom, LLC (Maintenance) \$125.51; Tyler Technologies (Maintenance) \$66,144.46; **States Attorney:** Andersen Telecom, LLC (Maintenance) \$200.00; Riverside Technologies, LLC (Minor Equipment) \$1,396.00; Tyler Larsen (Travel) \$834.03; Verizon (Utilities) \$87.10; One Office Solution (Supplies) \$1,082.53; **Government Center:** City of Yankton (Utilities) \$2,343.89; TruGreen (Maintenance) \$116.29; Hireclick (Prof Services) \$149.00; Menards (Supplies) \$218.30; Menards (Maintenance) \$27.64;

Northwestern Energy (Utilities) \$2,808.27; Olson's Pest Technicians (Maintenance) \$84.00; OTIS Elevator Company (Maintenance) \$775.00; One Office Solution (Supplies) \$13.28; **Director of Equalization:** Andersen Telecom, LLC (Maintenance) \$100.00; ESRI (Maintenance) \$1,322.00; Hireclick (Prof Services) \$149.00; Aumentum Technologies, Inc. (Maintenance) \$14,331.00; Microfilm Imaging Systems (Maintenance) \$240.00; Qualified Presort Services (Supplies) \$28.39; **Register of Deeds:** Executive Management Finance (Supplies) \$65.00; Hireclick (Prof Services) \$149.00; Qualified Presort Services (Supplies) \$70.46; **Veterans Service Office:** Qualified Presort Services (Supplies) \$19.11; Verizon (Utilities) \$44.18; Verizon (Rentals) \$40.01; One Office Solution (Maintenance) \$10.36; **Safety Center Building:** Mark's Plumbing (Maintenance) \$1,384.90; Bomgaars (Supplies) \$24.99; City of Yankton (Utilities) \$899.63; Cole Papers, Inc. (Supplies) \$1,024.93; TruGreen (Maintenance) \$91.92; Hireclick (Prof Services) \$149.00; Midcontinent Communications (Utilities) \$958.65; Menards (Supplies) \$128.77; MidAmerican Energy (Utilities) \$1,234.63; Northwestern Energy (Utilities) \$9,028.07; Tire Muffler Alignment (Maintenance) \$568.88; **Sheriff:** Xtreme Car Wash (Maintenance) \$350.40; Cardmember Services (Travel) \$1,673.27; Cardmember Services (Supplies) \$43.62; Cardmember Services (Other) \$16.76; Cardmember Services (Law Enforcement Equipment) \$49.99; AT & T Mobility (Maintenance Contract) \$814.90; Guardian Alliance Technology (Maintenance Contract) \$210.00; Hireclick (Prof Services) \$149.00; Creative Product Source (Other) \$228.36; FedEx (Prof Services) \$18.07; McLeod's Printing & Office Supply (Supplies) \$65.80; Qualified Presort Services (Maintenance Contract) \$124.87; Tire Muffler Alignment (Maintenance) \$469.90; **County Jail:** Scott Family Dentistry, Inc. (Prof Services) \$554.45; AARMS (Other) \$875.00; Cardmember Services (Supplies) \$49.79; Diamond Drugs (Prof Services) \$9,718.94; Trinity Services Group (Food Services) \$16,599.83; AT & T Mobility (Maintenance Contract) \$199.76; Hireclick (Prof Services) \$149.00; Steven Luke (Travel) \$34.00; Hy-Vee (Prof Services) \$83.38; Jacks Uniforms & Equipment (Uniforms) \$224.84; JCL Solutions (Supplies) \$831.93; Redwood Toxicology Laboratories (Supplies) \$359.00; Vantek Communications (Minor Equipment) \$960.00; Yankton Medical Clinic (Prof Services) \$684.07; **Yankton Area Search & Rescue:** NAPA Auto Parts of Yankton (Supplies) \$97.08; **Poor Relief:** Chapel Hill Funeral Home (Prof Services) \$1,250.00; Qualified Presort Services (Supplies) \$88.54; **Ambulance:** Avera Health dba Avera Staffing Solution (Supplies) \$44.00; Kopetsky's Ace Hardware (Supplies) \$15.99; Avera Sacred Heart Hospital (Supplies) \$638.03; Sacred Heart Health Services (Prof Services) \$1,500.00; Bomgaars (Supplies) \$59.96; City of Yankton (Utilities) \$256.30; Credit Collection Services (Prof Services) \$170.28; Cintas (Maintenance) \$190.68; Amazon Capital Services (Supplies) \$80.70; Eric Van Dusen (Travel) \$520.65; Waystar, Inc. (Prof Services) \$1,553.06; Hireclick (Prof Services) \$149.00; Les Schwab (Maintenance) \$258.56; Hansen Locksmithing, Inc. (Maintenance) \$1,400.00; Hy-Vee (Supplies) \$77.40; Investigative Services (Prof Services) \$168.50; JCL Solutions (Supplies) \$215.12; Menards (Supplies) \$138.55; MidAmerican Energy (Utilities) \$28.27; Northwestern Energy (Utilities) \$1,007.35; Olson's Pest Technicians (Maintenance) \$119.00; Tire Muffler Alignment (Maintenance) \$1,251.83; Verizon (Utilities) \$706.01; Yankton County EMS (Prof Services) \$215.96; **Mentally Handicapped:** Avera McKennan Hospital (Prof Services) \$2,472.00; Dakotabilities (Misc.) \$540.00; **Mental Illness Board:** Val Larson (Hearings) \$48.00; Fox Law Firm, PLLC (Hearings) \$693.00; Mark Katterhagen (Hearings) \$48.00; Luci Lewno

(Hearings) \$562.48; **Extension:** Clarity Telecom, LLC (Utilities) \$407.66; City of Yankton (Utilities) \$99.10; Hireclick (Prof Services) \$149.00; Great America Financial (Rentals) \$283.55; MidAmerican Energy (Utilities) \$9.83; Olson's Pest Technicians (Maintenance) \$150.00; **Weed:** Bomgaars (Supplies) \$126.88; C & R Supply, Inc. (Supplies) \$37.59; Verizon (Utilities) \$26.95; Van Diest Supply Co. (Chemicals) \$1,645.50; **Planning and Zoning:** Andersen Telecom, LLC (Prof Services) \$400.00; Hireclick (Prof Services) \$149.00; Microfilm Imaging Systems (Maintenance) \$140.00; Pheasantland Industries (E911 Signs) \$95.87; Qualified Presort Services (Supplies) \$35.88; Verizon (Utilities) \$44.18; **Highway:** Appera (Supplies) \$158.69; Bomgaars (Supplies) \$267.84; Butler Machinery Co. (Maintenance) \$418.35; Butler Machinery Co. (Auto Equipment) \$10,887.69; Interstate Power System (Maintenance) \$11,868.53; City of Yankton (Utilities) \$135.04; NAPA Auto Parts of Yankton (Maintenance) \$3,112.42; NAPA Auto Parts of Yankton (Supplies) \$2,252.33; IMEG Corp. (Emergencies) \$6,250.00; CHS, Inc. (Supplies) \$3,363.65; Titan Machinery-Yankton (Maintenance) \$135.18; Hireclick (Prof Services) \$149.00; New Century FS (Highway Fuel) \$1,963.92; South Dakota Public Assurance Alliance (Insurance) \$287.55; Fastenal Industrial & Construction Supplies (Supplies) \$379.49; Graham Tire-Yankton (Maintenance) \$202.55; I State Truck Center (Maintenance) \$6,127.11; I State Truck Center (Supplies) \$473.64; Kaiser Appliance & Refrigeration (Supplies) \$693.95; Kimball Midwest (Supplies) \$251.38; LEAF (Supplies) \$124.98; Matheson Tri-Gas, Inc. (Maintenance) \$4,811.06; Menards (Maintenance) \$25.56; Northwestern Energy (Utilities) \$784.82; Yankton County Observer (Publishing) \$35.00; O'Reilly Auto Parts (Maintenance) \$60.51; O'Reilly Auto Parts (Supplies) \$212.02; SD Department of Transportation (Bridges) \$2,998.75; Southeastern Electric Co. (Utilities) \$36.00; Truck Trailer Sales & Service (Maintenance) \$237.82; Verizon (Utilities) \$61.32; **E911:** Clarity Telecom, LLC (Utilities) \$1,103.36; CenturyLink (Utilities) \$86.65; Midcontinent Communications (Utilities) \$150.39; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$666.82; Andersen Telecom, LLC (Maintenance) \$400.00; B-Y Electric (Utilities) \$54.00; Discount Cell, Inc. (Minor Equipment) \$1,299.00; AT & T Mobility (Utilities) \$40.04; Great American Financial (Rentals) \$225.14; Midcontinent Communications (Utilities) \$177.84; MidAmerican Energy (Utilities) \$9.25; Verizon (Utilities) \$940.18; One Office Solution (Supplies) \$348.55; **County Buildings:** Johnson Controls, Inc. (Misc.) \$13,183.50; **24/7:** PharmChem, Inc. (Supplies) \$2,408.68; **Non-Departmental:** Missouri Sedimentation Action Coalition (2024 Membership Contribution) \$500.00; Sobriety Testing (Refund) \$5.00; BCBSNM-FBO-IHS (Ambulance Refund) \$570.75; CAM Daily Fee (Refund) \$30.00. General Fund \$215,309.49; Road & Bridge \$58,766.15; Emergency Management \$4,160.82. All present voted aye; motion carried, 5-0.

**Action 24365C:** A motion was made by Heine and seconded by Klimisch to approve the second set of claims: **Court:** Harmelink & Fox Law Office (Prof Services) \$2,747.53. Voting aye: Heine, Klimisch, Marquardt and Kettering. Fox abstained. Motion carried, 4-0.



**Action 24366AUD:** 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 August 31, 2024 showing Total Cash of \$11,439,578.00. The General Fund was \$7,453,610.26; Special Funds were \$1,615,329.86; and Trust and Agency Funds were \$2,370,637.88 adding to a Grand Total of General Ledger Cash and Investments of \$11,439,578.00. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

**Action 24367A:** A motion was made by Fox and seconded by Klimisch to approve the **October, 2024 Gross Payroll: Commissioners:** \$6,373.29; **Election:** \$2,599.00; **Auditor:** \$17,044.10; **Treasurer:** \$21,762.95; **States Attorney:** \$40,960.75; **Government Buildings:** \$3,487.28; **Director of Equalization:** \$24,736.13; **Register of Deeds:** \$19,515.12; **Veterans Service:** \$3,971.66; **Courthouse & Safety Center:** \$8,380.28; **Sheriff:** \$88,945.43; **County Jail:** \$90,984.22; **Coroner:** \$2,150.00; **Juvenile:** \$0.00; **Nurse:** \$3,567.30; **Ambulance:** \$69,277.28; **WIC:** \$986.85; **Extension:** \$4,313.26; **Soil Conservation:** \$2,908.86; **Weed:** \$9,691.70; **Planning & Zoning:** \$12,367.44; **Road & Bridge:** \$75,603.26; **OEM:** \$12,201.14; **24-7 Program:** \$2,113.87. First Dakota National Bank \$37,119.75 (Withholding), First Dakota National Bank \$62,277.04 (FICA) First Dakota National Bank \$14,564.92 (Medicare), South Dakota Retirement System \$33,052.98 (Other Employees), South Dakota Retirement System \$32,460.58 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$198.35, South Dakota Retirement System (Supplemental) \$5,200.00, American Family Life Assurance Company (AFLAC) \$5,091.04 Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$516.63, Medica Health Insurance \$88,153.96 Optilegra \$294.76, Delta Dental \$3,801.84, VSP Vision \$617.02, HealthEquity \$3,306.00. Gross Payroll \$523,983.17, Net Payroll \$386,328.70 All present voted aye; motion carried. 5-0.

**Action 24368C:** A motion was made by Klimisch and seconded by Heine to approve the following applications for renewal of retail (on-sale) liquor licenses: Mayfield Bar and Grill; Donlin Marine, LLC dba Marina Grill; Riverside Roadhouse; Captain Norm's, LLC dba Captain Norm's; SAT Enterprises LLC dba TJ's Mini Mart; Glenridge Golf Course, Inc dba Glenridge Golf Course; Pioneer Spirit, LLC; Shipwreck, Inc dba The Cottonwood; Fire and House. All present voted aye; motion carried, 5-0.

**Action 24369C:** A motion was made by Klimisch and seconded by Heine to approve the revised job description for Building Supervisor. All present voted aye; motion carried, 5-0.

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

**Commissioner updates:** December 12<sup>th</sup> 8-County meeting and Veterans Day.

**Action 24370C:** A motion was made by Fox and seconded by Klimisch to recess the regular session at 10:00 p.m. and convene in executive session to discuss Poor Relief Issues SDCL 1-25-2 & 28-13, personnel and contractual issues. All present voted aye; motion carried, 5-0.

**Action 24371C:** A motion was made by Klimisch and seconded by Fox to adjourn executive session at 10:10 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

**Action 24372C:** A motion was made by Fox and seconded by Kettering to approve CW.MI.24-04-001 for \$500.00, and CW.BUR. 24.04.003 for \$1,250.00.00. All present voted aye; motion carried, 5-0.

There was no action on personnel or contractual issues.

**Action 24373C:** A motion was made by Kettering and seconded by Klimisch to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Tuesday, November 19, 2024 at 6:00 p.m.

**John Marquardt**, Chairman  
Yankton County Commission

ATTEST:  
**Patty Hojem**  
Yankton County Auditor