

September 26, 2017

The Board of County Commissioners met in regular session Tuesday, September 26, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Manning moved, seconded by Powell and carried to approve the agenda with the addition of travel requested by Phyllis Packard.

Minutes of the September 5, 2017 meeting were approved with a motion by Powell, seconded by Hammond and carried.

Gene Lunn appeared during Visitors to be Heard to thank the Commissioners, upon his impending retirement, for his time as Director of Equalization, and to say that in his 7 years as Director of Equalization it has been a time of cooperation with the Commissioners, especially with technological advances such as the Pictometry program.

Cynthia Aden, Zoning Administrator, met with the Board to present four plats.

Powell moved, seconded by Hammond and carried to pass and adopt the following Resolution for plat of Tract A An Addition in the NW1/4 of Section 33 T95N, R52W, 5th P.M. Clay County, South Dakota; Latendresse Family Trust, owner.

RESOLUTION OF COUNTY COMMISSIONERS

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

A plat of Tract A An Addition in the NW1/4 of Section 33 T95N, R52W, 5th P.M. Clay County, South Dakota; Latendresse Family Trust, owner.

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

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 September 26, 2017.

Carri R. Crum
County Auditor, Clay County, SD

Manning moved, seconded by Hammond and carried to pass and adopt the following Resolution for plat of Tracts 48, 49, and 68 of Hansen Farms Addition in the E1/2 of the SE1/4 of Section 35, Township 95

North, Range 52 West, and the E1/2 of the NE1/4 of Section 2, Township 94 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 4,887,387 Sq. Ft. (112.20 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

RESOLUTION OF COUNTY COMMISSIONERS

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

A plat of Tracts 48, 49, and 68 of Hansen Farms Addition in the E1/2 of the SE1/4 of Section 35, Township 95 North, Range 52 West, and the E1/2 of the NE1/4 of Section 2, Township 94 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 4,887,387 Sq. Ft. (112.20 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

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

Travis Mockler, Chairman
Board of County Commissioners

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Carri R. Crum
County Auditor, Clay County, SD

Manning moved, seconded by Hammond and carried to pass and adopt the following Resolution for plat of Tract 9A and 9B of Hansen Farms Addition in the SW1/4, Section 14 Township 95 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 1,761,504 Sq. Ft. (40.44 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

RESOLUTION OF COUNTY COMMISSIONERS

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

A plat of Tract 9A and 9B of Hansen Farms Addition in the SW1/4, Section 14 Township 95 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, Containing 1,761,504 Sq. Ft. (40.44 Acres) More or Less; Roger A. Hansen D/B/A Hansen Properties, owner.

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

Travis Mockler, Chairman
Board of County Commissioners

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Carri R. Crum
County Auditor, Clay County, SD

Powell moved, seconded by Packard and carried to pass and adopt the following Resolution for plat of Tract 1, Schmidt Addition, in the S1/2 of Lots 1 & 2 of the NW1/4 of Section 30, T93N, R51W, of the 5th P.M., Clay County, South Dakota; US Farmland Fund Limited Partnership, owner.

RESOLUTION OF COUNTY COMMISSIONERS

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

A plat of Tract 1, Schmidt Addition, in the S1/2 of Lots 1 & 2 of the NW1/4 of Section 30, T93N, R51W, of the 5th P.M., Clay County, South Dakota; US Farmland Fund Limited Partnership, owner.

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

Travis Mockler, Chairman
Board of County Commissioners

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Carri R. Crum
County Auditor, Clay County, SD

Matt Callahan and Aaron McDowell, Vermillion/Clay EMS, met with the Board regarding the upcoming ambulance purchase. They reported the ambulance would not be 4-wheel drive due to budget constraints. It would be switched from a truck chassis to a van chassis and from a diesel to a gasoline engine. The consensus of the Board was to allocate an additional \$40,000 in the 2018 budget to allow for a F-450, 4-wheel drive, diesel ambulance as previously planned.

Dennis Ganschow, Weed Supervisor, requested travel to Aberdeen for a Weed Conference and recertification on his Category 9 license. Packard moved, seconded by Powell and carried to approve the travel, with an additional night in order to avoid late night travel.

Ganschow discussed the Assistant Weed Supervisor position and the open Highway Department position. He informed the Board that he and Rod Polley, Highway Superintendent, will be advertising the job opening soon.

Powell asked Ganschow to look at weeds along Saginaw Ave. Manning discussed weed spraying along Prairie Center Ditch.

Packard moved, seconded by Powell and carried to approve the following claims for payment. September Bills: (Due to Other Government) Dept of Revenue \$227,671.01; Sdao M&P Fund Payment \$344.00 and Thomson Reuters – West \$286.13; (Professional Services and Fees) Avera McKennan Hospital \$2,800.00; Billings, John P \$2,467.50; City of Vermillion \$60.00; Clay County Sheriff \$42.00; Hansen Funeral Home \$1,900.00; Johnson Engineering Co \$19,392.11; Katterhagen, Mark \$15.00; Lewno, Lucille M \$214.14; Lincoln County Auditor \$453.28; Lockwood, Darcy \$15.00; Mail Finance \$89.46; Microfilm Imaging System \$30.00; Presto-X Company LLC \$70.91; Sanford Health Occupation \$30.00; Satellite Tracking \$136.50; SD Dept of Health Lab \$515.00; SD Sheriff's Assn \$880.00 and Willson Florist \$55.00; (Other Professional Service) City of Vermillion \$80,577.00; Reeves, Megan \$601.00; (Mental Health) SD Achieve \$180.00; Sisd Activity Center \$360.00 and Dept of Revenue \$1,190.92; (Publishing) Broadcaster Press \$227.99 and Star Publishing \$348.92; (Repairs and Maintenance) Buhls Drycleaners \$24.00; Graham Tire Yankton \$479.00; Hartelco \$10.00; Henderson's Exhaust Place \$22.50; Johnson Control Inc. \$240.62; Mail Finance \$536.73; Netsys Plus, Inc. \$66.00 and Vermillion Federal Credit \$20.00; (Data Processing) Mastel, Bruce \$35.00; Microfilm Imaging Systems \$765.00 and Software Services Inc. \$780.00; (Supplies and Materials) A & B Business \$170.08; A-Ox Welding Supply Co \$171.49; Appera \$52.59; Brunick Service, Inc. \$2,049.87; Butler Machinery Co. \$4,380.99; Campbell Supply Co. \$148.42; Concrete Materials \$136,852.99; Diesel Machinery, Inc. \$1,800.00; FedEx \$35.77; Graham Tire Yankton \$26.92; Henderson's Exhaust \$3.50; Hy-Vee, Inc. \$37.92; Lawson Products, Inc. \$254.63; Layne's World, Inc. \$28.14; Light and Siren \$1,096.00; North Central \$372.18; Orr Farm Supply \$49.37; Pharmchem, Inc. \$608.00; ProChem Dynamics \$127.09; SD Dept of Trans \$55,576.32; Sturdevant's Auto Part \$34.51; Titan Machinery \$1,196.73; Vermillion Ace Hardware \$9.99; Vermillion Federal \$414.34; Vermillion Ford \$133.60; One Office Solution \$83.72; Wheelco Brake and Supply \$1,214.14; Wieseler, Judy \$75.00; Zee Medical Service Co \$124.60 and Hansen, Darla \$165.12; (Travel and Conference) Best Western of Huron \$624.00; Sdao C/O Wendy Semmler \$300.00; Vermillion Federal \$409.40 and Vermillion Federal \$297.92; (Inmate Travel) Brunick Service, Inc. \$120.00; (Utilities) CenturyLink \$440.80; Clay Rural Water System \$70.10; Clay Union Electric Co. \$524.23; Hartelco \$79.95; MidAmerican Energy \$124.43; Midco Business \$65.00; Vermillion Garbage Svc. \$60.00 and Wakonda Town \$66.90; (Payment) Brunick Service, Inc. \$1,608.63; Domestic Violence \$445.00; McGuire, Janice \$150.00; The Roadhouse \$3,838.50; Vermillion Federal \$100.60; Vermillion Ford \$179.55; Andersen, Gary \$24.28; Mehlhaf, Jeanne \$10.00; Smith, Christen \$10.00; Dotson, Zenon \$10.00; Anderson, Keith \$157.56; Baker, Diana \$10.00; Bartling, Christopher \$10.00; Beatty, Wayne \$195.36; Benzel, Cynthia \$12.52; Dahlhoff, Marie \$10.00; Decker, Raymond \$150.00; Erickson, Gayle \$218.04; Fang, Justin \$10.00; Foley, Mark \$10.00; Fratzke, Joyce \$13.36; Gilkyson, Tracy \$10.00; Groves, Gary \$10.00; Hall, Jamie \$10.00; Haneke, James \$220.56; Hansen, Max \$12.52; Hanson, Cylie \$150.00; Hanson, Paul \$150.00; Hazlett, Lisa \$10.00; Hovden, Nicholas \$13.36; Hout, Cliff \$19.24; Huska, Vernace \$10.00; Jobe, Mariah \$150.00; Johnson, Brandi \$24.28; Landeen, Gerald \$31.00; Lucas, Lindsey \$10.00; McClenning, Barb \$10.00; McNamara, Andrew \$150.00; McNaughton, Jeanette \$10.00; Morgan, Beteni \$10.00; Nelson, Anna \$180.24; Nelson, Todd \$10.00; OConnor, Lawrence \$13.36; OConnor,

Stacey \$14.20; Paulson, Linda \$150.00; Red Cloud, Eric \$10.00; Rolfes, Michael \$12.52; Rowland, Joshua \$10.00; Russell, Hana \$10.00; Simos, Elizabeth \$10.00; Stephens, Thomas \$10.00; Stewart, Todd \$14.20; Svenden, Robin \$10.00; Sweeney, William \$10.00; Thiel, Jason \$10.00; Thiesse, Amy \$20.08; Thomas, Howard \$10.00; Vik, Darrell \$38.56; Waage, Cassie \$13.36; Webb, Michael \$10.00; Welch, Bridget \$10.00; Welch, Robert \$10.00 and Mitchell, Jameson \$41.00; (JDC/Special Eq.) Vermillion Federal \$20.00; (Buildings and Structures) Naturescaping Deign \$12,320.00; Tri State Insulation \$41,369.28; (Books) Sdaao C/O Allison Jensen \$440.00; (Furniture and Minor Equipment) A & B Business \$230.23; Century Business Products \$78.92; MicroFilm Imaging System \$120.00; Vermillion Federal \$27.84. September Payroll: Commissioners \$8,032.07, Auditor's Office \$9,536.49, Treasurer's Office \$15,961.33, States Attorney's Office \$17,833.73, Courthouse \$2,685.67, DOE's Office \$25,107.46, ROD's Office \$6,963.06, Veteran's Office \$1,747.50, Sheriff's Office \$36,317.02, County Jail \$20,334.98, 24/7 Sobriety Project \$1,446.64, LEPC and Emerg. Mgmt. Office \$4,047.17, Highway Department \$34,043.72, County Nurse \$2,511.00, Extension Office \$2,904.00, Weed Department \$5,086.77, and Zoning Office \$2,424.71; (Due to Other Government) SD Dept of Labor Division \$910.00; State of SD Game Fish \$100.00 and Thomson Reuters – West \$348.93; (Payroll Withholdings) Aflac \$808.09, Clay Co Treasurer \$50,010.99, Colonial Life \$461.34, Conseco/Washington \$24.45, Dearborn National \$217.35, New York Life Insurance \$244.02, Optilegra Inc. \$17.92, Performant Recovery \$341.97, SD Retirement System \$21,528.30, SD Supplemental Retirement \$1,875.00, SDRS Roth Plan \$650.00, United Way of Vermillion \$154.00, Vermillion Federal Credit \$1,496.00 and Wellmark Blue Cross \$47,349.90; (Professional Services and Fees) Bike Plus \$18.00; Netsys Plus, Inc. \$50.00; Pharmchem, Inc. \$50.00; Security Shredding Svc \$70.00; Yankton Co Sheriff \$50.00; Yankton Co Treasurer \$118.75 and Yankton Medical Clinic \$43.63; (Law Office) Peterson, Stuart, Rump \$6,098.12; (Repairs and Maintenance) Aden, John \$115.17; Olson's Pest Technicians \$75.00 and Tri-State Turf \$159.69; (Data Processing/Clay Creek) Bureau of Administration \$27.00; (Supply and Materials) Bob Barker Co Inc. \$119.57; Boyer Trucks SF Inc. \$205.84; Brunick Service, Inc. \$298.00; Campbell Supply Co. \$86.95; Concrete Materials \$90,405.69; Dakota PC Warehouse \$29.98; Diesel Machinery, Inc. \$999.32; Hollenbeck, Lauren Hy-Vee, Inc. \$49.39; JCL Solutions \$513.99; John Deere Financial \$115.82; Natl. 4-H Council Supply \$105.35; North Central \$155.26; Office Elements \$275.83; Quill Corporation \$87.72; Sturdevant's Auto Parts \$388.53; Verizon Wireless \$5.00; Vermillion Ace Hardware \$24.99; Walmart Community/Gecr \$52.02; One Office Solution \$106.82 and Wheelco Brake and Supply \$236.35; (Travel and Conference) Aden, Cynthia \$864.20; Hollenbeck, Lauren \$82.80; Howe, Rhonda \$366.44; Olson, Jane \$413.44; Powell, Cathi \$38.00; SD Ltap \$100.00; Stewart, Layne \$119.64 and Wood, Lisa \$137.50; (Utilities) City of Vermillion \$2,893.57; Verizon Wireless \$102.67; Verizon Wireless \$320.08; Verizon Wireless \$40.01 and Vermillion Garbage Svc \$326.00; (Payment) Hy-Vee, Inc. \$481.25; The Roadhouse \$3,838.50; Walmart Community/Gecr \$125.51; Heles, Catherine Mae \$36.80 and Ballage, Cooper Lynn \$36.80; (Jdc/Special Eq.) Jack's Uniform and Equipment \$19.90; (Buildings and Structures) Brunick Furniture \$4,789.08.

Powell moved, seconded by Manning and carried to authorize travel for Phyllis Packard to be inducted into the SD Solid Waste Management Association Hall of Fame. The Board congratulated her on the award.

At 9:35 a.m., Packard moved, seconded by Powell and carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 9:47 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session.

Nate Welch of the Vermillion Chamber and Development Company met with the Board to discuss TIF District 1 and requested that the County Commission change the boundaries. Powell moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-16 Modifying Boundaries of Clay County TIF Incremental District Number One.

**RESOLUTION #2017-16
RESOLUTION MODIFYING BOUNDARIES OF
CLAY COUNTY TIF INCREMENTAL DISTRICT NUMBER ONE**

WHEREAS, on June 6, 2017 the Clay County Commission did approve the boundaries of Tax Increment District number one; and

WHEREAS, on September 25, 2017, the Clay County Planning and Zoning Commission did adopt for recommendation a motion modifying the boundaries of Tax Increment District to be reduced from Heikes Tract 2 to the southern 623' east to west by 230' feet north to south; and

WHEREAS, the Clay County Commission finds that;

- (1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11 or not less than fifty percent (50%), by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and
- (2) The improvement of the area is likely to significantly enhance the value on all of the other real property in the district; and

WHEREAS, the Clay County Commission finds that the aggregate assessed value of the taxable property in this district plus all other existing districts does not exceed ten percent (10%) of the total assessed value of the taxable property within Clay County, South Dakota.

NOW, THEREFORE BE IT RESOLVED, by the County Commission of Clay County, that Tax Incremental District Number One (TIF1) is hereby created in Clay County, and that such District boundary shall be reduced from Heikes Tract 2 to the southern 623' east to west by 230' feet north to south.

Dated at Vermillion, South Dakota this _____ day of _____, 2017.

Vote of the Board: _____ Ayes, _____ Nays.

THE GOVERNING BODY OF THE
CLAY COUNTY COMMISSION, SOUTH DAKOTA

By _____
Travis Mockler, Chairman

ATTEST:

Carri R. Crum, Clay County Auditor

At 10:00 a.m., a second reading was held for Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Specifically, the Board of County Commissioners will be considering adoption of amendments to Section 2.02, Definitions; Section 3.07, Concentrated Animal Feeding Operations (CAFO); Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1: Agricultural District; and 4.0508, APO: Aquifer Protection Overlay District, which were recommended by the Clay County Planning Commission.

Mockler announced that the opponents would have 15 minutes for questions and comments, and the proponents would have 15 minutes for questions and comments, with a 2-minute limit per person.

Grace Freeman referred to an e-mail she sent to the individual commissioners. She discussed animal number confinement limits and said as a tourist she avoids places with animal confinements. Freeman

discussed the area where she lives and said it is a scenic route to the Sturgis rally, and she would not like to see confinements in her area.

Barbara Yelverton discussed setbacks, water quality, and economy of scale, and she said she is opposed to setbacks closer to water.

Susanne Skyrn said she is opposed to smaller setbacks near waterways. She asked why the county needs this ordinance if it is not being overrun now with requests for CAFOs.

Caitlin Collier said she has nostalgia for Vermillion in 1976, and she realizes how miserable it is to lose the way things were. She said sometimes people make stupid mistakes and sometimes they cannot get things back. She said the average age of farmers is older now. People cannot recreate something that does not exist any longer and cannot change carbon monoxide levels in the atmosphere, but people can adapt and change. Collier asked the Commissioners if the changes are nostalgic, or if they are looking to try to mitigate changes and hold on to quality of life.

Charles Yelverton said permits, setbacks, and animal numbers are the three big areas of concern. Yelverton spoke about public health and allowing hazards in the environment. He discussed manure and nitrogen levels and said at 4,000 animals the waste is equal to 10 new Vermillions. Yelverton said the Zoning Administrator does not have the budget to allow someone to be employed to monitor manure in the county, and said the DENR (SD Dept. of Environment and Natural Resources) has nine people, not enough staff to monitor 20 new Vermillions. He discussed heavy metals, antibiotics, bacteria, nitrogen, phosphorous, dust, and mold in relation to dairy operations. Yelverton said he does not want to be like Sioux County, IA because Iowa is 49th in water quality in the country and had 818 waterways last year unfit for human consumption. He also cited a survey of Dordt College students who said they noticed a smell when visiting to the college the first time.

Jerry Wilson said he grew up on a small dairy farm and remembers his dad saying they needed to get bigger or get out, so he bought 10 more cows to get to a total of 35. He said the average family farm is 200 cows, and industrial farms put family farms out of business. Wilson said 3 years were spent on the process, and he wonders what could have been accomplished if the Board had been talking about clean industry, such as wind and solar, instead of industrial farms.

Cindy Struckman-Johnson said she has been doing research on social interactions for 35 years. She said attending the meeting was hard because she feels the Commission is not open to the opposition. She said she feels Mockler is a bully and intimidated the speakers, and the other four Commissioners are just enablers.

Jim Petrik spoke as a proponent. He said he wishes the world could go back to 1976 because he could actually get hog feed in Clay County at that time, and there were more livestock in the county back then than there are today, which is unfortunate. Petrik said the best thing for water quality is to have big enough operations to be permitted by the DENR because they are held to a higher standard. He said the large petroleum storage in Vermillion is not built as well as his facilities. Petrik talked about a new dairy in Sioux County that was a \$30 million investment; a donation of \$30,000 was made to Sioux County church groups to get enough kids to help move silage for it. He said the opposition is not comparing apples to apples. Petrik said the best fertilizer is the natural nitrates, phosphorous, etc in manure, and no

human use antibiotics are available for animals as of the 1st of the year. He said it is not an incentive for farmers to misuse antibiotics. Petrik said the bar has been set higher for livestock producers, and that is fine, but he lays awake at night worrying he may become the last livestock producer in Clay County.

Reed Jensen introduced himself as a grain farmer. He said the more local demand the better because it keeps more money in Clay County and creates a better tax base. Jensen referred to Wilson's comments and said there are no dairies left in Clay County to be put out of business. He said the operations are clean, and the hogs are good. He said people are opposed to corporate farms, but no one had a problem with Sanford building a corporate hospital in Vermillion.

Craig Johnson said CAFOs are food sources for the local places such as Hy-Vee, Wal-Mart, Café Brulé, etc., and food prices will go up higher with caps on food production. He said quality of life is a broad spectrum; it might mean putting 3 meals on the table for some people. Johnson talked about the Vermillion Food Pantry and said more people will be coming to the food pantry over the next several years if the County restricts farms. Johnson said he didn't want to see power lines built to Vermillion, but it was for the benefit of the people in Clay County. He said people have to look at the big picture, the benefit of food production for local people, and the Commissioners need to send a message that they are feeding Clay County, Yankton County, and South Dakota.

Petrik added he was at a farm credit meeting a month ago, and regarding a federal reserve newsletter, 12-15% of farm operating loans are in tough shape. He said down the road there will be farmers needing to diversify if grain production does not improve. Petrik said he would hate to see Clay County farmers not have the opportunity.

The meeting was closed to public comments and turned over to the individual Commissioners.

Packard said she feels the board has listened to all sides, and she knows there are different sides. She said she also feels the Commissioners have tried very hard to put in qualifications within applications for Conditional Use Permits that additional site-specific setbacks can be set. She said she did not like the reduction of setbacks, but the County does need an ordinance that works, and she does feel they have a document that allows the County to move forward and work with farmers, agriculture, and the public and that still allows to expansion for Clay County. Packard said she feels it is time to start seeing how it works rather than constantly putting off the decision. With that, she trusts that they will be looking at each application and working closely with DENR, and she would like to look carefully at funding for an additional person in the Zoning Office. She also noted that right now there are no large facilities.

Powell said the Planning & Zoning Commission spent a lot of time on the proposed regulations, and he was not comfortable with 5,600 cows. He said he was listening to the people, and there were items not quite right, so he voted against it last time because he is trying to do the best for everyone. He said those items have been changed. The number was lowered to 4,000 with the ability to grow to 5,000. He said there is nothing like that in Clay County, but at some point in time there might be a need.

Manning stated there are parts he did not agree with the rest on, but overall things are moving in the right direction. He said there have been changes to the proposed regulations to make it better for the Zoning Administrator to monitor things. Manning also said there is a shortage food in Clay County, and he has seen it in his experience on the Vermillion Food Pantry's Board of Directors.

Hammond said he has been responsible for extending the process quite a bit; he has chimed in when he felt it was necessary to make additional changes. He said it has improved because of that. Hammond said he has been on a large number of animal feeding operations of all sizes and has sometimes helped producers put together environmental assessments for some operations like the opposition may fear. He said the process has come a long way, that the planning process is continuous, and he feels this is part of a work in progress. He would not be surprised if the Board took a break and then picked up another part of the zoning ordinance for revision. He feels it should be a continuous work in progress, and although he is not incredibly happy with all aspects, he thinks it is the best that the Commissioners can come up with at this point. Hammond acknowledged the Commissioners could find it needs more tweaking in a short time, but the nice part is it can be a work in progress.

Powell moved to adopt Ordinance #2017-01, an amendment to the 2013 Revised Zoning Ordinance for Clay County. Manning seconded the motion. Roll call vote: Hammond Aye, Manning Aye, Powell Aye, Packard Aye, Mockler Aye. Motion passed.

Powell moved, seconded by Manning and carried to authorize the Chairman to sign the Registration Form for the 2020 Census Local Update of Census Addresses Operation (LUCA).

The Board discussed the 2018 Provisional Budget. The following changes were made to the 2018 Provisional Budget as it was published in the legal newspapers. Reduce Elections budget to \$54,484, raise LEPC to \$2,950, change Senior Citizens budget to \$27,447 (The Main Street Center was allocated \$20,000), change Museums/Historical Society to \$20,000 (Vermillion Area Arts Council was allocated \$5,000), raise the Ambulance budget to \$171,000, and adjust the Transfers Out to \$1,273,517 to account for an adjustment to funding for the Road & Bridge Fund. These adjustments change the General Fund Cash Balance Applied to \$705,815 and the Net Means of Finance and Total Appropriations to \$5,817,867, and reduce the Road & Bridge Fund Cash Balance Applied to \$990,415. Powell moved, seconded by Hammond and carried to adopt the Provisional Budget as the 2018 Annual Budget with the changes as noted.

Packard moved, seconded by Manning to approve the 2018 payroll.

At 11:13 a.m., Manning moved, seconded by Packard and carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 12:07 p.m., Manning moved, seconded by Hammond and carried to exit the Executive Session.

Packard moved, seconded by Manning and carried to authorize the Chairman's signature on a letter to be sent to Executive Technologies regarding the telephone system contract.

The following monthly reports were accepted and placed on file: Auditor's Account with the County Treasurer (see below), Sheriff's Office, Register of Deeds, Veterans/Welfare/Zoning, and Vermillion Public Library Board.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County

items in the hands of the County Treasurer as of September 1, 2017.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	5,751,021.12
Amount of actual cash	1,361.96
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	13,085.38
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	2,124.78
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	0.00
Total	
	Dated this 1st day of September, 2017.
	5,768,593.24

Carri R. Crum, County Auditor

At 12:14 p.m. Powell moved, seconded by Packard and carried to adjourn and reconvene Tuesday, October 3, 2017 at 9:00 a.m.

Travis Mockler, Chairman
Board of County Commissioners

ATTEST:

Carri R. Crum, County Auditor
