

YANKTON COUNTY COMMISSION MEETING

May 6, 2025

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

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

Commissioner Marquardt will abstain from items 9 and 10. There were no conflicts from the rest of the board.

Action 25133C: A motion was made by Fox and seconded by Klimisch to approve the meeting agenda with one change: Item 8 will be stricken. All present voted aye; motion carried, 5-0.

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

Highway Superintendent Mike Sedlacek appeared for approval of the DOT Joint Powers Agreement, advertise for Administrative Assistant, and declare 1994 Rosco Power Broom and 1983 Fiat-Allis Pay Loader as surplus.

Action 25134HWY: A motion was made by Fox and seconded by Heine to approve the Joint Powers Account Agreement. All present voted aye; motion carried, 5-0.

Action 25135HWY: A motion was made by Fox and seconded by Heine to approve the Highway Department advertising for the Administrative Assistant job position as requested. All present voted aye; motion carried, 5-0.

Action 25136Hwy: A motion was made by Klimisch and seconded by Kettering to approve items for surplus as presented. All present voted aye; motion carried, 5-0.

Action 25137C: A motion was made by Fox and seconded by Kettering to approve the April 15, 2025 meeting minutes with one correction: Kettering seconded Action 25130C not Klimisch. All present voted aye; motion carried, 5-0.

The board discussed the request from Planning and Zoning Administrator Gary Vetter to advertise for two positions that will be open on the County Drainage Commission.

Action 25138Z: A motion was made by Fox and seconded by Klimisch to approve the Zoning Administrator advertising for the open Drainage Commission positions. Fox, Klimisch, Kettering and Marquardt voted aye; Heine voted nay; motion carried, 4-1.

Action 25139C: A motion was made by Fox and seconded by Ryan to approve the new Wine and Cider License from Mazing Acres, MSN Enterprises, LLC. All present voted aye; motion carried, 5-0.

There was no public comment.

Action 25140A: A motion was made by Klimisch and seconded by Kettering to approve the petition from Randy Kozak to vacate ROW. All present voted aye; motion carried, 5-0.

There was no public comment.

The board discussed contracting out the mowing services for county property. There was an offer from Green King, LLC to mow Government Center, Safety Center and Office of Emergency Management for 180.00 per mowing for all three locations combined.

Action 25141A: A motion was made by Klimisch and seconded by Kettering to approve the Contract. All present voted aye; motion carried, 5-0.

Action 25142C: A motion was made by Klimisch and seconded by Kettering 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 Michels Road and Stone. Applicant is requesting a Conditional Use Permit for a Temporary construction facility in an AG(Agriculture) District. Applicants wishes to construct a Concrete batch plant to supply the SDDOT US Hwy 81 construction project per Article 5 Section 507, Article 18 Section 1805, and Article 19 Section 1905. Said property is legally described as S2 NW4 and W2 SW4 excluding S858' jSW4 SW4 EXC 3A W/HIWAY and excluding Lort H2 of Government Lot One (1) NW4and Government Lot Two (2) SW4 and excluding Tract One (1) Jones Addition NW4 SW4 and Excluding part of Lots One and Two (1 & 2) of Hackberry addition S2 all in, Section six (6), Township Ninety-four (94) North, Range Fifty-five (55) West of the 5 the P.M., Yankton County, South Dakota. E91 address is 30344 US HWY 81, Yankton, South Dakota.

Garrett Carlson Assistant Project Manager for Michels Road and Stone, spoke on the request.

Action 25143Z: A motion was made by Heine and seconded by Klimisch, to approve the Conditional Use Permit for Michels Road and Stone with a sunset date of November 15, 2025, based on Findings of Fact from the April 8, 2025 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Heine, Klimisch, Kettering and Fox voting aye; Marquardt abstained; motion carried, 4-0.

CUP Public Hearing: This was the time and place for a public hearing for a Conditional Use Permit application from Central Specialties, Inc. Applicant requested a permit for a Temporary construction facility in an AG (Agriculture) District. Applicant wishes to construct a Temporary portable crushing and HMA plant site for a road construction project per Article 05 Section 507, Article 18 Section 1805, and Article 19 Section 1905. Said property is Legally described as SE4, Excluding Lot H1 and excluding Lot 6 Sun Valley Subdivision in Section Two (2), Township Ninety-four (94) North, Range Fifty-six (56) West of the 5th P.M., Yankton County, South Dakota. E9 l 1 address is 30371 439th Ave., Yankton, South Dakota.

Richard Vellek commented on the application; also speaking were Highway Superintendent Mike Sedlacek and County Sheriff Preston Crissey.

Action 25144Z: A motion was made by Heine and seconded by Klimisch, to approve the Conditional Use Permit for Central Specialties, Inc. with the condition the road haul agreement is held in good standing, restriction on using the jake break not to be used coming from the east to get into gravel pit turning onto 304 and with sunset date of September 30, 2025, based on Findings of Fact from the April 8, 2025 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. Heine, Klimisch, Kettering and Fox voting aye; Marquardt abstained; motion carried, 4-0.

Action 25145C: A motion was made by Fox and seconded by Heine to recess Board of Adjustment and reconvene in regular session. All present voted aye; motion carried, 5-0.

Zoning changes: There was a first reading pf proposed ordinance change 25-ZN-01 to the Yankton County Zoning Ordinance. The second reading of the zoning changes will be at the next commission meeting on May 19, 2025.

There was no public comment.

Action 25146C: A motion was made by Klimisch and seconded by Fox to approve following resolution. All present voted aye; motion carried, 5-0.

Resolution 2025-5

Whereas, the Yankton County Commission acknowledges the White Crane Road District's plans to apply for Housing Infrastructure Funding Program assistance from the South Dakota Housing Development Authority;

Whereas, the Yankton County Commission has recognized that preliminary plans for the public infrastructure for the housing development project to be located in the White Crane Estates subdivision;

Whereas, the plans have been determined to satisfy the requirements of the Yankton County;

Whereas, White Crane Estates, being developed by the White Crane Road District, has the capacity to support the proposed public infrastructure project and has adequate water

supply, water treatment facilities, and wastewater treatment facilities available for the housing to be supported by this public infrastructure project; and

Whereas, the proposed public infrastructure will be owned and maintained by the White Crane Road District on an ongoing and long-term basis;

Now, therefore, be it resolved that the Yankton County Commission by way of this resolution hereby approves the proposed housing infrastructure project and acknowledges and agrees to the provisions set forth in this resolution.

I, Chair of the Yankton County Commission, do hereby certify that the foregoing resolution was passed by the Yankton County Commission at a meeting thereof held on the 6th day of May 2025.

Yankton County Chairman, John Marquardt /s/

ATTEST: Patty Hojem, Yankton County Auditor /s/

Action 25147C: A motion was made by and seconded by to approve the following claims: **Commission:** Intuvio Solutions (Prof Services) \$179.85; Dan Klimisch (Travel) \$368.10; Ramkota Hotel & Conference Center (Travel) \$530.00; Health Equity (Group Insurance) \$56.25; John Marquardt (Travel) \$328.10; Tegra Group, Inc. (Maintenance) \$6,250.00; Yankton County Observer (Publishing) \$359.31; Qualified Presort Services (Supplies) \$16.75; **Elections:** Qualified Presort Services (Supplies) \$112.06; Verizon (Rentals) \$200.05; **Court:** Avera Sacred Heart Hospital (Lab) \$3,246.00; Youngberg Law, Prof. LLC (Prof Services) \$2,767.00; Youngberg Law, Prof. LLC (Prof Services) \$1,101.00; Grand Jury (Fees) \$560.30; South Dakota Human Services Center (Prof Services) \$600.00; Horn Law Office, LLC (Prof Services) \$20,500.00; Kennedy Pier Lofts Reynolds and Brandt, LLP (Prof Services) \$514.20; LaCorix Law Office (Neglected) \$1,079.57; Dean Schaefer (Prof Services) \$2,378.00; **Auditor:** SHI International Corp. (Prof Services) \$141.94; McLeod's Printing & Office Supply (Supplies) \$419.90; Qualified Presort Services (Supplies) \$127.48; One Office Solution (Maintenance) \$277.69; One Office Solution (Supplies) \$67.65; **Treasurer:** SHI International Corp. (Prof Services) \$141.94; Qualified Presort Services (Supplies) \$171.30; Yankton County Treasurer (Prof Services) \$45.00; **Data:** Pictometry International (Maintenance) \$22,360.00; Tyler Technologies (Prof Services) \$2,453.27; **States Attorney:** Century Business Products (Rentals) \$230.99; Century Business Products (Maintenance) \$73.27; Culligan (Supplies) \$64.50; Qualified Presort Services (Supplies) \$179.53; TriTech Software Systems (Prof Services) \$775.53; **Government Center:** City of Yankton (Utilities) \$2,135.28; Zimco Supply Co. (Supplies) \$203.00; Menards (Maintenance) \$17.22; Northwestern Energy (Utilities) \$2,745.38; Olson's Pest Technicians (Maintenance) \$84.00; **Director of Equalization:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$227.04; SDAAO (Travel) \$1,250.00; Microfilm Imaging Systems (Maintenance) \$120.00; Yankton County Observer (Publishing) \$216.98; Qualified Presort Services (Supplies) \$39.65; One Office Solution (Supplies) \$6.49; One Office Solution (Maintenance) \$164.65; **Register of Deeds:** Executive Management Finance (Supplies) \$51.00; SHI International Corp. (Prof Services) \$141.94; Qualified Presort Services (Supplies) \$56.31; **Veterans Service Office:** SHI International Corp. (Prof Services) \$141.94; Qualified Presort Services (Supplies) \$16.33;

Verizon (Rentals) \$40.01; One Office Solution (Supplies) \$54.90; One Office Solution (Maintenance) \$10.36; **Safety Center Building:** City of Yankton (Utilities) \$713.18; AGAP LLC dba Power Source Electric (Maintenance) \$1,400.00; Floor Tec (Prof Services) \$4,710.00; Midcontinent Communications (Utilities) \$970.74; Menards (Supplies) \$76.94; Menards (Maintenance) \$69.95; MidAmerican Energy (Utilities) \$1,919.65; Northwestern Energy (Utilities) \$7,462.41; **Sheriff:** Bomgaars (K-9 Expense) \$124.96; Cardmember Services (Travel) \$570.71; Cardmember Services (Supplies) \$111.86; Cardmember Services (Minor Equipment) \$517.40; Cardmember Services (Other) \$28.99; Cardmember Services (Law Enforcement Equipment) \$184.00; Cardmember Services (Auto Equipment) \$259.30; Cardmember Services (K-9 Expense) \$158.52; The Collision Center (Auto Equipment) \$487.50; Les Drake (Travel) \$94.00; AT & T Mobility (Maintenance Contract) \$1,037.65; GR-Emergency Vehicle Outfitters (Auto Equipment) \$329.00; Artistic Custom Badges & Coins (Uniforms) \$577.50; South Dakota Public Assurance Alliance (Insurance) \$550.00; Menards (Supplies) \$15.05; Qualified Presort Services (Maintenance Contract) \$196.33; MT & RC Smith Insurance (Insurance) \$8,558.00; Two Way Solutions, Inc. (Supplies) \$15.99; **County Jail:** Avera Sacred Heart Hospital (Prof Services) \$220.99; Scott Family Dentistry, Inc. (Prof Services) \$839.92; Charm-Tex (Supplies) \$1,331.48; Cardmember Services (Travel) \$195.98; IDEMIA Identity & Security USA, LLC (Maintenance Contract) \$2,598.00; Diamond Drugs (Prof Services) \$9,706.04; Avera Medical Group-Wound Care (Prof Services) \$187.07; McKesson Medical-Surgical Inc. (Supplies) \$502.56; Trinity Services Group (Food Services) \$11,104.47; Jerome Koenig (Travel) \$94.00; Avera Medical Group-Willcockson Eye Associates (Prof Services) \$157.76; Spectacle Shop, LLC (Prof Services) \$70.00; Tonna Poppe (Travel) \$94.00; SHI International Corp. (Prof Services) \$141.94; AT & T Mobility (Maintenance Contract) \$396.06; Sapphire Health, LLC (Prof Services) \$550.00; Assusen Prof., LLC (Prof Services) \$4,197.50; Quinn Danielson (Travel) \$94.00; Vicente Medina-Lopez (Travel) \$94.00; JCL Solutions (Supplies) \$2,737.21; Kaiser Appliance & Refrigeration (Maintenance) \$233.50; **Coroner:** Dakota Embalming & Transportation (Prof Services) \$420.00; Sanford Health (Prof Services) \$2,514.00; **Airport:** City of Yankton (2025 Contribution) \$2,500.00; **Poor Relief:** Qualified Presort Services (Supplies) \$317.27; **Ambulance:** Avera Sacred Heart Hospital (Supplies) \$368.31; Sacred Heart Health Services (Prof Services) \$1,500.00; Teleflex Funding, LLC (Supplies) \$1,330.00; City of Yankton (Utilities) \$146.66; Credit Collection Services (Prof Services) \$1.98; Cintas (Maintenance) \$190.68; Amazon Capital Services (Supplies) \$335.24; SHI International Corp. (Prof Services) \$610.84; Waystar, Inc. (Prof Services) \$878.92; Avera Health (Supplies) \$150.00; JCL Solutions (Supplies) \$221.26; Menards (Supplies) \$108.71; MidAmerican Energy (Utilities) \$361.58; Northwestern Energy (Utilities) \$1,063.81; Olson's Pest Technicians (Maintenance) \$119.00; MT & RC Smith Insurance (Insurance) \$6,281.00; Yankton County EMS (Prof Services) \$1,436.80; **Mental Illness Board:** Blackburn & Stevens Prof. LLC (Hearings) \$228.73; Val Larson (Hearings) \$64.00; Fox Law Firm, PLLC (Hearings) \$591.75; Mark Katterhagen (Hearings) \$64.00; Luci Lewno (Hearings) \$722.73; **Extension:** Clarity Telecom, LLC (Utilities) \$311.16; City of Yankton (Utilities) \$92.70; Great America Financial (Rentals) \$290.44; MidAmerican Energy (Utilities) \$82.15; Olson's Pest Technicians (Maintenance) \$140.00; **Planning and Zoning:** Ramkota Hotel & Conference Center (Travel) \$212.00; Microfilm Imaging Systems (Maintenance) \$70.00; Qualified Presort Services (Supplies) \$30.18; One Office Solution

(Supplies) \$17.84; **Highway:** Appera (Supplies) \$180.80; C & B Operations (Rentals) \$5,000.00; Bomgaars (Supplies) \$19.98; B-Y Electric (Utilities) \$71.05; Barco Municipal Products (Supplies) \$311.89; Butler Machinery Co. (Supplies) \$57.38; City of Yankton (Utilities) \$30.15; NAPA Auto Parts of Yankton (Supplies) \$432.97; CenturyLink (Utilities) \$79.35; Diesel Machinery, Inc. (Supplies) \$67.00; Amazon Capital Services (Supplies) \$7.59; Titan Machinery-Yankton (Maintenance) \$91.98; City of Yankton-Landfill (Supplies) \$383.28; UST Testing Services, Inc. (Maintenance) \$770.00; SHI International Corp. (Prof Services) \$141.94; New Century FS (Highway Fuel) \$2,028.81; Fischer Gravel (Bridges) \$3,225.00; I State Truck Center (Maintenance) \$906.94; Kaiser Appliance & Refrigeration (Maintenance) \$343.67; Kaiser Appliance & Refrigeration (Supplies) \$1,259.87; LEAF (Supplies) \$124.98; Northwestern Energy (Utilities) \$1,096.64; Olson's Pest Technicians (Maintenance) \$220.00; MT & RC Smith Insurance (Insurance) \$153.92; Southeastern Electric Co. (Utilities) \$153.92; Truck Trailer Sales & Service (Supplies) \$17.69; Truenorth Steel (Supplies) \$22,348.80; Team Laboratory Chemical Corp. (Supplies) \$46,200.00; **E911:** Clarity Telecom, LLC (Utilities) \$1,568.66; CenturyLink (Utilities) \$97.22; CenturyLink (Utilities) \$83.20; Midcontinent Communications (Utilities) \$160.39; **OEM:** Kopetsky's Ace Hardware (Supplies) \$761.03; B-Y Electric (Utilities) \$61.00; Great America Financial (Rentals) \$191.39; MidAmerican Energy (Utilities) \$19.31; **Government Buildings:** AGAP LLC dba Power Source Electric (OEM Building) \$1,321.47; Larsen Carpet (OEM Building) \$9,959.00; **24/7:** Precision Kiosk Technologies (Prof Services) \$1,500.00; PharmChem, Inc. (Supplies) \$7,486.82; **M & PR:** Executive Management Finance (Rentals) \$439.34; **Non-Departmental:** Southeast Public Transit (Diversion Expense) \$772.50; South Dakota Department of Revenue (Alcoholic Beverage License) \$2,700.00. General Fund \$170,331.36; Road & Bridge \$92,022.68; Emergency Management \$1,032.73. All present voted aye; motion carried, 5-0.

Action25148C: A motion was made by Fox and seconded by Klimisch to approve the **April 2025 Gross Payroll: Commissioners:** \$6,640.96; **Election:** \$0.00; **Auditor:** \$17,888.68; **Treasurer:** \$23,362.94; **States Attorney:** \$44,229.50; **Government Buildings:** \$5,935.18; **Director of Equalization:** \$28,864.56; **Register of Deeds:** \$18,452.06; **Veterans Service:** \$4,470.97; **Courthouse & Safety Center:** \$8,428.31; **Sheriff:** \$94,265.42; **County Jail:** \$98,726.47; **Coroner:** \$1,250.00; **Juvenile:** \$0.00; **Nurse:** \$3,717.13; **Ambulance:** \$75,176.13; **WIC:** \$705.60; **Extension:** \$4,492.32; **Soil Conservation:** \$0.00; **Weed:** \$1,686.48; **Planning & Zoning:** \$12,986.15; **Road & Bridge:** \$93,455.37; **OEM:** \$12,387.94; **24-7 Program:** \$3,811.65. First Dakota National Bank \$39,978.80 (Withholding), First Dakota National Bank \$66,839.82 (FICA) First Dakota National Bank \$15,631.90 (Medicare), South Dakota Retirement System \$34,603.78 (Other Employees), South Dakota Retirement System \$36,461.04 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$212.14, South Dakota Retirement System (Supplemental) \$5,390.00, American Family Life Assurance Company (AFLAC) \$1,941.37, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$3,139.08, AVERA Health Insurance \$71,568.55, Delta Dental \$2,754.22, VSP Vision \$696.88, HealthEquity \$4,189.00. IBC TPA \$9,578.33, Reliance Life Insurance \$1,972.05. Reliance Dental \$1,134.36, MASA \$67.00, Gross Payroll \$557,984.82, Net Payroll \$412,073.62. All present voted aye; motion carried, 5-0.

Action 25149AUD: A motion was made by Fox and seconded by Klimisch to approve the following Malt Beverage License Renewal applications: Riverside Roadhouse, Captain Norm's, The Cottonwood, Pump N Stuff – Riverside Acres, Double T Truck Stop LLC, Mayfield Bar & Grill, Joe's Substation, Gerstner Oil Co., TJ's Mini Mart, Marina Grill, Lewis & Clark Marina, Lewis & Clark Meat Lodge LLC, Kozy's Bar, Pioneer Spirit LLC, Lewis & Clark Resort, Mazing Acres Pumpkin Patch, Fire and Ice, and Max Bet. All present voted aye; motion carried, 5-0.

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

Commissioner updates Budget webinar, upcoming WIR conference and 8-county meeting.

Action 25150C: A motion was made by Fox and seconded by Heine to recess the regular session at 7:35 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, 5-0.

Action 25151C: A motion was made by Fox and seconded by Kettering to adjourn executive session at 8:10 p.m. and reconvene in regular session. All present voted aye; motion carried, 5-0.

No action was taken on executive session.

Action 25152C: A motion was made by Klimisch and seconded by Heine to adjourn. All present voted aye; motion carried, 5-0.

The next regular meeting will be Monday, May 19, 2025 at 6:00 p.m.

John Marquardt, Chairman
Yankton County Commission

ATTEST:

Patty Hojem, Yankton County Auditor