

January 5, 2023

The Board of County Commissioners met in regular session Thursday, January 5, 2023 at 9:00 a.m. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairman Mockler called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Smith moved, seconded by Hammond and unanimously carried to approve the agenda with the addition of jail meals and discussion regarding sale of bonds.

Minutes of the December 27, 2022 meeting were approved with a motion by Hammond, seconded by Smith and unanimously carried.

The meeting adjourned and reconvened to reorganize for the ensuing year with a motion by Hammond, seconded by Smith and unanimously carried.

County Auditor Carri Crum called the meeting to order. The Auditor called for nominations for Chairperson. Gray-Lobe moved, seconded by Smith to nominate Elizabeth Smith as Chairperson. Vote of the Board: Mockler Nay, Gray-Lobe Aye, Smith Aye, Thiesse Aye, Hammond Aye. Motion passed.

With Chairperson Smith presiding, the following proceedings were held.

The Chairperson called for nominations for Vice Chairperson. Hammond moved, seconded by Gray-Lobe to nominate Travis Mockler as Vice Chairman. Mockler moved, seconded by Thiesse to nominate Hammond as Vice Chairman. Smith and Hammond said Mockler has more tenure on the Board. The Board discussed Mockler's experience as Chairman, also having been very involved with the jail and law enforcement center project to date. Mockler said the Vice Chair does not have the same decision-making authority as the Chair. Hammond suggested the Board appoint someone for the facility project and said Mockler would be the right man for the job. Smith and Mockler discussed whether the Vice Chairman has decision-making authority for the construction project in the Chairperson's absence, or if the Chairperson can delegate that authority to the Vice Chairman. Smith said she is willing, but Mockler has been working with the team from the very beginning. Mockler said he does not know how the Chair can delegate the decision-making power to someone else. He voiced concerns about the many decisions that will need to be made on the fly with this facility project. Smith said if necessary, she will be there, but Mockler has the past experience. A vote was taken. Mockler voted for Hammond, Gray-Lobe voted for Mockler, Smith voted for Mockler, Thiesse voted for Mockler, and Hammond voted for Mockler. Mockler was elected Vice Chairman..

Director of Equalization Ina Peterson appeared during Visitors to be Heard to read a letter informing the Board of her intent to retire June 30, 2023 and presented the written copy to the Board.

Mockler moved, seconded by Hammond and unanimously carried to adopt Modern Addition of Robert's Rules of Order Original 1876 Edition by Major Henry M. Robert Completely Revised by Darwin

Patnode, Ph.D. as on file with the Auditor, no restrictions on the Chair, and minutes not to record motions not seconded.

Mockler moved, seconded by Hammond and unanimously carried to appoint Layne Stewart as Emergency Management Director for a one-year term expiring 1/2/2024.

Hammond moved, seconded by Thiesse and unanimously carried to appoint Commissioner Mockler to Fair Board.

Hammond moved, seconded by Thiesse and unanimously carried to appoint Chairperson Smith as member of the Executive Board of SECOG.

Hammond moved, seconded by Thiesse and unanimously carried to appoint Commissioner Gray-Lobe to Board of Directors of the Clay County Youth Trust Fund and the Youth Service Council.

Gray-Lobe moved, seconded by Smith to appoint Commissioner Hammond to the Planning & Zoning Commission. Vote of the Board: Mocker Nay, Gray-Lobe Aye, Smith Aye, Thiesse Nay, Hammond Aye. Motion passed.

Hammond moved, seconded by Gray-Lobe and unanimously carried to appoint Bob Fuller to the Public Safety Board for a three-year term expiring 12/31/2025 and Steve Waller to serve the balance of the term vacated by David Thiesse.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Commissioner Hammond and Highway Superintendent Rod Polley to the Vermillion Basin Advisory Board.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to appoint Commissioner Hammond to the Southeast Regional Detention Authority Steering Committee.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Commissioner Hammond to the Joint Powers Solid Waste & Recycling Advisory Board.

Thiesse moved, seconded by Hammond and unanimously carried to appoint Commissioner Mockler to the VCDC Board.

Thiesse moved, seconded by Hammond and unanimously carried to appoint Commissioner Mockler to the Vermillion Now Advisory Council.

Hammond moved, seconded by Mockler and unanimously carried to appoint Commissioner Gray-Lobe to the Clay County Park Board.

Hammond moved, seconded by Gray-Lobe and unanimously carried to appoint Chairperson Smith and Vice Chairman Mockler to the ICAP Committee.

Hammond moved, seconded by Gray-Lobe and unanimously carried to appoint Commissioner Thiesse to the Point of Dispensing Committee and the Local Emergency Planning Committee.

Mockler moved, seconded by Thiesse and unanimously carried to appoint Commissioner Hammond to the UAS (Drone) Committee.

Mockler moved, seconded by Hammond and unanimously carried to appoint Commissioner Thiesse to the County's Employee Safety Program Board.

There was discussion regarding legal newspaper designation. Crum said the communication has been very good over the past year, and there have been no issues with The New Era. Zoning Administrator Drew Gunderson asked if the County can designate only the Plain Talk for Joint Jurisdiction Zoning Area legal publications. It was discussed that The New Era does not serve the Joint Jurisdiction Zoning Area. Gray-Lobe moved, seconded by Hammond and unanimously carried to designate the Vermillion Plain Talk and The New Era as the official legal newspapers for the County. Hammond moved, seconded by Mockler and unanimously carried to designate the Vermillion Plain Talk as the legal matter for Joint Jurisdiction Zoning Area legal publications only.

Mockler moved, seconded by Thiesse and unanimously carried to designate the front door of the Courthouse and/or the Wakonda Post Office as the place for holding foreclosure sales, at the Sheriff's discretion regarding location.

Hammond moved, seconded by Thiesse and unanimously 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, regarding 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 determined by the County which includes vault and opening and closing of the grave. Mockler moved, seconded by Hammond and unanimously carried to set the sum at \$1,900 for services as required by SDCL 28-17-4.

Hammond moved, seconded by Gray-Lobe and unanimously 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 in-state meals set at \$40.00 per day (breakfast \$6.00, lunch \$14.00, evening \$20.00) and out-of-state meals set at \$56.00 per day (breakfast \$10.00, lunch \$18.00, evening \$28.00).

Hammond moved, seconded by Mockler and unanimously 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 \$25.00 plus mileage.

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the building permit fee at \$75, the 911 signage fee at \$75 for new signs or replacement signs with a pole, and the 911 signage fee at \$25 for replacement signs without a pole.

Hammond moved, seconded by Mockler and unanimously carried to set the fee for County zoning appeals at \$100.

Hammond moved, seconded by Thiesse to approve fees for boarding prisoners for other counties at \$70 per day, or per contract, 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, mug shots at \$8, UA test \$10, accident reports at \$2 per page, and other reports or printing e-mailed civil process to serve at \$2 per page.

The Board considered the schedule for County Commission Meetings. Mockler moved, seconded by Thiesse to hold Commission meetings the first, second and last Tuesday of each month. Under discussion, Gray-Lobe asked for discussion regarding the meeting time. He said as he was campaigning door-to-door, that he heard constituent feedback, over a dozen people, that it would be easier to get to meetings held later in the day. He read minutes from previous discussions and said he understands that workday meetings are appropriate for certain reasons, but having 1 or 2 meetings after normal working hours, for example 5:30 p.m., might be helpful to people. Mockler said they have tried it before, and people do not show up. Since he has been on the Board, the contentious meetings were always held at night. They make those exceptions. Gray-Lobe said it was going to be challenging for him to come to 9:00 a.m. meetings, possibly even using paid time off to attend meetings. People with 9:00-5:00 jobs might not have flexibility to attend daytime meetings. Having at least one evening meeting would allow us to see what issues we might have. If it's a problem, maybe next year we could go back to having them all during the day, or if it works well, we could have them all in the evening next year. Hammond said there is low turnout for evening meetings, even at City Council meetings, but they have a more diverse Council. One argument against evening meetings is that it is more of a hardship on Crum, or the State's Attorney's Office as they are at every meeting, for example, and discussed other department heads. He said he doesn't know if it makes a lot of difference to a farmer like Mockler. Mockler said an evening meeting is like the middle of his work day. Also, if the Board needs to ask a question of a department head, they are not there in the evening to give an immediate answer that may be necessary for matters to proceed, whereas they are available during the day. Hammond asked, if they were to move one meeting to the evening, would the second meeting be better? Mockler said the second meeting would be the worst because sometimes there are 3 weeks between the second and third meetings. Crum read a comment from the Zoom Audience. Thiesse said he understands the issue of having employees at the night meetings. He said he is not sure we will get a bigger crowd in the evening, and as far as attracting new Commissioners, he thinks people take that into consideration before they run. He has a job, and he talked to his Board for approval before starting his campaign. There are options. He would be in favor of leaving it at the Board's discretion for meeting times. Hammond said the Board can change meeting times during the year. He thinks the main reason is that he doesn't think they will have more attendance than they have now. If he goes to a City Council meeting, usually he is the only resident there, so he doesn't see that as a very strong argument. Thiesse said as far as attending a meeting, we have the technology to attend from anywhere. Hammond said as far as attracting new candidates, it is an off year. Smith said the motion is to hold meetings on the first, second, and last meetings of the month with no mention of time. She suggested they vote on that first. They could designate all public hearings in the evening. Mockler said they would all be in the evening then, even cleanup items, and Crum used budget supplements as an example. Vote of the Board: All aye; motion passed. Gray-Lobe asked Thiesse if he would rather leave the time unspecified. Thiesse said normally they hold them at 9:00 a.m. and clarified that there is not a designated time. Mockler said it is because there are special meetings, public hearings, and other meetings that are not at 9:00 a.m. or on Tuesdays. Thiesse said he is fine the way it is. Mockler said if it is important to somebody to run for Commissioner

they will make it work. Hammond said there are a lot that can't make it work. Thiesse asked how they justify it to people who work the night shift then? Hammond said it is a smaller subset of people that would be disqualified. Mockler asked if that pool would even be expanded by having one night meeting a month if the others are during the day. Gray-Lobe suggested it might signal to people that it could be possible. He said they do not need to decide today. To really expand the pool, it would have to be all evening meetings. Mockler said people who have kids in activities would not make Tuesday night meetings, for example. Hammond moved, seconded by Thiesse and unanimously carried to defer the discussion to a later date.

The Board considered approval of insurance providers. Hammond moved, seconded by Mockler to approve SD Public Assurance Alliance as the County's liability insurance and SDML for worker's compensation insurance. Under discussion, Hammond said Yankton County recently opted away from the pool. Crum said there are really two agencies in the state that handle such insurance. Mockler said Yankton County's premiums were going through the roof because they keep getting sued and losing. Howe said SDPAA provides a ton of guidance and policies to the Sheriff's Office. Hammond said he just wanted to bring it up, although we get good service. Smith said they do a good job for us, and she has heard nothing but good things. Vote of the Board: All aye; motion passed.

Mockler moved, seconded by Hammond an unanimously 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 as listed on file in the Sheriff's Office.

Gray-Lobe moved, seconded by Mockler to authorize the use of Sourcewell as a potential vendor source for the county. Under discussion, Crum was asked to provide a explanation of what Sourcewell does. She explained that Sourcewell goes out and compiles low bidders so that government agencies can legally purchase from others' bids to obtain the best pricing.

Mockler moved, seconded by Thiesse to pass and adopt the following Resolution #2023-01 for Establishment of Election Precincts/Polling Places for 2023. Roll call vote: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Aye.

RESOLUTION #2023-01
Establishment of Election Precincts/Polling Places for 2023

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: Gingrich-Dixon Post #13 Legion Hall, 101 Montana 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 Mockler moved the adoption of the foregoing resolution. Motion seconded by Commissioner Thiesse.

Vote of Commission: Mockler Aye, Gray-Lobe Aye, Smith Aye, Thiesse Aye, Hammond Aye.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 5th day of January, 2023.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Mockler moved, seconded by Hammond to pass and adopt the following Resolution #2023-02 for Establishment of Precinct Election Officials Fees for 2023. Roll call vote: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Aye.

**RESOLUTION #2023-02
Precinct Election Officials Fees for 2023**

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 \$200.00, and election superintendent at \$225.00, 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: \$30.00 compensation for election officials plus \$.51/mile, or the established county rate, roundtrip for those residing outside of city limits.

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 \$.51/mile, or the established 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).

BE IT FURTHER RESOLVED that the judges, clerks, Resolution Board, Counting Board, and any other personnel deemed necessary by the County Auditor for receiving ballot boxes, supplies, and for tabulating ballots be allowed \$75 plus \$.51/mile, or the established county rate, for travel to the ballot tabulation location for those residing outside of city limits.

BE IT FURTHER RESOLVED that the persons setting up equipment at polling places be allowed \$75 for setting up equipment and/or \$75 for taking down equipment.

Commissioner Mockler moved the adoption of the foregoing resolution. Motion seconded by Commissioner Hammond.

Vote of Commission: Mockler Aye, Gray-Lobe Aye, Smith Aye, Thiesse Aye, Hammond Aye.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 5th day of January, 2023.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

At 10:12 a.m., Hammond moved, seconded by Mockler and unanimously carried to adjourn and convene as Clay County Ditch Board.

With Ditch Board Chairman Mockler presiding, the Board considered an invoice from 3-D Digging for tree removal on the Yankton-Clay Ditch in the amount of \$35,700. Smith moved, seconded by Hammond and unanimously carried to approve payment of the invoice.

At 10:13 a.m., Hammond moved, seconded by Smith and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

A variance hearing was held for land located at approximately 31364 Meckling Rd Meckling, SD 57069 from the Clay County Ordinance Section 4.05.05 C-1: Commercial District: Setbacks. Zoning Administrator Drew Gunderson explained that the property was zoned AG in the County's first zoning ordinance. In 2017, all of Meckling was re-zoned to Rural Residential, including Toby's Lounge. Nick Slattery would like to make improvements to Toby's Lounge, but he cannot get a permit because Gunderson does not know if it qualifies as a non-conforming use. Boundaries have also changed over the years as the highway has moved. As much as a foot of the building is in the right-of-way since the highway was moved over. Line of sight is not a safety issue in this case. Gray-Lobe asked why we would not just re-zone the property. Gunderson said Slattery still could not get a building permit due to the setbacks. Gunderson reminded the Board that they would need to act on the variance as Board of Adjustment.

At 10:20 a.m., Hammond moved, seconded by Mockler and unanimously carried to adjourn and convene as Board of Adjustment.

Thiesse asked if a variance and a re-zoning fixes the problem. Gunderson said yes, and as it was the County's error twice, we need to fix it. Smith asked if the State's Attorney's Office has reviewed the issue. Gunderson said there is no case law for this situation. Smith said Toby's is an institution, so she does not see it as a controversial decision. Mockler asked Gunderson if they are changing this to a permitted use in 6.05, and Gunderson said it is already a conditional use. Mockler said it is a permitted use because they have been given a CUP. Mockler said if it is changed to Commercial they will be fine. Gunderson said they are still non-conforming setbacks without the variance. Mockler said they will be a permitted use in Commercial. Hammond said there are two definitions of permitted, and he thinks using Mockler's definition of permitted use would hold up well. Mockler said if they were in violation of something, their CUP could be pulled. As long as they are not in violation, they could expand because they are a permitted use since they have a CUP. Smith asked if the State's Attorney should look at it, and Gunderson said they will give the same answer. Mockler said if they are a permitted use because of a CUP they don't need a variance since they can only build to the south and the east if changed to Commercial. Gray-Lobe say they run afoul of the setbacks. Mockler said they are already there, and they have a CUP. Gunderson said Mockler's definition works for him. The consensus of the Board was that changing it to Commercial would allow it to be a permitted use with the CUP.

At 10:26 a.m., Hammond moved, seconded by Thiesse to adjourn from Board of Adjustment and reconvene as Board of Clay County Commissioners.

A Second Reading was held for Ordinance #2022-15, an Ordinance Amending Ordinance #2013-04 (Updated with Amendments Through #2017-01) by Rezoning Certain Property. No one appeared in opposition, and no written correspondence was received since the First Reading. Gunderson discussed parking with Sheriff Howe. Howe said he would like to see parallel parking due to vehicles sticking out into the road, but it also has not been an issue for the past 30 years. The Highway Department does not paint the white lines once they get to Toby’s due to the parking. Hammond and Howe discussed road ordinances. Howe discussed the way parking was changed at Whimp’s Place in the past due to a parking ordinance. Thiesse asked where the liability lies if a truck is sticking out into the road and someone hits it. Mockler said we took part of the property with our road. Thiesse suggested “no parking” signs since they do have a big parking lot. Mockler moved, seconded by Hammond to pass and adopt Ordinance #2022-15, an Ordinance Amending Ordinance #2013-04 (Updated with Amendments Through #2017-01) by Rezoning Certain Property. All voted aye; motion passed. Mockler asked if the Highway Department should extend the road lines, and the consensus of the Board was yes.

ORDINANCE NO. #2022-15
AN ORDINANCE AMENDING ORDINANCE #2013-04 (UPDATED WITH AMENDMENTS THROUGH #2017-01)
By REZONING CERTAIN PROPERTY

BE IT ORDAINED BY CLAY COUNTY, SOUTH DAKOTA:

That Ordinance #2013-04 (Updated with Amendments through #2017-01) be amended as follows:

A zoning change from RR Rural Residential to C-1 Commercial District for an On/Off-Sale Alcoholic Beverage Establishment and a storage unit (general warehousing) located on land at 31364 Meckling Rd., Meckling, SD 57069 and legally described as Lots 8, 9, 10, 11 and 12, Block 13, Town of Meckling, West of The 5th P.M., Clay County, South Dakota. And the official zoning map is amended to include the property in the zoned C-1 Commercial District areas. Copies of the ordinance and the official zoning map amended to include the property in C-1 Commercial are available for public review during regular business hours at the County Auditor's Office.

Dated this 5th day of January, 2023.

Chairman, Clay County Board of Commissioners

ATTEST:

Clay County Auditor

Planning Commission Public Hearing: September 26, 2022

First Reading: December 27, 2022

Second Reading: January 5, 2023

Adoption: January 5, 2023

Publication Dates: January 12/13 & 19/20, 2023

Effective Date: February 9, 2023

Hammond moved, seconded by Mockler and unanimously carried to approve the following claims for payment.

(INSURANCE DEDUCTIBLE REIMBURSE)		MART AUTO BODY & MARINE	\$125.00
TRACY, ALEXIS A	\$500.00	REDI TOWING	\$340.00
(PROFESSIONAL SERVICES AND FEES)		(LAW OFFICE)	
CLAY COUNTY ABSTRACT	\$106.50	PETERSON, STUART, KLENTZ	\$9,224.83
DAVE'S SERVICE & REPAIR	\$1,095.00	(PUBLISHING)	
ERICKSON SOLUTIONS GROUP	\$861.75	NEW CENTURY PRESS ACCT21	\$101.36
LINCOLN COUNTY AUDITOR	\$972.49	(REPAIRS AND MAINTENANCE)	

JOHNSEN HEATING & COOLIN	\$581.43
PRESTO-X COMPANY LLC	\$73.45
(YANKTON CLAY EXPENSE)	
3-D SPECIALTIES, INC.	\$35,700.00
(SUPPLIES & MATERIALS)	
CORTRUST BANK	\$8.00
COYOTE ENTERPRISE LLC	\$59.98
FIRST DAKOTA CREDIT CARD	\$60.26
ONE OFFICE SOLUTION	\$9.06
(UTILITIES)	
ALLEN, VICTOR	\$180.00
ANDERS, JEFFREY	\$180.00
ARMSTRONG, AARON	\$180.00
BUREAU OF ADMIN PMB0112	\$13.39
BUREAU OF ADMINISTRATION	\$36.25
CENTURYLINK EMG	\$13.82
CHRISTOPHERSON, KALEB	\$180.00

CITY OF VERMILLION	\$704.62
HOWE, ANDY	\$180.00
HUBER, KYLE	\$30.00
HUSBY, TIFFANY	\$180.00
KYMALA, SHANNON	\$180.00
MIDAMERICAN ENERGY S.C.	\$867.74
PAULSEN, ANDREW	\$150.00
PEDERSON, PAUL	\$180.00
VERIZON WIRELESS SHERIFF	\$401.90
VERMILLION GARBAGE SVC.	\$176.00
(PAYMENT)	
STURDEVANT'S AUTO HWY	\$52.98
(FURNITURE AND MINOR EQUIPMENT)	
CANON	\$125.17
ERICKSON SOLUTIONS GROUP	\$4,515.00
FIRST DAKOTA CREDIT CARD	\$89.76
PHEASANTLAND INDUSTRIES	\$1,118.09

The Board discussed jail meals. Howe reached out to Pizza Ranch, and he said they will continue last year’s bid for one more month. He discussed the South Dakota bid book, and it says they are allowed to negotiate. He has done that. It was decided that the matter would be discussed in an Executive Session and acted on after discussion.

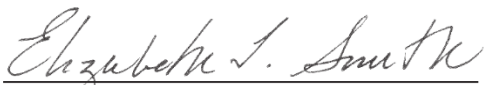
At 10:40 a.m., Mockler moved, seconded by Hammond and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

At 11:29 a.m., Hammond moved, seconded by Mockler to exit the Executive Session.


Hammond moved, seconded by Thiesse and unanimously carried to authorize Sheriff Howe to accept the negotiated rate of \$4.50/meal for jail meals from Pizza Ranch.

Mockler moved, seconded by Thiesse and unanimously carried to accept the proposed rate of \$3,225 per firm to Frieberg, Nelson & Ask, LLP and Philip Terwilliger, Attorney at Law and to counter-propose an amendment to Section X of the contract to read, “In the event that Attorneys or the County terminate the contract, or the contract expires....,” striking the last sentence from Section X, and if this counter-proposal is not accepted by the firms the County will go back to an open market for Court Appointed Attorney appointments.

At 11:32 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, January 10, 2023 at 9:00 a.m.


 Elizabeth T. Smith, Chairwoman
 Board of County Commissioners

ATTEST:


 Carri R. Crum, County Auditor

January 10, 2023

The Board of County Commissioners met in regular session Tuesday, January 10, 2023 at 9:00 a.m. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Mockler moved, seconded by Hammond and unanimously carried to approve the agenda with the addition of Ditch Board to set the annual meeting date.

Hammond moved, seconded by Mockler and unanimously carried to approve the minutes of the January 5, 2023 meeting.

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the low bid of \$3.19/gallon from Brunick's Service for #2 Diesel fuel at the Wakonda shop. Hammond moved, seconded by Mockler and unanimously carried to approve the low bid of \$1.795/gallon from Butch's propane for propane at the Vermillion shop. Mockler moved, seconded by Hammond and unanimously carried to approve the low bid of \$3.0475/gallon from Jerry's Service for #2 Diesel fuel at the Vermillion shop.

Emergency Management Director Layne Stewart met with the Board to present the Point of Dispensing (POD) grant contract for \$8,700 to be received from the State. Hammond moved, seconded by Thiesse and unanimously carried to accept the funds and authorize the Chairman to sign the contract. Stewart said the Pre-Disaster Mitigation (PDM) Plan update will not be started until February, but he will have to submit a quarterly report as part of the requirement. Gray-Lobe moved, seconded by Hammond and unanimously carried to authorize Stewart to sign the quarterly reports for the PDM Plan update.

Welfare Director Drew Gunderson met with the Board to present Welfare Application #CW23-001 for a county burial. Hammond moved, seconded by Thiesse and unanimously carried to approve the application as the individual met current welfare guidelines.

Zoning Administrator Drew Gunderson said for the past year and a half there has been a rumor of solar farms in the works around the county. Gunderson said he started working on things as we have nothing in our zoning ordinance. He said it would be near Spirit Mound and would like to know what the setback should be. Smith said the landowner across from Spirit Mound has said he would oppose anything that would spoil the site. He told the company he would be opposed to it. Hammond said individual landowners shouldn't be thought of when writing ordinances for the whole county. We need to get working on this because sooner or later these issues will come up. Gray-Lobe said there are a lot of different kinds of solar farms. He also discussed orientation to the sun and wonders if transmission lines will be buried or vertical. There is a lot of infrastructure that is not prairie near Spirit Mound now. Gunderson said the default setback has been ½-mile. Thiesse asked if we have zoning for wind farms. Gunderson said we do. Smith asked what those regulations look like. Gunderson said the only setback is 600 ft. from a house. Wind farm power lines are buried. Smith said it would be interesting to know what ordinances

look like around historic sites. She assumes it would be a Conditional Use Permit (CUP), so the Commission would have discretion. Gray-Lobe asked if neighboring counties would have something, and Gunderson said Minnehaha does. Mockler asked what the setback will be measured from. Every part of the ordinance is “from a house,” and Spirit Mound doesn’t have a house. Gunderson said it would be from the property lines of the state park. Gray-Lobe wondered what public opinion would be for residences. Gunderson said he was thinking ½-mile from Spirit Mound and ¼-mile from residences. Smith discussed public hearings for that. Gunderson said it would probably be on the February agenda. Gray-Lobe asked for Gunderson to share the Minnehaha ordinance. Hammond and Gunderson discussed Pennington County regulations. He said Pennington has a great zoning ordinance, but in this case it is too complicated. Smith discussed Yankton County as well.

The Board discussed selling of the bonds for the jail & law enforcement center project. Smith said the question is whether to sell them now and minimize interest risk. Smith said the break-even point is .70, and the question is whether we are likely to have a rate increase of .75 between now and then. With signals the Fed is giving, it seems unlikely. It’s a risk either way but seems like a reasonable risk. Gray-Lobe thought the timeframe was longer for the 2020-2021 County audit completion, so he would agree with the assessment. Hammond said at this point he wonders if we should actually delay anything. Hammond said we may not want to have a definite time. We may at some time, depending on progress of our audit, have a sale date at or after our audit unless financial conditions change. He suggested asking Tom Grimmond from Colliers Securities for any updates in between, and to relay that we intend to follow him. Smith said we have authorized the sale of the bonds without a specific date, so we are probably good. The consensus was to follow Grimmond’s guidance going forward, and he should watch the bond market going forward. At this point it is to our benefit to wait until the audit is complete.

At 9:22 a.m., Thiesse moved, seconded by Hammond and unanimously carried to adjourn and convene as Clay County Ditch Board.

Ditch Board Chairman Mockler presided.

Gray-Lobe moved, seconded by Hammond and unanimously carried to set the annual meeting at 1:00 p.m. on February 14, 2023 at the Clay County 4-H Building.

At 9:24 a.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Hammond moved, seconded by Mockler and unanimously carried to approve the following claims for payment.

(DUE TO OTHER GOVERNMENT)		GLENWOOD TOWNSHIP	\$2,408.56
BERESFORD SCHL DIST 61-2	\$5,170.46	IRENE CITY	\$131.20
BETHEL TOWNSHIP	\$1,871.38	IRENE/WAKONDA SCHL 13-3	\$7,413.15
CENTERVILLE SCH DIST 60-	\$340.30	MECKLING TOWNSHIP	\$2,990.20
CITY OF VERMILLION	\$11,524.65	NORWAY TOWNSHIP	\$1,263.45
FAIRVIEW TOWNSHIP	\$2,504.15	PLEASANT VALLEY TWP.	\$2,177.51
GARFIELD TOWNSHIP	\$2,737.64	PRAIRIE CENTER TWP.	\$1,594.11
GAYVILLE/VOLIN SCHL DIST	\$1,927.91	RIVERSIDE TOWNSHIP	\$2,125.79

SPIRIT MOUND TOWNSHIP	\$2,383.72
STAR TOWNSHIP	\$2,727.61
VERMILLION BASIN WATER	\$111.75
VERMILLION SCHL DIST 13-	\$34,412.34
VERMILLION TOWNSHIP	\$495.21
VIBORG/HURLEY SCHL 60-6	\$72.47
WAKONDA TOWN	\$1,980.28
(DUE TO OTHER GOVERNMENT)	
SD DEPT OF REVENUE	\$26.96
(PAYROLL WITHHOLDING)	
SD SUPPLEMENT RETIREMENT	\$600.00
(FIRE)	
BERESFORD RURAL FIRE	\$154.19
GAYVILLE RURAL FIRE ASSO	\$119.88
IRENE RURAL FIRE ASSOC	\$20.77
VERM. RURAL FIRE ASSOC.	\$386.40
VOLIN RURAL FIRE ASSOC.	\$5.82
WAKONDA RURAL FIRE	\$79.80
(PROFESSIONAL SERVICES AND FEES)	
ALTERNATIVE HR, LLC	\$981.25
BUHLS DRYCLEANERS &	\$151.19
BUREAU OF ADMIN PMB0112	\$7.20
CEDAR COUNTY	\$106.74
DAKOTA COUNTY SHERIFF	\$21.72
MID-STATES ORG. CRIME	\$100.00
MINNEHAHA CO. AUDITOR	\$352.68
NATIONWIDE MUTUAL	\$50.00
PRESSING MATTERS	\$5.33
QUALIFIED PRESORT SVC IN	\$1,202.68
SACRED HEART HOSPITAL	\$3,244.95
SATELLITE TRACKING OF	\$113.75
SD ASSN. OF CO. OFFICIAL	\$1,594.93
SD EMG. MGMT. ASSOCIATIO	\$30.00
SDACC OFFICE	\$3,195.00
SDACO - M&P FUND PAYMENT	\$.00
TIGERT ART GALLERY	\$390.00
WELLMARK BLUE CROSS	\$274.91
(OTHER PROFESSIONAL SERVICE)	
SD ATTORNEY GENERAL	\$585.00
(MENTAL HEALTH)	
SD ACHIEVE	\$240.00
(PUBLISHING)	
BROADCASTER PRESS	\$24.32
NEW CENTURY PRESS ACCT44	\$546.42
PLAIN TALK/BROADCASTER	\$155.25
(REPAIRS AND MAINTENANCE)	
BUHLS DRYCLEANERS &	\$24.00
BUTLER MACHINERY CO.	\$2,363.00
CHARLIE'S BUS SERVICE	\$50.00
GARY'S REPAIR & WRECKER	\$700.00
INTERSTATE POWER SYS INC	\$3,879.03
PUMP N PAK	\$99.98

(DATA PROCESSING/CLAY CREEK/INF)	
MICROFILM IMAGING SYSTEM	\$855.00
SOFTWARE SERVICES, INC.	\$704.00
(SUPPLIES & MATERIALS)	
A & B BUSINESS	\$190.50
A-OX WELDING SUPPLY CO	\$117.10
BUTLER MACHINERY CO.	\$2,959.77
D-WARE INC.	\$5,350.50
GARY'S REPAIR & WRECKER	\$176.00
INTERSTATE POWER SYS INC	\$1,818.07
JERRY'S SERVICE	\$22,856.25
LAWSON PRODUCTS, INC.	\$93.77
LAYNE'S WORLD, INC.	\$59.04
M & M FARM SUPPLY	\$24.50
ONE OFFICE SOLUTION	\$14.52
PLAIN TALK/BROADCASTER	\$26.00
PROCHEM DYNAMICS	\$418.46
QUALIFIED PRESORT SVC IN	\$483.88
RUNNINGS SUPPLY INC HWY	\$255.18
SANITATION PRODUCT	\$1,087.12
SD ASSN OF WEED & PEST	\$75.00
SD DEPT OF TRANS	\$7,180.00
SDACHS	\$350.00
STURDEVANT'S AUTO HWY	\$107.96
WHEELCO BRAKE AND SUPPLY	\$501.12
(INMATE TRAVEL)	
PUMP N PAK	\$190.70
(UTILITIES)	
BUREAU OF ADMINISTRATION	\$21.14
BUTCH'S PROPANE	\$1,436.00
CENTURYLINK HWY	\$149.99
CLAY RURAL WATER SYSTEM	\$84.60
CLAY UNION ELECTRIC CORP	\$752.00
MIDAMERICAN ENERGY	\$1,335.47
MIDAMERICAN ENERGY EXT	\$71.35
MIDCO BUSINESS	\$210.39
MIDCO BUSINESS EXT.	\$75.39
VERMILLION GARBAGE SVC.	\$60.00
(PAYMENT)	
PAULSON, ALICIA	\$1,400.00
PUMP N PAK	\$2,242.90
SE COUNCIL OF GOVTS.	\$12,773.00
VERMILLION FEDERAL	\$276.48
(BUILDINGS AND STRUCTURES)	
JLG ARCHITECTS	\$37,633.07
(FURNITURE AND MINOR EQUIPMENT)	
CANON	\$138.15
MICROFILM IMAGING SYSTEM	\$155.00
(MACHINERY AND AUTOMOTIVE EQUIP)	
ED M FELD EQUIPMENT CO	\$496,006.00
(AUTOMOTIVE)	
QUALITY MOTORS	\$75.15

Auditor Carri Crum reported to the Board that the Brownfields grant the County applied for has been awarded, and it will cover the cost of asbestos and lead testing on the courthouse grounds, which is required for the Mechanical/Electrical/HVAC project.

At 9:25 a.m., Hammond moved, seconded by Mockler and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

Mockler left the meeting at 9:50 a.m.

At 10:17 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

At 10:17 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, January 31, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

Elizabeth T. Smith
Elizabeth T. Smith, Chairwoman
Board of County Commissioners

January 31, 2023

The Board of County Commissioners met in regular session Tuesday, January 31, 2023 at 9:00 a.m. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the agenda with the addition of Emergency Management Director Layne Stewart for a Hazmat Grant.

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the January 10, 2023 meeting.

Rachel Gackle, Marsh-McClennan Agency, met with the Board to discuss the benefit insurance renewal. It was decided that she would return at a future meeting to finish the discussion.

Highway Superintendent Rod Polley met with the Board. Mockler moved, seconded by Thiesse and unanimously carried to pass and adopt Resolution #2023-03 for Weight Limit Enforcement.

RESOLUTION #2023-03
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 RESOLVED;

Whereas the limits on Clay County roads shall be set at six (6) ton per axle on all hard surface roads. All gravel roads shall be posted at seven (7) ton per axel, or as posted. Also, all roads hard surface and gravel will be posted "NOT to EXCEED 80,000 LBS.

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, 2023 at Vermillion, S.D.

ATTEST:

Carri R. Crum
Clay County Auditor

Chairwoman
Board of County Commissioners

Mockler moved, seconded by Hammond and unanimously carried to authorize the Chairwoman to sign a letter to the Highway Patrol requesting assistance with enforcement of the weight limits per the resolution.

Hammond moved, seconded by Thiesse and unanimously carried to approve the low bid of \$1.749/gallon from Butch's Propane for propane at the Wakonda shop.

At 9:34 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board.

Ditch Board Chairman Mockler presided.

Brad Stangoehr with Ulteig Engineering was present to present a contract. Hammond moved, seconded by Thiesse and unanimously carried to approve the contract with Two Rivers Contracting for the Clay Creek Ditch Project #22.21344, the non-FEMA phase of the project.

Polley updated the Board that FEMA has requested he resubmit information again, so he is still working on the file.

At 9:42 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Chairwoman Smith presided.

A First Reading and Public Hearing was held for Ordinance #2022-16, an Ordinance of Clay County, South Dakota, Amending Ordinance #2013-04 (Updated with Amendments through #2017-01), Being the 2013 Revised Zoning Regulations for Clay County by Amending Section 3.15 Campground Facilities Section "A, 3" Minimum Lot Size. Zoning Administrator Drew Gunderson said this ordinance amendment is simply a correction of a typo in the previous version of the ordinance. No one appeared in opposition. Mockler moved, seconded by Hammond and unanimously carried to set the date and time for the Second Reading for February 7, 2023 at 9:30 a.m.

Emergency Management Director Layne Stewart met with the Board to present the Quarterly SLA Activity Report. Mockler moved, seconded by Hammond and unanimously carried to approve the report and authorize the Chairwoman to sign it.

Stewart discussed with the Board a grant for the Hazmat plan update. He said it will be \$5,000-6,000 and will involve a 20% match.

Sheriff Andy Howe met with the Board to present a quote for an update of the panic button system in the courthouse. The quote from Midwest Alarm was \$8,264.38. Mockler moved, seconded by Hammond and unanimously carried to approve the \$8,264.38 quote, with the addition of one more panic button at the cost of \$86.02.

Judge Tami Bern met with the Board regarding the Courtroom Security and Jury Room project grant. She said the State would like confirmation that there are no historical concerns with the project. Bern said there has already been significant planning to preserve historical aspects of the courtroom within the project quote, so she does not have any concerns but asked the Board for their thoughts. It was the consensus of the Board that there are no concerns. She said it has been requested by the State that the kitchenette be removed from the grant application as it is not a security item. Hammond, State's Attorney Alexis Tracy, and Facilities Manager Scott Hanson discussed leaving the \$3,750 for the kitchenette in the project at the County's cost due to sanitation reasons for jurors and the ease of running plumbing all at once with the restroom plumbing. Hammond moved, seconded by Mockler and unanimously carried to allow removal of the kitchenette from the grant application but leave it in the overall project, with the kitchenette cost being paid by the County.

Mockler moved, seconded by Hammond and unanimously carried to approve the following claims for payment.

(PAYROLL)		DIV OF CHILD SUPPORT IA	\$220.00
COMMISSIONER'S	\$8,978.03	DIV OF CHILD SUPPORT SD	\$1,541.00
AUDITOR'S OFFICE	\$14,159.75	NEW YORK LIFE INSURANCE	\$328.57
TREASURER'S OFFICE	\$23,854.28	PETERSON, INA	\$30.00
STATE ATTORNEY'S OFFICE	\$31,740.67	SD RETIREMENT SYSTEM	\$32,817.38
COURTHOUSE	\$10,060.40	SD SUPPLEMENT RETIREMENT	\$5,135.00
DIRECTOR OF EQUALIZATION	\$12,815.15	SDRS ROTH 457(B) PLAN	\$325.00
REGISTER OF DEEDS	\$9,788.19	TASC PVR	\$2,479.13
VETERAN'S OFFICE	\$1,893.78	THE STANDARD - DENTAL	\$1,238.48
24/7 PROGRAM	\$2,130.45	THE STANDARD - LIFE INS.	\$388.81
SHERIFF'S OFFICE	\$54,403.60	THE STANDARD - SH TRM DI	\$1,053.34
COUNTY JAIL	\$38,935.36	THE STANDARD - VISION	\$268.52
EMERGENCY MGMT	\$5,560.75	UNITED WAY OF VERMILLION	\$232.00
HIGHWAY	\$57,789.41	VERMILLION FEDERAL	\$750.00
COMMUNITY HEALTH NURSE/WIC	\$3,636.21	WELLMARK BLUE CROSS	\$54,082.78
EXTENSION OFFICE	\$3,335.32	(INSURANCE DEDUCTIBLE REIMBURSE)	
WEED	\$1,330.25	PETERSON, INA	\$500.00
PLANNING & ZONING	\$3,736.03	PICK, TONY	\$500.00
(DUE TO OTHER GOVERNMENT)		(PROFESSIONAL SERVICES AND FEES)	
CLAY CO TREASURER	\$7,025.50	AARMS	\$2,100.00
SD DEPT OF REV ANDERSON	\$281,587.29	ERICKSON SOLUTIONS GROUP	\$894.95
SDACO - M&P FUND PAYMENT	\$262.00	FEDEX	\$81.67
(PAYROLL WITHHOLDING)		FOX, DAN	\$153.32
AAA COLLECTIONS	\$618.24	GAPP, DEBRA	\$11,220.00
AFLAC	\$1,147.27	KOBER FUNERAL HOME	\$1,900.00
CLAY CO FIT FICA	\$64,997.35	LARSON, VAL	\$12.00
COLONIAL LIFE	\$183.16	LINCOLN COUNTY AUDITOR	\$1,826.84
CONSECO/WASHINGTON	\$24.45	LOCKWOOD, DARCY	\$12.00

PHARMCHEM, INC.	\$188.70	BRUNICK SERVICE, INC.	\$327.94
PIZZA RANCH 14762	\$2,014.29	BUTLER MACHINERY CO.	\$2,509.15
PLYMOUTH CO SHERIFF	\$61.25	CHS INC.	\$3,318.50
QUALIFIED PRESORT SVC IN	\$7,712.54	CLAY UNION ELECTRIC CORP	\$750.00
SANFORD HEALTH CLINIC	\$4,061.94	COYOTE ENTERPRISE LLC	\$9.99
SD DEPT OF HEALTH LAB	\$200.00	CRESCENT ELECTRIC	\$11.20
SD STATES ATTY ASSOC.	\$1,114.00	EASTWAY AUTO SERVICE INC	\$1,092.04
SDAO	\$225.00	EVERBLADES INC.	\$538.00
TRI-STATE EMA	\$20.00	GRAHAM TIRE S.F. NORTH	\$186.28
ULTEIG	\$356.00	I-STATE TRUCK CENTER	\$2,098.00
YANKTON CO SHERIFF	\$50.00	LAWSON PRODUCTS, INC.	\$799.88
(OTHER PROFESSIONAL SERVICE)		M & M FARM SUPPLY	\$9.70
BOYS & GIRLS CLUB, INC.	\$1,750.00	MICROFILM IMAGING SYSTEM	\$30.00
CITY OF VERMILLION	\$1,440.00	NELSON REPAIRS	\$182.13
SCHAEFER, DEAN	\$30.00	O'REILLY AUTO PARTS	\$135.72
UNION CO. SHERIFF	\$9,230.00	ONE OFFICE SOLUTION	\$272.87
YANKTON CO SHERIFF	\$5,270.00	PRESSING MATTERS	\$211.00
(LAW OFFICE)		PROCHEM DYNAMICS	\$409.06
FRIEBERG, NELSON & ASK	\$3,225.00	QUALIFIED PRESORT SVC IN	\$404.63
PETERSON, STUART, KLENTZ	\$10,587.50	QUILL CORP. TRS	\$150.12
TERWILLIGER, PHILIP	\$3,575.00	RIVERSIDE HYDRAULICS AND	\$442.94
(MENTAL HEALTH)		RUNNINGS SUPPLY INC CH	\$91.55
AVERA MCKENNAN	\$5,530.00	RUNNINGS SUPPLY INC HWY	\$387.91
SD DEPT OF REV ANDERSON	\$600.00	STYLES, DAVID	\$46.82
(PUBLISHING)		TITAN MACHINERY YANKTON	\$22,653.84
BROADCASTER PRESS	\$2,695.04	UNION CO. SHERIFF	\$598.50
NEW CENTURY PRESS ACCT44	\$669.20	VERMILLION ACE HARDWARE	\$53.97
(REPAIRS AND MAINTENANCE)		VERMILLION FORD	\$103.03
BOONE BROTHERS	\$172.86	WHEELCO BRAKE AND SUPPLY	\$1,107.56
BRUNICK SERVICE, INC.	\$37.00	YANKTON JANITORIAL SUPPL	\$71.40
BUTLER MACHINERY CO.	\$1,693.00	YANKTON REXALL DRUG	\$115.55
CENTURY BUSINESS PRODUCT	\$30.00	(TRAVEL AND CONFERENCE)	
CRESCENT ELECTRIC	\$165.57	ALLEN, VICTOR	\$582.40
EASTWAY AUTO SERVICE INC	\$903.14	WEED & PEST CONFERENCE	\$305.00
FAST AUTO GLASS, INC.	\$539.50	WOOD, LISA	\$122.40
GRAHAM TIRE S.F. NORTH	\$375.00	(UTILITIES)	
NELSON REPAIRS	\$510.00	BUREAU OF ADMINISTRATION	\$36.25
OLSON'S PEST TECHNICIANS	\$80.00	BUTCH'S PROPANE	\$2,536.22
OVERHEAD DOOR COMPANY	\$183.13	CENTURYLINK	\$136.93
PRESTO-X COMPANY LLC	\$247.89	CITY OF VERMILLION	\$2,044.44
RIVERSIDE HYDRAULICS AND	\$945.00	VERIZON WIRELESS HWY TRS	\$96.41
RUNNINGS SUPPLY INC CH	\$30.95	VERIZON WIRELESS SHERIFF	\$401.92
VERMILLION ACE HARDWARE	\$356.01	VERMILLION GARBAGE SVC.	\$236.00
YANKTON WINNELSON CO.	\$507.87	WAKONDA TOWN	\$67.65
(DATA PROCESSING/CLAY CREEK/INF)		(PAYMENT)	
MICROFILM IMAGING SYSTEM	\$90.00	BERESFORD PUBLIC LIBRARY	\$1,500.00
(YANKTON CLAY EXPENSE)		BOBIER, MATTHEW	\$17.14
3D DIGGING & TRUCKING LL	\$36,428.28	BRUNICK SERVICE, INC.	\$58.95
(SUPPLIES & MATERIALS)		CAMPBELL, GRANT	\$10.00
AXON ENTERPRISE INC.	\$87.20	CHRISTOPHERSON, JAMA	\$10.00
BLACKSTRAP INC	\$1,796.52	CLAY CO AGR FAIR ASSOC	\$2,062.50
BLUE TARP FINANCIAL, INC	\$599.98	DAKOTA PC WAREHOUSE	\$90.97

DAKOTA SENIOR MEALS	\$1,377.25	SCHULZ, LAYNE	\$10.00
ERICKSON SOLUTIONS GROUP	\$1,375.00	SCOTT, JESSE	\$10.00
FELECOS, PATRICIA	\$10.00	SOLHEIM, LEIF	\$21.22
GRAHAM, MORGAN	\$10.00	VERMILLION AREA ARTS CNC	\$1,250.00
GRAN, GALEN	\$19.18	VERMILLION AREA CHAMBER	\$500.00
GRUNEWALD, HARLEY	\$20.00	VERMILLION FORD	\$96.66
HAYS, TERESA	\$10.00	VERMILLION PUBLIC LIBRAR	\$1,000.00
HEEREN, DANIELLE	\$57.14	WAKONDA PUBLIC LIBRARY	\$625.00
HEGGESTED, TERI	\$10.00	WALTERS, TAGNEY	\$10.00
HENDERSON, HOLLY	\$20.20	WAYS MAN, CALEY	\$50.00
HY-VEE, INC. JAIL ACCT	\$258.54	WHERRY, JAY	\$56.12
IVERSON, LINDA	\$10.00	WHIPPLE, LINDA	\$10.00
JAEGER-GRONWALD, JACQUE	\$20.00	WOODBURY CO. BOARD OF	\$2,274.70
KLEINSCHMIT, KYLE	\$31.62	YOUSF, ABDOULLA	\$20.00
KNUTSON, AMANDA	\$31.42	(JDC/SPECIAL EQP.)	
LEWIS & CLARK BEHAVIORAL	\$6,126.00	LIGHT AND SIREN	\$420.01
MATTER, BRENT	\$10.00	MINNEHAHA COUNTY JDC	\$1,028.00
MCGINNIS, BRADLY	\$10.00	(JDC/SPECIAL EQP.)	
MCGUIRE, JAMES	\$56.12	NATIONAL SHERIFF'S ASSOC	\$266.11
MCGUIRE, JANICE	\$10.00	(BOOKS)	
NELSEN, GENE	\$10.00	THOMSON REUTERS - WEST	\$648.60
NELSEN, PEGGY	\$50.00	(FURNITURE AND MINOR EQUIPMENT)	
O'CONNOR, RENNAE	\$55.10	CANON	\$348.11
OLSON, KATHERINE	\$50.00	MICROFILM IMAGING SYSTEM	\$60.00
PASSICK, CHAD	\$50.00	PROCHEM DYNAMICS	\$716.49
QUALITY MOTORS	\$229.28	RUNNINGS SUPPLY INC CH	\$10.97
QUANBECK, BAILEY	\$10.00	VERMILLION ACE HARDWARE	\$25,496.45
RAYNES, BRANDON	\$10.00	(MACHINERY AND AUTOMOTIVE EQUIP)	
ROBERTS, MICHAEL	\$10.00	TWO WAY RADIO SOLUTIONS	\$1,866.70
ROTHSCHADL, BARBARA	\$50.00	(AUTOMOTIVE)	
SCHILDHAUER, T. LEMBCKE	\$1,344.00	QUALITY MOTORS	\$59.61
SCHULTZ, JAMES	\$50.00		

Payroll for 2023 (per month unless otherwise noted): Victor Allen 3786.92, Jeffrey Anders 6118.66, Aaron Armstrong 5432.42, Marcie Armstrong 3664.23, Jessica Beringer \$3919.13, Brian Bertrand 18.38/hour, Kristina Brinkmann 3664.23, Kyle Calvert 3266.58, Cynthia Carrington 22.74/hour, Kaleb Christopherson 4805.60, Ryan Church 3784.03, Carri Crum 6123.96, Danielle Davis 3264.66, Corey Doherty 21.14/hour, Caitlyn Dommer 6515.82, Madison Dooley 19.30/hour, Timothy Dooley 23.55/hour, Joan Downey 4032.70, Dennis Ganschow 31.30/hour, Geoffrey Gray-Lobe 1769.82, Sarah Gregg 3420.11, Drew Gunderson 5629.81, Richard Hammond 1769.82, Kevin (Scott) Hanson 4879.33, Samantha Hargrave 7136.37, Brent Hays 25.17/hour, Victoria Hesse 4063.15, Andy Howe 8019.67, Rhonda Howe 6123.96, Kyle Huber 4178.62, Tiffany Husby 5968.76, Raven Jensen 3335.32, Nicole Klunder 4116.66, Shannon Kymala 4805.60, Timothy Larson 30.43/hour, Jenna Lucas 50.00/call, Larry McPherson 33.61/hour, Sarah Miller 4148.56, Travis Mockler 1769.82, Grant Namminga 20.29/hour, Lennea Olson 3593.24, Andrew Paulsen 5557.78, Paul Pederson 6270.03, Ina Peterson 6123.96, Anthony Pick 23.55/hour, Julie Plaatje 4144.42, Rodney Polley 6898.20, Robert Proefrock 21.88/hour, Preston Rhodes 4354.96, Brady Riker 20.29/hour, Tyler Schuck

3964.22, Elizabeth Smith 1898.75, Layne Stewart 5560.75, David Styles 5173.53, Jayden Sullivan 20.29/hour, Laura Sundet 4329.85, Ashley Surber 50.00/call, Rhonda Taggart 4116.66, Lisa Terwilliger 6123.96, David Thiesse 1769.82, Alexis Tracy 8750.62, Patricia Waage 50.00/call, Linda Weber 5274.71, Lisa Wood 3608.21, Staci Wuestewald 50.00/call, Brianna Youngstrom 3264.66.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to appoint Travis Mockler to represent the Commission on the jail & law enforcement center project.

The Board considered contracts from TEGRA Group and Woods Fuller for the jail & law enforcement center project. Tracy said she has no concerns about the contracts. Hammond moved, seconded by Gray-Lobe and unanimously carried to authorize the Chairwoman to sign the contract with TEGRA Group. Mockler moved, seconded by Thiesse and unanimously carried to authorize the Chairwoman to sign the contract with Woods Fuller.

The Board reviewed a quote for password management software from 1Password through Erickson Solutions Group. Auditor Carri Crum explained that this was identified as an area that could be improved in the cybersecurity assessment completed by Dakota State University, and there have recently been unsuccessful attempts to gain access to emails in a few County offices recently. Smith and Gray-Lobe voiced concerns about phishing and ransomware being on the rise. Mockler moved, seconded by Hammond and unanimously carried to approve the quote of \$2,729.70 for 1Password.

Crum discussed with the Board the policies in place for employees when the courthouse is closed due to inclement weather. Since the previous winter, the Facilities Department has been created, and the County no longer contracts for snow removal. This means that the employee policy needs to be updated regarding hours worked when the courthouse is closed. The Commission directed Crum to work with Alternative HR+ to write the policy manual update using the Sheriff's Office and Highway Department as a template.

At 10:38 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for legal matters per SDCL 1-25-2. Mockler left the meeting.

At 11:02 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to exit the Executive Session.

Various monthly departmental reports were accepted and placed on file, along with the following Auditor's Account with the County Treasurer Report for December 2022.

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 January 4, 2023.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks

10,162,916.34

Amount of actual cash		720.50
Total amount of checks and drafts in Treasurer's Possession not exceeding three days		13,008.33
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:		1,470.21
Checks returned and not deposited		
Cash Items		700.00
Investments		151,000.00
Cash Variation		0.00
Total		
	Dated this 4th day of January, 2023.	10,329,815.38

Carri R. Crum, County Auditor

At 11:03 a.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, February 7, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

Elizabeth T. Smith
Elizabeth T. Smith, Chairwoman
Board of County Commissioners

February 7, 2023

The Board of County Commissioners met in regular session Tuesday, February 7, 2023 at 9:00 a.m. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Hammond moved, seconded by Mockler and unanimously carried to approve the agenda with the discussion regarding rescheduling the next meeting. Due to an incident management training course that the Commission will attend, the next meeting was scheduled for 1:00 p.m. February 28, 2023.

Hammond moved, seconded by Mockler and unanimously carried to approve the minutes of the January 31, 2023 meeting with the paid voucher listing.

Highway Superintendent Rod Polley met with the Board. Hammond moved, seconded by Mockler and unanimously carried to approve the low bid of \$3.399/gallon for #2 diesel fuel at the Wakonda Highway Shop. Hammond moved, seconded by Thiesse and unanimously carried to accept the low bid of \$2.896/gallon for gasoline at the Vermillion Highway Shop.

Polley informed the Board that the farmer's coop in Alcester will be breaking ground in the spring on a new facility east of I-29 off of 306 St. He said the estimate is 4,000-5,000 trucks per year, and that is quite a bit of additional traffic on 306 St. He had 306 St. from Hub City to the east on the list for micro-surfacing this year, but he may rethink that. The coop does know we have load limits in the spring. Brad Stangohr with Ulteig Engineering was present and said he has heard that the facility will be on the north side by the old highway, $\frac{3}{4}$ mile off the interstate. Hammond asked if our grade is good on 306 St. Polley said it is usually pretty good. There are no recurrent soft spots. They replaced the two big culverts east of Hub City after the 2019 flood. He is worried about everything else, though. Mockler said he is pretty sure the State will re-do the road so there will be no load limits for the $\frac{3}{4}$ mile from the interstate to the facility. It was discussed that the surrounding roads do have load limits.

At 9:13 a.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and convene as Clay County Ditch Board.

Ditch Board Chairman Mockler presided.

Stangohr said he spoke to the contractor for Clay Creek Ditch, and they will be removing the trees near the river by hand with chain saws next week. Where the trees are the channel is not full of snow. Hammond said the contractor has probably checked all of his possible work sites, and this one is the best option.

Stangohr said he also spoke with FEMA yesterday. We have done our part, and it is at the peer review stage.

The Board considered a contract with Ulteig Engineering for work on Clay Creek Ditch. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the contract and authorize the Chairman to sign it.

At 9:18 a.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Chairwoman Smith presided.

Facilities Manager Scott Hanson, JLG Architects' Lynn Remmers, and Associated Consulting Engineering, Inc.'s Ryan Van Der Bill were present to discuss the mechanical, electrical, and HVAC project. Hanson said he has been through the building several times with the architects and engineers. He went through their documents for 6 hours and has a list of questions to work through at tomorrow's meeting with them. GeoTek Engineering was on site last week for asbestos and lead paint testing, which is fortunately covered by a grant at no cost to the County. Remmers reviewed the schedule and scope of the 95% complete documents with the Board. She said this is the owner review week, and next week is formal bid letting approval. She presented diagrams, including boiler, ventilation, fan coil upgrade & controls, acoustic tiles, ductwork & piping, pads on the roof, lighting, fire sprinklers & alarms, and electrical distribution gears. Ceilings will be added in some offices to hide ductwork. Main corridors will be left as-is with minimal impact. The intent is to do wall-mounted sprinkler heads and keeping historical pendant light fixtures. Hammond asked them to make sure it dovetails well with the jury room project. Hanson said he plans to discuss that at tomorrow's meeting. He has not been given a green light for the jury room grant yet. It could be down the road after this project is wrapped up. Hammond encouraged sharing plans. Hanson discussed contractor timelines and said he will work with Remmers and Van Der Bill.

A Second Reading and Public Hearing was held for Ordinance #2022-16, an Ordinance of Clay County, South Dakota, Amending Ordinance #2013-04 (Updated with Amendments through #2017-01), Being the 2013 Revised Zoning Regulations for Clay County by Amending Section 3.15 Campground Facilities Section "A, 3" Minimum Lot Size. Zoning Administrator Drew Gunderson said this ordinance amendment is simply a correction of a typo in the previous version of the ordinance. No one appeared in opposition, and no written comments were received. Mockler moved, seconded by Gray-Lobe and unanimously carried to pass and adopt Ordinance #2022-16, an Ordinance of Clay County, South Dakota, Amending Ordinance #2013-04 (Updated with Amendments through #2017-01), Being the 2013 Revised Zoning Regulations for Clay County by Amending Section 3.15 Campground Facilities Section "A, 3" Minimum Lot Size. Roll call vote: Mockler Aye, Gray-Lobe Aye, Smith Aye, Thiesse Aye, and Hammond Aye.

Rachel Gackle, Marsh-McClennan Agency, met with the Board to discuss the benefit insurance renewal. Smith said a change in deductible can make a big difference for employees. Mockler said he is good with maintaining the current plan. Gray-Lobe said it is what he thinks as well. Hammond said keeping the current plan makes the most sense, and Thiesse agreed. Gackle said she did negotiate with Wellmark on the County's behalf. Mockler moved, seconded by Gray-

Lobe and unanimously carried to continue with the current health plan. Gray-Lobe moved, seconded by Hammond and unanimously carried to continue the current ancillary benefits as well.

The Board considered the architecture contract with JLG and BWBR Architects for the jail and law enforcement center project. Mockler said Jim Wiederrich from Woods Fuller, the County's attorney, has given approval for the County to go ahead with the contract. Hammond moved, seconded by Mockler and unanimously carried to approve the contract and authorize the Chairwoman to sign it. Mockler updated the Board that the next meeting regarding the project is Friday.

At 9:50 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 10:24 a.m., Hammond moved, seconded by Mockler and unanimously carried to exit the Executive Session.

At 10:24 a.m., Hammond moved, seconded by Mockler and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, February 14, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

Elizabeth T. Smith
Elizabeth T. Smith, Chairwoman
Board of County Commissioners

February 14, 2023

The Board of County Commissioners met in regular session Tuesday, February 14, 2023 at 9:00 a.m. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Hammond moved, seconded by Thiesse and unanimously carried to approve the agenda.

Hammond moved, seconded by Mockler and unanimously carried to approve the minutes of the February 7, 2023 meeting.

Director of Equalization Ina Peterson appeared as a Visitor to be Heard to inform the Board that her office is short staffed during a busy data entry time for the office. Retired deputy Laura Christensen has agreed to do data entry work to help the office meet deadlines.

Hammond also appeared as a Visitor to be Heard to update the Board about his appearance at the Clay County Historic Preservation Commission meeting last week. He updated the CCHPC on the plans for the courthouse mechanical/electrical/HVAC project. He said the only real criticism he heard was from Jim Wilson regarding the tuckpointing project. He felt the contractor did too much. Hammond said the project was less costly than expected. Gray-Lobe said he was glad Hammond went to the meeting. Smith said it was a trust-building thing to do.

Weed Supervisor Dennis Ganschow met with the Board to present his bid for spraying the right-of-ways for the State. He increased his bid by a little over \$1,000 from last year because of chemical costs. Mockler moved, seconded by Gray-Lobe to approve the bid for submission to the State. Ganschow updated the Board that the annual conference in Huron starts tomorrow, and he will find out if he was awarded the grant that he applied for.

Highway Superintendent Rod Polley met with the Board. He discussed a bridge that the State thinks should be replaced and said the State thinks the engineer chosen for the 5-Year Plan should do the bridge inspection. Johnson Engineering has been the bridge inspectors for the past 16 years, but they are no longer doing them. Mockler moved, seconded by Hammond and unanimously carried to pass and adopt the following Resolution #2023-04 for Bridge Inspection Program Resolution for Use with SDDOT Retainer Contracts.

**RESOLUTION #2023-04
BRIDGE REINSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Clay County is desirous of participating in the Bridge Inspection Program.

The County requests SDDOT to hire Ulteig Engineering (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 14th day of February, 2023, at Vermillion, South Dakota.

ATTEST:

Carri R. Crum, County Auditor

Chairwoman, Board of Clay County Commissioners

Polley said the State allowed us to put two bridges back on inspection so we can do something with them this year.

Mockler moved, seconded by Gray-Lobe and unanimously carried to set the annual highway materials bid opening for 9:30 a.m. on March 7, 2023.

Polley said they burned the tree pile at Brower's site yesterday. It worked out great.

Emergency Management Director Layne Stewart and SECOG's Sophie Johnson met with the Board regarding the Hazmat Plan Update grant. SECOG has agreed to update the Hazmat Plan for \$5,000. The matching portion that the County will have to cover is a maximum of \$1,000. Mockler moved, seconded by Hammond and unanimously carried to authorize engaging SECOG to write the Hazmat Plan Update.

Zoning Administrator Drew Gunderson met with the Board to present Planning & Zoning Commission applications. Mockler asked if this should be done in Executive Session. Smith said it is at the Board's discretion. They can do it in Executive Session, but they do not have to. Thiesse and Hammond said they would like to do it in Executive Session.

Auditor Carri Crum and JLG Architects' Lynn Remmers discussed the courthouse mechanical/electrical/HVAC project bid opening date. Crum recommended a bid opening date of March 21st, which would require a special meeting. Remmers said she would like to give three weeks for the plans to be at the builder's exchanges before the bid opening, and there will also be a pre-bid meeting on March 10th for contractors to tour the building before submitting their bids. Smith said having a bid opening on March 21st does not work for her. Mockler said there is already a jail meeting on March 23rd, which Remmers will be attending. He asked if that is enough time to review bids. Ryan Van Der Bill with Associated Consulting Engineering, Inc. said reviewing bids should be a quick process. Gray-Lobe said he is unavailable in the morning. Thiesse said he would be able to attend via Zoom. Hammond said having a couple extra days in the process is helpful for both the County and contractors. Shortening the turnaround is poison for the bidding process. Mockler moved, seconded by Thiesse and unanimously carried to set the bid opening for March 23, 2023 at 9:00 a.m. Remmers said they are still looking at electrical lead times, but the schedule is good for HVAC lead times. They will need to review working times in case of the need for evening or weekend work. If all goes well, they are calling for completion by the end of December. The projected \$2.2 million has a 10% contingency and spring cost escalation built in. Emergency lighting and LED lighting was added from the previous budget. Van Der Bill asked if they should allow email modifications to the bids. Hammond said they

have never done it before, but it may be something new to consider. Mockler said we should try it since the jail project is upcoming. It would be a practice session of sorts. Van Der Bill said he has done this before on State projects, and the contractor will typically mail a slightly higher bid to allow them more time to fine tune the final bid; then just before the deadline they will send an adjustment email telling how much to subtract from the sealed bid. It does not reveal the amount of the sealed bid, so it is still confidential. State's Attorney Alexis Tracy said she will look into it because sometimes the State has slightly different rules for bidding than counties do. Thiesse clarified that the email would just be for adjustments. Hammond said it would help with scheduling, like he mentioned earlier. Sometimes if the contractor is waiting to hear back from suppliers, they have to inflate the bid by 20-30%, so allowing adjustments via email would likely positively impact the County's bidding process. Gray-Lobe said it seems like a neat system if we can legally do it. Mockler asked how they would approve the use of the email adjustment system. Hammond said if the Board is in consensus, it should work, and Smith agreed.

Hammond moved, seconded by Mockler and unanimously carried to approve the following claims for payment.

(DUE TO OTHER GOVERNMENT)		SDML WORKERS' COMP FUND	\$50,853.00
BERESFORD SCHL DIST 61-2	\$48,327.03	(PROFESSIONAL SERVICES AND FEES)	
BETHEL TOWNSHIP	\$9,584.76	AVERA MCKENNAN HOSPITAL	\$790.00
CENTERVILLE SCH DIST 60-	\$23,950.50	BUHLS DRYCLEANERS &	\$190.44
CITY OF VERMILLION	\$134,870.44	FEDEX	\$32.17
CLAY CO TREASURER	\$23,205.00	HOV SERVICES INC.	\$838.00
FAIRVIEW TOWNSHIP	\$16,864.51	JOHNSON CONTROLS, INC.	\$1,500.45
GARFIELD TOWNSHIP	\$9,712.00	MERCYONE SIOUXLAND MEDIC	
GAYVILLE/VOLIN SCHL DIST	\$3,361.84	\$249.99	
GLENWOOD TOWNSHIP	\$9,381.96	PHARMCHEM, INC.	\$447.30
IRENE CITY	\$893.52	QUALIFIED PRESORT SVC IN	\$3,331.71
IRENE/WAKONDA SCHL 13-3	\$127,783.03	SATELLITE TRACKING OF	\$97.50
MECKLING TOWNSHIP	\$12,189.97	SD DEPT OF HEALTH LAB	\$605.00
NORWAY TOWNSHIP	\$6,068.85	SDSU EXTENSION SERVICE	\$10,884.79
PLEASANT VALLEY TWP.	\$9,686.09	TWO WAY RADIO SOLUTIONS	\$525.99
PRAIRIE CENTER TWP.	\$8,476.19	WALKER CONSTRUCTION	\$1,355.00
RIVERSIDE TOWNSHIP	\$7,581.31	(OTHER PROFESSIONAL SERVICE)	
SD DEPT OF REEMPLOYMENT	\$679.72	CITY OF VERMILLION	\$87,076.96
SD DEPT OF REV ANDERSON	\$326,861.47	SCHILDHAUER, T. LEMBCKE	\$612.00
SDACO - M&P FUND PAYMENT	\$1,280.00	SD ATTORNEY GENERAL	\$654.00
SEILERS SECOND ROAD DIST	\$65.78	(LAW OFFICE)	
SPIRIT MOUND TOWNSHIP	\$12,981.26	FRIEBERG, NELSON & ASK	\$3,225.00
STAR TOWNSHIP	\$15,450.72	JOHNSON, KATIE PLLC	\$926.90
TLC WATER PROJECT DIST.	\$4,074.94	PETERSON, STUART, KLENTZ	\$10,587.50
VERMILLION BASIN WATER	\$2,287.06	TERWILLIGER, PHILIP	\$3,225.00
VERMILLION SCHL DIST 13-	\$418,166.68	(PUBLISHING)	
VERMILLION TOWNSHIP	\$6,006.68	BROADCASTER PRESS	\$573.39
VIBORG/HURLEY SCHL 60-6	\$94.76	NEW CENTURY PRESS ACCT44	\$39.46
WAKONDA TOWN	\$6,779.78	(RENTALS)	
(FIRE)		PICTOMETRY INTERNATIONAL	
BERESFORD RURAL FIRE	\$8.86	\$21,787.34	
VERM. RURAL FIRE ASSOC.	\$12.20	(REPAIRS AND MAINTENANCE)	
(WORKER'S COMPENSATION)		CRESCENT ELECTRIC	\$190.14

INTERSTATE POWER SYS INC	\$11,422.37	SDACHS	\$100.00
NELSON REPAIRS	\$85.00	SDSU EXTENSION	\$164.23
PRESSING MATTERS	\$1,256.00	(UTILITIES)	
VERMILLION ACE HARDWARE	\$42.06	BUREAU OF ADMINISTRATION	\$11.90
YANKTON WINNELSON CO.	\$11.62	CENTURYLINK HWY	\$149.99
(DATA PROCESSING/CLAY CREEK/INF)		CLAY RURAL WATER SYSTEM	\$105.30
MICROFILM IMAGING SYSTEM	\$945.00	CLAY UNION ELECTRIC CORP	\$721.40
(SUPPLIES & MATERIALS)		MIDAMERICAN ENERGY EXT	\$61.11
A & B BUSINESS	\$198.32	MIDAMERICAN ENERGY S.C.	\$785.90
A-OX WELDING SUPPLY CO	\$120.82	MIDCO BUSINESS	\$210.39
BARCO MUNICIPAL PRODUCTS	\$67.81	MIDCO BUSINESS EXT.	\$75.39
BRUNICK SERVICE, INC.	\$558.97	WAKONDA TOWN	\$66.90
BUTLER MACHINERY CO.	\$313.50	(PAYMENT)	
CHS INC.	\$10.97	DOMESTIC VIOLENCE	\$350.00
CORTRUST BANK	\$4.00	HASSE, PAUL	\$20.00
FIAR MANUFACTURING INC	\$475.00	HAYES, TROY	\$20.00
HD SUPPLY LTD	\$61.75	HEEREN, DANIELLE	\$50.00
INTERSTATE POWER SYS INC	\$2,765.58	MCCABE, MICHELLE	\$50.00
INTOXIMETERS, INC.	\$900.00	MCGUIRE, JAMES	\$56.12
LAWSON PRODUCTS, INC.	\$547.56	MOSER, CHET	\$20.00
M & M FARM SUPPLY	\$53.00	NELSEN, PEGGY	\$50.00
MICROFILM IMAGING SYSTEM	\$30.00	O'CONNOR, RENNAE	\$55.10
NELSON REPAIRS	\$75.89	PASSICK, CHAD	\$50.00
ONE OFFICE SOLUTION	\$266.85	PIZZA RANCH 14762	\$2,723.00
PROCHEM DYNAMICS	\$1,400.24	REIMERS, NICOLE	\$20.00
QUALIFIED PRESORT SVC IN	\$251.17	ROTHSCHADL, BARBARA	\$50.00
QUILL CORP.	\$60.58	SCHULTZ, JAMES	\$50.00
QUILL CORP. TRS	\$36.99	TERWILLIGER, PHILIP	\$350.00
RUNNINGS SUPPLY INC CH	\$39.38	VERMILLION FEDERAL	\$11.54
RUNNINGS SUPPLY INC HWY	\$156.07	VERMILLION FORD	\$209.35
SANFORD HEALTHCARE SHCA	\$412.00	WAYS MAN, CALEY	\$50.00
SD DEPT OF TRANS	\$9,463.46	WHERRY, JAY	\$56.12
SIRCHIE ACQUISITION	\$20.88	(JDC/SPECIAL EQP.)	
VERMILLION ACE HARDWARE	\$36.97	PUBLIC SAFETY EQUIPMENT	\$477.53
VOLLAN OIL	\$14,017.36	(BUILDINGS AND STRUCTURES)	
(COPIER SUPPLIES)		JLG ARCHITECTS	\$32,122.80
CANON	\$497.24	(FURNITURE AND MINOR EQUIPMENT)	
(TRAVEL AND CONFERENCE)		MICROFILM IMAGING SYSTEM	\$215.00
SDACC OFFICE	\$220.00	PROCHEM DYNAMICS	\$6,122.69

Tracy briefed the Board on a new set of opioid class action lawsuits. Hammond moved, seconded by Gray-Lobe and unanimously carried to authorize the County's participation in the class action lawsuits.

Gray-Lobe moved, seconded by Hammond and unanimously carried to approve the renewal contract for The Village Business Institute's Employee Assistance Program and the Chairwoman's signature on it. Crum said the program offers different types of counseling, but they also offer financial planning, budgeting, and other services. Employees have been using the program since the County adopted it.

At 9:46 a.m., Mockler moved, seconded by Hammond and unanimously carried to enter an Executive Session for personnel and legal/contractual matters per SDCL 1-25-2.

At 10:09 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to exit the Executive Session.

Tracy updated the Board that she found the authority in SDCL 5-18A-7 for using email bid adjustments as discussed. Gray-Lobe said he likes the method of adding or subtracting from the sealed bid. Thiesse said we should stick with accepting only bid modifications via email, not the bids themselves. As a contractor, he would be more comfortable with that. The Board discussed that they should handle jail project bids that way, too. Mockler moved, seconded by Thiesse and unanimously carried to allow electronic modifications via email to sealed bids.

Mockler moved, seconded by Gray-Lobe and unanimously carried to appoint Thomas Simmons to the open position on the Planning & Zoning Commission. Gray-Lobe conveyed thanks to all applicants and said all were qualified to serve. More seats will be opening in the future. Hammond said there will be other opportunities to serve on other committees in the future as well and hopes the other applicants will apply.

At 10:16 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 1:00 p.m. on Tuesday, February 28, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

Elizabeth T. Smith
Elizabeth T. Smith, Chairwoman
Board of County Commissioners

Yankton-Clay Ditch Board
February 14, 2023

The Clay and Yankton County Commissions met jointly as the Yankton-Clay Ditch Board Tuesday, February 14, 2023 at 1:00 p.m. at the Clay County 4-H Center, 515 High St., Vermillion, SD.

Members present—Clay County: Richard Hammond, Elizabeth Smith, Travis Mockler, Geoffrey Gray-Lobe, David Thiesse, Zoning Administrator Drew Gunderson, Auditor Carri R. Crum, Highway Foreman Larry McPherson, and Highway Superintendent Rod Polley. Yankton County: John Marquardt, Wanda Howey-Fox, Dan Klimisch, Development Services Director Gary Vetter, and Auditor Patty Hojem.

The meeting was called to order by Chairman Travis Mockler.

A motion was made by Smith and seconded by Howey-Fox to dispense with the reading and approve the minutes of the February 22, 2022 meeting as presented. All members voted aye; the motion passed.

Ditch fund balances were noted as follows. Clay County Yankton-Clay Creek Ditch \$6,361.75 and Yankton County Yankton-Clay Creek Ditch \$155,532.02.

A motion was made by Klimisch and seconded by Smith to approve the 2022 Clay County claims: Publishing \$87.50, Cleaning \$35,700.00. All members voted aye; the motion passed. A motion was made by Klimisch and seconded by Howey-Fox to approve the 2022 Yankton County claims: Publishing \$33.97, Cleaning \$7,609.30. All members voted aye; the motion passed.

The Board discussed the ditch levy for 2023 pay 2024. Calvin Hanson moved, seconded by Hammond to keep the levy at 8%. All members voted aye; the motion passed.

There were no cleaning requests.

A motion was made by Hammond and seconded by Klimisch that the meeting be adjourned and convened as Clay Creek Ditch Board. All members voted aye; the motion passed.

Clay Creek Ditch Board
February 14, 2023

The Clay and Yankton County Commissions met jointly as the Clay Creek Ditch Board on Tuesday, February 14, 2023 at the Clay County 4-H Center, 515 High St., Vermillion, SD.

Members present—Clay County: Richard Hammond, Elizabeth Smith, Travis Mockler, Geoffrey Gray-Lobe, David Thiesse, Zoning Administrator Drew Gunderson, Auditor Carri R. Crum, Highway Foreman Larry McPherson, and Highway Superintendent Rod Polley. Yankton

County: John Marquardt, Wanda Howey-Fox, Dan Klimisch, Development Services Director Gary Vetter, and Auditor Patty Hojem.

The meeting was called to order by Chairman Travis Mockler.

A motion was made by Smith and seconded by Hammond to dispense with the reading and approve the minutes of the February 22, 2022 meeting as presented. All members voted aye; the motion passed.

Ditch fund balances were noted as follows. Clay County Clay Creek Ditch \$278,937.50 and Yankton County Clay Creek Ditch \$125,591.04.

A motion was made by Thiesse and seconded by Gray-Lobe to approve the 2022 Clay County claims: Publishing \$239.09, Engineering \$20,649.51. All members voted aye; the motion passed. A motion was made by Howey-Fox and seconded by Klimisch to approve the 2022 Yankton County claims: Meeting Expenses \$313.00, Publishing \$27.08, Engineering \$7,609.32. Under discussion, Steve McClure and Klimisch discussed the scope of the engineering project. All members voted aye; the motion passed.

The Board discussed the ditch levy for 2023 pay 2024. Justin Orr moved, seconded by Donnie Logue to leave the Clay County Clay Creek Ditch levy at 40%. All members voted aye; the motion passed. Susan McClure moved, seconded by Steve McClure to reduce the Yankton County Clay Creek Ditch levy to 20%. Klimisch said he would hate to run into a situation where there was almost no money in the future. He would feel better finishing the cleaning and then lowering the levy at next year's annual meeting. The McClures rescinded the motion. Brian Hoxeng moved, seconded by Klimisch to set the Yankton County Clay Creek Ditch Levy at 40%. All members voted aye; the motion passed.

Mockler updated those present that Clay County's portion of the cleaning project has been bid, and they are waiting for the work to be done. There was discussion regarding the Yankton County side.

Susan McClure suggested getting GPS coordinates for where Clay Creek Ditch starts. Crum said in last year's meeting minutes, it stated that Yankton County was going to do that. Howey-Fox said it will be done.

FEMA projects were discussed.

Mockler and Logue discussed which sections were to be done by Wieman and Two Rivers Construction.

Clay County Auditor Carri Crum called for nominations of Chairman of the Clay and Yankton County Joint Ditch Board. Orr moved to nominate Mockler, seconded by Klimisch. Klimisch moved, seconded by Howey-Fox for nominations to cease and a unanimous ballot be cast for Mockler for Chairman. All members voted aye; the motion passed. Mockler called for nominations of Vice-Chair. Klimisch moved to nominate Ryan Heine, seconded by Howey-Fox.

Smith moved, seconded by Klimisch for nominations to cease and a unanimous ballot be cast for Heine for Vice-Chairman. All members voted aye; the motion passed.

Laterals were discussed, and balances were as follows: Clay County Laterals 1A & 1B \$42,091.55, Laterals 2A & 2B \$149,027.94, Laterals 3A & 3B \$86,631.85, Prairie Center \$40,462.83, Laterals 50A & 50B \$10,289.45.

There was discussion that Prairie Center was cleaned by Gregoire Excavation. Micheal Manning said they usually hire the Clay County Weed Department to do the spraying. Micheal Manning moved, seconded by Joe Manning to set the levy at \$4.00 per acre for 2023 payable in 2024. All members voted aye; the motion passed.

There was discussion regarding Yankton County laterals. Robert Freng discussed the locations. The First Extension goes from 448 Ave. to 447 Ave. Yankton-Clay Lateral #2 goes through Gayville from the railroad bridge to 448 Ave.

Hoxeng said they might as well wait until they have enough money to clean everything. Patty said on the Yankton-Clay Lateral, a loan was taken out to clean it, and the yearly tax pays the payment.

The lateral south of Jim Petrik's was partly cleaned, and they stopped because Mockler said they ran out of money. He said Laterals 1A & 1B will need to be bid out now that there is money available.

Mockler said Todd Bye would like a culvert put in his driveway. Gray-Lobe moved, seconded by Klimisch to replace the culvert with one of the same diameter and widen it to no longer than 40 ft. All members voted aye; the motion passed.

Mockler asked members if want to consider putting the money from Laterals 2A & 2B and 3A & 3B into CDs to earn more interest. Orr said there is lots of stuff on the south side of Lateral 2. It was discussed that someone bought land along 312 St., but trees, and dropped them into the ditch. Again on the topic of interest, Orr suggested a 6 month CD. Orr moved, seconded by Howey-Fox to put \$125,000 of Lateral 2A/2B money into a 6 month CD. All members voted aye; the motion passed. Howey-Fox moved, seconded by Marquardt to put \$60,000 of Lateral 3A/3B money into a 6 month CD. All members voted aye; the motion passed.

At 2:00 p.m., a motion was made by Gray-Lobe and seconded by Howey-Fox that the meeting be adjourned. All voted aye, the motion passed.

Travis Mockler, Chairman
Clay Creek Ditch

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

February 28, 2023

The Board of County Commissioners met in regular session Tuesday, February 28, 2023 at 9:00 a.m. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Chairwoman Smith called the meeting to order and asked for a declaration of any conflicts of interest regarding agenda items.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the agenda with the addition of rescheduling the highway materials bid opening to March 14th.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the minutes of the February 14, 2023 meeting.

Gray-Lobe moved, seconded by Mockler and unanimously carried to reschedule the highway materials bid opening for March 14, 2023 at 9:30 a.m.

Highway Superintendent Rod Polley met with the Board to discuss the Rural Access Infrastructure Grant to Star Township. Three townships applied. One turned in a 5-year plan and grant application. Garfield Township is waiting on engineering. Bethel Township is re-doing their grant application. Star Township wants to get started. Polley said he thinks Star Township should be approved for \$46,386.35. He has no problem with their plans for the money. Mockler said he thinks they can approve it and write up a boilerplate form to be used for future applications. Mockler moved, seconded by Thiesse to approve granting Star Township \$46,386.35 of Rural Access Infrastructure funding. Under discussion, Thiesse asked for the project location. It is on 301 St. 2 ½ miles from Wakonda. All voted aye; motion passed.

Mockler moved, seconded by Gray-Lobe and unanimously carried to accept the low bid of \$1.659/gallon for propane from Butch's Propane.

Mockler asked Polley if townships can bank the RAIF money, and Polley said they can keep it for 4 years. Polley asked if the County cuts a check to the township or how that works. Smith and Hammond said the township should send invoices to the County, and then the County can pay the township up to the amount of the award accordingly with the amount of the invoices.

Polley said weight limits are being posted tomorrow. Union, Clay, Yankton, and Bon Homme Counties are all posting them tomorrow. Mockler said the roads will not weep too long because the ground is too dry.

Polley said Madison Dooley turned in her two week notice, and he hopes to have the position filled within a few weeks.

At 1:20 p.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board.

Ditch Board Chairman Mockler presided.

Hammond moved, seconded by Smith and unanimously carried to approve payment of an invoice from Ulteig Engineering for \$110.00 for the Clay Creek Ditch FEMA project.

Polley said nothing has been done on the Clay Creek Ditch project yet.

At 1:21 p.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Chairwoman Smith presided.

Director of Equalization Ina Peterson met with the Board to update them that HB1325 from last year's legislative session changed the property ratings. This caused the Field Representative to require Clay County to change classifications for soil types affected by the law change. Some parcels that were pasture and are now being changed to crop land are going to see an increase. Others will decrease. There were changes in some building sites as well. The County may see appeals with these changes. Appeals will require a site visit by her office because the State wants everything documented. All non-ag land and all houses went up 10%. The State requires us to be at 85%, and after the 10% increase, we are at 85.1%. She said hopefully assessment notices will be mailed out at the end of the week. She said the State is watching us more and more for compliance.

The Board considered the draft of the Master Transportation Plan (MTP). Smith said it has been in the works for quite some time, and it is time to consider adopting it. Hammond moved, seconded by Gray-Lobe to adopt the Master Transportation Plan. Under discussion, Hammond asked Polley if it looks ok, and Polley said yes. They discussed engineers for bridges. Mockler asked if this goes along with the next agenda topic, and Smith said yes. All voted aye; motion passed.

The Board discussed an application for a federal grant. Gray-Lobe said it came to their attention last week. It is a major federal grant opportunity for transportation items and is funded through the federal bilateral infrastructure law. This grant application deals with trails in Clay and Yankton Counties. There are currently 21 letters of support, and the deadline is tonight at 11:59 p.m. The County would be partnering with Yankton County, and the grant is for long-term planning for pedestrian and bike trails in Clay and Yankton Counties, connecting smaller population centers like Meckling to attractions like Spirit Mound, North Alabama Bend, and other areas. The request is for \$1.3 million for the 65 square miles to be explored and is 100% federally funded, although it may involve in-kind non-monetary contributions like providing meeting spaces. Smith said after the planning stage is over, there would be many partners, such as Game, Fish & Parks, Vermillion Chamber & Development Company, etc. There will be economic development possibilities for both counties. We cannot apply for grants to build the trails without a plan in place. A lot of this type of money goes unspent, and we would be in a position to apply. Gray-Lobe moved, seconded by Hammond to pass and adopt the following Resolution #2023-05, A Resolution Authorizing the Chairperson to Sign an Application and the Southeastern Council of Governments to Submit an Application for a Grant Funding Opportunity from the US Department of Transportation Entitled "FY 2023 National Infrastructure

Investments” for Planning for Trail Connectivity within and Between Clay and Yankton Counties, SD.

RESOLUTION NO. 2023-05

A RESOLUTION AUTHORIZING THE CHAIRPERSON TO SIGN AN APPLICATION AND THE SOUTHEASTERN COUNCIL OF GOVERNMENTS TO SUBMIT AN APPLICATION FOR A GRANT FUNDING OPPORTUNITY FROM THE US DEPARTMENT OF TRANSPORTATION ENTITLED “FY 2023 NATIONAL INFRASTRUCTURE INVESTMENTS” FOR PLANNING FOR TRAIL CONNECTIVITY WITHIN AND BETWEEN CLAY AND YANKTON COUNTIES, SD.

WHEREAS, recreational trails offer opportunities for residents and visitors to engage in activities such as walking, biking, hiking, and other forms of outdoor recreation and exercise that address public health concerns such as obesity and mental health; and

WHEREAS, according to the Bureau of Economic Analysis the outdoor recreation economy accounted for \$454 billion of the nation’s gross domestic product; and

WHEREAS, according to the National Park Service, the Missouri National Recreational River supported \$6.9 million in local spending and 90 local jobs for a total benefit of \$8.5 million; and

WHEREAS, the 2015 Yankton County and 2023 Clay County Master Transportation Plans have identified connecting communities, trail segments, and recreation areas via pedestrian-oriented trails as an action to pursue; and

WHEREAS, outstanding natural, cultural, and recreational features enhance the quality of life for residents and create a sense of belonging and identity; and

WHEREAS, there are a number of these outstanding natural, cultural, and recreational features in or in proximity to Clay and Yankton Counties, SD including but not limited to: Missouri National Recreational River, Spirit Mound, Green Island, Goat Island, Bow Creek Recreation Area, Mulberry Bend Overlook, Clay County Park, Riverside Park, Gavins Point Recreation Area, White Crane Recreation Area, and Myron’s Grove that would further benefit residents and visitors of Clay and Yankton County if connected via a network of pedestrian-oriented trails; and

WHEREAS, the US Department of Transportation is offering grants that could assist Clay and Yankton Counties with feasibility studies, cost-benefit analyses, preliminary environmental reviews, and community engagement that Clay County has prepared an application for

NOW, THEREFORE BE IT RESOLVED, by the Clay County Board of Commissioners that the Chairperson is hereby authorized to sign an application and Southeast Council of Government is hereby authorized to submit the application for a grant funding opportunity from the US Department of Transportation entitled “FY 2023 National Infrastructure Investments” for planning for trail connectivity within and between Clay and Yankton counties, SD. Approved this 28th day of February 2023.

Signed:

Attest:

Chairperson

County Auditor

Under discussion, Thiesse clarified that this is not costing Clay County any money. He said is curious, are we making a trail from Clay County Park to Yankton? Gray-Lobe said it is a study to explore where it makes sense to have trails. Thiesse asked how we get from point A to point B. Gray-Lobe said maybe we extend road right-of-way, or do we need easements, and if so how much? These are areas for public input. Mockler said there are areas in the MTP that show potential recreation trails on private land, too. He has concerns as well. It’s \$1.3 million for a study, and then unless a private investor gives money, it is still a taxpayer expense to build the trails. Mockler and Hammond discussed that the MTP is not all private land. Smith said this would be a closer look to see where the low-hanging fruit is. Not all private land will be possible. The MTP is a 30,000-ft. view versus the grant’s deep dive. It could take 50 years, but we

wouldn't have National Parks if people didn't think ahead. Thiesse discussed the need to widen Timber Rd. if there were a trail, and Highway 19 is already designated a bike path. He asked, can we use our gravel roads? Eric Ambroson, Planning & Development District III, said a group will develop an RFP for a professional firm to study these things. It's like casting a wide net, and once it's reeled in we see what we have. Thiesse said we do need to think about these things because if we widen Timber Rd., whose responsibility does it become to maintain it? Mockler said the \$1.3 million is still tax money, even if it's federal. If it's on private property, he knows what the owners will say. Ambroson said he understands, but we will not get the answers until after we spend the money. Thiesse asked, if 75% of the landowners say yes, and 25% say no, then are we throwing in eminent domain? He said he is in support, too, but we need to think about things. Ambroson said that is what the study is for. Land ownership is one thing to be looked at. Hammond said the study will tell what is viable. He has been all along to North Sioux City, and he couldn't tell you where a trail should go. This is what the study would do, and they would interview landowners. He discussed the project that happened along the abandoned rail line in Platte-Geddes area. Adjacent landowners said no. Thiesse said it would interrupt the property owners' hunting land. Ambroson said he was involved with the rail project. There was farm ground on both sides, and landowners were concerned about bikers going through. Gray-Lobe said he knows there are owners who would be opposed, but some would be excited, and others would take monetary compensation for an easement. Thiesse asked what we are going to do about those who say no. Ambroson said public meetings will air out those issues. A good consultant would develop a strategy. This might fall flat on its face, but we won't know until we try. Smith said when the study is done, we will know what is most or least likely. Sometimes land comes up for sale. Ambroson said sometimes projects are done in phases over years. Thiesse asked, once trails are identified, are we paying for construction and maintenance? Ambroson said there are RAISE funds available to pay for construction. The planning process will help identify maintenance responsibilities. Mockler said the people writing the 21 letters of support do not have skin in the game. Ambroson said since it is a non-matching grant, no one has skin in the game. Mockler said it is still a lot of money. Ambroson said it will take 2 years for the plan. Hammond said to look at how much money we have spent on the HVAC project to get where we are. Smith said we get a feasible plan with costs attached that we will be able to move ahead with. The Dakota Hospital Foundation letter of support excited her because they cited the potential for increasing the health of the community. Ambroson said the Mickelson Trail and the Cowboy Trail in Nebraska started with a planning process. This is very fast Hail Mary pass at the end of a game. We may not get the grant this year. It was a herculean effort in a two-day timeframe. Mockler asked if any of the 21 letters were from private landowners. Smith said they were not asked. Hammond asked if the east end is a hard and fast stop. He said he would first propose a trail from Vermillion to Burbank on Burbank Rd. and then possibly on to Elk Point if Union County was involved. Thiesse asked how it is different than a gravel road. Mockler discussed the utilities buried in the ditches. Hammond said he would rather get a bike trail off Burbank Rd. Smith said she would say the same about Timber Rd. Thiesse said if they are in the ditch they have drainage issues. Smith said that is an engineering issue. Thiesse discussed the use of asphalt. Mockler called to question. Vote of the Board: Mockler Nay, Gray-Lobe Aye, Smith Aye, Thiesse Aye, Hammond Aye. Motion passed.

City of Vermillion Finance Officer Katie Redden met with the Board to present the 9th Amendment to the 1994 Joint Powers Solid Waste Agreement. She said in 2020 and 2021, cell 6 was constructed at the landfill. A new leachate pond is now needed. They have applied for grants to help with the cost, but they need an amendment to the agreement to keep all parties in the contract until the money for the pond is repaid. Mockler asked where the pond is going. Redden said it is next to the other leachate pond. Mockler said he only asked because he wonders if there is a minimum distance to tile lines because the field to the east is completely tiled. Hammond moved, seconded by Thiesse to authorize the Chairwoman to sign the 9th Amendment to the agreement. Under discussion, Hammond said it will be discussed at the next meeting of the joint powers board. All voted aye; motion passed.

Hammond moved, seconded by Mockler and unanimously carried to authorize the Chairwoman to sign an application for a Energy Efficiency Community Block Grant for \$75,500. The funds would be used either on the courthouse mechanical/electrical project or in the construction of the jail and law enforcement center.

Mockler moved, seconded by Hammond and unanimously carried to approve the following claims for payment.

(PAYROLL WITHHOLDING)		SACRED HEART HOSPITAL	\$1,240.76
AAA COLLECTIONS	\$202.80	SECURITY SHREDDING SVC.	\$70.00
AFLAC	\$2,294.54	TRITECH SOFTWARE SYSTEMS	\$6,370.68
CLAY CO FIT FICA	\$129,509.68	ULTEIG	\$9,222.30
COLONIAL LIFE	\$366.32	VERMILLION FEDERAL	\$1,453.58
CONSECO/WASHINGTON	\$48.90	YANKTON CO TREASURER	\$248.60
DIV OF CHILD SUPPORT IA	\$440.00	(OTHER PROFESSIONAL SERVICE)	
DIV OF CHILD SUPPORT SD	\$3,082.00	BROOKINGS CO SHERIFF DEP	\$4,560.00
DOOLEY, TIM	\$516.84	UNION CO. SHERIFF	\$33,920.00
NEW YORK LIFE INSURANCE	\$657.14	YANKTON CO SHERIFF	\$11,730.00
SD RETIREMENT SYSTEM	\$67,031.76	(LAW OFFICE)	
SD SUPPLEMENT RETIREMENT	\$13,870.00	BROWN, LAKISHA	\$120.00
SDRS ROTH 457(B) PLAN	\$750.00	FIRST DAKOTA CREDIT CARD	\$176.76
TASC PVR	\$5,311.98	MATTER LAW OFFICE LLC	\$2,394.40
THE STANDARD - DENTAL	\$2,476.96	(MENTAL HEALTH)	
THE STANDARD - LIFE INS.	\$786.18	AMG HOSPITALISTS	\$15.84
THE STANDARD - SH TRM DI	\$2,106.68	AMG UNIVERSITY PSYCH	\$2,281.32
THE STANDARD - VISION	\$537.04	LEWIS & CLARK BEHAVIORAL	\$368.00
UNITED WAY OF VERMILLION	\$524.34	(PUBLISHING)	
VERMILLION FEDERAL	\$1,500.00	BROADCASTER PRESS	\$71.68
WELLMARK BLUE CROSS	\$109,755.98	NEW CENTURY PRESS ACCT44	\$218.40
(INSURANCE DEDUCTIBLE REIMBURSE)		(REPAIRS AND MAINTENANCE)	
LARSON, TIM	\$1,000.00	CENTURY BUSINESS PRODUCT	\$60.00
(PROFESSIONAL SERVICES AND FEES)		FIRST DAKOTA CREDIT CARD	\$1,009.56
AMG RADIOLOGY YANKTON	\$20.96	INTERSTATE POWER SYS INC	\$2,983.70
ERICKSON SOLUTIONS GROUP	\$1,824.90	PRESTO-X COMPANY LLC	\$296.90
FEDEX	\$61.48	RUNNINGS SUPPLY INC CH	\$197.88
FIRST DAKOTA CREDIT CARD	\$87.88	USD UNIVERSITY LIBRARY	\$20.00
HOUSKA, DDS, RANDY	\$956.00	VERMILLION ACE HARDWARE	\$367.76
ILCHUK ENTERPRISES LLC	\$480.00	(DATA PROCESSING/CLAY CREEK/INF)	
LINCOLN COUNTY AUDITOR	\$717.54	SOFTWARE SERVICES, INC.	\$7,236.00

TTECH	\$40,200.00	SD SHERIFF'S ASSN	\$230.00
(SUPPLIES & MATERIALS)		(INMATE TRAVEL)	
BLACKSTRAP INC	\$3,472.60	PUMP N PAK	\$1,046.28
BOB BARKER CO INC	\$438.48	(UTILITIES)	
BRUNICK SERVICE, INC.	\$120.00	BUTCH'S PROPANE	\$4,811.10
BUTLER MACHINERY CO.	\$1,430.56	CENTURYLINK	\$287.14
CHS INC.	\$5,350.52	CENTURYLINK EMG	\$55.50
CORTRUST BANK	\$8.00	CITY OF VERMILLION	\$1,325.88
COYOTE ENTERPRISE LLC	\$899.92	FIRST DAKOTA CREDIT CARD	\$1,633.94
DAKOTA RIGGERS & TOOL IN	\$456.00	MIDAMERICAN ENERGY C H	\$2,534.78
DAVIS PHARMACY	\$4,570.34	MIDAMERICAN ENERGY S C	\$1,409.20
FIRST DAKOTA CREDIT CARD	\$504.38	MIDCO BUSINESS	\$420.78
INTERSTATE POWER SYS INC	\$640.72	VERIZON WIRELESS EMG	\$80.02
L.G.EVERIST, INC	\$6,557.60	VERIZON WIRELESS HWY TRS	\$192.82
LAWSON PRODUCTS, INC.	\$510.50	VERIZON WIRELESS SHERIFF	\$803.84
M & M FARM SUPPLY	\$26.00	(PAYMENT)	
MILLS & MILLER, INC DIS	\$4,832.70	BLAINE'S BODY SHOP	\$16,415.54
ONE OFFICE SOLUTION	\$87.06	FIRST DAKOTA CREDIT CARD	\$952.96
PRESSING MATTERS	\$54.00	HY-VEE, INC. JAIL ACCT	\$712.48
PROCHEM DYNAMICS	\$3,478.46	PUMP N PAK	\$5,012.30
RIVERSIDE HYDRAULICS AND	\$102.48	REDI TOWING	\$150.00
RUNNINGS SUPPLY INC HWY	\$337.78	VERMILLION FORD	\$146.96
SANITATION PRODUCT	\$69.96	(FURNITURE AND MINOR EQUIPMENT)	
STURDEVANT'S AUTO HWY	\$486.48	CANON	\$696.22
UNION CO. SHERIFF	\$1,096.20	COYOTE ENTERPRISE LLC	\$709.94
VERMILLION ACE HARDWARE	\$192.32	FIRST DAKOTA CREDIT CARD	\$299.90
YANKTON REXALL DRUG	\$419.26	LOFFLER COMPANIES	\$493.18
(TRAVEL AND CONFERENCE)		ONE OFFICE SOLUTION	\$500.32
ALLEN, VICTOR	\$1,237.60	(AUTOMOTIVE)	
CROSSROADS HOTEL	\$1,091.88	QUALITY MOTORS	\$507.28
DOHERTY, COREY	\$160.00	VOLLAN OIL	\$612.00
GANSCHOW, DENNIS	\$449.68		

Vermillion Fire/EMS Chief Matt Callahan met with the Board to discuss ambulance coverage in the northern part of the county. Yankton County gave up coverage of Irene to Viborg and Centerville. Viborg has 3 volunteers, and Centerville has 10, only 2 of which are available during the day. The nursing home in Irene averages 60 calls per year. Vermillion EMS Division Chief Anthony Klunder is working with those departments to see what can be done to help them. It is not fair for Irene to wait for Vermillion, but the solution at this point is if it has been 20 minutes, and Viborg or Centerville cannot put together a crew, then Vermillion will respond. There is no immediate solution to this, and the staffing problems are a nationwide issue, not just here.

Callahan discussed the ambulance replacement timeline. The department has 3 ambulances, and the replacement timeline is every 5 years. The call volume has doubled in recent years, and the next ambulance to be replaced will have about 187,000 miles when it is replaced. The 2017 model will have over 200,000 miles. He would like to look at a 4-year replacement timeline, and if the Board were to agree, that would put delivery in the first quarter of 2027. Lead time is 36 months and growing. A 2027 model would need to be ordered in early 2024. Prices are going up as well. He estimates it will cost \$300,000 in 4 years. Hammond asked if the bodies are holding

up well. Callahan said remounts save \$35,000-50,000, but that would be an 18-year age on the bodies. You lose safety enhancements. Hammond and Callahan discussed Diesel Exhaust Fuel system issues in the Chevrolet ambulance. It costs the department \$900-1,000 each time they have a problem.

At 2:40 p.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 3:08 p.m., Mockler moved, seconded by Hammond and unanimously carried to exit the Executive Session.

At 3:09 p.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, March 7, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

Elizabeth T. Smith
Elizabeth T. Smith, Chairwoman
Board of County Commissioners