

January 8, 2013

The Board of County Commissioners met in regular session Tuesday January 8, 2013 at 9:00 a.m. Members present: Mockler, Packard, Powell, Passick and Kephart.

Magistrate Jessica Bosse administered oaths to the following newly elected and re-elected County Officials: Commissioners Travis Mockler, Dusty Passick and Leo Powell, Treasurer-Cathi Powell, States Attorney-Teddi Gertsma, Deputy States Attorney-Philip Terwilliger and Coroner-Tim McClelland.

Minutes of the December 27, 2012 meeting were read, and approved with a motion by Packard, seconded by Kephart and carried.

Passick moved, seconded by Packard and carried to approve the agenda as presented.

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

County Auditor, Ruth Bremer, called the meeting to order. The Auditor called for nominations for Chairperson. Kephart moved to nominate Dusty Passick as Chairman. Motion seconded by Packard. No further Nominations were made. Powell moved, seconded by Mockler to cease nomination and a unanimous vote be cast for Passick as Chairman. All voting aye, motion carried.

Chairman Passick presiding, the following proceedings were held.

The Chairman called for nominations for Vice Chairperson. Kephart moved, seconded by Packard to nominate Leo Powell as Vice Chairman. No further nominations made. All voting aye, motion carried to elect Leo Powell as Vice Chairman.

Packard moved, seconded by Kephart and carried to adopt Modern Addition-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.

Layne Stewart/Emergency Management Director met with the Board. The SLA Quarterly Activities Report FY-2013 and the SD Emergency Management State and Local Agreement Fiscal Year 2013 were presented. Powell moved, seconded by Packard and carried to authorize the Chairman to sign both documents as presented.

The following appointments were approved unanimously unless otherwise stated.

Layne Stewart (01-03-13 to 1-7-2014) as Director Emergency Management. (Packard/Mockler) -Cynthia Aden/ Veteran's /Welfare and Zoning Director 1-2013 – to 12-2016 (Powell/Packard)- Rod Polley as the Hwy/Superintendent(1-2013 thru 1-7-2014) Mockler/Kephart- Commissioner Kephart to Fair Board (Powell/Mockler)- Commissioner Passick member of the Executive Board of SECOG(Powell/Packard);-Commissioner Packard to Board of Directors of the Clay County Youth Trust Fund and the Youth Service Council(Powell/Kephart)-Commissioner Mockler to the Zoning Board (Leo/Kephart), (Jay Bottolfson five-year position Jan-2012 to Jan-2017, John Davidson - three -

year position(Jan-2012 to Dec- 2014) . Commissioner Powell moved, seconded by Mockler to vote the new Board Members by Ballot. Those on the Ballot were Jerry Prentice, Todd Christensen, Joe Hubert and Marty Gilbertson. The following results: Jerry Prentice 2-votes, Todd Christensen-2-votes Joe Hubert 3-votes, Marty Gilbertson-3-votes. Leo Powell moved, seconded by Mockler and carried to appoint Joe Hubert to Five-year position Jan-2013-Dec-2017. Powell moved, seconded by Kephart and carried to appoint Marty Gilbertson to Three-year position (Jan-2013 thru Dec-2015 to the Planning and Zoning Board, - Dr. Dendinger as County Health Officer (Packard/Kephart)- Commissioner Passick as member to the Southeast Regional Detention Authority Steering Committee (Kephart/Powell)- Commissioner Packard to the Joint Landfill Advisory Board (Kephart/Mockler)- Commissioner Packard to the VCDC as Ex-Government member (Powell/Kephart); Powell to the Vermillion Basin Advisory Board (Mockler/Packard) and Commissioner Mockler to Vermillion Now Advisory Council (Powell/Kephart) and Dave Thiesse to the Public Safety Board- Jan-2013- Dec- 2015 (Powell/Packard). The Vermillion River Preservation & Development Comm. Task Force was tabled (Powell/Packard) until current information is received and Mockler to the Vermillion Now (Powell and Kephart)

Powell moved, seconded by Mockler and carried to approve Hagen Benefit's Inc./Sioux Falls as county's liability and SDML for workmen's compensation insurance.

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, opening and closing of the grave. The Coroner will receive \$58 per investigation plus mileage. Motion seconded by Kephart and carried.

Powell moved, seconded by Packard and carried to approve fees for boarding prisoners for other counties at \$50 per day and the fees for housing work release prisoners at \$20 per day, and counties on Contract -\$45 per day and daily boarding rate-\$15 (Inmates) as recommended by the County Sheriff.

Packard moved, seconded by Mockler and carried to designate the Tri County News/Wakonda and Vermillion Plain Talk as the official newspaper for the County and the front door of the Courthouse and the front door of the Post Office in Wakonda be designated as places for holding foreclosure sales.

Packard moved, seconded by Kephart and carried to hold Commissioners meetings the first, second and last Tuesday of each month.

Powell moved, seconded by Packard and carried to pass and adopt the following resolutions setting the fees for precinct election officials and establishing precinct-polling places for 2013.

RESOLUTION #13-01
Establishment of Election Precincts/Polling Places For 2013

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, is hereby established.

Rural Ward #1-----SESD Experimental Farm
29974 University Rd. Beresford
Rural Ward #2 -----Senior Citizen Ctr./Wakonda

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

Commissioner _____ moved the adoption of the foregoing resolution.
Motion seconded by Commissioner _____.

Vote of Commission: Aye 5 Nay 0.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 8th day of January, 2013

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Ruth A. Bremer, County Auditor

**RESOLUTION # 13-02
Precinct Election Officials Fees For 2013**

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 \$110.00, and election superintendent at \$140.00, 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 .50 cents per mile.

Commissioner _____ moved the adoption of the foregoing resolution.

Motion seconded by Commissioner _____.

Vote of Commission: Aye _____ Nay _____ .

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 8th day of January, 2013.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Ruth A. Bremer, County Auditor

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

A motion by Packard, seconded by Mockler 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 \$.37 per mile. Rates for meals set at \$31.00 per day -Breakfast-\$6.00, Noon-\$10.00, Evening-\$15.00.

Packard moved, seconded by Kephart and carried that the allowance per diem for the Planning/Zoning Board and Commissioners appointed to serve on various Boards, be set at \$20.00 plus mileage.

At 9:50 a.m. Powell moved, seconded by Kephart to adjourn and convene as Ditch Board. Equalizer voucher for \$32.00 (advertising) to notify landowners on Clay Creek Ditch of Engineer's working in the Right of Ways was presented. Powell moved, seconded by Mockler and carried to authorize the payment of \$32.00 to the Equalizer from Clay Creek Ditch Funds.

At 9:55 a.m. Packard moved, seconded by Mockler and carried to adjourn as Ditch Board and reconvene as Board of Commissioners.

The Monthly Building Permit Report for December, the Annual Welfare Report for 2012 and the Veteran's Annual Contact Report were accepted and placed on file.

The Register of Deeds Statement of Fees Collected for December 2012 for \$21,891.50 and the following Auditor's Account with the County Treasurer for December 2012 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 December 31, 2012
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	3,089,491.45
Amount of actual cash	1,436.43
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	11,734.04
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,977.68
deposited	
Checks returned and not	
Cash Items	
Investments	251,000.00
Cash Variation	
Total	3,356,639.60
Dated this 2nd Day of January	

 Ruth A. Bremer, County Auditor

Dennis Ganschow/Weed Supervisor met with the Board. The Annual Report of Weed Dept. Activities for 2012 was reviewed and placed on file. Mockler moved, seconded by Packard and carried to authorize the Chairman to sign Declaration for Locally Noxious Weeds and Pests for 2013-for Clay County.

Andrew Jensen/4-H Advisor met with the Board. Powell moved, seconded by Mockler and carried to authorize the Chairman to sign the Extension MOU for 2013.

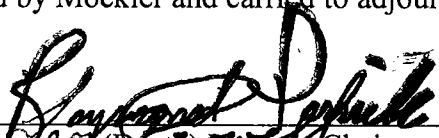
Gene Lunn/DOE met with the Board and presented Abatement Application#2013-01 on Parcel #11100-09251-063-02 for Annar Pettersen. Powell moved, seconded by Mockler and carried to authorize the Chairman to sign said abatement request for \$3,151.29 due to fire destroying the home in May of 2012.

Powell moved, seconded by Kephart and carried to authorize the following claims paid.


January Bills; (Tax/Fire Protection Disbursement) Beresford Rural Fire-\$5490.92, Beresford School District-\$584.40, Bethel Township-\$2550.08, Centerville Rural Fire-\$4109.86, Centerville School District-\$283.41, City of Vermillion-\$13956.76, Domestic Violence-\$235.00, Fairview Township-\$3019.81, Garfield Township-\$3864.18, Gayville Rural Fire-\$3294.10, Gayville-Volin School District-\$256.71, Glenwood Township-\$3280.84, Irene City-\$554.36, Irene Rural Fire-\$756.36, Irene-Wakonda School District-\$7941.76, Meckling Township-\$4054.67, Norway Township-\$1675.77, Pleasant Valley Township-\$3073.81, Prairie Center Township-\$4232.62, Riverside Township-\$2842.45, Spirit Mound Township-\$3979.83, Star Township-\$2653.09, TLC Water Project District-\$1.97, Vermillion Basin Water Dev. District-\$82.59, Vermillion Rural Fire-\$24713.37, Vermillion School District-\$36837.81, Vermillion Township-\$1052.46, Volin Rural Fire-\$764.92, Wakonda Rural Fire-\$7782.26, Wakonda Town-\$1450.11, Irene Rural Fire Assn.-\$1512.72; (Workers Comp. Ins.) SDML Workers Comp. Fund-\$32934.00; (Liability Ins.) SD Public Assurance Alliance-\$53470.45; (Prof. Serv./Fees) Century Business Products-\$449.00, City of Vermillion-\$12.00, David Kauffman/Dakota Psychological Svc.-\$2870.00, Dakotabilities-\$180.00, Dept. of Legislative Audit-\$11970.00, Dept. of Revenue-\$4736.24, Debra Gapp/Gapp Counseling Svc.-\$1260.00, Grace Freeman-\$100.00, Mid-States Organized Crime Unit-\$100.00, Morphotrak-\$4886.00, National Assn. of Counties-\$400.00, Plain Talk-\$104.00, Professional Security-\$336.00, SD Assn. of County Officials-\$1495.48, SD Dept. of Health Lab-\$699.00, SD Public Assurance Alliance-\$223.00, SD Sheriff's Assn.-\$765.92, SD Assn. of Assessing Officers-\$110.00, SDACC Office-\$2440.96, SDSU Extension Service-\$6700.00, SESDAC-\$360.00, University Cleaners-\$25.00, Vermillion Area Chamber & Dev. Co.-\$500.00, Vermillion Federal Credit Union-\$4.90, Vermillion/Clay EMS-\$134.60, Yankton Medical Clinic-\$68.67; (Publishing) Schneider Corp.-\$2115.00; (Repairs/Maint.) Century Business Products-\$15.01, Geniusweb.com-\$118.00, Gregg's Auto Body-\$118.80, HARTELCO-\$10.00, Midwest Bldg. Maint.-\$24.00, Office Systems Co.-\$965.00, Stewart Oil & Tire-\$135.00; (Data Processing) Bureau of Administration-\$18.00, Microfilm Imaging Systems-\$432.00, Software Services-\$620.00; (Materials/Supplies) A-OX Welding Supply-\$132.90, Cynthia Aden-\$3.49, Allegiant Emergency Svc.-\$345.00, Brunick Service-\$2386.17, Campbell Supply-\$24.85, Certified Laboratories-\$320.91, Clay-Union Electric-\$600.00, D-Ware-\$1470.00, Dakota PC Warehouse-\$69.99, Gregg's Auto Body-

\$217.75, Jack's Uniforms & Equip.-\$56.90, K&P Services-\$76.47, Midwest Bldg. Maint.-\$42.00, Pollman Excavation-\$3534.30, Professional Security-\$45.00, Redwood Toxicology Lab-\$116.10, SD Assn. of Weed & Pest Supts.-\$50.00, SD Assn. of Co. Highway Supts.-\$225.00, Stewart Oil & Tire-\$1797.00, Sturdevant's Auto Parts-\$65.24, True Value-\$90.15, Vermillion Light & Power-\$13.20, Wal-Mart-\$150.00, Western Office Technologies-\$83.41, Zee Medical Service-\$147.50; (Travel/Conference) Cynthia Aden-\$22.20, Brunick Service-\$21.84, SD Emg. Mgmt. Assn.-\$30.00; (Inmate Transport) Brunick Service-\$381.00; (Utilities) Bureau of Administration-\$78.99, City of Vermillion-\$1602.09, Clay-Union Electric-\$539.88, HARTELCO-\$79.95, MidAmerican Energy-\$1266.15, Vermillion Garbage Service-\$60.00; (Machinery/Auto) Brunick Service-\$1819.78, First Bank & Visa-\$28.00, Quality Motors-\$40.43, Sioux Falls Two-Way Radio-\$86.95, Vermillion Federal Credit Union-\$36.01; (Books) West Group-\$1211.98; (Ditch Expense) Clay Co. Highway Dept.-\$1042.56, The Equalizer-\$32.00; (Modernization/Preservation) SD Assn. of County Officials-\$484.00; (2013 Allocations) Austin-Whittemore House-\$500.00, Clay Co. Soil Conservation District-\$27500.00, Dakota Senior Meals-\$4000.00, Lewis & Clark Behavioral Health Svc.-\$17700.00, National Music Museum-\$2900.00, SECOG-\$11142.00, Vermillion Area Arts Council-\$500.00, Vermillion Ministerial Assn.-\$1150.00, Vermillion Public Library-\$3000.00, Vermillion Senior Center-\$11500.00, Wakonda Ministerial Assn.-\$200.00, Wakonda Public Library-\$2000.00, Wakonda Senior Center-\$2050.00, WH Over Museum-\$2900.00, Clay Union Foundation-\$600.00.

At 11:50 a.m. Kephart moved, seconded by Mockler and carried to adjourn and reconvene Tuesday, January 15, 2013 at 9:00 a.m.


Raymond (Dusty) Cassick, Chairman
Board of County Commissioners

ATTEST:


Ruth A. Bremer, County Auditor



January 15, 2013
Commissioner Meeting

The Board of County Commissioners met in regular session January 15, 2013 at 9:00 a.m. Members present: Mockler, Passick, Kephart, Powell & Packard.

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

Minutes of the January 08, 2013 meeting were approved with a motion by Powell, seconded by Packard and carried.

The Vermillion Library Report for December was accepted and placed on file.

Jill Munger/Community Health Nurse met with the Board. The Quarterly Report for Oct., Nov., and Dec. 2012 was presented. WIC Client numbers have dropped slightly from last quarter. Immunizations are down from last quarter, but the number of flu shots currently is just one short of the entire number for last year, so numbers will be up significantly by the end of flu season due to the current flu epidemic. The Clay/Union POD group dispensed 640 flu vaccines in 4 hours during the October exercise. The POD group has authorized employment of a coordinator to be paid from POD funding, not from County funds. The county is again preparing for Worksite Wellness Fair scheduled for January 17th.

Rod Polley/Hwy Superintendent met with the Board. Powell moved, seconded by Kephart and carried to approve Applications for Occupancy on the Right of Way of County Highways #13-01 through 13-07 for directional boring of underground electrical cable by Clay-Union Electric.

Polley proposed to the Board the joint purchase with Lincoln and Union Counties of a used Jetter Truck for cleaning clogged culverts with high pressure water. The Board discussed the contract being developed for usage and insurance of the truck. Packard moved, seconded by Powell and carried to approve the joint purchase between two or more counties.

The furnace/heat pump system at the Highway Shop needs to be replaced, as it is emitting carbon monoxide into the shop. It was the consensus of the Board that Polley should take whatever action necessary to replace it as soon as possible, as it is a health hazard to the employees.

Andy Howe/Sheriff met with the Board. At 9:30 a.m. the Board opened bids for the following Sheriff's Car:

ONE (1) 2013 Police SUV (4-door, police special service package, wheelbase not less than 112 inches)

With Trade-in: 2006 Ford Crown Victoria with 110,000 miles.

Two bids were received, that being Vermillion Ford for a 2013 Explorer at \$24,350 (included the trade in of \$2,500) and Rasmussen Motors for a 2013 Tahoe at \$28,390 (included the trade in of \$11,781). The state bid with no trade-in for the Explorer is \$25,528, and the state bid with no trade-in for the Tahoe is \$28,499. Powell moved, seconded by Packard and carried to award the bid to Vermillion Ford for the 2013 Explorer, providing Sheriff Howe confirms that it meets specifications, as they were not listed on the bid.

Packard moved, seconded by Mockler and carried to set January 29th at 10:30 a.m. for the following public bid opening of Jail Meals for 2013.

NOTICE TO BIDDERS

Notice is hereby given that the governing body of Clay County will be accepting sealed bids for the service of providing breakfast cereal and on a daily basis a noon and evening meal for the inmates of the Clay County Jail.

Deadline for receiving sealed bids will be no later than 5:00 pm Monday, January 28, 2013. Bids will be opened at 10:30 am on Tuesday, January 29, 2013. Clay County reserves the right to refuse all bids or to accept a bid based on cost effectiveness, quality and efficiency. To be bid for a one year period, February 1, 2013 until January 31, 2014.

Bid Items: A covered disposable bowl containing at least 1 cup of cereal with sugar packet enclosed if applicable and plastic spoon for serving at breakfast, cereal shall be varied by at least 4 kinds each month and may be repeated the following month. This item will be delivered with lunch or supper for storage at the jail.

A noon meal to consist of not less than one 4 oz. hot or cold sandwich or a main entrée with bread and butter, two side dishes at least 4 oz., one may be snack/potato chips. To be served in a disposable covered container with plastic silverware and napkin included with each meal. To be delivered to the Clay County Jail between the hours of 11:30 a.m. and 12:00 p.m. daily.

An evening meal to consist of not less than one 8 oz. hot main dish, two side dishes at least 4 oz. each, bread and butter. To be served in a disposable covered container with plastic silverware and napkin included with each meal. To be delivered to the Clay County Jail between the hours of 5:30 p.m. and 6:00 p.m. daily.

Receipt of all deliveries/meals must be acknowledged and received by the Jailer on duty.

Menu to be varied daily and not to be duplicated within 10 consecutive meals. Main entrée with evening meal may not be cold. Cold side dishes with hot main entrée shall be in separate covered container, at least 4 oz. in size.

Bidder must also provide special menu requests (i.e. non-pork, vegetarian, etc.), when requested by the jail.

Bidder will provide ketchup, mustard, salt and pepper packets.

Bidders must meet all federal and/or state requirements for sale of food to the public.

Non-bid Item:

Daily grocery delivery with the delivery of the noon meal and with evening meal when necessary.

Sheriff Howe discussed with the Board the replacement of the Sheriff's Department shotguns with patrol rifles. It was the consensus of the Board to place this topic on the agenda for January 29th.

Cynthia Aden/Welfare Director met with the Board regarding Welfare Application #12-40 for medical assistance. Powell moved, seconded by Kephart and carried to approve payment of \$8,668.37 to Sanford as applicant qualifies under county guidelines.

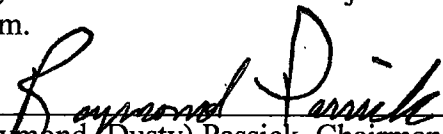
At 9:52 a.m. Packard moved, seconded by Kephart and carried to adjourn and reconvene as the Ditch Board.

A voucher was presented for the Broadcaster in the amount of \$24.00 for advertising of survey work performed along the Clay Creek Ditch. Packard moved, seconded by Mockler and carried to approve payment as presented.

At 9:53 a.m. Packard moved, seconded by Kephart and carried to adjourn and reconvene as The Board of County Commissioners.

It was the consensus of the Board that the Drainage Ordinance be put on the January 29th agenda as a line item for discussion purposes.

At 9:55 a.m. Powell moved, seconded by Packard and carried to adjourn and reconvene Tuesday, January 29, 2013 at 9:00 a.m.


Raymond (Dusty) Passick, Chairman
Board of County Commissioners

ATTEST:


Carri Crum, Deputy County Auditor



January 29, 2013
Commissioner Meeting

The Board of County Commissioners met in regular session January 29, 2013 at 9:00 a.m. Members present: Mockler, Passick, Kephart, Powell and Packard.

Mockler moved, seconded by Powell and carried to approve the agenda as amended with an executive session for personal matters added.

Minutes of the January 15, 2013 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.

Kephart moved, seconded by Packard and carried to approve travel request for Hwy. Supt. to Huron, SD on Feb 13th & 14th for SDLTAP Joint Regional Training. Agenda items are: Gravel road management, Seal Coating Practices, Culverts, Small structure & Bridge Management, SDDOT & Federal Funding Process.

Powell moved, seconded by Mockler and carried to purchase 2001 Side Dump Trailer, SmithCo Model, for \$20,000. This trailer can haul 25 tons in comparison to 13 ton in their dump trucks.

Polley updated the Board on the purchase of new Furnace & Heat Pump for Hwy. Shop. It will be purchased from Kalin's Indoor Comfort for \$6,121; they will get a \$150.00 heat pump credit. The old furnace had been emitting carbon monoxide into the shop and office.

Polley and Ganschow, Weed Supervisor, will be gone February 20th and 21st to go to weed workshop in Huron, SD.

Passick report that there was a request for gravel on 316th Street. It is on the schedule for graveling. Finding Gravel has been getting harder, the highway currently goes to Utica, SD to get their gravel.

Polley reported that he will be meeting with the State people in regards to monies available for dangerous intersections.

There was a discussion on House Bill 1122 which states that a board of county commissioners may elect to provide group health insurance for its officers and employees and their immediate families under a plan of self-insurance in whole or in part. It was the consensus of the Board that the Auditor sends an email to Clay County's Legislators, on their behalf in support of this House Bill.

Clay County's drainage ordinance was discussed in length with Teddi Gertsma/States Attorney.

Cynthia Aden/Zoning Director met with the Board to discuss zoning and welfare matters. Keith Gestring and Jose Dominguez/City of Vermillion Engineer were present for the meeting.

There was discussion on a letter from Keith and Sheila Gestring that was submitted for a request of reimbursement, due to conflict on zoning rules in the joint jurisdiction. With the conflict of rules, Gestring's were required to relocate the building. The Gestring's are asking for \$3,250.00 which was incurred due to relocating said building.

Powell moved, seconded by Packard and carried to turn over request to Claims Associates (Clay County's Insurance Company) with the request that this valid claim be split between City of Vermillion and Clay County.

Welfare Application #C12-39 was submitted for medical expenses. Powell moved, seconded by Kephart and carried to approve the payment of \$8,364.05 to Sanford as presented, as applicant does qualify under county guidelines.

Welfare Application #C13-01 was submitted for involuntary committal to Human Service Center. Powell moved, seconded by Packard and carried to authorize treatment for the applicant and for Aden to obtain a copy of the bill to do a cost down, as applicant does qualify under county guidelines.

Powell moved, seconded by Mockler and carried to pass and adopt the following resolution approving survey plat of Lots 1, 2, 3, 4 and 5 of Hubert Addition in Section 5, T92N, R51W of the 5th P.M., Clay County South Dakota, Anthony Hubert, 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:

Plat of Lots 1, 2, 3, 4 and 5 of Hubert Addition in Section 5, T92N, R51W of the 5th P.M., Clay County South Dakota, Anthony Hubert, 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.

SN/_____
Raymond Passick, Chairman
Board of County Commissioners

I, Kathryn Heles, County Deputy Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on January 29, 2013.

Deputy County Auditor, Clay County, SD

Mockler moved, seconded by Packard and carried to pass and adopt the following resolution approving survey Plat of Tract 1 of Davis Addition in the North Half of the SE ¼ of Section 15, T95N, R53W of the 5th P.M., Clay County South Dakota, Patricia Grimes, 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:

Plat of Tract 1 of Davis Addition in the North Half of the SE ¼ of Section 15, T95N, R53W of the 5th P.M., Clay County South Dakota, Patricia Grimes, 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.

SN/_____
Raymond Passick, Chairman
Board of County Commissioners

I, Kathryn Heles, Deputy County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on January 29, 2013.

February 11th at 5:30 p.m. is the Clay County Planning Commission and City Planning Commission meeting in joint session to make recommendations to the County Commission and City Council regarding the minimum lot size in the Agriculture District of the Joint Jurisdiction Zoning Regulations.

At 10:30 a.m. the time set for opening bids on providing meals for inmates for the Clay County Jail. Cherry Street Catering was the only bid received. Bidding – \$5.50 per lunch and dinner meals and .60 for breakfast. Powell moved, seconded by Mockler to accept bid by Cherry Street Catering. All voting aye, motion carried.

Andy Howe/Sheriff met with the Board to discuss the replacement of the Sheriff's Department shotguns with patrol rifles with sites. They can all be replaced for \$8,000.00. Powell moved, seconded by Kephart and carried to purchase all rifles with sites and supplement budget if needed from contingency. Kephart asked that Howe not get rid of all shotguns. Howe will surplus any old rifles and other firearms the department has seized. This money will go back into county general.

The Sheriff's Monthly Expense report for November and December 2012 was accepted and placed on file.

Gene Lunn/DOE met with the Board to discuss abatement and refunds.

Packard moved, seconded by Mockler and carried to authorize the Chairman to sign the following Abatement and Refunds #13-02.

Application #13-02 on Parcel #08000 09352 10204 – 10/093/52.

Due to error in assessment, making the taxes too high in 2010, 2011 and 2012. Therefore there is a refund for 2010 taxes for \$24.25, a refund for 2011 taxes for \$30.79 and abatement for 2012 taxes for \$32.22.

Lunn explained to the Board that the hard drive for Pictometry was being installed and training dates will be getting set up.

Donnie O'Connor resident of the County was requesting permission to add to an existing Drainage Permit he had done in 2009. O'Connor explained he would put laterals to the tile he already has in place and that the flow rate would not change. Teddi Gertsma/States Attorney was available for consult. As the drainage ordinance clearly states "A permit shall also be required before any person may modify the drainage authorized in an original permit issued by the Board", therefore it is the consensus of the Board that Donnie O'Connor would need to get a new drainage permit for this project.

At 11:20 a.m. Powell moved, seconded by Packard and carried to going into executive session to discuss personnel matters.

At 11:40 a.m. Kephart moved, seconded by Packard and carried to come out of executive session. No action was taken.