

January 3, 2017

The Board of County Commissioners met in regular session Tuesday January 3, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda with the addition of Executive Session for personnel matters.

Minutes of the December 27, 2016 meeting were approved with a motion by Powell, seconded by Packard and carried.

The meeting adjourned and reconvened to reorganize for the ensuing year.

County Auditor, Carri R. Crum, called the meeting to order. The Auditor called for nominations for Chairperson. Manning moved to nominate Travis Mockler as Chairperson. Motion seconded by Powell. Powell moved to nominate Phyllis Packard as Chairperson. Motion seconded by Hammond. Paper ballots were cast, and the results were three votes for Mockler and two votes for Packard.

With Chairman Mockler presiding, the following proceedings were held.

The Chairman called for nominations for Vice Chairperson. Powell moved, seconded by Manning to nominate Phyllis Packard as Vice Chairman. No further nominations were made. All voted aye; motion passed.

Powell moved, seconded by Hammond and carried to adopt Modern Addition of Robert's Rules of Order (current version 2005 on file in the Auditor's Office), no restrictions on the Chair, and minutes not to record motions not seconded.

The following appointments were approved. Layne Stewart as Emergency Management Director for a one-year term expiring 1/2/18 with a motion by Powell, seconded by Hammond and carried. Packard moved, seconded by Powell and carried to appoint Commissioner Mockler to Fair Board, Commissioner Packard as member of the Executive Board of SECOG, Commissioner Packard to Board of Directors of the Clay County Youth Trust Fund and the Youth Service Council, Commissioner Mockler to the Zoning Board, Dr. Dendinger as County Health Officer, Robert Fuller to Public Safety Board for a three-year term expiring 12/31/19, Commissioner Hammond as member to the Southeast Regional Detention Authority Steering Committee, Commissioner Packard to the Joint Landfill Advisory Board, Commissioner Manning to the VCDC, Commissioner Manning to Vermillion Now Advisory Council, and the Chairman and Vice-Chair to the ICAP Committee.

Powell moved, seconded by Packard and carried to designate the Vermillion Plain Talk and the Tri-County news as the official legal newspapers.

Manning moved, seconded by Packard and carried to designate the front door of the Courthouse and the front door of the Post Office in Wakonda as places for holding foreclosure sales.

Manning moved, seconded by Packard and carried to designate First Bank & Trust, Bank of the West, CorTrust Bank/Vermillion, First Dakota National, Wells Fargo Bank/Vermillion, First Premier Bank/Wakonda, SD FIT, and Vermillion Federal Credit Union as the official depositories.

Pursuant to SDCL 28-17-4, Powell moved that on county burials the funeral director in charge shall furnish casket and outside container and conduct the funeral services in customary manner and the County shall allow the funeral director for merchandise and such services rendered a sum of \$1900 (complete costs) which includes vault and opening and closing of the grave. Motion seconded by Packard and carried.

Manning moved, seconded by Powell and carried that, pursuant to regulations adopted by the State Board of Finance which provide for rates in connection with travel reimbursement, the mileage be set at \$.42 per mile, and if the state raises mileage during the year the County will follow suit; rates for meals set at \$32.00 per day (Breakfast \$6.00, Noon \$11.00, Evening \$15.00).

Powell moved, seconded by Manning and carried that the allowance per diem for the Commissioners appointed to serve on all Boards outside of the normal County Commission Meetings as well as the per diem for Planning & Zoning Commission members be set at \$20.00 plus mileage.

Powell moved, seconded by Manning and carried to approve fees for boarding prisoners for other counties at \$60 per day with the exception of Turner and Lincoln Counties which are under contract for \$55 per day, fees for housing work release prisoners at \$20 per day, and daily boarding rate at \$15 per day, adult electronic GPS monitoring at \$20 per day, juvenile electronic GPS monitoring at \$10 per day, applicant fingerprinting at \$15 per 2 cards, accidents reports at \$2 per page, and other reports or printing e-mailed civil process to serve at \$1 per page.

Manning moved, seconded by Hammond and carried to hold Commission meetings the first, second and last Tuesday of each month.

Packard moved, seconded by Manning and carried to approve SD Public Assurance Alliance as the County's liability insurance and SDML for worker's compensation insurance.

Packard moved, seconded by Powell and carried to approve worker's compensation insurance coverage for all election workers as listed on file in the Auditor's Office and Sheriff's Reserve Deputies (currently Shawn Fick, Matt Olson, and Kay Luther).

Powell moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-01 for Establishment of Election Precincts/Polling Places for 2017.

RESOLUTION #2017-01
Establishment of Election Precincts/Polling Places for 2017

WHEREAS, the Board of County Commissioners in and for the County of Clay shall establish election precincts and polling places.

NOW THEREFORE BE IT RESOLVED, that hereinafter described precincts and polling places be hereby established.

Rural Ward #1: SESD Experimental Farm, 29974 University Rd., Beresford, SD

Rural Ward #2: Senior Citizens Center, 119 Ohio St., Wakonda, SD
Rural Ward #3: 4-H Center/Fairgrounds, 515 High St., Vermillion, SD
Vermillion City-All Precincts: National Guard Armory, 603 Princeton St., Vermillion, SD (Central 1 & 2/Northeast 1 & 2/Northwest 1 & 2/Southeast 1 & 2)

Commissioner Powell moved the adoption of the foregoing resolution. Motion seconded by Commissioner Manning.

Vote of Commission: Mockler Aye, Packard Aye, Powell Aye, Manning Aye, Hammond Aye.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 3rd day of January, 2017.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Manning moved, seconded by Packard and carried to pass and adopt the following Resolution #2017-02 for Establishment of Precinct Election Officials Fees for 2017.

RESOLUTION #2017-02
Precinct Election Officials Fees for 2017

WHEREAS, SDCL 12-15-11 made it the responsibility of the County Commissioners of each county to set the fee for precinct election officials of all units of government in the county.

THEREFORE, BE IT RESOLVED, that the fee for precinct election officials in Clay County be set at \$150.00, and election superintendent at \$175.00, for each election.

BE IT FURTHER RESOLVED, that pursuant to SDCL 12-15-7 such election officials be allowed a fixed fee for attendance at a meeting called by the County Auditor for instruction on election laws and the duties of the judges and clerks of election as follows: \$25.00 compensation for election officials residing within ten (10) miles from the county seat and \$30.00 for officials residing outside the ten (10) miles from the county seat.

BE IT FURTHER RESOLVED, that there will be one cell phone provided by one precinct worker per polling place and a \$5.00 fee will be issued for the usage of the phone for only that day.

BE IT FURTHER RESOLVED that the person delivering the poll-books and ballot boxes to the County Auditor's Office at the county seat shall receive the county rate for mileage as established pursuant to SDCL 7-7-24, for miles necessarily traveled in going to and returning from making the delivery (SDCL 12-15-11). The county rate for mileage is .42 cents per mile.

Commissioner Manning moved the adoption of the foregoing resolution. Motion seconded by Commissioner Packard.

Vote of Commission: Mockler Aye, Packard Aye, Powell Aye, Manning Aye, Hammond Aye.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 3rd day of January, 2017.

Board of County Commissioners

Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

At 9:27 a.m., Packard moved, seconded by Manning and carried to adjourn and convene as Clay County Ditch Board.

Manning moved, seconded by Powell and carried to set January 10, 2017 at 9:15 a.m. as the date and time for a public hearing for a supplement in the amount of \$1,348 to the 2016 ditch expense budget.

At 9:32 a.m., Packard moved, seconded by Hammond and carried to adjourn and reconvene as Board of Clay County Commissioners.

At 9:32 a.m., a public bid opening took place for the 2017 jail meals. The sealed bids were opened and read aloud. Bids were as follows: The Roadhouse bid \$4.25 for lunch and dinner and \$.40 for breakfast, Hy-Vee bid \$3.25 for breakfast, lunch, and dinner, and The Old Lumber Company bid \$5.00 for breakfast and \$8.00 for lunch and dinner.

The Board discussed with Alexis Tracy, State's Attorney, and Cynthia Aden, Zoning Administrator, the cul-de-sac issue in Gunderson's development in order to update Tracy on the situation.


Aden told the Board she would check with SECOG to find out the status of its inspection of the proposed zoning regulations.

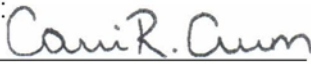
Packard moved, seconded by Powell and carried to authorize the Chairman to sign the 2017 Memorandum of Understanding with the SDSU Extension Service.

At 10:08 a.m., Powell moved, seconded by Packard and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 11:13 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session. No action was taken.

At 11:14 a.m. Powell moved, seconded by Manning and carried to adjourn and reconvene Tuesday, January 10, 2017 at 9:00 a.m.


Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

January 10, 2017

The Board of County Commissioners met in regular session Tuesday, January 10, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Manning moved, seconded by Packard and carried to approve the agenda.

Minutes of the January 3, 2017 meeting were approved with a motion by Powell, seconded by Manning and carried.

Alexis Tracy, State's Attorney, met with the Board during Visitors to be Heard to discuss the Teen Court program.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Manning moved, seconded by Powell and carried to accept the low bid of \$1.12/gallon from Star Energy for propane at the Wakonda shop and the low bid of \$1.11/gallon from Long's Propane for propane at the Vermillion shop.

Polley discussed bridge construction on the structure 1 mile east of Highway 19 and ¾ mile south of 302 St. The project has been bid, and work should start in the spring. Polley said the bridge on University has been delayed and also discussed future plans for other bridges in the county.

Manning moved, seconded by Powell and carried to pass and adopt the following Resolution #2017-03 for Supplement of County Budget.

RESOLUTION #2017-03

Supplement of County Budget

WHEREAS the Ditch Special Assessment budget does not have adequate budget authority in 2016 for expenses paid directly from the Ditch Special Assessment Fund;

WHEREAS, the Board of County Commissioners have agreed to hold a public hearing on January 10, 2017 at 9:15 a.m. to supplement the Ditch Special Assessment budget for the proper conduct and discharge of lawful county obligations and has been given in accordance with the law and direction of the County Board,

NOW THEREFORE BE IT RESOLVED: That the following budget be adopted to show the supplement to the foresaid 2016 Annual Budget:

Ditch Special Assessment (24305X42555000) \$1,348

Dated the 10th day of January, 2017.

Commissioner Manning moved the adoption of the foregoing Resolution; Motion seconded by Commissioner Powell.

Vote of the Commission: Packard Aye Powell Aye Manning Aye Hammond Aye Mockler Aye

Upon which voting the foregoing Resolution was declared passed and adopted.

ATTEST:

Carri R. Crum, County Auditor

Travis Mockler, Chairman
Board of County Commissioners
Clay County, South Dakota

At 9:23 a.m., Packard moved, seconded by Powell and carried to adjourn and convene as Clay County Ditch Board.

The Board reviewed information from Johnson Engineering and a Contractor's Application for Payment from Jerke & Sons Construction. Powell moved, seconded by Hammond and carried to approve payment to Jerke & Sons Construction in the amount of \$53,459.33 as requested for the Clay Creek Ditch Cleanout Project.

At 9:27 a.m., Manning moved, seconded by Packard and carried to adjourn and reconvene as Board of Clay County Commissioners.

Andy Howe, Sheriff, met with the Board regarding jail meal bids that were opened the previous week. Howe reported that he consulted with Tracy, State's Attorney, regarding the bids. Packard moved, seconded by Hammond and carried to accept the bid from The Roadhouse.

Layne Stewart, Emergency Management Director, met with the Board to present the SLA Quarterly Activity Report – FY2017. Powell moved, seconded by Manning and carried to authorize the Chairman to sign the report.

Stewart updated the Board on the Homeland Security Grant application process.

Packard moved, seconded by Manning and carried to approve the following claims for payment. January Bills: (Due to Other Government) Reliance Telephone \$1,000.00; (Professional Services and Fees) Allied Insurance \$100.00; AVI Systems, Inc. \$492.27; Dakota PC Warehouse \$109.98; FedEx \$21.57; Gray-Lobe, Geoffrey \$153.00; Johnson Engineering Co. \$8,542.76; Katterhagen, Mark, \$15.00; Lewno, Lucille M \$195.46; Lincoln County Treasurer \$90.00; Microfilm Imaging System \$109.00; Netsys Plus, Inc. \$106.25; Pharmchem, Inc. \$525.00; Satellite Tracking \$110.00; SD Dept of Health Lab \$310.00; SD Sheriff's Assn. \$765.92; SDAAO \$225.00; SDACC Office \$3,030.00; SDSU Extension Service \$7,548.00; Swanda, Karen \$15.00; Walker Construction \$390.00 and Yankton Co Sheriff \$100.00; (Other Professional Services) Reeves, Megan \$554.80 and Schaefer, Dean \$318.00; (Law Office) Kogel, Linda L \$2,883.80 and Reed Law Offices \$1,296.40; (Mental Health) Dakotabilities \$540.00; SD Achieve \$180.00; Sesd Activity Center \$360.00 and Dept of Revenue \$2,650.00; (Publishing) Broadcaster Press \$304.82; (Rentals) Schneider Corporation \$2,115.00; (Repairs and Maintenance) Bear, Inc. dba Todd's \$66.31; Butler Machinery Co. \$968.00; Century Business Products \$25.00; Fast Auto Glass, Inc. \$178.00; First Bank & Trust Visa \$20.00; Hartelco \$10.00; Olson's Pest Technician \$200.00; Paul's Plumbing, Inc. \$96.94 and State Bar of SD \$415.00; (Data Processing/Clay Creek) Jerke & Sons \$53,459.33; Manatron, Inc. \$1,431.41; Microfilm Imaging Systems \$606.00; Netsys Plus, Inc. \$106.25; Schneider Corporation \$6,850.00 and Software Services, Inc. \$2,160.00; (Supplies & Materials) A & B Business \$178.24; A-Ox Welding Supply Co \$360.85; Aden, Cynthia \$9.51; Allied Oil & Supply Co \$389.51; Appera \$80.20; Bomgaars \$219.99; Brunick Service, Inc. \$589.00; Buhls Drycleaners \$957.84; Campbell Supply Co. \$187.03; D-Ware Inc. \$2,500.00; First Bank & Trust Visa \$282.89; Klunder, Nicole \$6.01; Lawson Products, Inc. \$639.04; O'Reilly Auto Parts \$18.99; Orr Farm

Supply \$36.88; Pharmchem, Inc. \$608.00; SD Assn of Weed & Pest \$50.00; Sioux Falls 2-way \$84.99; Sooland Bobcat \$221.00; Sturdevant's Auto Part \$789.89; Vermillion Ace Hardware \$89.98; One Office Solution \$78.98; Wheelco Brake and Supply \$78.60 and Zee Medical Service Co. \$133.00; (Travel and Conference) Aden Cynthia \$88.35; Brunick Service Inc. \$69.85 and SD Assn of Co Weed Brd \$260.00; (Utilities) Anders, Jeffrey \$240.00; Armstrong, Aaron \$120.00; CenturyLink \$439.57; City of Vermillion \$149.90; Clay Rural Water System \$38.10; Clay Union Electric Co \$548.94; Hartelco \$79.95; Howe, Andy \$240.00; Husby Tiffany \$240.00; Kyte, David \$120.00; Longs Propane \$1,459.65; MidAmerican Energy \$1,405.99; Midco Business \$217.00; Pederson, Paul \$120.00; Smith Michael \$120.00; Umscheid, Noah \$100.00; Vermillion Garbage svc \$60.00; Wakonda Town \$62.65 and West, Jerami \$240.00; (Payment) Brunick Service, Inc. \$46.95; SE Council of Gov't \$11,691.00; The Roadhouse \$3,532.05 and Vermillion Federal Credit Union \$59.01; (JDC/Special Equip.) Minnehaha County JDC \$6,000.00; (Furniture and Minor Equipment) A & B Business \$223.19 and Microfilm Imaging Systems \$120.00.

Packard moved, seconded by Powell and carried to appoint Cynthia Aden to a four-year term as Veterans Service Officer, Welfare Director, and Zoning Administrator.

Powell moved, seconded by Packard and carried to approve the 12-month measurement period for the Family and Medical Leave Act to be measured going forward from the first day of leave taken by an employee and to approve revision to the Personnel Manual to include information regarding FMLA.

At 9:57 a.m., Manning moved, seconded by Packard and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 11:43 a.m., Packard moved, seconded by Manning and carried to exit the Executive Session.

The Board called a brief recess.


At 11:56 a.m., Manning moved, seconded by Powell and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 12:27 p.m., Powell moved, seconded by Packard and carried to exit the Executive Session. Packard moved, seconded by Hammond and carried to authorize the Register of Deeds to advertise for and hire a temporary part-time employee up to 6 months of employment. The intent of the Board is long term for the office to be staffed by not more than 2 full time personnel.

At 12:34 a.m. Powell moved, seconded by Packard and carried to adjourn and reconvene Tuesday, January 31, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

January 31, 2017

The Board of County Commissioners met in regular session Tuesday, January 31, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Powell and carried to approve the agenda.

Minutes of the January 10, 2017 meeting were approved with a motion by Manning, seconded by Packard and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Packard moved, seconded by Manning to pass and adopt the following Resolution #2017-04 for Weight Limit Enforcement. Vote of the Board: 5 ayes, 0 nays. Motion passed.

RESOLUTION #2017-04
CLAY COUNTY WEIGHT LIMIT ENFORCEMENT

Whereas, seasonal climatic changes can be detrimental to our highways, and

Whereas, the Clay County Board of County Commissioners desires to protect existing Clay County Highways, ultimately saving tax dollars, and

Whereas, South Dakota Codified Law 32-14-6 allows for the reduction of the legal weight limit which may be carried upon highways within Clay County, and

Whereas the Clay County Board of Commissioners, desire the enforcement of weight limitations on Clay County roads as set forth and posted by the Clay County Highway Superintendent.

NOW THEREFORE BE IT RESOVLVED;

Whereas the limits on Clay County roads shall be set at six (6) ton per axle on all hard surface roads with the exception of County Road H-4 (469 Ave), Burbank north to Highway 50, and County Roads B-1 & B-2 (455 Ave), Bethel Hall north to Highway 46, the West County Line, from Irene south and all gravel roads shall be posted at seven (7) ton per axel, or as posted.

That the South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitations on Clay County Roads.

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

Vote of Clay County Commission

AYE 5 NAY 0

Dated this 31st day of January, 2017 at Vermillion, S.D.

ATTEST:

Carri R. Crum

Travis Mockler

An Application for Occupancy on the Right of Way of County Highways was presented on behalf of Clay-Union Electric for a cable along 456 Ave. in Section 23, Township 94N, Range 53W. Packard moved, seconded by Hammond and carried to authorize the Chairman to sign the application as presented.

Manning moved, seconded by Hammond and carried to accept the low bid of \$2.0925/gallon from Jerry's Service for 1800 gallons of ethanol blend fuel at the Vermillion shop.

Packard moved, seconded by Powell and carried to set February 28, 2017 at 9:30 a.m. as the date and time for bid opening for highway materials for the year.

Polley discussed bridge #130-011 on University Rd. south of Highway 46. He reported that the bridge was put on the list for bid letting by the state, so there is potential that the construction could happen in 2017.

Polley discussed with the Board the purchase of a pick-up truck. It was the consensus of the Board that since it will be under the legal limits for requiring a bid, it would still be good practice to get price quotes.

Lauren Hollenbeck, 4-H Educator, met with the Board to present the quarterly report.

Cynthia Aden, Zoning Administrator, met with the Board. The Board discussed with Aden the re-zoning petition process for rural subdivisions from agricultural to rural residential. It was Aden's recommendation that the process start with landowner meetings to answer any questions and proceed with a petition from there.

Alexis Tracy, State's Attorney, met with the Board to discuss the cul-de-sac issue in Gunderson's development. Tracy discussed the turnaround easement that was put into place when the property was platted.

Aden discussed with the Board a density requirement that was added to the zoning regulations several years ago, and language that needs to be changed within that section from "building site" to "lot area." She recommended this be included in the proposed draft of the Concentrated Animal Feeding Operation (CAFO) zoning regulation changes being considered since that matter would already be going to public hearings.

Powell moved, seconded by Packard and carried to approve the following claims for payment. January Bills: (Due to Other Governments) SD Assn. of County Officials \$338.00, State of SD Game Fish & Parks \$55.00; (Jail Phone Cards) Reliance Telephone \$500.00; (Law Library) Thomson Reuters \$97.13; (Payroll Withholdings) AFLAC \$897.48, Clay Co. Treasurer \$44891.91, Colonial Life \$359.97, Washington National \$24.45, Dearborn National \$204.96, New York Life \$244.02, Optilegra \$17.92, Performant Recovery \$332.61, SD Retirement System \$21047.32, SD Supplemental Retirement \$1535.00, SDRS Roth 457b Plan \$500.00, United Way of Vermillion \$179.00, Vermillion Federal Credit Union \$1666.00, Wellmark BlueCross/BlueShield \$37317.07; (Workers Compensation) SDML Workers Compensation Fund \$34392.00; (Liability Insurance) SD Public Assurance Alliance

\$73745.61; (Prof. Svc./Fees) Brookings Health Systems \$459.00, Denise Cody \$6.00, Counsel \$8.62, Marv Ekeren \$22.50, Debra Gapp \$2160.00, Randy Houska \$343.00, Mark Katterhagen \$2884.50, KCH Law \$236.29, Linda Kogel \$5975.86, Lewis & Clark Behavioral Health Svc. \$480.00, Lucille Lewno \$275.21, Lincoln County Auditor \$67.38, Lincoln County Planning \$30.00, James McCulloch \$852.90, Meierhenry Sargent LLP \$5442.44, Minnehaha County Auditor \$148.50, Netsys Plus \$345.00, Peterson, Stuart, Rumpca, & Rasmussen \$6098.12, SD Assn. of County Officials \$1495.48, SD Attorney General \$42.00, SD Public Assurance Alliance \$127.66, Secretary of State \$30.00, Security Shredding Svc. \$35.00, Star Publishing \$72.00, Valiant Vineyards \$1512.12, Village Family Svc. Center \$1530.00, Yankton County Sheriff \$50.00, Yankton County Treasurer \$515.60, Yankton Medical Clinic \$74.77; (911 Service Fund) City of Vermillion \$74,814.53; (Publishing) Geniusweb.com \$118.00, Plain Talk \$60.75, Star Publishing \$3065.41; (Repairs/Maint.) Century Business Products \$25.00, Johnson Feed \$630.00, MARCO \$758.66, Olson's Pest Technicians \$75.00; (Historic Preservation) James Wilson \$352.04; (Data Processing) Manatron \$13170.00, Bruce Mastel \$35.00, Netsys Plus \$14.20; (Supplies/Materials) ACE Hardware \$15.12, Bob Barker Co. \$169.48, Butler Machinery \$1055.27, Campbell Supply \$239.10, Clay Union Electric \$600.00, Cornhusker International \$185.50, Davis Pharmacy \$323.57, FedEx \$114.55, FrancoTyp-Postalia \$124.60, Ray Hofman \$94.00, Hy-Vee \$50.84, I-State Truck Center \$80.10, JCL Solutions \$446.54, Jerry's Service \$1414.45, Johnson Feed \$67.52, Mills & Miller Inc. Distributing \$1470.87, Neve's Uniforms \$168.77, Northern Safety Co. \$1112.77, Pharmchem \$608.00, Pressing Matters \$53.00, Qualified Presort Svc. \$2593.63, Road King \$525.43, Sioux City Foundry \$300.50, Sooland Bobcat \$1375.71, Sturdevant's Auto Parts \$674.68, 3-D Specialities \$132.89, Titan Machinery \$782.75, ACE Hardware \$95.71, Wal-Mart Community \$40.15, One Office Solution \$44.95; (Travel/Conference) SD Assn. of County Highway Superintendents \$80.00, SDSU Extension Svc. \$77.27, Layne Stewart \$64.76; (Inmate Transport) Jerry's Service \$126.00; (Utilities) Bureau of Administration \$142.56, City of Vermillion \$1837.08, Midco Business \$370.67, Star Energy \$311.47, Verizon Wireless \$382.66, Vermillion Garbage Svc. \$216.00; (Juvenile Detention) Lutheran Social Services \$1113.12; (Allocations to Organizations) Austin-Whittemore House \$625.00, Beresford Public Library \$1500.00, Clay Co. Agr. Fair Assn. \$4125.00, Clay Co. Conservation District \$8750.00, Dakota Senior Meals \$1342.50, National Music Museum \$1250.00, Salvation Army \$1200.00, Vermillion Public Library \$1000.00, Vermillion Senior Citizens Center \$3750.00, Wakonda Ministerial Assn. \$200.00, Wakonda Public Library \$625.00, Wakonda Senior Citizen Center \$625.00, WH Over Museum \$1875.00; (Jury/Witness) Lucas Anderson \$20.00, Jolynne Bertram \$60.00, Susan Brue \$31.84, Calhoun Carlisle \$10.00, Randy Crum \$10.00, Richard Culver \$20.00, Nicole Ebel \$60.00, Jamie Ehlers \$50.00, Naomi Ellwanger \$38.48, Brian Emmick \$60.08, Joseph Garcia, Jr. \$20.00, Peter Gehm \$60.00, Jolinda Gray \$60.00, Harlan Hanson \$10.00, Wendy Harkness \$10.00, Pamela Jacobsen \$60.00, Roger Jeck \$10.00, Nicklaus Jensen \$10.00, Loren Johnson \$15.04, Christopher Kinney \$25.12, Beth Knedler \$58.40, Bryant Knodel \$118.80, Elayne Lande \$11.68, Corey Lewison \$10.00, David Lias \$10.00, Christine Logue \$26.80, Tom Logue \$91.92, Derek McBride \$20.00, Karla Nelson \$20.00, Ethan Netz \$10.00, Andrew Peltier \$60.00, Dennis Petersen \$10.00, Collin Prosser \$60.00, Karen Prusa \$121.84, Bonnie Radigan \$10.00, Michele Ramakrishnan \$73.44, Rebecca Rider \$10.00, Diane Sevening \$50.00, Sandra Shumaker \$50.00, Sara Smalley \$20.00, Joseph Sorensen \$10.00, Shandra Stillion \$10.00, Eric Ustad \$10.00, Warren VanVliet \$20.00, Nancy Zuercher \$50.00; (Jail Meals) Hy-Vee \$606.98, Wal-Mart Community \$122.32; (Training/Special Equip.) Electronic Engineering \$6338.91; (Books) Thomson Reuters \$272.50; (Furniture/Minor Equip.) Dakota PC Warehouse \$20.00; (Car Expense) Jerry's Svc. \$1883.30, Johnson Feed \$105.29, The Soap Guys \$8.00, Noah Umscheid \$16.21, Yankton Transmission \$797.00; (Coroner/Post Mortem) Sanford Health \$2350.00; (Tourism) Vermillion Area Chamber & Development Company \$500.00; 2017 Payroll (All figures are monthly

unless noted otherwise.): Cynthia Aden \$4047.17, Jeff Anders \$3810.17, Aaron Armstrong \$3409.17, Steven Bierle \$18.55/hour, Jay Bottolfson \$20.00/meeting, Cindy Carrington \$15.49/hour, Tracy Chamberlain \$2401.83, Carri Crum \$4490.83, Jessica Beringer \$2522.83, Laura Christensen \$2522.83, Timothy Dooley \$14.25/hour, Joan Downey \$2685.67, Robert Eckman \$2856.25, Colleen Fickbohm \$2904.00, Dennis Ganschow \$22.03/hour, Marty Gilbertson \$20.00/meeting, Paul Halter \$14.97/hour, Richard Hammond \$1584.33, Brent Hays \$15.34, Gloria Hensley \$12.91/hour, Ray Hofman \$17.60/hour, Jennifer Holman \$50.00/call, Andy Howe \$5615.67, Rhonda Howe \$2820.92, Joseph Hubert \$20.00/meeting, Tiffany Husby \$3730.33, Cole Johnson \$13.91/hour, Nicole Klunder \$2522.83, David Kyte \$3523.75, Timothy Larson \$19.96/hour, Gene Lunn \$4490.83, Linda Manning \$2981.50, Micheal Manning \$1584.33, Frank (Rick) Martz \$20.96/hour, Larry McPherson \$22.54/hour, Andrew Mendoza \$2411.50, Dylan Miller \$13.91/hour, Sarah Miller \$2705.33, Travis Mockler \$1694.75, Samantha Nelson \$1146.75, Kyle Nilsen \$15.30/ hour, Jane Olson \$4490.83, Phyllis Packard \$1584.33, Paul Pederson \$3810.17, Ina Peterson \$3207.25, Anthony Pick \$14.25/hour, Rodney Polley \$5100.75, Catherine Powell \$4490.83, Leo Powell \$1584.33, Jerry Prentice \$20.00/meeting, Elizabeth Rakness \$15.68/ hour, Ricardo Rodriguez \$2411.50, Michael Smith \$3409.17, Layne Stewart \$4047.17, David Styles \$3246.33, Laura Sundet \$2904.00, Daniel Swensen \$22.54/hour, Mary Taggart \$3207.25, Rhonda Taggart \$2460.83, Philip Terwilliger \$5072.17 (includes \$300.00 alcohol committal contract), Alexis Tracy \$6579.75, Noah Umscheid \$3000.83, Timothy Vanderkooi \$20.96/hour, Patty Waage \$50.00/call, Linda Weber \$3375.58, Jerami West \$4002.83, Lisa Wood \$2511.00, Staci Wuestewald \$50.00/call.

Packard moved, seconded by Manning and carried to authorize the Chairman to sign the Audit Engagement Letter for the SD Dept. of Legislative Audit.

Powell discussed with the Board the potential energy savings to change to LED lighting in the Courthouse. It was the consensus of the Board to start changing light bulbs to LED as they burn out.

The Board considered the resolution and agreement regarding South Eastern Council of Governments (SECOG). The matter was tabled until the next meeting.

The Board reviewed a proposal for Ordinance #2017-01, An Ordinance Authorizing the Creation of the Clay County Historic Preservation Commission. Tracy reviewed the legal aspects of the proposal section by section and said she would be contacting Jim Wilson to discuss edits to the document as needed.

Jerry Wilson was present and asked to speak. He suggested the Board actively participate in a dialog with SECOG about the proposed CAFO ordinance changes, and he also questioned whether the Zoning Administrator had forwarded his comments, to which the Board said they had in fact received the comments. Clarence Peterson requested that Wilson's comments be passed on to SECOG. Wilson asked that the original and the revisions be presented together at the next public hearing. It was discussed that the documents will be available on the website prior to the next public hearing, and that it might be possible for SECOG to present the existing ordinance side by side with the changes in a plain manner.

At 11:39 a.m. Packard moved, seconded by Manning and carried to adjourn and reconvene Tuesday, February 7, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

February 7, 2017

The Board of County Commissioners met in regular session Tuesday, February 7, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Powell moved, seconded by Packard and carried to approve the agenda.

Minutes of the January 31, 2017 meeting were approved with a motion by Packard, seconded by Manning and carried.

Bob Iverson, City of Vermillion Solid Waste Director, appeared during Visitors to be Heard to explain that there will need to be an amendment to the Joint Powers Agreement. It was decided that he would be put on the agenda for the next week to have the documents signed.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. The Beadle County bid comparison was reviewed. Packard moved, seconded by Hammond and carried to accept the Beadle County bid for metal culverts, cutting edges, galvanized sheet piling, and carbide insert edges.

The Board reviewed a request for a time extension on a Driveway Application from Tyler DeWitt on Bluff Rd. Powell moved, seconded by Manning and carried to approve an extension to the application until June 1, 2017.

Polley discussed his chip seal project map for 2017 with the Board.

Daniel Burniston, Vermillion Public Library Director, met with the Board to introduce himself as he is relatively new to the position. He gave a report on recent library activities and programs, including planned items for 2017.

Jane Olson, Register of Deeds, met with the Board to discuss the hiring process for a temporary part time position in her office.

The Board discussed a request to have a Commissioner on the Clay County Park Board. It was decided that the matter would be placed on the next agenda.

Packard moved, seconded by Powell to pass and adopt the following Resolution #2017-05, A Resolution Approving a Revised Joint Cooperative Agreement Establishing the South Eastern Council of Governments. Vote of the Board: 5 yays, 0 nays. Motion passed.

**COUNTY OF CLAY
RESOLUTION #2017-05**

A RESOLUTION APPROVING A REVISED JOINT COOPERATIVE AGREEMENT ESTABLISHING THE SOUTH EASTERN COUNCIL OF GOVERNMENTS

WHEREAS, in 1970, South Dakota Governor Frank Farrar signed an Executive Order creating six Planning and Development Districts in South Dakota; and

WHEREAS, the South Eastern Council of Governments (SECOG) was created when local officials in the area exercised their authority under the "Joint Exercise of Governmental Powers" (SDCL 1-24); and

WHEREAS, SECOG serves Clay, Lincoln, McCook, Minnehaha, Turner, and Union Counties as well as the municipalities located within those counties in southeastern South Dakota; and

WHEREAS, SECOG was created as a means whereby counties and cities and other public and private organizations within them may cooperate with one another to improve the health, safety, and general welfare of the citizens of the region; and

WHEREAS, SECOG promotes regional cooperation and the economical delivery of services and has been providing technical assistance to local governmental entities for more than 45 years; and

WHEREAS, SECOG's Executive Board has determined that the existing Joint Cooperative Agreement entered into in 2010 should be revised.

NOW THEREFORE BE IT RESOLVED THAT

1. The County of Clay hereby approves the document titled "South Eastern Council of Governments Joint Cooperative Agreement" among Clay, Lincoln, McCook, Minnehaha, Turner, and Union counties and the cities of Brandon, Harrisburg, Sioux Falls and Vermillion.
2. The agreement, containing revisions to the existing 2010 Joint Cooperative Agreement, is attached to and hereby made a part of this resolution.


Dated this 7th day of February, 2017.

Chairperson
Clay County

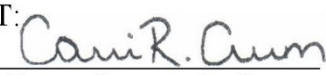
ATTEST:

Auditor

At 10:16 a.m. Packard moved, seconded by Manning and carried to adjourn and reconvene Tuesday, February 14, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor



February 14, 2017

The Board of County Commissioners met in regular session Tuesday, February 14, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Powell and carried to approve the agenda.

Minutes of the February 7, 2017 meeting were approved with a motion by Packard, seconded by Hammond and carried.

Clarence Peterson appeared during Visitors to be Heard to suggest that Jerry Wilson's comments at a recent meeting regarding the proposed concentrated animal feeding operations regulations be passed along to SE Council of Governments.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. He presented the 5-year plan for equipment replacement.

Powell moved, seconded by Packard and carried to authorize Polley to purchase a Ford F-250 from Vermillion Ford for \$32,436.

Polley told the Board that load limits may be placed in effect Friday or Tuesday, depending upon conditions.

Polley also reported on some bridges needing to be replaced. He said hydrology studies have been completed for a bridge east of Bethel Hall, and results show that concrete pipes could be used, which would be more economical.

Bob Iverson, City of Vermillion Solid Waste Director, appeared to present the amendment to the Joint Powers Solid Waste Agreement. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the agreement.

Cynthia Aden, Zoning Administrator, met with the Board. The Board discussed having an informational meeting regarding the re-zoning of the area at 321 St. and Missouri St. from Ag or NRC to Rural Residential. It was decided that the meeting should be Thursday, February 23, 2017 at 7:00 in the basement meeting room at the Courthouse. Landowners will be notified by letter.

Aden discussed with the Board scheduling the first reading/public hearing regarding the proposed concentrated animal feeding operations regulations. It was decided that the matter would be placed on the February 28, 2017 agenda. The Board also discussed another section of the regulations that is proposed to be changed regarding lot area.

Powell moved, seconded by Packard and carried to authorize the following claims for payment. February Bills: (Due to other Governments) Dept of Revenue \$209,452.59 and SDACO – M & P Fund Payment \$268.00; (Professional Services and Fees) Lewis & Clark Behavior Health \$320.00; Lincoln County Treasurer \$85.90; Microfilm Imaging System \$30.00; Pharmchem, Inc. \$1,100.00; Sanford

Health Clinic \$110.00; Sanford Health Occupational \$30.00; Satellite Tracking \$104.00; SD Dept of Health Lab \$415.00; Sioux Falls 2-Way \$125.00; Yankton Co Sheriff \$50.00 and Yankton Fire & Safety \$217.00; (Other Professional Service) Reeves, Megan \$806.40; (Law Offices) Harmelink, Fox, Ravn \$146.00 and Yankton Co Treasurer \$142.25; (Mental Health) SD Achieve \$180.00 and Sisd Activity Center \$360.00; (Publishing) Plain Talk \$193.21; (Repairs and Maintenance) Aden, John \$100.00; Buhls Drycleaners \$66.00; Century Business Products \$117.80; Hartelco \$79.95; Kone, Inc. \$665.07; Netsys Plus Inc. \$325.00; Presto-X Company LLC \$70.91; Wells, Brian \$162.50 and Walker Construction \$665.00; (Data Processing) Software Services, Inc. \$1,475.00; (Supplies and Materials) A & B Business \$182.78; A-OX Welding Supply Co \$280.61; Allied Oil & Supply \$1,159.80; Appera \$52.59; Blue Tarp Financial \$354.58; Buhls Drycleaners \$11.00; Butler Machinery Co \$2,373.63; Campbell Supply Co \$480.94; Dakota PC Warehouse \$24.99; First Bank & Trust Visa \$1,138.65; Herren-Schempp \$231.24; Jack's Uniforms & Equipment \$33.45; Mills & Miller, Inc \$3,186.94; O'Reilly Auto Parts \$11.95; Office Elements \$159.44; Pharmchem, Inc. \$10.00; Plain Talk \$26.00; Pressing Matters \$25.00; Print Source \$660.00; SD Dept of Trans \$4,027.50; SD Fed. Property Agency \$160.50; Sioux City Foundry Co. \$333.52; Sturdevants's Auto Parts \$439.53; Wells, Brian \$839.53 and Vermillion Ace Hardware \$33.35; (Travel and Conference) SD Emg. Mgmt. Assn. \$80.00; SD Sheriff's Assn. \$85.00 and Vermillion Federal Credit \$101.20; (Utilities) Bureau of Administration \$115.74; CenturyLink \$439.55; Clay Rural Water System \$48.30; Clay Union Electric Co. \$587.21; Fischer's Disposal LLC \$50.00; Hartelco \$10.00; MidAmerican Energy \$1,409.20 and Wakonda Town \$62.65; (Payment) Brunick Service Inc. \$70.00; Dept of Revenue \$1,545.00; Johnson Feed, Inc. \$41.16; Mart Auto Body & Marina \$200.00; The Roadhouse \$4,021.00; Vermillion Federal Credit \$66.85; Vermillion Food Pantry \$1,875.00; Vermillion Ford \$689.00; Hanson, Mary \$31.51 and Hulse, Barry \$21.01; (Books) SD Fed. Property Agency \$21,200.00 and Thomson Reuters – West \$272.50.

Packard moved, seconded by Manning and carried to appoint Richard Hammond to the Clay County Park Board.

Packard moved, seconded by Manning to approve a travel request for Lauren Hollenbeck to a SD Assn. of Extension 4-H Professionals workshop to be held March 21-23, 2017 in Chamberlain.

Manning moved, seconded by Hammond and carried to re-appoint Jay Bottolfson to the Planning & Zoning Commission, with the term expiring December 31, 2021.

At 10:13 a.m., Powell moved seconded by Packard and carried to enter an Executive Session per SDCL 1-25-2 Subsection 5.

At 10:53 a.m., Packard moved, seconded by Hammond and carried to exit the Executive Session. No further action was taken.

The Register of Deeds, Sheriff's Office, and Veterans/Welfare/Zoning Monthly Reports were accepted and placed on file.

At 10:54 a.m. Hammond moved, seconded by Powell and carried to adjourn and reconvene Tuesday, February 28, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

Yankton-Clay Ditch Board
February 14, 2017

The Clay and Yankton County Commissioners met jointly as the Yankton-Clay Ditch Board at 1:00 p.m. Tuesday, February 14, 2017 at Toby's Lounge in Meckling, SD.

Members present—Clay County: Richard Hammond, Micheal Manning, Travis Mockler, Phyllis Packard, Leo Powell, Auditor Carri R. Crum, Highway Superintendent Rod Polley, and Weed Supervisor Dennis Ganschow. Yankton County: Raymon Epp, Don Kettering, Todd Woods, Auditor Patty Hojem, and Planning & Zoning Administrator Pat Garrity.

The meeting was called to order by Vice-Chairman Travis Mockler.

A motion was made by Manning and seconded by Packard to dispense with the reading and approve the minutes of the February 23, 2016 meeting as presented. All members voting aye, the motion carried.

Old Business:

Ditch fund balances were noted as follows. Clay County Yankton-Clay Creek Ditch \$119,868.70 and Yankton County Yankton-Clay Creek Ditch \$89,977.66.

The following claims were reported to the landowners present at the meeting:

Mileage/Meeting Per Diem for 2016 Meeting

- D. Bodenstedt \$42.64
- C. Crum \$30.04
- R. Epp \$42.64
- D. Freng \$42.64
- P. Hojem \$42.64
- M. Manning \$30.04
- T. Mockler \$30.04
- P. Packard \$30.04
- L. Powell \$30.04

Meal for 2016 Meeting

- First Bank Card \$78.25

Advertising

- Broadcaster Press \$42.00
- Observer \$16.63
- Press & Dakotan \$23.16
- Star Publishing \$27.00
- The Equalizer \$14.50

Weed Spraying

- Clay County Weed Department \$48.25

Powell moved, seconded by Manning and carried to approve the claims.

New Business:

The current levy of 8% (eight percent) of the original cost of the ditch in the Yankton-Clay Ditch District for the year 2017 payable in 2018 was discussed among the landowners present at the meeting. Landowners were favorable with keeping the levy at 8%. Manning moved, seconded by Packard and carried to set the levy at 8% for 2017 payable 2018 taxes.

The potential need for spraying and/or removal of trees along the ditch was discussed amongst the landowners present.

At 1:12 p.m., a motion was made by Packard and seconded by Manning that the meeting be adjourned and convened as Clay Creek Ditch Board.

The meeting was called to order by Vice-Chairman Travis Mockler.

A motion was made by Manning and seconded by Epp to dispense with the reading and approve the minutes of the February 23, 2016 meeting as presented. All members voting aye, the motion carried.

Old Business:

Ditch fund balances were noted as follows. Clay County Clay Creek Ditch \$44,098.60 and Yankton County Clay Creek Ditch \$70,753.54.

The following claims were reported to the landowners present at the meeting:

Advertising

- Broadcaster Press \$42.00
- Observer \$17.18
- Press & Dakotan \$24.88
- Star Publishing \$27.00
- The Equalizer \$14.50

Engineering Services

- Johnson Engineering Co. \$10,800.00

Ditch Cleanout

- Jerke & Sons Construction \$53,459.33

New Business:

Landowners present for the meeting discussed whether to retain the current levy of 40% (forty percent) of the original cost of the ditch in the Clay Creek Ditch District for the year 2017 payable in 2018, or to reduce it. The consensus of those present was to leave the levy at 40%. Jim Petrik moved, seconded by Frank Orr and carried to set the levy at 40% for 2017 payable 2018 taxes.

Those present briefly discussed what Phase 3 of the Clay Creek Ditch Cleanout Project, which is nearly complete. Frank Orr also discussed trees that may need to be removed on the north side of the creek.

It was briefly discussed that any digging on the laterals will be finished.

Crum reported the ditch fund balances for the laterals.

At 1:24 p.m., a motion was made by Powell and seconded by Manning that the meeting be adjourned and convened as Clay County Ditch Board to discuss the Prairie Center Ditch. All voting aye, motion carried.

It was reported that spraying along the Prairie Center Ditch will be done in the spring.

Crum reported the ditch fund balance.

At 1:26 p.m., a motion was made by Manning and seconded by Packard and carried to adjourn and convene jointly as the Yankton-Clay Ditch Board for the purpose of electing officers. All voting aye, motion carried.

Nominations were accepted for Chairman. Powell moved, seconded by Hammond to nominate Mockler as Chairman. Packard moved, seconded by Powell that nominations be ceased and a unanimous ballot be cast for Mockler. All voting aye, motion carried.

Nominations were accepted for Vice-Chair. Kettering moved, seconded by Epp to nominate Debra Bodenstedt as Vice-Chair. Powell moved, seconded by Packard that nominations be ceased and a unanimous ballot be cast for Bodenstedt. All voting aye, motion carried.

At 1:27 p.m., Epp moved, seconded by Packard and carried to adjourn.

ATTEST:

Carri R. Crum, Clay County Auditor
Patty Hojem, Yankton County Auditor

Travis Mockler, Chairman
Yankton-Clay Ditch Board

February 28, 2017

The Board of County Commissioners met in regular session Tuesday, February 28, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Powell moved, seconded by Packard and carried to approve the agenda with the clarification that Executive Session will take place per SDCL 9-34-19.

Minutes of the February 14, 2017 meeting were approved with a motion by Manning, seconded by Packard and carried.

Theresa Kocer, Wellmark Blue Cross/Blue Shield, met with the Board to discuss renewal rates for 2017. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the renewal contract.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Packard moved, seconded by Manning and carried to accept the low bid of \$2.10/gallon from Brunick's Service for 1650 gallons of ethanol blend fuel.

At 9:38 a.m., bid opening commenced for highway materials. Bids were opened and read aloud. As was the process in previous years, Packard moved, seconded by Hammond and carried to have Polley review the bids and return at the next meeting for the Commissioners' acceptance.

Manning passed along a message to Polley to check the spreading of dirt near Brook Bye's property to make sure it is up to specifications.

Polley reported that he got a preliminary set of plans for the bridge east of Bethel Hall with some cost estimates, and he discussed other upcoming bridge projects.

Powell moved, seconded by Packard and carried to authorize the following claims for payment. February Payroll: Commissioners \$8,032.07, Auditor's Office \$9,547.49, Treasurer's Office \$15,961.33, States Attorney's Office \$15,027.50, Courthouse \$2,685.67, DOE's Office \$10,220.91, ROD's Office \$6,993.46, Veteran's Office \$1,747.50, Sheriff's Office \$36,390.65, County Jail \$22,157.43, 24/7 Sobriety Project 1,747.50, Emerg. Mgmt. Office \$4,047.17, Highway Department \$40,875.17, WIC \$2,511.00, Extension Office \$2,904.00, Weed Department \$1,400.00, and Zoning Office \$2,299.67; February Bills: (Due to Other Government) Clay County Treasurer \$1,519.56; Dept of Revenue 40.00 and State of SD Game Fish \$692.00; (Payroll Withholdings) Aflac \$897.48; Clay Co Treasurer \$44,060.05; Colonial Life \$359.97; Conseco/Washington \$24.45; Dearborn National \$213.36; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; SD Retirement System \$21,024.82; SD Supplement Retirement \$1,800.00; SDRD Roth Plan \$500.00; United Way of Vermillion \$179.00; Vermillion Federal Credit Union \$1,496.00 and Wellmark Blue Cross \$39,217.79; (Professional Services and Fees) Counsel \$7.54; Gapp, Debra \$2,160.00; Katterhagen, Mark \$22.50; Layne's World, Inc. \$66.00; Anthofer, Larry Louis \$982.30; Lewno, Lucille M \$172.96; Lincoln County Treasurer \$413.55; National Sheriff's Assn. \$115.00; Netsys Plus, Inc. \$1,426.50; Presto-X Company LLC \$70.91; SD States Atty Assoc. \$1,006.00; Security Shredding SVC \$35.00; Swanda, Karen \$22.50; Tri-State Turf \$285.00; University Cleaners \$86.00; Yankton Co Sheriff \$50.00; Yankton Co Treasurer \$315.52; Yankton Medical Clinic \$9.42 and Hasse, Elliot \$40.00; (Law Office) Brevik Law Office LLC \$229.63; Mikelson, Gary Attorney \$273.31 and Peterson Stuart Rumpca \$6,098.12; (Publishing) Star Publishing \$170.02 and The Equalizer \$45.00; (Repairs and Maintenance) Automatic Bldg. Control \$188.50;

Brunick Service, Inc. \$60.00; Century Business Products \$25.00; City of Vermillion \$593.24; Netsys Plus, Inc. \$154.00; Olson's Pest Technician \$75.00; Pressing Matters \$58.00; Wells, Brian \$617.50 and Vermillion Area Chamber \$200.00; (Data Processing/Clay Creek) Bureau of Administration \$27.00; Mastel, Bruce \$35.00; Microfilm Imaging System \$685.00 and Star Publishing \$35.52; (Yankton Clay Expense) Star Publishing \$35.25; (Supplies and Materials) Alkota Cleaning System \$3,578.50; Allied Oil & Supply \$956.28; American Stamp & Marking \$179.07; Brunick Service, Inc. \$36.30; Butler Machinery Co. \$1,305.46; Campbell Supply Co. \$226.17; Claritus \$102.69; FedEx \$183.82; Francotyp-Postalia Inc. \$133.30; Fred Haar Co., Inc. \$2,080.00; Intoximeters, Inc. \$105.25; L.G. Everist, Inc. \$632.52; Lawson Products, Inc. \$386.76; Mark's Machinery \$164.96; Mead Lumber \$35.93; Mills & Miller, Inc. \$1,643.15; Office Systems Company \$328.05; Quill Corporation \$229.46; Sanitation Product \$408.28; Sign-Up Ltd. \$23.97; Sioux City Foundry Co. \$943.23; Star Energy \$12,610.50; Sturdevant's Auto Parts \$255.24; Truenorth Steel \$8,694.00; Wells, Brian \$290.34; Vermillion Ace Hardware \$4.79; Vermillion Ford \$466.90; Walmart Community/Gecr \$48.62; One Office Solution \$466.27 and Zee Medical Service Co. \$98.55; (Travel and Conference) Ganschow, Dennis \$184.76; Hy-Vee, Inc. \$39.96; Pick, Tony \$47.00 and SDACC Office \$200.00; (Inmate Travel) Pennington County Jail \$177.10; (Utilities) City of Vermillion \$2,067.82; Verizon Wireless 158.97; Verizon Wireless \$280.07 and Verm/Clay Co. Landfill \$782.80; (Payment) Brunick Service, Inc. \$47.00; Clay Co Treasurer \$73.63; Hy-Vee, Inc. \$429.39; Walmart Community/ Gecr \$125.76; Larson, Jason \$70.40; John, Renae \$20.00 and Swanson, Maxwell \$73.76; (JDC/Special Eqp. Jack's Uniforms & Equipment \$1,326.65; Luthern Social Services \$742.08; Minnehaha County JDC \$1,320.00 and Sioux Falls 2-Way \$69.93; (Books) Diesel Machinery, Inc. \$45,000.00; (Furniture and Minor Equipment) A & B Business \$231.96 and Microfilm Imaging Systems \$120.00; (Machinery and Auto) Jerry's Chevrolet \$31,548.00.

Cynthia Aden, Zoning Administrator, met with the Board to reschedule the informational re-zoning meeting with landowners in the area of 321 St. & Missouri St. for March 7, 2016 at 7:00 p.m.

Powell moved, seconded by Hammond and carried to set March 21, 2016 at 7:00 p.m. for the First Reading and Public Hearing on the proposed zoning regulations changes, including Concentrated Animal Feeding Operations (CAFO) regulations.

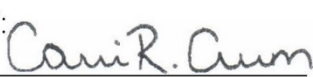
At 10:14 a.m., Manning moved seconded by Packard and carried to enter an Executive Session per SDCL 9-34-19.

At 10:53 a.m., Hammond moved, seconded by Packard and carried to exit the Executive Session. No further action was taken.

At 10:55 a.m. Powell moved, seconded by Manning and carried to adjourn and reconvene Tuesday, March 7, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

March 7, 2017

The Board of County Commissioners met in regular session Tuesday, March 7, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning; Richard Hammond absent.

Manning moved, seconded by Packard and carried to approve the agenda.

Minutes of the February 28, 2017 meeting were approved with a motion by Packard, seconded by Manning and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Bids were reviewed from the bid opening on February 28, 2017. Powell moved, seconded by Packard and carried to approve the bids as recommended by the Highway Superintendent. A record of the bids is available at the Auditor's Office.

Manning moved, seconded by Packard to pass and adopt the following Resolution #2017-06 for Bridge Inspection Program Resolution for Use with SDDOT Retainer Contracts. Vote of the Board: 4 ayes, 0 nays. Motion passed.

**RESOLUTION #2017-06
BRIDGE INSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, BE IT RESOLVED, that Clay County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Johnson Engineering Co. for the inspection work. SDDOT will secure federal approvals, make payments to the consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% of matching funds.

Dated this 7th day of March, 2017, at Vermillion, South Dakota.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Cynthia Aden, Zoning Administrator, met with the Board. Powell recused himself from discussion on the following topic. Packard moved, seconded by Manning to pass and adopt the following Resolution for Plat of Lots 1 and 2, Koch – Powell Addition in the NW1/4 of the NE1/4 of Section 14, T32N, R4E

of the 6th P.M., Clay County, South Dakota; Leo Powell and Catherine Powell, owners. Vote of the Board: 3 ayes, 0 nays, and Powell recused himself from the vote. Motion passed.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Lots 1 and 2, Koch – Powell Addition in the NW1/4 of the NE1/4 of Section 14, T32N, R4E of the 6th P.M., Clay County, South Dakota; Leo Powell and Catherine Powell, owners.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on March 7, 2017.

Carri R. Crum
County Auditor, Clay County, SD

Cynthia Aden, Welfare Director, and Andy Howe, Coroner, met with the Board to discuss an indigent funeral. No further action was taken.

Dennis Ganschow, Weed Supervisor, met with the Board to discuss the grant of \$27,360 for the Purple Loosestrife Project. He requested to hire 4 seasonal employees. Powell moved, seconded by Manning and carried to authorize Ganschow and Polley to hire the needed staff.

Ganschow discussed the purchase of additional spray logging equipment. He reported that the spending authority for the purchase is already budgeted.

An Application for Abatement or Refund of Taxes was presented on behalf of the City of Vermillion for Outlot 1 Block 1 Bliss Pointe Addition. Packard moved, seconded by Manning and carried to approve the application as presented.

The following monthly activity reports were accepted and placed on file: Sheriff's Office, Register of Deeds Office, Veterans, Welfare, and Zoning Office, and the following Auditor's Account with the County Treasurer.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of February 28, 2017.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	5,631,060.73
Amount of actual cash	1,789.65
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	37,036.86
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,124.78
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	0.00
Total	
	Dated this 1st day of March 2017.
	5,673,012.02

Carri R. Crum, County Auditor

At 9:37 a.m., Powell moved, seconded by Packard and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 9:38 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session.

Rick Nyland of Burbank appeared as a Visitor to be Heard to voice concerns over fire rubble and trash on the neighboring property, which he said has caused rats and other rodents to come onto his property and another neighbor's property. The matter was discussed with Alexis Tracy, State's Attorney, to see which statutes might apply.

At 10:01 a.m., Powell moved, seconded by Packard and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 10:20 a.m., Powell moved, seconded by Manning and carried to exit the Executive Session. No action was taken.

At 10:23 a.m. Powell moved, seconded by Packard and carried to adjourn and reconvene Tuesday, March 14, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: Carri R. Crum
Carri R. Crum, County Auditor

March 7, 2017

The Board of County Commissioners met in special session on Tuesday, March 7, 2017 at 7:00 p.m. for an informational meeting with landowners near 321 St. & Missouri St. regarding re-zoning from Agriculture or Natural Resource Conservation to Rural Residential. Officials in attendance were Travis Mockler, Phyllis Packard, Leo Powell, Director of Equalization Gene Lunn, Zoning Administrator Cynthia Aden, and Carri Crum.

Mockler called the meeting to order and then turned discussion over to Aden, who explained that the County is proposing a zoning change because the area is being used as residential and that re-zoning it to Rural Residential has certain protections.

Denny Kayl asked if the re-zoning would change the permissible size of buildings. Aden explained that accessory buildings are still allowed in Rural Residential, but the usage of those buildings is restricted. For example, a person cannot build a structure to house animals for sale, but a person can store his/her boats, etc. Lunn said the covenants restrict size, not zoning, and Aden explained that the covenants will not go away.

Charles Chervek asked what is required for buildable lot size under Rural Residential. Aden and Powell said the lots would need to be 1 acre.

Matthew Heard had several concerns. First, he and Aden discussed the Right-to-Farm clause within the ordinance, and Aden said that anyone currently using the land for agricultural purposes would be allowed to be non-conforming after the re-zoning.

Heard asked about restoration after damage and used the example of what happens when a person's shed burns down and the setbacks have changed. Aden and Mockler explained that a variance can be granted, and the County tries to work with people in such situations.

He then asked what will happen to the boat ramp lot in the future, to which Aden said it would remain, but a building over 144 sq. ft. could not be constructed on the lot.

Heard also asked for clarification on allowed animals, and Aden said it would not be permissible to have animals being grown for the purpose of selling them.

He stated for informational purposes that currently the side yard is required to be 30 ft., but Rural Residential only requires a minimum of 10 ft. from the lot line.

Lisa Johnson voiced concern about her family's land that is currently farmed, and Aden said it would fall under non-conforming use and would be allowed to be used as it is currently.

Pat Butler wondered what would happen if a lot were not wide enough to build on, and Aden clarified that a person could apply for a variance.

Aden explained that the re-zoning is a lengthy process. It goes through the Planning & Zoning Commission first, which requires public hearing. Then it moves to the County Commission, which requires a public hearing and a second reading, after which there is a 20-day waiting period for the ordinance to become effective.

Butler asked what happens if a structure is not 125 ft. from the river. Aden said the ordinance requires 125 ft., regardless of the zoning category, but existing structures would not have to be moved.

Kelly McKelvey asked if a camper would be considered a residence, and Aden said it would not because it is moveable.

Kayl asked why the County is proposing the zoning change. Aden and Powell explained that the area has been platted as residential and should have been zoned as Rural Residential at the time of the platting, and the County is trying to change it to what it should be in accordance with the zoning ordinance.

The issue of the cul-de-sac in Gunderson's addition was briefly discussed.

Butler said he is in favor of the re-zoning.

Lunn said the lots are assessed as small acreage, and that will not change. The only change is the market, which fluctuates.

Heard said his only dissent is the 10 ft. side yards but asked for clarification regarding how lots are determined to be Prime River, River, or Rural First Acreage. Lunn discussed the matter and said he would need to research the lots that Heard questioned.

Johnson asked if there is much difference in tax between Prime River, River, or Rural First Acreage. Lunn said the mill levy is the same, but assessed value varies.

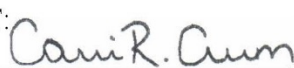
Discussion took place between Chervek and Butler regarding the river bank along their properties, and the Mockler reviewed the lot line map with them to clarify the area that Gunderson owns along the river.

Johnson asked if there is a difference in the way land is assessed on Missouri River frontage vs. Vermillion River frontage. Lunn said he would need to look at the specific requirements between Prime River and River before providing a definitive answer.

The meeting adjourned at 7:37 p.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

March 21, 2017

The Board of County Commissioners met in regular session Tuesday, March 21, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda with the addition of Executive Session per SDCL 9-34-19 and a luncheon at Austin-Whittemore House at 11:30.

Minutes of the March 7, 2017 meeting and March 7, 2017 informational re-zoning meeting were approved with a motion by Packard, seconded by Powell and carried.

Jessica Huber, South Dakota Dept. of Legislative Audit, met with the Board to present the closing audit report. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the Management Recommendation Letter.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Powell moved, seconded by Packard and carried to accept the low bid of \$1.749/gallon from Brunick Service for #2 dyed diesel. Manning moved, seconded by Packard and carried to accept low bid of \$1.019/gallon from Long's Propane for propane at the Vermillion shop.

Amendments were discussed to the Application for Occupancy on the Right of Way of County Highways with the input of the Highway Superintendent and State's Attorney.

An Application for Occupancy on the Right of Way of County Highways was presented on behalf of the Town of Wakonda for a water main and services on 302 St. in Section 33, Township 95N, Range 53W in Clay County, SD. Powell moved, seconded by Packard and carried to deny the application.

Polley reported that the timeline for lifting the weight limits will depend on the weather over the weekend.

The Board discussed with Polley the potential damages to roads from a large three-phase electrical project that is underway within the county.

Cynthia Aden, Welfare Director, met with the Board to present Welfare Case #C17-03 for a county funeral. Powell moved, seconded by Hammond and carried to approve the application as the case met welfare guidelines.

Cynthia Aden, Zoning Administrator, met with the Board regarding a re-zoning petition for the area near 321 St. and Missouri St. Packard moved, seconded by Hammond to proceed with the re-zoning petition and waive the fee. All voted aye; motion passed.

Layne Stewart, Emergency Management Director, met with the Board. Manning moved, seconded by Packard and carried to authorize the Chairman to sign necessary documents for the county to receive \$11,050 in Point of Dispensing Grant funds.

Stewart briefly discussed security with the Board.

Powell moved, seconded by Packard and carried to authorize travel for Stewart to Beatrice, NE in May 2017 for necessary training.

Stewart informed the Board that he was nominated by a member of the Centers for Disease Control to serve on a national mass casualty board as a county representative of rural America. It was the consensus of the Board to support Stewart in the endeavor.

John Slattery met with the Board. He presented five petitions on behalf of his client, Janet L. Cunningham, to vacate certain streets in Burbank. It was discussed that the matter may fall under the authority of the township. However, in order to allow time to research the matter, Powell moved, seconded by Manning and carried to hold the public hearing during the regularly scheduled commissioner meeting on April 25, 2017 at 10:00 a.m.

Powell moved, seconded by Manning and carried to cancel the first reading and public hearing regarding Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County that was scheduled for March 21, 2017 at 7:00 p.m.

The Register of Deeds and Vermillion Public Library Board Monthly Reports were accepted and placed on file.

At 11:17 a.m., Manning moved, seconded by Hammond and carried to enter an Executive Session per SDCL 9-34-19.

At 11:34 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session.

Powell moved, seconded by Packard and carried to approve the following claims for payment. March Bills: (Due to other Governments) Clay Co Treasurer \$3,626.00; Dept of Revenue \$199,851.45, Volin Rural Fire Association \$50.37; Reliance Telephone \$5,000.00 and Sdaco – M&P Fund Payment \$318.00; (Professional Services and Fees) Thomson Reuters – West \$369.63; Bear, Inc. DBA Todd's \$199.86; Billings, John P \$2,367.50; Kauffman, David \$2,856.00; Johnson Engineering Co. \$35,918.63; Katterhagen, Mark \$22.50; Lewis & Clark Behavior \$480.00; Lewno, Lucille M \$172.96; Lincoln County Treasurer \$148.60; Mail Finance \$89.45; McCulloch, James E \$517.00; Microfilm Imaging Systems \$30.00; Netsys Plus, Inc. \$1,296.75; Office Systems Company \$238.05; Pharmchem, Inc. \$600.00; Satellite Tracking of \$117.00; SD Dept of Health Lab \$1,300.00; Security Shredding Svc \$35.00; Swanda, Karen \$22.50; Todd County Tribune \$29.33; Vermillion Federal Credit \$100.00; Yankton Co Sheriff \$50.00 and Yankton Co Treasurer \$284.50; (Other Professional Services) Reeves, Megan \$585.00; (Law Office) Fox & Youngberg, P.C. \$191.32 and Thompson, Craig K \$225.60; (Mental Health) SD Achieve \$180.00; SESDAC \$360.00 and Dept of Revenue \$973.52; (Publishing) Broadcaster Press \$364.67; Plain Talk \$47.25; Star Publishing \$286.85 and The Equalizer \$129.00; (Repairs and Maintenance) Bureau of Administration \$369.14; First Bank & Trust Visa \$10.00; Hartelco \$10.00; Johnson Feed, Inc. \$123.00; Kaiser Refrigeration \$98.25; Mail Finance \$536.74; Mark's Machinery \$652.50; Paul's Plumbing Inc. \$766.78; Quality Motors \$75.00; Wells, Brian \$97.50 and Turner Plumbing Inc. \$786.22; (Data Processing/Clay Creek) Broadcaster Press \$45.67; Mastel, Bruce \$35.00; Microfilm Imaging System \$685.00; Star Publishing \$13.50 and Software Services, Inc.

\$2,340.00; (Yankton Clay Expense) Broadcaster Press \$45.62; Crum, Carri \$30.04; Epp, Raymon \$42.64; First Bank & Trust Visa \$137.40; Garrity, Pat \$42.64; Hammond, Richard \$30.04; Hojem, Patty \$42.64; Kettering, Don \$42.64; Manning, Michael \$30.04; Mockler, Travis \$30.04; Packard, Phyllis \$30.04; Powell, Leo \$30.04; Star Publishing \$13.50 and Woods, Todd \$42.64; (Supplies and Materials) A&B Business \$174.45; A-Ox Welding Supply Co. \$823.61; Appera \$53.88; Brunick Service, Inc. \$1,502.49; Buhls Drycleaners \$86.00; Butler Machinery Co. \$204.69; Campbell Supply Co. \$442.29; Davis Pharmacy \$1,344.19; FedEx \$45.80; First Bank & Trust Visa \$591.61; Intoximeters, Inc. \$1,005.00; Johnson Feed, Inc. \$44.74; Kaiser Refrigeration \$77.92; Lawson Products, Inc. \$236.49; Layne's World, Inc. \$63.58; Luden, Inc. \$460.00; Mark's Machinery \$1,219.03; Mead Lumber \$21.96; Overhead Door Company \$104.00; Pheasantland Industries \$28.28; Prochem Dynamics \$402.24; Quality Motors \$2.25; Quill Corporation \$362.98; R&T Repair \$49.90; Redwood Toxicology Lab \$114.91; Road King, Inc. \$965.00; SD Assn of Co Weed Brd \$150.00; SD Dept of Transportation \$429.67; Sdachs \$275.00; Sioux Equipment \$15.12; Sioux Falls 2-Way \$169.98; Sturdevant's Auto Part \$3,240.88; 3-D Specialties, Inc. \$914.36; Toastmasters Int. \$45.00; Truck-Trailer Sales \$143.00; USD Toastmasters \$6.00; Vander Haag's Inc. \$179.05; Vermillion Ace Hardware \$4.79 and One Office Solution \$115.37; (Travel and Conference) Brunick Service, Inc. \$28.50 and Sdaao \$300.00; (Inmate Travel) Brunick Service, Inc. \$132.00; (Utilities) Bureau of Administration \$94.03; CenturyLink \$439.56; Clay Rural Water System \$48.90; Clay Union Electric Co. \$499.15; Fischer's Disposal LLP \$50.00; Hartelco \$79.95; Longs Propane \$1,375.65; MidAmerican Energy \$1,009.79; Midco Business \$420.00; Stewart, Layne \$75.00; Vermillion Garbage Svc \$60.00 and Wakonda Town \$62.65; (Payment) Brunick Service, Inc. \$1,924.01; Domestic Violence \$290.00; The Roadhouse \$3,255.00; Ebel, Nicole \$50.00; Bertram, Jolynne \$50.00; Gehm, Peter \$50.00; Knodel, Bryant \$79.40; Logue, Ton \$65.96; Peltier, Andrew \$50.00; Prosser, Collin \$50.00 and Ramakrishnan, Michele \$56.72; (JDC/Special Equip.) Lutheran Social Services \$4,823.52; (Furniture and Minor Equipment) A&B Business \$213.12; Century Business Products \$65.31; Election Systems \$3,498.00 and Microfilm Imaging System \$120.00; (Machinery and Automotive Equip.) Jensen Auto Body Inc. \$922.45.

Recent payroll changes: Dylan From (part-time jailer) \$13.91/hour starting 1/22/17, Kyle Ochsner (part-time jailer) \$13.91/hour starting 2/25/17, Patricia Roberts-Pizzuto (part-time temporary Register of Deeds Office) \$12.60/hour starting 2/20/17.

At 11:35 a.m. Powell moved, seconded by Manning and carried to adjourn and reconvene Tuesday, April 4, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

March 24, 2017

The Board of County Commissioners convened for a special session per SDCL 1-25-2 and 9-34-19 Friday, March 24, 2017 at 9:20 a.m. Members present: Travis Mockler, Phyllis Packard, Micheal Manning, and Richard Hammond; Leo Powell was absent.

Hammond moved, seconded by Manning and carried to authorize the Chairman to sign a Letter of Intent to indicate the County's willingness to participate in an economic development proposal.


At 9:35 a.m., Manning moved, seconded by Hammond and carried to enter an Executive Session for personnel matters under SDCL 1-25-2.

At 10:10 a.m., Manning moved, seconded by Hammond and carried to exit the Executive Session.

At 10:17 a.m. Packard moved, seconded by Manning and carried to adjourn and reconvene Tuesday, April 4, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

April 4, 2017

The Board of County Commissioners met in regular session Tuesday, April 4, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Manning moved, seconded by Packard and carried to approve the agenda.

Minutes of the March 21, 2017 meeting and March 24, 2017 special meeting were approved with a motion by Packard, seconded by Hammond and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Packard moved, seconded by Powell and carried to authorize the Chairman to sign the State of South Dakota Dept. of Transportation Joint Powers Agreement for Weed Spraying Services by the County.

Polley and State's Attorney Alexis Tracy reviewed with the Board updates to the Application for Occupancy on a Clay County Highway.

Polley reported that the weight limits have been removed.

Manning moved, seconded by Hammond and carried to accept the low bid of \$1.749/gallon for fuel at the Wakonda shop.

Jim Wilson, Clay County Historic Preservation Commission, met with the Board and he and Tracy reviewed a proposed ordinance officially establishing the Clay County Historic Preservation Commission. Powell moved, seconded by Manning and carried to set the public hearing and first reading of the ordinance at 9:30 a.m. on April 25, 2017.

Wilson gave a brief report on current Clay County Historic Preservation Commission activities.

Gene Lunn, Director of Equalization, met with the Board to give the annual audit report. Powell moved, seconded by Packard and carried to accept the report.

Lunn gave a brief report on the appeals that have been received to be considered at the County and Consolidated Equalization Boards.

Cynthia Aden, Zoning Administrator, met with the Board to discuss changes to the proposed zoning ordinance, specifically the section on Concentrated Animal Feeding Operations (CAFO). The Board discussed the section regarding impermeability standards. The Board discussed aquifers and soil impermeability at length. It was decided that the Board will meet at 9:00 a.m. on Thursday, April 6, 2017 for a workgroup meeting. The meeting will be open, but the Board will not hear public comment.

Powell excused himself from the meeting at 11:14 a.m.

Tracy discussed State's Attorney's Office staffing needs with the Board. She reported that the need for additional staff has increased with the requirements of complying with Marsy's Law. Manning moved, seconded by Packard and carried to authorize Tracy to hire a full-time legal assistant.

Packard moved, seconded by Manning and carried to approve the following claims for payment. March Bills: (Payroll) Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$15,027.50, Courthouse \$2,008.04, DOE's Office \$7,582.77, ROD's Office \$7,786.96, Veteran's Office \$1,747.50, Sheriff's Office \$35,832.71, County Jail \$20,682.32, 24/7 Sobriety Project \$1,437.12, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$38,194.69, WIC \$2,511.00; Extension Office \$2,904.00, Weed Department \$2,129.75, and Zoning Office \$2,382.35; (Due to Other Governments) SD Dept of Labor \$623.89; State of SD Game Fish \$336.00 and Reliance Telephone \$500.00; (Payroll Withholdings) Aflac \$897.48; Clay Co Treasurer \$42,503.10; Colonial Life \$359.97; Conesco/Washington \$24.45; Dearborn National \$213.36; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; Performant Recovery \$341.45; SD Retirement System \$20,680.94; SD Supplemental Retirement \$1,825.00; SDRS Roth Plan \$450.00; United Way of Vermillion \$179.00; Vermillion Federal Credit \$1,496.00 and Wellmark Blue Cross \$48,278.40; (Professional Services and Fees) Broadcaster Press \$.93; Katterhagen, Mark \$48.00; Lacroix Law Office \$246.63; Lewno, Lucille M \$505.39; Lincoln County Treasurer \$193.59; Mid-States Org. Crime \$100.00; Netsys Plus, Inc. \$271.50; Sanford Health Clinic \$80.65; Swanda, Karen \$48.00 and Walker Construction \$490.00; (Law Office) Harmelink, Fox, Ravnsb \$156.52; KCH Law \$136.57; Kogel, Linda L \$3,258.50 and Peterson, Stuart, Rumpca \$6,098.12; (Publishing) Star Publishing \$94.50; (Rentals) Schneider Corporation \$2,115.00; (Repairs and Maintenance) Century Business Products \$25.00; Johnson Controls, Inc. \$4,101.99; Murph's Appliances, Inc. \$257.75; Netsys Plus, Inc. \$20.00 and Olson's Pest Technician \$75.00; (Data Processing) Bureau of Administration \$27.00; (Supplies & Materials) Bob Barker Co Inc. \$130.71; Bomgaars \$6.98; Brunick Service, Inc. \$3,946.76; Campbell Supply Co. \$61.88; Dakota PC Warehouse \$19.99; Hy-Vee, Inc. \$29.54; JCL Solutions \$508.40; Kaiser Refrigeration \$15.00; Mead Lumber \$908.86; O'Reilly Auto Parts \$118.09; Pressing Matters \$74.00; Proefrock Electric \$61.82; Sturdevant's Auto Parts \$194.77; Truck-Trailer Sales \$73.78; Vermillion Ace Hardware \$93.94; Vermillion Garbage Svc \$156.00; Walmart Community/Gecr \$40.51; One Office Solution \$322.45 and Yankton Janitorial Supply \$1,016.45; (Travel and Conference) Holiday Inn Ft. Pierre \$186.00; Manning, Micheal \$42.84 and Olson, Jane \$42.84; (Utilities) City of Vermillion \$1,822.42; Verizon Wireless \$107.59; Verizon Wireless \$344.38 and Vermillion Garbage Svc \$60.00; (Payment) Bob's Sinclair Service \$139.95; Brunick Service, Inc. \$161.95; Hansen Funeral Home \$1,900.00; Hy-Vee, Inc. \$638.75; SD/NE Pls Mgmt Proj. \$500.00; The Soap Guys \$40.00; Walmart Community/Gecr \$119.20; Ebel, Nicole \$50.00; Bertram, Jolynne \$50.00; Gehm, Peter \$50.00; Jacobsen, Pamela \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00 and Prosser, Collin \$50.00; (Payment) Applied Concepts Inc. \$544.57; Dakota PC Warehouse \$499.99; (JDC/Special Eq.) Walmart Community/Gecr \$105.96; (Buildings and Structures) Griffin, Douglas \$1,876.73; (Furniture and Minor Equipment) Vermillion Ace Hardware \$32.99.

Manning moved, seconded by Packard and carried to assign \$11,000 within the General Fund to be accumulated for the purpose of ambulance replacement and \$10,177 within the General Fund to be accumulated for the purpose of 911 equipment replacement.

At 12:06 p.m., Manning moved, seconded by Packard and carried to enter an Executive Session per SDCL 9-34-19.

At 12:07 p.m., Manning moved, seconded by Packard exit Executive Session. No action was taken.

At 12:14 p.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Thursday, April 6, 2017 at 9:00 a.m. for a workgroup meeting.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

April 6, 2017

The Board of County Commissioners convened for a special workgroup session Thursday, April 6, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

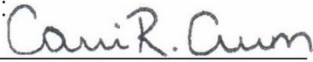
The Board discussed at length proposed changes to the zoning ordinance.

At 12:42 p.m. Powell moved, seconded by Packard and carried to adjourn and reconvene in regular session Tuesday, April 11, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

April 11, 2017

The Board of County Commissioners met in regular session Tuesday, April 11, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda.

Minutes of the April 4, 2017 meeting and April 6, 2017 special meeting were approved with a motion by Manning, seconded by Hammond and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Powell moved, seconded by Packard and carried to approve the new Application for Occupancy on a Clay County Highway.

Powell moved, seconded by Manning and carried to authorize the Chairman to sign the Application for Occupancy on a Clay County Highway from Clay-Union Electric on 313 St. east of Bluff Rd.

Polley reported that the Highway Department will start summer hours (10 hour days Monday-Thursday) on April 17.

Polley also said a portion of University Road will be closed for bridge construction. The bridge construction is also being started on 302 St.

Layne Stewart, Emergency Management Director, met with the Board to present the SLA Quarterly Activity Report. Manning moved, seconded by Packard and carried to authorize the Chairman to sign the report.

Stewart discussed the Pre-Disaster Mitigation Plan update with the Board and presented the proposal from SouthEast Council of Governments (SECOG). Packard moved, seconded by Hammond and carried to authorize the Chairman's signature on the documents.

Dennis Ganschow, Weed Supervisor, met with the Board to request usage of the County's boat to assist the National Park Service with a clean-up project on the Missouri River. Powell moved, seconded by Hammond to donate usage of the boat and to pay Ganschow for his time working on the project.

Manning moved, seconded by Packard and carried to approve the following claims for payment. April Bills: (Due to Other Governments) Clay Co Treasurer \$6,149.00; Reliance Telephone \$500.00; SD Assn of Co. Officials \$378.00 and Thomson Reuters – West \$272.50; (Professional Services and Fees) Century Business Products \$50.00; Heiman Inc. \$56.50; Houska, DDS, Randy \$208.00; Lewis & Clark Behavior \$320.00; Microfilm Imaging System \$30.00; Office Systems Company \$458.92; Pharmchem, Inc. \$850.00; Sanford Health Clinic \$6,751.20; Satellite Tracking \$263.25; SD Dept of Health Lab \$1,580.00; Security Shredding Svc. \$35.00; Walker Construction \$390.00; Yankton Anesthesiology \$586.25; Yankton Co Sheriff \$50.00 and Yankton Medical Clinic \$149.36; (Other Professional Services) City of Vermillion \$58,217.75; Pressing Matters \$111.00 and Reeves, Megan \$472.90; (Law Office) KCH Law \$174.61; Kogel, Linda L \$566.58 and Reed Law Offices \$900.40; (Mental Health)

Avera McKennan Hospital \$700.00; SD Achieve \$180.00; Sesd Activity Center \$360.00 and Dept of Revenue \$2,004.44; (Publishing) Broadcaster Press \$856.26; Plain Talk \$380.92 and Star Publishing \$944.74; (Repairs and Maintenance) Bear, Inc. DBA Todd's Electric \$165.78; First Bank & Trust Visa \$20.00; Fischer's Disposal LLC \$50.00; Hartelco \$79.95; Heiman Inc. \$418.50; Office Systems Company \$856.21 and Swensen, Daniel \$350.00; (Data Processing) Microfilm Imaging Systems \$765.00 and Software Services, Inc \$660.00; (Supplies & Materials) A & B Business \$199.96; A-OX Welding Supply Co. \$155.47; Bob Barker Co Inc. \$27.50; Boyer Trucks SF Inc. \$284.59; Brock White Company \$23,923.20; Brunick Service, Inc. \$2,230.89; Buhls Drycleaners \$62.00; Campbell Supply Co. \$244.68; Davis Pharmacy \$204.91; Diesel Machinery, Inc. \$98.21; First Bank & Trust Visa \$675.20; Heiman Inc. \$95.38; Herren-Schempp \$122.09; Hillbilly Carpet Cleaning \$163.72; JCL Solutions \$233.66; Lawson Products, Inc. \$228.86; Mart Auto Body & Marina \$800.00; O'Reilly Auto Parts \$34.97; Office Elements \$260.70; Orr Farm Supply \$11.20; Pharchem, Inc. \$608.00; Quill Corporation \$121.99; Road King, Inc. \$6,950.00; Sturdevant's Auto Parts \$500.21; Vermillion Ace Hardware \$8.40; Vermillion Ford \$176.00 and One Office Solution \$196.61; (Travel and Conference) Brunick Service, Inc. \$11.00; Crossroads Hotel \$497.94; D-Ware Inc. \$175.00; First Bank & Trust Visa \$250.00; Polley, Rodney \$124.00; Powell, Leo \$42.84; Stewart, Layne \$144.72 and Vanderkooi, Tim R \$49.00; (Inmate Travel) Brunick Service, Inc. \$193.00; (Utilities) Bureau of Administration \$143.67; CenturyLink \$426.13; Clay Rural Water System \$43.60; Clay Union Electric Co. \$555.01; Hartelco \$10.00; MidAmerican Energy \$828.26; Midco Business \$360.00 and Wakonda Town \$66.90; (Utilities) Austin-Whittemore House \$625.00; Brunick Service, Inc. \$1,317.71; Brunick Service, Inc. \$4,125.00; Clay Co Conservation Dept. \$8,750.00; Dakota Senior Meals \$1,342.50; Dept. of Revenue \$1,545.00; National Music Museum \$1,250.00; SDACC Office \$918.00; Vermillion Federal Credit \$34.87; Vermillion Public Library \$1,000.00; Vermillion Senior Center \$3,750.00; Wakonda Public Library \$625.00; Wakonda Senior Center \$625.00 and WH Over Museum \$1,875.00; (JDC/Special Equipment) Sdaac Office \$5,615.84; (Furniture and Minor Equipment) Microfilm Imaging System \$120.00; (Machinery and Automotive Equip.) Mart Auto Body & Marina \$15,255.00; (Automotive) Brunick Service, Inc. \$674.00.

At 9:25 a.m., Packard moved, seconded by Manning and carried to adjourn and convene as Clay County Ditch Board.

Troy Walraven and Calvin Hanson met with the Board to request removal of a concrete bridge and replacement with an 8-foot culvert along the Yankton-Clay Ditch. Polley said the Highway Department would have to put the project out for bid because he does not have the equipment to handle the job. It was decided that Polley would obtain several quotes to find out what the project might cost.

Polley said it appears that the contractor is preparing to level the spoils on the Clay Creek Ditch.

At 9:44 a.m., Powell moved, seconded by Packard and carried to adjourn and reconvene as Board of Clay County Commissioners.

Alexis Tracy, State's Attorney, requested travel to Sioux City on April 21st and May 2-5 for State's Attorney Convention. Powell moved, seconded by Packard and carried to approve the requested travel for Tracy and Philip Terwilliger.

Jerami West, Chief Deputy, met with the Board to present security training.

The discussion regarding the proposed Concentrated Animal Feeding Operations (CAFO) regulations was tabled until the April 25, 2017 meeting.

At 10:28 a.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Tuesday, April 25, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

**2017 Board of Equalization
Consolidated Board
Clay County**

Chairman Mockler called the Consolidated Board of Equalization to order at 1:00 p.m., Tuesday, April 11, 2017. Members present: Travis Mockler, Leo Powell, Phyllis Packard, Micheal Manning, Richard Hammond, Stephen Ward, Richard Holland, Kelsey Collier-Wise; Shannon Fairholm was absent. Also present: County Auditor Carri Crum, Deputy Auditor Jessica Beringer, Director of Equalization Gene Lunn, Chief Deputy Director of Equalization/GIS Coordinator Ina Peterson, and State's Attorney Alexis Tracy. Oaths of Office were given.

The following Appeals were heard for consideration:

Appeal #2017-01 – Vermillion Madison Park Apartments LLC (15417-00100-010-00) The Director's value was \$292,478 for land and \$1,762,248 for improvements with a total of \$2,054,726.

Powell moved, seconded by Hammond to accept the Director's value for Appeal #2017-01. All voted aye. Motion passed.

The Board considered the following Recommendations:

Appeal #2017-02 – Karen Kay Muenster Trust (15170-00100-030-00) The Director's recommendation was to lower the structure value from \$70,312 to \$31,909 to update the records to reflect current condition.

Appeal #2017-03 – Steven L. Bierle (15260-01400-240-00) The Director's recommendation was to lower the structure value from \$99,112 to \$76,363 to update the records to reflect current condition.

Appeal #2017-04 – Marketplace Vermillion LLC (15415-00200-080-00) The Director's recommendation was to lower the structure value from \$1,704,349 to \$908,387 to update the records to reflect current condition.

Appeal #2017-05 – JP Investments LLC (15530-02700-170-00) The Director's recommendation was to lower the structure value from \$279,420 to \$213,532 to equalize the value with the adjoining building.

Appeal #2017-06 – East River Properties LLC (15880-09252-141-26) The Director's recommendation was to lower the value from \$199,505 to \$139,653 to equalize the value with like properties.

Appeal #2017-07 – Summerset Acres LLC (15999-01100-000-13) The Director's recommendation was to lower the value from \$4,267 to \$500 to reflect current condition.

Appeal #2017-08 – Summerset Acres LLC (15999-01100-000-22) The Director's recommendation was to lower the value from \$4,129 to \$500 to reflect current condition.

Manning moved, seconded by Holland to accept the Director's recommendations for Appeals #2017-02, #2017-03, #2017-04, #2017-05, #2017-06, #2017-07, and #2017-08. Vote of the Board: Mockler, Hammond, Packard, Manning, Holland, Collier-Wise, and Ward voted aye; Powell voted nay. Motion passed.

The Consolidated Board adjourned at 1:34 p.m. with a motion by Collier-Wise, seconded by Holland and carried.

Dated this 11th day of April, 2017.

ATTEST: Carri R. Crum
Carri R. Crum, County Auditor

Travis Mockler
Travis Mockler, Chairman
Consolidated Equalization Board

**2017 Board of Equalization
County Board
Clay County**

Chairman Mockler called The County Board of Equalization to order at 1:34 p.m., Tuesday, April 11, 2017. Members present: Travis Mockler, Leo Powell, Phyllis Packard, Richard Hammond, and Micheal Manning. Also present: County Auditor Carri Crum, Deputy Auditor Jessica Beringer, Deputy Auditor Nicole Klunder, Director of Equalization Gene Lunn, Chief Deputy Director of Equalization/GIS Coordinator Ina Peterson, State's Attorney Alexis Tracy, and Deputy State's Attorney Philip Terwilliger. Oaths of Office were given.

The following Appeals were heard for consideration:

Appeal #2017-09 – Mark A & Amy Christensen (12700-00000-160-00) Local Board value: \$70,179 for the land and \$476,978 for the structure with a total of \$547,157.

Appeal #2017-10 – Scott T & Kay L DeWitt (12700-00000-060-00) The property owners were not present at the meeting. Local Board value: \$70,179 for the land and \$60,058 for the structure with a total of \$130,237.

Appeal #2017-11 – Edward P & Patricia A Flanigan (12700-00000-070-00) Local Board value: \$73,939 for the land and \$89,004 for the structure with a total of \$162,943.

Appeal #2017-12 – Dennis E & Sue E Navrat (12700-00000-120-00) Local Board value: \$82,711 for the land and \$166,241 for the structure with a total of \$248,952.

Appeal #2017-13 – Bruce Proctor & Heesook Choi (12700-00000-300-00) Local Board value: \$99,003 for the land and \$163,687 for the structure with a total of \$262,690.

Appeal #2017-14 – Peter E Murray & Mary L Zweber (12700-00000-110-00) Local Board value: \$125,761 for the land and \$152,259 for the structure with a total of \$278,020.

Appeal #2017-15 – Thomas J Muenster (12700-00000-210-00) Local Board value: \$60,154 for the land and \$86,591 for the structure with a total of \$146,745.

Appeal #2017-16 – Candy M Lubben (12700-00000-080-00) Sean Brady spoke on behalf of the property owner. Local Board value: \$76,445 for the land and \$144,220 for the structure with a total of \$220,665.

Appeal #2017-17 – Kumoli Ramakrishnan Residence Trust (12700-00000-200-00) The property owner was not present at the meeting, but written correspondence was received by the Board. Local Board value: \$125,393 for the land and \$123,162 for the structure with a total of \$248,555.

Appeal #2017-18 – Richard J & Sharyl Thomas (12700-00000-250-00) Local Board value: \$61,407 for the land and \$118,836 for the structure with a total of \$180,243.

Appeal #2017-19 – French Investments LLC (12700-00000-270-00) Sean Brady spoke on behalf of the property owner. Local Board value: \$63,913 for the land and \$50,315 for the structure with a total of \$114,228.

Appeal #2017-20 – French Investments LLC (12700-00000-280-00) Sean Brady spoke on behalf of the property owner. Local Board value: \$25,691 for the land.

Appeal #2017-21 – Cleveland T Johnson (12700-00000-180-00) Local Board value: \$67,673 for the land and \$194,483 for the structure with a total of \$262,156.

Appeal #2017-22 – Mark Waterbury (12700-00000-240-00) Local Board value: \$55,141 for the land and \$164,376 for the structure with a total of \$219,517.

Appeal #2017-23 – Carl J Addison (12700-00000-390-00) Local Board value: \$65,166 for the land and \$59,005 for the structure with a total of \$124,171.

Appeal #2017-24 – Robert L Larson (12700-00000-400-00) Local Board value: \$66,420 for the land and \$118,080 for the structure with a total of \$184,500.

Appeal #2017-25 – Bryan Ledgerwood (12700-00000-020-00) Sean Brady spoke on behalf of the property owner. Local Board value: \$125,335 for the land and \$33,332 for the structure with a total of \$158,667.

Appeal #2017-26 – William Larson Jr (12700-00000-150-00) Local Board value: \$78,952 for the land, \$55,842 for the structure, and \$481 for improvements with a total of \$134,794.

Appeal #2017-27 – Laurence D Brady (12700-00000-340-00) Sean Brady spoke on behalf of the property owner. Local Board value: \$126,862 for the land and \$206,759 for the structure with a total of \$333,621.

Appeal #2017-28 – Ponderosa Homes Inc (12700-00000-010-03) Sean Brady spoke on behalf of the property owner. Local Board value: \$34,463 for the land.

Appeal #2017-29 – Jay S & Alicia A Culbertson (12700-00000-090-00) Sean Brady spoke on behalf of the property owner. Local Board value: \$86,471 for the land and \$62,021 for the structure with a total of \$148,492.

Manning moved, seconded by Packard to accept the Local Board value for Appeals #2017-09 through #2017-29. All voted aye. Motion passed.

The Board considered the following Recommendation:

Appeal #2017-30 – Arden B & Julie L Junker (02000-09552-262-02) The Director's recommendation was to lower the structure value from \$36,687 to \$31,447 to update the records to reflect current condition. Powell moved, seconded by Packard to accept the Director's recommendation. All voted aye. Motion passed.

Powell moved, seconded by Packard to instruct the Director of Equalization to make adjustment for Freeze on Assessment of Dwellings of Disabled and Senior Citizen per SDCL 10-6A. All voted aye. Motion passed.

Manning moved, seconded by Powell to instruct the Director of Equalization to make adjustment for Veterans Exemption per SDCL 10-4-40. All voted aye. Motion passed.

Manning moved, seconded by Hammond to accept the addition of Owner Occupied status for 2017 for the following parcels. All voted aye. Motion passed.

Parcel Number	Name	Address	
15999-00300-000-18	Mandi Cameron	807 Cottage #18	Vermillion
15999-01600-010-14	Jeff Girard	1014 Tom	Vermillion
09000-09353-212-04	Darrell J Lindner	31212 454 Ave	Meckling
15999-01200-000-03	Steve L Peterson	314 Austin #3	Vermillion

Powell moved, seconded by Manning to accept the removal of Owner Occupied status for 2017 for the following parcels. All voted aye. Motion passed.

Parcel Number	Owner	Address	Reason for Removal
15140-00100-020-00	Matthew & Jessica Schulte	8 Anderson, Vermillion	Applied for Other House

Manning moved, seconded by Packard to accept the addition of Owner Occupied Contractor status for 2017 for the following parcels. All voted aye. Motion passed.

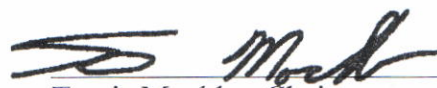
Parcel Number	Name	Address	
15187-00100-100-00	Midwest Ready Mix & Equipment, Inc.	1534 Brandon Dr.	Vermillion
15093-00200-250-00	Vermillion Area Chamber & Development Co. & Mart Brothers	1405 Rockwell Trl.	Vermillion

The Tax Exempt List for 2017 was presented. Powell moved, seconded by Packard to approve the list as published in county legal newspapers. The list is on file in the Auditor's Office. All voted aye. Motion passed.

The County Board adjourned for the year at 7:03 p.m. with a motion by Hammond, seconded by Manning and carried.

Dated this 11th day of April, 2017.

ATTEST: Carri R. Crum
Carri R. Crum, County Auditor


Travis Mockler, Chairman
Consolidated Equalization Board

April 25, 2017

The Board of County Commissioners met in regular session Tuesday, April 25, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Powell moved, seconded by Hammond and carried to approve the agenda with the addition of the setting of a date for a public hearing regarding the re-zoning of the area near 321 St. & Missouri St.

Minutes of the April 11, 2017 meeting were approved with a motion by Manning, seconded by Packard and carried.

Lisa Wood appeared during Visitors to be Heard to introduce the new Community Health Nurse, Sami Cusick.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. An Application for Entrance from a Clay County Highway was presented on behalf of Randy Jensen at 45752 302 St. Powell moved, seconded by Packard and carried to authorize the Chairman to sign approval of the application.

Polley discussed structure #14-075-051, located 7.5E & 5.1S of Irene over Frog Creek on Norwegian Ave. The replacement is scheduled to take place next year, and it will need to be advertised for anyone interested in taking it as the bridge is historic. Powell moved, seconded by Manning and carried to authorize advertisement.

An Application for Occupancy on the Right of Way of County Highways was presented on behalf of Qwest Corporation, dba CenturyLink QC for fibers along Highways A3, A4, B5, E2, H4, L3, L4, M1, M2, N2, and W2. A map is on file with the application. Manning moved, seconded by Hammond to authorize the Chairman to sign the application. Powell moved, seconded by Packard to order the previous question. Vote of the Board: 3 ayes, 2 nays. Vote of the Board on the motion to authorize the Chairman to sign the application: 2 ayes, 3 nays. Motion failed; the application was denied.

Lauren Hollenbeck, 4-H Educator, met with the Board to present the Quarterly Report.

At 9:47 a.m., Packard moved, seconded by Manning and carried to adjourn and convene as Clay County Ditch Board.

Packard moved, seconded by Powell and carried to authorize payment of an invoice from Pollman Excavation for \$14,316.35 for cleaning of Yankton/Clay Ditch in Section 2 of Meckling Twp. and Lateral 50B from 455 Ave. to 454 Ave.

Polley discussed the replacement of structure #030-180 on 455 Ave. south of Jetley Park Rd. over Yankton/Clay Ditch.

At 9:57 a.m., Powell moved, seconded by Packard and carried to adjourn and reconvene as Board of Clay County Commissioners.

State's Attorney Alexis Tracy and Jim Wilson, Clay County Historic Preservation Commission (CCHPC), met with the Board to discuss a proposed ordinance re-establishing the CCHPC. Powell moved, seconded by Hammond and carried to set 9:30 a.m. on May 30, 2017 as the time and date for the public hearing and first reading of Ordinance #2017-02, a Historic Preservation Ordinance authorizing the creation of the Clay County Historic Preservation Commission.

At 10:05 a.m., a public hearing was held regarding petitions to vacate all of Victor Street except adjacent to all of Blocks 13 and 14, Burbank, Clay County, South Dakota, all of Madison Street between Lots 13 & 14 of Block 3 and Lots 1 & 2 of Block 9, Town of Burbank, Clay County, South Dakota, all of North Railroad Street, West of Lot 8, Block 13, Burbank, Clay County, South Dakota, all of Hotchkiss Street, Burbank, Clay County, South Dakota; all of Madison Street and Main Street West of Victor Street, Burbank, Clay County, South Dakota; all alleys in Blocks 1, 2, 10, 11, 12 and 13, Burbank, Clay County, South Dakota, and all of Monroe Street West of the East side of Lot 2, Block 3, Burbank, Clay County, South Dakota. John Slattery, Attorney, was present on behalf of his client, Janet Cunningham, a petitioner for the vacating. Fairview Township Board Supr. Max Andersen was present and said the township board does not object to the vacating of the streets in question.

Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution #2017-07, a Resolution and Order Vacating Portion of Victor Street.

RESOLUTION #2017-07
RESOLUTION AND ORDER VACATING PORTION OF VICTOR STREET

IN THE MATTER OF THE VACATION OF:

All of Victor Street except adjacent to all of Blocks 13 and 14, Burbank, Clay County, South Dakota

The above-entitled matter coming before the Board of Clay County Commissioners at 10:00 a.m. on the 25th day of April, 2017, pursuant to a petition presented to the Board of Clay County Commissioners requesting the vacation.

It appearing to the said Board that notice of said hearing has been given in the manner and for the time provided by law, and that this Board of Clay County Commissioners acting as a committee has made a written report and recommendation herein to vacate said portion of Victor Street and grant the relief requested in said petition, and

NOW, THEREFORE, it is hereby RESOLVED and ORDERED that,

All of Victor Street except adjacent to all of Blocks 13 and 14, Burbank, Clay County, South Dakota

Herein above specifically described be and the same is vacated, and so filed with the Register of Deeds, and the relief requested in the petition now on file, in this proceeding, is hereby granted.

Vote of the Board: 5 Ayes, 0 Nays

Dated this 25th day of April, 2017.

Travis Mockler, Chairman
Board of Clay County Commissioners

ATTEST:

Carri R. Crum, County Auditor
Clay County, South Dakota

Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution #2017-08, a Resolution and Order Vacating Portion of Madison Street.

RESOLUTION #2017-08
RESOLUTION AND ORDER VACATING PORTION OF MADISON STREET

IN THE MATTER OF THE VACATION OF:

All of Madison Street between Lots 13 & 14 of Block 3 and Lots 1 & 2 of Block 9, Town of Burbank, Clay County, South Dakota

The above-entitled matter coming before the Board of Clay County Commissioners at 10:00 a.m. on the 25th day of April, 2017, pursuant to a petition presented to the Board of Clay County Commissioners requesting the vacation.

It appearing to the said Board that notice of said hearing has been given in the manner and for the time provided by law, and that this Board of Clay County Commissioners acting as a committee has made a written report and recommendation herein to vacate said portion of Victor Street and grant the relief requested in said petition, and

NOW, THEREFORE, it is hereby RESOLVED and ORDERED that,

All of Madison Street between Lots 13 & 14 of Block 3 and Lots 1 & 2 of Block 9, Town of Burbank, Clay County, South Dakota

Herein above specifically described be and the same is vacated, and so filed with the Register of Deeds, and the relief requested in the petition now on file, in this proceeding, is hereby granted.

Vote of the Board: 5 Ayes, 0 Nays

Dated this 25th day of April, 2017.

Travis Mockler, Chairman
Board of Clay County Commissioners

ATTEST:

Carri R. Crum, County Auditor
Clay County, South Dakota

Packard moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-09 a Resolution and Order Vacating Portion of North Railroad Street.

RESOLUTION #2017-09
RESOLUTION AND ORDER VACATING PORTION OF NORTH RAILROAD STREET

IN THE MATTER OF THE VACATION OF:

All of North Railroad Street, West of Lot 8, Block 13, Burbank, Clay County, South Dakota

The above-entitled matter coming before the Board of Clay County Commissioners at 10:00 a.m. on the 25th day of April, 2017, pursuant to a petition presented to the Board of Clay County Commissioners requesting the vacation.

It appearing to the said Board that notice of said hearing has been given in the manner and for the time provided by law, and that this Board of Clay County Commissioners acting as a committee has made a written report and recommendation herein to vacate said portion of Victor Street and grant the relief requested in said petition, and

NOW, THEREFORE, it is hereby RESOLVED and ORDERED that,

All of North Railroad Street, West of Lot 8, Block 13, Burbank, Clay County, South Dakota

Herein above specifically described be and the same is vacated, and so filed with the Register of Deeds, and the relief requested in the petition now on file, in this proceeding, is hereby granted.

Vote of the Board: 5 Ayes, 0 Nays

Dated this 25th day of April, 2017.

Travis Mockler, Chairman
Board of Clay County Commissioners

ATTEST:

Carri R. Crum, County Auditor
Clay County, South Dakota

Hammond moved, seconded by Packard and carried to pass and adopt the following Resolution #2017-10 a Resolution and Order Vacating Portion of Hotchkiss Street, Madison Street, Main Street, and Alleys in Blocks 1, 2, 10, 11, 12, and 13.

RESOLUTION #2017-10

RESOLUTION AND ORDER VACATING PORTION OF HOTCHKISS STREET, MADISON STREET, MAIN STREET, AND ALLEYS IN BLOCKS 1, 2, 10, 11, 12, AND 13

IN THE MATTER OF THE VACATION OF:

All of Hotchkiss Street, Burbank, Clay County, South Dakota; all of Madison Street and Main Street West of Victor Street, Burbank, Clay County, South Dakota; all alleys in Blocks 1, 2, 10, 11, 12 and 13, Burbank, Clay County, South Dakota

The above-entitled matter coming before the Board of Clay County Commissioners at 10:00 a.m. on the 25th day of April, 2017, pursuant to a petition presented to the Board of Clay County Commissioners requesting the vacation.

It appearing to the said Board that notice of said hearing has been given in the manner and for the time provided by law, and that this Board of Clay County Commissioners acting as a committee has made a written report and recommendation herein to vacate said portion of Victor Street and grant the relief requested in said petition, and

NOW, THEREFORE, it is hereby RESOLVED and ORDERED that,

All of Hotchkiss Street, Burbank, Clay County, South Dakota; all of Madison Street and Main Street West of Victor Street, Burbank, Clay County, South Dakota; all alleys in Blocks 1, 2, 10, 11, 12 and 13, Burbank, Clay County, South Dakota

Herein above specifically described be and the same is vacated, and so filed with the Register of Deeds, and the relief requested in the petition now on file, in this proceeding, is hereby granted.

Vote of the Board: 5 Ayes, 0 Nays

Dated this 25th day of April, 2017.

Travis Mockler, Chairman
Board of Clay County Commissioners

ATTEST:

Carri R. Crum, County Auditor
Clay County, South Dakota

Manning moved, seconded by Hammond and carried to pass and adopt the following Resolution #2017-11 a Resolution and Order Vacating Portion of Monroe Street.

RESOLUTION #2017-11
RESOLUTION AND ORDER VACATING PORTION OF MONROE STREET

IN THE MATTER OF THE VACATION OF:

All of Monroe Street West of the East side of Lot 2, Block 3, Burbank, Clay County, South Dakota

The above-entitled matter coming before the Board of Clay County Commissioners at 10:00 a.m. on the 25th day of April, 2017, pursuant to a petition presented to the Board of Clay County Commissioners requesting the vacation.

It appearing to the said Board that notice of said hearing has been given in the manner and for the time provided by law, and that this Board of Clay County Commissioners acting as a committee has made a written report and recommendation herein to vacate said portion of Victor Street and grant the relief requested in said petition, and

NOW, THEREFORE, it is hereby RESOLVED and ORDERED that,

All of Monroe Street West of the East side of Lot 2, Block 3, Burbank, Clay County, South Dakota

Herein above specifically described be and the same is vacated, and so filed with the Register of Deeds, and the relief requested in the petition now on file, in this proceeding, is hereby granted.

Vote of the Board: 5 Ayes, 0 Nays

Dated this 25th day of April, 2017.

Travis Mockler, Chairman
Board of Clay County Commissioners

ATTEST:

Carri R. Crum, County Auditor
Clay County, South Dakota

Packard moved, seconded by Hammond and carried to authorize the Chairman to sign renewal of the Election Services Agreement with Election Systems & Software, LLC.

Powell moved, seconded by Packard and carried to approve the following claims for payment. April Bills: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$15,027.50, Courthouse \$2,685.67, DOE's Office \$10,220.91, ROD's Office

\$7,072.21, Veteran's Office \$1,747.50, Sheriff's Office \$6,763.22, County Jail \$20,876.18, 24/7 Sobriety Project \$1,432.13, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$36,837.62, WIC \$2,511.00; Extension Office \$2,904.00, Weed Department \$1,726.17, and Zoning Office \$2,402.35; (Due to Other Governments) Dept of Revenue \$874.40 and State of SD Game Fish \$359.00; (Payroll Withholdings) Aflac \$897.47; Clay Co Treasurer \$43,293.51; Colonial Life \$359.97; Conseco/Washington \$24.45; Dearborn National \$213.15; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; Performant Recovery \$342.76; SD Retirement System \$20,646.76; SD Supplement Retirement \$1,875.00; SDRS Roth 457 (B) \$450.00; United Way of Vermillion \$179.00; Vermillion Federal Credit \$1,496.00; Wellmark Blue Cross \$48,278.40; (Professional Services and Fees) Lincoln County Treasurer \$301.68; Netsys Plus, Inc. \$50.00; Vermillion/Clay EMS \$172.65; Yankton Co Treasurer \$365.65; Bucklin, Clare \$17.00 and OConnor, Julaine \$10.00 (Other Professional Services) Schaffer, Dean \$231.00; (Law Office) Peterson Stuart Rumpca \$6,098.12; (Mental Health) Avera McKennan \$1,400.00 and Dakotabilities \$540.00; (Repairs and Maintenance) Erickson Solutions Group \$540.00; Murph's Appliances \$181.98; Office Systems Company \$22.00; Olson's Pest Technical \$75.00; Paul's Plumbing, Inc. \$56.24; Presto-X Company LLC \$71.97; Sioux Falls 2-Way and Star Energy \$65.00; (Data Processing/Clay Creek) Mastel, Bruce \$35.00; (Yankton Clay Expense) Pollman Excavation \$9,226.35; (Lateral 50A & 50B Expense) Pollman Excavation \$5,090.00; (Supplies and Materials) Aden, Cynthia \$32.79; Agterra Tech Inc. \$3,640.00; Appera \$51.30; Blue Tarp Financial \$308.41; Bob Barker Co Inc. \$120.81; Campbell Supply Co. \$361.73; Charles Mix County \$150.00; Dakota PC Warehouse \$19.99; Dakota Riggers & Tool \$84.90; Fastenal Co. \$383.95; Hillyard \$163.72; Layne's World Inc. \$30.84; Mart Auto Body & Marina \$623.83; O'Reilly Auto Parts \$55.46; Print Source \$166.00; Prochem Dynamics \$47.55; Sioux City Foundry Co. \$422.42; Sioux Falls 2-Way \$4,425.95; Star Energy \$128.17; Sturdevant's Auto Part \$488.15; Vermillion Ace Hardware \$2.50; Walmart Community/Gecr \$14.93 and One Office Solution \$54.14; (Travel and Conference) Aden, Cynthia \$14.92; Best Western Ramkota \$201.98; Howe, Andy \$102.00; SDSU Extension Service \$102.37 and State 4-H Office \$50.00; (Utilities) City of Vermillion \$1,856.67; Verizon Wireless \$102.63 and Verizon Wireless \$320.10; (Payment) Hy-Vee, Inc. \$638.75; Walmart Community/Gecr \$163.90; Ebel, Nicole \$50.00; Bertram, Jolynne \$50.00; Gray, Jolinda \$50.00; Jacobson, Pamela \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00; Prosser, Collin \$50.00; Ramakrishnan, Michele \$56.72; Cournoyer, Tayla \$20.00; Ramikrez, Rafael \$20.00 and Waters, James \$20.00; (JDC/Special Eq.) Lutheran Social Services \$2,040.72; (Machinery and Automotive Equip) Vermillion Auto Works \$400.00; Agterra Tech Inc. \$4,000.00.

The Register of Deeds Monthly Reports, Sheriff's Office Monthly Reports, Veterans/Welfare/Zoning Monthly Reports, Vermillion Public Library Board Reports, and the following Auditor's Account with the County Treasurer Report were accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
 items in the hands of the County Treasurer as of March 31, 2017.
 I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	6,016,168.99
Amount of actual cash	3,677.31
Total amount of checks and drafts in Treasurer's	

Possession not exceeding three days	96,829.01
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,124.78
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	0.00
Total	
Dated this 3rd day of April, 2017.	6,119,800.09

Carri R. Crum, County Auditor

The Board discussed a letter of support for a grant application being completed by the W.H. Over Museum. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the letter.


Manning moved, seconded by Packard and carried to set the date and time for a public hearing on the rezoning of the area around 321 St. and Missouri St. at 10:00 a.m. on May 30, 2017.

The Board discussed issues regarding roads near the county line and box culverts needing work in the area.

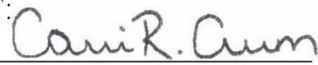
At 10:44 a.m., Manning moved, seconded by Hammond and carried to enter an Executive Session regarding legal matters per SDCL 1-25-2.

At 11:53 a.m., Packard moved, seconded by Powell and carried to exit the Executive Session. No action was taken.

At 11:54 a.m. Packard moved, seconded by Manning and carried to adjourn and reconvene Tuesday, May 2, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

May 2, 2017

The Board of County Commissioners met in regular session Tuesday, May 2, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda.

Minutes of the April 25, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Packard moved, seconded by Powell and carried to set the date as June 6, 2017 for the annual Tour of Roads.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Denial of an Application for Occupancy on the Right of Way of County Highways was appealed on behalf of Qwest Corporation, dba CenturyLink QC for fibers along Highways A3, A4, B5, E2, H4, L3, L4, M1, M2, N2, and W2. A map is on file with the application. The Board discussed the matter with CenturyLink. Polley recommended approval of the application. Powell moved, seconded by Hammond and carried to approve and authorize the Chairman to sign the application.

Manning moved, seconded by Powell and carried to accept the low bid of \$2.0048/gallon from Jerry's Service for ethanol blend fuel.

Milt Haar of the National Park Service met with the Board to discuss ownership of Goat Island by Bureau of Land Management and management of the island by the National Park Service. He requested that a representative from the County be involved in the planning process for public use of the island.

At 9:56 a.m., Powell moved, seconded by Manning and carried to enter an Executive Session regarding legal matters per SDCL 1-25-2.

Phyllis Packard excused herself from the meeting at approximately 10:10 a.m.

At 10:30 a.m., Powell moved, seconded by Hammond and carried to exit the Executive Session. No action was taken.

Powell moved, seconded by Manning and carried to set the date as May 25, 2017 at 7:00 p.m. for the first reading of Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County.

Powell excused himself from the meeting at approximately 10:35 a.m.

At 11:19 a.m. Manning moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, May 9, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

May 9, 2017

The Board of County Commissioners met in regular session Tuesday, May 9, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Hammond and carried to approve the agenda.

Minutes of the May 2, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Donald Kelpin, Chair Emeritus, of the Employer Support of the Guard and Reserve, was present for the signing of a Statement of Support for the Guard and Reserve. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the proclamation.

Cynthia Aden, Veterans Service Officer, presented a medal to Leo Powell for his service in Vietnam.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Dan Johnson of Johnson Engineering, Wes Cook, and Troy Cook were present to discuss drainage. Johnson reviewed a ditch survey done in 2015 regarding drainage near the county line by Valley Ag. The Cooks discussed with Polley and the Board how best to drain the property.

Polley discussed purchase of a backhoe. Bids were compared between Caterpillar's Beadle County bid and Murphy Equipment's National Joint Powers Association bid. Packard moved, seconded by Powell and carried to authorize purchase of equipment from Murphy Tractor & Equipment Co. with options for a total of \$116,385.

At 9:55 a.m., Packard moved, seconded by Manning and carried to adjourn and convene as Clay County Ditch Board.

Packard moved, seconded by Powell and carried to authorize payment of an invoice in the amount of \$16,964.83 to Jerke & Sons Construction for the Clay Creek Ditch Project Phase 3.

At 9:57 a.m., Packard moved, seconded by Manning and carried to adjourn and reconvene as Board of Clay County Commissioners.

Powell moved, seconded by Packard and carried to approve the following claims for payment. May Bills: (Due to Other Governments) Thomson Reuters – West \$369.63; (Professional Services and Fees) Avera University \$214.78; Billings, John P \$1,997.50; Century Business Products \$88.18; City of Vermillion \$72.00; Davis Pharmacy \$263.69; FedEx \$27.08; Johnson Engineering Co. \$13,206.42; Lewis & Clark Behavior \$160.00; Lincoln County Treasurer \$110.35; Microfilm Imaging Systems \$30.00; Netsys Plus, Inc. \$624.00; Sanford Health Clinic \$417.18; Satellite Tracking \$214.50; SD Dept of Health Lab \$450.00; Yankton Medical Clinic \$130.89 and Zuercher Technologies \$1,260.00; (Other Professional Service) Reeves, Megan \$702.20; (Mental Health) Dept of Revenue \$60.00; SD Achieve \$180.00; Sisd Activity Cntr \$360.00 and Dept of Revenue \$1,019.47; (Publishing) Broadcaster Press \$506.71 and The Equalizer \$90.00; (Rentals) Pictometry International \$13,621.67; (Repairs and

Maintenance) Bear Inc. Todd's Electric \$571.68; Buhls Drycleaners \$16.00; Century Business Products \$29.12; First Bank & Trust Visa \$10.00; Greg's Signs and Mural \$635.00; Hartelco \$79.95; I-State Truck Center \$378.78; JCL Solutions \$54.00; Kone, Inc. \$692.67; Presto-X Company LLC \$70.91 and Wells, Brian \$97.50; (Data Processing/Clay Creek) Jerke & Sons \$16,964.83; Microfilm Imaging System \$765.00; Software Services, Inc. \$330.00; (Supplies & Materials) A & B Business \$182.25; A-Ox Welding Supply Co \$328.03; Appera \$53.88; Brock White Company \$17,144.48; Brunick Service, Inc. \$209.00; Campbell Supply Co. \$532.33; Charlie's Bus Service \$38.00; Continental Research \$224.20; D-P Tools, Inc. \$243.62; Dakota PC Warehouse \$869.93; Dakota Riggers & Tool \$60.00; First Bank & Trust Visa \$270.08; Hillyard \$62.89; I-State Truck Center \$51.23; Jerry's Service \$1,232.51; Jim Hawk Truck Trailer \$807.84; Johnson Feed, Inc. \$349.50; Lyle Signs, Inc. \$3,528.30; Northern Safety Co. \$100.53; Office Elements \$267.18; Pressing Matters \$53.00; Quill Corporation \$235.84; Sturdevant's Auto Parts \$95.84; Truenorth Steel \$2,932.16; Vermillion Ace Hardware \$181.47; One Office Solution \$617.70 and Zee Medical Service Co \$74.20; (Copier Supplies) Quill Corporation \$29.99; (Travel and Conference) Anders, Jeffrey \$79.00; Christensen, Laura \$153.20; First Bank & Trust Visa \$100.00; Husby, Tiffany \$79.00; SD Planner's Association \$295.00; The Lodge At Deadwood \$288.00 and Vermillion Federal Credit Union \$61.96; (Inmate Travel) Jerry's Service \$200.00; (Utilities) Bureau of Administration \$81.54; CenturyLink \$13.67; Clay Rural Water System \$33.00; Clay Union Electric Co \$595.03; Fisher's Disposal LLC \$50.00; Hartelco \$10.00; MidAmerican Energy \$436.93; Midco Business \$360.00; Vermillion Garbage Svc \$216.00 and Wakonda Town \$62.65; (Payment) American Tire Distribution \$508.52; Brunick Service, Inc. \$267.80; Crop Production Service \$2,209.80; First Bank & Trust Visa \$482.96; Jerry's Service \$1,574.96; The Roadhouse \$4,719.10 and Vermillion Federal Credit \$227.39; (Payment) Campbell Supply Co. \$86.99; (JDC/Special Eqp.) Minnehaha County JDC \$5,280.00; (Furniture and Minor Equipment) A & B Business \$248.18; Dakota PC Warehouse \$1,715.95; Microfilm Imaging System \$240.00 and SD Fed. Property Agency \$200.00.

At 9:58 a.m., Manning moved, seconded by Packard and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 10:54 a.m., Packard moved, seconded by Powell and carried to exit the Executive Session. No action was taken.

At 11:02 a.m., Hammond moved, seconded by Manning and carried to enter an Executive Session regarding legal matters per SDCL 1-25-2.

At 12:54 p.m., Manning moved, seconded by Packard and carried to exit the Executive Session. No action was taken.

Packard moved, seconded by Powell and carried to authorize the Sheriff to apply for a grant that would require matching funds of approximately \$1,800.

Packard moved, seconded by Manning and carried to authorize county credit cards from Vermillion Federal Credit Union.

The Sheriff's Office and Veterans/Welfare/Zoning monthly reports, and the following Auditor's Account with the County Treasurer Report were accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of May 1, 2017.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	10,832,966.78	
Amount of actual cash	3,928.95	
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	606,594.61	
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,124.78	
Checks returned and not deposited		
Cash Items		
Investments	1,000.00	
Cash Variation	-0.50	
Total		
	Dated this 1st day of May, 2017.	11,446,614.62

Carri R. Crum, County Auditor

At 12:59 p.m. Packard moved, seconded by Manning and carried to adjourn and reconvene Tuesday,
May 30, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

May 17, 2017

The Board of County Commissioners convened for a special session per SDCL 1-25-2 Wednesday, May 17, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

At 9:00 a.m., Powell moved, seconded by Packard and carried to enter an Executive Session for personnel matters under SDCL 1-25-2.

At 10:10 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session.

The Board reviewed the Drug/Alcohol Testing Policy and considered revisions.

At 11:12 a.m. Packard moved, seconded by Powell and carried to adjourn and reconvene Tuesday, May 30, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

May 25, 2017

The Board of County Commissioners met in special session on Thursday, May 25, 2017 at 7:00 p.m. for a public hearing of the first reading regarding amendment of the 2013 Revised Zoning Ordinance for Clay County. Specifically, the Board of County Commissioners considered adoption of amendments to Section 2.02, Definitions, Section 3.07, Concentrated Animal Feeding Operations (CAFO), Section 4.05.01, NRC: Natural Resource Conservation District and Section 4.05.02, A-1: Agricultural District, which were recommended by the Clay County Planning Commission. Members present: Travis Mockler, Phyllis Packard, Micheal Manning, and Richard Hammond. Also present: Toby Brown, Southeast Council of Governments, Cynthia Aden, Zoning Administrator, Alexis Tracy, State's Attorney, and Carri Crum, Auditor.

Travis Mockler, Chairman, called the meeting to order and turned the meeting over to Cynthia Aden, Zoning Administrator. The Board and the audience discussed prior suggestions that the Board members were accepting bribes. Sharon Gray wished to go on public record that she does not accuse any Commissioners of taking bribes.

Aden moved on to point out that the sections under review are not exclusive, that the zoning ordinance sections work together. She presented a zoning map and discussed wellhead protection areas, aquifer protection areas, etc.

Aden explained definitions in the proposed ordinance. Nicholas Britten asked questions regarding the definition of CAFOs in relation to agriculture.

Aden also explained conditional use permits. Barbara Yelverton asked who monitors animal numbers, whether a neighbor has to complain that someone is exceeding numbers. It was explained that Aden is a part-time zoning officer, so she would respond on a complaint basis.

Charles Yelverton asked about the Department of Environment and Natural Resources (DENR) process for a CAFO. Travis Mockler explained that the Natural Resource Conservation Service (NRCS) office would be involved. Aden explained the animal number charts. Charles Yelverton and Britten both asked questions about whether a person could have two different kinds of animals on the same properties. Packard, Hammond, Travis Mockler, and Aden explained that there would need to be clearance from the State under state laws. Aden discussed dairy numbers in relation to resource usage and the numbers statistically required for a dairy to be successful and clarified that there are additional requirements to be met for a dairy operation as opposed to other animals.

Aden reviewed the various setbacks under the proposed ordinance and explained that the manure application setbacks are advisory, as the State regulates manure application. Barbara Yelverton asked who would approve an impermeable liner. Travis Mockler explained that the liner would be engineered, the DENR would approve it, and then the Planning & Zoning Commission would also give approval. Charles Yelverton asked if the County could work with a manager and not know the owner of a CAFO because the proposed ordinance is not clear. Travis Mockler said the State will not allow a plan with a manager signature, but the verbiage could be added to the proposed ordinance.

Aden discussed proof of insurance requirements. Charles Yelverton asked if an insurance person working for an operator would be a reliable person and suggested a scientist or engineer would be better. Aden asked how a scientist would know how much to insure an operation for. Mark Winegar asked if the Department of Agriculture could provide a number, to which the Board said it would not. Travis Mockler said there is a fund set up for situations where an owner left a bad situation.

The next change Aden reviewed was building site vs. lot area. She explained that it has nothing to do with CAFO, but it needed to be fixed in the regulations. Then she again discussed conditional use permit requirements. She also discussed that Animal Feeding Operations (AFO) were added to prohibited uses in the Aquifer Protection Overlay (APO). Aden pointed out the requirements for impermeability standards that would have to be met via engineering studies. She said the process is more prohibitive than in the current regulations.

Transmission of liquid hydrocarbon requirements for meeting federal, state, and industry standards are also being clarified in the proposed regulations.

Travis Mockler turned the meeting over to public comment. Gray said she appreciates the work put into the proposed ordinance, and she feels some things are actually positive. She said everyone has biases, and she is against CAFOs. If someone is trying to build a large dairy in Clay County, she would like the Board to share it. She feels like bumping the dairy number to 5,600 is ridiculous. She said the setbacks to waters of the state should not be messed with.

John Davidson said it's wonderful that on Memorial Day week the people can get together to express their freedom of speech. He asked permission to share documents as a part of the file for the permanent record. He quoted Real Estate appraisal statistics regarding decrease in value of private residences in proximity to CAFOs, and said the government is effectively taking property values for that purpose. He said he sees CAFOs as a direct attempt to take away investment from property owners, and said the County has the responsibility to protect the existing investment.

Britten said conditional use for aquifers seems to permit CAFOs over aquifer protection. He also says the County should find a better way to ensure properties are properly insured.

Charles Yelverton said he is disappointed because the Commissioners are responsible for the public health, and there is nothing in the ordinance about public health. He feels the laxities in the proposed ordinance is harmful to public health. He would propose a reduction of dairy cattle to 3,000 to promote organic pasture organizations.

Paul Hasse asked how many of the 4 Commissioners have read the proposed ordinance in its entirety and who presented the need for changes. The Board members said they have each read it multiple times. How much natural gas do the feedlots use? Aden said she has no way of knowing. Hasse said the supply of natural gas in the county is limited. He asked how this would affect llamas, alpacas, and pheasants. Mockler said other animal types not listed in the table are considered on a case by case basis.

Sandy Pederson said there is a small feed lot below the bluff. She asked how many animals are in that lot. Aden explained that the joint jurisdiction area with the City of Vermillion will not be

changed. She asked how many are on the lot on the way to Sioux Falls, and Travis Mockler said 3,000.

Barbara Yelverton conceded that the people in the room are probably all biased against CAFOs. Lynn Riley said she is against confined operations and claimed that the animals have to be drugged a lot to keep them healthy, to which Travis Mockler said that is a fallacy. She said she feels like the County is relying on current technology, such as impermeable liners, too much. She said she thinks the County has blind faith.

Clarence Pederson asked for clarification about the operation below the bluff. Aden said it is not in this particular jurisdiction, so she would have to look at the joint jurisdiction regulations. Travis Mockler said if it was out in the county it would be a small CAFO and said the ordinance has nothing to do with how the animals are raised, but instead regulates pollution. He said he is concerned that the County only has a part-time zoning person and suggested adding staff. Travis Mockler said it would likely require raising taxes for the County to be able to afford it. Riley said the fee should be high for CAFOs. Britten said he is willing to pay more taxes to have staff who could handle monitoring these issues, and Winegar said he would agree.

Hasse reminded the Board not to forget about roads and bridges. The Board pointed out that large CAFOs often have agreements to pay for the roads.

Davidson said it would be good to work together to find investments in the community that are compatible with existing investments and asked what the Commissioners have done to explore this. Travis Mockler asked why raising livestock wouldn't compliment what Clay County already has. Davidson said CAFOs are essentially factories and at a certain point it ceases to be farming.

Keith Mockler said he is in favor of the proposed ordinance because the current ordinance makes it very difficult for anyone to get a building permit. He said he and his brother would like to add 200 head of cattle to his existing 200 head, and they cannot do it. He asked Davidson not to lump everyone into a large operation. He said the current ordinance does not work at all, and he would like to see some action by the Board on the proposed ordinance.

Cindy Struckman-Johnson said she has farmland in Gregory County. She said there is a CAFO that has forced its way in via a waiver of the County Commissioners. She said she agrees with all concerns expressed. She shared something she wrote to Gregory County regarding toxic manure lagoons in relation to public health. She thinks the dairy number is excessive.

Travis Mockler asked for comments from the Commissioners. Hammond pointed out a section on conditional uses in aquifer protection zones and corrected an "and" vs. "or" typo and a "may" vs. "shall" typo to avoid being permissive in the ordinance.

Keith Mockler asked how many sites are available for a large dairy in Clay County, more than four or five? Hammond said in his opinion there may be one area. Travis Mockler said the State has identified three areas, and said those landowners do not even know they have the suitable land.

Hammond pointed out a few more areas that he thought could be clarified, and the Board discussed them.

Packard said they have worked very hard to come up with a compromise. She said she feels it still gives a great deal of protection or ways to question operators. She said regarding the insurance requirement and said the Board has explored and has not found a better solution.

Manning said the Board really has listened to the public's opinions and suggestions. He said there are some things that no one will ever agree on, the Board cannot predict the future and can only work with what they have today. He said he is not concerned about the 5,600 number as long as the County can regulate it.

Keith Mockler asked if a person wanted to build a 5,500-head dairy operation, would they have to apply for a conditional use permit which would require a public hearing? The Board answered that it would have to go to public hearing.

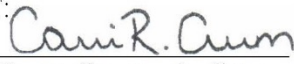
Britten asked why have the 5,600 number if it is not possible in Clay County. Aden said former commissioner Raymond Passick suggested it to give the County an opportunity for economic growth if an operator could prove itself. Manning said the idea was that as long as the County could regulate it, then the number would be insignificant. He pointed out the regulations in place at the State level. Britten asked the Board why they would ever want a 5,600-head operation. Packard said there are two schools of thought. The larger number is the viable economic size, and the other side is 3,500 sustainability. Barbara Yelverton discussed organic dairies as well. Keith Mockler said if he wanted a 50-cow organic dairy, he cannot do it under the current ordinance. Aden said the difficulties of the current ordinance include insurance requirements and the high cost of the permits required for a CAFO, the ordinance restricts smaller operations such as small organic operations. She said she has attempted to use the current ordinance with a couple of smaller hog operations, and it was impossible.

After discussion regarding having another first reading due to changes the Board made during the hearing, Hammond moved, seconded by Manning and carried to set the first reading and public hearing for June 27, 2017 and the second reading for July 6, 2017.

At 9:06 p.m., Manning moved, seconded by Hammond and carried to adjourn.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

May 30, 2017

The Board of County Commissioners met in regular session Tuesday, May 30, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda.

Minutes of the May 9, 2017 meeting, May 17, 2017 special meeting, and May 25, 2017 public hearing were approved with a motion by Manning, seconded by Packard and carried.

Andy Howe, Sheriff, appeared during Visitors to be Heard to commend Chief Deputy Jerami West for saving an individual from a suicide attempt and Corporal Paul Pederson for being awarded South Dakota School Resource Officer of the Year.

Larry McPherson, Highway Foreman, met with the Board to discuss highway matters. Powell moved, seconded by Packard and carried to approve an Application for Occupancy on the Right of Way of County Highways from the Town of Wakonda for a pipe on 302 St. in Section 33, Township 95N, Range 53W.

The Board reviewed an advertisement for bridge offering for structure #14-075-051 located 7.5E. & 5.1S of Irene over Frog Creek on Norwegian Ave. Hammond moved, seconded by Manning and carried to approve the advertisement and authorize publication.

Powell moved, seconded by Packard and carried to approve the following claims for payment. May Bills: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$15,027.50, Courthouse \$2,685.67, DOE's Office \$10,220.91, ROD's Office \$7,078.51, Veteran's Office \$1,747.50, Sheriff's Office \$35,843.61, County Jail \$21,359.30, 24/7 Sobriety Project \$1,425.00, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$39,560.11, WIC \$2,511.00; Extension Office \$2,904.00, Weed Department \$5,451.10, and Zoning Office \$2,299.67; (Due to Other Government) Dept of Revenue \$3,490.00; SD Assn of Co Officials \$286.00; State of SD Game Fish \$657.00; Thomson Reuters – West \$97.1 and Reliance Telephone \$500.00; (Payroll Withholdings) Aflac \$897.48; Clay Co Treasurer \$44,768.98; Colonial Life \$359.97; Conseco/Washington \$24.45; Dearborn National \$214.62; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; Performant Recovery \$337.71; SD Retirement System \$20,995.46; SD Supplemental Retirement \$1,875.00; SDRS Roth Plan \$450.00; United Way of Vermillion \$179.00; Vermillion Federal Credit \$1,496.00 and Wellmark Blue Cross \$48,391.73; (Professional Services and Fees) Dept of Legislative Audit \$14,300.00; Ekeren, Marv \$18.00; Gapp, Debra \$3,030.00; Geo Tek Engineering \$2,460.16; Katterhagen, Mark \$33.00; Leisure World, Inc. \$255.00; Lewno, Lucille M \$308.42; Lincoln County Auditor \$29.89; Netsys Plus Inc. \$509.00; Pharmchem, Inc. \$375.00; Resolution Treatment \$1,500.00; Sanford Health Clinic \$1,897.20; Sanford Health Occupation \$60.00; SD Dept of Health Lab \$205.00; Sioux Falls 2-Way \$200.00; Swanda, Karen \$15.00 and Yankton Co Treasurer \$100.00; (Law Office) Brevik Law Office LLC \$206.13; KCH Law \$192.30; Kogel, Linda L \$833.80; McCulloch, James E \$1,149.37; Peterson Stuart Rump \$6,098.12 and Reed Law Offices \$479.40; (Publishing) Star Publishing \$334.241 (Repairs and Maintenance) Butler Machinery Co. \$572.40; Century Business Products \$29.12; Dakota PC Warehouse \$49.99; Johnson Controls Inc. \$603.29; Kalins Indoor Comfort

\$173.50; Netsys Plus Inc. \$44.00; Presto-X Company LLC \$70.91; Sioux Falls 2-Way \$212.50; Stagecoach Properties \$955.00 and Veri-Tank \$160.00; (Data Processing/Clay Creek) Bureau of Administration \$27.00 and Johnson Engineering Co. \$2,917.32; (Supplies and Materials) A & B Business \$33.95; Allied Oil & Supply \$571.56; Barco Municipal Products \$736.22; Bob Barker Co Inc. \$204.49; Butler Machinery Co. \$178.22; Campbell Supply Co. \$284.79; Dakota PC Warehouse \$19.99; Dataspec, LLC \$399.00; FedEx \$45.58; Francotyp-Postalia Inc. \$135.45; Herren-Schempp \$82.80; Hollenbeck, Lauren \$20.88; Hy-Vee Inc. \$61.65; I-State Truck Center \$70.80; Kalins Indoor Comfort \$29.91; Lawson Products, Inc. \$355.99; Ludens, Inc. \$650.00; Lyle Signs, Inc. \$14.31; Mark's Machinery \$21.22; Menard's \$213.95; Northern Safety Co. \$174.84; SD Dept of Trans \$2,058.74; SD Sheriff's Assn \$18.55; Sioux Falls 2-Way \$129.99; Sturdevant's Auto Part \$310.13; Truenorth Steel \$13,694.49; Vermillion Ace Hardware \$7.28; Walmart Community/Gecr \$13.85; Warne Chemical & Equipment \$416.10; One Office Solution \$147.05 and Yankton Janitorial Supply \$1,210.15; (Travel and Conference) Crum, Carri R \$68.00; Hollenbeck, Lauren \$58.38; Olson, Jane \$68.00; SDSU Extension Service \$74.54; Smith, Michael \$125.00; Stewart, Layne \$351.76 and The Lodge at Deadwood \$351.00; (Utilities) CenturyLink \$412.47; City of Vermillion \$2,2196.84; Olson's Pest Technical \$75.00; Verizon Wireless \$102.63; Verizon Wireless Sheriff \$320.08; Verizon Wireless Emg \$41.36 and Vermillion Garbage Svc \$156.00; (Payment) Brunick Service, Inc. \$65.95; Hy-Vee, Inc \$818.22; The Soap Guys \$40.00; Walmart Community/Gecr \$223.02; Cook, Sabrina \$20.00; Ebel, Nicole \$50.00; Bertram, Jolynne \$50.00; Gehm, Peter \$50.00; Gray Jolinda \$50.00; Jacobson, Pamela \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00; Prosser, Collin \$50.00; Ramakrishnan, Michele \$56.72; Cook, Alvena \$20.00; Heibult, Terry \$103.16; Morgan, Robin \$20.00 and Tikluk, Nellie \$36.32; (Jdc/Special Equipment) Ems Association \$120.00 and Ems Association \$135.00; (Furniture and Minor Equipment) Dakota PC Warehouse \$499.98; One Office Solution \$380.00; Fast Auto Glass, Inc. \$250.00.

Powell moved, seconded by Packard and carried to authorize the Chairman to sign the annual WIC contract with the SD Dept. of Health.

The Board reviewed the Rangeland Fire Protection Agreement. Powell moved, seconded by Manning and carried to table the discussion until Layne Stewart's time slot on the agenda.

The Board reviewed quotes for carpeting in areas of the Courthouse. It was a consensus to ask the companies to be present at the next meeting to answer any questions.

At 9:30 a.m., a first reading and public hearing was held for Ordinance #2017-02, a Historic Preservation Ordinance authorizing the Clay County Historic Preservation Commission. No one appeared in opposition and no written correspondence was received. Powell moved, seconded by Manning and carried to set the second reading for June 13, 2017 at 9:30 a.m.

Layne Stewart, Emergency Management Director, met with the Board. He presented a quote from J. Paul Consulting in the amount of \$1,971.24 for the Point of Dispensing tabletop exercise. Manning moved, seconded by Packard and carried to approve the quote.

Stewart discussed with the Board the County Rangeland Fire Protection Agreement. Manning moved, seconded by Hammond and carried to table the matter and set up a conference call with the State during a future Commission meeting.

Packard moved, seconded by Manning and carried to declare surplus the County's metal Votomatic voting booths to give to other counties for parts, or to dispose of them.

Cynthia Aden, Welfare Director, met with the Board to present Welfare Cases #C17-09 and #C17-10. Powell moved, seconded by Packard and carried to authorize payment for Welfare Case #C17-09 for a county burial as the individual met guidelines. Manning moved, seconded by Packard and carried to authorize payment for Welfare Case #C17-10 for ambulance fee as the individual meets guidelines.

At 10:00 a.m., a first reading and public hearing was held for Ordinance #2017-03, an Ordinance Amending the 2013 Revised Zoning Regulations for Clay County by Rezoning Certain Property. The ordinance would rezone 53 parcels to rural residential near 321 St. & Missouri St. No one appeared in opposition and no written correspondence was received. Manning moved, seconded by Packard and carried to set the second reading for June 13, 2017 at 9:45 a.m.

The Board reviewed changes to the proposed zoning regulations regarding Concentrated Animal Feeding Operations (CAFO). The changes will be part of the final draft to be presented at a first reading and public hearing on June 27, 2017. Manning moved, seconded by Powell and carried to hold the first reading at 10:00 a.m. on June 27, 2017 and the second reading at 10:00 a.m. on July 6, 2017.

At 11:27 a.m., Manning moved, seconded by Packard and carried to adjourn and convene as Clay County Ditch Board.

Powell moved, seconded by Packard and carried to table authorization of invoices from Johnson Engineering for Clay Creek Ditch Cleanout Project Phase 3.

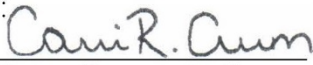
At 11:35 a.m., Manning moved, seconded by Hammond and carried to adjourn and reconvene as Board of Clay County Commissioners.

The Register of Deeds monthly report and the Vermillion Public Library Board reports were accepted and placed on file.

At 11:38 a.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Tuesday, June 6, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

June 6, 2017

The Board of County Commissioners met in regular session Tuesday, June 6, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Micheal Manning, and Richard Hammond; Leo Powell was absent.

Packard moved, seconded by Manning and carried to approve the agenda.

Minutes of the May 30, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. The Board reviewed a revised version of the Right-of-Way Application.

Hammond moved, seconded by Packard and carried to accept low bid of \$1.915/gallon for ethanol blend fuel.

Manning moved, seconded by Packard and carried to authorize the Chairman to sign the annual road striping agreement with the SD Dept. of Transportation with Clay County's share being \$53,578.54.

Polley discussed with the Board sites listed for the Tour of Roads scheduled to take place after the meeting. Polley presented an engineering study previously completed for an area on East Main and also discussed an area on 299 St.

Nate Welch, Vermillion Chamber & Development Company, and John Prescott, City of Vermillion City Manager, were present to discuss the proposed Tax Incremental District. Prescott voiced appreciation on behalf of the City of Vermillion that the County is willing to participate. Manning moved and seconded by Packard to pass and adopt Resolution #2017-12 for Creation of Clay County Tax Incremental District Number One. Roll call vote: Hammond Aye, Manning Aye, Packard Aye, Mockler Aye. Motion passed with 4 Ayes, 0 Nays.

RESOLUTION #2017-12
RESOLUTION CREATING CLAY COUNTY
TAX INCREMENTAL DISTRICT NUMBER ONE

WHEREAS, ON May 22, 2017, the Clay County Planning & Zoning Commission, in accordance with the requirements of SDCL 11-9-3, held a Public Hearing on the creation of a Tax Increment District in Heikes Tract 2; and

WHEREAS, on May 22, 2017, the Clay County Planning & Zoning Commission did adopt for recommendation a motion designating a Tax Incremental District defined by the following boundary:

Heikes Tract 2, in the SE1/4 of the SE1/4, located in Section 7, Township 92 North, Range 51 West of the 5th P.M., Clay County, South Dakota; and

WHEREAS, the Clay County Commission finds that;

- (1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11 or not less than fifty percent (50%), by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and

(2) The improvement of the area is likely to significantly enhance the value on all of the other real property in the district;
and

WHEREAS, the Clay County Commission finds that the aggregate assessed value of the taxable property in this district plus all other existing districts does not exceed ten percent (10%) of the total assessed value of the taxable property within Clay County, South Dakota.

NOW, THEREFORE BE IT RESOLVED, by the County Commission of Clay County, that Tax Incremental District Number One (TIF1) is hereby created in Clay County, and that such District boundary shall be designated as:

Heikes Tract 2, in the SE1/4 of the SE1/4, located in Section 7, Township 92 North, Range 51 West of the 5th P.M., Clay County, South Dakota.

Dated at Vermillion, South Dakota this 6th day of June, 2017.

Vote of the Board: 4 Ayes, 0 Nays.

THE GOVERNING BODY OF THE
CLAY COUNTY COMMISSION, SOUTH DAKOTA
By _____
Travis Mockler, Chairman

ATTEST:

Carri R. Crum, Clay County Auditor

Hammond moved, seconded by Packard and carried to authorize the observance of July 3 & 4 for the Independence Day holiday and to close County offices.

The Board received a proposal from Executive Technologies for a new phone system.

The Board considered quotes for carpet in sections of the Courthouse. Bill Brunick, Brunick Furniture, was available to discuss his carpet quote with the Board, and Total Flooring and Mullinix Carpeting provided samples. Manning moved, seconded by Packard and carried to accept the quote from Brunick Furniture.

At 10:17 a.m., Manning moved, seconded by Packard and carried to adjourn and convene as Clay County Ditch Board.

Packard moved, seconded by Hammond and carried to authorize payment of invoices from Johnson Engineering in the amounts of \$1,717.32 and \$1,200 for Clay Creek Ditch Cleanout Project Phase 3.

At 10:19 a.m., Hammond moved, seconded by Packard and carried to adjourn and reconvene as Board of Clay County Commissioners.

The Board discussed the proposed changes to Concentrated Animal Feeding Operation regulations. No decisions were made.

The following Auditor's Account with the County Treasurer monthly report and the Sheriff's Office monthly reports were accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER


To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of June 1, 2017.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	8,251,177.35
Amount of actual cash	2,044.73
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	51,646.42
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,124.78
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	-0.50
Total	8,307,992.78

Dated this 1st day of June, 2017.

Carri R. Crum, County Auditor

At 12:07 p.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Tuesday,
June 13, 2017 at 9:00 a.m.


Travis Mockler, Chairman
Board of County Commissioners

ATTEST: Carri R. Crum
Carri R. Crum, County Auditor

June 13, 2017

The Board of County Commissioners met in regular session Tuesday, June 13, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda with the addition of the Dept. of Environment and Natural Resources' concerns about the gun club.

Minutes of the June 6, 2017 meeting were approved with a motion by Powell, seconded by Packard and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. He presented an Application for Occupancy on behalf of Clay-Union Electric at Jetley Park & 455 Ave. Powell moved, seconded by Packard and carried to approve the application and authorize the Chairman to sign it.

Powell moved, seconded by Packard and carried to approve and authorize the Chairman to sign a Driveway Application for Mark Christensen on 309 St., Section 1, Prairie Center Twp.

Polley gave an update on small structures in the county and how other counties handle them.

Kolly Fostvedt was present to submit a Fireworks Display application. Manning moved, seconded by Powell and carried to approve and authorize the Chairman to sign the application.

Powell moved, seconded by Hammond and carried to authorize the payment of the following claims. June Bills: (Due to Other Government) Dept of Revenue \$223,327.10; SD Assn of Co. Officials \$470.00; Thomson Reuters – West \$97.13 and Reliance Telephone \$500.00; (Professional Services and Fees) Broadcaster Press \$202.50; Century Business Products \$65.29; City of Vermillion \$36.00; Div. of Motor Vehicles \$11.20; Ekeren, Marv \$18.00; Gapp, Debra \$2,995.00; Houska, DDS, Randy \$868.00; Katterhagen, Mark \$18.00; Kober Funeral Home \$513.00; Anthofer, Larry Louis \$255.00; Lewis & Clark Behavior \$320.00; Lewno, Lucille M \$159.46; Lincoln County Auditor \$107.00; Mail Finance \$89.45; Netsys Plus, Inc. \$132.00; Paul's Plumbing, Inc. \$145.07; Pharmchem, Inc. \$850.00; Satellite Tracking \$29.59; SD Dept of Health Lab \$2,725.00; Star Publishing \$35.52; The Equalizer \$194.00; Tri-State Turf \$15.93; Vermillion/Clay Ems \$294.45; Witz & Ray Funeral Home \$1,900.00; Yankton Co Sheriff \$50.00; Yankton Co Treasurer \$246.90 and Zuercher Technologies \$14,245.00; (Other Professional Services) Reeves, Megan \$590.60; (Law Office) Lacroix Law Office \$592.76; (Mental Health) Dept of Revenue \$60.00; SD Achieve \$180.00 and Dept of Revenue \$1,461.63; (Publishing) Broadcaster Press \$568.08; Plain Talk \$39.27; Star Publishing \$744.34 and The Equalizer \$120.00; (Rentals) Schneider Corporation \$2,115.00; (Repairs and Maintenance) Hansen Locksmithing In. \$680.00; Hartelco \$10.00; Mail Finance \$536.74; Netsys Plus, Inc. \$44.00 and Paul's Plumbing, Inc. \$125.86; (Data Processing) Bureau of Administration \$27.00; Mastel, Bruce \$35.00; Microfilming Imaging System \$765.00 and Software Services, Inc. \$320.00; (Supplies and Materials) A & B Business \$201.46; A-Ox Welding Supply Co \$166.15; Appera \$52.59; Brock White Company \$4,800.00; Brunick Service, Inc. \$1,865.25; Campbell Supply Co. \$478.86; Concrete Materials \$2,984.23; Dakota PC Warehouse \$29.99; First Bank & Trust Visa \$169.31; Forterra Pipe \$29,932.70; Galls Sioux Falls Reta \$183.99; Hy-Vee, Inc. \$44.36; JCL Solutions \$545.87; Jerry's Service \$74.97; John Deere

Financial \$195.84; Lawson Products, Inc. \$66.28; Midwest Ready Mix \$2,750.00; Northern Safety Co. \$175.93; O'Reilly Auto Parts \$75.20; Pharmchem, Inc. \$608.00; Quil Corporation \$406.74; SD Dept of Trans \$35,726.30; Sturdevant's Auto Part \$186.30; Titan Machinery \$137.86; Truck-Trailer Sales \$50.70; Truenorth Steel \$101.08; Vermillion Ace Hardware \$47.97 and One Office Solution \$263.41; (Travel and Conference) Best Western Ramkota \$599.94; Christensen, Laura \$81.00; Days Inn – Brookings \$522.00; First Bank & Trust Visa \$891.92; Pederson, Paul \$17.00; Peterson, Ina \$81.00; Powell, Cathi \$68.00 and Vermillion Federal Credit \$609.03; (Inmate Travel) Brunick Service, Inc. \$304.00; (Utilities) Bureau of Administration \$67.86; CenturyLink \$433.13; Clay Rural Water System \$89.80; Clay Union Electric Co \$576.30; Hartelco \$79.95; McPherson, Larry \$150.00; MidAmerican Energy \$267.82; Midco Business \$360.00; Vermillion Garbage Svc \$60.00 and Wakonda Town \$62.65; (Payment) American Tire Distribution \$257.64; Brunick Service, Inc. \$1,353.78; Fast Auto Glass, Inc. \$250.00; First Bank & Trust Visa \$142.42; Integrated Weed Control \$3,900.00; Print Source \$31.00; Sioux Falls 2-Way \$7,133.52; The Roadhouse \$4,342.85 and Vermillion Federal Credit \$95.43; (Books) Thomson Reuters – West \$272.50; Vermillion Ford \$32,436.00; (Furniture and Minor Equipment) A & B Business \$216.27; Microfilm Imaging System \$120.00 and One Office Solution \$1,698.40.

Packard moved, seconded by Hammond and carried to pass and adopt the following Resolution #2017-13 for Fund Transfer.

**RESOLUTION # 2017-13
FUND TRANSFER**

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund (10100) in the amount of \$752,040 to Highway Fund (20100) as levied for in the 2017 Budget.

Motion by Commissioner Packard seconded by Commissioner Hammond.

Vote of the Board:

Packard Aye, Manning Aye, Hammond Aye, Powell Aye, Mockler Aye. Motion carried.

Dated this 13th day of June, 2017

Board of County Commissioners
Clay County, South Dakota

Travis Mockler, Chairman

ATTEST:

Carri R. Crum, County Auditor

The Board discussed a phone call received from the Dept. of Environment and Natural Resources (DENR) regarding an anonymous complaint about tires at the gun club at Clay County Park. The tires are to be used as a backstop. However, the DENR notified the County that it would be responsible for future cleanup and disposal of the tires and any lead from the ammunition. It was decided that Hammond would arrange a time for the Clay County Park Board and the gun club to have a representative present for a future meeting to discuss the matter.

At 9:30 a.m., a second reading was held for Ordinance #2017-02, a Historic Preservation Ordinance authorizing the creation of the Clay County Historic Preservation Commission as provided in SDCL 1-

19B and ARSD 24:52. No one appeared in opposition, and no written correspondence was received. Powell moved, seconded by Packard to pass and adopt the ordinance. Roll call vote: Hammond Aye, Manning Aye, Powell Aye, Packard Aye, Mockler Aye. Motion passed.

At 9:35 a.m., Manning moved, seconded by Packard and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 9:51 a.m., Powell moved, seconded by Hammond and carried to exit the Executive Session.

At 9:51 a.m., a second reading was held for Ordinance #2017-03, an Ordinance Amending the 2013 Revised Zoning. No one appeared in opposition, and no written correspondence was received. Powell moved, seconded by Hammond to pass and adopt the ordinance. Roll call vote: Hammond Aye, Manning Aye, Powell Aye, Packard Aye, Mockler Aye. Motion passed.

The Board discussed random drug testing policy updates with Alexis Tracy, State's Attorney.

The Board discussed proposed payroll scale revisions for 2018 in relation to the 2018 budget.

At 11:45 a.m., Packard moved, seconded by Powell and carried to enter an Executive Session per SDCL 1-25-2 subsection 1.

At 11:57 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session.

The Register of Deeds and Vermillion Public Library Board monthly reports were accepted and placed on file.

At 12:01 p.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Tuesday, June 27, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

June 27, 2017

The Board of County Commissioners met in regular session Tuesday, June 27, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda.

Minutes of the June 13, 2017 meeting were approved with a motion by Powell, seconded by Hammond and carried.

Andy Howe, Sheriff, met with the Board regarding mug shot fees. Powell moved, seconded by Packard and carried to set the fee for obtaining a mug shot at \$8.00.

Packard moved, seconded by Manning and carried to authorize the payment of the following claims. June Payroll: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$15,027.50, Courthouse \$2,685.67, DOE's Office \$10,231.91, ROD's Office \$6,705.24, Veteran's Office \$1,747.50, Sheriff's Office \$36,424.94, County Jail \$21,849.77, 24/7 Sobriety Project \$1,603.13, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$39,360.55, County Nurse \$2,511.00; Extension Office \$2,904.00, Weed Department \$11,557.42, and Zoning Office \$2,428.23; June Bills: (Due to Other Government) State of SD Game Fish \$203.00 and Reliance Telephone \$500.00; (Payroll Withholdings) Aflac \$808.09; Clay Co Treasurer \$46,950.20; Colonial Life \$359.97; Conseco/Washington \$24.45; Dearborn National \$213.15; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; Performant Recovery \$366.39; SD Retirement System \$21,047.30; SD Supplemental Retirement \$1,875.00; SDRS Roth Plan \$450.00; United Way of Vermillion \$179.00; Vermillion Federal Credit \$1,496.00 and Wellmark Blue Cross \$47,965.62; (Professional Services and Fees) Billings, John P \$1,974.00; Brevik Law Office LLC \$207.33; Flex System (Tasc) \$1,611.85; Houska, Randy DDS \$307.00; Johnson Engineering Co \$22,608.10; Katterhagen, Mark \$15.00; Lewno, Lucille M \$105.46; Lincoln County Auditor \$35.55; Lincoln County Treasurer \$718.24; Louie's Carpet Cleaning \$405.30; Mikelson, Gary Attorney \$45.00; Netsys Plus, Inc. \$962.00; Sanford Health Clinic \$321.56; Security Shredding Svc \$35.00; Sitting Crow, Elijah \$3.00; Swanda, Karen \$15.00; Volin Rural Fire Assoc. \$205.04; Yankton Co Sheriff \$50.00 and Yankton Medical Clinic \$750.54; (Law Office) Kch Law \$135.45; McCulloch, James E \$445.00 and Peterson, Stuart, Rumpca \$6,098.12; (Mental Health) Sesd Activity Cntr \$360.00; (Repairs and Maintenance) Century Business Products \$29.12; Clay Co Historical Society \$500.00; Clay Union Electric Co \$60.00; Flex System (Tasc) \$34.30; Hollaway Const. Co. \$42,260.00; Intek \$313.71; Olson's Pest Technician \$75.00; Paul's Plumbing, Inc. \$59.52; Pressing Matters \$91.25 and Turner Plumbing Inc. \$1,191.96; (Data Processing/Clay Creek) Netsys Plus, Inc. \$88.00; (Supplies & Materials) Agterra Tech In. \$250.00; American Stamp & Marketing \$44.16; Bob Barker Co. Inc. \$121.81; Bomgaars \$29.99; Brunick Service, Inc. \$18.00; Campbell Supply Co. \$247.91; Clay Co Treasurer \$132.20; Clay Union Electric Co. \$305.55; Concrete Materials \$5,220.26; D-Ware Inc. \$1,000.00; Diamond Mowers Inc. \$734.40; FedEx \$130.70; Hollaway Const. Co. \$4,276.45; Hollenbeck, Lauren \$50.46; Jerry's Chevrolet \$74.97; John Deere Financial \$167.41; Mark's Machinery \$629.08; Natl. 4-H Council Supply \$42.84; O'Reilly Auto Parts \$56.34; Sanford Health Clinic \$14.00; Sign-Up Ltd. \$47.91; Sturdevant's Auto Part \$331.47; Vermillion Ace Hardware \$24.99; Vermillion Ford \$289.98 and Walmart Community/Gecr \$95.66; (Travel and Conference) Aden, Cynthia \$46.59;

Hollenbeck, Lauren \$74.40; Sdaao C/O Wendy Semmler \$300.00 and Sdvsoa \$75.00; (Utilities) Clay Union Electric Co \$64.04; City of Vermillion \$3,263.88; Verizon Wireless \$56.40; Verizon Wireless Sheriff \$263.70; Verizon Wireless Emg \$40.01 and Vermillion Garbage Svc \$156.00; (Payment) Domestic Violence \$270.00; Jacobson, Sheila \$50.00; Goodman, Timothy \$20.00; Jensen, Stephanie \$50.00; Mattes, Steven \$279.40; Dakota PC Warehouse \$464.98; Dept of Revenue \$541.86; Hy-Vee, Inc. \$572.80; Sioux Falls 2-Way \$1,370.88; The Soap Guys \$56.00; Vermillion Food Pantry \$1,875.00; Walmart Community/Gecr \$149.00; Ebel, Nicole \$50.00; Bertram, Jolynne \$50.00; Gehm, Peter \$50.00; Gray, Jolinda \$50.00; Jacobsen, Pamela \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00; Ramakrishnan, Michele \$56.72; Johnson, Wyatt Lee \$41.00; Jost-Wilch, Sarah \$20.00 and Wilch-Tweten, Sandra \$20.00; (JDC/Special Eqp.) Galls LLC. \$691.10; Jack’s Uniforms & Equipment \$191.47 and Sdacc Office \$2,807.92; (Publishing) Star Publishing \$445.62.

Packard moved, seconded by Manning and carried to appoint the following people to the Clay County Historic Preservation Commission: 1 year term – Tom Sorensen, Jim Stone, Dennis Konkler, 2 year term – Ted Muenster, Bill Ranney, Molly Rozum, 3 year term – Jim Wilson, Ed Gerrish, Evelyn Schlenker, and Patrick Morrison.

Hammond moved, seconded by Packard and carried to appoint Ina Peterson as Director of Equalization due to the upcoming retirement of Director of Equalization Gene Lunn.

John Davidson met with the Board and Alexis Tracy, State’s Attorney, regarding the Fifth Amendment to the U.S. Constitution, specifically the “taking” of property in regards to the proposed changes to the zoning ordinance.

Jim Burk and Jillian Jez, State of South Dakota, were present via conference call with the Board, State’s Attorney Alexis Tracy, and Emergency Management Director Layne Stewart regarding the County Rangeland Fire Protection Agreement. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the agreement and to pass and adopt the following Resolution #2017-14 for County Rangeland Fire Protection.

**RESOLUTION #2017-14
County Rangeland Fire Protection**

WHEREAS the County has not established a Rangeland Fire Protection Plan;

BE IT HEREBY RESOLVED, that the list of individuals set forth below, are hereby authorized to request rangeland fire assistance, on behalf of the County of Clay as specified in SDCL 41-20A-11. The authority to request assistance as provided shall continue in full force and effect until terminated or modified by resolution of the County of Clay Board of Commissioners.

County Fire Assistance Authorization list:			
Effective Date: June 27, 2017			
Name of Individual	Position	Daytime Phone	Emergency or Cell Phone
Layne Stewart	Emg. Mgmt. Dir.	605-677-7185	605-677-9812
Andy Howe	Sheriff	605-677-7100	605-670-1915
Jerami West	Chief Deputy	605-677-7100	605-677-9981

BE IT HEREBY RESOLVED, that Layne Stewart, Emergency Management Director, is appointed County Rural Fire Coordinator for the County of Clay. The County Rural Fire Coordinator is hereby authorized to act as a single point of contact, on behalf of the County of Clay, in dealing with administrative matters such as burn bans, billings, or questions

about this Rangeland Fire Agreement specific to the County. This authority shall continue in full force and effect until terminated or modified by resolution of the County of Clay Board of Commissioners.

Dated the 27th day of June, 2017.

Commissioner Powell moved the adoption of the foregoing Resolution; Motion seconded by Commissioner Packard.

Vote of the Commission: Packard Aye Powell Aye Manning Aye Hammond Aye Mockler Aye.

Upon which voting the foregoing Resolution was declared passed and adopted.

ATTEST:

Carri R. Crum, County Auditor

Travis Mockler, Chairman
Board of County Commissioners
Clay County, South Dakota

Mike Bauer, Executive Technologies, met with the Board to discuss a quote for a phone system for the County.

Cynthia Aden, Zoning Administrator, presented a plat on behalf of Jeffrey J. Olson. Manning moved, seconded by Hammond and carried to pass and adopt the following Resolution for plat of Jeff Olson Addition in the W1/2 of the NW1/4 of Section 32-T93N-R51W of the 5th P.M., Clay County, South Dakota; Jeffrey J. Olson, owner.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Jeff Olson Addition in the W1/2 of the NW1/4 of Section 32-T93N-R51W of the 5th P.M., Clay County, South Dakota; Jeffrey J. Olson, owner.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on June 27, 2017.

Carri R. Crum
County Auditor, Clay County, SD

At 10:00 a.m., a first reading and public hearing was held regarding Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Specifically, the Board of County

Commissioners considered adoption of amendments to Section 2.02, Definitions; Section 3.07, Concentrated Animal Feeding Operations (CAFO); Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1: Agricultural District; and 4.0508, APO: Aquifer Protection Overlay District, which were recommended by the Clay County Planning Commission.

Chad Peterson was present and discussed the regulations as they apply, and would potentially apply, to his family. He talked about the stress on family farms and told those present that he wanted to join the family farming, but it was not possible for his family's farm to expand due to current conditions in Clay County. He said livestock are value-added agriculture and make it possible for many local farmers to survive. Peterson said he knows others his age who would have joined their family's farming businesses but could not, and explained that it hurts them to know that they have to choose another career. Powell asked if the County's regulations would make it easier, or more difficult, for him and people his age to get into farming. Peterson said he cannot speak for everyone, but the proposed regulations would help his family farm move forward. He said also that with the right operating practices, it is actually better for the environment. Peterson discussed the additional jobs that expansion could bring and also the college education required for a farmer to run larger operations. Barbara Yelverton asked if his family would use outside investors for expansion, and Peterson said yes. Peterson said he has been fed for 20 years by "share croppers," so to speak, and the investors his father would use are from South Dakota. Sharon Gray asked if it was the process, the number of cattle, or the setbacks that make it difficult for his family to expand. Peterson said the process and the requirement to spend a lot of capital in order to even bring forth a proposal to the County. He said he agrees that there should be setbacks. Peterson also said Iowa has 3 times the population and 20 times the animals as South Dakota, and Sioux County is still a great place. Mark Winegar asked if Peterson could point to any specific parts of the proposed ordinance that would help. Peterson spoke about the economic impact to farmers and how it would allow his family's farm to operate. The increased number of livestock units would help his family. Jerry Wilson asked what part of the present ordinance's process hinders his family. Peterson discussed problems his cousin had with a previous proposal and the costs involved.

Charles Yelverton said the numbers had not changed except dairy, and he does not think 5,600 will make that much difference. Barbara Yelverton said the process does not change. Cynthia Aden, Zoning Administrator, replied that the process does change significantly; currently the water quality permit costs \$10,000-12,000 up front, and the changes will allow a discussion to take place first to discover whether the site is good before the operator needs the water quality permit. The SD Department of Environment and Natural Resources (DENR) wants the County to have done some review first before the operator applies for the water quality permit. Powell said the change in the process makes sense to him because the information about the site is being gathered first. Jerry Wilson said he does not see any place in the current ordinance that says Aden cannot talk to people. He said he grew up on a small family farm where there was no place for him. He cited statistics that claim large dairies put family farmers out of business. J. Wilson is concerned that a medium operation would be allowed over aquifer zone B. He is also concerned that an operation could expand without increased setbacks to neighboring property and worries that the County will be sued and taxpayers will pay. Powell reviewed section 3.07 with J. Wilson. J. Wilson said the DENR will not regulate Animal Feeding Operations (AFOs), only Concentrated Animal Feeding Operations (CAFOs). Hammond and Mockler said the DENR will assist the County if the County requests it. Hammond said on page 12 of the new general permit just passed by the State in April the SDCL 34A-3A-24 addresses shallow aquifer. Hammond and Wilson discussed the aquifer zones in relation to AFOs and CAFOs. Aden clarified that medium AFOs were added to

conditional use permit requirements so that the County would have more regulatory ability. Hammond and State's Attorney Alexis Tracy discussed SDCL 34A-3A-24. J. Wilson asked where it says the County will request the DENR's assistance in regulation of medium AFOs in the shallow aquifer. Aden pointed out section 3.07 6F. Cindy Struckman-Johnson asked if it could be added that a request will be made by the County to the DENR, so as not to assume that the County will. Hammond referred back to the State's general permit as it regulates operations, and the aforementioned statute.

Sharon Gray said the process is getting cleaned up and clear, but her concern is with animal numbers and she thinks if numbers were kept as-is the County would have a proposal that a lot of people could get behind. Her next concern was setbacks. She asked if limiting existing operations from expansion is what the Commissioners are concerned about. Manning pointed out some existing Clay County family operations that want to expand but are limited. Hammond and J. Wilson discussed buffer strips. Norma Wilson said the reduction of setbacks is an arbitrary thing. The protection of citizens and water must be considered. Aden said it is a delicate issue, that setbacks could also be a "taking" to an existing operation. Peterson discussed environmental regulations and cover crops as they pertain to animal feeding operations and pointed out that certain practices of an animal feeding operation are not regulations but are a matter of practice for better, more successful farming.

Richard Menzel spoke on health hazards of large farming operations, treatment of animals, and the Old Testament.

Gray discussed Small A and Small B with Aden in regard to pollution hazards. Gray also clarified that dairy numbers are the only numbers being increased and asked that the number be kept at 3,500. Powell and Mockler spoke with Gray about the statistical break-even number of 4,500 for dairy as it relates to the economy. Gray said if they cannot break even at 3,500 then that is maybe not the type of farming Clay County needs.

N. Wilson talked about her observation at a dairy facility. Struckman-Johnson asked for a compromise of 4,500. The Board discussed milk prices and supply with B. Yelverton. J. Wilson asked why Clay County would want to shift focus away from family operations. Mockler explained it opens many opportunities for other jobs such as trucking, veterinary services, and higher sale prices of crops used for feeding the animals, etc. The audience discussed that these types of jobs attract foreign labor, not local people, to which Powell replied that, regardless of where they are from, farm workers are buying homes, groceries, attending churches, and spending money in the communities in which they work, not just sending money back to family in their native countries. He also discussed "takings" in relation to reduced property values and said reducing the animal numbers could also be considered a "taking" from the existing farmers who cannot expand because it is taking away from their opportunities to make a living. B. Yelverton and J. Wilson discussed Sioux County, Iowa. C. Yelverton discussed public health concerns and that the ordinance does not set rules about how a farmer takes care of its animals regarding antibiotics. Mockler discussed federal Food & Drug Administration regulations regarding antibiotic usage in livestock. Struckman-Johnson said she feels the Board favors economic development over environmental protection. Menzel quoted statistics regarding respiratory diseases.

Packard asked if a compromise of 4,500 is possible in the opinion of the audience. Hammond said previous discussion regarding reduction of the dairy number and talked about his own experience being on dairy farms in the past few years. Gray discussed the referral process for ordinances to be brought to

an election. Powell said he has been asked by a local farmer why he needs to go across the river to Nebraska to farm instead of being able to make it in Clay County. N. Wilson asked if buffer strips could be added as a requirement of setbacks. Manning said he would rather have animals inside than to have the smell like the operation along the interstate which has been discussed in previous meetings. J. Wilson discussed water pollution and cleanup operations and suggested that the Board is blind to the topic of water pollution getting worse. Manning and Hammond cited studies that found buffer strips did not hinder pollution. Struckman-Johnson asked that a qualifying statement be added to the ordinance regarding reducing the chance of pollution by using buffer strips. Winegar said he worries that there is an assumption with very little research and said that pollution coming downstream is not necessarily coming from farmland.

Powell moved, seconded by Hammond and carried to proceed with the previously scheduled second reading of the proposed Ordinance #2017-01 on July 6, 2017 at 10:00 a.m.

Alexis Tracy discussed answers received from Executive Technologies to the Board's questions on the phone system quote. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the contract for the phone system.

Tracy reported the payroll addition of Jill Dotson as Legal Assistant/Victim's Witness Assistant beginning July 10, 2017 at the annual salary of \$34,274.80.

Manning moved, seconded by Powell and carried to authorize the Chairman to sign an Acceptance of Service for a foreclosure matter in which the County is owed Real Estate taxes.

At 12:24 p.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Thursday, July 6, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

July 6, 2017

The Board of County Commissioners met in regular session Thursday, July 6, 2017 at 9:00 a.m.
Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Manning moved, seconded by Packard and carried to approve the agenda with the addition of the gun club discussion.

Minutes of the June 27, 2017 meeting were approved with a motion by Packard, seconded by Hammond and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. The Board considered the 2018 budget request.

Packard moved, seconded by Manning and carried to accept the low bid of \$1.86/gallon from Brunick's Service for ethanol blend fuel.

Powell moved, seconded by Manning to approve and authorize the Chairman's signature on an Application for Entrance from a Clay County Highway on behalf of Paul Bremer for a field approach in Spirit Mound Township 22-93-52.

Polley discussed the purchase of a John Deere 6120E Cab Tractor. Powell moved, seconded by Packard and carried to authorize the purchase of the tractor as the budget allows for it.

Powell moved, seconded by Packard and carried to authorize the Chairman's signature on a memo stating that no one showed interest in the bridge offering advertisement for structure #14-075-051.

Layne Stewart, Emergency Management Director, met with the Board for the 2018 LEPC and Emergency Management budget requests and the SLA Quarterly Activity Report. Manning moved, seconded by Powell and carried to authorize the Chairman's signature on the SLA Quarterly Activity Report FY2017.

Andy Howe, Sheriff/Coroner, met with the Board for the 2018 requests for the Sheriff's Office, Jail, 24/7 Sobriety Project, and Coroner budgets.

Cynthia Aden, Veterans/Welfare/Zoning Administrator, met with the Board for the 2018 budget requests.

Terry Taggart, Mike Lynch, and Misi Kayl of the Clay County Soil Conservation District met with the Board for the 2018 budget request.

Manning moved, seconded by Hammond and carried to approve and authorize the Chairman to sign a Fireworks Permit Application from Fireworks Unlimited, Inc. for a display on July 7, 2017 at 10:00 p.m. at 31855 458 Ave.

The following Auditor's Account with the County Treasurer Report was accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of July 5, 2017.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	7,140,946.88
Amount of actual cash	4,513.57
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	41,387.18
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,159.78
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	0.00
Total	
Dated this 5th day of July, 2017.	7,190,007.41

Carri R. Crum, County Auditor

A second reading was held for Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Specifically, the Board of County Commissioners considered adoption of amendments to Section 2.02, Definitions; Section 3.07, Concentrated Animal Feeding Operations (CAFO); Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1: Agricultural District; and 4.0508, APO: Aquifer Protection Overlay District, which were recommended by the Clay County Planning Commission. Mockler began by reading a chain of e-mails from Jerry Wilson that the State's Attorney wished to have entered on record.

Powell pointed out there are no large dairies in the county.

Packard said the raise in dairy numbers has been a big issue. She has researched prize-winning farms and found numbers of 2,150, 3,400, and 3,000; only one was 7,000. Packard said she began to further question whether Clay County's small size allows enough space to provide manure management for

larger operations. She is also concerned about potential lawsuits in the future. Mockler said that Clay County has 220,000 available acres that are not currently under a manure management plan.

Hammond said he feels like 4,000 might be a more appropriate number, but he can live with smaller setbacks because he does not feel like that will impact the environment and water.

Manning said the county has not attracted anyone at 3,500 head, and if the numbers are raised it might be an opportunity to attract someone. Hammond said he does not think the number of head is keeping businesses away from Clay County, that there are a number of other reasons.

Powell moved to approve the second reading of the Ordinance #2017-01 as presented; seconded by Manning. The Chairman opened the motion for discussion. Barbara Yelverton said the two things bothering those opposed are increases in dairy numbers and reduction of setbacks. She read and presented a petition to the Board requesting Mockler to recuse himself as he is a farmer.

Stew Hines said he spent the morning discussing matters with Kent Woodsman from the State who said he has 8 staff. He said Woodsman told him if the complaint comes from the Commission they are not required to follow up, so a citizen would have to fill out a form to file a complaint.

Daniel Grant, a citizen of Yankton County, said there are 7 CAFO applications currently being opposed. He said people are fighting for the environment to protect the earth and asked the Board to take heed of the concerns.

Patricia Gramkow from Yankton County asked if the board is going to tax the citizens more to pay for roads. Mockler discussed cost share for paying for roads. Gramkow also discussed bacteria that are transmissible to humans and mad cow disease in Canada.

Elizabeth Simmons stated she is a former rancher and said she does not want antibiotics and hormones in her milk.

Charles Yelverton said the board is responsible for public health and it has been recommended there be no new confinement operations. He said the Board is doing a disservice in that regard, that it would be best to work on numbers and setbacks.

Suzanne Skyrn said coral reefs off Florida and the Gulf Coast are dying due to what is coming out of the rivers such as chemicals and fertilizers, and without coral reefs the ocean cannot sustain fish.

Frank Kloucek of Scotland said he helped introduce bill years ago to ban hormones from milk. He stated he does not want to say, "I told you so" twenty years from now and thinks setbacks are too close. He presented articles regarding disease, MRSA, and staph in general.

Clarence Pederson discussed what the processes are for applying manure: knifing, spreading, and using irrigation. He said he drove through Minnesota, and the stench was unbelievable from a farmer applying manure. He also said he would like to see the setbacks be bigger.

Brenda Fergen asked how many in the room have lived on a farm. She said she grew up on a farm and said it took a lot of care to know when to spread manure in order to live on the farm. She cited avian and swine flu in relation to antibiotic usage.

Jerry Wilson said he provided an overview of the evolution of ordinances in Clay County to the Rotary Club last fall. He quoted Powell as saying at that meeting, "I don't disagree with anything that Jerry said." He asked what changed since the last meeting. Powell said he would like to see the numbers at 3,600, but he also believes people trying to make a living in Clay County need the opportunity to do that. Powell said Tim Heine asked him why he cannot raise more hogs in Clay County and asked why he needs to go to Nebraska, to which the audience collectively said to let Nebraska have the hogs.

Alexis Tracy, State's Attorney, addressed the petition for conflict of interest. She said her opinion is that she is not aware of any financial gain Chairman Mockler would have from the change to this ordinance, unless someone can present some new facts. She said the Commissioners all come from different walks of life and bring different interests to the table. Tracy clarified that it would, however, be appropriate for any commissioner to recuse themselves from approval of a specific application for a CAFO at the time it was presented if there were any conflict of interest.

Sharon Gray said she is concerned about manure and wants larger setbacks than in the current ordinance. She said she came back from vacation in Okoboji, IA and experienced smelly CAFOs during her travels.

Charles Yelverton said he sees MRSA cases on a daily basis, and it currently takes 2 antibiotics and often specialty care in Sioux Falls to treat it.

Bruce Gray said even if the State is sharing half the cost of roads with CAFO operations, then it is still a burden on taxpayers.

Powell said he has spent over 20 years in government and has researched the proposed ordinance in detail.

Cindy Gehm asked who is benefitting from this ordinance proposal. Mockler said the farm community would benefit. Elizabeth Simmons said she buys from the local farmer and does not want antibiotics in her meat. Powell said there have been farmers at the first few meetings who said what they wanted to say, and others were too quiet.

Rebecca Turk said she is an organizer for Dakota Rural Action. She said her organization helps people fight expansion of farms because fewer people benefit economically from CAFOs, that smaller family farms help grow the economy.

Liz Hanson clarified the text of the notice of second reading. Elizabeth Simmons said a 10:00 a.m. meeting is not convenient for the public. Mockler pointed out that all of the public hearings have been in the evening except two.

Manning asked Charles Yelverton about antibiotic usage in relation to livestock. Yelverton discussed antibiotic resistance and usage and said he now has to give two antibiotics to patients with cellulitis or

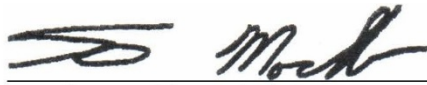
boils. Manning asked if he is seeing a large number of those in Clay County even though the county does not have dairies. Yelverton said the Commissioners should not tempt health issues by attracting large operations. Tom Cooper also discussed his concerns.

Greg Redlin said he knows very little about CAFOs and technical issues, but he said he is disappointed in the response from the Commissioners to the audience's questions. He said his sister is married to a dairy farmer, and they recently doubled the size of their herd from 100 to 200. Doubling the size seemed enormous to him due to the equipment and buildings needed. He said cannot fathom a farm of 5,600 dairy head. He suggested the Commission wait until they actually have an application for an operation of 5,600 head. Mockler said that scenario happened in Turner County, and the county was sued due to being favorable to one operator. Brenda Fergen asked why Turner County changed the law for one operator and said if they did they should be sued. Manning said the Board is trying to be proactive, not reactive. Barbara Yelverton suggested an operator of 3,500 head should prove itself before being given the opportunity to expand. Mockler said he proposed that 2 years ago and was rejected by the opposition.

Powell made a motion to call to question; seconded by Manning. All voted aye. Regarding the motion called to question the roll call vote was as follows: Packard-no, Hammond-no, Manning-yes, Powell-no, Mockler-yes.

Mockler said the County may enforce the ordinance in place as written, and all people with animals, even those with just one horse, will receive a letter that they will need to comply with CAFO regulations. Barbara Yelverton asked why the numbers cannot just be changed. Mockler and Powell said the same issues have been tossed around for over 3 years with no resolution.

At 11:30 a.m. Powell moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, July 11, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

July 11, 2017

The Board of County Commissioners met in regular session Tuesday, July 11, 2017 at 9:00 a.m.
Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Powell and carried to approve the agenda with the addition of discussion regarding a rural residence that has become a public nuisance.

Minutes of the July 6, 2017 meeting were approved with a motion by Packard, seconded by Manning and carried.

Cathi Powell, Treasurer, met with the Board for the 2018 budget request.

Alexis Tracy, State's Attorney, met with the Board for the 2018 budget request.

Jane Olson, Register of Deeds, met with the Board for the 2018 budget requests.

Matt Callahan, Fire/EMS Chief, Aaron McDowell, Deputy Chief, met with the Board for the 2018 budget request.

Gene Lunn, Director of Equalization, and Ina Peterson met with the Board for the 2018 budget request.

Missy O'Connor, Fair Board, met with the Board for the 2018 budget request.

Lauren Hollenbeck, 4-H Educator, met with the Board for the 2018 budget request. She also presented the 4-H Quarterly Activity Report.

Ryan Anderson, 911 Director, met with the Board for the 2018 budget request.

Bob Iverson, Solid Waste Director, met with the Board for the 2018 budget request.

Carri Crum, Auditor, met with the Board for the 2018 budget requests.

Jim Wilson, Clay County Historic Preservation Commission, met with the Board for the 2018 budget request.

Powell moved, seconded by Packard and carried to approve the following claims for payment. July Bills: (Due to Other Governments) Clay Co Treasurer \$5,354.50; Dept of Revenue \$262,038.58 and SD Assn. of Co. Officials \$388.00; (Professional Services and Fees) Axon Enterprise Inc. \$1,705.50; City of Vermillion \$96.00; Katterhagen, Mark \$37.50; Lewis & Clark Behavioral Health \$640.00; Lewno, Lucille M \$368.42; Microfilm Imaging System \$30.00; Netsys Plus, Inc. \$72.50; Satellite Tracking \$230.75; SD Dept of Health Lab \$250.00; SD Dept of Health Lab \$520.00; Stadel, Brenda \$120.00; Swanda, Karen \$37.50 and Yankton Co Sheriff \$50.00; (Other Professional Services) Reeves, Megan \$539.40 and Schaefer, Dean \$207.00; (Law Office) Thurman, Creighton A \$205.10;(Mental Health) Dakotabilities \$540.00; Dept of Revenue \$60.00; SD Achieve \$180.00; Sisd Activity Center \$360.00

and Dept of Revenue \$1,106.49; (Publishing) Broadcaster Press \$60.00 and Plain Talk \$73.97; (Repairs and Maintenance) Dakota PC Warehouse \$24.99; Erickson Solutions Group \$2,240.00; First Bank & Trust Visa \$20.00; Hartelco \$10.00; Johnson Electric, Inc. \$66.22; Muenster, Ted \$509.74; Pressing Matters \$6,350.00; Taggart, Tom N \$200.00; University Cleaners \$78.13 and Wilson, James P \$237.00; (Data Processing) Microfilm Imaging System \$765.00 and Software Services, Inc. \$100.00; (Supplies & Materials) A & B Business \$189.61; A-Ox Welding Supply Co \$171.49; Allied Oil & Supply \$2,527.20; Appera \$78.24; Benco Products Inc. \$200.00; Bierschbach Equip & Supply \$99.60; Bomgaars \$35.98; Byer Trucks SF Inc. \$252.30; Brunick Service, Inc. \$1,829.66; Campbell Supply Co. \$193.13; Concrete Materials \$12,578.48; Dakota PC Warehouse \$24.99; Dakota Riggers & Tool \$143.91; Davis Pharmacy \$407.42; Diamond Mowers Inc. \$1,304.66; First Bank & Trust Visa \$374.04; Jack's Uniform & Equipment \$274.75; Midwest Ready Mix \$1,375.00; Northern Safety Co. \$100.53; O'Reilly Auto Parts \$119.83; Pressing Matters \$33.00; ProChem Dynamics \$290.82; Quill Corporation \$513.89; Sturdevant's Auto Part \$537.30; Torco Remfg. \$223.00; Union County Hwy Dept \$3,887.40; Vermillion Ace Hardware \$110.68; Vermillion Federal Credit \$22.38 and Wheelco Brake and Supply \$197.16; (Copier Supplies) Quill Corporation \$119.96; (Travel and Conference) Polley, Rodney \$49.00 and Sundet, Laura \$49.00; (Utilities) Anders, Jeffrey \$180.00; Armstrong, Aaron \$180.00; Brunick Service, Inc. \$210.00; Clay Rural Water System \$112.60; Clay Union Electric Co. \$664.64; Fisher's Disposal LLC \$50.00; Hartelco \$79.95; Howe, Andy \$180.00; Husby, Tiffany \$180.00; Kyte, David \$180.00; MidAmerican Energy \$167.16; Midco Business \$360.00; Pederson, Paul \$180.00; Smith, Michael \$180.00; Umscheid, Noah \$180.00; Vermillion Garbage Svc \$60.00; Wakonda Town \$625.65 and West, Jerami \$180.00; (Payment) Austin-Whittemore House \$625.00; Clay Co Arg Fair Association \$4,125.00; Clay Co Conservation District \$8,750.00; Dakota Senior Meals \$1,342.50; Dept of Revenue \$1,545.00; First Bank & Trust Visa \$28.14; Mobile Electronic Svc \$115.00; National Music Museum \$1,250.00; The Roadhouse \$4,707.05; Van Diest Supply Company \$6,055.90; Vermillion Federal Credit \$36.50; Vermillion Food Pantry \$1,875.00; Vermillion Public Library \$1,000.00; Vermillion Senior Center \$3,750.00; Wakonda Public Library \$625.00; Wakonda Senior Center \$625.00; Dept of Revenue \$2.22 and WH Over Museum \$1,875.00; (Furniture and Minor Equipment) Century Business Products \$50.00.

Cynthia Aden, Zoning Administrator, met with the Board to discuss zoning matters. The Board discussed with Aden and State's Attorney Alexis Tracy a complaint regarding a nuisance property.

Aden discussed with the Board the zoning regulations, particularly how to proceed with Section 3.07 dealing with Concentrated Animal Feeding Operations. Options were considered such as changing animal numbers and setbacks in the proposed regulations, repealing Section 3.07, or enforcing the current regulations. It was decided that Aden would provide some administrative process information to the Board by the first meeting in August and the Commissioners would provide their suggestions to Aden.

Packard excused herself from the meeting at 12:02 p.m.

At 12:38 p.m., Manning moved, seconded by Powell and carried to enter an Executive Session per SDCL 1-25-2 regarding legal and personnel matters.

At 12:48 p.m., Powell moved, seconded by Manning and carried to exit the Executive Session.

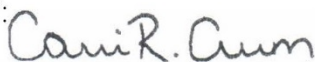
The Register of Deeds, Veterans/Welfare/Zoning, and Sheriff's Office monthly reports were accepted and placed on file.

At 1:18 p.m. Powell moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, July 25, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

July 25, 2017

The Board of County Commissioners met in regular session Tuesday, July 25, 2017 at 9:00 a.m.
Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning; Richard Hammond was absent.

Packard moved, seconded by Powell and carried to approve the agenda with the addition of Dennis Ganschow for the 2018 Weed Department budget request.

Minutes of the July 11, 2017 meeting were approved with a motion by Packard, seconded by Manning and carried.

Dennis Ganschow, Weed Supervisor, met with the Board for the 2018 budget request.

Packard moved, seconded by Manning and carried to approve the following claims for payment. July Bills: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$15,027.50, Courthouse \$2,685.67, DOE's Office \$10,231.91, ROD's Office \$6,705.24, Veteran's Office \$1,747.50, Sheriff's Office \$36,424.94, County Jail \$21,849.77, 24/7 Sobriety Project \$1,603.13, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$39,360.55, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$11,557.42, and Zoning Office \$2,428.23; (Due to Other Government) State of SD Game Fish \$164.00, Thomson Reuters – West \$399.50 and Reliance Telephone \$500.00; (Payroll Withholdings) Aflac \$808.09, Clay Co Treasurer \$46,367.06, Colonial Life \$496.96, Credit Collection \$361.80, Conseco/Washington \$24.45, Dearborn National \$213.15, New York Life Insurance \$244.02, Optilegra Inc. \$17.92, Performant Recovery \$338.64, SD Retirement System \$21,050.64, SD Supplemental Retirement \$1,875.00, SDRS Roth Plan \$450.00, United Way of Vermillion \$154.00, Vermillion Federal Credit \$1,496.00 and Wellmark Blue Cross \$47,965.62; (Professional Services and Fees) Avera McKennan Hospital \$1,538.21, Bear, Inc. DBA Todd's \$200.65, Brunick Service, Inc. \$20.00, Gapp, Debra \$360.00, Netsys Plus, Inc. \$451.75, Pharmchem, Inc. \$850.00, Presto-X Company LLC \$71.97, Stadel, Brenda \$1,080.00, Yankton Co Sheriff \$50.00, Yankton Co Treasurer \$507.90, Yankton Medical Clinic \$43.63 and Zuercher Technologies \$3,320.00; (Law Office) KCH Law \$145.37, Kogel, Linda L \$2,570.69, McCulloch, James E \$457.55 and Peterson Stuart Rumpca \$6,098.12; (Publishing) Broadcaster Press \$735.60; (Repairs and Maintenance) Bob's Sinclair Service \$44.08, Bonte, Ken \$985.00, Brock White Company \$439.21, Buhls Drycleaners \$24.30, Netsys Plus, Inc. \$396.00, Paul's Plumbing, Inc. \$200.17, Spirit Mound Trust \$100.00, Veri-Tank \$160.00 and Wilson, James \$51.60; (Data Processing) Mastel, Bruce \$35.00; (Supplies and Materials) Allied Oil & Supply \$656.00, Bierschbach Equip & Supply \$610.00, Bob Barker Co Inc. \$26.21, Boyer Trucks SF Inc. \$629.63, Brock White Company \$42.53, Brunick Service, Inc. \$351.34, Campbell Supply Co. \$234.13, Clay Co Arg. Fair Assoc. \$14.99, Concrete Materials \$45,075.76, D-P Tools, Inc. \$142.83, Dakota PC Warehouse \$99.99, Dakota Riggers & Tool \$156.00, Echo Electric Supply \$64.50, FedEx \$27.97, Graham Tire S.F. \$650.00, Hy-Vee Inc. \$138.40, Intellectual \$232.06, Jack's Uniforms & Equipment \$83.35, JCL Solutions \$496.81, John Deere Financial \$496.10, O'Reilly Auto Parts \$304.23, Office Elements \$147.71, Road King, Inc. \$150.00, SD Dept of Trans \$81,113.68, Sign-Up Ltd. \$48.50, Sturdevant's Auto Part \$133.64, T & A Service & Supply \$384.90, Vermillion Ace Hardware \$19.97 and One Office Solutions \$94.15; (Travel and Conference) Brunick Service \$1,272.84, Schneider Corp. \$99.00, Vermillion Federal Credit Union \$480.88, Wood, Lisa \$81.00, Olson, Matt \$22.00; (Utilities)

Bureau of Admin. \$97.07, Centurylink \$487.80, Olson's Pest Tech. \$75.00, Stewart, Layne \$75.00, Verizon Wireless \$117.67, Verizon Wireless \$40.01; (Car Expense) Brunick Service \$46.95, Brunick Service \$60.20, The Soap Guys \$48.00; (Jail Meals) Hy-Vee \$659.86; (Allocations) Lewis & Clark Behavioral Health Svc. \$14,940.75; (Tourism) Southeastern SD DTA \$500.00; (Misc.) Sanford Health Clinic \$3,635.00; (Jury/Witness) Ebel, Nicole \$50.00, Iacino, Noah \$20.00, Bertram, Jolynne \$50.00, Gehm, Peter \$50.00, Jacobsen, Pamela \$50.00, Knodel, Bryant \$79.40, Prosser, Collin \$50.00, Ramakrishnan, Michele \$56.72, Kropp, Richard \$73.76, Loecker, Lexi \$20.00, Sayles, James \$20.00, Smith, Leon \$20.00, Wigton, Kristine \$73.76; (Machinery) Road King \$5,250.00, Titan Machinery \$2,266.00; (Books) Thomson Reuters – West \$497.13; (Furniture/Minor Equip.) A&B Business \$234.94; Microfilm Imaging Sys. \$120.00; Quill Corp. \$169.08.

Powell moved, seconded by Packard and carried to authorize the Chairman to sign the service contract renewal with Johnson Controls.

Pat Flanigan, Salvation Army, met with the Board for the 2018 budget request. Packard moved, seconded by Powell and carried to allocate \$1,750 for the Salvation Army for 2018.

Dr. Stanage, Lewis & Clark Behavioral Health Services, met with the Board for the 2018 budget request.

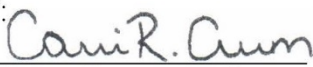
Packard moved, seconded by Manning and carried to adopt the provisional budget for 2018 and to set Tuesday, September 5, 2017 at 9:30 a.m. as the time for public hearing regarding the annual budget for 2018.

At 10:16 p.m. Packard moved, seconded by Powell and carried to adjourn and reconvene Tuesday, August 1, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

August 1, 2017

The Board of County Commissioners met in regular session Tuesday, August 1, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Manning moved, seconded by Packard and carried to approve the agenda.

Minutes of the July 25, 2017 meeting were approved with a motion by Powell, seconded by Packard and carried.

Cathi Powell, Treasurer, appeared during Visitors to be Heard to discuss with the Board proposed changes to the state's license plate procedures, record retention procedures, and replacement of the office's carpet.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Powell moved, seconded by Packard and carried to accept the low bid of \$2.08/gallon from Brunick Service for 10% ethanol blend fuel.

Polley discussed the purchase of a mower tractor with the Board and also reported on a complaint he received regarding tires near Wakonda that need to be properly disposed of.

Crystal McGuire, The Main Street Center, met with the Board to discuss the 2018 budget request and an error made in the original request. Powell moved, seconded by Packard and carried to allocate \$20,000 to the senior citizens center contingent upon The Main Street Center retaining its building.

The Board considered the Vermillion Area Arts Council's 2018 budget request. Manning moved, seconded by Hammond to allocate \$5,000 with the understanding that the VAAC could come back to discuss up to an additional \$15,000 at a later date for matching funds for the grant. Three Ayes, 1 Nay, and Packard abstained from voting. Motion passed.

Stew Hines met with the Board to discuss proposed signage for the W.H. Over Museum. Cynthia Aden, Zoning Administrator, reported that the W.H.Over Museum will be asking for a waiver of the \$175 rezoning fee plus publication costs to the County for the rezoning, for an estimated total of \$250. It was the consensus of the Board to support the museum moving forward with the project.

Cynthia Aden, Zoning Administrator, met with the Board to discuss zoning regulations. Patrick Andrews, SE Council of Governments, was present as well. Aden discussed changes that would have to be made in order for her to be able to properly work with the regulations. The Board discussed with Aden and Andrews animal number tables, conditional use permits, and building permits. Jerry Wilson and Jim Heisinger were present as well. Heisinger presented a list of things his group thinks should be addressed and things that his group potentially agrees with. Wilson said the list includes clarifications of things agreed on that should allow the Zoning Administrator to work with the regulations. Hammond said at first glance it looks as if the present considerations have addressed a number of the items on the list. Aden discussed that proof of insurance must be obtained prior to issuance of a building permit; however, insurance companies will not issue proof of insurance until the building is complete. Wilson

called attention to an article that appeared in the Argus Leader on July 31, 2017. Powell discussed the article with him. Wilson said to keep in mind that the article discussed the largest dairy currently in Yankton County, which is under 300 cows. Charles Yelverton said hydrogen-sulfide is the smell in manure, and the level that becomes detectable by smell is near the level that is toxic for small children, so smell is not always a good indicator of levels. Heisinger discussed antibiotics, bacteria, and antibiotic-resistant bacteria. Hammond said probably 20% of water wells he works with have a hydrogen sulfide smell, and if the smell is an indicator of health risk, he is in big trouble, as is a good share of the public because most of the water in South Dakota is calcium sulfide. Yelverton said it is important not to continue to increase concentration in day to day life.

Alexis Tracy, State's Attorney, pointed out in the Minnehaha Co. Joint Powers Juvenile Detention Center Agreement renewal the section regarding secure vs. non-secure shelter care and explained the changes that have recently taken place between Volunteers of America and Lutheran Social Services. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the agreement.

Powell moved, seconded by Hammond and carried to change the 2018 Election budget to \$103,984 to allow for the purchase of new election equipment and a new ballot counting machine, of which grant funds will reimburse the County for the purchase except approximately \$8,000.

Powell moved, seconded by Manning and carried to authorize a change to the personnel manual to include updated job descriptions for the Director of Equalization Office.

The Board discussed county personnel policies.


The Board discussed tires being used as a backstop at the gun club at Clay County Park.

At 12:11 p.m. Manning moved, seconded by Powell and carried to adjourn and reconvene Tuesday, August 8, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

August 8, 2017

The Board of County Commissioners met in regular session Tuesday, August 8, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, and Richard Hammond; Micheal Manning was absent.

Hammond moved, seconded by Powell and carried to approve the agenda.

Minutes of the August 1, 2017 meeting were approved with a motion by Hammond, seconded by Powell and carried.

Layne Stewart, Emergency Management Director, met with the Board to present Emergency Management documents. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the State & Local Agreement (SLA) Amendment.

Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution #2017-15 for Appointment of Applicant Agent for the Hazard Mitigation Grant Program.

RESOLUTION #2017-15
APPOINTMENT OF APPLICANT AGENT
For the
Hazard Mitigation Grant Program

WHEREAS, Clay County is submitting a Hazard Mitigation Grant project to the Federal Emergency Management Agency and the State of South Dakota; and
WHEREAS, Clay County is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all application documents;
NOW THEREFORE BE IT RESOLVED that Clay County appoints Layne Stewart as the authorized Applicant Agent.
Dated this 8th day of August, 2017.

Appointing Authority
Name: Travis Mockler
Title: Clay County Commission Chairman

Signed: _____ Date: _____

Appointed Agent
Name: Layne Stewart
Title: Clay County Emergency Management Director

Signed: _____ Date: _____

Cathi Powell, Treasurer, met with the Board to discuss document storage and carpet installation. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the agreement with the state archives for document storage when the agreement is prepared.

Packard moved, seconded by Powell and carried to authorize the following claims for payment. August Bills: (Due to Other Governments) Clay County Treasurer \$5,014.50; SD Assn. of County Officials \$294.00; SD Dept of Labor \$2,140.63 and Reliance Telephone \$500.00; (Other Insurance) Jensen Insurance \$151.67; (Professional Services and Fees) City of Vermillion \$84.00; Clay Union Electric Co

\$465.00; FedEx \$56.10; Ferdig's Body Shop \$85.00; Johnson Engineering Co. \$16,208.68; Lincoln County Auditor \$749.55; Microfilm Imaging System \$30; Netsys Plus, Inc. \$914.00; Pharmchem, Inc. \$650.00; Resolution Treatment \$1,500.00; Sanford Health Clinic \$1,870.32; Satellite Tracking \$286.00; Secretary of State \$30.00; State Farm Insurance \$50.00 and Vermillion Federal \$2.67; (Other Professional Services) Reeves, Megan \$402.90; (Mental Health) SD Achieve \$180.00 and Dept of Revenue \$2,048.02; (Publishing) Broadcaster Press \$687.94; Plain Talk \$45.00; Star Publishing \$672.81 and The Equalizer; (Repairs and Maintenance) Bear, Inc. DBA Todd's \$267.91; Brunick Service, Inc. \$50.00; Buhls Drycleaners \$24.00; Campbell Supply Co. \$64.99; Century Business Products \$29.12; Clay Union Electric Co \$1,200.00; Hartelco \$10.00; Johnson Controls, Inc. \$3,036.54; Johnson Electric, Inc. \$71.30; Kone, Inc. \$692.67 and Presto-X Company LLC \$70.91; (Data Processing/Clay Creek) Software Services, Inc \$940.00; (Supplies & Materials) A & B Business \$177.12; Allied Oil & Supply \$1,030.32; Bike Plus \$65.94; Bob Barker Co Inc. \$436.01; Brunick Service, Inc. \$2,122.39; C & R Supply Inc. \$66.80; Campbell Supply Co. \$346.58; Clay Co Arg Fair Assoc. \$14.99; Clay Union Electric Co \$2,470.84; Concrete Materials \$54,240.29; FedEx \$45.14; JCL Solutions \$31.35; Jebro Inc. \$317,044.87; Lawson Products, Inc. \$285.60; Mart Auto Body & Marina \$183.56; Midwest Oil Company \$2,372.65; National Pen Company \$59.44; Northern Safety Co. \$197.98; Orr Farm Supply \$12.78; Pharmchem, Inc. \$608.00; Print Source \$168.00; Prochem Dynamics \$155.22; SD Fed. Property Agency \$45.00; Sign-Up Ltd. \$12.47; Sturdevant's Auto Parts \$792.54; Topkote Inc. \$145,200.00; Truck-Trailer Sales \$140.00; Truenorth Steel \$788.00; Vermillion Ace Hardware \$19.95 and One Office Solution \$227.10; (Copier Supplies) Office Systems Company \$41.65; (Travel and Conference) Mendoza, Andrew \$266.30; Vermillion Federal \$374.15; (Inmate Travel) Brunick Service, Inc. \$340.00; (Utilities) Bureau of Administration \$63.00; City of Vermillion \$3,031.58; Clay Rural Water System \$75.40; Clay Union Electric Co. \$517.84; Hartelco \$79.95; MidAmerican Energy \$142.88; Midco Business \$360.00; Verizon Wireless Sheriff \$320.08 and Vermillion Garbage Svc \$216.00; (Payment) American Tire Distribution \$996.28; Brunick Service, Inc. \$1,544.31; Crop Production Service \$1,226.40; Quality Motors \$65.43; The Roadhouse \$5,191.98 and Vermillion Federal \$73.49; (JDC/Special Eqp.) Attic Sportsman's Loft \$809.00; (Furniture and Minor Equipment) A & B Business \$216.61; Century Business Products \$61.89; Dakota PC Warehouse \$119.98; Microfilm Imaging System \$120.00; Quill Corporation \$169.98 and Secretary of State \$100.72; (Automotive) Brunick Service, Inc. \$310.55.

Hammond moved, seconded by Packard and carried to reduce the 2018 Election budget to \$54,484 as the anticipated equipment purchases will be less than previously estimated, and the state will be paying a portion through grant funds.

Cynthia Aden, Zoning Administrator, met with the Board to discuss proposed changes to the zoning regulations regarding Concentrated Animal Feeding Operations (CAFO)/Animal Feeding Operations (AFO). The Board discussed the animal number table, waters of the state, and other zoning matters. Powell moved, seconded by Packard to set August 29, 2017 at 10:00 a.m. as the first reading and public hearing for Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County.

Julia Wessel and Norma Veen met with the Board regarding a neighboring dog who bit a child. Wessel requested that the Board issue an order to remove the dog. Veen said she has a pet addendum to her lease and wants authority from the County Commission to allow her to remove the dog. Philip Terwilliger, Deputy State's Attorney, said if this situation is addressed in the lease, then the landlord

would be able to evict the tenant. Mockler said the County Commission does not have the legal authority to issue an immediate order to remove the dog. Terwilliger discussed the codified laws and legal process with Wessel, and said that the State's Attorney's Office could send a letter.

Recent payroll changes are as follows. Garrett Anderson, Daniel Brue, Brett Hansen, and Dylan Kludt were added for summer Highway/Weed 5-15-17 at \$13.00/hour. Jill Dotson was hired as a Legal Assistant 7-10-17 at \$16.48/hour. Dylan Miller will move from part-time to full-time jailer effective 8-14-17, and Austin Thompson has been hired starting 8-9-17 to fill the part-time jailer opening at \$13.91/hour.

The Register of Deeds monthly report, Sheriff's Office monthly report, Veterans/Welfare/Zoning Office monthly reports, and the following Auditor's Account with the County Treasurer report were accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of August 1, 2017.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	6,694,768.10
Amount of actual cash	4,019.93
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	30,125.47
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,124.78
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	0.00
Total	
	Dated this 1st day of August, 2017.
	6,732,038.28

Carri R. Crum, County Auditor

At 10:47 a.m. Powell moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, August 29, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

August 29, 2017

The Board of County Commissioners met in regular session Tuesday, August 29, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Powell and carried to approve the agenda.

Minutes of the August 8, 2017 meeting were amended to reflect that Manning was absent and approved with a motion by Hammond, seconded by Packard and carried.

Brad Wilson, SDML Workers Compensation Fund, met with the Board during Visitors to be Heard to present a plaque for Clay County's 25-year membership anniversary.

Rod Polley, Highway Superintendent, and Brian Olson, Hollaway Construction, met with the Board to discuss cost and details regarding bridges to be replaced on 457 Ave. north of Meckling and 306 St. east of Bethel Hall. Powell moved, seconded by Hammond and carried to authorize Polley to proceed with the project.

Manning moved, seconded by Packard and carried to accept the low bid of \$1.7645/gallon from Jerry's Service for #2 dyed diesel.

Manning moved, seconded by Pakcard and carried to accept the low bid of \$2.02/gallon from Brunick Service for ethanol blend fuel.

Powell moved, seconded by Packard and carried to declare surplus and authorize the sale of the County's CAT 416B Backhoe at auction.

Keith Meiers was scheduled to meet with the Board regarding an animal abuse complaint. However, he was not present at the meeting.

Bruce Plate, Clay County Gun Club, met with the Board regarding the use of tires at the club's shooting range. There were environmental concerns brought to the Board by the SD Dept. of Environment and Natural Resources regarding usage of the tires. Plate discussed the details with the Board and also updated the Board regarding signage, fencing and a gate to be installed around the club.

Personnel from Executive Technologies met with the Board regarding installation of a new phone system in the Courthouse. They discussed that they have an issue regarding wiring in the building, and they proposed utilizing another method to install the phones. Alexis Tracy, State's Attorney, advised the Board that the contract amount would not change, but the phones will change somewhat.

Powell moved, seconded by Packard and carried to authorize the following claims for payment. August Bills: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$18,059.82, Courthouse \$2,685.67, DOE's Office \$11,279.94, ROD's Office \$6,980.66, Veteran's Office \$1,747.50, Sheriff's Office \$35,786.31, County Jail \$23,937.81, 24/7 Sobriety Project \$1,676.64, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department

\$43,063.37, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$6,153.17, and Zoning Office \$2,384.71; (Due to Other Government) SD Dept of Labor Division \$986.16; State of SD Game Fish \$172.00, Thomson Reuters – West \$390.06 and Reliance Telephone \$500.00; (Payroll Withholdings) Aflac \$808.09, Clay Co Treasurer \$47,951.26, Colonial Life \$546.46, Conseco/Washington \$24.45, Dearborn National \$208.95, New York Life Insurance \$244.02, Optilegra Inc. \$17.92, Performant Recovery \$344.67, SD Retirement System \$21,578.68, SD Supplemental Retirement \$1,875.00, SDRS Roth Plan \$400.00, United Way of Vermillion \$154.00, Vermillion Federal Credit \$1,496.00 and Wellmark Blue Cross \$47,695.05; (Professional Services and Fees) Brevik Law Office LLC \$276.73; Custom Sales LLC Towing \$150.00; Davis Pharmacy \$246.00; Gapp, Debra \$2,220.00; Great Plains LLC \$4,300.00; Ilchuk Enterprises LLC \$65.00; Johnson Engineering Co \$3,711.89; Lincoln County Auditor \$358.16; Netsys Plus, Inc. \$50.00; Sanford Health Clinic \$110.00; SD Dept of Health Lab \$420.00; Vermillion/Clay Ems \$31.21; Yankton Co Sheriff \$50.00 and Yankton Medical Clinic \$580.37; (Law Office) Fox & Youngberg P.C. \$195.32; Peterson Stuart Rumpca \$8,462.32 and Thomson, Craig K \$2,394.58; (Mental Health) Sesd Activity Cntr \$360.00; (Publishing) Star Publishing \$90.00; (Repairs and Maintenance) Aden, John \$270.00; Butler Machinery Co. \$1,669.80; Century Business Products \$29.12; Dakota Alignment \$159.00; I-State Truck Center \$31.57; Interstate Power Sys \$557.70; James Heating & Cooling \$196.50; Louie's Carpet Cleaning \$346.36; Midwest Striping \$500.00; Olson's Pest Technician \$75.00 and Stone, Jim \$58.91; (Data Processing/Clay Creek) Bureau of Administration \$27.00; Mastel, Bruce \$35.00 and Thomson Reuters – West \$1,440.00; (Supplies & Materials) Aden, Cynthia \$26.71; Appera \$51.30; Black Hills Ammunition \$936.50; Blue Tarp Financial \$32.97; Boyer Trucks SF Inc. \$1,126.90; Brunick Service, Inc. \$350.00; Butler Machinery Co. \$1,435.26; Campbell Supply Co. \$82.91; Concrete Materials \$61,741.84; D-P Tools, Inc. \$224.98; Davis Pharmacy \$5.58; FedEx \$144.99; Francotyp-Postalia Inc. \$99.73; Graham Tire S.F. North \$1,300.00; Hy-Vee, Inc. \$189.45; I-State Truck Center \$4.24; Jamar Tech, Inc. \$816.98; Lund Truck Parts \$60.00; Print Source \$611.00; Redwood Toxicology Lab \$114.87; SD Dept of Trans \$33,937.44; Torco Remfg. \$68.50; Truenorth Steel \$31,430.45; Union County Hwy Dept \$3,762.00; Vermillion Ace Hardware \$45.94; Warne Chemical & Equip \$114.26; One Office Solution \$132.29 and Wheelco Brake and Supply \$999.99; (Travel and Conference) Aden, Cynthia \$305.48; Best Western Ramkota \$216.00; Hollenbeck, Lauren \$58.00; Howe, Andy \$124.00; ND Sheriffs & Deputies \$85.00; Pederson, Paul \$177.00; Peterson, Ina \$121.92 and SD Counties \$700.00; (Utilities) Centurylink \$440.80; City of Vermillion \$3,551.41; MidAmerican Energy \$51.37; Midco Business \$295.00; Verizon Wireless \$422.75; Verizon Wireless Emg \$40.01 and Vermillion Garbage Svc \$156.00; (Payment) Brunick Service, Inc. \$233.90; Crop Production Service \$1,722.66; Freeman, Grace \$675.00; Hy-Vee Inc. \$808.11; JoAnn Paulson \$1,657.08; Sanford Health-Vermillion \$180.00; The Soap Guys \$40.00; Walmart Community/Gecr \$249.42; Durham, Paige \$40.00; Bertram, Jolynne \$100.00; Gehm, Peter \$50.00; Gray, Jolinda \$100.00; Jacobsen, Pamela \$100.00; Knodel, Bryant \$79.40; Logue, Tom \$131.92; Peltier, Andrew \$100.00; Ramakrishnan, Michele \$56.72; Dennison, Janet \$40.00; Mohr, Kristin \$110.40; Mohr, Madison \$40.00; Zwart, Brad \$20.00 and Zwart, Erica \$20.00; (JDC/Special Eq.) Minnehaha County JDC \$220.00; (Buildings and Structure) Brunick Furniture \$3,066.46; (Books) Blue Tarp Financial \$1,999.99; Murphy Tractor and Supply \$106,724.00; and Murphy Tractor and Supply \$9,661.00; (Furniture and Minor Equipment) Microfilm Imaging System \$90.00.

At 10:00 a.m., a Public Hearing and First Reading was held for Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Specifically, the Board of County Commissioners will be considering adoption of amendments to Section 2.02, Definitions; Section 3.07, Concentrated Animal Feeding Operations (CAFO); Section 4.05.01, NRC: Natural Resource Conservation District;

Section 4.05.02, A-1: Agricultural District; and 4.0508, APO: Aquifer Protection Overlay District, which were recommended by the Clay County Planning Commission.

Meghann Jarchow said she is against the ordinance and thinks the County should keep what it has.

Jim Petrik said the Commissioners have been working on this for a long, long, long time; something has to be done. He pointed out that the current ordinance looks very similar to the past ordinance, but Clay County was never overrun in the past with CAFO applications.

Cindy Kirkeby said she is disappointed in having to be at the hearing; the Commissioners are supposed to protect land and water, and it seems like the ordinance is being written for special interests.

Don Lyso said he thinks it's disrespectful to farmers that the audience is always against any changes; somewhere along the line both sides have to compromise. He stated the Commissioners are trying to make it so his children and grandchildren can keep farming. He said he thinks the Commissioners are trying to compromise, but the group is not letting it happen.

Kirkeby said she wants the small farmers in Clay County. D. Lyso asked what she considers a small farmer. Kirkeby referred to the ordinance's animal number table, and Justin Orr said those numbers are equivalent to a non-existing farmer.

D. Lyso said there are a lot less farmers than there were in the past; he and his family alone have taken over about nine. He said allowing more livestock is one way of keeping people here without them having to buy more land. He also stated setbacks are getting encroached with new homes being built. He asked the crowd how much money it takes to retire, or to keep your family going? He stated everybody is different. He told the crowd to look at the Heines; their operation has expanded out but there is a need to be able to do it without buying more land. He stated if all of the family wants to farm, there isn't enough jobs. Kirkeby asked what about the old ordinance prevented him from doing what he wants to do. D. Lyso said the old ordinance automatically puts people out of compliance.

Orr said it is trying to put red tape on someone who is trying to the best they can with the land. He said they are not out to pollute the water. Tyler Johnson said farmers are more regulated on fertilizers than people in town; farmers have to know how many pounds of fertilizer is applied per acre. He said farmers are not trying to hurt anyone, and if they do not take care of the land then they are the ones hurting. Johnson said they are trying to produce the best crop to feed America.

Kirkeby said permits have been in the regulations for years for a certain number of animals, but the problem is that it does not allow for very small animal numbers.

Jim Petrik said the SD Dept. of Environment and Natural Resources (DENR) has engineers. He said he would like everyone to think about something: the current regulations are terrific for companies like Stewart Oil. Everything leaves Clay County, and it means burnt oil and truck tires for the environment in order to transport everything. He said there are ten times more people and livestock in Lincoln and Minnehaha, and everyone can get along. Petrik said the group is disrespectful to Commissioners that have worked so hard on the proposed ordinance. It has never been his worry that the big investors will overrun Clay County with livestock operations.

Jerry Wilson said he and Petrik were involved in writing the present ordinance and that Johnson and Petrick are both good young farmers and his neighbors. He said the ordinance should be designed for them to continue without interference. Wilson said the current ordinance allows family farms to fly below the radar; the proposed changes are about reducing setbacks from waterways, lakes, and streams, and also about increasing numbers of dairy to point it would be beyond the reach of anyone in Clay County. Wilson said he thinks what many are concerned about is that instead of cleaning up the process as to who is regulated and in what way, for two years some have pushed for corporate mentality so money from China and California can flood into Clay County. Petrik asked, if someone from California wanted to spend \$50 million to add value and taxes to Clay County, would Wilson fight it. Wilson said Hyperion is an example. Petrik said everyone has potential to pollute, there is nothing without risk in life, and if someone was willing to put that amount of money into Clay County it's a risk he would be willing to live with.

Suzanne Skyrn said everyone has to drink water. Petrik said there is a risk with applying manure, but farmers monitor rainfall to minimize risk. He said he is not concerned about manure storage because the biggest risk is the application process, and there is already a state permit in place. Clarence Pederson asked why the manure application setback changed from 300 feet to 200 feet from lakes, rivers, and streams and asked why that would be necessary to change. Aden said it was always 300 feet, never 500, and that it's in line with the State because the County does not administer manure application. The table is simply an advisory table. Aden said the County is following the State.

Kirkeby pointed out the amount of red in the document with marked changes. Aden reminded people that the changes were necessary to make sure that everything was in alignment throughout the entire zoning ordinance. She said the County cannot change just one section; all sections need to be reviewed and/or modified to keep them consistent throughout. Aden said her current problem is that Section 3.07 does not match the rest of the regulations, and the majority of changes have to do with the process.

Wilson asked why the county needs to cut in half the manure setbacks from 500 feet down to 200-300 feet. Aden said there is a different interpretation between individuals as to what is appropriate and important. Wilson said he believes farmers are not interested in polluting water, so why reduce setbacks. Mockler said waters of the state encompasses ditches and tile lines in the current ordinance, so that may put people out of compliance if setbacks are not lowered. Petrik said larger setbacks mean only the wealthiest can afford to farm. Tim Heine said Vermillion's earthen lagoons are within 60 feet from the river, and there are six lagoons. Janice Lyso said she previously worked for Clay Rural Water and stated it is very difficult to meet water regulations, and much testing is required. Packard pointed out that the Planning & Zoning Commission may adjust setbacks on a site-by-site basis, so if there is a site that needs increased setbacks it can be done in public hearings. Wilson stated the current ordinance says the applicant may ask for an exception, and the Planning & Zoning Commission can allow it. Mockler said it does require a waiver from neighbors. Aden clarified that the waters of the state setback is 300 feet for large and medium operations and 200 feet for small. Aden said the state does not have setbacks for waters of the state, just for manure. Hammond said the regulating is done on a complaint basis at the state level, it is easy to file a complaint, and it is confidential during the process. Mockler said people can complain directly to the Commission, and they have to turn it in to DENR. Petrik said if the DENR investigates a complaint the operator has to spend at least \$15,000, regardless of the size of the operation, to obtain permits, testing, etc. Hammond discussed complaints he has been involved with in the past.

Struckman-Johnson said she has heard in Gregory County there is a CAFO breaking all the regulations and no one can get it into compliance. She stated the Commissioners were elected for all people in Clay County, not just farmers. She also said Clay County has a resource that few people in the state have, and a higher standard with the rivers here; water is a priority. Aden said the regulations still have the Aquifer Protection Overlay (APO) District and the Natural Resource Conservation (NRC) District, and those have strong prohibitions in the river areas for livestock in order to protect the water. Section 3.07 is in addition to the other protections. Aden said everyone is focused on the few regulations being changed and not looking at the larger scope of protections the County has already put in place for citizens and water.

Wilson and Mockler debated the number of people involved in drafting the current ordinance. Wilson said the intent of Small B was to exempt small family farms. Aden said that change made using the regulations worse because AFOs were left out. Most of the changes in the proposed regulations involve adding AFOs back in, and that needs to be fixed. Aden said the biggest problems folks have are the setbacks and the dairy numbers. She reiterated that waters of the state are not the rivers, Clay Creek, etc.; they are the smaller systems in the county. The rivers, Clay Creek, etc. are protected by the APO and NRC districts. Aden said protections have been increased in conditional use requirements, so focusing on the tables will not present the entire set of protections the county has in place. Struckman-Johnson said she wants evidence.

Kirkeby asked why the public hearing was held at 10:00 a.m. Mockler said there have been approximately 35 meetings on the topic, and this was only the third meeting that has been in the morning. Farmers in the group asked, if the crowd wants evening meetings to accommodate them, then why should the Commissioners have them in the fall or the spring when farmers are planting as they should accommodate the farmers as well. Powell said at one time the Commissioners had meetings in the evening, and no one showed up. Wilson said a regular meeting and a hearing are two different things.

Kirkeby said there is a big expansion from small to medium in the proposed regulations, and requesting the Natural Resource Conservation Service (NRCS) Office is a change. Jim Heisinger said for two years the board has struggled to determine the difference between AFO and CAFO, and NRCS does not determine AFO and CAFO. Mockler said the DENR advised the County to contact the NRCS. Wilson said the current person, Jeff Loof at NRCS told him it was “news to him,” and it was “not his job.” Mockler said Kent Woodmansey advised him that the NRCS is responsible for the small operations if it is requested. Mockler said he went through the process personally on his farm. Petrik pointed out if the County didn’t have regulations more restrictive than the state, then it would be regulated by the DENR. Aden said getting a letter from the DENR is a way to get someone objective involved in the process. Manning pointed out a paragraph regarding conditional use permits that requires state approval for a CAFO. Craig Nelson said he has dealt with NRCS, and in his experience if they do not have an answer, they will go to someone who does have an answer; they will not drop the ball. Hammond said the NRCS does have resources to determine the difference between a CAFO and an AFO; he makes the phone call, and the right person shows up.

Heisinger said farmers need to realize the people against the ordinance do not want to take their farms away. They are trying to protect the farmers’ property values, too, by limiting expansion. D. Lyso said

the regulations say expansion can be allowed, not that it will be allowed; there are gray areas. Aden clarified that it refers to existing operations and said it would be the kind of thing that affects the Heine farm. Petrik said it is almost prejudicial that farmers have 15 pages regulating their livestock operations, when anyone in Clay County can present risks. He stated the bar has been set higher for livestock producers, and that is fine because they are in the business of producing safe, healthy food, but others have not had the same scrutiny. Sandy Pederson asked why raise the upper limit if no one is close to the limit.

S. Pederson asked whether it is true that a 4-H kid could not have one animal under the current regulations. Aden said it is true and has been fixed in the proposed regulations. S. Peterson asked about the difference between Small A and Small B and asked who decides who might pollute. Aden said the County would refer to the DENR, and the determination is site-specific. Petrik said the proposal allows the County to go above and beyond and gives the County the freedom to be overprotective. Aden said the County has tried to build the regulations in such a way that there can be protections and still allow producers to have their operations. Skyrn asked for clarification on Small A & B as to which is AFO/CAFO. Aden said Small A is AFO and Small B is CAFO due to the site's potential for pollution hazards.

Skyrn said this county is different from others because there is a lot of water, and because Clay County does have a lot of water she thinks it is not a good idea to make setbacks smaller.

S. Pederson said there are a lot of rural residences, and it makes sense tax-wise to allow people to build in rural areas. Aden said it was pointed out by someone else earlier that people who are building in the country have to expect farming.

Kirkeby asked why the definition of agriculture was changed to include CAFOs. Aden said it is permitted in the agriculture section of the regulations, so the definition was changed accordingly. Mockler clarified that the definition was changed back to the 2005 regulations for the current proposal. Aden said it is a difference in a person's perception between small farms and industrial farms; farming has changed since the 50's and 60's. She said the regulations have to speak to current events, to what farming is like today. Petrik said an acreage in Sioux County will cost twice what it does here due to land values.

John Davidson said the effect of setbacks on residential Real Estate property values should be considered. He said he has presented documents published by the Real Estate appraisal industry regarding property values. He said wants Commissioners who live in town to guarantee him that the setbacks would be ok with them if it were near their properties and will take into account the information he has given. Heine responded that Clay County has some of the lowest land values in the area, and that farm land is a couple thousand dollars lower per acre than surrounding counties. Heine said people in the agriculture industry do not want to be in Clay County because of the regulations here.

Heisinger said Clay County is unique because it is bisected by the river and has the bluffs with views that encourage people to build homes in the country. He is worried that the Commissioners do not consider the County's investments by making it a great place for quality of life with the beautiful views. He said the County should encourage people to move to the country.

Powell asked Heisinger if he was involved in drafting the Comprehensive Plan, and it says the County will discourage construction in the rural areas. Powell said in the plan rural areas are set aside for agriculture and not for septic tanks that leach into the Vermillion River. Aden said that almost all of the bluff land is in the NRC district and already has more protections along those vistas.

Manning moved, seconded by Packard and carried to set September 26, 2017 at 10:00 a.m. as the date and time for the Second Reading of Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Specifically, the Board of County Commissioners will be considering adoption of amendments to Section 2.02, Definitions; Section 3.07, Concentrated Animal Feeding Operations (CAFO); Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1: Agricultural District; and 4.0508, APO: Aquifer Protection Overlay District, which were recommended by the Clay County Planning Commission.

At 11:45 a.m., Powell moved, seconded by Hammond and carried to enter an Executive Session for legal and contractual matters per SDCL 1-25-2.

At 12:40 p.m., Manning moved, seconded by Packard and carried to exit the Executive Session.

At 12:41 p.m. Powell moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, September 5, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

September 5, 2017

The Board of County Commissioners met in regular session Tuesday, September 5, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Powell and carried to approve the agenda.

Minutes of the August 29, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. The Board discussed small structure bridges/culverts within the county. Polley gave an update that the deck has been poured for the bridge on University and discussed the timeline for the remainder of the construction project. If everything stays on schedule, the project will be complete by October 6th.

Ina Peterson met with the Board as a Visitor to be Heard in order to introduce Bill Manger, a new employee in the Director of Equalization Office.

Layne Stewart, Emergency Management Director, met with the Board to present the 2018 State & Local Agreement for renewal. Packard moved, seconded by Hammond and carried to authorize the Chairman to sign the agreement.

Cynthia Aden, Welfare Director, met with the Board to present Welfare Case #C17-20 for a county burial. Powell moved, seconded by Packard and carried to authorize payment of a county burial for the individual.

At 9:35 a.m., a Public Hearing was held regarding the 2018 Provisional Budget. No one appeared in opposition, and no written correspondence was received.

Powell moved, seconded by Manning and carried to authorize flu vaccines for county employees with the understanding that the Community Health Nurse's Office would attempt to bill the county employee health insurance first, and if not covered then the county will cover the cost.

Manning gave a brief update on the recent Vermillion Chamber & Development Company meeting and questions he received there about the proposed changes to the zoning ordinance regarding Concentrated Animal Feeding Operations.

At 9:58 a.m., Powell moved, seconded by Hammond and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 10:29 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session.

At 10:29 a.m. Powell moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, September 12, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

September 26, 2017

The Board of County Commissioners met in regular session Tuesday, September 26, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Manning moved, seconded by Powell and carried to approve the agenda with the addition of travel requested by Phyllis Packard.

Minutes of the September 5, 2017 meeting were approved with a motion by Powell, seconded by Hammond and carried.

Gene Lunn appeared during Visitors to be Heard to thank the Commissioners, upon his impending retirement, for his time as Director of Equalization, and to say that in his 7 years as Director of Equalization it has been a time of cooperation with the Commissioners, especially with technological advances such as the Pictometry program.

Cynthia Aden, Zoning Administrator, met with the Board to present four plats.

Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution for plat of Tract A An Addition in the NW1/4 of Section 33 T95N, R52W, 5th P.M. Clay County, South Dakota; Latendresse Family Trust, owner.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Tract A An Addition in the NW1/4 of Section 33 T95N, R52W, 5th P.M. Clay County, South Dakota; Latendresse Family Trust, owner.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on September 26, 2017.

Carri R. Crum
County Auditor, Clay County, SD

Manning moved, seconded by Hammond and carried to pass and adopt the following Resolution for plat of Tracts 48, 49, and 68 of Hansen Farms Addition in the E1/2 of the SE1/4 of Section 35, Township 95

North, Range 52 West, and the E1/2 of the NE1/4 of Section 2, Township 94 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 4,887,387 Sq. Ft. (112.20 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Tracts 48, 49, and 68 of Hansen Farms Addition in the E1/2 of the SE1/4 of Section 35, Township 95 North, Range 52 West, and the E1/2 of the NE1/4 of Section 2, Township 94 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 4,887,387 Sq. Ft. (112.20 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on September 26, 2017.

Carri R. Crum
County Auditor, Clay County, SD

Manning moved, seconded by Hammond and carried to pass and adopt the following Resolution for plat of Tract 9A and 9B of Hansen Farms Addition in the SW1/4, Section 14 Township 95 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 1,761,504 Sq. Ft. (40.44 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Tract 9A and 9B of Hansen Farms Addition in the SW1/4, Section 14 Township 95 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 1,761,504 Sq. Ft. (40.44 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on September 26, 2017.

Carri R. Crum
County Auditor, Clay County, SD

Powell moved, seconded by Packard and carried to pass and adopt the following Resolution for plat of Tract 1, Schmidt Addition, in the S1/2 of Lots 1 & 2 of the NW1/4 of Section 30, T93N, R51W, of the 5th P.M., Clay County, South Dakota; US Farmland Fund Limited Partnership, owner.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Tract 1, Schmidt Addition, in the S1/2 of Lots 1 & 2 of the NW1/4 of Section 30, T93N, R51W, of the 5th P.M., Clay County, South Dakota; US Farmland Fund Limited Partnership, owner.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on September 26, 2017.

Carri R. Crum
County Auditor, Clay County, SD

Matt Callahan and Aaron McDowell, Vermillion/Clay EMS, met with the Board regarding the upcoming ambulance purchase. They reported the ambulance would not be 4-wheel drive due to budget constraints. It would be switched from a truck chassis to a van chassis and from a diesel to a gasoline engine. The consensus of the Board was to allocate an additional \$40,000 in the 2018 budget to allow for a F-450, 4-wheel drive, diesel ambulance as previously planned.

Dennis Ganschow, Weed Supervisor, requested travel to Aberdeen for a Weed Conference and recertification on his Category 9 license. Packard moved, seconded by Powell and carried to approve the travel, with an additional night in order to avoid late night travel.

Ganschow discussed the Assistant Weed Supervisor position and the open Highway Department position. He informed the Board that he and Rod Polley, Highway Superintendent, will be advertising the job opening soon.

Powell asked Ganschow to look at weeds along Saginaw Ave. Manning discussed weed spraying along Prairie Center Ditch.

Packard moved, seconded by Powell and carried to approve the following claims for payment. September Bills: (Due to Other Government) Dept of Revenue \$227,671.01; Sdao M&P Fund Payment \$344.00 and Thomson Reuters – West \$286.13; (Professional Services and Fees) Avera McKennan Hospital \$2,800.00; Billings, John P \$2,467.50; City of Vermillion \$60.00; Clay County Sheriff \$42.00; Hansen Funeral Home \$1,900.00; Johnson Engineering Co \$19,392.11; Katterhagen, Mark \$15.00; Lewno, Lucille M \$214.14; Lincoln County Auditor \$453.28; Lockwood, Darcy \$15.00; Mail Finance \$89.46; Microfilm Imaging System \$30.00; Presto-X Company LLC \$70.91; Sanford Health Occupation \$30.00; Satellite Tracking \$136.50; SD Dept of Health Lab \$515.00; SD Sheriff's Assn \$880.00 and Willson Florist \$55.00; (Other Professional Service) City of Vermillion \$80,577.00; Reeves, Megan \$601.00; (Mental Health) SD Achieve \$180.00; Sisd Activity Center \$360.00 and Dept of Revenue \$1,190.92; (Publishing) Broadcaster Press \$227.99 and Star Publishing \$348.92; (Repairs and Maintenance) Buhls Drycleaners \$24.00; Graham Tire Yankton \$479.00; Hartelco \$10.00; Henderson's Exhaust Place \$22.50; Johnson Control Inc. \$240.62; Mail Finance \$536.73; Netsys Plus, Inc. \$66.00 and Vermillion Federal Credit \$20.00; (Data Processing) Mastel, Bruce \$35.00; Microfilm Imaging Systems \$765.00 and Software Services Inc. \$780.00; (Supplies and Materials) A & B Business \$170.08; A-Ox Welding Supply Co \$171.49; Appera \$52.59; Brunick Service, Inc. \$2,049.87; Butler Machinery Co. \$4,380.99; Campbell Supply Co. \$148.42; Concrete Materials \$136,852.99; Diesel Machinery, Inc. \$1,800.00; FedEx \$35.77; Graham Tire Yankton \$26.92; Henderson's Exhaust \$3.50; Hy-Vee, Inc. \$37.92; Lawson Products, Inc. \$254.63; Layne's World, Inc. \$28.14; Light and Siren \$1,096.00; North Central \$372.18; Orr Farm Supply \$49.37; Pharmchem, Inc. \$608.00; ProChem Dynamics \$127.09; SD Dept of Trans \$55,576.32; Sturdevant's Auto Part \$34.51; Titan Machinery \$1,196.73; Vermillion Ace Hardware \$9.99; Vermillion Federal \$414.34; Vermillion Ford \$133.60; One Office Solution \$83.72; Wheelco Brake and Supply \$1,214.14; Wieseler, Judy \$75.00; Zee Medical Service Co \$124.60 and Hansen, Darla \$165.12; (Travel and Conference) Best Western of Huron \$624.00; Sdao C/O Wendy Semmler \$300.00; Vermillion Federal \$409.40 and Vermillion Federal \$297.92; (Inmate Travel) Brunick Service, Inc. \$120.00; (Utilities) CenturyLink \$440.80; Clay Rural Water System \$70.10; Clay Union Electric Co. \$524.23; Hartelco \$79.95; MidAmerican Energy \$124.43; Midco Business \$65.00; Vermillion Garbage Svc. \$60.00 and Wakonda Town \$66.90; (Payment) Brunick Service, Inc. \$1,608.63; Domestic Violence \$445.00; McGuire, Janice \$150.00; The Roadhouse \$3,838.50; Vermillion Federal \$100.60; Vermillion Ford \$179.55; Andersen, Gary \$24.28; Mehlhaf, Jeanne \$10.00; Smith, Christen \$10.00; Dotson, Zenon \$10.00; Anderson, Keith \$157.56; Baker, Diana \$10.00; Bartling, Christopher \$10.00; Beatty, Wayne \$195.36; Benzel, Cynthia \$12.52; Dahlhoff, Marie \$10.00; Decker, Raymond \$150.00; Erickson, Gayle \$218.04; Fang, Justin \$10.00; Foley, Mark \$10.00; Fratzke, Joyce \$13.36; Gilkyson, Tracy \$10.00; Groves, Gary \$10.00; Hall, Jamie \$10.00; Haneke, James \$220.56; Hansen, Max \$12.52; Hanson, Cylie \$150.00; Hanson, Paul \$150.00; Hazlett, Lisa \$10.00; Hovden, Nicholas \$13.36; Hout, Cliff \$19.24; Huska, Vernace \$10.00; Jobe, Mariah \$150.00; Johnson, Brandi \$24.28; Landeen, Gerald \$31.00; Lucas, Lindsey \$10.00; McClenning, Barb \$10.00; McNamara, Andrew \$150.00; McNaughton, Jeanette \$10.00; Morgan, Beteni \$10.00; Nelson, Anna \$180.24; Nelson, Todd \$10.00; OConnor, Lawrence \$13.36; OConnor,

Stacey \$14.20; Paulson, Linda \$150.00; Red Cloud, Eric \$10.00; Rolfes, Michael \$12.52; Rowland, Joshua \$10.00; Russell, Hana \$10.00; Simos, Elizabeth \$10.00; Stephens, Thomas \$10.00; Stewart, Todd \$14.20; Svenden, Robin \$10.00; Sweeney, William \$10.00; Thiel, Jason \$10.00; Thiesse, Amy \$20.08; Thomas, Howard \$10.00; Vik, Darrell \$38.56; Waage, Cassie \$13.36; Webb, Michael \$10.00; Welch, Bridget \$10.00; Welch, Robert \$10.00 and Mitchell, Jameson \$41.00; (JDC/Special Eq.) Vermillion Federal \$20.00; (Buildings and Structures) Naturescaping Deign \$12,320.00; Tri State Insulation \$41,369.28; (Books) Sdaao C/O Allison Jensen \$440.00; (Furniture and Minor Equipment) A & B Business \$230.23; Century Business Products \$78.92; MicroFilm Imaging System \$120.00; Vermillion Federal \$27.84. September Payroll: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$17,833.73, Courthouse \$2,685.67, DOE's Office \$25,107.46, ROD's Office \$6,963.06, Veteran's Office \$1,747.50, Sheriff's Office \$36,317.02, County Jail \$20,334.98, 24/7 Sobriety Project \$1,446.64, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$34,043.72, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$5,086.77, and Zoning Office \$2,424.71; (Due to Other Government) SD Dept of Labor Division \$910.00; State of SD Game Fish \$100.00 and Thomson Reuters – West \$348.93; (Payroll Withholdings) Aflac \$808.09, Clay Co Treasurer \$50,010.99, Colonial Life \$461.34, Conseco/Washington \$24.45, Dearborn National \$217.35, New York Life Insurance \$244.02, Optilegra Inc. \$17.92, Performant Recovery \$341.97, SD Retirement System \$21,528.30, SD Supplemental Retirement \$1,875.00, SDRS Roth Plan \$650.00, United Way of Vermillion \$154.00, Vermillion Federal Credit \$1,496.00 and Wellmark Blue Cross \$47,349.90; (Professional Services and Fees) Bike Plus \$18.00; Netsys Plus, Inc. \$50.00; Pharmchem, Inc. \$50.00; Security Shredding Svc \$70.00; Yankton Co Sheriff \$50.00; Yankton Co Treasurer \$118.75 and Yankton Medical Clinic \$43.63; (Law Office) Peterson, Stuart, Rump \$6,098.12; (Repairs and Maintenance) Aden, John \$115.17; Olson's Pest Technicians \$75.00 and Tri-State Turf \$159.69; (Data Processing/Clay Creek) Bureau of Administration \$27.00; (Supply and Materials) Bob Barker Co Inc. \$119.57; Boyer Trucks SF Inc. \$205.84; Brunick Service, Inc. \$298.00; Campbell Supply Co. \$86.95; Concrete Materials \$90,405.69; Dakota PC Warehouse \$29.98; Diesel Machinery, Inc. \$999.32; Hollenbeck, Lauren Hy-Vee, Inc. \$49.39; JCL Solutions \$513.99; John Deere Financial \$115.82; Natl. 4-H Council Supply \$105.35; North Central \$155.26; Office Elements \$275.83; Quill Corporation \$87.72; Sturdevant's Auto Parts \$388.53; Verizon Wireless \$5.00; Vermillion Ace Hardware \$24.99; Walmart Community/Gecr \$52.02; One Office Solution \$106.82 and Wheelco Brake and Supply \$236.35; (Travel and Conference) Aden, Cynthia \$864.20; Hollenbeck, Lauren \$82.80; Howe, Rhonda \$366.44; Olson, Jane \$413.44; Powell, Cathi \$38.00; SD Ltap \$100.00; Stewart, Layne \$119.64 and Wood, Lisa \$137.50; (Utilities) City of Vermillion \$2,893.57; Verizon Wireless \$102.67; Verizon Wireless \$320.08; Verizon Wireless \$40.01 and Vermillion Garbage Svc \$326.00; (Payment) Hy-Vee, Inc. \$481.25; The Roadhouse \$3,838.50; Walmart Community/Gecr \$125.51; Heles, Catherine Mae \$36.80 and Ballage, Cooper Lynn \$36.80; (Jdc/Special Eq.) Jack's Uniform and Equipment \$19.90; (Buildings and Structures) Brunick Furniture \$4,789.08.

Powell moved, seconded by Manning and carried to authorize travel for Phyllis Packard to be inducted into the SD Solid Waste Management Association Hall of Fame. The Board congratulated her on the award.

At 9:35 a.m., Packard moved, seconded by Powell and carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 9:47 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session.

Nate Welch of the Vermillion Chamber and Development Company met with the Board to discuss TIF District 1 and requested that the County Commission change the boundaries. Powell moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-16 Modifying Boundaries of Clay County TIF Incremental District Number One.

**RESOLUTION #2017-16
RESOLUTION MODIFYING BOUNDARIES OF
CLAY COUNTY TIF INCREMENTAL DISTRICT NUMBER ONE**

WHEREAS, on June 6, 2017 the Clay County Commission did approve the boundaries of Tax Increment District number one; and

WHEREAS, on September 25, 2017, the Clay County Planning and Zoning Commission did adopt for recommendation a motion modifying the boundaries of Tax Increment District to be reduced from Heikes Tract 2 to the southern 623' east to west by 230' feet north to south; and

WHEREAS, the Clay County Commission finds that;

- (1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11 or not less than fifty percent (50%), by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and
- (2) The improvement of the area is likely to significantly enhance the value on all of the other real property in the district; and

WHEREAS, the Clay County Commission finds that the aggregate assessed value of the taxable property in this district plus all other existing districts does not exceed ten percent (10%) of the total assessed value of the taxable property within Clay County, South Dakota.

NOW, THEREFORE BE IT RESOLVED, by the County Commission of Clay County, that Tax Incremental District Number One (TIF1) is hereby created in Clay County, and that such District boundary shall be reduced from Heikes Tract 2 to the southern 623' east to west by 230' feet north to south.

Dated at Vermillion, South Dakota this _____ day of _____, 2017.

Vote of the Board: _____ Ayes, _____ Nays.

THE GOVERNING BODY OF THE
CLAY COUNTY COMMISSION, SOUTH DAKOTA

By _____
Travis Mockler, Chairman

ATTEST:

Carri R. Crum, Clay County Auditor

At 10:00 a.m., a second reading was held for Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Specifically, the Board of County Commissioners will be considering adoption of amendments to Section 2.02, Definitions; Section 3.07, Concentrated Animal Feeding Operations (CAFO); Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1: Agricultural District; and 4.0508, APO: Aquifer Protection Overlay District, which were recommended by the Clay County Planning Commission.

Mockler announced that the opponents would have 15 minutes for questions and comments, and the proponents would have 15 minutes for questions and comments, with a 2-minute limit per person.

Grace Freeman referred to an e-mail she sent to the individual commissioners. She discussed animal number confinement limits and said as a tourist she avoids places with animal confinements. Freeman

discussed the area where she lives and said it is a scenic route to the Sturgis rally, and she would not like to see confinements in her area.

Barbara Yelverton discussed setbacks, water quality, and economy of scale, and she said she is opposed to setbacks closer to water.

Susanne Skyrn said she is opposed to smaller setbacks near waterways. She asked why the county needs this ordinance if it is not being overrun now with requests for CAFOs.

Caitlin Collier said she has nostalgia for Vermillion in 1976, and she realizes how miserable it is to lose the way things were. She said sometimes people make stupid mistakes and sometimes they cannot get things back. She said the average age of farmers is older now. People cannot recreate something that does not exist any longer and cannot change carbon monoxide levels in the atmosphere, but people can adapt and change. Collier asked the Commissioners if the changes are nostalgic, or if they are looking to try to mitigate changes and hold on to quality of life.

Charles Yelverton said permits, setbacks, and animal numbers are the three big areas of concern. Yelverton spoke about public health and allowing hazards in the environment. He discussed manure and nitrogen levels and said at 4,000 animals the waste is equal to 10 new Vermillions. Yelverton said the Zoning Administrator does not have the budget to allow someone to be employed to monitor manure in the county, and said the DENR (SD Dept. of Environment and Natural Resources) has nine people, not enough staff to monitor 20 new Vermillions. He discussed heavy metals, antibiotics, bacteria, nitrogen, phosphorous, dust, and mold in relation to dairy operations. Yelverton said he does not want to be like Sioux County, IA because Iowa is 49th in water quality in the country and had 818 waterways last year unfit for human consumption. He also cited a survey of Dordt College students who said they noticed a smell when visiting to the college the first time.

Jerry Wilson said he grew up on a small dairy farm and remembers his dad saying they needed to get bigger or get out, so he bought 10 more cows to get to a total of 35. He said the average family farm is 200 cows, and industrial farms put family farms out of business. Wilson said 3 years were spent on the process, and he wonders what could have been accomplished if the Board had been talking about clean industry, such as wind and solar, instead of industrial farms.

Cindy Struckman-Johnson said she has been doing research on social interactions for 35 years. She said attending the meeting was hard because she feels the Commission is not open to the opposition. She said she feels Mockler is a bully and intimidated the speakers, and the other four Commissioners are just enablers.

Jim Petrik spoke as a proponent. He said he wishes the world could go back to 1976 because he could actually get hog feed in Clay County at that time, and there were more livestock in the county back then than there are today, which is unfortunate. Petrik said the best thing for water quality is to have big enough operations to be permitted by the DENR because they are held to a higher standard. He said the large petroleum storage in Vermillion is not built as well as his facilities. Petrik talked about a new dairy in Sioux County that was a \$30 million investment; a donation of \$30,000 was made to Sioux County church groups to get enough kids to help move silage for it. He said the opposition is not comparing apples to apples. Petrik said the best fertilizer is the natural nitrates, phosphorous, etc in manure, and no

human use antibiotics are available for animals as of the 1st of the year. He said it is not an incentive for farmers to misuse antibiotics. Petrik said the bar has been set higher for livestock producers, and that is fine, but he lays awake at night worrying he may become the last livestock producer in Clay County.

Reed Jensen introduced himself as a grain farmer. He said the more local demand the better because it keeps more money in Clay County and creates a better tax base. Jensen referred to Wilson's comments and said there are no dairies left in Clay County to be put out of business. He said the operations are clean, and the hogs are good. He said people are opposed to corporate farms, but no one had a problem with Sanford building a corporate hospital in Vermillion.

Craig Johnson said CAFOs are food sources for the local places such as Hy-Vee, Wal-Mart, Café Brulé, etc., and food prices will go up higher with caps on food production. He said quality of life is a broad spectrum; it might mean putting 3 meals on the table for some people. Johnson talked about the Vermillion Food Pantry and said more people will be coming to the food pantry over the next several years if the County restricts farms. Johnson said he didn't want to see power lines built to Vermillion, but it was for the benefit of the people in Clay County. He said people have to look at the big picture, the benefit of food production for local people, and the Commissioners need to send a message that they are feeding Clay County, Yankton County, and South Dakota.

Petrik added he was at a farm credit meeting a month ago, and regarding a federal reserve newsletter, 12-15% of farm operating loans are in tough shape. He said down the road there will be farmers needing to diversify if grain production does not improve. Petrik said he would hate to see Clay County farmers not have the opportunity.

The meeting was closed to public comments and turned over to the individual Commissioners.

Packard said she feels the board has listened to all sides, and she knows there are different sides. She said she also feels the Commissioners have tried very hard to put in qualifications within applications for Conditional Use Permits that additional site-specific setbacks can be set. She said she did not like the reduction of setbacks, but the County does need an ordinance that works, and she does feel they have a document that allows the County to move forward and work with farmers, agriculture, and the public and that still allows to expansion for Clay County. Packard said she feels it is time to start seeing how it works rather than constantly putting off the decision. With that, she trusts that they will be looking at each application and working closely with DENR, and she would like to look carefully at funding for an additional person in the Zoning Office. She also noted that right now there are no large facilities.

Powell said the Planning & Zoning Commission spent a lot of time on the proposed regulations, and he was not comfortable with 5,600 cows. He said he was listening to the people, and there were items not quite right, so he voted against it last time because he is trying to do the best for everyone. He said those items have been changed. The number was lowered to 4,000 with the ability to grow to 5,000. He said there is nothing like that in Clay County, but at some point in time there might be a need.

Manning stated there are parts he did not agree with the rest on, but overall things are moving in the right direction. He said there have been changes to the proposed regulations to make it better for the Zoning Administrator to monitor things. Manning also said there is a shortage food in Clay County, and he has seen it in his experience on the Vermillion Food Pantry's Board of Directors.

Hammond said he has been responsible for extending the process quite a bit; he has chimed in when he felt it was necessary to make additional changes. He said it has improved because of that. Hammond said he has been on a large number of animal feeding operations of all sizes and has sometimes helped producers put together environmental assessments for some operations like the opposition may fear. He said the process has come a long way, that the planning process is continuous, and he feels this is part of a work in progress. He would not be surprised if the Board took a break and then picked up another part of the zoning ordinance for revision. He feels it should be a continuous work in progress, and although he is not incredibly happy with all aspects, he thinks it is the best that the Commissioners can come up with at this point. Hammond acknowledged the Commissioners could find it needs more tweaking in a short time, but the nice part is it can be a work in progress.

Powell moved to adopt Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Manning seconded the motion. Roll call vote: Hammond Aye, Manning Aye, Powell Aye, Packard Aye, Mockler Aye. Motion passed.

Powell moved, seconded by Manning and carried to authorize the Chairman to sign the Registration Form for the 2020 Census Local Update of Census Addresses Operation (LUCA).

The Board discussed the 2018 Provisional Budget. The following changes were made to the 2018 Provisional Budget as it was published in the legal newspapers. Reduce Elections budget to \$54,484, raise LEPC to \$2,950, change Senior Citizens budget to \$27,447 (The Main Street Center was allocated \$20,000), change Museums/Historical Society to \$20,000 (Vermillion Area Arts Council was allocated \$5,000), raise the Ambulance budget to \$171,000, and adjust the Transfers Out to \$1,273,517 to account for an adjustment to funding for the Road & Bridge Fund. These adjustments change the General Fund Cash Balance Applied to \$705,815 and the Net Means of Finance and Total Appropriations to \$5,817,867, and reduce the Road & Bridge Fund Cash Balance Applied to \$990,415. Powell moved, seconded by Hammond and carried to adopt the Provisional Budget as the 2018 Annual Budget with the changes as noted.

Packard moved, seconded by Manning to approve the 2018 payroll.

At 11:13 a.m., Manning moved, seconded by Packard and carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 12:07 p.m., Manning moved, seconded by Hammond and carried to exit the Executive Session.

Packard moved, seconded by Manning and carried to authorize the Chairman's signature on a letter to be sent to Executive Technologies regarding the telephone system contract.

The following monthly reports were accepted and placed on file: Auditor's Account with the County Treasurer (see below), Sheriff's Office, Register of Deeds, Veterans/Welfare/Zoning, and Vermillion Public Library Board.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER


To the Honorable Board of County Commissioners of Clay County

items in the hands of the County Treasurer as of September 1, 2017.
I hereby submit the following report of my examination of the cash:


Total amount of deposits in banks	5,751,021.12
Amount of actual cash	1,361.96
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	13,085.38
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,124.78
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	0.00
Total	
	Dated this 1st day of September, 2017.
	5,768,593.24

Carri R. Crum, County Auditor

At 12:14 p.m. Powell moved, seconded by Packard and carried to adjourn and reconvene Tuesday, October 3, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

October 3, 2017

The Board of County Commissioners met in regular session Tuesday, October 3, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Hammond and carried to approve the agenda with the removal of TIF 1 Project Plan and moving the Welfare Director's agenda item ahead of the State's Attorney's agenda items.

Minutes of the September 26, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Layne Stewart, Emergency Management Director, appeared during Visitors to be Heard to inform the Board that the county received a mobile command center trailer as a Homeland Security transfer from Union County. The trailer will be used in critical incidents as well as a safe place during large public events.

Andrew Sharples-Schmidt also appeared during Visitors to be Heard as part of a Boy Scout merit badge project.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Packard moved, seconded by Manning and carried to accept low bid of \$2.10/gallon from Country Pride Coop. for 1,600 gallons of ethanol blend fuel.

Manning moved, seconded by Hammond and carried to accept the low bid of \$1.22/gallon from Long's Propane for three 1,000 gallons of propane.

Powell moved, seconded by Packard and carried to declare surplus and authorize the sale through Girard Auction Service on www.girardbid.com (15 Ohio St., Wakonda) from October 24-31 of a 2008 F350 dually long truck box, a pair of 18.4 R 42 rear tractor tires, and an old pressure washer.

Polley gave a brief update on the ongoing bridge projects.

Cynthia Aden, Welfare Director, met with the Board to discuss Welfare Case #C17-22 for a county burial. Powell moved, seconded by Packard and carried to approve payment as the individual met welfare guidelines.

Alexis Tracy, State's Attorney, and Tom Sorensen met with the Board regarding a law school resolution. Sorensen spoke at length about the history of the university, the law school, and present-day reasons to keep the law school in Clay County and in Vermillion. Tracy discussed the shortage of attorneys in South Dakota who are willing to practice in rural areas, and also cited the multitude of reasons to keep the law school in Vermillion. Tracy said moving the building is not the answer for the law school. Sorensen said bar passage and enrollment decline is a national issue, not just a local issue. Packard discussed the number of graduates that have been employed by Clay County over the years as well as the number of dual degrees that the University has issued for law students also obtaining another degree.

Powell moved, seconded by Hammond to pass and adopt the following Resolution #2017-17 for Support of the University of South Dakota School of Law Remaining in Vermillion, with all Commissioners signing the Resolution. Vote of the Board: 5 ayes, 0 nays.

**RESOLUTION #2017-17
RESOLUTION OF SUPPORT
OF THE UNIVERSITY OF SOUTH DAKOTA SCHOOL OF LAW
REMAINING IN VERMILLION**

WHEREAS, the Clay County Commissioners support and reiterate the resolution put forth by the City of Vermillion to have the USD School of Law remain in the City of Vermillion, located in the Clay County, South Dakota; and

WHEREAS, Clay County and the University of South Dakota have a long and important relationship; and

WHEREAS, there exist numerous and symbiotic relationships among the various colleges and departments and the University's School of Law, as well as with the members of the County community; and

WHEREAS, many of the University's and the Law School's programs, panel discussions, speeches, symposia, performances and programs are open to Clay County and greater public, to which County residents have become accustomed; and

WHEREAS, the County community joins the USD campus community in truly valuing the relationship with the School of Law and several other programs; and

WHEREAS, USD and Clay County have evolved together, from the time the University was authorized by the Dakota Territory Legislature in 1862, including 1881 when Vermillion and Clay County leaders established the University through local resources and a special bond election for \$10,000 which was approved March 13, 1882; and

WHEREAS, subsequently another \$35,000 was also raised, including through a special election, according to historians; and

WHEREAS, the Vermillion and County community have provided employment over the years for spouses of the law school community; and

WHEREAS, the County has provided a variety of experience-related resources for the School of Law by virtue of its courthouse and court facilities, state's attorney's office, and local law firms; and

THEREFORE, BE IT RESOLVED, that for these historic and other reasons, the County Commissioners of Clay County fully and strongly urges and favors that the University of South Dakota School of Law remain in the City of Vermillion in Clay County, South Dakota and continue the important and symbiotic relationship with campus and county communities.

Adopted this _____ day of October, 2017.

CLAY COUNTY, SOUTH DAKOTA

BY:

TRAVIS MOCKLER, Chairperson
CLAY COUNTY BOARD OF COMMISSIONERS

PHYLLIS PACKARD, Vice Chairperson

LEO POWELL, County Commissioner

MICHEAL MANNING, County Commissioner

RICHARD HAMMOND, County Commissioner

ATTEST:

CARRI R. CRUM
CLAY COUNTY AUDITOR

State's Attorney Tracy and Jason Rumpca discussed with the Board a Guardian Ad Litem issue. Rumpca requested funding for a Guardian Ad Litem for a client. Manning moved, seconded by Packard and carried to authorize payment of a Guardian Ad Litem in this case.

Manning updated the Board on mower price quotes for the Courthouse as budgeted for 2018.

The Board briefly discussed the TIF 1 project.

At 10:27 a.m., Powell moved, seconded by Hammond and carried to enter an Executive Session for personnel and legal matters per SDCL 1-25-2.

At 10:53 a.m., Manning moved, seconded by Hammond and carried to exit the Executive Session.

The following Auditor's Account with the County Treasurer report was accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of October 2, 2017.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	5,399,410.41
Amount of actual cash	3,801.86
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	53,600.77
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,200.38
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	10.00

October 10, 2017

The Board of County Commissioners met in regular session Tuesday, October 10, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Powell moved, seconded by Hammond and carried to approve the agenda with the removal of TIF 1 Project Plan.

Minutes of the October 3, 2017 meeting were approved with a motion by Hammond, seconded by Packard and carried.

Sami Cusick, Community Health/WIC Nurse, met with the Board to present the WIC Quarterly Activity Report.

The Board discussed the County's bank account and an ACH Agreement renewal with Treasurer Cathi Powell. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the ACH Agreement renewal.

Powell moved, seconded by Packard and carried to authorize the following claims for payments. October Bills: (Due to Other Governments) Sdaco – M&P Fund Payment \$276.00; Reliance Telephone \$500.00; Clay Co Treasurer \$3,838.50 and Dept of Revenue \$209,497.64; (Professional Services and Fees) Avera University \$205.59; Century Business Products \$78.09; City of Vermillion \$12.00; Datatronics, Inc. \$356.64; Davis Pharmacy \$93.12; Gapp, Debra \$1,440.00; Geo Tek Engineering \$8,551.00; Hansen Funeral Home \$1,900.00; Katterhagen, Mark \$15.00; Lewno, Lucille M \$148.96; Lincoln County Treasurer \$430.65; Lockwood, Darcy \$15.00; Microfilm Imaging System \$264.00; Satellite Tracking \$97.50; SD Dept of Health Lab \$580.00; Tigert Art Gallery \$100.00 and Vermillion Federal \$116.35; (Other Professional Services) Schaefer, Dean \$60.00; (Law Office) Kogel, Linda L \$2,335.80; McCulloch, James E \$2,488.15; Reed Law Office \$1,363.00 and Thompson, Craig K \$2,169.26; (Mental Health) Dakotabilities \$540.00; Dept of Revenue \$60.00; Lewis & Clark Behavior \$160.00; SD Achieve \$180.00; Sesd Activity Center \$360.00 and Dept of Revenue \$605.14; (Publishing) Broadcaster Press \$283.25 and The Equalizer \$30.00; (Repairs and Maintenance) Buhls Drycleaners \$48.00; Century Business Products \$29.12; Charlie's Bus Service \$30.00; Eastway Auto Service \$69.95; Election Systems \$1,749.00; Hartelco \$10.00; Louie's Carpet Cleaning \$984.50; National Main St Center \$350.00; Office Systems Company \$245.00; Presto-X Company LLC \$74.00; Riverside Hydraulics \$120.00 and SD State Historical Society \$50.00; (Data Processing) Datatronics, Inc. \$2,615.37; MicroFilm Imaging System \$501.00 and Software Services, Inc. \$2,380.00; (Supplies & Materials) A & B Business \$170.08; A-Ox Welding Supply Co \$171.49; Appera \$52.07; Bob Barker Co Inc. \$28.86; Brunick Service Inc. \$38.35; Butler Machinery Co \$1,775.59; Campbell Supply Co. \$62.12; Concrete Materials \$33,039.76; County Pride Coop \$1,520.46; Davis Pharmacy \$1.79; Eastway Auto Service \$6.30; Fred Haar Co. Inc. \$700.00; Herren-Schempp \$90.88; JCL Solutions \$64.86; Johnson Engineering Co. \$19,758.20; Lawson Products Inc. \$111.43; Main St Pub \$143.54; Orr Farm Supply \$78.51; Pharmchem, Inc. \$1,216.00; Quill Corporation \$445.60; R&T Repair \$231.50; RDO Exch \$448.00; Riverside Hydraulics \$28.07; SD Dept of Transportation \$77,069.87; Sooland Bobcat \$94.78; Sturdevant's Auto Parts \$245.24; Vermillion Ace Hardware \$91.55; Vermillion Federal \$30.98; Vermillion Federal \$115.37 and Wheelco Brake and Supply \$496.56; (Travel and Conference) Holiday

Inn Rapid City \$684.00; Packard, Phyllis \$204.50; Polley, Rodney \$49.00; Stewart, Layne \$67.28; Vermillion Federal \$269.04 and Vermillion Federal \$603.10; (Inmate Travel) Country Pride Coop \$271.00; (Utilities) Clay Rural Water System \$54.20; Clay Union Electric Co \$502.51; Hartelco \$79.95; Longs Propane \$1,360.67; MidAmerican Energy \$126.93; Midco Business \$360.00; Vermillion Garbage Svc \$60.00 and Wakonda Town \$62.65; (Payment) Brunick Service Inc. \$207.95; Clay Co Conservation District \$8,750.00; Country Pride Coop \$1,568.54; Dakota Senior Meals \$1,342.50; Dept of Revenue \$1,545.00; Lewis & Clark Behavior \$4,980.25; National Music Museum \$1,250.00; Quality Motors \$21.93; The Roadhouse \$3,797.73; The Soap Guys \$64.00; Volin Rural Fire Association \$5.08; Domestic Violence \$450.00; Vermillion Federal \$141.54; Vermillion Food Pantry \$1,875.00; Vermillion Ford \$72.00; Vermillion Public Library \$1,000.00; Vermillion Senior Center \$3,750.00; Wakonda Public Library \$625.00 and Wakonda Senior Center \$625.00; (JDC/Special Eqp.) Lutheran Social Services \$2,411.76; Minnehaha County JDC \$440.00 and Satellite Tracking \$16.25; (Books) State Bar of SD \$650.00; (Furniture and Minor Equipment) A & B Business \$209.57; Microfilm Imaging System \$120.00 and Vermillion Federal \$199.96.

The Sheriff's Office and Register of Deeds Office monthly reports were accepted and placed on file.

Angela Jackson and Glen Pulse met with the Board to discuss aerial spraying in the joint jurisdiction area as it pertains to their organic farm. Jackson and Pulse cited an overspray incident, discussed at length how it has impacted their farming business, and requested the Board to consider how to minimize the effect of aerial applications on organic farming and their health.

JP Peterson, Exela Technologies, Inc., met with the Board to present a proposal for scanning of documents.

Lanny Walker, Dakota PC Warehouse, met with the Board to discuss laptop computers.

Darcy Burner, Quality Telecommunications Co., met with the Board to discuss providing a telephone system quote.

Manning excused himself at 11:15 a.m.

Packard moved, seconded by Powell and carried to authorize the Chairman to sign an Acceptance of Service.


Packard excused herself at 11:58 a.m.

At 12:23 p.m., Powell moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, October 31, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

October 31, 2017

The Board of County Commissioners met in regular session Tuesday, October 31, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Powell moved, seconded by Manning and carried to approve the agenda with the removal of TIF 1 Project Plan.

Minutes of the October 10, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Cindy Aden, Zoning Administrator, met with the Board. Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution for a plat of Lot 2 of Peterson's Addition in the S1/2 of Section 16, Township 95 North, Range 51 West of the 5th P.M., Clay County, South Dakota; Kaye K. Drennan, James P. Drennan, Trustees of the Drennan Revocable Trust, Gale A. Gors, Katharine A. Monson, and Nancy Jaye Peterson, owners.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Lot 2 of Peterson's Addition in the S1/2 of Section 16, Township 95 North, Range 51 West of the 5th P.M., Clay County, South Dakota; Kaye K. Drennan, James P. Drennan, Trustees of the Drennan Revocable Trust, Gale A. Gors, Katharine A. Monson, and Nancy Jaye Peterson, owners.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on October 31, 2017.

Carri R. Crum
County Auditor, Clay County, SD

At 9:08 a.m., Packard moved, seconded by Manning and carried to adjourn and convene as Ditch Board.

The Board discussed cleaning needed on Lateral 50. Powell moved, seconded by Manning and carried to authorize the Highway Superintendent to discuss with the State the potential for burning or spraying vs. digging to clean cattails out of Lateral 50.

Manning moved, seconded by Hammond and carried to pay invoices for spraying to the Clay County Weed Department for Prairie Center Ditch (\$94.74) and Yankton-Clay Ditch (\$191.28).

At 9:26 a.m., Packard moved, seconded by Manning and carried to adjourn and reconvene as Board of Clay County Commissioners.

Manning moved, seconded by Packard and carried to authorize the Chairman to sign the SLA Quarterly Activity Report – FY 2017 for the Office of Emergency Management.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Powell moved, seconded by Packard and carried to approve a driveway application on behalf of Craig Larson for an entrance on 302 St. ½ mile east of Wakonda.

Powell moved, seconded by Packard and carried to approve a driveway application on behalf of Mark Ostrem for an entrance on 299 St. ¼ mile west of 458 Ave.

Hammond moved, seconded by Manning and carried to approve a right-of-way application on behalf of Clay-Union Electric at the intersection of 455 Ave. & 305 St.

Powell moved, seconded by Manning and carried to approve a right-of-way application on behalf of Clay-Union Electric on University Rd. ½ mile south of 313 St.

Packard moved, seconded by Manning and carried to accept the low bid of \$2.05/gallon for #2 diesel fuel from Jerry's Service.

Powell moved, seconded by Packard and carried to authorize the Chairman to sign documents for the replacement of bridge #14-075-051 to occur in 2018.

Powell moved, seconded by Manning and carried to authorize the Highway Superintendent to purchase a mower tractor and mowers using the Minnesota State Bid.

Polley updated the Board that the bridge #14-130-011 construction project on University Rd. is nearly complete.

Polley reported the department will continue working four 10-hour days per week for a bit longer this fall to complete a few projects.

Andy Howe, Sheriff, met with the Board to present vehicle specifications for patrol car bids. Manning moved, seconded by Hammond and carried to approve bid specifications and set a bid opening date as November 28, 2017 at 9:30 a.m.

Powell moved, seconded by Packard and carried to declare old patrol car tires surplus and authorize their sale at auction.

Packard moved, seconded by Manning and carried to authorize the following claims for payment. October Bills: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33,

States Attorney's Office \$17,906.73, Courthouse \$2,685.67, DOE's Office \$9,315.68, ROD's Office \$6,892.66, Veteran's Office \$1,747.50, Sheriff's Office \$36,523.38, County Jail \$23,036.86, 24/7 Sobriety Project \$1,404.91, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$35,652.82, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$3,305.01, and Zoning Office \$2,382.35; (Payroll Withholdings) Aflac \$808.09; Colonial Life \$631.58; Conseco/Washington \$24.45; Dearborn National \$223.02; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; Performant Recovery \$341.97; SD Retirement System \$20,832.44; SD Supplemental Retirement \$1,900.00; SDRS Roth 457 (B) Plan \$450.00; United Way of Vermillion \$154.00; Vermillion Federal Credit Union \$1,496.00; Wellmark Blue Cross \$48,358.30; SDRS Special Pay Plan \$6,464.68 and Clay County Treasurer \$44,700.72; (Due to Other Government) State of SD Game Fish \$138.00; (Professional Services and Fees) Diesel Machinery Inc. \$47.85; Gray-Lobe, Geoffrey \$153.00; Internal Revenue Service \$344.79; Lincoln County Treasurer \$618.88; McCulloch, James E \$441.80; Netsys Plus Inc. \$805.25; Pharmchem, Inc. \$850.00; Presto-X Company LLC \$74.00; Sanford Health Clinic \$1,614.84; Yankton Co Sheriff \$150.00; Yankton Co Treasurer \$118.75 and Yankton Medical Clinic \$136.44; (Other Professional Services) City of Vermillion \$87,146.00; Dakotah Reporting Agency \$566.50 and Stephanie Moen \$1,045.00; (Law Office) Peterson Stuart Rumpca \$6,098.12; Thompson, Craig K \$4,400.75; (Publishing) Star Publishing \$431.75; (Rentals) Schneider Corporation \$2,115.00; (Repairs and Maintenance) Century Business Products \$29.12; Diesel Machinery, Inc. \$280.00; Fast Auto Glass, Inc \$50.00; Olson's Pest Technician \$75.00; Paul's Plumbing \$522.96 and Pollman Excavation \$34,961.34; (Data Processing/Clay Creek) Bureau of Administration \$27.00; Mastel, Bruce \$35.00; Netsys Plus, Inc. \$220.00 and Schneider Corporation \$1,500.00; (Prairie Center #1A Expense) Clay Co Weed Department \$94.74; (Yankton Clay Expense) Clay Co Weed Department \$191.28; (Supplies and Materials) A & B Business \$34.06; Bob Barker Co Inc. \$117.51; Brunick Service, Inc. \$286.00; Butler Machinery Co. \$1,370.99; Campbell Supply Co. \$214.41; Concrete Materials \$242.57; Dakota PC Warehouse \$199.48; Diesel Machinery, Inc. \$677.14; FedEx \$86.36; Galls LLC \$203.88; Hy-Vee, Inc. \$11.98; JCL Solutions \$399.56; Jerrys Service \$5,090.77; Lawson Products, Inc. \$68.60; Layne's World, Inc. \$2.00; Lincoln County Highway \$8,000.00; Mark's Machinery \$318.04; Pollman Excavation \$713.56; Print Source \$119.20; ProChem Dynamics \$193.12; Safety Benefits, Inc. \$130.00; Sanitation Products \$26.58; Sturdevant's Auto Part \$995.71; Vermillion Ace Hardware \$238.90 and Walmart Community/Gecr \$138.79; (Travel and Conference) Beringer, Jessica \$42.00; Best Western Ramkota \$465.00; Crum, Carri R \$78.00; Ganschow, Dennis \$247.04; Klunder, Nicole \$42.00; Peterson, Ina \$160.00 and SDSU Extension Service \$331.41; (Utilities) Bureau of Administration \$68.87; CenturyLink \$441.03; City of Vermillion \$2,559.02; MidAmerican Energy \$194.75; Midco Business \$360.00; Verizon Wireless \$102.73; Verizon Wireless Sheriff \$320.08; Verizon Wireless EMG \$40.01 and Vermillion Garbage SVC \$386.00; (Payment) Austin-Whittemore House \$625.00; Brunick Service, Inc. \$38.00; Clay Co Arg Fair Association \$4,125.00; Hy-Vee, Inc. \$425.41; Quality Motors \$52.78; SD Assn of Co Officials \$2,807.92; Van Diest Supply Company \$3,187.20; Vermillion Ford \$7.20; Walmart Community/Gecr \$211.58; WH Over Museum \$1,875.00; Cook, Sabrina \$20.00; Ebel, Nicole \$50.00; Bertram, Jolynne \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00; and Prosser, Collin \$50.00; (JDC/Special Eqp) Lutheran Social Services \$3,349.44; Brunick Furniture \$1,286.81; (Buildings and Structures) Brunick Furniture \$1,286.81 and Paul's Plumbing, Inc. \$737.19; (Books) Brock White Company \$30,000.00 and Thomson Reuters West \$390.06; (Furniture and Minor Equipment) City of Vermillion \$1,080.00.

At 10:05 a.m., Hammond moved, seconded by Manning and carried to enter an Executive Session for legal and personnel matters per SDCL 1-25-2.

At 10:52 a.m., Manning moved, seconded by Hammond and carried to exit the Executive Session. No action was taken.

Polley reported to the Board the surplus auction results for the backhoe and other equipment.

Packard moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-18 for Contingency Transfer.

RESOLUTION # 2017-18
Contingency Transfer

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds for unanticipated expenses for the current budget year from Commissioners Contingency Fund Budget (D-112):

\$5,000.00 to Court Appointed Attorney – A&N Child (10100X4222154)
\$3,000.00 to Coroner – Post Mortem (10100X4290213)

Motion by Commissioner Packard, seconded by Commissioner Manning.

Vote of the Board: Mockler Aye, Packard Aye, Powell Aye, Manning Aye, Hammond Aye.

Dated this 31st day of October, 2017.

Board of County Commissioners
Clay County, South Dakota

Travis Mockler, Chairman

ATTEST:

Carri R. Crum, County Auditor

Manning moved, seconded by Packard and carried to pass and adopt Resolution #2017-19 for Cancellation of Outstanding Checks.

RESOLUTION #2017-19
Auditor/Treasurer Outstanding Checks Cancellation

WHEREAS, the Board of Clay County Commissioners may by resolution cancel warrants or checks that have not been presented for payment at any time within one (1) year of the date on which the warrant or check was issued,

NOW THEREFORE BE IT RESOLVED, that the Board of Clay County Commissioners hereby authorize the cancellation of checks and warrants of record, in the Clay County Auditor and Treasurer's Office that have not been presented for payment within the one (1) year of the date of the said checks or warrants, for \$639.31 in Auditor's Warrants & \$1,104.95 in Treasurer's Checks and that the Auditor and Treasurer Office's shall make note of such cancellation in the Warrant and Check Register, respectfully. (List on File in the Auditor's Office)

Dated this 31st day of October, 2017, at Vermillion, South Dakota.

Commissioner Manning moved for the adoption of the foregoing resolution, motion seconded by Commissioner Packard.

Vote of Commission: Ayes 5 Nays 0.

Upon which voting the foregoing resolution was declared, passed, and adopted.

Board of County Commissioners
Clay County, South Dakota

Attest:

Travis Mockler, Chairman

Carri R. Crum, County Auditor

Packard moved, seconded by Manning and carried to pass and adopt Resolution #2017-20 for Automatic Supplement of Courthouse Budget.

**RESOLUTION #2017-20
Automatic Supplement**

WHEREAS, Clay County has been reimbursed \$16,996.55 for insurance proceeds due to hail damage repairs; and

WHEREAS the Courthouse budget does not have adequate funds to allow for the hail damage repairs and;

WHEREAS, the Board of County Commissioners have agreed to supplement the department by an automatic supplement, with reimbursement received from Claims Associates, Inc., for the proper conduct and discharge of lawful county obligations has been given in accordance with the law and direction of the County Board,

NOW THEREFORE BE IT RESOLVED: That the following budget be adopted as an automatic supplement to the aforesaid annual budget:

Clay County Courthouse (10100X4320161) – Bldg. Improvements - \$16,996.55

Dated this 31st day of October, 2017.

Commissioner Packard moved the adoption of the foregoing Resolution. Motion seconded by Commissioner Manning.

Vote of the Commission: Manning Aye, Mockler Aye, Packard Aye, Hammond Aye, and Powell Aye.

Upon which voting the foregoing Resolution was declared passed and adopted.

Attest:

Travis Mockler, Chairman
Board of County Commissioners
Clay County, South Dakota

Carri R. Crum, County Auditor

The Board discussed repairing the retaining wall around the Courthouse in the near future.

The Board discussed the upcoming expiration of Joe Hubert’s term on the Planning & Zoning Commission.

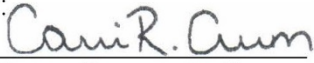
The Board discussed the Christmas Day holiday. It was decided that although the Governor declared State offices will be closed December 26, 2017, County offices will be open.

At 11:27 a.m., Manning moved, seconded by Powell and carried to adjourn and reconvene Tuesday, November 7, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

November 7, 2017

The Board of County Commissioners met in regular session Tuesday, November 7, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda.

Minutes of the October 31, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Polley reported that he received permission from the SD Dept. of Transportation to burn the cattails on Lateral 50, and the SDDOT will send staff to help oversee the fire.

He also received a request from Ray O'Connor for cleaning on University Rd. The ditch is silted in, and O'Connor would like to clean it. It was the consensus of the Board that Polley get the agreement in writing and that O'Connor should re-seed the ditch when done.

Polley also reported to the Board a drain tile complaint he received from a landowner on 302 St.

Powell moved, seconded by Packard and carried to pass and adopt the following Resolution #2017-21 for Fund Transfer.

**RESOLUTION # 2017-21
FUND TRANSFER**

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund (10100) in the amount of \$752,040 to Highway Fund (20100) as levied for in the 2017 Budget.

Motion by Commissioner Powell seconded by Commissioner Packard.

Vote of the Board: Ayes 5, Nays 0.

Dated this 7th day of November, 2017.

Board of County Commissioners
Clay County, South Dakota

Travis Mockler, Chairman

ATTEST:

Carri R. Crum, County Auditor

The Board discussed scanning of documents with Alexis Tracy, State's Attorney, and Carri Crum, Auditor.

Manning moved, seconded by Powell and carried to approve the 1-day malt beverage license for Westlund/Peterson Post #44 on November 13, 2017.

Sam Heikes met with the Board to discuss his bee population. He discussed an award he received in 2014 for establishing a pollinator habitat and referenced the benefits of honey bees on crop yields. Heikes said when the beekeeper he works with came to load the bees, he found that he lost 40% of the bees this year. He said he heard the aerial sprayer that allegedly affected the Prairie Sun Organics farm and saw it less than a mile away, and although he cannot say for certain it was the cause of the drop in his bee population, bees are a bell-ringer for environmental quality. Heikes requested a resolution from the Board supporting the health of people in the joint-jurisdiction area. Mockler discussed the sensitive site registration process with Heikes and Glen Pulse of Prairie Sun Organics.

Pulse also discussed his farm with the Board. He said he has learned that state testing levels mirrored the testing he had done privately, and the levels were so high in his grass that his organic certifier has required him to send soybean samples from his field. State's Attorney Tracy asked if the Pulses are seeking civil damages. She said it sounds as if the Commission has no control over the items he is speaking of, that it sounds to her like those are civil damage items. Pulse said he has discovered that SDCL 39-1-17, a pesticide preemption law, prevents local legislation. He said he was originally going to ask for an ordinance to be passed, but since the County cannot do that due to the legislation he is asking the Commission to pass a resolution in support of changes at the state level. Pulse said he is meeting with the Deputy Secretary of the Dept. of Agriculture and an agricultural inspector of pesticides on November 21st and would like to be able to take the resolution with him.

Hammond asked which lab the State used for his testing. Pulse said it was the SD State University lab and the parts per billion were significant for a drift incident.

Pulse thanked the Board for its time and consideration and said if something does not change, he will be out of business. He said he is in a 3-year transition phase where he has to maintain organic practices but cannot have an organic certification, and he cannot guarantee an aerial spraying incident will not happen again next year.

Mockler asked if Pulse maintains setbacks on his land, and Pulse said he has a 30-foot buffer strip that is required nationally. Mockler said he read that the federal guidelines have a 200-foot buffer, and Pulse said if he had buffers that large he would not have any land left.

Tracy discussed draft language of a resolution, and the Board said they would likely need more time than the 21st of November. Tracy advised that the Board would need to carefully weigh property rights and takings issues before passing any resolution. Hammond and Manning discussed with Pulse aerial spraying vs. ground application. Hammond also discussed the current zoning ordinance with Tracy.

The following Auditor's Account with the County Treasurer Report was accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of November 1, 2017.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks

10,150,809.56

Amount of actual cash		2,977.33
Total amount of checks and drafts in Treasurer's Possession not exceeding three days		619,462.96
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:		2,124.78
Checks returned and not deposited		
Cash Items		
Investments		1,000.00
Cash Variation		0.00
Total		
	Dated this 1st day of November, 2017.	10,776,374.63

Carri R. Crum, County Auditor

At 10:55 a.m., Powell moved, seconded by Manning and carried to enter an Executive Session per SDCL 9-34-19.


At 11:03 a.m., Powell excused himself from the meeting.

At 11:17 a.m., Packard moved, seconded by Manning and carried to exit the Executive Session.

At 11:18 a.m., Packard moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, November 14, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

November 14, 2017

The Board of County Commissioners met in regular session Tuesday, November 14, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Powell and carried to approve the agenda.

Minutes of the November 7, 2017 meeting were approved with a motion by Manning, seconded by Hammond and carried.

Dennis Ganschow, Weed Supervisor, met with the Board to discuss highway and weed matters. Ganschow said next week the highway department will adopt winter hours of 5 8-hour work days.

Ganschow presented the Board with quotes for a pick-up truck purchase. Powell moved, seconded by Packard and carried to authorize Ganschow to order a 2018 Ford F250 for \$30,801.

Powell moved, seconded by Hammond and carried to authorize Ganschow to purchase a spray logger.

Powell moved, seconded by Manning and carried to accept the low bid of \$2.0215/gallon from Jerrys Service for 7,500 gallons of #2 dyed diesel fuel.

Manning moved, seconded by Packard and carried to accept the low bid of \$2.28/gallon from Brunick Service for 1,600 gallons of ethanol blend fuel.

Packard moved, seconded by Manning and carried to approve the following claims for payment. November Bills: (Due to Other Governments) Dept of Revenue \$185,136.05; SDACO – M&P Fund \$318.00; State of SD Game Fish & Parks \$541.86; Reliance Telephone \$500.00 and Clay CO Treasurer \$3,932.50; (Payroll Withholdings) SDRS Special Pay Plan \$45.00; (Other Insurance) SD Public Assurance Alliance \$125.85; (Professional Services and Fees) Avera McKennan \$2,100.00; Billings, John \$3,243.00; City of Vermillion \$60.00; Dakota PC Warehouse \$49.99; Election Systems \$412.50; Grate Interpreting LLC \$78.81; Katterhagen, Mark \$12.00; Lewis & Clark Behavior \$160.00; Lewno, Lucille M \$120.25; Lincoln County Treasurer \$331.85; Lockwood, Darcy \$12.00; Netsys Plus, Inc. \$256.50; Pharmchem, Inc. \$850.00; Satellite Tracking \$81.25; SD Dept of Health Lab \$1,190.00; Security Shredding SVC \$140.00; Union Co. Sheriff \$130.00 and Vermillion Federal \$106.89; (Mental Health) Dept of Revenue \$60.00; SD Achieve \$180.00; SESD Activity Cntr \$360.00 and Dept of Revenue \$850.00; (Publishing) Broadcaster Press \$1,320.83 and The Equalizer \$90.00; (Repairs and Maintenance) Buhls Drycleaners \$24.00; Butler Machinery Co. \$252.00; ESRI \$443.56; Hartelco \$20.00; Intek \$266.25; Kone, Inc. \$692.67 and RDO Exch \$414.00; (Data Processing) MicroFilm Imaging System \$675.00; Netsys Plus, Inc. \$44.00 and Software Services, Inc. \$1,220.00; (Supplies and Materials) A & B Business \$171.15; A-OX Welding Supply Co \$166.15; Aden, Cynthia \$38.78; Appeara \$51.30; Broadcaster Press \$117.00; Brunick Service, Inc. \$1,238.66; Butler Machinery Co. \$5,263.00; Campbell Supply Co. \$341.02; Davis Pharmacy \$121.03; FedEx \$77.98; Herren-Schempp \$393.54; I-State Truck Center \$50.66; IGrow \$53.25; Jack's Uniforms & Equipment \$55.40; Jerry's Service \$14,366.80; Lyle Signs, Inc. \$100.68; Mac's, Inc \$868.79; Office Elements \$234.26; Orr Farm Supply \$100.54; RDO Exch \$139.30; Riverside Hydraulics \$117.74; Road King, Inc \$58.17; SD Dept

of Trans \$20,513.20; Sdachs \$275.00; Sturdetant's Auto Part \$63.88; Tractor Supply Co. \$7.99; Vermillion Ace Hardware \$24.48; Vermillion Federal \$534.14; One Office Solution \$362.14; Wheelco Brake and Supply \$469.34 and Zee Medical Service Co \$168.85; (Travel and Conference) Aden, Cythia \$14.07; Best Western-Ramkota \$93.00; Howe, Andy \$47.00; Polley, Rodney \$73.00; Ramkota Hotel \$171.98; Sda4he \$120.00; Vermillion Federal \$75.99 and Wood, Lisa \$54.60; (Inmate Travel) Brunick Service, Inc. \$320.00; (Utilities) Bureau of Administration \$58.72; Centurylink \$443.91; Centurylink Emg \$13.68; Clay Rural Water System \$64.80; Clay Union Electric Co. \$529.78; Hartelco \$79.95; MidAmerican Energy \$120.64 and Wakonda Town \$62.65; (Payment) Brunick Service, Inc. \$2,237.94; The Roadhouse \$3,938.41; Vermillion Federal \$112.21; Bertram, Joynne \$50.00; Gehm, Peter \$50.00; Gray, Jolinda \$50.00; Jacobsen, Pamela \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00 and Ramakrishnan, Michele \$113.44; (Buildings and Structures) Brunick Furniture \$1,471.05 and The Glass Cutter \$236.50; (Books) Thomson Reuters – West \$286.13; (Furniture and Minor Equipment) A & B Business \$208.30; Century Business Products \$81.56; Intoximeters, Inc. \$325.00; Microfilm Imaging System \$150.00; Reed Intermill Trucking \$8,750.00; and Quill Corporation \$578.16; (Automotive) Brunick Service Inc. \$527.33.

Powell moved, seconded by Hammond and carried to approve the annual Package and Retail Liquor licenses for Whimp's Place and Toby's Lounge.

Cynthia Aden, Welfare Director, met with the Board to present Welfare Case #C17-24 for a county burial. Powell moved, seconded by Manning and carried to authorize payment of the claim as the individual met welfare guidelines.

William and Jane Larson met with the Board to discuss cleaning of the ditches near their property. Mockler said Lateral 50 will be burned to get rid of the cattails and it will be discussed at the annual ditch meeting in February 2018 because there is currently not enough money in the fund to clean the ditch. The Larsons also discussed a culvert that needs to be replaced.

Lauren Hollenbeck, 4-H Educator, met with the Board to present the quarterly report.

The Veterans/Welfare/Zoning, Register of Deeds, and Vermillion Public Library Board reports were accepted and placed on file.

Glen Pulse, Prairie Sun Organics, met with the Board regarding his request for a resolution on aerial spraying. Pulse briefed the Board on results of an online survey he compiled regarding aerial spraying. Powell discussed changes Packard made to a draft resolution submitted by Pulse. Packard said she felt that Pulse's draft resolution was more than the Board could do, so she revised it for the Board's consideration. Mockler said he is fine with the preemptive law the way it is written because he is on the Board that worked to put it in place, and he is uncomfortable with the wording of Pulse's draft resolution. Hammond said he thinks the law should be reviewed and discussed the sensitive site registry. Hammond said both the owner and operator should know that their land is being added to the sensitive site registry. Pulse said he plans to discuss that issue with the State. Manning said he has an issue with restricting aerial spraying completely because there are areas where a farmer cannot spray with a ground sprayer. Manning said Pulse's website seems like part of the issue is Dicamba, but this is a different issue. Pulse agreed that it is a different issue. Pulse said Packard's draft of the resolution basically covers what he is asking for. Packard also asked whether it might be appropriate to see how Pulse's

meeting with the State turns out before passing a resolution. Manning agreed. Powell said he did not see the harm in passing a resolution, and he thinks there is a problem that needs to be looked at to make sure things are being done right.

Hammond moved, seconded by Packard to pass and adopt the following Resolution #2017-22 in support of regulatory and administrative improvement for the South Dakota Commercial Pesticide Aerial Applicator licensing and certification process. Upon a roll call vote, Hammond voted aye. Manning voted nay and said he wants to see minutes from Pulse’s meeting with the State first before passing a resolution. Powell voted aye. Packard voted aye. Mockler voted nay. Motion passed. Manning and Mockler did not sign the resolution.

RESOLUTION #2017-22
RESOLUTION IN
SUPPORT OF
Regulatory and administrative improvement for the South
Dakota Commercial Pesticide Aerial Applicator licensing and
certification process

WHEREAS, the Clay County Commissioners support a review of South Dakota Codified Law and/or South Dakota Administrative Rule as it applies to the South Dakota Commercial Pesticide Aerial Applicator licensing and certification process to include that commercial aerial applicators, and

WHEREAS, the County has, at a minimum, 39 registered sensitive sites identified,

WHEREAS, the County believes in supporting and preserving all local agriculture large and small, and including specialty crops, local food processing on-farm, organic food production, organic hobby farming, beekeeping, and Community Supported Agriculture, and

THEREFORE, BE IT RESOLVED, that for these and other reasons, the County Commissioners of Clay County request a review and strengthen where necessary of state regulations for the South Dakota Commercial Pesticide Aerial Applicator licensing and certification process.

Adopted this 14th day of November, 2017.

Roll Call Vote: 3 Ayes, 2 Nays

CLAY COUNTY, SOUTH DAKOTA

BY:

TRAVIS MOCKLER, Chairperson
CLAY COUNTY BOARD OF COMMISSIONERS

PHYLLIS PACKARD, Vice Chairperson

LEO POWELL, County Commissioner

MICHEAL MANNING, County Commissioner

RICHARD HAMMOND, County Commissioner

ATTEST:

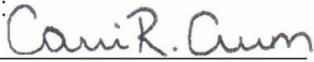
CARRI R. CRUM
CLAY COUNTY AUDITOR

At 10:24 a.m., Powell moved, seconded by Manning and carried to adjourn and reconvene Tuesday, November 28, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

November 28, 2017

The Board of County Commissioners met in regular session Tuesday, November 28, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, and Richard Hammond; Micheal Manning was absent.

Powell moved, seconded by Hammond and carried to approve the agenda.

Minutes of the November 14, 2017 meeting were approved with a motion by Hammond, seconded by Packard and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Powell moved, seconded by Packard and carried to authorize the Auditor to write a letter of intent to purchase a John Deere mower tractor for \$65,898.31.

The Board discussed the annual Employee Appreciation Dinner, and it was decided that it will be January 26, 2017.

Cynthia Aden, Zoning Administrator, met with the Board to present the following plats.

Packard moved, seconded by Hammond and carried to pass and adopt the following plat of Lot C, Nelson's 1st Addition, in the SE1/4 of Section 26, T94N, R51W of the 5th P.M., Clay County, South Dakota; Craig L. Nelson and Leslie J. Nelson, owners.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Lot C, Nelson's 1st Addition, in the SE1/4 of Section 26, T94N, R51W of the 5th P.M., Clay County, South Dakota; Craig L. Nelson and Leslie J. Nelson, owners.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on November 28, 2017.

Carri R. Crum
County Auditor, Clay County, SD

Powell moved, seconded by Hammond and carried to pass and adopt the following plat of Tract 1, Ufford Addition, in the SW1/4 of Section 4, T92N, R51W of the 5th P.M., Clay County, South Dakota; Alex L. Ufford, owner.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

A plat of Tract 1, Ufford Addition, in the SW1/4 of Section 4, T92N, R51W of the 5th P.M., Clay County, South Dakota; Alex L. Ufford, owner.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

Travis Mockler, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on November 28, 2017.

Carri R. Crum
County Auditor, Clay County, SD

At 9:30 a.m., sealed bids were opened and read aloud for a Sheriff's Office patrol vehicle. Vermillion Ford bid \$29,608 with no trade, and \$27,608 with trade. Jerry's Auto bid \$36,200 with no trade. It was decided that Sheriff Howe would take some time to review the bids to ensure they met specifications.

At 9:35 a.m., Powell moved, seconded by Packard and carried to adjourn and convene as Clay County Ditch Board.

Packard moved, seconded by Hammond and carried to approve payment of an invoice from Clay County Highway Department for a culvert in the amount of \$623.00.

At 9:36 a.m., Powell moved, seconded by Packard and carried to adjourn and reconvene as Board of Clay County Commissioners.

Packard moved, seconded by Hammond and carried to approve the following claims for payment. November Bills: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$17,883.73, Coroner \$22.00, Courthouse \$2,685.67, DOE's Office \$9,315.68, ROD's Office \$6,910.26, Veteran's Office \$1,747.50, Sheriff's Office \$36,969.47, County Jail \$20,568.16, 24/7 Sobriety Project \$1,453.60, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$31,716.97, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$2,401.28, and Zoning Office \$2,402.35; (Payroll Withholdings) Aflac \$808.09; Colonial Life \$519.95; Conseco/Washington \$24.45; Dearborn National \$214.62; New York Life Insurance \$244.02; Optilegra

Inc. \$17.92; SD Retirement System \$20,418.30; SD Supplemental Retirement \$1,800.00; SDRS Roth 457 (B) Plan \$550.00; United Way of Vermillion \$154.00; Vermillion Federal Credit Union \$1,496.00; Wellmark Blue Cross \$46,186.65 and Clay County Treasurer \$42,903.06; (Due to Other Governments) SD Dept of Labor Division \$320.71; State of SD Game Fish \$225.00 and Reliance Telephone \$500.00; (Professional Services and Fees) Avera Heart Hospital \$6,147.58; Clay Rural Water System \$175.40; FedEx \$10.42; Gapp, Debra \$4,110.00; Kirk Funeral Home \$1,900.00; Lewno Lucille M \$150.46; Lincoln County Treasurer \$1,054.78; Lockwood, Darcy \$15.00; Netsys Plus, Inc. \$2,586.50; Presto-X Company LLC \$74.00; SD Attorney General \$200.00; Vermillion Garbage Svc \$326.00; Vermillion/Clay Ems \$250.43; Willson Florist \$67.00; Yankton Co Sheriff \$50.00 and Yankton Co Treasurer \$109.35; (Law Office) McCulloh, James E \$5,709.32 and Peterson, Stuart, Rumpca \$6,098.12; (Publishing) Star Publishing \$1,310.70; (Repairs and Maintenance) Aden, John \$30.00; Butler Machinery Co. \$504.00; Clay Rural Water System \$3,128.53; Dakota Traffic Service \$136.75; Netsys Plus, Inc. \$68.00; Olson's Pest Technician \$75.00; Wells, Brian \$97.50 and Turner Plumbing Inc. \$75.00; (Data Processing/Clay Creek) Bureau of Administration \$27.00 and Office Systems Company \$2,567.00; (Laterals 3A & 3B Expense) Clay Co Highway Dept. \$623.00; (Supplies and Materials) Allied Oil & Supply \$5,288.09; Bob Barker Co Inc. \$261.16; Boyer Trucks SF Inc. \$932.66; Butler Machinery Co. \$11,106.00; Campbell Supply Co. \$284.44; Clay Rural Water Systems \$391.92; Dakota Traffic Service \$136.75; Francotyp-Postalia Inc. \$260.05; Hy_ yee, Inc. \$57.06; JCL Solutions \$429.86; John Deere Financial \$138.10; Lawson Products, Inc. \$150.56; Layne's World, Inc \$14.50; Netsys Plus, Inc. \$230.50; ProChem Dynamics \$149.97; Quill Corporation \$208.79; Riverside Hydraulics \$235.48; SD Dept of Trans \$19,474.30; Sturdevant's Auto Parts \$1,016.50; Titan Machinery \$1,535.51; Vander Haag's, Inc. \$440.15; Walmart Community/Gecr \$5.74; One Office Solution \$39.45 and Wheelco Brake and Supply \$521.52; (Travel and Conference) Anders, Jeffrey \$22.00; Best Western Ramkota Inc. \$342.00; Ganschow, Dennis \$25.00; Polley, Rodney \$25.00 and SDSU Extension Service \$230.55; (Utilities) City of Vermillion \$1,921.62; Verizon Wireless \$107.73; Verizon Wireless Sheriff \$318.79 and Verizon Wireless EMG \$40.01; (Payment) Brunick Service, Inc. \$289.90; Hy-Vee, Inc. \$473.94; Main Street Pub \$125.93; McGuire, Janice \$10.00; Walmart Community/Gecr \$119.08; Andersen, Gary \$24.28; Ebel, Nicole \$50.00; Mehlhaf, Jeanne \$10.00; Smith, Christen \$10.00; Dotson, Zenon \$10.00; Bertram, Jolynne \$50.00; Gehm, Peter \$50.00; Jacobsen, Pamela \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00; Ramakrishnan, Michele \$56.72; Bartling, Christopher \$10.00; Beatty, Wayne \$25.12; Benzel, Cynthia \$12.52; Dalhoff, Marie \$10.00; Decker, Raymond \$10.00; Erickson, Gayle \$218.04; Fang, Justin \$10.00; Foley, Mark \$10.00; Fratzke, Joyce \$13.36; Gilkyson, Tracy \$10.00; Groves, Gary \$10.00; Hall, Jamie \$10.00; Haneke, James \$33.52; Hansen, Darla \$15.04; Hansen, Max \$157.56; Hanson, Paul \$10.00; Hovden, Nicholas \$106.72; Huot, Cliff \$177.72; Huska, Vernace \$10.00; Jobe, Mariah \$150.00; Johnson, Brandi \$24.28; Landeen, Gerald \$31.00; McClenning, Barb \$10.00; McNamara, Andrew \$150.00; McNaughton, Jeanette \$10.00; Morgan, Bretnei \$10.00; Nelson, Anna \$20.08; Nelson, Todd \$150.00; O'Connor, Stacey \$162.60; Paulson, Linda \$10.00; Red Cloud, Eric \$10.00; Rolfes, Michael \$157.56; Rowland, Joshua \$10.00; Russell, Hana \$150.00; Simons, Elizabeth \$10.00; Stephens, Thomas \$10.00; Svenden, Robin \$10.00; Sweeney, William \$10.00; Thiel, Jason \$10.00; Thiesse, Amy \$180.24; Thomas, Howard \$150.00; Vik, Darrell \$38.56; Waage, Cassie \$160.08; Welch, Robert \$10.00; Johnson, Tammy \$10.00; Moen, Donna \$10.00; Olson, Verlene \$36.88; Tieman, Rodney \$10.00; Albrect, Kendyll \$20.00; Armstead, Isaac \$20.00; Collins, Mark Jr. \$20.00; Eidsness, Brooke \$20.00; Fredrick, Michael \$20.00; Harris, Adam \$20.00; Henry, Kia \$20.00; Rezac, Jena \$20.00; Skatvold, Christian \$73.76; Snyder, Emily \$20.00; St. John, Desirea \$20.00; Stene, Dalee \$20.00; Stelzer, Zach \$73.76 and Williams, Alex B \$73.76;

(JDC/Special Eqp.) Minnehaha County JDC \$440.00; (Books) Thomson Reuters-West \$110.68 and Coyote Enterprise LLC \$2,579.88; (Furniture and Minor Equipment) Dragnet Enterprises \$3715.00.

At 9:37 a.m., Powell moved, seconded by Hammond and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 9:43 a.m., Packard moved, seconded by Hammond and carried to exit the Executive Session.

Powell moved, seconded by Packard and carried to accept the low bid from Vermillion Ford for an Explorer at \$27,608 with trade in.


The Board discussed network wiring within the Courthouse.

Powell moved, seconded by Packard and carried to authorize the Chairman to sign the 2018 Memorandum of Understanding with the SDSU Extension Service for the 4-H Educator.

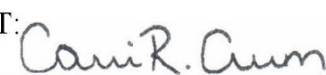
Packard moved, seconded by Powell and carried to authorize payment in the amount of \$6,147.58 to Avera Heart Hospital of South Dakota for case #13CIV14-000012.

Alexis Tracy, State's Attorney, met with the Board to discuss scanning of records in her office.

At 10:45 a.m., Packard moved, seconded by Powell and carried to adjourn and reconvene Tuesday, December 5, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

December 5, 2017

The Board of County Commissioners met in regular session Tuesday, December 5, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Powell and carried to approve the agenda.

Minutes of the November 28, 2017 meeting were approved with a motion by Packard, seconded by Hammond and carried.

Philip Terwilliger, Deputy State's Attorney, met with the Board to present the renewal contract for Alcohol/Chemical Dependency Committal Proceedings. Powell moved, seconded by Hammond and carried to authorize the Chairman to sign the contract.

Andy Howe, Sheriff, met with the Board to present jail meal bid specifications for 2018. Powell moved, seconded by Hammond and carried to set the bid opening for December 28, 2017 at 9:30 a.m.

Howe presented the renewal per diem contract with Minnehaha County Juvenile Detention Center. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the contract.

Alexis Tracy, State's Attorney, met with the Board to discuss document scanning for her office. Powell moved, seconded by Manning and carried to authorize the Chairman to sign the contract for scanning services from SourceHOV, with an initial expenditure of \$30,000 authorized contingent upon the State's Attorney's approval of the contract language.


At 9:55 a.m., Packard moved, seconded by Hammond and carried to enter an Executive Session regarding legal and personnel matters per SDCL 1-25-2.

At 10:26 a.m., Packard moved, seconded by Hammond and carried to exit the Executive Session.

At 10:27 a.m., Packard moved, seconded by Powell and carried to adjourn and reconvene Tuesday, December 12, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

December 12, 2017

The Board of County Commissioners met in regular session Tuesday, December 12, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Powell moved, seconded by Manning and carried to approve the agenda.

Minutes of the December 5, 2017 meeting were approved with a motion by Packard, seconded by Hammond and carried.

Sheriff Andy Howe appeared as a Visitor to be Heard to report on an injury received by a jailer during an incident with an inmate.

Powell moved, seconded by Manning and carried to authorize the following claims for payment. December Bills: (Due to Other Governments) Clay County Treasurer \$2,765.00; Dept of Revenue \$192,715.62; SD Assn of Co. Officials \$244.00 and SD Supplemental Retirement \$100.00; (Professional Services and Fees) Avera McKennan Hospital \$5,344.00; Bremer, Ruth \$397.00; City of Vermillion \$8,860.00; Grate Interpreting LLC \$305.77; Houska, DDS Randy \$396.00; Infra-Track \$2,500.00; Katterhagen, Mark \$30.00; Lewis & Clark Behavior \$320.00; Lewno, Lucille M \$148.96; Lockwood, Darcy \$15.00; Mail Finance \$89.45; Microfilm Imaging Systems \$30.00; Netsys Systems Company \$268.59; Paul's Plumbing, Inc. \$82.69; Satellite Tracking \$130.00; SD Dept of Health Lab \$1,040.00; University Cleaners \$148.00; University Psychiatry \$270.61; Vermillion Federal \$30.00; Vermillion/Clay Ems \$250.43; Yankton Co Sheriff \$50.00; Yankton Co Treasurer \$237.50 and Yankton Medical Clinic \$416.22; (Other Professional Service) Dakotah Reporting Agency \$1,446.00; (Law Office) Kogel, Linda L \$639.20 and Reed Law Offices \$507.60; (Mental Health) Dept of Revenue \$60.00; SD Achieve \$180.00; SESD Activity Cntr. \$360.00 and Dept of Revenue \$250.00; (Publishing) Broadcaster Press \$555.29; Plain Talk \$108.00 and The Equalizer \$174.00; (Repairs and Maintenance) Buhls Drycleaners \$24.00; Century Business Products \$29.12; General Equipment \$892.10; Hartelco \$10.00; Infra-Track \$19,800.00; Mail Finance \$536.74; Paul's Plumbing, Inc. \$397.96 and Vermillion Federal \$6.90; (Data Processing/Clay Creek) Mastel, Bruce \$35.00; Microfilm Imaging System \$720.00; Office Systems Company \$238.00 and Software Services, Inc. \$2,220.00; (Supplies and Materials) A & B Business \$116.77; A-Ox Welding Supply Co \$225.74; Agterra Tech Inc. \$180.00; Appeara \$76.95; Bomgaars \$49.99; Boyer Trucks SF Inc. \$592.14; Brunick Service Inc. \$126.00; Campbell Supply Co. \$1,170.32; Dakota PC Warehouse \$34.98; Davis Pharmacy \$167.88; Fast Auto Glass, Inc. \$285.00; FedEx \$37.89; General Equipment \$250.00; Herren-Schempp \$68.38; Intoximeters, Inc. \$750.00; Johnson Feed, Inc. \$250.00; Lyle Signs, Inc. \$626.28; Pharchem, Inc. \$1,216.00; Print Source \$318.00; SD Dept of Trans \$23,316.67; Sign-Up Ltd. \$12.87; Sioux Steel Company \$28.00; Sooland Bobcat \$402.94; Fickbohm, Colleen \$28.00; Sturdevant's Auto Part \$131.15; Tital Machinery \$30.69; Vermillion Ace Hardware \$69.25; Vermillion Federal \$632.78; One Office Solution \$266.55; Wheelco Brake and Supply \$110.24 and Yankton Janitorial Supply \$509.05; (Travel and Conference) Brunick Service, Inc. \$12.20; SDSU Extension Service \$43.78; Tri-State Ema \$20.00 and Vermillion Federal \$110.49; (Utilities) Bureau of Administration \$136.98; City of Vermillion \$108.53; Clay Rural Water System \$43.60; Clay Union Electric Co \$551.59; Ganschow, Dennis \$300.00; Hartelco \$79.95; McPherson Larry \$150.00; MidAmerican Energy \$723.63; Midco Business \$360.00; Vermillion Garbage Svc \$60.00 and Wakonda Town \$62.65; (Payment) Brunick Service, Inc. \$117.95; Child's

Voice Route \$867.73; Sturdevant's Auto Parts \$20.41; The Roadhouse \$4,280.50; Vermillion Federal \$34.05 and Mikelson, Gary \$41.00; (JDC/Special Eq.) Vermillion Now! \$15,000.00; (Books) Sooland Bobcat \$4,450.00 and Thomson Reuters – West \$286.13; (Furniture and Minor Equipment) A & B Business \$212.76; Century Business Products \$64.92; MicroFilm Imaging System \$120.00 and Vermillion Federal \$34.98; (Machinery and Automotive Equip) Agterra Tech Inc. \$5,000.00 and Road King, Inc \$2,405.00; (Automotive) Brunick Service, Inc. \$30.00;

Manning moved, seconded by Hammond and carried to reschedule the next meeting from Tuesday, December 26, 2017 to Thursday, December 28, 2017.

Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution #2017-23 for Contingency Transfers.

RESOLUTION # 2017-23
Contingency Transfer

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds for unanticipated expenses for the current budget year from Commissioners Contingency Fund Budget (D-112):

\$7,000.00 to Commissioners – Prof. Svc./Fees (10100X4220111)
\$36,000.00 to State's Attorney – Wages (10100X4110151)
\$1,500.00 to Court Appointed Attorney (10100X4222153)
\$3,300.00 to Director of Equalization – Wages (10100X4110162)
\$4,000.00 to Jail – Inmate Meals (10100X4290212)
\$4,000.00 to Jail – Juv. Detention (10100X4291212)
\$12,000.00 to Emergency Management – Wages (22600X4110222)
\$8,185.00 to E-911 – 50% to City (20700X4221225)
\$700.00 to Domestic Abuse (22900X4290434)
\$2,500.00 to Weed – Equipment (10100X4360615)
\$1,150.00 to Zoning – Joint Jur. Bldg. Permits Share to City (10100X4221711)

Motion by Commissioner Powell, seconded by Commissioner Hammond.

Vote of the Board: Mockler Aye, Packard Aye, Powell Aye, Manning Aye, Hammond Aye.

Dated this 28th day of November, 2017.

Board of County Commissioners
Clay County, South Dakota

Travis Mockler, Chairman

ATTEST:

Carri R. Crum, County Auditor

Sheriff Andy Howe and Scott Fettig, Klein McCarthy Architects, met with Board to discuss security recommendations for the Courthouse and Public Safety Center. Fettig reported on a building inspection completed on December 11, 2017, discussed the issues, and suggested methods for improvement. Vermillion Police Department Captain Chad Passick was present for the discussion regarding the Public Safety Center.

Packard excused herself from the meeting at 10:10 a.m.

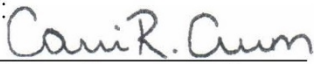
The Board briefly discussed plans for the annual Employee Appreciation Dinner.

At 11:37 a.m., Manning moved, seconded by Powell and carried to adjourn and reconvene Thursday, December 28, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

December 28, 2017

The Board of County Commissioners met in regular session Thursday, December 28, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Micheal Manning, and Richard Hammond; Leo Powell was absent.

Manning moved, seconded by Hammond and carried to approve the agenda.

Minutes of the December 12, 2017 meeting were approved with a motion by Manning, seconded by Packard and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Packard moved, seconded by Manning and carried to accept the low bid of \$2.08/gallon for 1600 gallons of ethanol blend fuel from Country Pride Coop.

Polley discussed a culvert along Lateral 7 with the Board.

Manning moved, seconded by Hammond and carried to approve the following claims for payment. December Bills: Commissioners \$6,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$17,883.73, Courthouse \$2,685.67, DOE's Office \$9315.68, ROD's Office \$7,033.46, Veteran's Office \$1,747.50, Sheriff's Office \$36,544.76, County Jail \$22,475.74, 24/7 Sobriety Project \$1,502.28, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$39,602.61, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$2,018.33, and Zoning Office \$2,382.35; (Due to Other Govt.) SD Dept of Labor Division \$1975.00, State of SD Game Fish & Parks \$33.00; (Jail Phone Cards) Reliance Telephone \$500.00; (Payroll Withholdings) AFLAC \$808.09, Clay Co. Treasurer \$45321.05, Colonial Life \$519.95, Washington National \$24.45, Dearborn National \$174.48, New York Life \$244.02, Optilegra \$17.92, SD Retirement System \$21372.56, SD Supplemental Retirement \$1850.00, SDRS Roth 457(B) Plan \$550.00, United Way \$154.00, Vermillion Federal Credit Union \$1696.00, Wellmark BlueCross/BlueShield \$46447.43; (Prof. Svc./Fees) Avera McKennan \$700.00, Certified Languages \$41.25, Dakota Lock & Key \$60.50, Geotek Engineering \$11000.00, Hansen Locksmithing \$14.00, Johnson Engineering \$1750.18, Lincoln Co. Treasurer \$1219.78, Netsys Plus \$810.00, Peterson, Stuart, Rumpca & Rasmussen \$6098.12, Pharmchem \$966.00, Village Family Service Center \$1560.00; (Publishing) Plain Talk \$26.00; (Repairs/Maint.) Boyer Trucks SF \$708.00, Presto-X Co. \$74.00, Subsurface, Inc. \$12000.00, Turner Plumbing \$397.96; (Data Processing) Bureau of Administration \$24.75, Software Services \$2990.00; (Supplies) A&B Business \$58.37, Blue Tarp Financial \$1579.99, Bob Barker Co. \$87.00, Boyer Trucks SF \$284.74, Campbell Supply \$42.53, Country Pride Coop. \$1536.45, Coyote Enterprise \$34.98, Hy-Vee \$58.76, Lawson Products \$512.93, Midwest Striping \$2827.00, Northern Safety Co. \$138.51, Print Source \$103.00, Prochem Dynamics \$44.79, Quill Corp. \$56.55, SD Dept. of Transportation \$2998.80, Tractor Supply Credit \$53.91, US Postal Service – Hasler \$21700.00, Vermillion ACE Hardware \$19.99, Vermillion Area Chamber \$355.00, Vermillion Federal Credit Union Mastercard \$175.50, Wheelco Brake & Supply \$37.48, Zee Medical Service \$50.30; (Travel/Conference) Jeff Anders \$30.00, Travis Mockler \$528.36, Lisa Wood \$65.60; (Inmate Transport) Country Pride Coop. \$284.00; (Utilities) Centurylink \$441.04, City of Vermillion \$1900.64, MidAmerican Energy \$17.04, Layne Stewart \$150.00, Verizon Wireless \$462.82, Vermillion Garbage Svc. \$326.00; (Machinery/Auto Expense) Brunick Svc. \$66.95, Country Pride Coop. \$1507.44, The Soap Guys \$64.00; (Jail Meals) Hy-Vee \$476.79, Walmart

Community/GECR \$248.20; (Jury/Witness) Nicole Ebel \$50.00, Peter Gehm \$50.00, Jolinda Gray \$50.00, Pamela Jacobsen \$50.00, Bryant Knodel \$79.40, Tom Logue \$65.96, Andrew Peltier \$50.00, Michele Ramakrishnan \$56.72, Alvena Cook \$20.00, Kaycee Wise \$149.36; (Building Improvements) \$3719.27; (Books) Thomson Reuters – West \$233.09.

The Board discussed the purchase of a lawn mower for the Courthouse. Mockler reported that he and Manning had researched prices, and it was decided that the purchase would be made after the first of January as the expense is budgeted for in the 2018 budget.

Packard moved, seconded by Hammond and carried to authorize the Chairman to sign the Combined Election Agreement for 2018 with the City of Vermillion and Vermillion School District.

Hammond moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-24 for Contingency Transfers.

RESOLUTION # 2017-24
Contingency Transfer

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds for unanticipated expenses for the current budget year from Commissioners Contingency Fund Budget (D-112):

\$3,000.00 to Commissioners – Prof. Svc./Fees (10100X4220111)
\$600.00 to Court Appointed Attorney (10100X4222153)
\$3,000.00 to Jail – Inmate Meals (10100X4290212)
\$1,800.00 to 24/7 Sobriety Project – Supplies (24800X4260212)
\$35.00 to Domestic Abuse (22900X4290434)
\$1,200.00 to Mental Illness – Prof. Svc./Fees (10100X4220441)
\$5,300.00 to Weed – Machinery (10100X4360615)
\$100.00 to Zoning – Group Insurance (10100X4150711)

Motion by Commissioner Hammond, seconded by Commissioner Manning.

Vote of the Board: Mockler Aye, Packard Aye, Powell Absent, Manning Aye, Hammond Aye.

Dated this 28th day of December, 2017.

Board of County Commissioners
Clay County, South Dakota

Travis Mockler, Chairman

ATTEST:

Carri R. Crum, County Auditor

Packard moved, seconded by Manning and carried to authorize the Chairman to sign the renewal contract with the SD Dept. of Health for the Community Health Nurse.

At 9:30 a.m., sealed jail meal bids were opened and read aloud. The Roadhouse bid \$4.00 for each noon & evening meal and \$.30 for each breakfast meal. Hy-Vee bid \$3.45 for each noon & evening meal and

\$.35 for each breakfast meal. Sheriff Andy Howe reviewed the bids to ensure they met specifications. Packard moved, seconded by Manning and carried to accept the low bid from Hy-Vee.

Tim York, CTS Group, met with the Board to present a proposal for providing a guaranteed energy savings service.

The Board discussed security with Sheriff Andy Howe, Vermillion Police Department Captain Chad Passick, Vermillion City Manager John Prescott, and Emergency Management Director Layne Stewart. A proposal from Klein McCarthy Architects was reviewed. Bob Fuller spoke about his experience on City Council, and suggested there would always be those community members who will express discontent at spending money on a study.


Recent payroll changes to be noted in the minutes were as follows: Robert Proefrock was hired 12/5/17 at \$14.25/hour and Cory Schmidt was hired 12/10/17 at \$14.25/hour, both as highway maintenance workers. Hunter Jackson was hired as a jailer 12/5/17 at \$13.91/hour.

At 11:19 a.m., Manning moved, seconded by Hammond and carried to adjourn and reconvene Tuesday, January 2, 2018 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor
