

January 2, 2024

The Board of County Commissioners met in regular session Tuesday, January 2, 2024 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman E. Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Gray-Lobe moved, seconded by Mockler and unanimously carried to approve the agenda.

The meeting adjourned and reconvened to reorganize for the ensuing year with a motion by Gray-Lobe, seconded by Mockler and unanimously carried.

County Auditor Carri Crum called the meeting to order. The Auditor called for nominations for Chairperson. Gray-Lobe nominated E. Smith for Chairperson. Thiesse nominated Mockler for Chairperson. Paper ballots were cast, and Crum tallied the votes. E. Smith had three votes, and Mockler had two votes. E. Smith was declared Chairperson.

With Chairperson E. Smith presiding, the following proceedings were held.

The Chairperson called for nominations for Vice Chairperson. Hammond moved, seconded by Gray-Lobe and unanimously carried to nominate Mockler as Vice Chairperson.

Mockler moved, seconded by Gray-Lobe and unanimously carried to adopt Modern Addition of Robert's Rules of Order Original 1876 Edition by Major Henry M. Robert Completely Revised by Darwin Patnode, Ph.D. as on file with the Auditor, no restrictions on the Chair, and minutes not to record motions not seconded.

The Board discussed appointments for the year. Mockler moved, seconded by Hammond and unanimously carried to remove the Southeast Regional Detention Authority Steering Committee from the appointment list as the committee has been dissolved. Gray-Lobe moved to reappoint all positions as listed except that Gray-Lobe be appointed to the VCDC ex-officio position and the Vermillion NOW Advisory Council position, and the motion was seconded by Hammond. Under discussion, Mockler said he has been appointed to subcommittees for those two positions, and it will upset things currently in progress. Vote of the Board: 3 Ayes, 2 Nays; motion passed. Appointments covered by the motion are as follows:

- Rod Polley as Highway Superintendent for a 2-year term expiring 1/5/2026.
- Layne Stewart as Emergency Management Director for a one-year term expiring 1/6/2025.
- Mockler to Fair Board.
- E. Smith as member of the Executive Board of SECOG.
- Gray-Lobe to Board of Directors of the Clay County Youth Trust Fund and the Youth Service Council.
- Hammond to the Planning & Zoning Commission.
- Bruce Plate to the Public Safety Board for a three-year term expiring 12/31/2026.
- Hammond and Highway Superintendent Rod Polley to the Vermillion Basin Advisory Board.

- Hammond to the Joint Powers Solid Waste & Recycling Advisory Board.
- Gray-Lobe to the VCDC Board.
- Gray-Lobe to the Vermillion Now Advisory Council.
- Gray-Lobe to the Clay County Park Board.
- E. Smith and Mockler to the ICAP Committee.
- Thiesse to the Point of Dispensing Committee and the Local Emergency Planning Committee.
- Hammond to the UAS (Drone) Committee.
- Thiesse to the County's Employee Safety Program Board.

There was discussion regarding legal newspaper designation. Crum said the communication has been very good over the past year, and there have been no issues with The New Era. Gray-Lobe moved, seconded by Hammond and unanimously carried to designate the Vermillion Plain Talk and The New Era as the official legal newspapers for the County, with the Vermillion Plain Talk being the legal newspaper for the Joint Jurisdiction Zoning Area as The New Era does not serve that area.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to designate the front door of the Courthouse and/or the Wakonda Post Office as the place for holding foreclosure sales, at the Sheriff's discretion regarding location.

Gray-Lobe moved, seconded by Hammond and unanimously 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 Voyage Federal Credit Union as the official depositories.

Pursuant to SDCL 28-17-4, regarding county burials, the funeral director in charge shall furnish casket and outside container or cremation services and conduct the funeral services in customary manner, and the County shall allow the funeral director for merchandise and such services rendered a sum determined by the County which includes vault and opening and closing of the grave. Hammond moved, seconded by Gray-Lobe and unanimously carried to set the sum at \$1,900 for services as required by SDCL 28-17-4.

Hammond moved, seconded by Gray-Lobe and unanimously 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 \$.51 per mile, and if the State raises mileage during the year the County will follow suit; rates for in-state meals set at \$40.00 per day (breakfast \$6.00, lunch \$14.00, evening \$20.00) and out-of-state meals set at \$56.00 per day (breakfast \$10.00, lunch \$18.00, evening \$28.00), and if the State raises meal per diem during the year the County will follow suit.

Gray-Lobe moved, seconded by Hammond and unanimously 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 \$25.00 plus mileage.

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the building permit fee at \$75, the 911 signage fee at \$75 for new signs or replacement signs with a pole, the 911 signage fee at \$25 for replacement signs without a pole, and zoning appeals at \$100.

Hammond moved, seconded by Thiesse and unanimously carried to approve fees for boarding prisoners for other counties at \$80 per day, or per contract, 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 \$20 per 2 cards, mug shots at \$8, UA test \$10, accident reports at \$2 per page, other reports or printing e-mailed civil process to serve at \$2 per page, production of video \$10 per CD/DVD or email/cloud share in addition to \$10 per hour for review and redaction if necessary, contract law enforcement fee for Irene to be based on contract and currently \$61,658.15, contract law enforcement fee for Wakonda to be based on contract and currently \$18,497.48, and custodial contract for the Safety Center currently at \$10,000 from 2022 but recommended to be raised to \$13,000 for 2024.

Gray-Lobe moved, seconded by Hammond and unanimously carried to hold Commissioner meetings the first, second and last Tuesday of the month.

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve SD Public Assurance Alliance as the County's liability insurance and SDML for worker's compensation insurance.

Mockler moved, seconded by Hammond an unanimously 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 as listed on file in the Sheriff's Office.

Gray-Lobe moved, seconded by Hammond and unanimously carried to authorize the use of Sourcewell as a potential vendor source for the county.

Hammond moved, seconded by Gray-Lobe to pass and adopt the following Resolution #2024-01 for Establishment of Election Precincts/Polling Places for 2024. Roll call vote: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Aye.

RESOLUTION #2024-01
Establishment of Election Precincts/Polling Places for 2024

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: Gingrich-Dixon Post #13 Legion Hall, 101 Montana 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 Hammond moved the adoption of the foregoing resolution. Motion seconded by Commissioner Gray-Lobe.

Vote of Commission: Mockler Aye, Gray-Lobe Aye, Smith Aye, Thiesse Aye, Hammond Aye.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 2nd day of January, 2024.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Gray-Lobe moved, seconded by Hammond to pass and adopt the following Resolution #2024-02 for Establishment of Precinct Election Officials Fees for 2024. Roll call vote: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Aye.

RESOLUTION #2024-02
Precinct Election Officials Fees for 2024

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 \$225.00, and election superintendent at \$250.00, 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: \$30.00 compensation for election officials plus \$.51/mile, or the established county rate, roundtrip for those residing outside of city limits.

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 \$.51/mile, or the established 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).

BE IT FURTHER RESOLVED that the judges, clerks, Resolution Board, Counting Board, and any other personnel deemed necessary by the County Auditor for receiving ballot boxes, supplies, and for tabulating ballots be allowed \$75 plus \$.51/mile, or the established county rate, for travel to the ballot tabulation location for those residing outside of city limits.

BE IT FURTHER RESOLVED that the persons setting up equipment at polling places be allowed \$75 for setting up equipment and/or \$75 for taking down equipment.

Commissioner Gray-Lobe moved the adoption of the foregoing resolution. Motion seconded by Commissioner Hammond.

Vote of Commission: Mockler Aye, Gray-Lobe Aye, Smith Aye, Thiesse Aye, Hammond Aye.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 2nd day of January, 2024.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Highway Superintendent Rod Polley discussed 313 St. & 456 Ave. Southeast Farmers Elevator Coop. is building a new grain storage facility. Polley said he is working with SE Council of Governments (SECOG) to apply for a grant for improvement of 313 St. He said he is not concerned about 456 Ave. because that was improved when the ethanol plant was going to build there. They are looking at 4 million bushels for the facility. The grant is a maximum of \$600,000. Polley said he is concerned about gravel holding up to the traffic. They plan to take grain at the facility in the fall. Gray-Lobe pointed out that the representatives from the Southeast Farmers Elevator Coop. said at the last meeting they would assist with infrastructure costs. Polley said he will have Ulteig Engineering look at the plans from the ethanol plant to make sure the road plans are still acceptable. Mockler said the road has to be concrete because the County cannot post load limits on that road. Hammond said we should be fishing for any grants we can get. Polley said the biggest problem will probably be the railroad. He said construction will start before he can do anything with the road. E. Smith asked who should talk to them about paying a portion of the cost. Hammond said they should be on the same page before a zoning change is approved. Polley discussed right-of-way matters. Mockler wondered if the County can do a TIF to pay for the road, and Polley said he will ask SECOG.

Facilities Manager Scott Hanson gave an update on the courthouse mechanical/electrical/HVAC project. He is hopeful that County Commission meetings can be moved back to the courthouse by the end of the month. E. Smith discussed the potential for having someone help with items stored in the attic. It was discussed that most of it is confidential files from the State's Attorney's Office. Treasurer Rhonda Howe said the items from her office may be able to be discarded. State's Attorney Michael Smith said he will have to go through the boxes himself. He also discussed that stack week for court is coming in February, and Hanson should discuss that with the courts. Hanson also discussed the court security project. He said L&L Builders is interested as they are already on site. He also talked about bid requirements and advertisements. E. Smith and Hammond said the County does have to bid the project, but L&L Builders could bid, and there is some redundancy with the current project that may allow for some cost savings. Hanson said there is an opportunity to make the 3rd floor restroom ADA compliant at an additional cost.

Gray-Lobe moved, seconded by Mockler and unanimously carried to authorize Chairwoman Smith and Emergency Management Director Layne Stewart to sign the POD Grant Agreement.

There was discussion regarding the Community Health Nurse program with the SD Dept. of Health. E. Smith, Thiesse, and Crum attended a meeting with the State officials last week. Thiesse said the clerical staff, Lisa Wood, is comfortable with the most recent proposal for her to take on the WIC Public Health Assistant (WPHA) position. The contract should be issued by the end of the week. The WIC officials do not know what is happening on the Community Health side of the program. E. Smith said the Board should revisit Wood's salary, and they should have Alternative HR+ review it.

Under the building project discussion, Mockler said Beckenhauer Construction will need to be first on the agenda next week as they will be presenting the final contract for the Guaranteed Maximum Price (GMP). Bids have been under budget thus far, and they want to revisit the project alternates. Also, footings are started on the building.

Under Joint Jurisdiction Zoning Area (JJZA) discussion, Hammond reported that SECOG is leading the way for the comprehensive plan verbiage, and the map is pretty well set.

At 10:44 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to adjourn and reconvene Tuesday, January 9, 2023 at 9:00 a.m.

Elizabeth T. Smith

Elizabeth T. Smith, Chairwoman
Board of County Commissioners

ATTEST:

Carri R. Crum

Carri R. Crum, County Auditor

January 9, 2024

The Board of County Commissioners met in regular session Tuesday, January 9, 2024 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler (via Zoom), Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman E. Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

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

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the December 28, 2023 and January 2, 2024 meetings.

Dick Strassburg, TEGRA Group, and Bill Barritt, Beckenhauer Construction, met with the Board to present the Final Guaranteed Maximum Price (GMP) Amendment for the jail and law enforcement center project. Strassburg discussed the preliminary budget, schematic design, the project has been sent to 720 contractors for development of the pricing, and now sealed bids have been opened. It is time to deliver the GMP. The project is well within budget. Barritt said the market is better now, and the project was bid at a good time, so they got great responses. Strassburg said this is the first project in the last three years that has been in budget for his firm. The GMP is \$33,595,400, and he is asking for approval as Beckenhauer Construction guarantees it will not exceed that total. He said it is fun for him to deliver these kinds of results to clients. Because the project is within budget, they have been able to look at alternates such as skylight improvements. Sheriff Andy Howe said it is important to note that they have made many cuts, such as narrowing hallways, lowering ceilings and roofs, etc. to reduce the overall cost. Mockler said the \$33,595,400 does not include architecture fees, land costs, etc., so although it will be under budget, the project will still be close to the projected \$42.8 million. Barritt also discussed the access road for deliveries. Gray-Lobe moved, seconded by Hammond and unanimously carried to approve the Final Guaranteed Maximum Price Amendment and authorize signatures on the document.

Highway Superintendent Rod Polley met with the Board to discuss highway matters. He presented a resolution for weight limit enforcement and noted that it does not include the road from Highway 19 to the landfill as that was the agreement when the landfill was built. Gray-Lobe moved, seconded by Thiesse and unanimously carried to pass and adopt the following Resolution #2024-03 for Clay County Weight Limit Enforcement and to authorize the Chairwoman to sign a letter requesting the Highway Patrol to assist with enforcement.

RESOLUTION #2024-03
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 RESOLVED;

Whereas the limits on Clay County roads shall be set at six (6) ton per axle on all hard surface roads. All gravel roads shall be posted at seven (7) ton per axel, or as posted. Also, all roads hard surface and gravel will be posted “NOT to EXCEED 80,000 LBS.”

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 9th day of January 2024 at Vermillion, S.D.

ATTEST:

Carri R. Crum
Clay County Auditor

Elizabeth T. Smith
Chairwoman, Clay County Commission

Polley discussed a joint road striping project between neighboring counties. He said Assistant Highway Superintendent Larry McPherson has been working on it. The State has been getting the striping done very late, so the Counties are combining to bid a project themselves. Clay County’s share is only 20 miles. E. Smith said we probably need a written agreement. It was discussed that Minnehaha County will likely just send invoices for the project. Gray-Lobe and Polley discussed that the price per mile of \$7,000 and the differences in paint types.

Polley discussed Resolution #2024-04 for SD DOT Agri Business Access Grant Application, for which he has been working with SECOG. The matter was tabled.

Polley said he has been talking to SE Farmers Elevator Cooperative, Zoning Administrator Drew Gunderson, and SECOG. They are discussing whether they can have one entrance to the grain facility. If they compromise, it will be less cost. Engineers need to look at the site, and Polley said right-of-way is also a factor.

Polley discussed a structure at Frog Creek and Norwegian Gulch 1 ½ mi. south of 302 St. Engineers inspected it last fall, and 65-70% of the bottom of the culvert is gone. Polley spoke to Ulteig Engineering, and Union County had a similar project that they were able to fix using mudjacking. They are looking at a longer culvert. It would be about \$150,000 for the culvert. It would buy some time before having to disturb the road. Polley said he did not budget for it, but it has to be done. He may have to cut to some chip sealing this year to cover the cost. Polley and Thiesse discussed the method for the repair. Polley said we did this on West Main St. about 10 years ago. The culvert was installed in 1963. It

is a big project, but it is necessary. Other hard-to-get-to structures were inspected, and this was the only one needing immediate repairs.

Polley discussed his machinery budget. He said the courthouse should have its own skid loader for snow removal. The one he loaned to the courthouse broke down.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the following claims for payment.

(DUE TO OTHER GOVERNMENT)		SDACC OFFICE	\$3,195.00
BERESFORD SCHL DIST 61-2	\$5,301.90	TEGRA GROUP INC	\$21,400.00
BETHEL TOWNSHIP	\$1,499.93	UNION CO CLERK OF COURTS	\$10.00
CENTERVILLE SCH DIST 60-	\$150.52	VERMILLION/CLAY EMS	\$784.00
CITY OF VERMILLION	\$13,465.20	YANKTON CO SHERIFF	\$50.00
CLAY CO TREASURER	\$10,676.00	YANKTON MEDICAL CLINIC P	\$105.82
FAIRVIEW TOWNSHIP	\$1,477.56	(OTHER PROFESSIONAL SERVICE)	
GARFIELD TOWNSHIP	\$1,847.76	MINNEHAHA COUNTY JAIL	\$16,771.70
GAYVILLE/VOLIN SCHL DIST	\$27.19	SD ATTORNEY GENERAL	\$35.00
GLENWOOD TOWNSHIP	\$2,437.41	(LAW OFFICE)	
IRENE CITY	\$137.04	PETERSON, STUART, KLENTZ	\$10,905.17
IRENE/WAKONDA SCHL 13-3	\$3,493.90	(REPAIRS AND MAINTENANCE)	
MECKLING TOWNSHIP	\$1,944.70	BUHLS DRYCLEANERS &	\$151.63
NORWAY TOWNSHIP	\$1,028.76	JOHNSON FEED, INC.	\$75.53
PLEASANT VALLEY TWP.	\$1,973.33	PRESTO-X COMPANY LLC	\$182.40
PRAIRIE CENTER TWP.	\$1,256.09	THE LUMBERYARD LLC	\$37.74
RIVERSIDE TOWNSHIP	\$1,700.81	(DATA PROCESSING/CLAY CREEK/INF)	
SD DEPT OF REV ANDERSON	\$298,287.91	MICROFILM IMAGING SYSTEM	\$855.00
SPIRIT MOUND TOWNSHIP	\$2,128.95	SOFTWARE SERVICES, INC.	\$1,575.00
STAR TOWNSHIP	\$1,866.81	TRIMIN SYSTEMS INC.	\$14,025.00
VERMILLION BASIN WATER	\$88.76	(SUPPLIES & MATERIALS)	
VERMILLION SCHL DIST 13-	\$31,392.20	A & B BUSINESS	\$197.13
VERMILLION TOWNSHIP	\$401.86	A-OX WELDING SUPPLY CO	\$142.35
VIBORG/HURLEY SCHL 60-6	\$37.87	BLUE TARP FINANCIAL, INC	\$87.96
WAKONDA TOWN	\$2,049.61	BRUNICK SERVICE, INC.	\$89.28
(FIRE)		BUTLER MACHINERY CO.	\$198.06
BERESFORD RURAL FIRE	\$43.24	CHS INC.	\$2,219.99
CENTERVILLE RURAL FIRE	\$31.10	CINTAS	\$31.40
GAYVILLE RURAL FIRE ASSO	\$26.57	D-WARE INC.	\$5,620.00
IRENE RURAL FIRE ASSOC	\$6.59	I-STATE TRUCK CENTER	\$400.47
VERM. RURAL FIRE ASSOC.	\$194.37	JOHNSON FEED, INC.	\$6.04
VOLIN RURAL FIRE ASSOC.	\$6.75	M & M FARM SUPPLY	\$5.00
WAKONDA RURAL FIRE	\$63.07	MINNEHAHA COUNTY JAIL	\$103.17
(PROFESSIONAL SERVICES AND FEES)		O'REILLY AUTO PARTS	\$14.32
ALTERNATIVE HR, LLC	\$1,548.05	ONE OFFICE SOLUTION	\$374.00
BUREAU OF ADMIN PMB0112	\$10.56	PRESSING MATTERS	\$129.00
FEDEX	\$31.41	RUNNINGS SUPPLY INC H&W	\$292.02
GEO TEK ENGINEERING &	\$7,558.00	SD ASSN OF WEED & PEST	\$75.00
JLG ARCHITECTS	\$65,472.00	SDACHS	\$350.00
KATTERHAGEN, MARK	\$21.00	VERMILLION ACE HARDWARE	\$33.01
LARSON, VAL	\$21.00	WEED & PEST CONFERENCE	\$200.00
LEWNO, LUCILLE M	\$370.63	(TRAVEL AND CONFERENCE)	
LINCOLN COUNTY AUDITOR	\$987.33	WEED & PEST CONFERENCE	\$350.00
SATELLITE TRACKING OF	\$48.75	(INMATE TRAVEL)	
SD ASSN. OF CO. OFFICIAL	\$1,611.35	CENEX FLEET FUELING	\$367.17

(UTILITIES)
 CENTURYLINK \$149.99
 CLAY RURAL WATER SYSTEM \$105.30
 CLAY UNION ELECTRIC CORP \$651.06
 MIDAMERICAN ENERGY C H \$1,186.27
 VERMILLION GARBAGE SVC. \$236.00
 (PAYMENT)

CENEX FLEET FUELING \$2,329.59
 DOMESTIC VIOLENCE \$321.50
 QUALITY MOTORS \$327.79
 VERMILLION ACE HARDWARE \$85.84
 VERMILLION AREA CHAMBER \$500.00
 (BUILDINGS AND STRUCTURES)
 L & L BUILDERS \$209,296.00

Thiesse moved, seconded by Gray-Lobe and unanimously carried to approve the Energy Efficiency Community Block Grant Application and authorize the Chairwoman to sign it.

Auditor Carri Crum said Bill Kennedy recently passed away, and the family is asking that memorials be directed to the Clay County Park Association to be used for the rodeo grounds. The County’s practice for funerals of people who have worked for, or volunteered their time for, County organizations and departments is to send flowers. Given that Bill Kennedy dedicated so much of his life to Clay County Park, specifically to the rodeo grounds, Crum said she felt it would be more appropriate to give the funds that would have been used to pay for flowers to the rodeo grounds. The Commission agreed that it would be an appropriate way to honor Kennedy’s years of service.

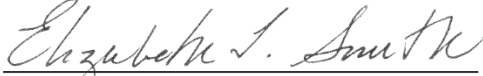
As an informational recognition item, Polley reported to the Board that Highway Department employee Kase King was awarded Firefighter of the Year and is also taking EMT classes.

At 10:46 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to enter an Executive Session for personnel and legal/contractual matters per SDCL 1-25-2.

At 11:59 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to exit the Executive Session.

The Court Appointed Attorney Conflict Contract discussion item was tabled until the next meeting.

At 12:01 p.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, January 30, 2024 at 9:00 a.m.


 Elizabeth T. Smith, Chairwoman
 Board of County Commissioners

ATTEST:

 Carri R. Crum, County Auditor

January 30, 2024

The Board of County Commissioners met in regular session Tuesday, January 30, 2024 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse (via Zoom), and Richard Hammond.

Chairwoman E. Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Hammond moved, seconded by Mockler and unanimously carried to approve the agenda with the addition of Resolution #2024-04 SD DOT Agri Business Access Grant Application.

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the January 9, 2024 meeting.

Rachel Gackle from Marsh McClennan Agency met with the Board to discuss the 2024 insurance benefits renewal. She reported that Clay County is better than the current trend. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve renewal of the current plans.

Hammond moved, seconded by Gray-Lobe to accept the low bid of \$2.85/gallon from Jerry's Service for #1 & #2 blend diesel fuel. Under discussion, Mockler asked Highway Superintendent Rod Polley if they use P40 fuel. Polley said they stopped putting it in the tanks at the Wakonda Highway Shop because the tanks are above ground, and it will not come out of the hoses in the cold weather. Motion unanimously carried.

Gray-Lobe moved, seconded by Hammond and unanimously carried to accept the low bid of \$1.49/gallon from Butch's Propane for propane at the Wakonda and Vermillion Highway Shops.

It was decided that the annual highway materials bid opening will be February 27, 2024 at 9:30 a.m.

The Board considered three Right-of-Way Occupancy Applications from Jefferson Telephone Company. Polley discussed fees for the project. Gray-Lobe said when the fees were considered, it was for the man hours to inspect each bore. Mockler agreed that they inspect each location where the applicant bores under the road, so the fee would apply to each bore. The application fee is also separate from the fee for each bore. E. Smith said the idea is to cover the County's cost so that the taxpayers are not subsidizing private companies. Hammond asked if there is a way for them to leave it open for inspections. Mockler said he wishes they were not here at this point, but unfortunately they are. Gray-Lobe moved, seconded by Mockler and unanimously carried to table the applications until the next meeting.

Hammond moved, seconded by Mockler and unanimously carried to declare surplus old iron cutting edges, aluminum signs, and bridge planks.

Polley gave a report on costs of the January snowstorms. The first storm cost the County \$51,500, and the subsequent storms were another \$230,700, for a January total cost of \$282,200. Hammond said he saw some things on the internet where people said Union County's roads were better than Clay

County's, so he drove a lot of miles around both counties to compare. He said Clay County's roads were better. E. Smith said she was really proud of the incredible job our Highway Department did. Polley said he planned with neighboring counties and stayed in touch with the radio station during the storms.

Polley also discussed problems with the snow machine. To replace it with an equivalent machine is \$300,000. The current machine is a 1972 model, and it is difficult to find parts for it. Hammond said he saw some new ones at the road conference, and they are impressive. Mockler discussed bidding and specifications with Polley. Polley has another machine in mind, and it was discussed that bids could be opened February 27th.

The Board considered Resolution #2024-04 for SD DOT Agri Business Access Grant Application.

CLAY COUNTY

**RESOLUTION #2024-04
SD DOT Agri Business Access Grant Application**

WHEREAS, Clay County desires assistance from the S.D. Department of Transportation Agri Business Access Grant Program for the purpose of 313 St.; and

WHEREAS, the Clay County Commission hereby commits to the continued maintenance of the road; and

WHEREAS, the Clay County Commission commits to the engineering costs and the local match for the project; and

WHEREAS, the Clay County Commission acknowledges its responsibility to secure rights-of-way or easements for construction;

NOW, THEREFORE, BE IT RESOLVED that the Clay County Commission hereby authorizes the filing of a grant application, including all understandings and assurances contained therein, for the Agri Business Access Grant, and hereby authorizes the Highway Superintendent to act in connection with the application and to provide such additional information as may be required.

Adopted this 30th day of January, 2024.

Elizabeth T. Smith, Chairwoman

ATTEST:

Carri Crum, Auditor

Polley said he and Assistant Highway Superintendent Larry McPherson are meeting with the engineers today after the Commission meeting. He had a phone meeting with Zoning Administrator Drew Gunderson and the SE Farmers Elevator Coop. representatives, and it did not go well. Any future meetings will be in front of the Commission. Hammond said he brought up the need for a concrete road as there is no current plan for using the railroad. Engineering is really critical for this, and test holes should be densely spaced for this location. Polley said he will have SE Farmers Elevator Coop. come in for a meeting after with the Commission after the County's engineers have inspected the site. Mockler moved, seconded by Hammond and unanimously carried to pass and adopt Resolution #2024-04 for SD DOT Agri Business Access Grant Application.

Weed Supervisor Dennis Ganschow presented a letter to the Board announcing his retirement. The Board congratulated him.

At 10:13 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board with Ditch Board Chairman Mockler presiding.

Hammond moved, seconded by E. Smith and unanimously carried to approve invoices from Ulteig Engineering in the amounts of \$2,387.63 and \$657.45 for the Clay Creek Ditch.

The annual joint meeting date was set for March 5, 2024 at 1:00 at the 4-H Building.

Polley discussed the FEMA reimbursement progress. He also reported on repairs to the lateral near Bernard Schelling's property. Mockler said another culvert will be repaired where a combine damaged it on the Yankton-Clay Ditch.

At 10:20 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman E. Smith presiding.

Hammond moved, seconded by Mockler and unanimously carried to approve the following claims for payment.

(PAYROLL)		DIV OF CHILD SUPPORT IA	\$264.00
COMMISSIONER'S	\$9,247.39	DIV OF CHILD SUPPORT SD	\$1,367.00
AUDITOR'S OFFICE	\$14,583.19	NEW YORK LIFE C/O M&T BN	\$298.57
TREASURER'S OFFICE	\$25,105.69	SD RETIREMENT SYSTEM	\$37,289.92
STATE ATTORNEY'S OFFICE	\$32,244.48	SD SUPPLEMENT RETIREMENT	\$6,678.18
COURTHOUSE		SDRS ROTH 457(B) PLAN	\$625.00
\$14,093.69		SDRS SPECIAL PAY PLAN	\$4,441.66
DIRECTOR OF EQUALIZATION		TASC PVR	\$2,181.62
\$13,133.03		THE STANDARD - DENTAL	\$1,405.48
REGISTER OF DEEDS	\$10,212.47	THE STANDARD - LIFE INS.	\$416.34
VETERAN'S OFFICE	\$1,950.59	THE STANDARD - SH TRM DI	\$1,094.47
24/7 PROGRAM	\$1,337.60	THE STANDARD - VISION	\$354.04
		UNITED WAY OF VERMILLION	\$215.00
SHERIFF'S OFFICE	\$59,565.02	VOYAGE FEDERAL CREDIT	\$750.00
COUNTY JAIL	\$44,520.29	WELLMARK BLUE CROSS	\$59,731.35
EMERGENCY MGMT	\$5,727.57	(WORKER'S COMPENSATION)	
HIGHWAY	\$64,475.02	SDML WORKERS' COMP FUND	\$51,064.00
COMMUNITY HEALTH NURSE/WIC	\$3,715.85	(OTHER INSURANCE)	
EXTENSION OFFICE	\$3,590.94	SD PUBLIC ASSURANCE ALL.	\$130,016.75
WEED	\$893.01	(PROFESSIONAL SERVICES AND FEES)	
PLANNING & ZONING	\$3,985.86	AARMS	\$2,310.00
(DUE TO OTHER GOVERNMENT)		AMG BEHAVIORAL HEALTH	\$22.95
SDACO - M&P FUND PAYMENT	\$264.00	AMG PSYCHIATRY SF	\$168.27
(PAYROLL WITHHOLDING)		AVERA MCKENNAN	\$5,278.54
SD DEPT OF REVENUE	\$21.92	BECKENHAUER	\$679,651.60
(PAYROLL WITHHOLDING)		BETHEL TOWNSHIP	\$19,983.35
AAA COLLECTIONS	\$782.54	CITY OF VERMILLION	\$6,974.48
AFLAC	\$961.76	CLAY CO. PARK ASSOCIATIO	\$125.00
CLAY CO FIT FICA	\$68,532.84	CLAY COUNTY ABSTRACT	\$127.44
COLONIAL LIFE	\$297.05	ERICKSON SOLUTIONS GROUP	\$919.70
CONSECO/WASHINGTON	\$24.45	GAPP, DEBRA	\$900.00

GEO TEK ENGINEERING &	\$694.70
HOV SERVICES INC.	\$879.92
INTERSTATE POWER SYS INC	\$760.00
LEWIS & CLARK BEHAVIORAL	\$426.00
LINCOLN COUNTY AUDITOR	\$758.81
LINDAHL, JOSETTE MD/PHD	\$1,500.00
MATTER LAW OFFICE LLC	\$374.50
MID-STATES ORG. CRIME	\$100.00
PHARMCHEM, INC.	\$674.50
QUALIFIED PRESORT SVC IN	\$9,094.96
SANFORD HEALTH CLINIC	\$3,207.02
SANFORD HEALTH OCCMED	\$162.00
SCHILDHAUER, T. LEMBCKE	\$1,152.00
SD DEPT OF HEALTH LAB	\$940.00
SD DEPT OF LABOR & REG	\$66.51
SD EMG. MGMT. ASSOCIATIO	\$30.00
SD STATES ATTY ASSOC.	\$1,114.01
SDAO	\$225.00
SDAE4-HP DAVISON COUNTY	\$120.00
STAR TOWNSHIP	\$46,386.35
TRI-STATE EMA	\$20.00
ULTEIG	\$9,212.51
WOODBURY CO. SHERIFF	\$38.00
YANKTON CO TREASURER	\$237.90
(OTHER PROFESSIONAL SERVICE)	
CITY OF VERMILLION	\$226,567.18
SCHAEFER, DEAN	\$54.00
SONGSTAD, MELINDA	\$347.90
UNION CO CLERK OF COURTS	\$14.50
UNION CO. SHERIFF	\$6,000.00
YANKTON CO SHERIFF	\$2,040.00
(LAW OFFICE)	
DEN HERDER LAW OFFICE	\$172.36
TERWILLIGER, PHILIP	\$700.00
(MENTAL HEALTH)	
SD DEPT OF REV ANDERSON	\$600.00
(PUBLISHING)	
BROADCASTER PRESS	\$226.56
(REPAIRS AND MAINTENANCE)	
CANON	\$363.32
CENTURY BUSINESS PRODUCT	\$37.50
PRESSING MATTERS	\$25.00
PRESTO-X COMPANY LLC	\$269.23
PROCHEM DYNAMICS	\$36.78
SD PUBLIC ASSURANCE ALL.	\$149.02
VERMILLION ACE HARDWARE	\$484.82
(DATA PROCESSING/CLAY CREEK/INF)	
AUMENTUM TECHNOLOGIES	\$2,384.20
MICROFILM IMAGING SYSTEM	\$90.00
ULTEIG	\$3,525.08
(SUPPLIES & MATERIALS)	
BLACKSTRAP INC	\$3,577.14
BRUNICK SERVICE, INC.	\$197.00
BUTLER MACHINERY CO.	\$1,822.69
CHS INC.	\$660.00
CINTAS	\$186.94

CLAY UNION ELECTRIC CORP	\$750.00
DMC WEAR PARTS LLC	\$5,129.18
I-STATE TRUCK CENTER	\$1,906.53
INTERSTATE POWER SYS INC	\$98.01
L.G.EVERIST, INC	\$313.37
LAWSON PRODUCTS, INC.	\$235.37
LAYNE'S WORLD, INC.	\$264.98
LEWIS DRUG, INC.	\$1,202.85
M & M FARM SUPPLY	\$186.44
MCLEOD'S PRINTING & SUPP	\$463.29
MICROFILM IMAGING SYSTEM	\$30.00
MILLS & MILLER, INC DIS	\$2,244.00
MOORE WELDING & MFG	\$230.99
NOTHERN TRUCK	\$132.05
O'REILLY AUTO PARTS	\$59.35
PLAIN TALK/BROADCASTER	\$52.00
PRESSING MATTERS	\$383.00
PROCHEM DYNAMICS	\$1,440.15
QUALIFIED PRESORT SVC IN	\$424.28
QUILL LLC TRS	\$240.52
RIVERSIDE HYDRAULICS AND	\$4.36
RUNNINGS SUPPLY INC H&W	\$159.15
STURDEVANT'S AUTO HWY	\$305.60
TWO WAY RADIO SOLUTIONS	\$349.99
UNION CO. SHERIFF	\$192.55
VERMILLION ACE HARDWARE	\$35.98
WHEELCO BRAKE AND SUPPLY	\$1,321.11
(COPIER SUPPLIES)	
RELIANCE TELEPHONE	\$500.00
(UTILITIES)	
BUREAU OF ADMINISTRATION	\$256.29
CENTURYLINK	\$473.86
CITY OF VERMILLION	\$1,864.71
MIDAMERICAN ENERGY EXT	\$38.88
MIDAMERICAN ENERGY S C	\$25.80
MIDCO BUSINESS EXT.	\$75.39
VERIZON WIRELESS HWY TRS	\$98.53
VERIZON WIRELESS SHERIFF	\$402.02
(PAYMENT)	
AMER, TRISTAN	\$20.00
AMMON, JODI	\$22.24
BANASIAK, JOHN	\$10.00
BERESFORD PUBLIC LIBRARY	\$1,500.00
BREMER, PAUL A	\$57.14
BRYANT, DARREN	\$29.38
BYLANDER, RUTH	\$50.00
CLAY CO AGR FAIR ASSOC	\$2,062.50
CULVER, KIMBERLY	\$10.00
CUSICK, SAMANTHA	\$17.14
DAKOTA SENIOR MEALS	\$1,448.25
DIMOCK, LAURA	\$10.00
EBSER, PAUL	\$10.00
EMME, GABRIELLA	\$10.00
FADER, AARON	\$10.00
FALLAN, JULIE	\$50.00
GORDON-BLAND, DEBORAH	\$10.00

GREGER, CANDIDA	\$20.00	SALVATION ARMY	\$1,300.00
GUNHAMMER, TIA	\$20.00	SCHOENFELDER, ASHLIN	\$10.00
HAHN, SANDRA	\$70.40	SE COUNCIL OF GOVTS.	\$13,072.00
HALVERSON, ERNEST	\$53.06	SOMMERVOLD, GRANT	\$15.10
HOUGH, RYAN	\$10.00	STONER, MARSHALL	\$10.00
HY-VEE, INC. JAIL ACCT	\$416.82	SWANSON, MARY	\$10.00
JIANG, NAN	\$10.00	THE SOAP GUYS	\$115.20
JOHNSON, MARISA	\$20.00	VERMILLION PUBLIC LIBRAR	\$500.00
JORGENSEN, MATTHEW	\$50.00	VOGEL, ERIN	\$50.00
KAMMER, SEAN	\$10.00	WAKONDA PUBLIC LIBRARY	\$1,250.00
LERFALD, CHAD	\$10.00	(JDC/SPECIAL EQP.)	
LEWIS & CLARK BEHAVIORAL	\$6,310.00	AXON ENTERPRISE INC.	\$7,071.84
MADSEN, CYNTHIA	\$10.00	(BUILDINGS AND STRUCTURES)	
NELSON, ANNA	\$25.30	JLG ARCHITECTS	\$1,196.60
OSTREM, TIMOTHY	\$32.44	(FURNITURE AND MINOR EQUIPMENT)	
PECKHAM, KATHLEEN	\$10.00	CANON	\$84.79
PIZZA RANCH 14762	\$1,602.00	MICROFILM IMAGING SYSTEM	\$215.00
PRAMANN, ZACHARY	\$72.44	(AUTOMOTIVE)	
ROBERTSON, JONATHAN	\$10.00	QUALITY MOTORS	\$400.67
ROCS TRANSIT	\$468.75		

Payroll for 2024 (per month unless otherwise indicated): Cynthia Aden 25.00/meeting, Victor Allen 4303.28, Jeffrey Anders 6301.19, Tarles Antoine 3622.04, Aaron Armstrong 5594.47, Marcie Armstrong 3904.79, Amber Benway 20.90/hour, Jessica Beringer 4036.04, Brian Bertrand 19.88/hour, Kristina Brinkmann 3904.79, Melissa Brown 3281.33, Kyle Calvert 3532.23, Cynthia Carrington 23.96/hour, Kaleb Christopherson 5121.10, Ryan Church 4082.48, Erin Cook 3711.35, Carri Crum 6307.68, Danielle Davis 3522.14, Corey Doherty 22.53/hour, Caitlyn Dommer 7029.73, Timothy Dooley 25.07/hour, Joan Downey 4153.00, Dennis Ganschow 34.61/hour, Marty Gilbertson 25.00/meeting, Geoffrey Gray-Lobe 1822.92, Sarah Gregg 3609.47, Drew Gunderson 5798.70, Richard Hammond 1822.92, Kevin Scott Hanson 5025.71, Samantha Hargrave 7604.89, Brent Hays 27.17/hour, Victoria Hesse 4184.36, Andy Howe 8260.26, Rhonda Howe 6307.68, Kyle Huber 4508.19, Joseph Hubert 25.00/meeting, Tiffany Husby 5868.76, Raven Jensen 3590.94, Kase King 18.93/hour, Nicole Klunder 4239.47, Shannon Kymala 5121.10, Timothy Larson 31.34/hour, Jenna Lucas 50.00/call, Larry McPherson 36.87/hour, Sarah Miller 4592.54, Travis Mockler 1822.92, Grant Namminga 22.48/hour, Lennea Olson 4949.57, Matthew Olson 20.90/hour, Andrew Paulsen 5723.58, Paul Pederson 6457.07, Ina Peterson 36.05/hour, Julie Plaatje 4484.87, Rodney Polley 7105.15, Robert Proefrock 22.53/hour, Preston Rhodes 4640.87, William Schaeffbauer, III 31.79/hour, Tyler Schuck 4484.87, Brianna Severson 3522.14, Tom Simmons 25.00/meeting, Elizabeth Smith 1955.71, Michael Smith 7993.44, Layne Stewart 5727.57, David Styles 5327.87, Laura Sundet 4459.01, Ashley Surber 50.00/call, Rhonda Taggart 4239.47, Lisa Terwilliger 6307.68, David Thiesse 1822.92, Patti Waage 50.00/call, Linda Weber 5432.06, Lisa Wood 3715.85, Stacey Wuestewald 50.00/call.

Gray-Lobe discussed the possibility of septic system permitting. He said this was brought to him over the summer by a constituent who was concerned that the neighboring property does not have enough space for a proper septic system. When Gray-Lobe contacted the State, they said they had not issued a permit in Clay County since 2019. He discussed DANR regulations and talked about other counties' permits, specifically Meade County. He said, according to administrative rules, he does not think he is asking for anything that a certified septic installer would not already be doing. It would be creating documentation. He wanted to open the discussion. Hammond said this needs to go in front of the Planning & Zoning Commission first. He has suggested a spot on the building permit for this, so it is

already under consideration, but doing what Gray-Lobe suggests would add a couple thousand dollars to the things. He discussed differences in the landscape in Meade County that warrants their processes. If Clay County requires a licensed installer on the building permit, that is what is really needed. Gray-Lobe asked if we could require licensed installers to keep records. Mockler said we just be increasing costs. He said if we had a problem we would already know it. Hammond said there are only a few areas in the County where it would be a problem. Smith said she is a volunteer water tester for DANR, and there are areas where e.coli goes up by August. Mockler asks what happens if someone needs to replace their septic system, and they cannot comply with the new regulations. Hammond said they would need holding tanks. He said the problems are complaint-driven unless the County has an employee who just goes around to inspect these things, and the County cannot afford that. The other thing they can do is require a licensed installer on the building permit, but it needs to go through the Planning & Zoning Commission. The Board discussed using licensed installers vs. someone doing the installation themselves and following regulations. E. Smith said she likes the building permit idea and asked if the installers can do site plans. Hammond discussed it and said those are useful so you know for future remodeling, etc. where things are located. E. Smith suggested asking for a site plan as it would create a permanent record filed in a public place (i.e. the Zoning Office). Thiesse said they need more research and discussion at the Planning & Zoning Commission level.

Hammond moved, seconded by Gray-Lobe and unanimously carried to authorize the Chairwoman to sign the Energy Efficiency Community Block Grant award documents.

Regarding a strip of land along Baylor that is to be conveyed to the City of Vermillion, State's Attorney Michael Smith said Attorney Craig Thompson is working on it.

M. Smith said he spoke with the State Engineer's Office regarding the court security project, and he is comfortable with the idea of having bid specifications ready for next week's meeting.

Auditor Carri Crum asked Facilities Manager Scott Hanson if the County Commission meetings can be moved back to the courthouse, and he said not yet. The room is still being heavily occupied by the contractors on the mechanical/electrical/HVAC project.

At 10:57 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

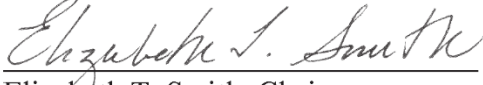
At 11:39 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

Gray-Lobe moved, seconded by Hammond and unanimously carried to approve and authorize the Chairwoman to sign the 2024 Court Appointed Attorney Conflict Contract with amendments made by the Board.

Hammond moved, seconded by Gray-Lobe to approve delivery of a written notice to Philip A. Terwilliger, Attorney at Law, of cancellation of the Alcohol Committal Contract, realizing that the written contract expired December 31, 2022, although both parties have continue to operate as if it were in effect, and the Board intends to cancel the contract effective February 29, 2024. Under discussion, E. Smith said she would like it on the record that the contract is simply not used sufficiently enough to

justify keeping it in effect. Vote of the Board: Mockler Nay, Gray-Lobe Aye, Hammond Aye, Smith Aye, Thiesse Aye.

At 11:45 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to adjourn and reconvene Tuesday, February 6, 2024 at 9:00 a.m.


Elizabeth T. Smith, Chairwoman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

February 6, 2024

The Board of County Commissioners met in regular session Tuesday, February 6, 2024 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman E. Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the agenda with the addition of the RAISE Grant application.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the January 30, 2024 meeting.

Jacob Connelly with Lieber Construction appeared under Visitors to be Heard to discuss the pay application process for the jail and law enforcement center project.

Emergency Management Director Layne Stewart appeared under Visitors to be Heard to report that the Ponderosa neighborhood is looking into doing rip rap as they are in danger of losing their road to the river. They do not qualify for assistance, so they plan to ask the County to apply for funding on their behalf. If they do request it, Stewart plans to invite SECOG and the Pierre Office of Emergency Management so that we have immediate answers. Mockler said the Township would qualify, but it was discussed that it says it is a private drive. Hammond said this is not an actual disaster. He asked if permission is needed to rip rap as it is a National Park. Stewart said it would be the Army Corps of Engineers.

Polley said Jefferson Telephone Company will need to resubmit their Right-of-Way Occupancy Applications.

The Board reviewed the format of the Right-of-Way Application for the fee structure. It is \$125 for every permit and \$125 for every bore under the road. Smith said her concern is that we are not paying private companies to do their work, that it is fair to taxpayers because we have a County person present to inspect the borings. Mockler said they cannot fill the hole before the Highway Department inspects it. Polley said he wants to make sure it gets done right. Mockler discussed summer highway hours as they apply to normal business hours. State's Attorney M. Smith said he likes the proposed language in the new draft better than in the old application. Hammond suggested some ways to change the formatting to fit the application language onto two pages. Mockler asked Polley if they should be notifying him when the project is done as well, and Polley said it would be good to have a completion notification. It was discussed that State's Attorney Michael Smith and Auditor Carri Crum will work with Polley for a final draft for next week's meeting. Polley clarified that this does not include any Township roads as he will not approve anything on a Township road.

Polley said weight limits are in place this morning because the roads are weeping like crazy. M. Smith said it may be outside of standard, but the resolution was passed already and this winter is outside of standard. Polley said we are the first County this year. Mockler said he has been getting phone calls

asking when the limits would be in place, so people knew it was coming. Hammond said we have to protect the roads.

At 9:43 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and convene as Clay County Ditch Board with Ditch Board Chairman Mockler presiding.

Polley said he received a quote of \$5,290 from Wieman Construction for tree removal on Lateral 50. Crum confirmed that there is \$16,866 in the Lateral 50 fund. Smith moved, seconded by Gray-Lobe and unanimously carried to authorize Polley to proceed with the \$5,290 quote.

At 9:49 a.m., Gray-Lobe moved, seconded by E. Smith and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman E. Smith presiding.

Stewart presented the SLA Quarterly Activity Report. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve and authorize the Chairwoman to sign the SLA Quarterly Activity Report.

Facilities Manager Scott Hanson said the courthouse mechanical/electrical/HVAC project is proceeding. Electrical, sprinkler system, fire alarm system, and ceiling contractors are continuing to work. Next week is a quiet week because there is a jury trial. The sprinkler contractor is drilling holes this week so that the noisy work is done before the trial. The week of February 19th, the plan is to work in the State's Attorney's Office. Thousands of feet of technology cable was installed over the weekend. The week of March 4th, they would like to start work in the large courtroom. It may take three weeks. He is hopeful that the Commission Room will be available for use by the courts during that timeframe. M. Smith said he is preparing a notice of potential damages for any late completion as the contractual deadline for issuing such notice is approaching.

Hanson has been working on the court security renovation project bid specifications. He has been speaking with Dick Strassburg from TEGRA Group. It is Strassburg's opinion that a Construction Manager At-Risk (CMAR) would be beneficial to the County for this project. Hanson presented a proposal for TEGRA Group's fee of \$5,000 for assisting with selection of a CMAR for this project. He said this would be money well spent, and it takes some pressure off of him as he has not done this before. M. Smith said he spoke to the State Engineer's Office regarding this process. Hanson said his hope is that we would be able to extend the time that the courtroom is closed and continue with this project with no gap in between. M. Smith said it makes a lot of sense, and the conversation with Strassburg was very informative. The statutory requirements of doing this without a CMAR are burdensome and complicated, and he is concerned that he would struggle with time to advise the County on the project. E. Smith asked if we can just hire a CMAR. M. Smith said we can. E. Smith said as long as we can do it, it's a no-brainer. Hanson said Strassburg is a great resource, and he will keep us from pitfalls. M. Smith said he read through the grant documents, and he does not see any hiccups. It will, however, be nice to have a second set of eyes. Mockler said when the State looks at it, everything will be in order. Gray-Lobe moved, seconded by Mockler and unanimously carried to approve and authorize the Chairwoman to sign the proposal from TEGRA Group for \$5,000.

The Board discussed the following Resolution #2024-05 for RAISE Grant Application. This is strictly for planning. Gray-Lobe said this the same pool of money we applied for last year and did not get

approved for. It is \$255,000 and is similar to the FLAP Grant. There is no match required, and the planning is for feasibility, cost-benefit, and community engagement. Gray-Lobe moved, seconded by Hammond to pass and adopt the resolution.

RESOLUTION NO. 2024-05

A RESOLUTION AUTHORIZING THE CHAIRPERSON TO SIGN AN APPLICATION AND THE SOUTH EASTERN COUNCIL OF GOVERNMENTS TO SUBMIT AN APPLICATION FOR A GRANT FUNDING OPPORTUNITY FROM THE US DEPARTMENT OF TRANSPORTATION ENTITLED “FY 2024 NATIONAL INFRASTRUCTURE INVESTMENTS” FOR PLANNING FOR TRAIL CONNECTIVITY WITHIN AND BETWEEN CLAY AND YANKTON COUNTIES, SD.

WHEREAS, recreational trails offer opportunities for residents and visitors to engage in activities such as walking, biking, hiking, and other forms of outdoor recreation and exercise that address public health concerns such as obesity and mental health; and

WHEREAS, according to the Bureau of Economic Analysis the outdoor recreation economy accounted for \$454 billion of the nation’s gross domestic product; and

WHEREAS, according to the National Park Service, the Missouri National Recreational River supported \$6.9 million in local spending and 90 local jobs for a total benefit of \$8.5 million; and

WHEREAS, the 2015 Yankton County and 2023 Clay County Master Transportation Plans have identified connecting communities, trail segments, and recreation areas via pedestrian-oriented trails as an action to pursue; and

WHEREAS, outstanding natural, cultural, and recreational features enhance the quality of life for residents and create a sense of belonging and identity; and

WHEREAS, there are a number of these outstanding natural, cultural, and recreational features in or in proximity to Clay and Yankton Counties, SD including but not limited to: Missouri National Recreational River, Spirit Mound, Green Island, Goat Island, Bow Creek Recreation Area, Mulberry Bend Overlook, Clay County Park, Riverside Park, Gavins Point Recreation Area, White Crane Recreation Area, and Myron Grove that would further benefit residents and visitors of Clay and Yankton County if connected via a network of pedestrian-oriented trails; and

WHEREAS, the US Department of Transportation is offering grants that could assist Clay and Yankton Counties with feasibility studies, cost-benefit analyses, preliminary environmental reviews, and community engagement that Clay County has prepared an application for

NOW, THEREFORE BE IT RESOLVED, by the Clay County Board of Commissioners that the Chairperson is hereby authorized to sign an application and Southeast Council of Government is hereby authorized to submit the application for a grant funding opportunity from the US Department of Transportation entitled “FY 2024 National Infrastructure Investments” for planning for trail connectivity within and between Clay and Yankton counties, SD.

Approved this 6th day of February 2024.

Signed:

Attest:

Elizabeth Smith, Chairperson

Carri Crum, County Auditor

Under discussion, Mockler clarified that it is implementation of a study. E. Smith said it would be to hire someone to conduct the study. She said it includes that we will not take land from anyone who is not willingly participating. Gray-Lobe said we are exclusively stating that community input is critical. E. Smith said it is about determining where we would get the most bang for our buck. Thiesse asked if different routes will be searched out. E. Smith said the grant pays for and is aimed at connecting recreational resources to communities, so there are only certain things that would be connected, such as Spirit Mound to Vermillion, and those are listed in the grant. The engineer’s job would be to see how feasible it would be. Thiesse asked what guidelines they have to follow. He is trying to nail down a route. Gray-Lobe said it is basically a 10-mile corridor along the river and a 10-mile circle around Spirit Mound. E. Smith said it says a trail would avoid floodplain areas because the river wanders constantly. Thiesse asked if the grant money is allowed to be used for public meetings and sending out notices. Hammond said it is one of the primary goals. Mockler said part of this is going to be in Yankton County, so he asked how we spend money in another county as we do not have authority in Yankton County.

Gray-Lobe said Yankton County would have to formally adopt the resolution in support. One county had to be designated the lead for the grant, so that would be Clay County. E. Smith said Yankton County Commissioners were enthusiastic about this. Gray-Lobe discussed with Thiesse other areas that may be included, and they talked about the bicycle lane on Highway 19. E. Smith said that is a little scary on a bicycle, and people do not take that route due to concerns for personal safety. She said an engineer could study other ways to make that safer. Gray-Lobe said there is a cost-benefit factor, too. E. Smith discussed the potential for something near Timber Rd. M. Smith shared concerns about this topic being placed on the agenda well in advance as it is a popular topic. Thiesse moved, seconded by Mockler and unanimously carried to table the resolution until the next meeting.

At 10:30 a.m., Mockler moved, seconded by Thiesse and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

At 10:46 a.m., Hammond moved, seconded by Mockler and unanimously carried to exit the Executive Session.

At 10:47 a.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, February 13, 2024 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

Elizabeth T. Smith
Elizabeth T. Smith, Chairwoman
Board of County Commissioners

February 13, 2024

The Board of County Commissioners met in regular session Tuesday, February 13, 2024 at 9:00 a.m. at the Vermillion Public Library, 18 Church St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman E. Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items. Regarding the solar ordinance hearing, Hammond said he has been on the Spirit Mound Trust for decades. Smith disclosed she has been a member of the Spirit Mound Trust for many years and has no financial interest. Gray-Lobe has been a member of the Spirit Mound Trust and has been employed by SD Game, Fish, & Parks (GF&P) last year. Thiesse said today is not dealing with any applications, but they have anticipated an application, and it would involve a plan that is adjacent to his land. He said he does not know if that is a conflict or not. Hammond said this has a lower bar for conflict of interest declarations, but if an application occurs, there would be a higher bar.

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

Hammond moved, seconded by Thiesse and unanimously carried to approve the minutes of the February 6, 2024 meeting.

4-H Educator Lauren Hollenbeck presented the Quarterly 4-H Activity Report.

Highway Superintendent Rod Polley met with the Board to discuss bridge inspections.

Hammond moved, seconded by Mockler and unanimously carried to pass and adopt Resolution #2024-06 for Bridge Reinspection Program.

**RESOLUTION #2024-06
BRIDGE REINSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, 23 CFR 650 Subpart C, 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, Clay County is desirous of participating in the Bridge Inspection Program.

The County requests SDDOT to hire Ulteig (Consulting Engineers) 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% matching funds.

Dated this 13th day of February, 2024, at Vermillion, South Dakota.
(city)

Board of County Commissioners
of Clay County

ATTEST:

County Auditor

Chairwoman of the Board

The Board considered a final draft of changes to the Right-of-Way Application form. It was decided that this is an administrative action, and it does not require a vote of the Board.

Polley reported that Ulteig Engineering has been inspecting the site by the alfalfa mill for the proposed grain facility.

Sheriff Andy Howe presented contracts for the Minnehaha County Juvenile Detention Center (JDC) and Union County Jail boarding rates. Hammond moved, seconded by Thiesse to approve both contracts and authorize the Chairwoman to sign them. Under discussion, Hammond noted that the only change to the JDC contract was the rate. Gray-Lobe said he was surprised to see some of the conditions that JDC could reject a person, and so it seemed the higher rate would be a last resort. Howe said they are a professional facility, and so they can deal with problem individuals. He said there is also that problem with adult inmates on occasion as well. All voted aye; motion unanimously passed.

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the following claims for payment.

(DUE TO OTHER GOVERNMENT)		GAYVILLE RURAL FIRE ASSO	\$1,002.45
BERESFORD SCHL DIST 61-2	\$28,720.46	IRENE RURAL FIRE ASSOC	\$248.78
BETHEL TOWNSHIP	\$9,713.86	VERM. RURAL FIRE ASSOC.	\$7,099.05
CENTERVILLE SCH DIST 60-	\$35,077.95	VOLIN RURAL FIRE ASSOC.	\$245.82
CITY OF VERMILLION	\$149,688.18	WAKONDA RURAL FIRE	\$2,379.72
CLAY CO TREASURER	\$8,946.26	(PROFESSIONAL SERVICES AND FEES)	
FAIRVIEW TOWNSHIP	\$14,989.29	ALLBRIGHT CLEANING	\$764.64
GARFIELD TOWNSHIP	\$14,355.01	ALTERNATIVE HR, LLC	\$2,600.50
GAYVILLE/VOLIN SCHL DIST	\$6,577.51	BECKENHAUER	\$336,751.62
GLENWOOD TOWNSHIP	\$8,279.35	BILLINGS, JOHN P	\$5,394.00
IRENE CITY	\$1,951.74	BUHLS DRYCLEANERS &	\$168.70
IRENE/WAKONDA SCHL 13-3	\$115,940.12	C-CLEANING SERVICES	\$1,196.40
MECKLING TOWNSHIP	\$9,791.36	CANON	\$25.00
NORWAY TOWNSHIP	\$5,998.69	CITY OF VERMILLION	\$1,929.40
PLEASANT VALLEY TWP.	\$12,575.78	GARFIELD TOWNSHIP	\$23,400.00
PRAIRIE CENTER TWP.	\$7,680.17	ILCHUK ENTERPRISES LLC	\$240.00
RIVERSIDE TOWNSHIP	\$10,977.51	JLG ARCHITECTS	\$20,460.00
SD DEPT OF REV ANDERSON	\$342,044.16	KONE, INC.	\$893.22
SDACO - M&P FUND PAYMENT	\$230.00	LEISURE LAWNS, LLC	\$1,141.26
SEILERS SECOND ROAD DIST	\$58.45	PHARMCHEM, INC.	\$317.55
SPIRIT MOUND TOWNSHIP	\$11,297.93	QUALIFIED PRESORT SVC IN	\$1,217.28
STAR TOWNSHIP	\$12,713.08	SD DEPT OF HEALTH LAB	\$1,725.00
TLC WATER PROJECT DIST.	\$12,623.97	TEGRA GROUP INC	\$21,602.01
VERMILLION BASIN WATER	\$2,130.11	TRITECH SOFTWARE SYSTEMS	\$2,757.08
VERMILLION SCHL DIST 13-	\$392,170.15	(OTHER PROFESSIONAL SERVICE)	
VERMILLION TOWNSHIP	\$5,568.06	MINNEHAHA COUNTY JAIL	\$10,190.40
VIBORG/HURLEY SCHL 60-6	\$84.08	SD ATTORNEY GENERAL	\$150.00
WAKONDA TOWN	\$5,884.02	UNION CO. SHERIFF	\$19,520.00
(FIRE)		YANKTON CO SHERIFF	\$595.00
BERESFORD RURAL FIRE	\$1,631.58	(LAW OFFICE)	
CENTERVILLE RURAL FIRE	\$1,173.31	PETERSON, STUART, KLENTZ	\$12,034.67

(MENTAL HEALTH)
 AVERA MCKENNAN \$7,585.39
 SD DEPT OF REV ANDERSON \$600.00
 (PUBLISHING)
 PLAIN TALK/BROADCASTER \$92.00
 (REPAIRS AND MAINTENANCE)
 BRUNICK SERVICE, INC. \$70.00
 FIRST DAKOTA CREDIT CARD \$1,194.00
 GARY'S REPAIR & WRECKER \$3,952.00
 LOFFLER COMPANIES \$484.00
 WALKER CONSTRUCTION \$1,215.00
 (DATA PROCESSING/IT)
 FIRST DAKOTA CREDIT CARD \$8,800.00
 MICROFILM IMAGING SYSTEM \$945.00
 (SUPPLIES & MATERIALS)
 A & B BUSINESS \$206.38
 A-OX WELDING SUPPLY CO \$146.83
 BOB BARKER CO INC \$111.62
 BOMGAARS \$48.66
 BRUNICK SERVICE, INC. \$371.09
 BUTLER MACHINERY CO. \$421.76
 DAKOTA LOCK & KEY \$75.00
 DAKOTA RIGGERS & TOOL IN \$2,800.00
 FAIR MANUFACTURING INC \$792.00
 FIRST DAKOTA CREDIT CARD \$592.32
 JACK'S UNIFORMS & EQUIP. \$313.59
 JERRY'S SERVICE \$5,985.00
 MICROFILM IMAGING SYSTEM \$30.00
 MILLS & MILLER, INC DIS \$2,382.60
 MINNEHAHA COUNTY JAIL \$17.79
 NORTHERN SAFETY CO., INC \$178.91
 O'REILLY AUTO PARTS \$936.94
 ONE OFFICE SOLUTION \$260.25
 PROCHEM DYNAMICS \$203.99
 QUALIFIED PRESORT SVC IN \$447.78
 RDO EXCH 80-5800 \$363.19
 RUNNINGS SUPPLY INC CH \$49.48
 RUNNINGS SUPPLY INC EXT \$19.11
 S & S EQUIPMENT INC. \$220.00
 STURDEVANT'S AUTO HWY \$3,589.28
 SYDS EASTSIDE AUTO \$115.00
 TRUCK-TRAILER SALES&SRVC \$210.00
 TRUENORTH STEEL \$11,200.00
 UNION CO. SHERIFF \$372.40
 VERMILLION ACE HARDWARE \$170.67
 VOYAGE FEDERAL CREDIT \$13.96

YANKTON TRANSMISSION \$1,850.00
 (TRAVEL AND CONFERENCE)
 FIRST DAKOTA CREDIT CARD \$485.70
 SD ASSN. OF CO. OFFICIAL \$600.00
 STYLES, DAVID \$46.00
 (INMATE TRAVEL)
 CENEX FLEET FUELING \$274.76
 (UTILITIES)
 BUTCH'S PROPANE \$819.50
 CENTURYLINK \$563.94
 CITY OF VERMILLION \$209.95
 CLAY RURAL WATER SYSTEM \$100.00
 CLAY UNION ELECTRIC CORP \$765.26
 FIRST DAKOTA CREDIT CARD \$955.83
 FISCHER'S DISPOSAL L.L.C \$65.00
 M & M FARM SUPPLY \$3.09
 MIDAMERICAN ENERGY C H \$1,627.69
 MIDAMERICAN ENERGY EXT \$80.46
 MIDCO BUSINESS EXT. \$85.39
 VERMILLION GARBAGE SVC. \$236.00
 WAKONDA TOWN \$75.40
 (AUTOMOTIVE)
 BLAINE'S BODY SHOP \$3,664.60
 BRUNICK SERVICE, INC. \$360.00
 CENEX FLEET FUELING \$2,016.68
 CLAY CO TREASURER \$74.90
 VERMILLION FORD \$454.33
 (MISC. PAYMENT)
 DOMESTIC VIOLENCE \$148.00
 DOTY, KIM \$37.50
 SANFORD HEALTH CLINIC \$2,100.00
 (JURY)
 JUROR PAY \$680.18
 (WEED CONTROL)
 CHARLES MIX CTY WEED DEP \$992.32
 YANKTON CO WEED DEPT \$1,899.25
 (BUILDINGS AND STRUCTURES)
 JCL SOLUTIONS \$1,346.18
 L & L BUILDERS \$392,097.00
 (BOOKS)
 FIRST DAKOTA CREDIT CARD \$1,870.27
 (FURNITURE AND MINOR EQUIPMENT)
 CANON \$164.00
 COYOTE ENTERPRISE LLC \$238.00
 LOFFLER COMPANIES \$473.67
 MICROFILM IMAGING SYSTEM \$215.00

A Public Hearing and First Reading was held for AN ORDINANCE OF CLAY COUNTY, SOUTH DAKOTA, AMENDING ORDINANCE NO. 2013-04, BEING THE 2013 REVISED ZONING ORDINANCE FOR CLAY COUNTY BY ADDING CHAPTER 3.16, GENERAL DISTRICT REGULATIONS, UTILITY-SCALE SOLAR ENERGY CONVERSION SYSTEMS

(USES); AND AMENDING CHAPTER 4.05.01, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, NRC: NATURAL RESOURCE CONSERVATION; CHAPTER 4.05.02, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, A-1: AGRICULTURAL DISTRICT; CHAPTER 4.05.03, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, RR: RURAL RESIDENTIAL DISTRICT; CHAPTER 4.05.04, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, C-1: COMMERCIAL DISTRICT; CHAPTER 4.05.05, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, I-1: LIGHT INDUSTRIAL DISTRICT; CHAPTER 4.05.06, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, I-2: GENERAL INDUSTRIAL DISTRICT; AND CHAPTER 2.02, DEFINITIONS, DEFINITIONS. Smith said this would allow large solar farms in the County. Zoning Administrator Drew Gunderson said after the Planning & Zoning (P&Z) Commission dealt with the ordinance, he heard there is a bill out of McCook County in legislature that would potentially require these to be zoned Commercial. It would make a mess in the State if this would pass. Director of Equalization Lennea Olson said they field a lot of questions regarding taxation and assessment. Her office does not do zoning or collection of taxes. She handles assessment and classification of real property including land and improvement. This involves real values or productivity, which only applies to Agricultural (Ag) land. The land's principal use must be devoted to an Ag pursuit, and she cited those uses as defined by SDCL 10-6-112. She provided copies of the Department of Revenue flow chart. All other properties, including Commercial, Residential, and Ag buildings are valued on a fair market value system. Mill levies are the same across the board except the school general fund levy. Zoning of the property will not affect the assessment as it is clearly defined by law what her office can and cannot do regarding assessment. Gray-Lobe asked if this has been resolved recently. He said it seemed that classification was up to the counties. Olson said the last time the law was modified was 2021 when timber was added, but assessment has been pretty clear under the laws. Gray-Lobe said he spoke to someone from the Department of Revenue last September. Olson said the solar could coincide, but they would need at least \$2,500 in agricultural pursuit income per year to qualify for Ag land. Gray-Lobe discussed soil type as it relates to farming vs. solar usage. Olson said they would verify that every year. Hammond asked for a bill number for the legislation, and Gunderson said he doesn't have one yet, but it is doubtful it will pass. If the Board feels that Commercial zoning is important, there is a workaround, and it would take another 3-4 months. Smith said there are a lot of proposed laws that never make it out of committee. She said after this hearing, the Commissioners will vote whether to send this on to a Second Reading. Thiesse asked about a setback from Spirit Mound and referenced a letter from the State. Gray-Lobe said it seemed to refer to a historic location, and it could fall under a State agency. Gunderson said setbacks can change as they are not set in stone.

Evelyn Schlenker, Clay County Historic Preservation Commission (CCHPC), spoke on behalf of the CCHPC and said what Gray-Lobe refers to is the 11.1 Review. They have done this with the National Music Museum addition plans in the past. They do have the power to review anything that impacts a site on the National Register. Spirit Mound was placed on the National Register in 1974. The nomination was written by Lloyd Moses. In 2001, there was a push to restore the land that Spirit Mound sits on as it might have been to Lewis & Clark's view. There was funding from many organizations, and eventually GF&P took over the land, and it is under the Missouri Recreational area. When Lewis & Clark wrote about it in their journal, they described the view they saw. The significance of Spirit Mound is historic, cultural, ecological, and geological. It is

important for tourism as well. About 25,000 people visit it as well as other areas of Clay County. The CCHPC agrees with the setback limits suggested by the National Park Service (NPS) and Spirit Mound Trust.

Meghann Jarchow submitted paper copies of a letter from Spirit Mound Trust. She spoke from her position as President of the Board of Directors. She asked the P&Z Commission for a 2-mile setback and said 125 feet is insufficient. It is the only state park in Clay County, is listed on the National Register, and is a spur of the Lewis & Clark Trail. Spirit Mound is used in tourism marketing. Regarding commercial development, they are not opposed to solar energy, but their interest lies in reasonably protecting the setting and view scape of Spirit Mound. Had this been in place prior to the offering of leases, the issue might not have been divisive. The Trust would like to modify their request to the National Park Service's request of a 1-mile setback as a compromise.

Richard Nissen said he is in the bottom part of the watershed where the solar panels will be. He is quite concerned about the drainage. He has 4 dams built in 2009 that were designed by the Natural Resource Conservation Service (NRCS) to handle the water. The anchors for the solar panels could break the tile lines, causing the water to come up instead of underground, causing washout of roads, etc. There are 600 acres of land that are protected by those dams, and protections for those should be included.

Todd Christensen said he has land that would possibly become a solar farm. He submitted letters in support of the solar ordinance as it is written from landowners that couldn't be present. It would allow for reasonable development.

Bill Ranney said he lives close to Spirit Mound and objects to 125 ft. setback to residences. It seems incredibly small. No one in Vermillion would have an industrial development outside their back door. He suggested a 500 ft. setback. He discussed variances. He said this discussion is common across the country for rural and suburban residences. They are trying to maintain a rural feeling, and the same argument is occurring. He is a retired archaeologist, so he supports the 1-mile setback from Spirit Mound, and he knows the solar farm will require a review and Native American consultation. In order to keep things moving forward smoothly, the 1-mile setback can prevent problems in the future. He would suggest that any development within a mile will create an adverse effect, such as light pollution. The area is used by the astronomy club, for example.

Danny Johnson said he is just north of this area, and his concern is drainage. It was called cabbage flats in the past. They made a lot of improvements to drainage and there is a lot of clay tile underground. It would be terrible to break that up and backup thousands of acres with water. He has a dam on his farm to catch runoff, and he tries to maintain things as best as he can so the water doesn't cause problems. If they drill holes for a solar farm, they will hit the tiles. There is no way to miss it. There are no maps to know where the tile is, but yet it keeps working, so it needs to be maintained.

Carson Merkwon said he likes solar, but he works on industrial projects around the country and a lot of them stop working after 10 years, or companies go bankrupt. If that happens, will we be

left with a big solar graveyard? We could be left with an environmental problem. E. Smith said there is a section regarding decommissioning that requires a bond.

Harry Freeman reiterated concerns for light pollution. He asked if there is an understanding regarding how much light is required for a project like this. E. Smith said there is not a light pollution ordinance now. Freeman said, in order to have a vision of the night sky, this is important. He also has concerns about native species and animals that could be disrupted by changes to normal light cycles.

Dave Hertz said he is a mile from Spirit Mound and is in favor of the 1-mile setback for the views. He also discussed anti-glare for solar panels and the planting of trees to create a buffer because 30-foot tall trees would block the view of the panels.

Todd Heine said he loves solar energy, and it is a good way of getting more energy to the area. There are several solar farms in Minnesota. There is a less rainfall due to refraction. He said he is asking for information regarding this phenomenon. Texas and other arid areas have less rainfall, so there is no data. He would like to see information regarding rainfall depletion in such areas like Minnesota.

Dwayne Johnson said drainage is a big issue in his area. They have clay tiles, but they also have above ground ditches installed in 1967. Some of the areas proposed will hold water and back it up onto his ground if the elevation is changed due to this project. If his family's acreages are surrounded by solar farms, what will it do to the value of their properties? It will create a hardship for people in areas where the solar farms are developed. The setbacks need to be larger around residences, not just Spirit Mound.

Carl Leikvold asked if any part of the ordinance requires control of noxious weeds. He doubts mechanical weed control could be done on the solar farm. Surrounding landowners work hard to control noxious weeds. Gray-Lobe and Gunderson said there is already language elsewhere that would address that. Mockler said the Weed Supervisor would contact the landowner as they are still responsible. Hammond said they discussed it quite a bit during the P&Z Commission stage as well as vegetation surrounding solar panels. During a Conditional Use Permit (CUP) process, it is likely they would state the sort of plans for that.

E. Smith called for any other speakers and then closed the public hearing. She opened it to discussion from Commissioners.

Gray-Lobe moved, seconded by Hammond to advance the ordinance to the Second Reading. Under discussion, Thiesse asked if there is a conflict of interest for him. State's Attorney Michael Smith said he doesn't believe so at this time. He said this has come up in case law, and it is up to Thiesse as there are no proprietary interests in this land. E. Smith added that there is a big difference between what they are doing today and a CUP, which would constitute a conflict of interest. Mockler said we are just speaking about a general ordinance for the county. Thiesse said this has turned into a specific site, so he wanted to clarify.

Gray-Lobe discussed minor corrections to typos. Regarding the section on reducing glare, he asked if it should be clarified at whose expense it would be. It was suggested it should be the

system owner's cost. Gray-Lobe discussed engineering costs related to glare studies and asked if there should be a cap on it to once a year. Gray-Lobe referred to noise in relation to existing occupied buildings and suggested it should be applied outside of setbacks so that a person could not experience noise on top of Spirit Mound. Hammond said it could end up with a person who just doesn't like the solar farm and just complains. Mockler said if it ends up in court, it wouldn't hold water without having a residence. Hammond said the risk would be small on top of Spirit Mound. Gunderson said what he has been told is that the panels themselves do not make noise, but the transformers can create a humming noise. Regarding glare study costs, E. Smith said they can mimic the language from the noise section. Hammond referred to a section that lists the Board of Adjustment and said that action should be an action of the Zoning Administrator. Regarding the decommissioning plan, Gray-Lobe said it seems there might be some words missing as the grammar seems to need changes. Hammond suggested some changes. Gray-Lobe said he hopes these facilities will be co-sited with projects that could establish perennial grasses. He has concerns that it would eventually have to be restored to row crops and suggested changes in the requirements so that a person could maintain restored prairie. E. Smith said she had concerns that they would not know what the quality of the soil was before development. Hammond said the use afterwards would be up to the landowner, so he doesn't think they should be imposing requirements on the landowner. Hammond said in the CUP they can require the landowner to state what their plans are for restoring the land after decommissioning. Unless they sterilize the soil, it should be in better shape than before. Hammond suggested a few more minor language changes.

Hammond, Mockler, and Gunderson discussed topography related to drainage. Thiesse said it is not just this site as there are a number of places in the County that have drainage issues. He thinks we should have a drainage section in the ordinance. What happens if they do destroy tile? Who will be responsible for that? H. Freeman asked if it will be in the building permit. Thiesse said it is in the CUP, but it should be in the ordinance as well. Hammond said he is thinking that leaving those things to the CUP stage makes more sense because it's more site-specific and more likely to get them where they want to be. Mockler said they could put it in the ordinance that they have to maintain surface and subsurface drainage then it is there in case no one mentions it in the CUP so that it is protected to begin with. Gunderson said the problem he has with it is that, how will they know right away? Mockler said they will not know right away, but they will eventually, and at least it gets fixed. Hammond said there should be a reporting requirement then. It should be easy if a piece of tile comes up in the trencher.

The question was posed whether this energy stays local. E. Smith said the Federal Energy Resource Commission would regulate where the energy goes as every energy provider has to apply to connect to the grid. There is no local control.

Regarding drainage, Gunderson said they need to be careful what they are dragging the County into. Mockler discussed a notification process. Gunderson said he will take that back to the P&Z Commission.

Gray-Lobe discussed utility scale vs. building-mounted solar. There is nothing in between in the ordinance. He wondered, why not have a capacity threshold? Gunderson said he tried to keep it

focused on the utility-scale operation. He gets building permit questions all the time regarding building-mounted solar. He sees the in-between solar as a future issue to address.

The Board reviewed setbacks as defined in the ordinance. It was discussed that the State's Attorney should review the definition of setback. Hertz said it could be addressed in the CUP. Hammond said it's appropriate to define it in the ordinance. Mockler said if they expand it, they have to get another CUP. He just wants to keep it uniform throughout the whole ordinance, not section-by-section. Gray-Lobe said he doesn't want to discourage solar development as it has the potential to be very beneficial for the county. What is the number that makes a company say Clay County is too much of a hassle, so they will move elsewhere? Hammond said there was some discussion on parks in general, and it was switched to Spirit Mound, partly to avoid other issues along the river. Hammond said he would be most comfortable changing it from Spirit Mound back to public parks as there should be some protections along the river. E. Smith suggested adding national historic sites. Hammond said the reasoning behind not using public parks was that we would disallow a lot of landowners along the river from putting up solar that could be a taking of property rights. That was one of the reasons it was limited to Spirit Mound. It seems to him a reasonable number would be ½ mile to 1 mile. It would take them out of a lot of federal or state hoops if they set it at 1 mile. Hammond said it seems to some folks that a 1-mile setback would be acceptable. Hertz asked if the proposal is within a mile. Mockler said they have no idea, and Gunderson said there is no application at this point. E. Smith said she likes the idea of a 1-mile setback. She read the view study by the NPS, and it seems to her that regarding the significance of the historic sites, a mile is not prohibitive and would not discourage anyone. Mockler said he thinks a mile is too far as it takes a lot of land from people. There is a gravel pit across the road and a hog farm nearby. He doesn't see how a solar farm would detract from Spirit Mound. Thiesse said he likes a mile, but he agrees with Mockler as well. He can see Spirit Mound from his recliner. He likes the mile, but he also questioned whether public access hunting ground should be addressed. H. Freeman asked if they could have some setback flexibility in a CUP process. Mockler said yes, it could be moved. Hammond said the view scape is a large part of what makes Spirit Mound special. Thiesse discussed that if a CUP application included a closer setback, it would make it subject to a historic review. E. Smith discussed screening requirements in the ordinance, and Gunderson said it addresses vegetation. E. Smith said she has received calls regarding light pollution concerns and said a 1-mile setback will help that. Gunderson said he received an email that lighting is minimal for security purposes and is downcast. E. Smith said downcast lighting makes a big difference, and she suggested making it a general requirement. Hammond said that would be appropriate in a CUP stage.

Gray-Lobe asked if the Board is comfortable with a 125 ft. setback from residences. Hammond said the P&Z Commission talked about that. He brought up in discussion there that in a couple counties up north, that was the primary issue for denial of a CUP to a solar farm as it would be close to a residential development on a lake as well as rural residences. Thiesse asked, as a property owner, is it possible for him to ask during the CUP process that the setback be extended?

Gray-Lobe and Gunderson discussed the definition and subcategories of “recreation area” in the ordinance as it applies to public parks and setbacks. E. Smith discussed with Gray-Lobe and Hammond the setbacks to the river.

Gray-Lobe and Hammond rescinded the previous motion. Hammond moved to send the revised ordinance proposal back to the P&Z Commission, seconded by Gray-Lobe and unanimously carried. E. Smith thanked the public and said they will have a better ordinance due to the input received.

The Board considered the RAISE Grant Application Resolution. E. Smith said they have revised the grant application to state there will be no involuntary taking of land. Gray-Lobe read the grant application section that said the County commits to not using involuntary means of obtaining land. He said there is other language in other areas as well regarding local landowner education about voluntary easements and that prime agricultural land is least desirable. He also discussed hunting land, trespassers on land, and getting input from stakeholders. E. Smith said she did a series of 10 focus groups in the area, each of which focused on a particular group of people (i.e. seniors, families, etc.), and every group cited access to the river for picnicking, hiking, and recreation, even within the disabled community. The grant application also says a route immediately adjacent to the river is not going to work due to washouts, etc. Gray-Lobe also said the 500-year floodplain and areas subject to erosion are addressed. Hammond moved, seconded by Gray-Lobe to pass and adopt the following Resolution #2024-07.

RESOLUTION NO. 2024-07

A RESOLUTION AUTHORIZING THE CHAIRPERSON TO SIGN AN APPLICATION AND THE SOUTH EASTERN COUNCIL OF GOVERNMENTS TO SUBMIT AN APPLICATION FOR A GRANT FUNDING OPPORTUNITY FROM THE US DEPARTMENT OF TRANSPORTATION ENTITLED “FY 2024 NATIONAL INFRASTRUCTURE INVESTMENTS” FOR PLANNING FOR TRAIL CONNECTIVITY WITHIN AND BETWEEN CLAY AND YANKTON COUNTIES, SD.

WHEREAS, recreational trails offer opportunities for residents and visitors to engage in activities such as walking, biking, hiking, and other forms of outdoor recreation and exercise that address public health concerns such as obesity and mental health; and

WHEREAS, according to the Bureau of Economic Analysis the outdoor recreation economy accounted for \$454 billion of the nation’s gross domestic product; and

WHEREAS, according to the National Park Service, the Missouri National Recreational River supported \$6.9 million in local spending and 90 local jobs for a total benefit of \$8.5 million; and

WHEREAS, the 2015 Yankton County and 2023 Clay County Master Transportation Plans have identified connecting communities, trail segments, and recreation areas via pedestrian-oriented trails as an action to pursue; and

WHEREAS, outstanding natural, cultural, and recreational features enhance the quality of life for residents and create a sense of belonging and identity; and

WHEREAS, there are a number of these outstanding natural, cultural, and recreational features in or in proximity to Clay and Yankton Counties, SD including but not limited to: Missouri National Recreational River, Spirit Mound, Green Island, Goat Island, Bow Creek Recreation Area, Mulberry Bend Overlook, Clay County Park, Riverside

Park, Gavins Point Recreation Area, White Crane Recreation Area, and Myron Grove that would further benefit residents and visitors of Clay and Yankton County if connected via a network of pedestrian-oriented trails; and

WHEREAS, the US Department of Transportation is offering grants that could assist Clay and Yankton Counties with feasibility studies, cost-benefit analyses, preliminary environmental reviews, and community engagement that Clay County has prepared an application for

NOW, THEREFORE BE IT RESOLVED, by the Clay County Board of Commissioners that the Chairperson is hereby authorized to sign an application and Southeast Council of Government is hereby authorized to submit the application for a grant funding opportunity from the US Department of Transportation entitled “FY 2024 National Infrastructure Investments” for planning for trail connectivity within and between Clay and Yankton counties, SD. Approved this 6th day of February 2024.

Signed:

Attest:

Elizabeth Smith, Chairperson

Carri Crum, County Auditor

Under discussion and public comment, Hertz asked if the \$250,000 grant is just to study the feasibility. The answer was yes. He asked if it is a separate grant to fund the trails. Gray-Lobe said he would expect that to be funded by a grant as the County would not have the funds. Hertz referred to the green line next to the river on the map and said removal of the line would be best. Gray-Lobe said that line has been removed on the current application. Thiesse said the actual building of a trail is not this resolution. It’s just for a study for the feasibility of a trail. Glen Gilbertson asked if the federal grant would be 100% federal dollars. Gray-Lobe said it does not require County money. Gilbertson suggested the project would be multi-million dollars. Gray-Lobe said it would be and would also be a multi-decade project. He discussed the process for planning and constructing such a trail. Gilbertson said he is against this. It is not a “need” item. Using a grant for a “want” item is an irresponsible use of taxpayer money and cited the federal debt. He said it would be nice to fix Timber Rd., but he doesn’t see this as a means to an end. He also thinks this would create more of a safety concern for bicycles. He also said it’s more maintenance cost for the County.

Becky Aga said she and her husband own a substantial amount of ground along the river and Timber Rd. She said they attended a meeting in December, and Gray-Lobe said he would call her, but she did not receive a call. Gray-Lobe said he took it to mean if we got the grant, he would notify her of any meeting. She said she took it to mean she would receive a call about today’s meeting. Aga said she doesn’t want to hear from a consultant. She wants to hear from the Commissioners. Thiesse said he has spoken to a number of people. Aga said she was under the impression this was a \$250,000 grant, and it is a \$255,000 grant. The comment was it is free money, but there is no such thing as free money. Her federal tax dollars go into that free money. It is frivolous. She compared this to the solar project and asked what about the view of a bike path? Will they disturb natural areas for a bike path? Her ancestors saw the opportunity to farm and spend their lives caretaking the ground. That’s what her family, as farmers, do every day. It seems like there are different views for different projects. What someone else wants is not

necessarily what she wants. They have to come to an agreement. The Board needs to talk to people individually who could be affected. She urged voting against this.

Lars Aga said there was a letter sent out by the Sierra Club. He read the letter aloud calling attention to a section referring to a “false Republican insistence.” He said the meeting is opened with the Pledge of Allegiance, which is a message of unity. Nobody should be pointed out to be the bad guy. Instead of driving a wedge, extend a hand and say hi to someone.

H. Freeman asked about the federal dollars for this project and asked why we think we fit that intention. He said the overwhelming consensus seems to question whether we need this as a county. He guesses that would be part of the feasibility study. Gray-Lobe said they applied last year. It’s highly competitive, and they didn’t get it last year. It’s a pool of money that has been allocated and will be spent somewhere. His taxpayer dollars have paid for someone else’s project. This is a way to ensure the process of getting public input is handled robustly. It’s important for every voice to be heard. As for the economic impact, they want to know if there would be an economic benefit to the area. The NPS has quantified the benefit of the Missouri National Recreational River (MNR). He sees Yankton County getting most of that tourism money. Their recreation opportunities are more robust, and their restaurants, for example, are getting the benefit of that. People will want to live here and have a great quality of life.

Hertz asked if they are working with the VCDC. Gray-Lobe said the VCDC provided a letter of support for this.

H. Freeman said the funds could also be used to improve existing trails and discussed veterans with disabilities and providing boardwalk access to trails that already exist. Gray-Lobe said there is a section regarding disability access and sloping of trails for wheelchair access. It could address the question, if a person went to Clay County Park, could they access a trail with their wheelchair?

Barb Yelverton said she is a cyclist who rides Timber Rd. and Meckling Rd. a lot. There are many times she does not feel safe. This is a piece of it. She asked if it will be concrete or limestone. Gray-Lobe said none of that is specified, and answers will be part of the study. Yelverton said rumble bars are not good for cyclists. She said let’s share the beautiful views from our roads. We can all work together. The land along the Mickelson Trail is a boon for land sellers along the trail. Most people who walk or ride will not leave trash, not everyone, but most people will be respectful. People want to have access to safe places to recreate. If we don’t do this, then let’s at least put a shoulder on Timber Rd. to make it safe. E. Smith said property values increased 2, 4, and 5% in a study she read.

Merkwan said he got involved when the Board applied for the Federal Land Access Program (FLAP) Grant. Gray-Lobe said from the FLAP grant they attempted to address concerns they heard from Merkwan and others. Merkwan asked if they are excited about an Appalachian Trail or an Ice Age Trail. He discussed the trail from Tabor to Platte. He asked if it becomes a sales pitch for landowners. He raised concerns about public notification and said the only reason he knew about the FLAP grant is because it was brought up by City Council. He and E. Smith discussed her views on the grant. She said many trails are maintained by associations like the

Appalachian and Ice Age Trail. For example, Clay County Park is maintained by an association of volunteers. Merkwan said we would have to build it for someone to maintain. \$250,000 for just a study implies a pie-in-the-sky dream. It implies planning of a 60-mile trail or something similar. He said there is a lot of right-of-way to be claimed. Merkwan said that is a concern for people who own property. He is tired of having to read grants every few months. Can we just do one grant a year? Why do we have to do this constantly? It's a lot.

Calvin Hanson of the Norway Township Board said he is here to discuss the many miles going through Norway Township. It will really affect them. He has dealt with the NPS and the Federal Dept. of Transportation (FDOT), and he said, "Good luck!" He asked if the FDOT would be involved. Gray-Lobe said it would be a local consultant. Hanson said they will have to be FDOT approved. He said we need to fix the roads we have without adding on. Who will maintain this when it is done? Can we rely on federal funds? They are opening a big can of worms on this project. If the county is going to chip in, people will say it has to go to maintaining the roads we have.

Todd Heine said we can have as many studies as we want, but it's about the people living in the community that give the response. They have the most information to give. He drives by Cotton Park 3 times a day. He is lucky to see one or two people in a week walking the trail. What is the demand? Will there be a flood of people using this? There are so many bikes in the landfill because there are not many cyclists anymore. Why would people walk in the agricultural sector of the county? He discussed the speed limit on Highway 19 and Timber Rd. and talked about safety regarding semi tire blowouts near pedestrians. He said you can feel safer in town at 25-35 mph. He doesn't know why we have to have a grant and waste money to do this. It's bureaucracy and a waste of money. What about insurance? Who is responsible for access to the trail? He guarantees a muddy tractor will cross the trail, and who sweeps the trail off to keep bicyclists safe? The landowner will get sued. He discussed visibility and safety for pedestrians and bicyclists in the dark. He said you have Clay County Park and the highlines. Put some construction in there. There is no way for a bike path to be in an agricultural community and be able to use those roads safely. Gray-Lobe said he uses Cotton Park trail regularly, and it's rare for him not to encounter someone.

R. Aga said she drives Timber Rd. & Meckling Rd. every day. She encounters bike riders and moves over if it's possible, but she knows there are people who don't. Not everybody rides single file. Sometimes bike events take the whole road. Farm equipment is not going to get smaller. Bicyclists and motorists are not respectful of farm equipment. Who is liable? It's not the County's insurance that goes up, it's hers.

Grace Freeman said she appreciates the County going for federal funds to bring something far-reaching and far-seeing into the future for her county. This is an investment in the people of Clay and Yankton Counties.

Hertz said he is a bike rider. He also hauls big equipment. He hauls over-width equipment on Highway 19, and encounters bicyclists. The state should clean the shoulders. He also rides on

gravel roads for safety and barely runs into anyone. He would be in favor of having people ride on the gravel roads.

Gary Merkwan from Yankton County said the first proposal with the green line would have gone right by his house. He asked what the bike trail would connect. An ice cream shop? A bar? A campground? There is nothing it will connect so that people will actually use the trail. There is nothing but the river, and it changes every day. There are access points like the Highlines. This just makes access for 4-wheelers to steal and vandalize things.

Yelverton said there are always people using the Cotton Park trail. What she is hearing is a lack of safety. People need to share the road. Avid cyclists want to get out on their road bikes. She has a mirror on her helmet and blinking lights and is always watching for traffic. She has ridden all over the world on a bike. Bikes and traffic can be together. A lot of people want to be outside to recreate, and they need to share.

Mockler said there were Townships who called the SD Association of Towns & Townships, and their Association advised them to pass a resolution to not allow this because it would be allowable on their township roads.

Hammond said he has been a part of a lot of grant requests for federal money used in South Dakota. In the mid-90's when the bridge to Nebraska was being proposed, a person asked him what he thought of the study for the bridge. He said it depended on which hat he was wearing. When he was wearing his local hat, he was all for it as a business owner. As a state citizen, he was kind of for it. As a federal taxpayer, he was completely against it. He compared using the money here vs. Miami or Boston. Gray-Lobe said he has a sheet for contact information to call or email if the grant is approved and encouraged people to sign up. All the input is valid. Mockler said we will have a public meeting whether they get the grant or not. One way or another, we are going to get to the end of this. H. Freeman asked if it has to be a bike trail. Could it just be used for recreation? Is there room for flexibility?

Vote of the Board: Mockler Nay, Gray-Lobe Aye, Hammond Aye, Smith Aye, Thiesse Nay; motion passed.

The Board considered the WIC Contract with the SD Dept. of Health. Thiesse said he spoke to Lisa Wood, and she is comfortable with the contract. It is only until the end of May, so we will need to go through this again shortly. M. Smith said he reviewed it and doesn't see anything egregious. Thiesse said Wood does have a meeting with the state today to find out more of her job duties. E. Smith said they did furnish a job description. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve and authorize the Chairwoman to sign the contract.

Facilities Manager Scott Hanson reported on the courthouse mechanical/electrical/HVAC project. They are working on the 2nd floor and are starting to install the copper sprinkler piping in the halls. They are also working in the State's Attorney's office. Electricians have installed a large electrical panel in the north stairwell. Contractors are working on the sprinkler plan for the large courtroom. The ceiling can come down and sprinklers can be run above. They are waiting

for approval from the architects. The Commissioner room is done, but they are anticipating holding court down there, so it is not available for Commission meetings.

At 12:06 p.m., Mockler moved, seconded by Thiesse and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 12:22 p.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

At 12:22 p.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, February 27, 2024 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

Elizabeth T. Smith
Elizabeth T. Smith, Chairwoman
Board of County Commissioners

