

October 25, 2016

The Board of County Commissioners met in regular session Tuesday, October 25, 2016 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning; Raymond Passick was absent.

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

Minutes of the October 11, 2016 meeting were approved with a motion by Powell, seconded by Manning and carried.

Jill Munger, Community Health/WIC Nurse, met with the Board to present the Quarterly Community Health/WIC Nursing Report.

At 9:15 a.m., Manning moved, seconded by Packard and carried to adjourn and convene as Clay County Ditch Board.

At 9:15 a.m., public bid opening took place for Clay Creek Ditch Cleanout Project Phase 3. Bids were opened and read aloud. Representatives from Johnson Engineering were present to assist with tabulation. Bids were as follows:

Bidder	Base Bid	Alternate A	Alternate B	Alternate C	Bid Security	Total
Jerke & Sons Construction	32,352.66	11,242.00	14,493.00	13,253.00	10% Bond	71,340.66
Pollman Excavation	45,470.00	19,280.00	19,220.00	23,720.00	10% Bond	107,690.00
Siteworks, LLC	71,100.00	23,100.00	28,500.00	22,100.00	10% Bond	144,800.00

Powell moved, seconded by Packard and carried to authorize Johnson Engineering to review the bids in order to ensure specifications were met before accepting any bids at the next meeting.

At 9:23 a.m., Manning moved, seconded by Packard and carried to adjourn and reconvene as Board of Clay County Commissioners.

The Board discussed Jay Bottolfson's position on the Planning and Zoning Commission that is expiring December 31, 2016. It was the consensus of the Board to ask Jay Bottolfson to remain on the Commission.

The Register of Deeds Office Monthly Report was accepted and placed on file.

At 9:30 a.m., public bid opening took place for Courthouse snow removal for the 2016-2017 winter season. One bid was received from Walker Construction. The bid was opened and read aloud. The bid for the parking lot was \$95 per hour and \$100 per time for sidewalks. Powell moved, seconded by Manning and carried to accept the bid.

Matt Callahan, Vermillion Fire/EMS Deputy Chief, met with the Board during Visitors to be Heard to discuss options for ambulance replacement.

Jim Wilson, Clay County Historic Preservation Commission (CCHPC), met with the Board. Wilson discussed the update of bylaws and re-authorization via resolution by the County Commissioners. He also discussed the bank account and the need for a Tax ID Number on the account. Teddi Gertsma, State's Attorney, asked that the CCHPC give an annual accounting report to the County Commissioners. Manning moved, seconded by Powell and carried to authorize the use of the County's Tax ID Number (FEIN) for the CCHPC bank account.

Patrick Andrews from SE Council of Governments (SECOG) and Cynthia Aden, Zoning Administrator, met with the Board to discuss a draft of a presentation on proposed zoning regulation changes. The Board also discussed Concentrated Animal Feeding Operations (CAFOs) and manure management plans. Packard requested that the AFO definition be included in the section under review, even though it may be repetitive. Aden said the CAFO definition is set to be removed from section 3.07 and moved to the definition section so that all the definitions will be in the definition section to remove redundancy. Teddi Gertsma, State's Attorney, clarified that it would be set up like SD Codified Law, where a person is to refer back to the definition section for the definitions of certain terminology. Mockler pointed out that the presentation did not include the change in the definition of Agriculture back to the 2005 definition.

Further discussion took place regarding the Aquifer Protection Overlay District, and Mockler suggested requiring anyone in Zone B to obtain a conditional use permit. Packard, Powell, Manning, and Aden discussed that it would require the operator to prove that the soil on that specific site is impermeable over an aquifer.

Packard said that 4,500 cows seems to be in the ballpark for financial purposes. Mockler and Manning discussed that 5,600 cows would include the dry cows and calves in addition to the potential 4,500 milk cows.

Aden talked about setbacks and explained that the right-of-way setback was reduced to allow for building closer to the road for truck purposes. She discussed setbacks referring to the owner/operator's own well, not neighboring wells. She said the distance of small operations from incorporated municipalities would require the use of municipality regulations. Mockler said his concern was that it should not affect operations currently in place near the municipalities. The remainder of the setback measurements were changed from miles to feet and not reduced.

Andrews discussed changing the number table to start at one instead of zero. He also talked about correcting a typo changing a title from Ag district to NRC district. The right-to-farm covenant was discussed. The slide show presentation changes were reviewed again.

Kristen Benidt from SECOG met with the Board to give an update on the County Site Analysis. Benidt reported that the 2013 study employed a number of criteria and determined there were 2 "good" sites for a potential CAFO in Clay County. The study was simply a tool for counties who could be interested in future development. Since the study, the State has partnered with SECOG

to follow up. Benidt spoke with the Board about assigning a point of contact/liaison to have access to a private website with contacts and information regarding the study.

Packard moved, seconded by Manning and carried to approve the following claims for payment. October 11, 2015 Bills: (Due to Other Governments) State of SD Game Fish \$81.00; SD Dept of Labor \$649.89; Reliance Telephone \$1,000.00; (Professional Services and Fees) Datatronics, Inc. \$2,972.01; Gapp, Debra \$750.00; Hostek \$89.99; Johnson Engineering Co \$2,323.00; Katterhagen, Mark \$60.00; Lewis & Clark Behavior \$640.00; Lewno, Lucille M \$690.34; Lincoln County Treasurer \$119.53; Reh fuss, Cathy \$18.00; Sanford Health Clinic \$125.03; Satellite Tracking \$162.50; SD Dept. of Health Lab \$830.00; Swanda, Karen \$15.00; Yankton Co Sheriff \$50.00 and Yankton Medical Clinic \$264.79; (Other Professional Services) City of Vermillion \$79,191.15; Schaefer, Dean \$162.00; (Law Office) Brevik Law Office LLC \$492.26; Collison, Jeanne \$27.00; Fox & Youngberg, P.C. \$168.32; Koletzky Law Office \$215.60; Deed Law Offices \$193.20 and Thompson, Craig K \$1,019.46; (Mental Health) Dakotabilites \$540.00; SD Achieve \$180.00; SESD Activity Cntr. \$360.00 and Dept. of Revenue \$841.90; (Publishing) Broadcaster Press \$371.23; (Repairs and Maintenance) Brunick Service, Inc. \$40.00; Dakota Lock & Key \$40.00; Hansen Locksmithing \$47.50; Hartelco \$10.00; Midwest Bldg. Maint. \$24.00; Presto-X Company LLC \$70.91 and Wells, Brian \$341.25; (Data Processing/Clay Creek Ditch) Software Services, Inc. \$1,120.00; (Supplies & Materials) A & B Business \$350.65; A-Ox Welding Supply Co \$163.74; Appeara \$52.64; Bierschbach Equip & Supply \$127.00; Bob Barker Co Inc. \$210.81; Brunick Service, Inc. \$1,930.00; Butler Machinery Co. \$733.81; Campbell Supply So. \$219.49; Concrete Materials \$611.42; D-P Tools, Inc. \$265.10; Davis Pharmacy \$523.04; First Bank & Trust Visa \$150.30; Hollenbeck, Lauren \$72.36; Jebro Inc. \$372,802.82; Lyle Signs, Inc. \$78.22; McLeod's Printing \$29.00; Midwest Bldg. Maint. \$42.00; Neve's Uniforms & Equipment \$54.99; Orr Farm Supply \$106.89; ProChem Dynamics \$177.38; Quill Corporation \$107.46; Riverside Hydraulics \$288.63; SD Dept of Trans \$2,656.37; Smithco Mfg., Inc. \$672.04; Stewart Oil & Tire \$4,476.26; Sturdevant's Auto Part \$293.39; Taser International \$68.81; Torco Remfg. \$267.00; Truenorth Steel \$11,730.00; True Value \$11.00; Vermillion Ace Hardware \$45.94; One Office Solutions \$174.23 and Zee Medical Service Co. \$68.40; (Travel and Conference) Best Western Plus \$1,069.89; First Bank & Trust Visa \$304.80; Howe, Andy \$55.00 and Husby, Tiffany \$95.76; (Inmate Travel) Brunick Service, Inc. \$176.50; (Utilities) City of Vermillion \$60.02; Clay Rural Water System \$53.40; Clay Union Electric Co. \$449.10; Hartelco \$79.95; MidAmerican Energy \$163.85; Midco. Business \$270.00; Vermillion Garbage Svc \$60.00 and Wakonda Town \$57.35; (Payment) Brunick Service, Inc. \$1,448.86; Cherry St Grille \$1,733.49; Clay Co Arg Fair Assoc. \$4,425.00; Clay Co Conservation \$8,750.00; Dakota PC Warehouse \$49.99; Dakota Senior Meals \$1,393.00; Dept. of Revenue \$1,545.00; First Bank & Trust Visa \$8.96; Lewis & Clark Behavior \$4,835.25; National Music Museum \$1,250.00; The Roadhouse \$1,578.55; Vermillion Food Pantry \$1,875.00; Vermillion Ford \$179.45; Vermillion Public Library \$1,000.00; Vermillion Senior Center \$3,750.00; Wakonda Public Library \$625.00; Wakonda Senior Center \$625.00 and WH Over Museum \$1,875.00; (JDC/Special Eqp.) Neve's Uniforms & Equipment \$1,336.07 and SD Assn of Co Officials \$2,461.48; (Books) Sanitation Product \$73,824.00; (Furniture & Minor Equipment) A & B Business \$223.32; Century Business Products \$64.72; Microfilm Imaging Systems \$150.00. October 25, 2016 Bills & Payroll: Commissioners \$7,874.50, Election \$702.08 Auditor's Office \$9,049.67, Treasurer's Office \$15,229.43, States Attorney's Office \$14,295.67, Courthouse \$2,632.42, DOE's Office \$9,892.25, ROD's Office

\$6,680.42, Veteran's Office \$1,663.33, Sheriff's Office \$32,639.25, County Jail \$27,130.33, 24/7 Sobriety Project 1,364.31, LEPC \$385.25, Emerg. Mgmt. Office \$3,467.00, Highway Department \$35,340.57, WIC 2,354.25, County Nurse \$1,245.12, Extension Office \$2,847.58, Weed Department \$2,482.85, and Zoning Office \$2,188.75; (Payroll Withholdings) Aflac \$1,055.00; Clay Co Treasurer \$42,767.71; Colonial Life \$359.97; Conseco/Washington \$24.45; Dearborn National \$211.89; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; SD Retirement System \$20,169.06; SD Supplement Retirement \$1,560.00; SDRS Roth Plan \$450.00; United Way of Vermillion \$238.00; Vermillion Federal Credit Union \$1,666.00 and Wellmark Blue Cross \$36,519.71; (Due to Other Governments) SD Assn of Co. Officials \$318.00; Thomas Reuters West \$97.13 and Reliance Telephone \$600.00; (Professional Services and Fees) Volin Rural Fire Assoc. \$13.34; Alertsense, Inc. \$218.75; Johnson Engineering Co. \$12,712.67; McCulloh, James E \$478.40; Netsys Plus, Inc. \$50.00; Paul's Plumbing Inc. \$291.54; Pharmchem, Inc. \$475.00; Precision Reporting LT \$86.00; SD Dept of Health Lab \$105.00; Yankton Co. Sheriff \$200.00 and Yankton Co. Treasurer \$348.75; (Other Professional Services) Reeves, Megan \$775.80; Brevik Law Office LLC \$201.93; Ekeren, Marv \$15.00; Fox & Youngberg P.C. \$191.32; Katterhagen, Mark \$30.00; Lewno, Lucille M \$300.92 and Peterson, Stuart, Rump \$5,978.55; (Law Office) Swanda, Karen \$15.00; (Publishing) Star Publishing \$320.00; (Repairs and Maintenance) Garden & Design \$62.38; Johnson Feed Inc. \$41.00 and Sioux Falls 2-Way \$187.50; (Data Processing/Clay Creek) Bureau of Administration \$27.00; Mastel, Bruce \$35.00; (Supplies and Materials) AlertSense, Inc. \$248.75; American Stamp & Marking \$42.99; Boyer Trucks SF Inc. \$26.14; Brock White Company \$24,916.36; Campbell Supply Co. \$110.59; Cornhuskers International \$232.20; DS Solutions, Inc. \$175.00; FedEx \$62.52; JCL Solutions \$559.38; John Deere Financial \$245.69; Johnson Feed, Inc. \$17.69; L.G. Everist, Inc. \$746.58; Lawson Products, Inc. \$432.64; McLeod's Printing \$666.50; Quill Corporation \$224.92; Sioux City Foundry Co. \$248.51; Sioux Falls 2-Way \$275.93; Sturdevant's Auto Parts \$376.31; UPS \$44.31; Verizon Wireless \$13.24; Vermillion Ace Hardware \$175.73; Wheelco Brake and Supply \$877.57 and Yankton Janitorial Supply \$877.57; (Copier Supplies) Quill Corporation \$74.98; (Travel and Conference) First Bank & Trust Visa \$238.00; SD Public Assurance Alliance \$130.00 and Vermillion Federal Credit \$198.04; (Inmate Travel) Pennington County Jail \$101.40; (Utilities) Brunick Service, Inc. \$64.00; Bureau of Administration \$56.27; CenturyLink \$455.47; City of Vermillion \$2,181.58; Stewart, Layne \$180.00; Verizon Wireless \$89.39 and Verizon Wireless \$280.07; (Payment) Brunick Service, Inc. \$65.00; Domestic Violence \$660.00; Henderson's Exhaust Pl. \$100.00; Hy-Vee, Inc. \$677.40; Jensen Auto Body Inc. \$195.00; Quality Motors \$38.68; Sioux Falls 2-Way \$310.99; USD Creative Services \$254.50; Vermillion Federal Credit \$65.50; Walmart Community/Geac \$213.81 and Martens, Amy \$20.00; (JDC/Special Eqp.) Lutheran Social Services \$5,565.60 and SD Public Assurance Alliance \$65.00; (Books) Thomson Reuters West \$272.50; (Furniture and Minor Equipment) Counsel \$7.81.

At 11:29 a.m., Packard moved, seconded by Powell and carried to adjourn and reconvene Tuesday, November 1, 2016 at 9:00 a.m.

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Travis Mockler, Chairman  
Board of County Commissioners

ATTEST:

Carri R. Crum, County Auditor

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