

YANKTON COUNTY COMMISSION MEETING

August 5, 2025

The regular meeting of the Yankton County Commission was called to order by Chairman John Marquardt at 6:00 p.m. on Tuesday, August 5, 2025.

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

There were no conflicts of interest reported by Commissioners.

Action 25241C: A motion was made by Fox and seconded by Kettering to approve the meeting agenda with the following changes: approve provisional budget item will be deleted, and Item 8 to approve asphalt surplus and Kaiser Road resolution will be scheduled for the next commission meeting. All present voted aye; motion carried, 5-0.

There was no public comment. Chairman Marquardt closed public comment.

Action 25242C: A motion was made by Fox and seconded by Heine to approve the July 15, 2025 Commission meeting minutes. All present voted aye; motion carried, 5-0.

Action 25243C: A motion was made by Fox and seconded by Heine to approve the following claims: **Commission:** HealthEquity (Group Insurance) \$110.25; EMC Insurance Companies (Prof Services) \$25,000.00; Tegra Group, Inc. (Maintenance) \$3,092.53; Yankton County Observer (Publishing) \$346.69; **Elections:** McLeod's Printing & Office Supply (Supplies) \$64.50; Qualified Presort Services (Supplies) \$57.98; Verizon (Rentals) \$200.05; **Court:** Avera Sacred Heart Hospital (Lab) \$1,552.00; Patricia LaCroix (Minor) \$742.50; Youngberg Law, Prof. LLC (Prof Services) \$2,883.21; Youngberg Law, Prof. LLC (Prof Services) \$116.21; Grand Jury (Fees) \$888.44; Angel Law, Prof. LLC (Prof Services) \$5,733.42; Paulsen & Raterman Law, Prof. LLC (Prof Services) \$2,580.00; Christina Martin (Prof Services) \$1,068.50; Horn Law Office, LLC (Prof Services) \$20,500.00; Clovia Dee (Prof Services) \$797.90; Kennedy Pier Loftus Reynolds & Brandt, LLP (Prof Services) \$3,341.70; Koletzky Law Office, Prof. LLC (Minor) \$373.00; Dean Schaefer (Prof Services) \$1,085.00; **Auditor:** Ramkota Hotel & Conference Center (Travel) \$272.00; LEAF (Rentals) \$183.35; Qualified Presort Services (Supplies) \$126.75; **Treasurer:** Ramkota Hotel & Conference Center (Travel) \$272.00; Qualified Presort Services (Supplies) \$127.68; **Data Processing:** CSI, LLC (Maintenance) \$194.95; CSI, LLC (Maintenance) \$4,235.00 (Maintenance); **States Attorney:** Century Business Products (Rentals) \$230.99; Century Business Products (Maintenance) \$69.22; T-Mobile (Utilities) \$71.34; Qualified Presort Services (Prof Services) \$44.92; **Government Center:** Appera (Maintenance) \$1,690.68; City of Yankton (Utilities) \$2,326.87; Menards (Supplies) \$320.91; Northwestern Energy (Utilities) \$3,513.11; Olson's Pest Technicians (Maintenance) \$84.00; ULINE (Supplies) \$1,442.00; **Director of Equalization:** Lincoln County Treasurer (Education Expense) \$375.00; Qualified Presort Services (Supplies) \$23.50; **Register of Deeds:** Ramkota Hotel & Conference Center

(Travel) \$272.00; Executive Management Finance (Supplies) \$58.00; Qualified Presort Services (Supplies) \$49.97; **Veterans Service Office:** Hanson Briggs Specialty Advertising, Inc. (Supplies) \$89.00; T-Mobile (Utilities) \$36.10; Qualified Presort Services (Supplies) \$17.72; Verizon (Rentals) \$40.01; **Safety Center Building:** City of Yankton (Utilities) \$822.68; The Collision Center (Maintenance) \$1,483.62; Midcontinent Communications (Utilities) \$947.38; Menards (Supplies) \$244.65; MidAmerican Energy (Utilities) \$2,529.80; Northwestern Energy (Utilities) \$10,661.17; Olson's Pest Technicians (Maintenance) \$137.00; O'Connor Company (Supplies) \$422.92; **Sheriff:** Greg Jensen (Travel) \$40.00; Roger Wolff (Travel) \$25.02; Xtreme Car Wash (Maintenance) \$483.60; Cardmember Services (Travel) \$68.48; Cardmember Services (Ballistic Vests) \$2,733.64; Cardmember Services (Minor Equipment) \$809.28; The Collision Center (Maintenance) \$8,118.50; AT & T Mobility (Maintenance Contract) \$1,244.28; Wolfcom Enterprises (Maintenance Contract) \$1,772.50; Precision Power Services, LLC (Maintenance) \$900.00; Lewis & Clark Veterinary Clinic (K-9 Expense) \$735.74; Interstate All Battery (Supplies) \$28.80; Pennington County Jail (Travel) \$725.85; Qualified Presort Services (Maintenance Contract) \$125.52; TriTech Software Systems (Maintenance Contract) \$631.76; Tire Muffler Alignment (Maintenance) \$5,930.37; **County Jail:** Scott Family Dentistry, Inc. (Prof Services) \$640.18; Charm-Tex (Supplies) \$1,161.74; Cardmember Services (Supplies) \$274.81; Diamond Drugs (Prof Services) \$10,606.35; Tonna Poppe (Travel) \$14.00; AT & T Mobility (Maintenance Contract) \$199.79; Assusen Prof. LLC (Prof Services) \$2,884.50; Harloff (Minor Equipment) \$3,729.85; JCL Solutions (Supplies) \$845.37; Teri Lippert (Travel) \$14.00; Larry's Heating & Cooling (Maintenance) \$239.80; Menards (Supplies) \$160.73; Phoenix Supply (Supplies) \$488.50; Edna Schindler (Travel) \$14.00; Siouxland Oral & Maxillofacial (Prof Services) \$1,541.70; Trittech Software Systems (Maintenance Contract) \$7,122.96; Vantek Communications (Minor Equipment) \$800.00; Yankton Medical Clinic (Prof Services) \$204.92; **Yankton Area Search & Rescue:** Bomgaars (Maintenance) \$342.55; Auto Mastery (Maintenance) \$906.30; Truck Trailer Sales & Service (Maintenance) \$353.00; **Poor Relief:** Qualified Presort Services (Supplies) \$121.61; **Ambulance:** Kopetsky's Ace Hardware (Supplies) \$39.78; Sacred Heart Health Services (Prof Services) \$1,500.00; City of Yankton (Utilities) \$254.58; Amazon Capital Services (Supplies) \$900.62; House of Brands (Supplies) \$396.00; Henry Schein (Supplies) \$265.55; Waystar, Inc. (Prof Services) \$675.98; Sacred Heart Health Services (Supplies) \$204.90; T-Mobile (Utilities) \$216.60; Investigative Services (Prof Services) \$143.50; Menards (Supplies) \$159.69; MidAmerican Energy (Utilities) \$28.14; Northwestern Energy (Utilities) \$2,137.36; Olson's Pest Technicians (Maintenance) \$119.00; SD Special Pay Plan (Salary) \$2,566.83; SD Special Pay Plan (Retirement) \$45.00; Verizon (Utilities) \$345.56; **Mentally Handicapped:** Avera McKennan Hospital (Prof Services) \$863.00; Dakotabilities (Misc.) \$540.00; **Mental Illness Board:** Blackburn & Stevens Prof. LLC (Hearings) \$504.73; Val Larson (Hearings) \$44.00; Fox Law Firm, PLLC (Hearings) \$635.00; Mark Katterhagen (Hearings) \$44.00; Luci Lewno (Hearings) \$785.23; **Library:** City of Yankton (Misc.) \$2,068.75; **Extension:** City of Yankton (Utilities) \$92.70; Hy-Vee (4-H) \$7.11; Great America Financial (Rentals) \$290.44; MidAmerican Energy (Utilities) \$9.83; Olson's Pest Technicians (Maintenance) \$75.00; South Dakota State 4-H (4-H) \$7.11; Union County 4-H (4-H) \$250.00; Yankton Fire & Safety (Maintenance) \$144.00; **Weed:** Bomgaars (Supplies) \$16.97; Agterra Technologies (Maintenance) \$150.00; Agterra Technologies (Supplies) \$7.91; C & R

Supply Inc. (Supplies) \$159.75; The Fox Stop (Other) \$97.03; Verizon (Utilities) \$12.33; VanDiest Supply Co. (Supplies) \$3,121.10; VanDiest Supply Co. (Chemical) \$5,060.00; One Office Solution (Supplies) \$127.36; **Planning and Zoning:** T-Mobile (Utilities) \$36.10; **Highway:** Sioux Falls Crane & Hoist, Inc. (Maintenance) \$843.20; B-Y Electric (Utilities) \$58.90; Barco Municipal Products (Supplies) \$4,566.07; City of Yankton (Utilities) \$82.45; NAPA Auto Parts of Yankton (Maintenance) \$871.25; NAPA Auto Parts of Yankton (Supplies) \$93.92; Knife River-South Dakota (Supplies) \$84,616.40; CenturyLink (Utilities) \$157.12; IMEG Corp. (Annual Projects) \$3,433.46; The Fox Stop (Highway Fuel) \$86.00; CHS, Inc. (Supplies) \$1,992.00; Titan Machinery-Yankton (Maintenance) \$215.28; City of Yankton-Landfill (Utilities) \$135.15; Midwest Petroleum Equipment (Maintenance) \$3,240.72; Marquardt/Skyway Transportation (Bridges) \$650.00; New Century FS (Highway Fuel) \$3,634.74; Marx Dust Control (Supplies) \$11,160.00; Precision Power Service (Maintenance) \$500.00; Graham Tire-Yankton (Maintenance) \$17.97; Jim Hawk Truck Trailers (Maintenance) \$71.16; Jim Hawk Truck Trailers (Supplies) \$1,009.01; I State Truck Center (Maintenance) \$442.86; LEAF (Supplies) \$124.98; Menards (Maintenance) \$643.47; Menards (Supplies) \$6.72; Midwest Radiator & Exhaust (Supplies) \$202.40; Northwestern Energy (Utilities) \$985.02; SD Special Pay Plan (Salary) \$4,530.69; SD Special Pay Plan (Retirement) \$45.00; Southeastern Electric Co. (Utilities) \$164.27; Verizon (Utilities) \$12.32; One Office Solution (Supplies) \$127.36; MidAmerican Energy (Utilities) \$26.63; **E911:** Clarity Telecom, LLC (Utilities) \$1,841.17; CenturyLink (Utilities) \$250.87; Midcontinent Communications (Utilities) \$160.39; Tritech Software Systems (Utilities) \$7,590.47; **OEM:** Kopetsky's Ace Hardware (Maintenance) \$47.98; Bomgaars (Maintenance) \$57.98; Bomgaars (Supplies) \$399.99; B-Y Electric (Utilities) \$62.00; Xtreme Car Wash (Maintenance) \$48.00; AT & T Mobility (Utilities) \$89.84; Auto Mastery (Maintenance) \$683.83; Precision Power Service (Maintenance) \$1,200.00; T-Mobile (Utilities) \$330.50; Generator Solutions, Inc. (Maintenance) \$365.00; Great America Financial (Rentals) \$147.03; Midcontinent Communications (Utilities) \$156.47; MidAmerican Energy (Utilities) \$9.25; Two Way Solutions, Inc. (Maintenance) \$1,713.31; Verizon (Utilities) \$428.71; **County Buildings:** Green King, LLC (Maintenance) \$716.85; **24/7:** Sobriety Testing (Refund) \$50.00; **Non-Departmental:** Ambulance Refunds (Fees) \$1,248.51; Alessandra Lopez (Diversion Expense) \$1,005.00; South Dakota Department of Revenue (Alcoholic Beverage) \$150.00; CAM Daily Fee (Refunds) \$154.00. General Fund \$188,542.11; Road & Bridge \$124,746.52; Emergency Management \$5,739.89. All present voted aye; motion carried, 5-0.

Action 25244C: A motion was made by Kettering and seconded by Fox to approve the **JULY 2025 Gross Payroll: Commissioners:** \$6,640.96; **Election:** \$0.00; **Auditor:** \$17,987.64; **Treasurer:** \$21,292.40; **States Attorney:** \$44,402.05; **Government Buildings:** \$6,624.98; **Director of Equalization:** \$26,701.60; **Register of Deeds:** \$18,410.48; **Veterans Service:** \$4,276.58; **Courthouse & Safety Center:** \$8,249.38; **Sheriff:** \$90,465.76; **County Jail:** \$104,815.57; **Coroner:** \$1,250.00; **Juvenile:** \$0.00; **Nurse:** \$3,717.13; **Ambulance:** \$75,279.01; **WIC:** \$705.60; **Extension:** \$4,492.32; **Soil Conservation:** \$0.00; **Weed:** \$9,904.32; **Planning & Zoning:** \$12,986.15; **Road & Bridge:** \$85,455.27; **OEM:** \$12,059.43; **24-7 Program:** \$3,502.73. First Dakota National Bank \$39,394.90 (Withholding), First Dakota National Bank \$66,845.94 (FICA) First Dakota

National Bank \$15,633.44 (Medicare), South Dakota Retirement System \$34,678.02 (Other Employees), South Dakota Retirement System \$36,589.24 (Sheriff/Jail/EMS), South Dakota Retirement System (Spouse Opt) \$214.04, South Dakota Retirement System (Supplemental) \$5,465.00, American Family Life Assurance Company (AFLAC) \$2,014.90, Nationwide Retirement Solutions \$69.44, Boston Mutual Life Insurance \$290.69, Colonial Life & Accident \$3,028.59, AVERA Health Insurance \$70,721.49, Delta Dental \$2,754.22, VSP Vision \$688.21, HealthEquity \$4,179.00. IBC TPA \$9,575.95, Reliance Life Insurance \$1,402.05. Reliance Dental \$1,038.51, MASA \$59.00, Gross Payroll \$558,873.36, Net Payroll \$412,068.53 All present voted aye; motion carried, 5-0.

Action 25245AUD: A motion was made by Fox and seconded by Heine to approve the 2025 2nd Quarter MI Report. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Action 25246C: A motion was made by Klimisch and seconded by Heine to approve an abatement request in the amount of \$2,038.51. All present voted aye; motion carried, 5-0.

Action 25247AUD: A motion was made by Fox and seconded by Heine to approve the Auditor's Monthly Settlement with the Treasurer and Pooled Cash Report as of June 31, 2025 showing Total Cash of \$12,229,123.62. The General Fund was \$7,638,375.78; Special Funds were \$2,604,616.55; and Trust and Agency Funds were \$1,986,131.29 adding to a Grand Total of General Ledger Cash and Investments of \$12,229,123.62. A detailed report is on file with the County Auditor. All present voted aye; motion carried, 5-0.

Action 25248AUD: A motion was made by Klimisch and seconded by Heine to approve the Malt Beverage & SD Farm Wine License for: Dolgen Midwest, LLC (Dollar General Store) North 2 acres of the West 11 Rods Excluding Lot H-3 in the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4), Section 15, Township 93N, Range 56 West. All present voted aye; motion carried, 5-0.

Susan Bearman, from Minnehaha County spoke remotely on the Financial Action Network (FAN). The committee was formed to analyze the county budget and recommend future actions to ensure statutory obligations and future needs are met. No action was taken. The commission discussed options the board could take.

Richard Vellek appeared to express concerns on roads 439th and 304th by the Marquardt Gravel Pit for the Highway 81 project. Concerns are running stop signs, no sheriff presence, no dust control, noise and flagmen. Captain Meier spoke on actions that were taken by the Sheriff's Office. The commission discussed options the board could take. No action was taken.

Action 25249C: A motion was made by Fox and seconded by Kettering to recess for five minutes. All present voted aye; motion carried. 5-0.

Action 25250: A motion was made by Fox and seconded by Heine to reconvene. All present voted aye; motion carried, 5-0.

Highway Superintendent Mike Sedlacek appeared for approval to surplus pile of milled asphalt. No action was taken because item was not advertised.

Action 25251C: 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 Dollar General. Applicant is requesting a Conditional Use Permit in a Lakeside Commercial District to construct storage building per Article 11 Section 1107, Article 18 Section 1905. Applicant wishes to build a storage building that was not included in the original Conditional Use Permit on his property. Said property is legally described as Lot 4 Whitetail Run, Section Four (16), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5th P.M., Yankton County, South Dakota. E91 I address is 706 Kalea St., Yankton, South Dakota. Jim Den Herder spoke on the application.

Action 25252Z: A motion was made by Heine and seconded by Kettering, to approve the Conditional Use Permit for Jim Den Herder with condition applicant must comply with Article 27 of the Zoning Ordinance, based on Findings of Fact from the July 8, 2025 Yankton County Planning Commission meeting as presented, pursuant to Article 19, Section 1907 of the Yankton County Zoning Ordinance. All present voted aye; motion carried, 5-0.

Action 25253C: 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, 5-0.

Representative Julie Auch appeared to give an explanation on HB1043 and the voting outcome of the bill after comments made at the July commission meetings.

Interim EMS Director Troy Cowman appeared to request approval to advertise for ambulance remount and power load system.

Action 25254C: A motion was made by Kettering and seconded by Heine to approve the request. Roll call vote was taken with Kettering, Heine, Fox and Marquardt voting aye; Klimisch voting nay; motion carried, 4-1.

Commissioner Heine would like to combine the 4-H Director and Extension Coordinator as one position and approve advertising for the position at the August 19, 2025 meeting. Commissioner Klimisch suggested donating funds to 4-H and they can do with that funding as they want. Commissioner Heine said Yankton would be the only county with no extension coordinator.

State Legislators passed a 2025 law, SDCL Section 1-25-23, requiring any public body to review South Dakota's open meeting requirements each year. Pursuant to the statute, the board has to include in the meeting minutes that commissioners acknowledged they reviewed the open meeting laws in an open meeting.

By roll call vote, Wanda Howey-Fox, Ryan Heine, Don Kettering, Dan Klimisch and John Marquardt have reviewed the open meeting laws in the state's open meetings brochure.

A Kaiser Road resolution will be presented for approval at the August 19, 2025 commission meeting.

The board discussed requests from Commissioner Klimisch to stipulate that raises should only be discussed during the budgeting process and to clarify that the county is in a hiring freeze in the county personnel handbook. States Attorney Larsen said he would prepare the resolution regarding the hiring freeze.

States Attorney Larsen was asked to look into adding a section to the employee handbook for mandating anti-sexual harassment discrimination training for county employees, possibly including department heads, elected officials and commissioners. Larson said the commissioners will have to discuss and decide who they want to take the class, and how to implement and draft it. Larson suggested hiring Alternative HRD to do the revisions since that company drafted the current Yankton County Personnel Handbook.

There was a comment from State Senator Lauren Nelson. Chairman Marquardt closed public comment.

Action 25255C: A motion was made by Fox and seconded by Heine to adjourn. All present voted aye; motion carried, 5-0.

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

John Marquardt, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, Yankton County Auditor