

January 3, 2017

The Board of County Commissioners met in regular session Tuesday January 3, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Packard moved, seconded by Manning and carried to approve the agenda with the addition of Executive Session for personnel matters.

Minutes of the December 27, 2016 meeting were approved with a motion by Powell, seconded by Packard and carried.

The meeting adjourned and reconvened to reorganize for the ensuing year.

County Auditor, Carri R. Crum, called the meeting to order. The Auditor called for nominations for Chairperson. Manning moved to nominate Travis Mockler as Chairperson. Motion seconded by Powell. Powell moved to nominate Phyllis Packard as Chairperson. Motion seconded by Hammond. Paper ballots were cast, and the results were three votes for Mockler and two votes for Packard.

With Chairman Mockler presiding, the following proceedings were held.

The Chairman called for nominations for Vice Chairperson. Powell moved, seconded by Manning to nominate Phyllis Packard as Vice Chairman. No further nominations were made. All voted aye; motion passed.

Powell moved, seconded by Hammond and carried to adopt Modern Addition of Robert's Rules of Order (current version 2005 on file in the Auditor's Office), no restrictions on the Chair, and minutes not to record motions not seconded.

The following appointments were approved. Layne Stewart as Emergency Management Director for a one-year term expiring 1/2/18 with a motion by Powell, seconded by Hammond and carried. Packard moved, seconded by Powell and carried to appoint Commissioner Mockler to Fair Board, Commissioner Packard as member of the Executive Board of SECOG, Commissioner Packard to Board of Directors of the Clay County Youth Trust Fund and the Youth Service Council, Commissioner Mockler to the Zoning Board, Dr. Dendinger as County Health Officer, Robert Fuller to Public Safety Board for a three-year term expiring 12/31/19, Commissioner Hammond as member to the Southeast Regional Detention Authority Steering Committee, Commissioner Packard to the Joint Landfill Advisory Board, Commissioner Manning to the VCDC, Commissioner Manning to Vermillion Now Advisory Council, and the Chairman and Vice-Chair to the ICAP Committee.

Powell moved, seconded by Packard and carried to designate the Vermillion Plain Talk and the Tri-County news as the official legal newspapers.

Manning moved, seconded by Packard and carried to designate the front door of the Courthouse and the front door of the Post Office in Wakonda as places for holding foreclosure sales.

Manning moved, seconded by Packard and 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 Vermillion Federal Credit Union as the official depositories.

Pursuant to SDCL 28-17-4, Powell moved that on county burials the funeral director in charge shall furnish casket and outside container and conduct the funeral services in customary manner and the County shall allow the funeral director for merchandise and such services rendered a sum of \$1900 (complete costs) which includes vault and opening and closing of the grave. Motion seconded by Packard and carried.

Manning moved, seconded by Powell and 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 \$.42 per mile, and if the state raises mileage during the year the County will follow suit; rates for meals set at \$32.00 per day (Breakfast \$6.00, Noon \$11.00, Evening \$15.00).

Powell moved, seconded by Manning and 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 \$20.00 plus mileage.

Powell moved, seconded by Manning and carried to approve fees for boarding prisoners for other counties at \$60 per day with the exception of Turner and Lincoln Counties which are under contract for \$55 per day, 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 \$15 per 2 cards, accidents reports at \$2 per page, and other reports or printing e-mailed civil process to serve at \$1 per page.

Manning moved, seconded by Hammond and carried to hold Commission meetings the first, second and last Tuesday of each month.

Packard moved, seconded by Manning and carried to approve SD Public Assurance Alliance as the County's liability insurance and SDML for worker's compensation insurance.

Packard moved, seconded by Powell and 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 (currently Shawn Fick, Matt Olson, and Kay Luther).

Powell moved, seconded by Manning and carried to pass and adopt the following Resolution #2017-01 for Establishment of Election Precincts/Polling Places for 2017.

RESOLUTION #2017-01
Establishment of Election Precincts/Polling Places for 2017

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: Senior Citizens Center, 119 Ohio 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 Powell moved the adoption of the foregoing resolution. Motion seconded by Commissioner Manning.

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

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 3rd day of January, 2017.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Manning moved, seconded by Packard and carried to pass and adopt the following Resolution #2017-02 for Establishment of Precinct Election Officials Fees for 2017.

RESOLUTION #2017-02
Precinct Election Officials Fees for 2017

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 \$150.00, and election superintendent at \$175.00, 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: \$25.00 compensation for election officials residing within ten (10) miles from the county seat and \$30.00 for officials residing outside the ten (10) miles from the county seat.

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 the 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). The county rate for mileage is .42 cents per mile.

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

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

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 3rd day of January, 2017.

Board of County Commissioners

Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

At 9:27 a.m., Packard moved, seconded by Manning and carried to adjourn and convene as Clay County Ditch Board.

Manning moved, seconded by Powell and carried to set January 10, 2017 at 9:15 a.m. as the date and time for a public hearing for a supplement in the amount of \$1,348 to the 2016 ditch expense budget.

At 9:32 a.m., Packard moved, seconded by Hammond and carried to adjourn and reconvene as Board of Clay County Commissioners.

At 9:32 a.m., a public bid opening took place for the 2017 jail meals. The sealed bids were opened and read aloud. Bids were as follows: The Roadhouse bid \$4.25 for lunch and dinner and \$.40 for breakfast, Hy-Vee bid \$3.25 for breakfast, lunch, and dinner, and The Old Lumber Company bid \$5.00 for breakfast and \$8.00 for lunch and dinner.

The Board discussed with Alexis Tracy, State's Attorney, and Cynthia Aden, Zoning Administrator, the cul-de-sac issue in Gunderson's development in order to update Tracy on the situation.


Aden told the Board she would check with SECOG to find out the status of its inspection of the proposed zoning regulations.

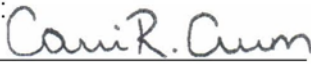
Packard moved, seconded by Powell and carried to authorize the Chairman to sign the 2017 Memorandum of Understanding with the SDSU Extension Service.

At 10:08 a.m., Powell moved, seconded by Packard and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 11:13 a.m., Powell moved, seconded by Packard and carried to exit the Executive Session. No action was taken.

At 11:14 a.m. Powell moved, seconded by Manning and carried to adjourn and reconvene Tuesday, January 10, 2017 at 9:00 a.m.


Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

January 10, 2017

The Board of County Commissioners met in regular session Tuesday, January 10, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

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

Minutes of the January 3, 2017 meeting were approved with a motion by Powell, seconded by Manning and carried.

Alexis Tracy, State's Attorney, met with the Board during Visitors to be Heard to discuss the Teen Court program.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. Manning moved, seconded by Powell and carried to accept the low bid of \$1.12/gallon from Star Energy for propane at the Wakonda shop and the low bid of \$1.11/gallon from Long's Propane for propane at the Vermillion shop.

Polley discussed bridge construction on the structure 1 mile east of Highway 19 and ¾ mile south of 302 St. The project has been bid, and work should start in the spring. Polley said the bridge on University has been delayed and also discussed future plans for other bridges in the county.

Manning moved, seconded by Powell and carried to pass and adopt the following Resolution #2017-03 for Supplement of County Budget.

RESOLUTION #2017-03

Supplement of County Budget

WHEREAS the Ditch Special Assessment budget does not have adequate budget authority in 2016 for expenses paid directly from the Ditch Special Assessment Fund;

WHEREAS, the Board of County Commissioners have agreed to hold a public hearing on January 10, 2017 at 9:15 a.m. to supplement the Ditch Special Assessment budget for the proper conduct and discharge of lawful county obligations and 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 to show the supplement to the foresaid 2016 Annual Budget:

Ditch Special Assessment (24305X42555000) \$1,348

Dated the 10th day of January, 2017.

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

Vote of the Commission: Packard Aye Powell Aye Manning Aye Hammond Aye Mockler Aye

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

ATTEST:

Carri R. Crum, County Auditor

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

At 9:23 a.m., Packard moved, seconded by Powell and carried to adjourn and convene as Clay County Ditch Board.

The Board reviewed information from Johnson Engineering and a Contractor's Application for Payment from Jerke & Sons Construction. Powell moved, seconded by Hammond and carried to approve payment to Jerke & Sons Construction in the amount of \$53,459.33 as requested for the Clay Creek Ditch Cleanout Project.

At 9:27 a.m., Manning moved, seconded by Packard and carried to adjourn and reconvene as Board of Clay County Commissioners.

Andy Howe, Sheriff, met with the Board regarding jail meal bids that were opened the previous week. Howe reported that he consulted with Tracy, State's Attorney, regarding the bids. Packard moved, seconded by Hammond and carried to accept the bid from The Roadhouse.

Layne Stewart, Emergency Management Director, met with the Board to present the SLA Quarterly Activity Report – FY2017. Powell moved, seconded by Manning and carried to authorize the Chairman to sign the report.

Stewart updated the Board on the Homeland Security Grant application process.

Packard moved, seconded by Manning and carried to approve the following claims for payment. January Bills: (Due to Other Government) Reliance Telephone \$1,000.00; (Professional Services and Fees) Allied Insurance \$100.00; AVI Systems, Inc. \$492.27; Dakota PC Warehouse \$109.98; FedEx \$21.57; Gray-Lobe, Geoffrey \$153.00; Johnson Engineering Co. \$8,542.76; Katterhagen, Mark, \$15.00; Lewno, Lucille M \$195.46; Lincoln County Treasurer \$90.00; Microfilm Imaging System \$109.00; Netsys Plus, Inc. \$106.25; Pharmchem, Inc. \$525.00; Satellite Tracking \$110.00; SD Dept of Health Lab \$310.00; SD Sheriff's Assn. \$765.92; SDAAO \$225.00; SDACC Office \$3,030.00; SDSU Extension Service \$7,548.00; Swanda, Karen \$15.00; Walker Construction \$390.00 and Yankton Co Sheriff \$100.00; (Other Professional Services) Reeves, Megan \$554.80 and Schaefer, Dean \$318.00; (Law Office) Kogel, Linda L \$2,883.80 and Reed Law Offices \$1,296.40; (Mental Health) Dakotabilities \$540.00; SD Achieve \$180.00; Sesd Activity Center \$360.00 and Dept of Revenue \$2,650.00; (Publishing) Broadcaster Press \$304.82; (Rentals) Schneider Corporation \$2,115.00; (Repairs and Maintenance) Bear, Inc. Db a Todd's \$66.31; Butler Machinery Co. \$968.00; Century Business Products \$25.00; Fast Auto Glass, Inc. \$178.00; First Bank & Trust Visa \$20.00; Hartelco \$10.00; Olson's Pest Technician \$200.00; Paul's Plumbing, Inc. \$96.94 and State Bar of SD \$415.00; (Data Processing/Clay Creek) Jerke & Sons \$53,459.33; Manatron, Inc. \$1,431.41; Microfilm Imaging Systems \$606.00; Netsys Plus, Inc. \$106.25; Schneider Corporation \$6,850.00 and Software Services, Inc. \$2,160.00; (Supplies & Materials) A & B Business \$178.24; A-Ox Welding Supply Co \$360.85; Aden, Cynthia \$9.51; Allied Oil & Supply Co \$389.51; Appera \$80.20; Bomgaars \$219.99; Brunick Service, Inc. \$589.00; Buhls Drycleaners \$957.84; Campbell Supply Co. \$187.03; D-Ware Inc. \$2,500.00; First Bank & Trust Visa \$282.89; Klunder, Nicole \$6.01; Lawson Products, Inc. \$639.04; O'Reilly Auto Parts \$18.99; Orr Farm

Supply \$36.88; Pharmchem, Inc. \$608.00; SD Assn of Weed & Pest \$50.00; Sioux Falls 2-way \$84.99; Sooland Bobcat \$221.00; Sturdevant's Auto Part \$789.89; Vermillion Ace Hardware \$89.98; One Office Solution \$78.98; Wheelco Brake and Supply \$78.60 and Zee Medical Service Co. \$133.00; (Travel and Conference) Aden Cynthia \$88.35; Brunick Service Inc. \$69.85 and SD Assn of Co Weed Brd \$260.00; (Utilities) Anders, Jeffrey \$240.00; Armstrong, Aaron \$120.00; CenturyLink \$439.57; City of Vermillion \$149.90; Clay Rural Water System \$38.10; Clay Union Electric Co \$548.94; Hartelco \$79.95; Howe, Andy \$240.00; Husby Tiffany \$240.00; Kyte, David \$120.00; Longs Propane \$1,459.65; MidAmerican Energy \$1,405.99; Midco Business \$217.00; Pederson, Paul \$120.00; Smith Michael \$120.00; Umscheid, Noah \$100.00; Vermillion Garbage svc \$60.00; Wakonda Town \$62.65 and West, Jerami \$240.00; (Payment) Brunick Service, Inc. \$46.95; SE Council of Gov't \$11,691.00; The Roadhouse \$3,532.05 and Vermillion Federal Credit Union \$59.01; (JDC/Special Equip.) Minnehaha County JDC \$6,000.00; (Furniture and Minor Equipment) A & B Business \$223.19 and Microfilm Imaging Systems \$120.00.

Packard moved, seconded by Powell and carried to appoint Cynthia Aden to a four-year term as Veterans Service Officer, Welfare Director, and Zoning Administrator.

Powell moved, seconded by Packard and carried to approve the 12-month measurement period for the Family and Medical Leave Act to be measured going forward from the first day of leave taken by an employee and to approve revision to the Personnel Manual to include information regarding FMLA.

At 9:57 a.m., Manning moved, seconded by Packard and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 11:43 a.m., Packard moved, seconded by Manning and carried to exit the Executive Session.

The Board called a brief recess.

At 11:56 a.m., Manning moved, seconded by Powell and carried to enter an Executive Session regarding personnel matters per SDCL 1-25-2.

At 12:27 p.m., Powell moved, seconded by Packard and carried to exit the Executive Session. Packard moved, seconded by Hammond and carried to authorize the Register of Deeds to advertise for and hire a temporary part-time employee up to 6 months of employment. The intent of the Board is long term for the office to be staffed by not more than 2 full time personnel.

At 12:34 a.m. Powell moved, seconded by Packard and carried to adjourn and reconvene Tuesday, January 31, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

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 31st day of January, 2017 at Vermillion, S.D.

ATTEST:

Carri R. Crum

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.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

February 7, 2017

The Board of County Commissioners met in regular session Tuesday, February 7, 2017 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

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

Minutes of the January 31, 2017 meeting were approved with a motion by Packard, seconded by Manning and carried.

Bob Iverson, City of Vermillion Solid Waste Director, appeared during Visitors to be Heard to explain that there will need to be an amendment to the Joint Powers Agreement. It was decided that he would be put on the agenda for the next week to have the documents signed.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. The Beadle County bid comparison was reviewed. Packard moved, seconded by Hammond and carried to accept the Beadle County bid for metal culverts, cutting edges, galvanized sheet piling, and carbide insert edges.

The Board reviewed a request for a time extension on a Driveway Application from Tyler DeWitt on Bluff Rd. Powell moved, seconded by Manning and carried to approve an extension to the application until June 1, 2017.

Polley discussed his chip seal project map for 2017 with the Board.

Daniel Burniston, Vermillion Public Library Director, met with the Board to introduce himself as he is relatively new to the position. He gave a report on recent library activities and programs, including planned items for 2017.

Jane Olson, Register of Deeds, met with the Board to discuss the hiring process for a temporary part time position in her office.

The Board discussed a request to have a Commissioner on the Clay County Park Board. It was decided that the matter would be placed on the next agenda.

Packard moved, seconded by Powell to pass and adopt the following Resolution #2017-05, A Resolution Approving a Revised Joint Cooperative Agreement Establishing the South Eastern Council of Governments. Vote of the Board: 5 yays, 0 nays. Motion passed.

**COUNTY OF CLAY
RESOLUTION #2017-05**

A RESOLUTION APPROVING A REVISED JOINT COOPERATIVE AGREEMENT ESTABLISHING THE SOUTH EASTERN COUNCIL OF GOVERNMENTS

WHEREAS, in 1970, South Dakota Governor Frank Farrar signed an Executive Order creating six Planning and Development Districts in South Dakota; and

WHEREAS, the South Eastern Council of Governments (SECOG) was created when local officials in the area exercised their authority under the "Joint Exercise of Governmental Powers" (SDCL 1-24); and

WHEREAS, SECOG serves Clay, Lincoln, McCook, Minnehaha, Turner, and Union Counties as well as the municipalities located within those counties in southeastern South Dakota; and

WHEREAS, SECOG was created as a means whereby counties and cities and other public and private organizations within them may cooperate with one another to improve the health, safety, and general welfare of the citizens of the region; and

WHEREAS, SECOG promotes regional cooperation and the economical delivery of services and has been providing technical assistance to local governmental entities for more than 45 years; and

WHEREAS, SECOG's Executive Board has determined that the existing Joint Cooperative Agreement entered into in 2010 should be revised.

NOW THEREFORE BE IT RESOLVED THAT

1. The County of Clay hereby approves the document titled "South Eastern Council of Governments Joint Cooperative Agreement" among Clay, Lincoln, McCook, Minnehaha, Turner, and Union counties and the cities of Brandon, Harrisburg, Sioux Falls and Vermillion.
2. The agreement, containing revisions to the existing 2010 Joint Cooperative Agreement, is attached to and hereby made a part of this resolution.


Dated this 7th day of February, 2017.

Chairperson
Clay County

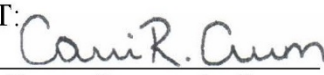
ATTEST:

Auditor

At 10:16 a.m. Packard moved, seconded by Manning and carried to adjourn and reconvene Tuesday, February 14, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

February 14, 2017

The Board of County Commissioners met in regular session Tuesday, February 14, 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 February 7, 2017 meeting were approved with a motion by Packard, seconded by Hammond and carried.

Clarence Peterson appeared during Visitors to be Heard to suggest that Jerry Wilson's comments at a recent meeting regarding the proposed concentrated animal feeding operations regulations be passed along to SE Council of Governments.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. He presented the 5-year plan for equipment replacement.

Powell moved, seconded by Packard and carried to authorize Polley to purchase a Ford F-250 from Vermillion Ford for \$32,436.

Polley told the Board that load limits may be placed in effect Friday or Tuesday, depending upon conditions.

Polley also reported on some bridges needing to be replaced. He said hydrology studies have been completed for a bridge east of Bethel Hall, and results show that concrete pipes could be used, which would be more economical.

Bob Iverson, City of Vermillion Solid Waste Director, appeared to present the amendment to the Joint Powers Solid Waste Agreement. Powell moved, seconded by Packard and carried to authorize the Chairman to sign the agreement.

Cynthia Aden, Zoning Administrator, met with the Board. The Board discussed having an informational meeting regarding the re-zoning of the area at 321 St. and Missouri St. from Ag or NRC to Rural Residential. It was decided that the meeting should be Thursday, February 23, 2017 at 7:00 in the basement meeting room at the Courthouse. Landowners will be notified by letter.

Aden discussed with the Board scheduling the first reading/public hearing regarding the proposed concentrated animal feeding operations regulations. It was decided that the matter would be placed on the February 28, 2017 agenda. The Board also discussed another section of the regulations that is proposed to be changed regarding lot area.

Powell moved, seconded by Packard and carried to authorize the following claims for payment. February Bills: (Due to other Governments) Dept of Revenue \$209,452.59 and SDACO – M & P Fund Payment \$268.00; (Professional Services and Fees) Lewis & Clark Behavior Health \$320.00; Lincoln County Treasurer \$85.90; Microfilm Imaging System \$30.00; Pharmchem, Inc. \$1,100.00; Sanford

Health Clinic \$110.00; Sanford Health Occupational \$30.00; Satellite Tracking \$104.00; SD Dept of Health Lab \$415.00; Sioux Falls 2-Way \$125.00; Yankton Co Sheriff \$50.00 and Yankton Fire & Safety \$217.00; (Other Professional Service) Reeves, Megan \$806.40; (Law Offices) Harmelink, Fox, Ravn \$146.00 and Yankton Co Treasurer \$142.25; (Mental Health) SD Achieve \$180.00 and Sisd Activity Center \$360.00; (Publishing) Plain Talk \$193.21; (Repairs and Maintenance) Aden, John \$100.00; Buhls Drycleaners \$66.00; Century Business Products \$117.80; Hartelco \$79.95; Kone, Inc. \$665.07; Netsys Plus Inc. \$325.00; Presto-X Company LLC \$70.91; Wells, Brian \$162.50 and Walker Construction \$665.00; (Data Processing) Software Services, Inc. \$1,475.00; (Supplies and Materials) A & B Business \$182.78; A-OX Welding Supply Co \$280.61; Allied Oil & Supply \$1,159.80; Appera \$52.59; Blue Tarp Financial \$354.58; Buhls Drycleaners \$11.00; Butler Machinery Co \$2,373.63; Campbell Supply Co \$480.94; Dakota PC Warehouse \$24.99; First Bank & Trust Visa \$1,138.65; Herren-Schempp \$231.24; Jack's Uniforms & Equipment \$33.45; Mills & Miller, Inc \$3,186.94; O'Reilly Auto Parts \$11.95; Office Elements \$159.44; Pharmchem, Inc. \$10.00; Plain Talk \$26.00; Pressing Matters \$25.00; Print Source \$660.00; SD Dept of Trans \$4,027.50; SD Fed. Property Agency \$160.50; Sioux City Foundry Co. \$333.52; Sturdevants's Auto Parts \$439.53; Wells, Brian \$839.53 and Vermillion Ace Hardware \$33.35; (Travel and Conference) SD Emg. Mgmt. Assn. \$80.00; SD Sheriff's Assn. \$85.00 and Vermillion Federal Credit \$101.20; (Utilities) Bureau of Administration \$115.74; CenturyLink \$439.55; Clay Rural Water System \$48.30; Clay Union Electric Co. \$587.21; Fischer's Disposal LLC \$50.00; Hartelco \$10.00; MidAmerican Energy \$1,409.20 and Wakonda Town \$62.65; (Payment) Brunick Service Inc. \$70.00; Dept of Revenue \$1,545.00; Johnson Feed, Inc. \$41.16; Mart Auto Body & Marina \$200.00; The Roadhouse \$4,021.00; Vermillion Federal Credit \$66.85; Vermillion Food Pantry \$1,875.00; Vermillion Ford \$689.00; Hanson, Mary \$31.51 and Hulse, Barry \$21.01; (Books) SD Fed. Property Agency \$21,200.00 and Thomson Reuters – West \$272.50.

Packard moved, seconded by Manning and carried to appoint Richard Hammond to the Clay County Park Board.

Packard moved, seconded by Manning to approve a travel request for Lauren Hollenbeck to a SD Assn. of Extension 4-H Professionals workshop to be held March 21-23, 2017 in Chamberlain.

Manning moved, seconded by Hammond and carried to re-appoint Jay Bottolfson to the Planning & Zoning Commission, with the term expiring December 31, 2021.

At 10:13 a.m., Powell moved seconded by Packard and carried to enter an Executive Session per SDCL 1-25-2 Subsection 5.

At 10:53 a.m., Packard moved, seconded by Hammond and carried to exit the Executive Session. No further action was taken.

The Register of Deeds, Sheriff's Office, and Veterans/Welfare/Zoning Monthly Reports were accepted and placed on file.

At 10:54 a.m. Hammond moved, seconded by Powell and carried to adjourn and reconvene Tuesday, February 28, 2017 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

Yankton-Clay Ditch Board
February 14, 2017

The Clay and Yankton County Commissioners met jointly as the Yankton-Clay Ditch Board at 1:00 p.m. Tuesday, February 14, 2017 at Toby's Lounge in Meckling, SD.

Members present—Clay County: Richard Hammond, Micheal Manning, Travis Mockler, Phyllis Packard, Leo Powell, Auditor Carri R. Crum, Highway Superintendent Rod Polley, and Weed Supervisor Dennis Ganschow. Yankton County: Raymon Epp, Don Kettering, Todd Woods, Auditor Patty Hojem, and Planning & Zoning Administrator Pat Garrity.

The meeting was called to order by Vice-Chairman Travis Mockler.

A motion was made by Manning and seconded by Packard to dispense with the reading and approve the minutes of the February 23, 2016 meeting as presented. All members voting aye, the motion carried.

Old Business:

Ditch fund balances were noted as follows. Clay County Yankton-Clay Creek Ditch \$119,868.70 and Yankton County Yankton-Clay Creek Ditch \$89,977.66.

The following claims were reported to the landowners present at the meeting:

Mileage/Meeting Per Diem for 2016 Meeting

- D. Bodenstedt \$42.64
- C. Crum \$30.04
- R. Epp \$42.64
- D. Freng \$42.64
- P. Hojem \$42.64
- M. Manning \$30.04
- T. Mockler \$30.04
- P. Packard \$30.04
- L. Powell \$30.04

Meal for 2016 Meeting

- First Bank Card \$78.25

Advertising

- Broadcaster Press \$42.00
- Observer \$16.63
- Press & Dakotan \$23.16
- Star Publishing \$27.00
- The Equalizer \$14.50

Weed Spraying

- Clay County Weed Department \$48.25

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

New Business:

The current levy of 8% (eight percent) of the original cost of the ditch in the Yankton-Clay Ditch District for the year 2017 payable in 2018 was discussed among the landowners present at the meeting. Landowners were favorable with keeping the levy at 8%. Manning moved, seconded by Packard and carried to set the levy at 8% for 2017 payable 2018 taxes.

The potential need for spraying and/or removal of trees along the ditch was discussed amongst the landowners present.

At 1:12 p.m., a motion was made by Packard and seconded by Manning that the meeting be adjourned and convened as Clay Creek Ditch Board.

The meeting was called to order by Vice-Chairman Travis Mockler.

A motion was made by Manning and seconded by Epp to dispense with the reading and approve the minutes of the February 23, 2016 meeting as presented. All members voting aye, the motion carried.

Old Business:

Ditch fund balances were noted as follows. Clay County Clay Creek Ditch \$44,098.60 and Yankton County Clay Creek Ditch \$70,753.54.

The following claims were reported to the landowners present at the meeting:

Advertising

- Broadcaster Press \$42.00
- Observer \$17.18
- Press & Dakotan \$24.88
- Star Publishing \$27.00
- The Equalizer \$14.50

Engineering Services

- Johnson Engineering Co. \$10,800.00

Ditch Cleanout

- Jerke & Sons Construction \$53,459.33

New Business:

Landowners present for the meeting discussed whether to retain the current levy of 40% (forty percent) of the original cost of the ditch in the Clay Creek Ditch District for the year 2017 payable in 2018, or to reduce it. The consensus of those present was to leave the levy at 40%. Jim Petrik moved, seconded by Frank Orr and carried to set the levy at 40% for 2017 payable 2018 taxes.

Those present briefly discussed what Phase 3 of the Clay Creek Ditch Cleanout Project, which is nearly complete. Frank Orr also discussed trees that may need to be removed on the north side of the creek.

It was briefly discussed that any digging on the laterals will be finished.

Crum reported the ditch fund balances for the laterals.

At 1:24 p.m., a motion was made by Powell and seconded by Manning that the meeting be adjourned and convened as Clay County Ditch Board to discuss the Prairie Center Ditch. All voting aye, motion carried.

It was reported that spraying along the Prairie Center Ditch will be done in the spring.

Crum reported the ditch fund balance.

At 1:26 p.m., a motion was made by Manning and seconded by Packard and carried to adjourn and convene jointly as the Yankton-Clay Ditch Board for the purpose of electing officers. All voting aye, motion carried.

Nominations were accepted for Chairman. Powell moved, seconded by Hammond to nominate Mockler as Chairman. Packard moved, seconded by Powell that nominations be ceased and a unanimous ballot be cast for Mockler. All voting aye, motion carried.

Nominations were accepted for Vice-Chair. Kettering moved, seconded by Epp to nominate Debra Bodenstedt as Vice-Chair. Powell moved, seconded by Packard that nominations be ceased and a unanimous ballot be cast for Bodenstedt. All voting aye, motion carried.

At 1:27 p.m., Epp moved, seconded by Packard and carried to adjourn.

ATTEST:

Carri R. Crum, Clay County Auditor
Patty Hojem, Yankton County Auditor

Travis Mockler, Chairman
Yankton-Clay Ditch Board