

October 31, 2017

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

Powell moved, seconded by Manning and carried to approve the agenda with the removal of TIF 1 Project Plan.

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

Cindy Aden, Zoning Administrator, met with the Board. Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution for a plat of Lot 2 of Peterson's Addition in the S1/2 of Section 16, Township 95 North, Range 51 West of the 5<sup>th</sup> P.M., Clay County, South Dakota; Kaye K. Drennan, James P. Drennan, Trustees of the Drennan Revocable Trust, Gale A. Gors, Katharine A. Monson, and Nancy Jaye Peterson, owners.

#### **RESOLUTION OF COUNTY COMMISSIONERS**

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

A plat of Lot 2 of Peterson's Addition in the S1/2 of Section 16, Township 95 North, Range 51 West of the 5<sup>th</sup> P.M., Clay County, South Dakota; Kaye K. Drennan, James P. Drennan, Trustees of the Drennan Revocable Trust, Gale A. Gors, Katharine A. Monson, and Nancy Jaye Peterson, owners.

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

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Travis Mockler, Chairman  
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on October 31, 2017.

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Carri R. Crum  
County Auditor, Clay County, SD

At 9:08 a.m., Packard moved, seconded by Manning and carried to adjourn and convene as Ditch Board.

The Board discussed cleaning needed on Lateral 50. Powell moved, seconded by Manning and carried to authorize the Highway Superintendent to discuss with the State the potential for burning or spraying vs. digging to clean cattails out of Lateral 50.

Manning moved, seconded by Hammond and carried to pay invoices for spraying to the Clay County Weed Department for Prairie Center Ditch (\$94.74) and Yankton-Clay Ditch (\$191.28).

At 9:26 a.m., Packard moved, seconded by Manning and carried to adjourn and reconvene as Board of Clay County Commissioners.

Manning moved, seconded by Packard and carried to authorize the Chairman to sign the SLA Quarterly Activity Report – FY 2017 for the Office of Emergency Management.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Powell moved, seconded by Packard and carried to approve a driveway application on behalf of Craig Larson for an entrance on 302 St. ½ mile east of Wakonda.

Powell moved, seconded by Packard and carried to approve a driveway application on behalf of Mark Ostrem for an entrance on 299 St. ¼ mile west of 458 Ave.

Hammond moved, seconded by Manning and carried to approve a right-of-way application on behalf of Clay-Union Electric at the intersection of 455 Ave. & 305 St.

Powell moved, seconded by Manning and carried to approve a right-of-way application on behalf of Clay-Union Electric on University Rd. ½ mile south of 313 St.

Packard moved, seconded by Manning and carried to accept the low bid of \$2.05/gallon for #2 diesel fuel from Jerry's Service.

Powell moved, seconded by Packard and carried to authorize the Chairman to sign documents for the replacement of bridge #14-075-051 to occur in 2018.

Powell moved, seconded by Manning and carried to authorize the Highway Superintendent to purchase a mower tractor and mowers using the Minnesota State Bid.

Polley updated the Board that the bridge #14-130-011 construction project on University Rd. is nearly complete.

Polley reported the department will continue working four 10-hour days per week for a bit longer this fall to complete a few projects.

Andy Howe, Sheriff, met with the Board to present vehicle specifications for patrol car bids. Manning moved, seconded by Hammond and carried to approve bid specifications and set a bid opening date as November 28, 2017 at 9:30 a.m.

Powell moved, seconded by Packard and carried to declare old patrol car tires surplus and authorize their sale at auction.

Packard moved, seconded by Manning and carried to authorize the following claims for payment. October Bills: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33,

States Attorney's Office \$17,906.73, Courthouse \$2,685.67, DOE's Office \$9,315.68, ROD's Office \$6,892.66, Veteran's Office \$1,747.50, Sheriff's Office \$36,523.38, County Jail \$23,036.86, 24/7 Sobriety Project \$1,404.91, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$35,652.82, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$3,305.01, and Zoning Office \$2,382.35; (Payroll Withholdings) Aflac \$808.09; Colonial Life \$631.58; Conseco/Washington \$24.45; Dearborn National \$223.02; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; Performant Recovery \$341.97; SD Retirement System \$20,832.44; SD Supplemental Retirement \$1,900.00; SDRS Roth 457 (B) Plan \$450.00; United Way of Vermillion \$154.00; Vermillion Federal Credit Union \$1,496.00; Wellmark Blue Cross \$48,358.30; SDRS Special Pay Plan \$6,464.68 and Clay County Treasurer \$44,700.72; (Due to Other Government) State of SD Game Fish \$138.00; (Professional Services and Fees) Diesel Machinery Inc. \$47.85; Gray-Lobe, Geoffrey \$153.00; Internal Revenue Service \$344.79; Lincoln County Treasurer \$618.88; McCulloch, James E \$441.80; Netsys Plus Inc. \$805.25; Pharmchem, Inc. \$850.00; Presto-X Company LLC \$74.00; Sanford Health Clinic \$1,614.84; Yankton Co Sheriff \$150.00; Yankton Co Treasurer \$118.75 and Yankton Medical Clinic \$136.44; (Other Professional Services) City of Vermillion \$87,146.00; Dakotah Reporting Agency \$566.50 and Stephanie Moen \$1,045.00; (Law Office) Peterson Stuart Rumpca \$6,098.12; Thompson, Craig K \$4,400.75; (Publishing) Star Publishing \$431.75; (Rentals) Schneider Corporation \$2,115.00; (Repairs and Maintenance) Century Business Products \$29.12; Diesel Machinery, Inc. \$280.00; Fast Auto Glass, Inc \$50.00; Olson's Pest Technician \$75.00; Paul's Plumbing \$522.96 and Pollman Excavation \$34,961.34; (Data Processing/Clay Creek) Bureau of Administration \$27.00; Mastel, Bruce \$35.00; Netsys Plus, Inc. \$220.00 and Schneider Corporation \$1,500.00; (Prairie Center #1A Expense) Clay Co Weed Department \$94.74; (Yankton Clay Expense) Clay Co Weed Department \$191.28; (Supplies and Materials) A & B Business \$34.06; Bob Barker Co Inc. \$117.51; Brunick Service, Inc. \$286.00; Butler Machinery Co. \$1,370.99; Campbell Supply Co. \$214.41; Concrete Materials \$242.57; Dakota PC Warehouse \$199.48; Diesel Machinery, Inc. \$677.14; FedEx \$86.36; Galls LLC \$203.88; Hy-Vee, Inc. \$11.98; JCL Solutions \$399.56; Jerrys Service \$5,090.77; Lawson Products, Inc. \$68.60; Layne's World, Inc. \$2.00; Lincoln County Highway \$8,000.00; Mark's Machinery \$318.04; Pollman Excavation \$713.56; Print Source \$119.20; ProChem Dynamics \$193.12; Safety Benefits, Inc. \$130.00; Sanitation Products \$26.58; Sturdevant's Auto Part \$995.71; Vermillion Ace Hardware \$238.90 and Walmart Community/Gecr \$138.79; (Travel and Conference) Beringer, Jessica \$42.00; Best Western Ramkota \$465.00; Crum, Carri R \$78.00; Ganschow, Dennis \$247.04; Klunder, Nicole \$42.00; Peterson, Ina \$160.00 and SDSU Extension Service \$331.41; (Utilities) Bureau of Administration \$68.87; CenturyLink \$441.03; City of Vermillion \$2,559.02; MidAmerican Energy \$194.75; Midco Business \$360.00; Verizon Wireless \$102.73; Verizon Wireless Sheriff \$320.08; Verizon Wireless EMG \$40.01 and Vermillion Garbage SVC \$386.00; (Payment) Austin-Whittemore House \$625.00; Brunick Service, Inc. \$38.00; Clay Co Arg Fair Association \$4,125.00; Hy-Vee, Inc. \$425.41; Quality Motors \$52.78; SD Assn of Co Officials \$2,807.92; Van Diest Supply Company \$3,187.20; Vermillion Ford \$7.20; Walmart Community/Gecr \$211.58; WH Over Museum \$1,875.00; Cook, Sabrina \$20.00; Ebel, Nicole \$50.00; Bertram, Jolynne \$50.00; Knodel, Bryant \$79.40; Logue, Tom \$65.96; Peltier, Andrew \$50.00; and Prosser, Collin \$50.00; (JDC/Special Eqp) Lutheran Social Services \$3,349.44; Brunick Furniture \$1,286.81; (Buildings and Structures) Brunick Furniture \$1,286.81 and Paul's Plumbing, Inc. \$737.19; (Books) Brock White Company \$30,000.00 and Thomson Reuters West \$390.06; (Furniture and Minor Equipment) City of Vermillion \$1,080.00.

At 10:05 a.m., Hammond moved, seconded by Manning and carried to enter an Executive Session for legal and personnel matters per SDCL 1-25-2.

At 10:52 a.m., Manning moved, seconded by Hammond and carried to exit the Executive Session. No action was taken.

Polley reported to the Board the surplus auction results for the backhoe and other equipment.

Packard moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-18 for Contingency Transfer.

**RESOLUTION # 2017-18**  
**Contingency Transfer**

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds for unanticipated expenses for the current budget year from Commissioners Contingency Fund Budget (D-112):

\$5,000.00 to Court Appointed Attorney – A&N Child (10100X4222154)  
\$3,000.00 to Coroner – Post Mortem (10100X4290213)

Motion by Commissioner Packard, seconded by Commissioner Manning.

Vote of the Board: Mockler Aye, Packard Aye, Powell Aye, Manning Aye, Hammond Aye.

Dated this 31<sup>st</sup> day of October, 2017.

Board of County Commissioners  
Clay County, South Dakota

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Travis Mockler, Chairman

ATTEST:

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Carri R. Crum, County Auditor

Manning moved, seconded by Packard and carried to pass and adopt Resolution #2017-19 for Cancellation of Outstanding Checks.

**RESOLUTION #2017-19**  
**Auditor/Treasurer Outstanding Checks Cancellation**

WHEREAS, the Board of Clay County Commissioners may by resolution cancel warrants or checks that have not been presented for payment at any time within one (1) year of the date on which the warrant or check was issued,

NOW THEREFORE BE IT RESOLVED, that the Board of Clay County Commissioners hereby authorize the cancellation of checks and warrants of record, in the Clay County Auditor and Treasurer's Office that have not been presented for payment within the one (1) year of the date of the said checks or warrants, for \$639.31 in Auditor's Warrants & \$1,104.95 in Treasurer's Checks and that the Auditor and Treasurer Office's shall make note of such cancellation in the Warrant and Check Register, respectfully. (List on File in the Auditor's Office)

Dated this 31st day of October, 2017, at Vermillion, South Dakota.

Commissioner Manning moved for the adoption of the foregoing resolution, motion seconded by Commissioner Packard.

Vote of Commission: Ayes 5 Nays 0.

Upon which voting the foregoing resolution was declared, passed, and adopted.

Board of County Commissioners  
Clay County, South Dakota

Attest:

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Travis Mockler, Chairman

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Carri R. Crum, County Auditor

Packard moved, seconded by Manning and carried to pass and adopt Resolution #2017-20 for Automatic Supplement of Courthouse Budget.

**RESOLUTION #2017-20  
Automatic Supplement**

WHEREAS, Clay County has been reimbursed \$16,996.55 for insurance proceeds due to hail damage repairs; and

WHEREAS the Courthouse budget does not have adequate funds to allow for the hail damage repairs and;

WHEREAS, the Board of County Commissioners have agreed to supplement the department by an automatic supplement, with reimbursement received from Claims Associates, Inc., for the proper conduct and discharge of lawful county obligations has been given in accordance with the law and direction of the County Board,

NOW THEREFORE BE IT RESOLVED: That the following budget be adopted as an automatic supplement to the aforesaid annual budget:

Clay County Courthouse (10100X4320161) – Bldg. Improvements - \$16,996.55

Dated this 31st day of October, 2017.

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

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

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

Attest:

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

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Carri R. Crum, County Auditor

The Board discussed repairing the retaining wall around the Courthouse in the near future.

The Board discussed the upcoming expiration of Joe Hubert’s term on the Planning & Zoning Commission.

The Board discussed the Christmas Day holiday. It was decided that although the Governor declared State offices will be closed December 26, 2017, County offices will be open.

At 11:27 a.m., Manning moved, seconded by Powell and carried to adjourn and reconvene Tuesday, November 7, 2017 at 9:00 a.m.

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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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