

January 31, 2017

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

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

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

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

RESOLUTION #2017-04  
CLAY COUNTY WEIGHT LIMIT ENFORCEMENT

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

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

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

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

NOW THEREFORE BE IT RESOVLVED;

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

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

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

Vote of Clay County Commission

AYE 5 NAY 0

Dated this 31<sup>st</sup> day of January, 2017 at Vermillion, S.D.

ATTEST:

\_\_\_\_\_  
Carri R. Crum

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Travis Mockler

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Travis Mockler, Chairman  
Board of County Commissioners

ATTEST:

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Carri R. Crum, County Auditor

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