

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.

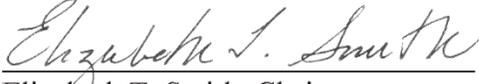
At 10:40 a.m., Mockler moved, seconded by Hammond and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

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
SDDAO	\$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, 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

March 7, 2023

The Board of County Commissioners met in regular session Tuesday, March 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.

Thiesse moved, seconded by Hammond and unanimously carried to approve the minutes of the February 28, 2023 meeting.

State's Attorney Alexis Tracy appeared as a Visitor to be Heard. She has submitted her letter of resignation and wished to express appreciation for working with a great County Commission. Tracy also voiced appreciation to the community for the trust they have placed in her and her office over the past six years. Her replacement will inherit a great team, fellow department heads, and Commission. Smith and Hammond thanked her for her hard work and dedication.

Deputy State's Attorney Samantha Hargrave met with the Board to present the application for the STOP Violence Against Women Grant. She asked for permission for Deputy State's Attorney Caitlyn Dommer, who was currently upstairs in court, to submit the application. Hammond moved, seconded by Thiesse and unanimously carried to authorize the Chairman to sign the application and Dommer to submit it.

Facilities Manager Scott Hanson met with the Board, along with Lowell Cook, to present a drawing of a proposal for a table for the Commission. Hanson has reached out to three companies. One gave a quote of \$24,000. One did not respond. Cook was the third and spoke to the Board about his plans. He said the table would be preconstructed and installed. It would have wiring and data ports. Electricians would need to install those. Mockler asked if the table would be mobile. Cook said the table would not need to be fastened to the floor but would weigh a couple thousand pounds. Mockler said the law enforcement still uses the room for training, and he is concerned that the table would be in their way. Hanson said Sheriff Howe drew the initial plans for the table, so he thinks they are fine with it. However, he will double check. Hanson said Cook's quote was \$8,000, but the other was three times that price. He said he discussed with the architects for the courthouse mechanical/electrical/HVAC project the electrical wiring for the table. Cook also said he can lay out the table on the floor in tape before the next meeting so the Board can visualize it. Hammond said if it takes months, it's no big deal, but it's definitely a better price than the other option. Thiesse said it might be about \$10,000 total with the electrical work, and there was discussion about the amount of work involved to run the wiring. Hammond asked Cook if he has photos of the table. He said he has the drawings and can bring laminate samples, but he does not have photos of the exact table. He can show photos of other work that he has done with this vendor, such as Avera in Sioux Falls and on the USD campus. He had another vendor that quoted him \$6,000 per table, so that figure climbed to \$20,000 very quickly.

It was decided he would do a tape representation prior to the next meeting, and he and Hanson will speak to the Board again then.

Mockler gave a brief update on the jail & law enforcement center project. He said they have received soil boring quotes, and that will need to be put on the next agenda.

Hammond gave an update on the Joint Jurisdiction Zoning Area (JJZA) work with the City. He said they have been meeting twice a week. They will be mailing a questionnaire to landowners in the JJZA. It will have a QR code to access a survey of about 20 questions, and following the compilation of results, there will be a public meeting to take in more information. They will go back to meeting twice a week afterward. He said they have all agreed that the JJZA should remain the same size in the next comprehensive plan. He also expressed that SECOG's representative has been very helpful throughout the process, and it has been productive. Gray-Lobe clarified the timeline for the comprehensive plan, and Hammond said it will be a 20-year plan like the last one.

Mockler asked if Smith is still planning to attend the Rotary Club meeting tomorrow. Smith said she is going. There was discussion regarding whether there could be a quorum of Commissioners, and it was decided that since there is still time, the meeting will be publicly posted so that any Commissioners who wish to attend can do so.

At 9:29 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 10:03 a.m., Hammond moved, seconded by Mockler and unanimously carried to exit the Executive Session.

At 10:03 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, March 14, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

March 14, 2023

The Board of County Commissioners met in regular session Tuesday, March 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 Mockler and unanimously carried to approve the agenda with the addition of Ditch Board for financial CDs.

Gray-Lobe moved, seconded by Hammond and unanimously carried to approve the minutes of the March 7, 2023 meeting.

Hammond spoke as a Visitor to be Heard to inform the Board that he agreed to do an “Ask Your Commissioner” OLLI class at the library next Monday at 12:00 p.m. He invited other Commissioners to attend, and it was decided that it would be posted as a public meeting in case a quorum is present.

Facilities Manager Scott Hanson met with the Board to present a packet of information on the proposed Commissioners’ table. A layout was taped onto the carpet so they could visualize the dimensions of the table. The group discussed where to mount the television equipment for Zoom meetings. Hammond asked for a raised edge on the table so that they do not accidentally push papers off the table. Gray-Lobe discussed placement of the name plates. Mockler clarified that the table will be about \$8,000, and Hanson said there will be additional electrician expenses as well. The other quote was \$24,000, and a third company could not get to us until next year. It will be laminate but very sturdy. Hammond moved, seconded by Mockler and unanimously carried to authorize Hanson to complete the project, up to \$10,000.

Hanson updated the Board that there was a pre-bid meeting last week for the mechanical/electrical/HVAC project, and only one contractor showed up. It was Walker Construction represented by Marty Gilbertson. Hanson said everyone has projects lined up for spring, but if we wait another year, inflation will kill us. Mockler said they do not have to take the bid. Hanson also discussed giving the contractor an extension or doing the project in phases. Smith said that is the state of the entire country now.

Hammond told Hanson that, regarding the committee that will be working on bids for the court security project on 3rd floor, he would be willing to participate. Hanson discussed putting out a request for bids for a general contractor with a scope of work. Hammond said he has been asked to update the historical group in about a month. Hanson said we have gone to good lengths to preserve the historical elements. Mockler said we will just have to be honest, that we will do what we can for preservation. Hanson said it will be important to get a general contractor with historical experience. He discussed doing it as a winter project. Hammond said we will need to watch the grant end date as the money has to be spent by the end of 2024.

Hanson said he had carpets cleaned, and the courtroom and jury room carpet squares curled. He is working with the installer, and they are having a manufacturer representative look at it to determine if it is a material failure. It is taped for now to keep people from tripping, but the carpet will have to be redone. Judge Bern talked about just leaving until then, but Hanson said it looks bad. He discussed replacing the carpet and just ordering extra to patch in as needed during the security renovation project.

Highway Superintendent Rod Polley met with the Board. Mockler moved, seconded by Gray-Lobe and unanimously carried to declare surplus old iron, signs, cutting edges, bridge plank, and aluminum and authorize Polley to sell it.

At 9:30 a.m., a public bid opening was held for highway materials. Bids were opened and read aloud. Polley will review bids to ensure they meet specifications and return at the next meeting for bid acceptance.

Polley updated the Board that he will have three open personnel positions to hire.

The Board discussed soil boring quotes from Core Engineering & Consulting, Inc. for \$6,892.00 and GeoTek Engineering & Testing Services, Inc. for \$8,000.00 for the jail & law enforcement center project site. Mockler said no one on the team has worked with Core. Hammond said GeoTek gave an option for Shelby tube sampling, and that is better for what we need. It was also noted that the County's owner representative, TEGRA Group, recommended GeoTek. Hammond moved, seconded by Gray-Lobe to accept the quote from GeoTek Engineering & Testing Services, Inc. for \$8,000.00. Under discussion, Polley said he uses GeoTek for highway sampling. He said he would personally do 28' samples instead of 21' samples, but GeoTek has a history in the area. Mockler said they did the samples for Polaris. He also asked Polley if the Highway Department can clear the snow from the site if necessary. Polley said they can do it as long as it is not too muddy. Mockler said they charge more for the use of 4-wheel drive equipment, so he was hoping to save the County some money by having the Highway Department clear the site. All voted aye; motion unanimously passed.

At 9:54 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and convene as Clay County Ditch Board, with Chairman Mockler presiding.

Mockler said, at the annual meeting there was a vote to place money into CDs for 6 months. Treasurer Rhonda Howe got quotes from the banks, and the best rate is for a 7 month CD at 4.46% interest from First Dakota. Hammond moved, seconded by Thiesse and unanimously carried to accept the quote from First Dakota for 4.46% interest for 7 months.

At 9:55 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners, with Chairwoman Smith presiding.

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

(DUE TO OTHER GOVERNMENT)		CENTERVILLE SCH DIST 60-	\$8,805.58
BERESFORD SCHL DIST 61-2	\$23,922.76	CITY OF VERMILLION	\$107,659.64
BETHEL TOWNSHIP	\$3,160.89	CLAY CO TREASURER	\$6,883.00

FAIRVIEW TOWNSHIP	\$4,767.69
GARFIELD TOWNSHIP	\$5,184.42
GAYVILLE/VOLIN SCHL DIST	\$31.69
GLENWOOD TOWNSHIP	\$4,705.74
IRENE CITY	\$4,557.58
IRENE/WAKONDA SCHL 13-3	\$43,964.41
MECKLING TOWNSHIP	\$3,738.24
NORWAY TOWNSHIP	\$3,355.12
PLEASANT VALLEY TWP.	\$6,378.21
PRAIRIE CENTER TWP.	\$4,165.06
RIVERSIDE TOWNSHIP	\$4,848.85
SD DEPT OF REV ANDERSON	\$319,067.75
SDACO - M&P FUND PAYMENT	\$180.00
SEILERS SECOND ROAD DIST	\$230.94
SPIRIT MOUND TOWNSHIP	\$5,287.77
STAR TOWNSHIP	\$6,429.61
TLC WATER PROJECT DIST.	\$10,631.56
VERMILLION BASIN WATER	\$22,194.19
VERMILLION SCHL DIST 13-	\$217,952.62
VERMILLION TOWNSHIP	\$2,681.79
VIBORG/HURLEY SCHL 60-6	\$44.14
WAKONDA TOWN	\$5,874.35
(FIRE)	
BERESFORD RURAL FIRE	\$2,514.73
CENTERVILLE RURAL FIRE	\$1,808.41
GAYVILLE RURAL FIRE ASSO	\$1,545.07
IRENE RURAL FIRE ASSOC	\$383.44
VERM. RURAL FIRE ASSOC.	\$10,941.64
VOLIN RURAL FIRE ASSOC.	\$378.88
WAKONDA RURAL FIRE	\$3,667.83
(OTHER INSURANCE)	
SD PUBLIC ASSURANCE ALL.	\$119,394.73
(PROFESSIONAL SERVICES AND FEES)	
AVERA MCKENNAN HOSPITAL	\$3,160.00
BUHLS DRYCLEANERS &	\$190.81
BUREAU OF ADMIN PMB0112	\$7.20
CANON	\$161.12
CLAY COUNTY ABSTRACT	\$106.50
CRESCENT ELECTRIC	\$40.77
EAR NOSE AND THROAT	\$254.14
HOUSKA, DDS, RANDY	\$477.00
INTEK	\$1,907.28
KAUFFMAN, DAVID	\$3,309.25
KONE, INC.	\$851.10
LEISURE LAWNS, LLC	\$1,141.26
LEWNO, LUCILLE M	\$246.60
LOCKWOOD, DARCY	\$18.00
PHARMCHEM, INC.	\$511.20
QUALIFIED PRESORT SVC IN	\$6,659.27
SATELLITE TRACKING OF	\$84.50
SD DEPT OF HEALTH LAB	\$585.00
TRI-STATE TURF &	\$400.00

UNION CO. SHERIFF	\$21.50
VILLAGE FAMILY SVC CENTE	\$1,650.00
WAGNER COMMUNITY	\$1,847.27
YANKTON CO SHERIFF	\$50.00
YANKTON CO TREASURER	\$145.70
(OTHER PROFESSIONAL SERVICE)	
BROOKINGS CO SHERIFF DEP	\$2,660.00
CERTIFIED LANGUAGES INTL	\$47.85
SCHILDHAUER, T. LEMBCKE	\$954.00
SD ATTORNEY GENERAL	\$699.00
UNION CO. SHERIFF	\$20,960.00
YANKTON CO SHERIFF	\$5,865.00
(LAW OFFICE)	
FRIEBERG, NELSON & ASK	\$3,225.00
KATTERHAGEN, MARK	\$18.00
KENNEDY, PIER LOFTUS &	\$181.90
PETERSON, STUART, KLENTZ	\$10,587.50
TERWILLIGER, PHILIP	\$3,225.00
(MENTAL HEALTH)	
LEWIS & CLARK BEHAVIORAL	\$368.00
(PUBLISHING)	
BROADCASTER PRESS	\$439.01
NEW CENTURY PRESS ACCT43	\$69.75
NEW CENTURY PRESS ACCT44	\$313.98
(REPAIRS AND MAINTENANCE)	
CENTURY BUSINESS PRODUCT	\$37.50
CHARLIE'S BUS SERVICE IN	\$116.00
CRESCENT ELECTRIC	\$51.04
ERICKSON SOLUTIONS GROUP	\$540.00
MENARD'S	\$.00
NELSON REPAIRS	\$270.00
OVERHEAD DOOR COMPANY	\$125.00
QUALITY MOTORS	\$103.73
SD PUBLIC ASSURANCE ALL.	\$141.92
THE LUMBERYARD LLC	\$321.27
VERMILLION ACE HARDWARE	\$73.19
(DATA PROCESSING/CLAY CREEK/INF)	
MICROFILM IMAGING SYSTEM	\$90.00
SOFTWARE SERVICES, INC.	\$704.00
(YANKTON CLAY EXPENSE)	
CRUM, CARRI R	\$25.00
GRAY-LOBE, GEOFFREY	\$25.00
HAMMOND, RICHARD	\$25.00
HOJEM, PATTY	\$52.54
HOWEY-FOX, WANDA	\$52.54
KLIMISCH, DAN	\$52.54
MARQUARDT, JOHN	\$52.54
MOCKLER, TRAVIS	\$25.00
SMITH, ELIZABETH	\$25.00
THIESSE, DAVID	\$25.00
(SUPPLIES & MATERIALS)	
A & B BUSINESS	\$190.50

A-OX WELDING SUPPLY CO	\$120.82	(INMATE TRAVEL)	
BARCO MUNICIPAL PRODUCTS	\$41.36	PENNINGTON COUNTY SHERIF	\$144.25
BLACKSTRAP INC	\$3,525.21	PUMP N PAK	\$436.12
BRUNICK SERVICE, INC.	\$210.00	(UTILITIES)	
CORTRUST BANK	\$4.00	BUREAU OF ADMINISTRATION	\$77.43
D-P TOOLS, INC.	\$173.13	CENTURYLINK	\$143.57
DOMMER, CAITLYN	\$27.44	CENTURYLINK HWY	\$149.99
GRAHAM TIRE S.F. NORTH	\$2,764.66	CITY OF VERMILLION	\$1,127.56
HY-VEE, INC. EXTENSION	\$15.61	CLAY RURAL WATER SYSTEM	\$60.60
I-STATE TRUCK CENTER	\$1,126.23	CLAY UNION ELECTRIC CORP	\$684.57
JENSEN, RAVEN	\$45.15	MIDAMERICAN ENERGY EXT	\$55.88
JOHN DEERE FINANCIAL	\$8.16	MIDCO BUSINESS EXT.	\$75.39
MICROFILM IMAGING SYSTEM	\$30.00	VERMILLION GARBAGE SVC.	\$236.00
NELSON REPAIRS	\$344.78	WAKONDA TOWN	\$57.65
O'REILLY AUTO PARTS	\$15.48	(PAYMENT)	
ONE OFFICE SOLUTION	\$88.84	BRUNICK SERVICE, INC.	\$100.00
OVERHEAD DOOR COMPANY	\$158.00	DOMESTIC VIOLENCE	\$175.00
PLAIN TALK/BROADCASTER	\$241.50	KLUNDER, ANTHONY	\$20.00
QUALIFIED PRESORT SVC IN	\$758.75	NOWAK, TERESA	\$20.00
QUALITY MOTORS	\$217.49	PIZZA RANCH 14762	\$1,554.96
RIVERSIDE HYDRAULICS AND	\$317.84	PUMP N PAK	\$2,058.04
RUNNINGS SUPPLY INC HWY	\$202.15	TERWILLIGER, PHILIP	\$350.00
SD ASSN OF CO WEED BRDS	\$200.00	VERMILLION FEDERAL	\$76.88
STURDEVANT'S AUTO HWY	\$41.99	(BUILDINGS AND STRUCTURES)	
VERMILLION ACE HARDWARE	\$142.16	JLG ARCHITECTS	\$13,978.75
VERMILLION FEDERAL	\$103.85	PRECISION PAINTING	\$996.86
YANKTON REXALL DRUG	\$360.01	WOODS, FULLER, SHULTZ &	\$18,617.26
(COPIER SUPPLIES)		(FURNITURE AND MINOR EQUIPMENT)	
LOFFLER COMPANIES	\$200.59	LOFFLER COMPANIES	\$5.63
(TRAVEL AND CONFERENCE)		MICROFILM IMAGING SYSTEM	\$215.00
KYMALA, SHANNON	\$200.00	(AUTOMOTIVE.)	
SDAE4-HP DAVISON COUNTY	\$140.00	QUALITY MOTORS	\$434.87
STEINLEY REAL ESTATE	\$325.00		

At 10:01 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to enter an Executive Session for contractual and personnel matters per SDCL 1-25-2.

At 10:28 a.m., Mockler moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

At 10:28 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, March 28, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

March 28, 2023

The Board of County Commissioners met in regular session Tuesday, March 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.

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the agenda with the addition of Right-of-Way Applications from Clay-Union Electric, highway materials bid acceptance, Rural Access Infrastructure Fund (RAIF) township award, Executive Session for legal matters.

Hammond moved, seconded by Thiesse and unanimously carried to approve the minutes of the March 14, 2023 meeting.

Facilities Manager Scott Hanson met with the Board to give an update on the courthouse mechanical/electrical/HVAC project. He said a general contractor and the subcontractors have viewed the building, so things are progressing nicely prior to bidding. There has been a lot of discussion regarding how to keep offices and the courts functioning during the renovations. He plans to put together a letter for department heads to discuss the scope of work and how it will affect their offices. He listed some of the various projects: cutting through walls, boring floors, ductwork, electrical, technology, lighting, fire alarm and suppression system, emergency lighting, boiler replacement, 49 fan coil units, and acoustical ceilings. He said he does not know how long it will take. He was contacted by another contractor interested in bidding. Asbestos and lead testing results came back positive for both. He will report this to the department heads as well as employees have a right to know. There will be remediation/abatement required in the areas where the work will be occurring. The Brownfields grant program should pay for the asbestos abatement. Mockler said it is good that Hanson said it is good that he is sending out letters to department heads. He has had conversations with subcontractors that will not bid because it is a nightmare to work in this building due to having to work around the offices. Mockler said they will need to understand, and the work has to happen. The courts have stopped us from mowing the lawn in the past, and that cannot happen with this project. Smith discussed moving court elsewhere. State's Attorney Alexis Tracy discussed the possibility of moving court to another county. Mockler asked what kind of makeshift courtroom could be put into a strip mall. Gray-Lobe asked if the commission room could be used, but Mockler said the Board will need to use it as well. Tracy said any time the law school is used, the Highway Patrol has to provide security, etc. Gray-Lobe asked if City Hall could be a possibility. Tracy said it is probably a conversation for the Judge and Sheriff. Tracy suggested starting with Judge Bern, and she can decide whether to include Judge Gehring. Hammond said this room could work for non-jury trial rather than moving offsite. Mockler said the noise will still be a problem. If mowing the lawn is a problem, then working a floor above will be a problem. Hanson discussed needing to schedule the project so that we have cooling or heating during the appropriate seasons. Tracy said they have done continuation requests during COVID, but it bottlenecks things because it is

just shifting cases down the road. Hanson said there has been discussion about handling cutting and drilling over a weekend to cut down on the noise during business hours.

Zoning Administrator Drew Gunderson met with the Board. A First Reading and Public Hearing was held for Ordinance #2023-01, An Amendment to the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, specifically a recommendation of adoption of an amendment to Chapter 14.03, amendments and change of zone, and amendment to Chapter 14.04, amendments and change of zone. Mockler moved, seconded by Hammond to advance the proposed Ordinance #2023-01 to the Second Reading on April 3, 2023 at 6:30 p.m. at City Hall.

Tracy met with the Board to discuss a training opportunity at USD in July for sexual assault matters. Specialized training is rare, and it is a week-long training. It is \$850/person, and she did not budget for it as it was not planned. USD can fund one of her staff to go. They need the County to front the cost and be reimbursed. Mockler asked how often the training comes around. Tracy said never. This is an opportunity where the USD director has been good about bringing in national trainers to USD. Some of them have been free, and they have provided the opportunity to us. Gray-Lobe asked if this is something the Sheriff's Office would benefit from. Tracy said she doesn't know if the Sheriff's Office is going, but she knows some law enforcement will be there. Mockler asked, if she was not leaving, would she want to send everyone? He said they would be making a decision for the next person, but it's a good opportunity. Thiesse said it is at least giving them the option. Mockler said we would have to pay for the slots. Smith said, if they did not want to go, the County could send someone from the Sheriff's Office. Tracy said, overall, the State's Attorney budget should not go over due to this training. Mockler and Tracy discussed the budget further. Hammond said he thinks it would be good to send both people. Mockler moved, seconded by Hammond and unanimously carried to sign up two people for the training.

A public bid opening was held for the 2023 Micro-Surfacing Project. Bids were opened and read aloud. Brad Stangohr from Ulteig Engineering was present to assist. Missouri Petroleum Products bid \$2,219,787.40 with bid bond present, ASTECH Corporation bid \$2,392,414.77 with bid bond present, and ASCO bid \$2,711,414.95 with bid bond present. Mockler and Stangohr discussed that ASTECH has historically been the low bidder, but Missouri Petroleum Products has bid in the past. Stangohr said he will review bids to ensure they meet specifications. The Board will award bids at the next meeting. Highway Superintendent Rod Polley said this is about \$400,000 over his budget. Stangohr said this includes Yankton County's portion as well, so it might not be over budget. He will have separate contracts, but he combined the bidding process to create volume and encourage lower bids. Hammond said Yankton's portion is smaller than Clay County's because they are only in their second year of using micro-surfacing. Mockler said we are ahead of schedule on the plan because we did extra when the prices came in low, so if we have to cut back at some point due to cost we can. Polley said he will have Ulteig look at another section of road going to where the new grain facility is going in Union County. Stangohr said they will do core samples. Polley said it has been holding up so far. Mockler discussed the volume that the new facility is supposed to handle. Hammond said, worst case, we would have to take it up and redo base. Mockler said there will be a lot of traffic because the long-term plan is to do fertilizer as well. Stangohr said there might be concrete on the Union County side. It will

be an expensive project. He thinks the Union County section will be the worst of the traffic. He and Hammond discussed testing samples. Stangoehr said his gut tells him we will not have a lot to work with under the road. Hammond said to make sure we do it right so the first payment is not wasted. Polley said there was SBI grant funding available when Clay County was supposed to get an ethanol plant. Stangoehr said he is helping Union County with a grant application, and roads to the plants almost always get a grant. They are 80/20 with a maximum of \$600,000 of state funds. Polley asked, while they are doing core samples, should we go from Highway 19 all the way to the county line, or should we only do from Hub City east? Stangoehr said the samples are only about \$300 each. Hammond and Gray-Lobe said it makes sense to go from Highway 19 to the county line.

The Board considered Right-of-Way Applications from Clay-Union Electric on 300 St. in Section 17 and 21, T95N, R51W, 302 St. in Section 32, T95N, R53W, 465 Ave. in Section 18, T95N, R51W, Bluff Rd. in Section 2, T93N, R53W, 459 Ave. in Section 6, T92N, R52W, and 468 Ave. in Section 15, T95N, R51W. Hammond moved, seconded by Mockler and unanimously carried to approve the applications as presented.

Polley said at his conference last week, there was a presentation on the RAIF. We were only supposed to grant 80% of the project. We awarded Star Township the full amount in error. Smith said it sounds like they are only allowed to spend 80% and any surplus would have to be returned to the County. Polley said the County has not cut a check for the award. Stangoehr said if they can reuse some materials, it could be considered a match portion. Smith said there should be something in writing stating what they are eligible for. Polley said he has not spoken to the township board yet. He will call Ron Peterson with the township board today. Hammond said we had to approve the entire project cost, but the grant program will only pick up 80% of that. Polley discussed past projects where the County has been able to re-use materials. There was discussion regarding residences in the area and size of the structure, whether the County would then be responsible for it if it is too large.

The Board discussed highway materials bid acceptance. Polley said he will send out a spreadsheet and add it to next week's agenda.

Hammond updated the Board that the OLLI class he presented to had about 12 people. He used some information that Auditor Carri Crum put together for him, and he used portions of the Master Transportation Plan. He presented on what each County department does, how we pay for those services, the transportation plan, and the inability of the County to continue discretionary support of outside organizations. Gray-Lobe said he ran into a constituent at the Post Office that asked him to pass along their appreciation to Hammond for the presentation. Hammond said he has run into about half of the attendees and received good feedback. Smith said the legislature will be having a summer study about county revenue. There is a proposal almost every year, and this year they will actually be studying it. It doesn't mean anything will happen, but we'll see. Hammond said a couple weeks ago there was an article based on Davison County where they described how county expenses are not limited, but county revenue is and describing that it is a statewide issue.

Mockler asked Polley what we bought tires for that totaled around \$4,300. Polley said it was for a lot of different pieces of equipment. It was a big trailer full, including 4 rear tires, 3 front truck tires, 4 trailer tires, and 2 front pickup tires, all purchased off the State bid prices.

Polley said he is hoping to get the weight limits off soon, but the roads are still weeping.

Polley said he is thinking of switching the department to summer 10-hour days soon as well. He also suggested a 4-day work week for the courthouse while the renovations are taking place.

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

(PAYROLL)

COMMISSIONER'S	\$8,978.03
AUDITOR'S OFFICE	\$14,159.75
TREASURER'S OFFICE	\$23,854.28
STATE ATTORNEY'S OFFICE	\$31,754.67
COURTHOUSE	\$10,475.41
DIRECTOR OF EQUALIZATION	\$12,9683.78
REGISTER OF DEEDS	\$9,915.64
VETERAN'S OFFICE	\$1,893.78
24/7 PROGRAM	\$2,444.95
SHERIFF'S OFFICE	\$58,765.56
COUNTY JAIL	\$31,392.27
EMERGENCY MGMT	\$5,560.75
HIGHWAY	\$54,773.23
COMMUNITY HEALTH NURSE/WIC	\$3,608.21
EXTENSION OFFICE	\$3,335.32
WEED	\$1,462.04
PLANNING & ZONING	\$4,043.67

(CASH FOR CD)

FIRST DAKOTA NATIONAL BA	\$185,000.00
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(PAYROLL WITHHOLDING)

AFLAC	\$1,076.81
CLAY CO FIT FICA	\$64,046.83
COLONIAL LIFE	\$183.16
CONSECO/WASHINGTON	\$24.45
DIV OF CHILD SUPPORT IA	\$220.00
DIV OF CHILD SUPPORT SD	\$1,541.00
DOOLEY, TIM	\$618.24
NEW YORK LIFE INSURANCE	\$328.57
SD RETIREMENT SYSTEM	\$33,908.87
SD SUPPLEMENT RETIREMENT	\$7,185.00
SDRS ROTH 457(B) PLAN	\$375.00
TASC PVR	\$2,479.13
THE STANDARD - DENTAL	\$1,324.68
THE STANDARD - LIFE INS.	\$376.06
THE STANDARD - SH TRM DI	\$1,035.91
THE STANDARD - VISION	\$195.20
UNITED WAY OF VERMILLION	\$232.17
VERMILLION FEDERAL	\$750.00
WELLMARK BLUE CROSS	\$55,686.63

(PROFESSIONAL SERVICES AND FEES)

AVERA MCKENNAN HOSPITAL	\$790.00
BILLINGS, JOHN P	\$5,310.25
ERICKSON SOLUTIONS GROUP	\$3,850.90
FEDEX	\$19.01
FIRST DAKOTA CREDIT CARD	\$1,766.13
LARSON, VAL	\$12.00
LEWNO, LUCILLE M	\$156.60
LOCKWOOD, DARCY	\$12.00
QUALIFIED PRESORT SVC IN	\$65.70
REDI TOWING	\$150.00
YANKTON CO SHERIFF	\$50.00

(OTHER PROFESSIONAL SERVICE)

SCHILDHAUER, T. LEMBCKE	\$1,098.00
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(LAW OFFICE)

DOUVILLE, DORA	\$21.00
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(PUBLISHING)

BROADCASTER PRESS	\$465.73
NEW CENTURY PRESS ACCT44	\$409.25

(REPAIRS AND MAINTENANCE)

FIRST DAKOTA CREDIT CARD	\$324.36
INTEK	\$175.00
INTERSTATE POWER SYS INC	\$2,199.28
LOFFLER COMPANIES	\$353.76
NELSEN ELECTRIC LLC	\$670.00
PRESSING MATTERS	\$179.00
PRESTO-X COMPANY LLC	\$247.89
VERMILLION ACE HARDWARE	\$131.02
VERMILLION FORD	\$169.50

(DATA PROCESSING/CLAY CREEK/INF)

AUMENTUM TECHNOLOGIES	\$2,352.62
FIRST DAKOTA CREDIT CARD	\$8,782.20
NEW CENTURY PRESS ACCT44	\$35.56
(YANKTON CLAY EXPENSE)	
NEW CENTURY PRESS ACCT44	\$35.56

(SUPPLIES & MATERIALS)

BARCO MUNICIPAL PRODUCTS	\$58.90
BROCK WHITE COMPANY	\$1,166.13
BROOKINGS CO SHERIFF DEP	\$18.59
BRUNICK SERVICE, INC.	\$60.00

BUHLS DRYCLEANERS & CINTAS	\$16.09	CITY OF VERMILLION	\$2,636.65
CORTRUST BANK	\$133.98	FIRST DAKOTA CREDIT CARD	\$899.34
COYOTE ENTERPRISE LLC	\$4.00	MIDAMERICAN ENERGY C H	\$1,135.79
FIRST DAKOTA CREDIT CARD	\$74.99	MIDCO BUSINESS	\$210.39
GRAHAM TIRE S.F. NORTH	\$1,248.78	VERIZON WIRELESS EMG	\$80.02
HY-VEE, INC. JAIL ACCT	\$4,399.48	VERIZON WIRELESS HWY TRS	\$96.41
INTERSTATE POWER SYS INC	\$132.61	VERIZON WIRELESS SHERIFF	\$401.92
JACK'S UNIFORMS & EQUIP.	\$415.36	VERMILLION GARBAGE SVC.	\$176.00
LAWSON PRODUCTS, INC.	\$118.89	(PAYMENT)	
LOFFLER COMPANIES	\$393.42	CURRAN, MICHAEL	\$20.00
MCPHERSON, LARRY	\$437.63	FIRST DAKOTA CREDIT CARD	\$57.96
NELSEN ELECTRIC LLC	\$110.81	HEEREN, DANIELLE	\$57.14
ONE OFFICE SOLUTION	\$149.65	HY-VEE, INC. JAIL ACCT	\$326.58
OVERHEAD DOOR COMPANY	\$233.52	KRONAIZL, JESSICA	\$20.00
PHARMCHEM, INC.	\$182.00	MCGUIRE, JAMES	\$56.12
PRESSING MATTERS	\$1,297.34	MUECKE, MARY	\$20.00
PROCHEM DYNAMICS	\$452.00	NELSEN, PEGGY	\$50.00
QUALIFIED PRESORT SVC IN	\$1,531.70	O'CONNOR, RENNAE	\$55.10
QUILL CORP. TRS	\$7,495.18	OLSON, KATHERINE	\$50.00
SANITATION PRODUCT	\$102.21	PASSICK, CHAD	\$50.00
STURDEVANT'S AUTO HWY	\$233.47	ROTHSCHADL, BARBARA	\$50.00
VERMILLION ACE HARDWARE	\$70.47	SCHULTZ, JAMES	\$50.00
VERMILLION FORD	\$159.42	THE SOAP GUYS	\$34.40
(COPIER SUPPLIES)		VERMILLION AUTO WORKS	\$539.00
RELIANCE TELEPHONE	\$500.00	WAYSMAN, CALEY	\$50.00
(TRAVEL AND CONFERENCE)		WHERRY, JAY	\$56.12
FIRST DAKOTA CREDIT CARD	\$62.99	(JDC/SPECIAL EQP.)	
SD ASSN. OF CO. OFFICIAL	\$110.00	MINNEHAHA COUNTY JDC	\$1,946.49
SD SHERIFF'S ASSN	\$115.00	(BOOKS)	
(UTILITIES)		THOMSON REUTERS - WEST	\$648.60
CENTURYLINK EMG	\$20.87	(FURNITURE AND MINOR EQUIPMENT)	
		CANON	\$348.11

The Sheriff's Office monthly reports, Vermillion Public Library Board reports, and the following Auditor's Account with the County Treasurer report were accepted and placed on file.

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 March 1, 2023.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	10,413,927.07
Amount of actual cash	1,968.66
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	81,567.33
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	394.67

Checks returned and not deposited	
Cash Items	700.00
Investments	151,000.00
Cash Variation	0.00

Total

Dated this 1st day of
March, 2023.

10,649,557.73

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes are as follows: Erin Cook hired as full-time jailer effective 3/20/23 at \$20.29/hr. and Brock Voss hired as part-time jailer effective 3/7/23 at \$20.29/hr.

At 10:20 a.m., Hammond moved, seconded by Mockler and unanimously carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 10:55 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

At 10:55 a.m., Mockler moved, seconded by Thiesse and unanimously carried to adjourn and reconvene at 6:30 p.m. on Monday, April 3, 2023 at City Hall, 25 Center St., for a special joint meeting with the City of Vermillion City Council.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

April 3, 2023

The Board of County Commissioners met in a joint meeting with the City of Vermillion City Council Monday, April 2, 2023 at 6:30 p.m. for a Second Reading of Ordinance #2023-01.

County members present: Richard Hammond, Elizabeth Smith, David Thiesse, Travis Mockler, and Geoffrey Gray-Lobe.

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

City Engineer José Dominguez gave a brief report regarding the proposed ordinance changes. No one appeared in opposition, and no written correspondence was received. Mockler asked why one copy noted Sections 14.3 and 14.4 instead of 14.03 and 14.04. It was clarified that it was a technology conversion error, and the correct information had been posted for the public.

Councilman Steve Ward began a discussion regarding the posting of signs for a zoning change when multiple properties are affected. It was determined that the ordinance should have “properties” instead of “property,” and that it would be an insignificant change. Mayor Jon Cole said there is another layer of communication as the property owners are notified by mail.

Councilwoman Julia Helleweg discussed language regarding notification when over five properties are affected. Gray-Lobe moved, seconded by Mockler to pass and adopt Ordinance #2023-01, An Ordinance Amending Ordinance #2013-04 (Updated with Amendments Through #2017-01) for Amending the 2013 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 14 Amendments and Change of Zone; Section 14.03 Hearing by Planning Commissions; and Section 14.04 Hearing by Board of County Commissioners and City Council, with amendments to “A. Signs” to read, “A sign(s) to be provided by the Clay County Zoning Administrator shall be posted on the property, or properties, at least seven days prior to the scheduled hearing. If the request is for five or more properties, signs shall be posted at the public entrances to the general area affected.” Roll call vote: Hammond Aye, Smith Aye, Thiesse Aye, Mockler Aye, Gray-Lobe Aye. Motion passed. The adopted ordinance is as follows:

Ordinance #2023-01

AN ORDINANCE AMENDING ORDINANCE #2013-04 (UPDATED WITH AMENDMENTS THROUGH #2017-01) FOR AMENDING THE 2013 JOINT ZONING REGULATIONS FOR CLAY COUNTY AND THE CITY OF VERMILLION, CHAPTER 14 AMENDMENTS AND CHANGE OF ZONE; SECTION 14.03 HEARING BY PLANNING COMMISSIONS; AND SECTION 14.04 HEARING BY BOARD OF COUNTY COMMISSIONERS AND CITY COUNCIL.

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

14.03 Hearing by Planning Commissions

Upon the filing of an application for a request of zoning district classification change, the Clay County Zoning Administrator shall set a date for a public hearing, at which time and place the County and City Planning Commissions shall meet jointly to consider the zoning classification changes. Said public hearing shall comply with the provisions of SDCL Chapters 11-2, 11-4 and 11-6.

- A. Signs. A sign(s) to be provided by the Clay County Zoning Administrator shall be posted on the property, or properties, at least seven days prior to the scheduled hearing. If the request is for five or more properties, signs shall be posted at the public entrances to the general area affected.

- B. The applicant must notify adjoining property owners of record by registered or certified mail at least 10 days before the public hearing by the Planning Commissions. If the change of zone is initiated by either the City or the County the property owner(s) shall be notified in the same manner.
- C. Recommendations from Planning Commissions. The County and City Planning Commissions shall, respectively, make a recommendation to the Board of County Commissioners and City Council on those applications for zoning district classification changes which have been considered and all other amendments to these regulations.

14.04 Hearing by Board of County Commissioners and City Council

The Board of County Commissioners and the City Council shall jointly conduct all public hearings for all readings of an ordinance to act on all applications which have been processed and forwarded to them for public hearings as provided in these regulations. The County Auditor shall cause to be published all notices of the time and place when and where all persons interested shall be given a full, fair, and complete hearing. Said public hearing shall comply with the provisions of SDCL Chapters 11-2, 11-4 and 11-6.

- A. Supplementary Notice. Supplementary to the published notice, a sign(s) to be provided by the Clay County Zoning Administrator shall be posted on the property at least seven days prior to the scheduled hearing.
- B. Hearing. Upon the day of any public hearing, the Board of County Commissioners and the City Council shall review the decisions and recommendations of their respective Planning Commissions on all applications coming before them as provided in these regulations. At the final reading, the Board of County Commissioners and the City Council must each vote in favor of the proposed action before any changes or modifications are made in the regulations, restrictions, or zoning map.
- C. Reapplication. No application requesting a zoning district classification change on any property whose application includes any such property either entirely or substantially the same as that which has been denied by the Board of County Commissioners and City Council, shall again be considered by the Planning Commissions before the expiration of six months from the date of the final action of the Board of County Commissioners and City Council.

Planning Commission Public Hearing: February 27, 2023

First Reading: March 28, 2023

Second Reading & Adoption: April 3, 2023

Publication: April 14 & 21, 2023

Effective Date: May 11, 2023

Elizabeth T. Smith, Chairperson, Clay County
Board of County Commissioners

ATTEST:

Carri R. Crum, Clay County Auditor

At 6:43 p.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and reconvene at 9:00 a.m., Tuesday, April 4, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

April 4, 2023

The Board of County Commissioners met in regular session Tuesday, April 4, 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.

Hammond moved, seconded by Thiesse and unanimously carried to approve the minutes of the March 28, 2023 meeting.

Director of Equalization Ina Peterson met with the Board for her annual review.

Polley presented his bid award recommendations for the highway materials bids. Smith asked about his asphalt concrete recommendation to award to all bidders according to what is most advantageous to the County. Polley said, depending on the location where they are working, it is faster and more efficient to pick up material from one bidder than another. Hammond said the time affects the quality of the product. Mockler moved, seconded by Gray-Lobe and unanimously carried to award bids per the Highway Superintendent's recommendations, including the Beadle County TrueNorth Steel bid.

Clay County Highway Department
2023 Material Bid Recommendations

Asphalt Concrete (Hot Mix)

	Myrl & Roys	Knife River	Barkley
G-1	\$80 per ton	\$80 per ton	\$87 per ton
G-2	\$84 per ton	\$80 per ton	\$87 per ton
D-1		\$86 per ton	
D-2		\$86 per ton	

Recommend awarding to all bidders, whichever is most advantageous to Clay County.

Road Sealant

	Mid States	Brockwhite
Cracksealer	\$0.692 per lb. (boxed)	\$0.69 per lb. (boxed)
	\$0.726 per lb. (polyskin)	\$0.73 per lb.(polyskin)
Mastic One	\$0.64 per lb. (polyskin)	\$0.64 per lb.(polyskin)
		\$0.60 per lb. (boxed)

Recommend awarding to all bidders for availability of product.

Flex-A-Mat & Hardware

	Brockwhite	True-North Steel
	\$4.75 per sq. ft.	\$4.65 per sq.ft.

Recommend awarding to TrueNorth Steel (low bidder).

Blades & Cutting Edges

	TrueNorth Steel
3/4" X 8" X 8'	\$25.43 per ft. - \$203.44 each
3/4" X 8" X 12'	\$24.97 per ft. - \$299.64 each
3/4" X 6" X 4'	\$73.28 per ft. - \$293.12 each

Recommend awarding to TrueNorth Steel (only bidder).

R.C.P (reinforced concrete pipe)

	Rinker
24"	\$44.21 per ft.
36"	\$80.85 per ft.
48"	\$145.57 per ft.
60"	\$225.43 per ft.

Recommend awarding to Rinker (only bidder).

Pre-Cast Concrete Box Culvert

	Rinker
6' X 6' X 6' single barrel	\$543.00 each
7' X 7' X 6' single barrel	\$590.00 each
8' X 8' X 6' single barrel	\$645.00 each
10' X 10' X 6' single barrel	\$797.00 each
7' X 7' X 6' double barrel	\$1,026.00 each
8' X 8' X 6' double barrel	\$1,122.00 each
10' X 10' X 6' double barrel	\$1,355.00 each

Recommend awarding to Rinker (only bidder).

Concrete Cattle Passes

	Rinker
4' X 6'	\$277.84 per ft.

Recommend awarding to Rinker (only bidder).

Pre-Stressed Concrete Bridge Deck Units

	Rinker
30' X 23"(deep) X 3'10"(wide)	\$4,833.00 each
30' X 30"(deep)X 3'10"(wide)	\$5,506.00 each
40' X 23"(deep) X 3'10" (wide)	\$6,202.00 each
40" X 23"(deep) X 3'10" (wide)	\$6,756.00 each

Recommend awarding to Rinker (only bidder).

Pre-Stressed Concrete Bulb Tee Bridge Deck Units

	Rinker
50' X 40"(deep) X 6'(wide)	\$13,848.00 each
70' X 40"(deep) X 6'(wide)	\$19,187.00 each
50' X 40"(deep) X 8'(wide)	\$16,431.00 each
70' X 40"(deep) X 8'(wide)	\$23,559.00 each

Recommend awarding to Rinker (only bidder).

Mockler moved, seconded by Hammond and unanimously carried to approve the low bid of \$2.883/gallon from Jerry's Service for #2 diesel fuel.

Polley discussed the Bridge Improvement Grant (BIG) Program awards for rehab of structures #14-112-090 and #14-130-146. He said the program is an 80/20 match program. The first structure is on the Volin Oil west of Ron Huot's property. The projected cost is \$903,830, with the County's portion of that being \$180,766. It involves a new deck and fixing rebar. The other structure is on University Rd. south of Erlan Olson's new house. It involves fixing delamination and putting an epoxy chip seal on top. The total cost is projected to be \$539,712, with the County's portion of that being \$107,942. It is not in his 2023 budget because the didn't think we

would be awarded the funds. He said the roads have held up well over the winter, so he can shift some money from the planned asphalt projects. The price will go up next year for the bridges, so he does not want to wait. Mockler said the trees are starting to pile up the bridge west of Huot's property. Polley said he has not been out to look at that one, but he will. He said the water will be out of the banks at 300 St. soon. Mockler asked if there will be a weight limit on the bridge north of Meckling over the creek. Polley said he disagreed with the engineer's assessment of that structure, and the SDDOT agreed with him, so there will not be a limit posted. Polley said, regarding road weight limits, we have not seen any weeping so we are in good shape. Union County is taking their limits off tomorrow, and Yankton is holding off another week. Core samples are lined up for the Volin Oil, but they are waiting until it is done weeping. Hammond said he thinks the idea of shifting money from the asphalt projects to these bridges is the right thing to do. He discussed patching of the settling on the south side of the bridge near the airport. Polley said it is temporary until they get asphalt.

Highway Superintendent Rod Polley and Ulteig Engineering's Brad Stangoehr met with the Board for the 2023 Micro-Surfacing project public bid awards. Stangoehr reviewed bids after last week's bid opening to ensure they met specifications. Stangoehr said the low bidder, Missouri Petroleum is a long-term contractor. The Clay County portion of the bid was \$985,831.40, and the remainder of the total \$2,219,787.40 was Yankton County's portion. Mockler moved, seconded by Hammond and unanimously carried to accept the low bid from Missouri Petroleum for \$985,831.40 and authorize the Chairwoman to sign the Notice of Award.

Polley asked what is involved with updating the ordinance that allows the County to cut overhanging trees. He and Auditor Carri Crum discussed the process.

The Board considered Resolution #2023-06 for Cancellation of Outstanding Checks. The Treasurer has completed the notification process and maintains a list of the checks to be cancelled. Hammond moved, seconded by Mockler to pass and adopt Resolution #2023-06 for Outstanding Checks Cancellation. Vote of the Board: 5 Ayes, 0 Nays. Motion passed.

RESOLUTION #2023-06
Auditor/Treasurer Outstanding Checks Cancellation

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

NOW THEREFORE BE IT RESOLVED, that the Board of Clay County Commissioners hereby authorize the cancellation of checks and warrants of record, in the Clay County Treasurer's Office that have not been presented for payment within the one (1) year of the date of the said checks or warrants, for \$463.19 in Treasurer's Checks and that the Auditor and Treasurer Office's shall make note of such cancellation in the Warrant and Check Register, respectfully. (List on File in the Auditor's Office)

Dated this 4th day of April, 2023, at Vermillion, South Dakota.

Commissioner Hammond moved for the adoption of the foregoing resolution, motion seconded by Commissioner Mockler.

Vote of Commission: Ayes 5 Nays 0.

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

Board of County Commissioners
Clay County, South Dakota

Attest:

Elizabeth T. Smith, Chairwoman

Carri R. Crum, County Auditor

Facilities Manager Scott Hanson met with the Board for the courthouse mechanical/electrical/HVAC project public bid opening. Sealed bids were opened and read aloud. L&L Builders bid \$5,000,000 and sent a bid deduction of \$2,311,000 prior to the deadline, making the total bid \$2,689,000, and Electric Construction Company bid \$2,708,000. Bids will be reviewed to ensure they meet specifications, and the bid award will be on the next agenda.

Sheriff Andy Howe met with the Board to give an update on the patrol vehicle order. Last year we were scheduled to replace a patrol car and two more this year. He reached out to Wegner Auto to order 3 cars but was able to find a Federal Surplus Property patrol car in Nebraska. He continued to seek 3 cars because we had no idea when a vehicle would become available. Wegner thinks 2 of them will ship within a month. He asked the Board if he should cancel the third vehicle order. He doesn't have money in this year's budget and is comfortable with the plan of budgeting a car and a half a year. He would need about \$45,000 supplement to get the third car. Thiesse asked if he is fitting within his miles and expectation for the vehicle replacement. Howe said they have one that he would replace, a 2017 with a lot more miles than the Federal Surplus Property vehicle. The only concern is miles. It still operates fine. It will go out next year on schedule. He is not uncomfortable purchasing only 2 cars this year. Thiesse asked if he can change delivery to next year for one of the vehicle orders. Mockler said he would take the 2 vehicles and not cancel the order for the third. It might be September before it arrives. The 2024 will still be more expensive. Thiesse said if it shows up, someone else probably is waiting for one if we don't take it. Howe said he is sure they have buyers. He doesn't want to take the liberty of 3 cars if he hasn't budgeted for it. The consensus of the board was to keep the third vehicle on order. Even if it shows up later in the year, it's still zero miles. Howe and Hammond discussed mileage per year. Howe talked about the transport van. He can make it last longer if he keeps one of the outgoing patrol cars for transporting only one or two inmates at a time, and overall usage will decrease once the new jail is built.

Howe also discussed part-time jail staffing. He has the opportunity to hire 2 former law enforcement officers to do inmate transports to court, etc. When they have additional needs for staff, mainly for court, they call in part-time jailers. The problem is the part-timers are typically college students, so they are not as available during the day. He would like to add the additional staff. It will not cost any more as it is the same staffing need. It is just additional people on the roster. The consensus of the Board was to allow it.

Weed Supervisor Dennis Ganschow met with the Board to give an update on grant applications. The County was awarded a \$28,700 grant for the first year of a planned 3-year project on the Missouri River from Union County through Charles Mix County. He had a meeting of Weed Supervisors, and Bon Homme County didn't show up. Unless they put in effort, they will not get anything out of it. He said the project will start around Pickstown dam because the weeds are coming this way. They will stop them there first and go until they are out of money or time. He will be in the boat for most of it with someone from the other county. They will make maps where it needs to be sprayed. The his assistant will run the boat for spraying because the grant will pay his wages, not Ganschow's. There will be long days, and it might be feasible to get a motel room rather than drive back. He put travel expenses in the grant application and will make sure it covers motel and gas. Odds are it won't be a full week of work at a time because of weather.

Ganschow discussed summer weed sprayer positions. He said he has hired two and would like to find one more.

At 9:54 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 10:33 a.m., Mockler moved, seconded by Hammond and unanimously carried to exit the Executive Session.

At 10:33 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, April 11, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

April 11, 2023

The Board of County Commissioners met in regular session Tuesday, April 11, 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 with the addition of authorization for the Chairwoman to send a letter of intent to convey a piece of property along Baylor to the City of Vermillion and discussion and decisions regarding the Director of Equalization position, the State's Attorney position, the Highway Mechanic position, and an Assistant to the Highway Superintendent position.

Gray-Lobe moved, seconded by Hammond and unanimously carried to approve the minutes of the April 4, 2023 meeting.

At 9:02 a.m., Thiesse moved, seconded by Hammond and unanimously carried to adjourn and convene as Clay County Ditch Board with Ditch Board Chairman Mockler presiding.

Brad Stangohr, Ulteig Engineering, was present to discuss progress on the Clay Creek Ditch Cleanout project. He presented a Application for Payment from Two Rivers Contracting for \$17,236.71. The Board also reviewed an invoice from Ulteig Engineering for \$2,005.00 for the Clay Creek Ditch. Smith moved, seconded by Gray-Lobe and unanimously carried to approve payment of the invoices.

At 9:06 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman Smith presiding.

The Board met with Facilities Manager Scott Hanson and Lynn Remmers from JLG Architects regarding the bids for the courthouse mechanical/electrical/HVAC project. They reported that the bids met specifications, and there were no red flags. Remmers said her firm reviewed the list of subcontractors and determined that both bidders are responsible bidders. Hanson said there are loose ends to tie together to get the work done, such as how the offices will continue to serve the public while work is being done. Inflation risks were discussed, and Remmers said it is still high. Hanson said we may need to be flexible on start and end dates due to lead times on materials. Thiesse said there is no advantage to waiting as material costs are risky. Hammond said the engineering is done, and the low bidder is experienced. He has worked in the past with them and considers them a good prime contractor. Hammond moved, seconded by Gray-Lobe to accept the low bid from L&L Builders for \$2,689,000. Under discussion, Mockler asked Remmers if the County can bid the project with the jail. Remmers said she is not sure there would be any financial advantage to that. Mockler said we should have bid the project in the fall. Hanson said it is 120 days out for materials, but some of the work can be done this summer. Mockler said he is worried about running short on funds for the jail project. Remmers said there are things that can be done on the jail & law enforcement center project to help with any shortage. She said they can also negotiate a little on cost for this project as well with things such as lighting. Also, the

subcontractors would be available in the fall. Smith said it will be advantageous to replace the boiler in the summer. Hammond discussed lead times on materials if the County were to bid again later. Vote of the Board: Mockler Nay, Gray-Lobe Aye, Smith Aye, Thiesse Aye, Hammond Aye. Motion passed.

Welfare Director Drew Gunderson met with the Board to present Welfare Case #CW23-007 for a county burial. He said the individual had about \$900 in resources. Mockler moved, seconded by Thiesse and unanimously carried to approve payment of \$1,000 for the burial as the individual met current welfare guidelines.

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

(DUE TO OTHER GOVERNMENT)		(PUBLISHING)	
CLAY CO TREASURER	\$1,518.76	BROADCASTER PRESS	\$623.31
(REGISTER OF DEEDS FEES)		NEW CENTURY PRESS ACCT43	\$105.71
SD ASSN. OF CO. OFFICIAL	\$11,180.02	NEW CENTURY PRESS ACCT44	\$160.75
(SHERIFF'S FEES)		PLAIN TALK/BROADCASTER	\$42.88
CLAY COUNTY SHERIFF	\$596.58	(REPAIRS AND MAINTENANCE)	
(MISC. REIMBURSEMENTS)		BENTSON PEST MANAGEMENT	\$160.50
STATE OF SD RECORDS MGMT	\$310.05	BUHLS DRYCLEANERS &	\$261.13
(PROFESSIONAL SERVICES AND FEES)		CANON	\$161.12
AUTOMATIC BLDG. CONTROLS	\$219.00	HEIMAN INC.	\$953.00
BROADCASTER PRESS	\$27.52	INTERSTATE POWER SYS INC	\$12,207.37
CITY OF VERMILLION	\$15.00	JOHNSON FEED, INC.	\$493.85
FEDEX	\$46.07	VERMILLION ACE HARDWARE	\$23.99
GAPP, DEBRA	\$5,020.00	(DATA PROCESSING/CLAY CREEK/INF)	
HEIMAN INC.	\$180.00	MICROFILM IMAGING SYSTEM	\$945.00
LINCOLN COUNTY AUDITOR	\$1,725.92	TWO RIVERS CONTRACT. VIA	\$17,236.71
MINNEHAHA CO. AUDITOR	\$134.01	ULTEIG	\$2,005.00
OLSON'S PEST TECHNICIANS	\$80.00	(YANKTON CLAY EXPENSE)	
PHARMCHEM, INC.	\$543.15	BROADCASTER PRESS	\$88.32
QUALIFIED PRESORT SVC IN	\$3,811.57	(SUPPLIES & MATERIALS)	
SANFORD HEALTH LABORATOR	\$96.31	A & B BUSINESS	\$190.50
SATELLITE TRACKING OF	\$32.50	A-OX WELDING SUPPLY CO	\$278.04
STATE OF SD RECORDS MGMT	\$540.21	BRUNICK SERVICE, INC.	\$197.19
THE SEWING ROOM	\$12.00	BUTLER MACHINERY CO.	\$128.58
ULTEIG	\$6,690.00	CINTAS	\$209.90
(OTHER PROFESSIONAL SERVICE)		D-P TOOLS, INC.	\$539.00
CITY OF VERMILLION	\$84,586.90	INTERSTATE POWER SYS INC	\$1,918.00
MINNEHAHA COUNTY JAIL	\$849.20	JERRY'S SERVICE	\$20,192.28
SCHAEFER, DEAN	\$60.00	JOHNSON FEED, INC.	\$81.11
SD ATTORNEY GENERAL	\$650.00	MART AUTO BODY & MARINE	\$299.97
UNION CO. SHERIFF	\$25,600.00	MCLEOD'S PRINTING & SUPP	\$339.90
YANKTON CO SHERIFF	\$5,780.00	MICROFILM IMAGING SYSTEM	\$30.00
(LAW OFFICE)		O'REILLY AUTO PARTS	\$176.71
BOYS & GIRLS CLUB, INC.	\$1,750.00	ONE OFFICE SOLUTION	\$64.56
FRIEBERG, NELSON & ASK	\$3,225.00	PROCHEM DYNAMICS	\$413.73
MATTER LAW OFFICE LLC	\$907.39	QUALIFIED PRESORT SVC IN	\$482.13
PETERSON, STUART, KLENTZ	\$10,694.50	QUILL CORP. TRS	\$176.14
TERWILLIGER, PHILIP	\$3,575.00	RUNNINGS SUPPLY INC HWY	\$28.99

SD DEPT OF TRANS	\$94.60	MEWS, JUSTICE	\$71.42
UNION CO. SHERIFF	\$1,256.70	MEYER, MARY	\$55.10
VERMILLION ACE HARDWARE	\$633.89	MISTER SMITH'S	\$84.99
WHEELCO BRAKE AND SUPPLY	\$60.20	MOSER, JON	\$62.24
(TRAVEL AND CONFERENCE)		NELSEN, PEGGY	\$50.00
BRUNICK SERVICE, INC.	\$21.00	NELSON, NANCY	\$10.00
THE LODGE AT DEADWOOD	\$312.00	NISSEN, CHRISTOPHER	\$20.20
(INMATE TRAVEL)		OLSON, KATHERINE	\$50.00
PUMP N PAK	\$313.46	PASSICK, CHAD	\$50.00
(UTILITIES)		PIZZA RANCH 14762	\$1,525.50
BUREAU OF ADMINISTRATION	\$16.83	PUMP N PAK	\$2,768.02
BUTCH'S PROPANE	\$2,039.56	ROTHSCHADL, BARBARA	\$50.00
CENTURYLINK	\$136.15	RUHAAK, BAILEY	\$10.00
CENTURYLINK HWY	\$149.99	SANTY, LANDON	\$50.00
CLAY RURAL WATER SYSTEM	\$55.30	SCHULTZ, JAMES	\$50.00
CLAY UNION ELECTRIC CORP	\$724.42	SCHURCH, JENNA	\$72.44
MIDAMERICAN ENERGY C H	\$356.39	SWALLEY, DESIREE	\$10.00
MIDAMERICAN ENERGY EXT	\$30.05	TAGGART, SHAWNA	\$10.00
MIDAMERICAN ENERGY S C	\$374.40	VERMILLION AREA ARTS CNC	\$1,250.00
MIDCO BUSINESS EXT.	\$75.39	VERMILLION FEDERAL	\$226.75
VERMILLION GARBAGE SVC.	\$60.00	VERMILLION FORD	\$152.84
WAKONDA TOWN	\$66.90	VERMILLION PUBLIC LIBRAR	\$1,000.00
(PAYMENT)		VOSS, ISAAC	\$10.00
ALDRICH, ALAN	\$50.00	WADLEY, PATRICK	\$50.00
ANGLIN, TAMMY	\$10.00	WAKONDA PUBLIC LIBRARY	\$1,250.00
BEEMAN, DONALD	\$61.22	WALKER, BRENDA	\$10.00
BREWER, JOSEPH	\$10.00	WALLER, STEVEN	\$154.85
BRUNICK SERVICE, INC.	\$426.90	WAYSMAN, CALEY	\$50.00
CLAY CO AGR FAIR ASSOC	\$2,062.50	WHERRY, JAY	\$56.12
CLAY CO TREASURER	\$67.60	(JDC/SPECIAL EQP.)	
DAKOTA SENIOR MEALS	\$1,377.25	COYOTE ENTERPRISE LLC	\$74.99
EGAN, TERESA	\$60.20	JACK'S UNIFORMS & EQUIP.	\$95.85
FOLEY, MARK	\$10.00	LIGHT AND SIREN	\$777.23
GAPP, DEBRA	\$10.00	RUNNINGS SUPPLY INC SHRF	\$12.99
GRAHAM TIRE S.F. NORTH	\$1,284.96	SDACC OFFICE	\$1,025.00
GREEN, CHELSEY	\$20.20	(BUILDINGS AND STRUCTURES)	
HANSEN, ROBERT	\$80.60	JLG ARCHITECTS	\$4,060.29
HEEREN, DANIELLE	\$57.14	(FURNITURE AND MINOR EQUIPMENT)	
KIRKPATRICK, MICHELLE	\$58.16	ADVEXURE LLC	\$1,175.00
LEWIS & CLARK BEHAVIORAL	\$6,126.00	MICROFILM IMAGING SYSTEM	\$215.00
MARSHALL, SINEWAY	\$10.00	(MACHINERY AND AUTOMOTIVE EQUIP)	
MARTIN, CASSANDRA	\$10.00	TWO WAY RADIO SOLUTIONS	\$1,811.99
MCGUIRE, JAMES	\$56.12	(AUTOMOTIVE)	
MCPHERSON, SHELLY	\$50.00	BRUNICK SERVICE, INC.	\$107.00

Smith said she had a long talk with Karen DeLange from Alternative HR+, and she will follow up with noted issues. Smith said the Board needs to set up interview dates for the State's Attorney and Director of Equalization candidates and decide who will serve on the interview panels. It was discussed that Deputy State's Attorney Samantha Hargrave should be on the State's Attorney interview panel. The five Commissioners and the City of Vermillion Mayor

should be on the Director of Equalization interview panel. As for the Highway Mechanic position and the Assistant Highway Superintendent position, Alternative HR+ needs a job description to post the positions. Hammond said they need to create it within the County structure, and Smith said they will need a salary for it.

The Board discussed a Letter of Intent (LOI) to convey a small parcel of County property along Baylor to the City of Vermillion as part of the jail & law enforcement center project. It will allow Banner Engineering to proceed. Mockler said he is nervous about issuing the LOI until the City has done the same for the seven acres for the building site as the City Council has had more time than the County and has not acted on it. Thiesse clarified that the County has not received a LOI from the City. Smith said the whole project will require lots of good will on both parts. Hammond said the County needs a LOI from the City. It is not legally binding for them, just as the letter from the County is not legally binding either. Thiesse and Mockler said a LOI will not clear a land title for the City. Mockler said the County can convey the property once the other agreement is in place. Mockler and Thiesse discussed a potential price per acre, and Mockler said he understands it will not be what the City paid because they have gone through the work and paid the interest on it. Gray-Lobe moved, seconded by Mockler and unanimously carried to authorize the Chairwoman to issue a LOI to the City regarding the property on Baylor with the language that the County intends to convey the property to the City once an agreement is also reached for the City to convey the building site for the jail & law enforcement center to the County.

Mockler updated the Board that the jail & law enforcement center building project is getting close to being done with schematics for bidding. He is concerned that if anything needs to be cut due to cost, there will be nothing to cut as it is bare-bones already.

Hammond updated the Board that the Joint Jurisdiction Zoning Area survey will be reviewed, and there will be discussion on whether there needs to be any boundary changes.

At 9:33 a.m., Mockler moved, seconded by Thiesse and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 9:44 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

Auditor Carri Crum reported to the Board that if they need assistance next week with interview correspondence for the open positions, she will be in Phoenix April 17-20 for the United States Election Assistance Commission Standards Board meeting as she has served on that board for about 5 years. She said she will be available via email and can assist that way with anything they may need.

At 9:45 a.m., Mockler moved, seconded by Thiesse and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, April 25, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

**2023 Board of Equalization
Consolidated Board
Clay County**

Chairwoman Elizabeth Smith called the Consolidated Board of Equalization to order at 1:00 p.m., Tuesday, April 11, 2023. Members present: Travis Mockler, Elizabeth Smith, Geoffrey Gray-Lobe, Richard Hammond, Julia Hellwege, Lindsey Jennewein, Richard Holland, and Jacob Skelton. Also present: Chief Deputy County Auditor Nicole Klunder, Director of Equalization Ina Peterson, and Deputy Director of Equalization Lennea Olson. Oaths of Office were given.

The following Director's recommendations were considered:

Appeal #2023-01 – Parkwood Limited Partnership (15206-00200-060-00) The Director's recommendation was to set the total value at \$881,450 due to a change from cost to income approach.

Appeal #2023-02 – One Oh Nine LLC (15720-03300-140-00) The Director's recommendation was to set the total value at \$173,053 due to correcting record to reflect current condition and adding 2 fixtures.

Appeal #2023-03 – Mickalowski, Lawrence (15720-04400-090-00) The Director's recommendation was to set the total value at \$76,342 due to correcting record to reflect current condition.

Appeal #2023-04 – SD District Council of the Assemblies of God (15720-04600-030-00) The Director's recommendation was to set the total value at \$185,724 due to correcting record to reflect current condition.

Hammond moved, seconded by Gray-Lobe and unanimously carried to accept the Director's recommendations for Appeals #2023-01, #2023-02, #2023-03, and #2023-04.

The Consolidated Board adjourned at 1:17 p.m. with a motion by Mockler, seconded by Jennewein and unanimously carried.

Dated this 11th day of April, 2023.

**2023 Board of Equalization
County Board
Clay County**

Chairman Elizabeth Smith called The County Board of Equalization to order at 1:17 p.m., Tuesday, April 11, 2023. Members present: Travis Mockler, Elizabeth Smith, Geoffrey Gray-Lobe, and Richard Hammond. Also present: Chief Deputy County Auditor Nicole Klunder, Deputy County Auditor Jessica Beringer, Deputy State’s Attorney Samantha Hargrave, Deputy State’s Attorney Caitlyn Dommer, Director of Equalization Ina Peterson, and Deputy Director of Equalization Lennea Olson. Oaths of Office were given.

Gray-Lobe moved, seconded by Mockler and unanimously carried to instruct the Director of Equalization to make adjustment for Freeze on Assessment of Dwellings of Disabled and Senior Citizen per SDCL 10-6A.

Mockler moved, seconded by Gray-Lobe and unanimously carried to instruct the Director of Equalization to make adjustment for Veterans Exemption per SDCL 10-4-40 & 10-4-41.

Mockler moved, seconded by Gray-Lobe and unanimously carried to accept the addition of Owner Occupied status for 2023 for the following parcels.

PARCEL NUMBER	NAME	ADDRESS	CITY
15999-01600-007-05	CAMPBELL DEBRA	705 TOM ST	VERMILLION
15999-00500-000-38	BLAINE, ALFRED	411 STANFORD #38	VERMILLION
15999-01000-000-30	SORENSEN CAROL A	833 E DUKE ST #30	VERMILLION
11000-09251-01	HUBERT STACEY A & KYLE J	31539 465 AVE	VERMILLION
15999-00500-000-10	HAHN CRYSTAL	411 STANFORD LOT 10	VERMILLION
14000-01800-020-00	SCHELL THOMAS LEE & CRISTIE LYNN	404 OHIO ST	WAKONDA
15999-01000-000-90	RADEMAKER MICHAEL K	833 E DUKE #90	VERMILLION
15999-01500-010-24	CAKEBREAD SHELBY MAY	1024 KATHERINE ST	VERMILLION
15999-01100-000-11	DAVIS GEORGE	911 E DUKE #11	VERMILLION
15999-01100-000-30	CAMPBELL JACQUELYN	911 E DUKE #30	VERMILLION

The Tax Exempt List for 2023 was presented. Mockler moved, seconded by Hammond and unanimously carried to approve the list as published in county legal newspapers, with the addition of SD District council of the Assemblies of God at 60%. The list is on file in the Auditor’s Office.

The following Appeals were heard for consideration:

Appeal #2023-05 – Michael Lovejoy 2022 Rev. Trust (05000-09452-102-03) The Director’s recommendation was to set the parcel value at \$137,533.

Gray-Lobe moved, seconded by Hammond and unanimously carried to accept the Director’s recommendation for Appeal #2023-05.

Appeal #2023-06 – Nelson, Jolynn & Henderson, Sarah (06000-09451-264-01) The Director's recommendation was to set the value at \$56,633.

Mockler moved, seconded by Hammond and unanimously carried to accept the Director's recommendation for Appeal #2023-06.

Gray-Lobe excused himself from the meeting at 1:50.

Appeal #2023-07 – Falls Investments, LLC (06000-09451-253-01) The Director's recommendation was to set the value at \$43,974.

Appeal #2023-08 – Falls Investments, LLC (06000-09451-253-03) The Director's recommendation was to set the value at \$51,790.

Appeal #2023-09 – Falls Investments, LLC (06000-09451-253-02) The Director's recommendation was to set the value at \$3,636

Appeal #2023-10 – Falls Investments, LLC (06000-09451-253-04) The Director's recommendation was to set the value at \$189,393.

Mockler moved, seconded by Hammond and unanimously carried to table Appeal #2023-10 until April 25, 2023 and to accept the Director's recommendation for Appeals #2023-07, 2023-08, and #2023-09.

Appeal #2023-11 – Marilyn & Maynard Swee Irrevocable Legacy Trust (06000-09451-193-09) The Director's recommendation was to set the value at \$76,393.

Mockler moved, seconded by Hammond and unanimously carried to table Appeal #2023-11 until April 25, 2023.

Appeal #2023-12 – Lundquist, Stephen W (06000-09451-102-00) The Director's recommendation was to leave the parcel value at \$315,505.

Hammond moved, seconded by Mockler and unanimously carried to accept the assessed value for Appeal #2023-12.

Appeal #2023-13 – Dakota Kids LLP (03000-09553-160-04) The Director's recommendation was to set the value at \$194,088.

Hammond moved, seconded by Mockler and unanimously carried to accept the Director's recommendation for Appeal #2023-13.

Appeal #2023-14 – Paul F McGuirk Revocable Trust (08000-09352-151-03) The Director's recommendation was to set the value at \$84,357 due to the soil type classification change from pasture to crop.

Hammond moved, seconded by Mockler and unanimously carried to accept the Director's recommendation for Appeal #2023-14.

Appeal #2023-15 – Jerry W & Norma C Wilson (08000-09352-053-06) The Director's recommendation was to set the value at \$62,148.

Appeal #2023-16 – Jerry W & Norma C Wilson (08000-09352-053-00) The Director's recommendation was to set the value at \$26,143.

Appeal #2023-17 – Jerry W & Norma C Wilson (08000-09352-064-01) The Director's recommendation was to set the value at \$12,953.

Appeal #2023-18 – Jerry W & Norma C Wilson (08000-09352-064-03) The Director's recommendation was to value the parcel at \$218,003.

Appeal #2023-19 – Jerry W & Norma C Wilson (08000-09352-082-03) The Director's recommendation was to set the value at \$15,516.

Mockler moved, seconded by Hammond and unanimously carried to set the value at \$73,102 for Appeal #2023-15 and to accept the assessed values of \$26,143 for Appeal #2023-16, \$12,953 for Appeal #2023-17, \$218,003 for Appeal #2023-18, and \$15,516 for Appeal #2023-19.

Appeal #2023-20 – Marian J Weeks Revocable Trust (11000-09252-022-00) The Director's recommendation was to set the parcel value at \$327,016.

Hammond moved, seconded by Mockler and unanimously carried to accept the Director's recommendation for Appeal #2023-20.

Appeal #2023-21 – Marian J Weeks Revocable Trust (08000-09352-343-03) The Director's recommendation was to set the value at \$149,279.

Mockler moved, seconded by Hammond and unanimously carried to accept the Director's recommendation for Appeal #2023-21.

Appeal #2023-22 – Marian J Weeks Revocable Trust (08000-09352-344-06) The Director's recommendation was to set the value at \$100,502.

Hammond moved, seconded by Mockler and unanimously carried to accept the Director's recommendation for Appeal #2023-22.

Appeal #2023-23 – Marian J Weeks Revocable Trust (11000-09252-023-10) The Director's recommendation was to set the value at \$22,964.

Mockler moved, seconded by Hammond and unanimously carried to accept the Director's recommendation for Appeal #2023-23.

Appeal #2023-24 – Marian J Weeks Revocable Trust (11000-09252-023-06) The Director's recommendation was to set the value at \$251,731.

Mockler moved, seconded by Hammond and unanimously carried to accept the Director's recommendation for Appeal #2023-24.

The Board considered the following Recommendations:

Appeal #2023-25 – Halverson, Todd A & Tracey M (11000-09252-162-08) The Director's recommendation was to set parcel the value at \$367,640.

Mockler moved, seconded by Hammond and unanimously carried to accept the Director's recommendation for Appeal #2023-25.

Appeal #2023-26 – Carlson, Aaron (01000-09551-273-03) The Director's recommendation was to set the parcel value at \$127,283 due to qualifying for Ag status and removal of a shed.

Hammond moved, seconded by Mockler and unanimously carried to accept the Director's recommendation for Appeal #2023-26.

Appeal #2023-27 – Swim Family Living Trust (02000-09552-181-00) The Director's recommendation was to set the parcel value at \$465,735 due to the Director viewing the property and correcting the record to equalize with other homes in Riverside Township.

Hammond moved, seconded by Mockler and unanimously carried to accept the Director's recommendation for Appeal #2023-27.

Appeal #2023-28 – Williams, Bruce & Jing (12000-09251-174-03) The Director's recommendation was to set the value at \$8,141 due to owning adjoining property that was purchased at the same time.

Hammond moved, seconded by Mockler and unanimously carried to accept the Director's recommendation for Appeal #2023-28.

The County Board adjourned at 4:46 p.m. and scheduled to reconvene April 25, 2023 with a motion by Hammond, seconded by Mockler and unanimously carried.

Dated this 11th day of April, 2023.

April 17, 2023

The Board of County Commissioners met in a special session Monday, April 17, 2023 at 1:00 p.m. for the purpose of conducting interviews for the State's Attorney position and discussing related personnel matters. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

Karen DeLange from Alternative HR+ and Samantha Hargrave, Deputy State's Attorney, were present.

At 1:01 p.m., Mockler moved, seconded by Hammond and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 5:12 p.m., Mockler moved, seconded by Hammond and carried to exit the Executive Session.

At 5:14 p.m., Mockler moved, seconded by Hammond and carried to adjourn.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

April 21, 2023

The Board of County Commissioners met in a special session Friday, April 21, 2023 at 1:05 p.m. for the purpose of conducting interviews for the Director of Equalization position and discussing and/or making decisions regarding hiring for the Director of Equalization and State's Attorney's positions. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, David Thiesse, and Richard Hammond.

City of Vermillion Mayor Jon Cole, Karen DeLange from Alternative HR+, and Samantha Hargrave, Deputy State's Attorney, were present.

At 1:06 p.m., Hammond moved, seconded by Mockler and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 2:09 p.m., Gray-Lobe moved, seconded by Thiesse and carried to exit the Executive Session.

Mockler moved, seconded by Gray-Lobe and carried to offer the Director of Equalization position to Lennea Olson effective July 1, 2023.

At 2:13 p.m., Mockler moved, seconded by Gray-Lobe and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 3:12 p.m., Thiesse moved, seconded by Mockler and carried to exit the Executive Session.

Mockler moved, seconded by Thiesse and carried to offer the State's Attorney position to Michael Smith.

At 3:14 p.m., Mockler moved, seconded by Thiesse and carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 3:51 p.m., Mockler moved, seconded by Gray-Lobe and carried to exit the Executive Session.

At 3:51 p.m., Mockler moved, seconded by Thiesse and carried to adjourn.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

April 25, 2023

The Board of County Commissioners met in regular session Tuesday, April 25, 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 Myron Grove Access project, reschedule May 30th meeting, MPA Internship, and removal of request by Hays Estate to vacate road.

Mockler moved, seconded by Hammond and unanimously carried to approve the minutes of the April 11, 2023 meeting, April 11, 2023 County and Consolidated Equalization Board minutes, April 17, 2023 Executive Session minutes, and April 21, 2023 Executive Session minutes.

Hammond moved, seconded by Mockler and unanimously carried to approve Right-of-Way Applications from Clay Rural Water on 465 Ave, Sec. 5/6/7/8, 304 St, Sec. 3/4/6/7/8, all in T94N, R51W, 459 Ave, Sec. 5/6, T94N, R52W, 306 St., Sec. 14-23, T94N, R53W, and 302 St., Sec. 36, T95N, R52W, with the amendment of adding an encasement to the application for Sec. 36, T95N, R52W.

Thiesse joined the meeting at 9:09 a.m.

Gray-Lobe moved, seconded by Hammond and unanimously carried to approve the low bid of \$2.99/gallon from Jerry's Service for gasoline.

Hammond moved, seconded by Mockler and unanimously carried to authorize the Chairwoman to sign award documents for the Micro-Surfacing Project.

Mockler updated the Board that he got an email stating that the Myron Grove Access road project is being terminated as the cost came in too high at \$6.9 million, and there are not enough funds available.

Facilities Manager Scott Hanson and JLG Architects' Lynn Remmers met with the Board to discuss documents for the courthouse mechanical/electrical/HVAC project. Mockler moved, seconded by Gray-Lobe to authorize the Chairwoman to sign the Notice to Proceed. Hammond asked if there are any other changes. Hanson said we will need to have a meeting between Commissioners and department heads at some point when we have more details to determine how best to keep offices and courts operating during the renovations. Hammond said he will be reporting to the Clay County Historical Society on this and the court security project. State's Attorney Alexis Tracy discussed the completion date of April 30, 2024, and the group talked about having some flexibility for completion penalties due to material lead times. Hammond said they could add a clause about material lead times. Tracy and Remmers discussed 10% retainage provisions, with 5% of that being retained after substantial completion. Remmers said the contractor was comfortable with the schedule. She said liquidated damages is tricky to enforce. There is also a clause that places a time limit on the completion of the final punch list items. It is

separate from the clause for 1-year warranties. Hanson asked who will be the contact, and Remmers said she and a construction administration specialist from her firm will be. The Notice to Proceed allows the contractor to contact subcontractors. Hanson said he did research on renting temporary office space and furniture for offices that may need to relocate during the renovations. He said there will also be lead and asbestos abatement during the project. Smith suggested contacting the City about space in City Hall for a temporary solution. All voted aye; motion unanimously carried.

Director of Equalization Ina Peterson presented a contract for a Beacon software add-on. Mockler moved, seconded by Gray-Lobe and unanimously carried to authorize the Chairwoman to sign the contract.

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

(PAYROLL)		THE STANDARD - SH TRM DI	\$1,020.93
COMMISSIONER'S	\$8,978.03	THE STANDARD - VISION	\$293.04
AUDITOR'S OFFICE	\$14,159.75	UNITED WAY OF VERMILLION	\$232.17
TREASURER'S OFFICE	\$23,854.28	VERMILLION FEDERAL	\$750.00
STATE ATTORNEY'S OFFICE	\$31,740.67	WELLMARK BLUE CROSS	\$57,351.71
COURTHOUSE	\$10,572.05	(OTHER INSURANCE)	
DIRECTOR OF EQUALIZATION	\$12,983.78	JENSEN INSURANCE	\$870.00
REGISTER OF DEEDS	\$9,915.64	(PROFESSIONAL SERVICES AND FEES)	
VETERAN'S OFFICE	\$1,893.78	AMG UNIVERSITY PSYCH	\$168.24
24/7 PROGRAM	\$1,298.56	AVERA MCKENNAN	\$416.26
SHERIFF'S OFFICE	\$58,669.58	AVERA MCKENNAN HOSPITAL	\$790.00
COUNTY JAIL	\$36,292.63	ERICKSON SOLUTIONS GROUP	\$3,724.70
EMERGENCY MGMT	\$5,588.75	FIRST DAKOTA CREDIT CARD	\$2,121.54
HIGHWAY	\$54,417.13	HANSEN FUNERAL HOME, INC	\$1,000.00
COMMUNITY HEALTH NURSE/WIC	\$3,608.21	HANSON, SCOTT	\$102.00
EXTENSION OFFICE	\$3,335.32	LARSON, VAL	\$12.00
WEED	\$2,203.18	LEWNO, LUCILLE M	\$156.60
PLANNING & ZONING	\$3,952.35	MOTOROLA	\$331.29
(DUE TO OTHER GOVERNMENT)		NATIONAL SHERIFF'S ASSOC	\$142.00
SDACO - M&P FUND PAYMENT	\$246.00	PETERSEN, SARAH	\$100.00
(PAYROLL WITHHOLDING)		QUALIFIED PRESORT SVC IN	\$3,460.59
AFLAC	\$924.97	SANFORD HEALTH OCCMED	\$396.00
CLAY CO FIT FICA	\$63,454.24	SD DEPT OF HEALTH LAB	\$885.00
COLONIAL LIFE	\$183.16	SDRS SPECIAL PAY PLAN	\$45.00
CONSECO/WASHINGTON	\$24.45	VERMILLION FEDERAL	\$299.80
DIV OF CHILD SUPPORT IA	\$220.00	YANKTON CO SHERIFF	\$50.00
DIV OF CHILD SUPPORT SD	\$1,541.00	YANKTON CO TREASURER	\$124.30
NEW YORK LIFE INSURANCE	\$328.57	(LAW OFFICE)	
SD RETIREMENT SYSTEM	\$33,007.06	KATTERHAGEN, MARK	\$12.00
SD SUPPLEMENT RETIREMENT	\$6,710.00	TERWILLIGER, PHILIP	\$7,006.73
SDRS ROTH 457(B) PLAN	\$375.00	(PUBLISHING)	
SDRS SPECIAL PAY PLAN	\$6,364.15	NEW CENTURY PRESS ACCT44	\$534.24
TASC PVR	\$2,479.13	(REPAIRS AND MAINTENANCE)	
THE STANDARD - DENTAL	\$1,365.08	CENTURY BUSINESS PRODUCT	\$37.50
THE STANDARD - LIFE INS.	\$380.34	FIRST DAKOTA CREDIT CARD	\$113.98

INTERSTATE POWER SYS INC	\$3,463.63	HY-VEE, INC. JAIL ACCT	\$316.79
JOHNSEN HEATING & COOLIN	\$1,402.56	MUKHIA, SUSHANT	\$20.00
LOFFLER COMPANIES	\$468.60	SANFORD HEALTH	\$5,136.00
PRECISION PAINTING	\$268.68	VERMILLION FORD	\$797.97
PRESSING MATTERS	\$4,344.00	(JDC/SPECIAL EQP.)	
SECURITY SHREDDING SVC.	\$35.00	MINNEHAHA COUNTY JDC	\$1,668.42
THE LUMBERYARD LLC	\$29.68	(BOOKS)	
VERMILLION ACE HARDWARE	\$66.97	THOMSON REUTERS - WEST	\$648.60
(DATA PROCESSING/CLAY CREEK/INF)		(FURNITURE AND MINOR EQUIPMENT)	
FIRST DAKOTA CREDIT CARD	\$12,147.25	CANON	\$222.94
SOFTWARE SERVICES, INC.	\$1,408.00	FIRST DAKOTA CREDIT CARD	\$2,680.90
(SUPPLIES & MATERIALS)		ONE OFFICE SOLUTION	\$310.15
AXON ENTERPRISE INC.	\$261.60		
BLUE TARP FINANCIAL, INC	\$209.98		
BROCK WHITE COMPANY LLC	\$30,954.00		
BRUNICK SERVICE, INC.	\$32.00		
BUTLER MACHINERY CO.	\$4,771.08		
COYOTE ENTERPRISE LLC	\$19.99		
FIRST DAKOTA CREDIT CARD	\$317.96		
INTERSTATE POWER SYS INC	\$649.28		
LAWSON PRODUCTS, INC.	\$231.59		
NORTHERN SAFETY CO., INC	\$395.09		
O'CONNOR COMPANY	\$78.65		
O'REILLY AUTO PARTS	\$19.99		
OFFICE ELEMENTS	\$213.23		
ONE OFFICE SOLUTION	\$136.59		
PRESSING MATTERS	\$29.00		
PROCHEM DYNAMICS	\$73.98		
QUALIFIED PRESORT SVC IN	\$263.42		
RUNNINGS SUPPLY INC HWY	\$427.57		
SANFORD USD MEDICAL CTR.	\$26.73		
VERMILLION ACE HARDWARE	\$95.94		
VERMILLION FORD	\$102.67		
WHEELCO BRAKE AND SUPPLY			
\$2,169.56			
YANKTON JANITORIAL SUPPL	\$672.00		
(TRAVEL AND CONFERENCE)			
FIRST DAKOTA CREDIT CARD	\$1,700.00		
HOWE, ANDY	\$518.32		
HUSBY, TIFFANY	\$497.42		
STEWART, LAYNE	\$94.00		
TERWILLIGER, LISA	\$326.38		
(INMATE TRAVEL)			
PENNINGTON COUNTY JAIL	\$244.85		
(UTILITIES)			
CENTURYLINK EMG	\$20.81		
CITY OF VERMILLION	\$128.98		
FIRST DAKOTA CREDIT CARD	\$899.35		
VERIZON WIRELESS HWY TRS	\$96.32		
VERM./CLAY CO. LANDFILL	\$388.83		
(PAYMENT)			
ERICKSON SOLUTIONS GROUP	\$89.00		

Auditor Carri Crum met with the Board to request to move the May 30th meeting to May 23rd. May 30th is the day after Memorial Day, and May is a five Tuesday month, so it may work better to space things more evenly and to not have a meeting directly after a holiday. Mockler moved, seconded by Thiesse and unanimously carried to move the meeting from May 30, 2023 to May 23, 2023.

Smith said she received a phone call from the Master of Public Administration Program at USD, and they have a student looking for a 150-hour internship. She suggested bringing the intern on for a benchmarking study of similar sized counties to see what kind of grants they receive, what revenue sources they have, and what they have for parks, etc. Or the intern could create a template for the County to use in strategic planning, with a series of public meetings. County government is low profile, and it's amazing how well we do with what little we have, so public input can be helpful. This template would incorporate Wakonda and Irene. The nice thing to do would be to offer a stipend of a couple thousand for the internship. Thiesse suggested a salary survey. Smith said the intern could definitely do a market survey. Mockler asked if they have someone in mind, and Smith said yes. The County would get something at a discounted rate and help a student pay the tuition they are required to pay for the privilege of helping the County. Mockler asked if they will work off site. Smith said they could, but it would be nice if we could find them a desk somewhere in the courthouse. They will give a written work product but not be required to attend Commissioner meetings. Hammond suggested asking for a scope of work report and then a presentation at the end. Mockler and Hammond discussed what a person with an MPA does, and Smith gave examples. Hammond said we should specify products and receivables. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the internship and pay a \$2,000 stipend.

At 9:59 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and convene as the County Equalization Board.

The Board considered the following appeals:

Appeal #2023-10 – Falls Investments, LLC (06000-09451-253-04) The Director's recommendation was to set the value at \$188,350.

Mockler moved, seconded by Hammond and unanimously carried to accept the Director's recommendation for Appeal #2023-10.

Appeal #2023-11 – Marilyn & Maynard Swee Irrevocable Legacy Trust (06000-09451-193-09) The Director's recommendation was to set the value at \$66,348.

Mockler moved, seconded by Hammond and unanimously carried to accept the Director's recommendation for Appeal #2023-11.

At 10:06 a.m., Mockler moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Hammond moved, seconded by Gray-Lobe and unanimously carried to appoint Lennea Olson as Director of Equalization effective July 1, 2023.

Mockler moved, seconded by Thiesse and unanimously carried to appoint Michael Smith as State's Attorney effective June 1, 2023. Mockler said Smith will start May 22, 2023 as a Deputy State's Attorney for an overlapping period until current State's Attorney Alexis Tracy's resignation is effective at the end of the month. Tracy said Smith will be a great State's Attorney and expressed appreciation to the Board.

There was a brief discussion regarding an upcoming Joint Jurisdiction Zoning Area meeting with the City of Vermillion. It will be held in May.

The following Auditor's Account with the County Treasurer Report was reviewed and placed on file.

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 April 3, 2023.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks

Amount of actual cash

Total amount of checks and drafts in Treasurer's
Possession not exceeding three days

Itemized list of all items, checks and drafts which have
been in the Treasurer's possession over three days:

Checks returned and not deposited
Cash Items
Investments
Cash Variation

Total

Dated this 3rd day of April,
2023.

Carri R. Crum, County Auditor

At 10:13 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, May 2, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

May 2, 2023

The Board of County Commissioners met in regular session Tuesday, May 2, 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.

Hammond moved, seconded by Mockler and unanimously carried to approve the minutes of the April 25, 2023 meeting.

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

The Board reviewed the rosters for the Local Emergency Planning Committee (LEPC) and UAS (Drone) Committee. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the rosters.

Highway Superintendent Rod Polley met with the Board to present a purchase agreement for a new motorgrader/blade, three snow wings, and a new v-plow. The money is in his budget this year, and if he purchases through Sourcewell, it saves the County about \$22,000, which is almost the cost of one of the snow wings. This past winter was hard on the snow wings and plow equipment he currently has. He will probably sell the motorgrader to another county as three counties have already contacted him with interest. It may be worth \$65,000-70,000. The consensus was that if he has already budgeted for the purchase of the equipment, no further Board action is necessary. Mockler discussed having the mechanic get parts from Ziegler as they will be cheaper than Butler.

Mockler moved, seconded by Gray-Lobe and unanimously carried to accept the low bid of \$1.29 from Butch's Propane for the Wakonda and Vermillion shops.

Polley presented a quote for \$24,666.20 for a culvert that Bethel Township is applying to the Rural Access Infrastructure Fund grant for assistance in replacing. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the request, with Bethel Township paying it's 20% match portion of the \$24,666.20 project. Polley said Garfield Township is still waiting for engineering on their RAIF project. Polley said it will end up being the County's structure again due to the size, and he does not want to add to the County's responsibilities.

In other matters, Polley reported that he hired Will Schaefbauer as a mechanic. The final stretch of striping has been done for the 2022 contract. The department filled in the washout by Tabernacle. The southeast side of the road was falling off in places.

Facilities Manager Scott Hanson met with the Board to discuss the courthouse mechanical/electrical/HVAC project. He said he has received notification that the County is

eligible under the Brownfields program to have the cost of the asbestos and lead abatement covered. However, the program is out of funding and will not receive the next allocation until September, and the State Historical personnel have to review the project, so that pushes things out to October or November. According to blueprints, there are 81 wall penetrations and 1 floor penetration that will need to be abated prior to the work being done. L&L Construction also did the Cherokee County Courthouse, and the asbestos abatement alone was \$50,000. The question is whether to wait for funding, just do the abatement at County cost, or, Hanson discussed ramifications of pushing the project out a year. Mockler said we need to wait until we get a cost estimate. Auditor Carri Crum asked if there are other things they could do while they wait for the abatement to be done. It was discussed that they could replace the boiler, take out fan coil units, and such. Hammond said they can do HVAC in the meantime and get numbers for the abatement. Hanson suggested if we have to, we can do it in phases. He said he spoke to Vermillion City Manager John Prescott, and he said they are willing to help us with temporary office space in City Hall.

Director of Equalization Ina Peterson and Director of Equalization Appointee Lennea Olson met with the Board to discuss hiring a replacement for Olson as she moves into the Director role when Peterson retires. Gray-Lobe moved, seconded by Mockler and unanimously carried to authorize them to start the hiring process. In other matters, Peterson said they will be gone June 13-16 for training, and former Director Gene Lunn will cover the office. Pictometry is also doing a lunch and learn session on May 24th. Sales are going to be more manual work for the office as the Register of Deeds Office has changed software, and it does not work with theirs. They will be going door-to-door in Garfield Township. All of this means that the next few months will be very busy in the Director of Equalization Office.

Chad Andersen met with the Board to dispute a lien. There was discussion between Andersen, State's Attorney Alexis Tracy, and the Board regarding the statutes that govern placement of liens. Tracy advised the Board that releasing Andersen from the fiduciary responsibility would set a precedent and urged them not to. Gray-Lobe asked if the Board has done this in the past, and Tracy said no. Smith said it sounds like a civil matter, and it would be unfair to the rest of the taxpayers to do so.

David Weidler, SD Department of Legislative Audit, met with the Board for the audit closing conference. Gray-Lobe moved, seconded by Mockler and unanimously carried to authorize the Chairwoman and Auditor to sign the Letter of Representation. Weidler said there was one issue where the bank reconciliation did not balance with the general ledger. The difference was near \$460,000. Weidler explained that the cash is in the bank, nothing is missing, but the software did not balance. Crum and Treasurer Rhonda Howe said this was the first they had heard of the issue, and they would like an opportunity to look at his findings. They consistently work together to balance the books, and this is surprising and confusing to them. The bank balance matches the general ledger at the end of every month. It was discussed that it would likely be a software issue, and they will all meet after the meeting to discover the root of the issue, then report back at the next meeting.

Mockler moved, seconded by Hammond and unanimously carried to approve the following claims for payment: JLG Architects \$418,101.08, TEGRA Group \$64,950.14, Woods, Fuller, Shultz & Smith \$4,728.60, Wegner Auto \$41,078.00.

At 10:38 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, May 9, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

May 9, 2023

The Board of County Commissioners met in regular session Tuesday, May 9, 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 addition of Ditch Board, Clay Rural Water Right-of-Way Applications, Jail & Law Enforcement Center Bonds.

Mockler moved, seconded by Hammond and unanimously carried to approve the minutes of the May 2, 2023 meeting.

4-H Educator Lauren Hollenbeck met with the Board to present the Quarterly Report.

Highway Superintendent Rod Polley met with the Board to discuss highway matters. He said he had to pass up an F550 truck last week because it was over the \$50,000 bid threshold. He wants to advertise for bids as the dealer will be getting more of them. He has an F450 on order, but there is no build date yet. He presented bid specifications to the Board for approval. Smith asked if this is something the County can use Sourcewell for. He said they do not do this type of truck, and State bid is not available. Mockler said in this market, they don't have to bid because once the trucks show up at the dealer, they are gone. Polley said the Highway Superintendents' Association will be introducing legislation to raise the bid threshold to \$100,000. He reported that he also purchased a 2009 diesel with 80,000 miles for \$18,500. One of the department's old trucks will be transferred to the Facilities Management Department, and one he will be getting rid of is not even suitable for that purpose. Sheriff Andy Howe said it is in the bid book that if you advertise for bids, and no bids are received, you can negotiate as long as the vehicle meets the specifications. Smith said the only thing is that the specifications as written may exclude something similar. Hammond and Mockler said the specifications as written are pretty basic for this type of truck. Thiesse said he wants to make sure the towing capacity is adequately specified. Mockler moved, seconded by Hammond and unanimously carried to advertise and set the bid opening for June 6, 2023.

The Board considered the SD Department of Transportation Striping Agreement for 2023.

Hammond moved, seconded by Gray-Lobe and unanimously carried to authorize the Chairwoman to sign the agreement. Polley said the striping gets done when the micro-surfacing is done.

Polley discussed Right-of-Way Applications that were approved for Clay Rural Water and said they contacted him claiming they did not know they needed an encasement. The contractor is there, and they do not have the materials, so they are asking for a waiver. Hammond said the County has been doing it this way for years. Mockler said he received a phone call about it. He said the County shut down the project in Wakonda for this reason. Hammond said it is pretty plain on the form that it needs to be encased. Mockler said they knew because he was at a

meeting about it and told them it would need to be encased. There was discussion about how the road would be compromised if a pipe were to blow. Mockler said they blew an 8-inch pipe near his property, and it left a huge hole in the field; imagine what it would do if a 14-inch pipe blew under the road. Smith said they agreed to the encasement when they signed the application.

At 9:32 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board with Chairman Mockler presiding.

Brad Stangohr, Ulteig Engineering, was present to discuss the FEMA portion of the Clay Creek Ditch project. He said there has been a time extension request filed with FEMA, and the project is all ready to go. He has been waiting to hear from FEMA. Stangohr said we should be thinking about starting whenever the contractor is ready. The risk is low that FEMA will deny the extension. Mockler said we were going to do the work anyway, even if FEMA denied it. The Board discussed the completion date.

Stangohr updated the Board that he is working on bridges and plans to start the inspections soon.

At 9:37 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman Smith presiding.

Hammond asked Polley questions about bills for grader screws and from the DOT for grading. Polley said the grading bill was the County's share of the project with the State for the structure by Landeen's property.

Auditor Carri Crum met with the Board to discuss the audit issue from the last meeting. She said she and Treasurer Rhonda Howe met with David Weidler from SD Department of Legislative Audit after last Tuesday's meeting. They reviewed reports from the same portion of the software and determined that the discrepancy between the general ledger and the bank balance was due to a software error on one report as the other reports from the software had the correct balance. Upon contacting the software programmer, she was able to look back and determine that there was a glitch that caused the report to use the incorrect balance, and the problem has been resolved. Crum said she and Howe balance every day, and that is why they were confused about the discrepancy. Weidler told Crum that software issues are not uncommon. The audit report will be issued soon. The Board asked if that will be corrected in the audit report since the issue was due to software. Crum said Weidler told her if he were to go back it would delay the audit report, which then delays the County's timeline for getting the bond rating and selling the bonds for the Jail & Law Enforcement Center project. The County has been waiting for months to be able to move ahead with selling the bonds. The Board said it would be nice to have a letter or something in writing that this audit issue was not a problem with the County's financial management.

Crum presented a contract for services from Election Systems & Software. This is the company that the State has certified to provide election services, so it is the provider for the counties. Mockler moved, seconded by Hammond and unanimously carried to authorize the Chairwoman to sign the contract.

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

(DUE TO OTHER GOVERNMENT)
 CLAY CO TREASURER \$7,161.00
 SDACO - M&P FUND PAYMENT \$226.00
 (PROFESSIONAL SERVICES AND FEES)
 AVERA MCKENNAN \$500.00
 BUHLS DRYCLEANERS & \$48.00
 CITY OF VERMILLION \$144.00
 FEDEX \$43.41
 FOX, DAN \$152.85
 GRIFFIN, DOUGLAS E \$5,000.00
 KATTERHAGEN, MARK \$12.00
 LARSON, VAL \$12.00
 MAINTAINX INC. \$1,170.00
 NELSON, ROBERT \$3,595.46
 QUALIFIED PRESORT SVC IN \$2,771.74
 SANFORD HEALTH CLINIC \$83.86
 SATELLITE TRACKING OF \$107.25
 THE RESPONSE GROUP INC \$3,850.00
 TRITECH SOFTWARE SYSTEMS \$17,972.36
 ULTEIG \$1,691.00
 YANKTON CO SHERIFF \$50.00
 (OTHER PROFESSIONAL SERVICE)
 BROOKINGS CO SHERIFF DEP \$3,610.00
 SCHILDHAUER, T. LEMBCKE \$768.00
 SD ATTORNEY GENERAL \$554.00
 UNION CO. SHERIFF \$16,800.00
 YANKTON CO SHERIFF \$2,975.00
 (LAW OFFICE)
 AVERA MCKENNAN HOSPITAL \$790.00
 FRIEBERG, NELSON & ASK \$3,225.00
 KING, ANJEL \$56.00
 PETERSON, STUART, KLENTZ \$10,587.50
 TERWILLIGER, PHILIP \$3,575.00
 (PUBLISHING)
 BROADCASTER PRESS \$1,377.71
 NEW CENTURY PRESS ACCT43 \$77.50
 NEW CENTURY PRESS ACCT44 \$504.70
 PLAIN TALK/BROADCASTER \$159.00
 (REPAIRS AND MAINTENANCE)
 BRUNICK SERVICE, INC. \$40.00
 CENTURY BUSINESS PRODUCT \$46.01
 CHARLIE'S BUS SERVICE IN \$52.00
 ELECTION SYSTEMS AND \$4,667.25
 INTERSTATE POWER SYS INC \$3,222.59
 NELSEN ELECTRIC LLC \$75.00
 OVERHEAD DOOR COMPANY \$2,930.00
 PRESTO-X COMPANY LLC \$247.89
 THE LUMBERYARD LLC \$9.58
 VERMILLION ACE HARDWARE \$136.27
 VERMILLION FORD \$232.50
 YANKTON WINNELSON CO. \$15.82
 (DATA PROCESSING/CLAY CREEK/INF)

MICROFILM IMAGING SYSTEM \$945.00
 (SUPPLIES & MATERIALS)
 A-OX WELDING SUPPLY CO \$120.82
 ANCHOR AUDIO STORE \$275.00
 BOB BARKER CO INC \$507.51
 BRUNICK SERVICE, INC. \$167.74
 BUTLER MACHINERY CO. \$1,833.23
 CHARLIE'S BUS SERVICE IN \$40.00
 CINTAS \$72.13
 HEIMAN INC. \$327.00
 HOLLENBECK, LAUREN \$241.86
 I-STATE TRUCK CENTER \$474.46
 INTERSTATE POWER SYS INC \$369.30
 JERRY'S SERVICE \$3,909.68
 M & M FARM SUPPLY \$28.38
 MICROFILM IMAGING SYSTEM \$30.00
 NELSEN ELECTRIC LLC \$1.53
 OFFICE ELEMENTS \$23.03
 ONE OFFICE SOLUTION \$158.93
 OVERHEAD DOOR COMPANY \$460.00
 PRESSING MATTERS \$159.00
 PROCHEM DYNAMICS \$681.02
 QUALIFIED PRESORT SVC IN \$298.62
 RUNNINGS SUPPLY INC HWY \$161.86
 SD DEPT OF TRANS \$4,835.45
 UNION CO. SHERIFF \$25.50
 VERMILLION ACE HARDWARE \$96.34
 VERMILLION FORD \$87.37
 (COPIER SUPPLIES)
 CANON \$161.12
 (TRAVEL AND CONFERENCE)
 BEST WESTERN RAMKOTA INN \$696.00
 HOLLENBECK, LAUREN \$107.75
 SDAAO \$705.00
 SDACC OFFICE \$1,200.00
 THE LODGE AT DEADWOOD \$420.00
 VERMILLION FEDERAL \$89.01
 (INMATE TRAVEL)
 PUMP N PAK \$393.87
 VERMILLION FEDERAL \$144.63
 (UTILITIES)
 BUREAU OF ADMINISTRATION \$62.36
 CENTURYLINK \$136.15
 CENTURYLINK EMG \$20.81
 CENTURYLINK HWY \$149.99
 CITY OF VERMILLION \$922.49
 CLAY RURAL WATER SYSTEM \$65.90
 CLAY UNION ELECTRIC CORP \$657.95
 MIDAMERICAN ENERGY C H \$261.34
 MIDAMERICAN ENERGY EXT \$16.95
 MIDAMERICAN ENERGY S C \$182.76
 MIDCO BUSINESS \$210.39

MIDCO BUSINESS EXT.	\$75.39	(BUILDINGS AND STRUCTURES)	
VERIZON WIRELESS SHERIFF	\$401.89	GRIFFIN, DOUGLAS E	\$1,836.74
VERMILLION GARBAGE SVC.	\$236.00	MIDWEST ALARM CO., INC.	\$8,337.19
WAKONDA TOWN	\$62.65	(FURNITURE AND MINOR EQUIPMENT)	
(PAYMENT)		CANON	\$125.17
BRUNICK SERVICE, INC.	\$30.00	CANON FINANCIAL	\$2,840.04
NUTRIEN AG SOLUTIONS	\$2,861.38	MICROFILM IMAGING SYSTEM	\$215.00
PUMP N PAK	\$2,484.74	(AUTOMOTIVE)	
VERMILLION FORD	\$101.14	BRUNICK SERVICE, INC.	\$32.00
(JDC/SPECIAL EQP.)		JERRY'S SERVICE	\$323.56
PAULSEN, ANDREW	\$523.42		

The Board considered a Memorandum of Understanding (MOU) with Lewis & Clark Behavioral Health Services for the County to pass along the Opioid Settlement funds. Crum said it can only be used for certain things, and counties are having trouble finding something under the county umbrella to use the funds for, so most are contracting with facilities like L&C BHS to use the funds in a manner consistent with the settlement requirements. The total amount is small, somewhere around \$5,000. The Board said the amount is small, but every little bit helps as it can be used to help someone in Clay County. Mockler moved, seconded by Hammond and unanimously carried to authorize the Chairwoman to sign the MOU.

Crum notified the Board that the State reimbursement for a portion of the Veterans Service Officer's (VSO) salary will be increasing July 1, 2023. She asked the Board if they would like to keep that money at the County level, or pass it along to the VSO as a raise. Mockler said we should continue as we are doing and clarified that it is not a reflection on the VSO's performance at all.

Hammond updated the Board that at the last Joint Jurisdiction Zoning Area (JJZA) meeting, they discussed the map. The County proposed that the map stay the same. The City had a counterproposal that added an area along Highway 50 to the county line. Smith asked what the rationale is, and Hammond said they said they want to create a welcoming corridor into Vermillion as well as making way for annexation in the future. He discussed potential developments that might be better served by a sewer system. He said properties in JJZA are more restricted to re-zoning, and we are discouraging development on the outskirts of the city. Mockler said people outside of town work hard to avoid being in the JJZA. Development will happen from the interstate in. Hammond discussed utilities and said sewer is the only advantage. He said since the meeting he has driven the area a few times to think about future zoning and development. Mockler said it will be industrial along Highway 50, and Hammond said commercial is likely as well. Smith said she would guess housing because the City is out of housing land. Gunderson discussed using screenings as Hammond talked about commercial and industrial uses. Hammond used the miles immediately south of Huron or just outside of Milbank as a reference point. Smith said we should ask the City. Mockler said they want to control what comes in, but Union County's plan is different. He referenced the area around the Coffee Cup to the county line. Nobody has asked the people out there. They didn't get the survey postcard. Smith said that's really important. Hammond said he thinks the boundaries are better left as they

are. Thiesse said there is no benefit to changing it, and it would just be a deterrent at this point. Mockler said is in favor of giving ½-mile as the city grows, so as the city moves, the line moves.

The Board discussed a question from Colliers Securities regarding how to structure the bonds for the Jail & Law Enforcement Center. They can be structured in a way that limits the total construction funds to \$42.8 million, but that is not how things were written for the bond election. They can also be structured in a way that the PAR for the bonds is \$42.8 million, creating \$44.1 million in construction funds. This is the way things were written for the bond election and what was approved by the voters. The Board said things should stay as the voters approved at the election and directed Crum to tell Colliers Securities to use \$42.8 million PAR, with \$44.1 million in construction funds to be created from that.

At 10:13 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, May 23, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

May 15, 2023

The Board of County Commissioners met in a joint meeting with the City of Vermillion City Council Monday, May 15, 2023 at 6:00 p.m. for First Reading of Ordinance for Amendment to the Joint Jurisdiction Zoning Ordinance. Proposed amendment to Chapter 2.07, Districts and Boundaries, Classification of Land Coming Within the Joint Zoning Jurisdiction. Proposed amendment to Chapter 6.01, LI: Light Industrial District, Permitted Uses; and Chapter 6.02, LO: Light Industrial District, Conditional Uses. Proposed amendment to Chapter 19.02, Definitions, Definitions.

County members present: Richard Hammond, Elizabeth Smith, David Thiesse, Travis Mockler, and Geoffrey Gray-Lobe.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the agenda.

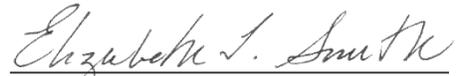
First to be considered was the proposed amendment to Chapter 2.07, Districts and Boundaries, Classification of Land Coming Within the Joint Zoning Jurisdiction. City Engineer José Dominguez gave a brief report regarding the proposed ordinance changes. There was a lengthy discussion regarding the differences between the industrial classifications and permitted uses. Mockler voiced concerns about what would happen to a business that wanted to expand if the Joint Jurisdiction Zoning Area (JJZA) line were to be moved in the future, making the business a non-conforming use. He said they would have to be re-zoned, and that process does not work very well. Dominguez said they are two ordinances that are being married into one in case of future annexation. The Boards discussed situations that would affect the zoning classifications. Mockler asked if there is a way to make the process easier. There was more discussion regarding the differences in the city, county, and JJZA ordinances, notice requirements, timelines for re-zoning, and the City Attorney cautioned against spot zoning. Smith said the discussion was fruitful because they need to deal with these items as they move along. The smaller committee can look at those things. She said they should deal with the three issues in front of them today. Hammond moved, seconded by Mockler and unanimously carried to advance the proposed amendment to Chapter 2.07, Districts and Boundaries, Classification of Land Coming Within the Joint Zoning Jurisdiction to a second reading.

Next to be considered was a proposed amendment to Chapter 6.01, LI: Light Industrial District, Permitted Uses; and Chapter 6.02, LO: Light Industrial District, Conditional Uses. Dominguez gave a brief report regarding the proposed ordinance changes. Gray-Lobe moved, seconded by Hammond to advance the proposed amendment to Chapter 6.01, LI: Light Industrial District, Permitted Uses; and Chapter 6.02, LO: Light Industrial District, Conditional Uses to a second reading. Under discussion, Hammond asked about sign requirements, and Dominguez said it falls under the City. All voted aye; motion unanimously carried.

Last to be considered was a proposed amendment to Chapter 19.02, Definitions, Definitions. Dominguez gave a brief report regarding the proposed ordinance changes. There was discussion about where the definitions came from (City and County ordinances and Southeast Council of Governments), whether fish businesses would be covered, and clarifications that the definitions

would apply to all zones. Mockler moved, seconded by Hammond and unanimously carried to advance the proposed amendment to Chapter 19.02, Definitions, Definitions to a second reading.

At 6:48 p.m., Mockler moved, seconded by Thiesse and unanimously carried to adjourn and reconvene at 9:00 a.m., Tuesday, May 23, 2023.


Elizabeth T. Smith, Chairwoman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

May 23, 2023

The Board of County Commissioners met in regular session Tuesday, May 23, 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.

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the May 9, 2023 meeting and the May 15, 2023 joint meeting with the Vermillion City Council.

At 9:03 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board with Chairman Mockler presiding.

The Board reviewed an invoice from Ulteig Engineering in the amount of \$946 for Clay Creek Ditch. Hammond moved, seconded by Smith and unanimously carried to approve the invoice for payment.

Smith moved, seconded by Thiesse and unanimously carried to authorize the Chairman to sign a contract with Weiman Construction for the FEMA portion of the Clay Creek Ditch project.

At 9:04 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman Smith presiding.

Nick Slattery was present to discuss drainage near Whimp's Place in Burbank as was discussed at a previous meeting. He said he would like to know how he can work together with the County to make it work. Polley said Johnson Engineering did a study for the County in 2010. A solution was to install culverts as the area is pretty flat. Someone has driven over and crushed the end of the culvert, and it needs some cleaning with the jetter truck. Other than another study, Polley said he does not have a solution. Slattery said both approaches fill up with water when it rains. A while back, Slattery said, Mockler suggested running a perforated culvert to carry water to the east. Then they would have a vertical sump pit to handle emergency overflow., but it would be in the right-of-way. Polley said White St. is not a county road. Slattery asked what his options are to repair the gutter and such on White St. Who does he contact? Polley further reviewed the 2010 survey. Hammond discussed how far east the survey went. Smith and Mockler said White St. would be a township road. Mockler suggested having a meeting at the site with the township board, a commissioner, Slattery, and Polley. Hammond said he has been there after a small rain when the driveway was unusable. He said the county should un-crush the culvert. Slattery discussed the sediment in the area. Hammond said the issue is they have a skinny lake; he discussed elevations, water flow, and downhill landowners. He also discussed the use of a pump if the area is too flat. Slattery discussed the cost responsibility of a solution. Hammond said the survey from 2010 shows it is uphill to the south, and over the ¼-mile stretch to the east there is 2 feet of drop. Slattery requested to dig a 4-foot-deep hole with a grate over top for a sump pump to be at the corner. It would be an interim solution. Mockler said they need to meet at the site

first. Slattery said he would contact the township board to set up a meeting, and Mockler asked him to also call 811 to have the property located for utilities prior to the meeting.

Polley discussed previously approved Right-of-Way Applications from Clay Rural Water for which there was a requirement for encasement as discussed previously. The two under Frog Creek Rd. and 306 St. were completed and not encased, so he told Clay Rural Water that they need to meet with the Commission. Rob Ganschow and Steve Muilenburg, both from Clay Rural Water System (CRWS), were present. Muilenburg said they are expanding due to a need for more water service to citizens. The problem is that he was given the assumption when he came to work for CRWS that there was a long-standing agreement with the County that encasements were not necessary. He asked for an exception if there is proper piping materials. He said there is almost no risk. Encasements would add an extra \$200,000 to the current project, which is passed on to the customers. Ganschow discussed the coverage area of the project. Muilenburg said he understands the need for casing years ago with the materials available then, but not with today's materials. Hammond said he brought along his own materials and asked Muilenburg about specifications of the materials they use. Hammond said DR18 is appropriate, but the County needs to address specifications. He prefers polyethylene pipe instead of PVC. Muilenburg asked if they can get around the encasement requirements if they specify the materials being used. Ganschow said the pipes currently available for encasement are larger, and it requires a larger hole under the road. Mockler asked, if they thought there was an agreement that didn't require encasement, why was the permit signed agreeing to encasement? He said he also pointed it out to CRWS at a landowner meeting. Muilenburg said he cannot change history but requested an exception for the current project and a chance to discuss requirements for the future. Mockler said, although it was not CRWS's water line, the County just had one a few weeks ago that blew. State requirements were also discussed. Mockler said all projects, even electrical, are required to be encased. Polley said he would have never signed the applications if they didn't agree to encasement. Hammond said we have required it since at least January 1, 2017. Muilenburg said they feel casing today's water lines is not necessary. Mockler and Hammond said, as customers of CRWS, CRWS should have bid it with encasement as part of the price. Hammond said the encasement protects the road base as a blown pipe could end up with a cavern he could walk through, which could cause the road to collapse. State's Attorney Alexis Tracy said asking for an exception is a liability concern for the County. In the case of a road collapse due to a blown water pipe, and a wrongful death lawsuit, \$200,000 is a drop in the bucket. She discussed the regulations listed on the applications, and she cautioned the Commission not to deviate from the applications. Revising the requirements is a conversation for the future. Hammond agreed and said if there was a road collapse over a water line, it should be clear that CRWS is on the hook. Muilenburg said that is why they carry liability insurance. He again talked about the rarity of such an event. He said the Corps of Engineers does not require encasement under the river, even with Topeka Shiners. Smith agreed with Hammond. She is in favor of discussing requirements going forward, but for now we have a contract, unless CRWS wants to re-apply. Hammond said he wants to go on the record that he has worked with many water systems, and we have one of the best, but he does think the County should stick to their guns in this situation. Muilenburg thanked the Board and said they will abide by the applications. Mockler said they have another issue at hand; two of the crossings are already done. Muilenburg said it would be a huge blow if

they were required to encase them. Mockler said the Frog Creek Rd. crossing happened after the initial conversation that the water lines needed to be encased. Smith said that is a big problem since CRWS signed the contract. Muilenburg said they will fix them.

The Board considered a Right-of-Way Application from Clay Rural Water on Greenfield Rd., Section 11, T94N, R51W. It was clarified that it will be encased. Hammond also clarified that the pipe joints will be butt-fusion, not socket-fusion. Smith said when considering repairing a road, \$200,000 is chicken feed as the County spends millions of dollars on its roads. Mockler moved, seconded by Hammond and unanimously carried to authorize the Chairwoman to sign the application.

Mockler asked Polley to pull an application that was granted on 306 St. where a house was recently built to make sure that water line was encased. Polley discussed one on Timber Rd. as well. Mockler said he is sure the one on 306 St. is not encased. Mockler and Hammond said this is not the first time this has happened. Polley said he thinks the County should be charging a fee. Mockler and Hammond said if they need to re-bore due to a pipe blowing out, there are then two planes of weakness in the road base. Hammond discussed pipe materials in relation to crush resistance. The Board also discussed an incident for the City where their pipe burst. Mockler said we need to follow our permits in that case as well. Hammond said a 1-inch pipe blow-out could cause a cavern big enough to hold a card party in, and Polley said it's concerning because micro-surfacing makes it harder for the water to come up through the road surface.

The Board considered a Right-of-Way Application from Clay-Union Electric on 315 St. in Section 6, T92N, R52W. Mockler moved, seconded by Thiesse and unanimously carried to authorize the Chairwoman to sign the application.

A public hearing was held regarding supplement to the 2023 County General Fund budgets as follows: General Government Building – Improvements budget (10100X4320161) for \$87,794.91 for the courthouse mechanical/electrical/HVAC project with funds previously assigned to be held within the General Fund for building projects. Hammond moved, seconded by Gray-Lobe to pass and adopt the following Resolution #2023-08 for Supplement of County Budget. Roll call vote: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Aye.

RESOLUTION #2023-08
Supplement of County Budget

WHEREAS the County budget does not have adequate budget authority in 2023 for Commissioners Contingency;

WHEREAS, the Board of County Commissioners have agreed to hold a public hearing on May 23, 2023 at 9:45 a.m. to supplement the County General budget for unanticipated expenses and the proper conduct and discharge of lawful county obligations and has been given in accordance with the law and direction of the County Board,

NOW THEREFORE BE IT RESOLVED: That the following budget be adopted to show the supplement to the foresaid 2023 Annual Budget:

- General Government Building – Improvements budget for \$87,794.91

Dated the 23rd day of May, 2023.

Commissioner Hammond moved the adoption of the foregoing Resolution; Motion seconded by Commissioner Gray-Lobe.

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

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

ATTEST:

Carri R. Crum, County Auditor

Chairwoman
Board of County Commissioners
Clay County, South Dakota

Hammond moved, seconded by Mockler and unanimously carried to unassign \$87,794.91 in the General Fund that had previously been assigned for building expenses.

There was discussion regarding what department heads should plan in the 2024 budget requests for payroll cost-of-living increases. Smith talked about national averages for CPI, and Hammond said the State CPI is set in a vacuum of 3% or less and is not reflective of the real world. Gray-Lobe discussed regional CPI percentages. Mockler suggested preparing the budget with 3% and then with 5.8% for comparison, and Hammond said that might be the way to go. It was decided that Auditor Carri Crum will prepare a preliminary budget both ways for the Board's review.

Hammond moved, seconded by Mockler to pass and adopt the following Resolution #2023-09 for Fund Transfer. Roll call vote: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Aye.

**RESOLUTION # 2023-09
FUND TRANSFER**

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund (10100) in the amount of \$1,153,974 to Highway Fund (20100) and \$4,053 to the Emergency Management Fund (22600) as levied for in the 2023 Budget.

Motion by Commissioner Hammond seconded by Commissioner Mockler.

Vote of the Board:

Thiesse Aye, Gray-Lobe Aye, Hammond Aye, Smith Aye, Mockler Aye. Motion carried.

Dated this 23rd day of May, 2023.

Board of County Commissioners
Clay County, South Dakota

Elizabeth Smith, Chairwoman

ATTEST:

Carri R. Crum, County Auditor

Mockler moved, seconded by Hammond and unanimously carried to assign \$10,000 in the General Fund for 911 Equipment.

The Board considered a funding request letter from the Lewis & Clark Shrine Club for the circus. They discussed that it is a good cause, but the County's belt is tight, so to speak, and they have had to deny funding to other very worthy causes in the County.

Crum updated the Board that she has been working with the bond company and the rating company to make progress towards getting a credit rating and selling the bonds for the jail and law enforcement center project. Mockler said there is a meeting scheduled to review updated costs for the project.

The Sheriff's Office and Vermillion Public Library Board reports and the following Auditor's Account with the County Treasurer Report were accepted and placed on file.

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 April 3, 2023.
I hereby submit the following report of my examination of the
cash:

Total amount of deposits in banks	18,839,748.57
Amount of actual cash	5,358.61
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	82,782.92
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	384.67
Checks returned and not deposited	
Cash Items	700.00
Investments	336,000.00
Cash Variation	0.00
Total	
	Dated this 3rd day of April, 2023.
	19,264,974.77

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes are as follows: Michael Smith as State's Attorney at \$7,760.62/month effective June 1, 2023, Lennea Olson as Director of Equalization at \$4,583.33/month effective July 1, 2023, Kase King as Highway Maintenance Worker at \$18.38/hour effective April 29, 2023, William Schaeffbauer as Highway Mechanic at \$30.87/hour effective May 8, 2023, Erin Cook as Full-Time Jailer at \$3,603.84/month effective March 20,

2023, Brock Voss as Part-Time Jailer at \$20.29/hour effective March 3, 2023, Amber Benway as Part-Time Jailer at \$20.29/hour effective May 12, 2023, and Tristan Gray as Summer Highway and Weed Sprayer at \$16.00/hour effective May 8, 2023.

At 10:28 a.m., Gray-Lobe 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 10:55 a.m.

At 11:11 a.m., Hammond moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

At 11:12 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, June 6, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

June 6, 2023

The Board of County Commissioners met in regular session Tuesday, June 6, 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.

Mockler moved, seconded by Thiesse and unanimously carried to approve the minutes of the May 23, 2023 meeting.

International Master's of Public Administration graduate student Vema Agyeiwaa met with the Board to present a plan for her internship with the County. She said she will be doing a benchmarking study to compare Clay County with 10 similar counties to see what the County is doing well, or what can be improved. An example of items covered in the study are salaries, effective tax rate, quality of life, etc. Smith asked the Board if there are any other counties that should be included. Gray-Lobe suggested Brookings and Davison Counties. Smith suggested removing Turner County, but Thiesse and Hammond said there are enough similarities to make it a good comparison. Gray-Lobe discussed criteria with Agyeiwaa such as proximity and population. Emergency Management Director Layne Stewart suggested Lake County and said the counties under consideration in neighboring states are good comparables. Mockler suggested removing Hutchinson County from consideration but said he likes using counties from neighboring states. Smith asked Hammond about the Veterans Service Officer programs in other counties. He discussed his knowledge of the matter and also suggested studying how other counties are funding non-mandated programs. Smith said websites are also a good item to look at. Hammond said the effectiveness of the website depends on local resources for maintaining it. He discussed the structure of Codington County's agenda in relation to public comment periods. Smith suggested adding a section to our agenda for Commissioners to report on additional things they are doing aside from the regular Commission meetings.

A public bid opening was held for an F550 truck for the Highway Department. One bid was received, and Boyer Trucks of Sioux Falls listed their bid at \$70,475 delivered to Sioux Falls. It was decided that Highway Superintendent Rod Polley would review the bid to ensure it meets specifications and will return at the next meeting for a bid award.

Hammond moved, seconded by Mockler and unanimously carried to approve a Driveway Application from Tracy Larson on Meckling Rd. at 97.07114°W, 42.84050°N. Mockler clarified with Polley that the Highway Department will be checking on the project.

Polley asked if he can trade in the old blade on the new one instead of auctioning it. Mockler said it will not hurt to get a trade-in price. Hammond and Polley discussed specifications as well as selling to other counties.

Mockler updated the Board that there is a meeting tomorrow night, June 7, 2023 at 6:00 p.m. between the County, Fairview Township Board, and Nick Slattery regarding drainage at Whimp's Place.

Facilities Manager Scott Hanson discussed lead and asbestos abatement estimates for the courthouse. Smith said the estimates were crazy. Hanson talked about the timeframe for the work and the work being completed after hours per the estimate. He said the Brownfields Grant is not a reimbursement program and is a first-come, first-served basis. He does not like being frivolous with taxpayer money, but we are in a position that we have to do the abatement. Mockler discussed the difference in the three estimates: Earth Services & Abatement at \$23,870, VCI Environmental at \$167,600, and Horsley Specialties at \$100,000. Smith said we are looking at a \$2.7 million project and discussed the risks involved if we delay the project. Hammond agreed that we are wise to move forward. Mockler moved, seconded by Hammond to accept the low quote of \$23,870 from Earth Services & Abatement. Under discussion, Mockler clarified that the estimate includes disposal. All voted aye; motion passed. Hammond said one of the most visible changes to the building will be the fire suppression system. One other courthouse he visited in the past week recently installed a similar system, and they used all copper pipes. It is in keeping with historical piping used in buildings of this era. He said he will show photos when he speaks on the project again. Hanson said he will double-check that all exposed pipes are specified to be copper. He also said there will be a pre-construction meeting mid-month.

Director of Equalization Appointee Lennea Olson reported to the Board that she has hired Melissa Brown to start June 12, 2023. Olson and staff will be attending a conference that week, but former DOE Gene Lunn will be work with Brown that week to get her acquainted with the office while the rest are at conference. There was one Office of Hearing Examiners appeal, and that will be July 26th in Pierre.

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

(PAYROLL)		(CLEARING FUND - MISC.)	
COMMISSIONER'S	\$8,978.03	SD DEPT OF REVENUE	\$717.00
AUDITOR'S OFFICE	\$14,159.75	(PAYROLL WITHHOLDING)	
TREASURER'S OFFICE	\$23,854.28	AFLAC	\$906.12
STATE ATTORNEY'S OFFICE	\$31,775.83	CLAY CO FIT FICA	\$63,829.06
COURTHOUSE	\$10,796.90	COLONIAL LIFE	\$183.16
DIRECTOR OF EQUALIZATION	\$12,983.78	CONSECO/WASHINGTON	\$24.45
REGISTER OF DEEDS	\$9,915.64	DIV OF CHILD SUPPORT IA	\$117.00
VETERAN'S OFFICE	\$1,893.78	DIV OF CHILD SUPPORT SD	\$1,253.00
24/7 PROGRAM	\$2,110.16	NEW YORK LIFE INSURANCE	\$328.57
SHERIFF'S OFFICE	\$56,035.48	SD RETIREMENT SYSTEM	\$33,744.30
COUNTY JAIL	\$38,043.39	SD SUPPLEMENT RETIREMENT	\$6,685.00
EMERGENCY MGMT	\$5,560.75	SDRS ROTH 457(B) PLAN	\$600.00
HIGHWAY	\$47,769.19	TASC PVR	\$2,479.13
COMMUNITY HEALTH NURSE/WIC	\$3,608.21	THE STANDARD - DENTAL	\$1,274.28
EXTENSION OFFICE	\$3,335.32	THE STANDARD - LIFE INS.	\$409.06
WEED	\$6,848.88	THE STANDARD - SH TRM DI	\$1,094.05
PLANNING & ZONING	\$3,877.35	THE STANDARD - VISION	\$314.24

UNITED WAY OF VERMILLION	\$232.17	M & M FARM SUPPLY	\$26.00
VERMILLION FEDERAL	\$750.00	NORTHERN SAFETY CO., INC	\$206.68
WELLMARK BLUE CROSS	\$55,803.84	O'REILLY AUTO PARTS	\$151.92
(MISC. REIMBURSEMENTS)		ONE OFFICE SOLUTION	\$165.91
CLAY CO. PARK ASSOCIATIO	\$206.80	PFEIFER IMPLEMENT	\$669.56
(SALARIES AND WAGES)		QUILL CORP. TRS	\$528.45
SURBER, ASHLEY	\$138.52	RUNNINGS SUPPLY INC HWY	\$99.17
(PROFESSIONAL SERVICES AND FEES)		SD SHERIFF'S ASSN	\$45.55
BUHLS DRYCLEANERS &	\$114.31	VERMILLION FORD	\$212.77
CLAY COUNTY ABSTRACT	\$319.50	YANKTON REXALL DRUG	\$85.93
ERICKSON SOLUTIONS GROUP	\$965.45	(TRAVEL AND CONFERENCE)	
FEDEX	\$23.02	BEST WESTERN RAMKOTA INN	\$696.00
GAPP, DEBRA	\$7,255.00	CRUM, CARRI R	\$52.00
PHARMCHEM, INC.	\$894.60	DOMMER, CAITLYN	\$140.00
PRESTO-X COMPANY LLC	\$174.44	STEWART, LAYNE	\$31.93
SD SHERIFF'S ASSN	\$880.00	TERWILLIGER, LISA	\$52.00
TRIMIN SYSTEMS INC.	\$11,445.39	TRACY, ALEXIS A	\$74.00
ULTEIG	\$22,734.00	(UTILITIES)	
(OTHER PROFESSIONAL SERVICE)		BUREAU OF ADMINISTRATION	\$.93
DAVISON COUNTY	\$500.00	CITY OF VERMILLION	\$1,993.59
(LAW OFFICE)		CLAY RURAL WATER SYSTEM	\$168.00
DEN HERDER LAW OFFICE	\$185.09	STEWART, LAYNE	\$150.00
(PUBLISHING)		VERIZON WIRELESS EMG	\$40.01
BROADCASTER PRESS	\$113.25	VERIZON WIRELESS HWY TRS	\$96.32
(REPAIRS AND MAINTENANCE)		VERIZON WIRELESS SHERIFF	\$401.89
CHARLIE'S BUS SERVICE IN	\$57.00	VERMILLION GARBAGE SVC.	\$176.00
CLAY CO HISTORICAL SOC	\$500.00	(PAYMENT)	
DAKOTA LOCK & KEY	\$50.00	BOB'S SINCLAIR SERVICE	\$72.26
FLAGS UNLIMITED	\$105.60	BRUNICK SERVICE, INC.	\$387.85
PFEIFER IMPLEMENT	\$742.50	GRAHAM TIRE S.F. NORTH	\$1,142.16
PRESTO-X COMPANY LLC	\$73.45	HEEREN, DANIELLE	\$57.14
VERMILLION AREA CHAMBER	\$200.00	MCGUIRE, JAMES	\$56.12
VERMILLION FORD	\$61.50	NELSEN, PEGGY	\$50.00
WALKER CONSTRUCTION	\$51.00	NUTRIEN AG SOLUTIONS	\$2,623.25
YANKTON WINNELSON CO.	\$90.42	OLSON, KATHERINE	\$50.00
(DATA PROCESSING/CLAY CREEK/INF)		PASSICK, CHAD	\$50.00
TRIMIN SYSTEMS INC.	\$9,221.61	ROTHSCHADL, BARBARA	\$50.00
(SUPPLIES & MATERIALS)		STURDEVANT'S AUTO CRTHS	\$13.20
A & B BUSINESS	\$194.05	VERMILLION FORD	\$78.59
BARCO MUNICIPAL PRODUCTS	\$110.87	WAYSMAN, CALEY	\$50.00
BRUNICK SERVICE, INC.	\$80.00	WHERRY, JAY	\$56.12
BUTLER MACHINERY CO.	\$425.00	(BOOKS)	
CINTAS	\$20.40	SD FED. PROPERTY AGENCY	\$18,500.00
CORTRUST BANK	\$12.00	(FURNITURE AND MINOR EQUIPMENT)	
DAVIS PHARMACY	\$1,674.08	CANON	\$263.32
GRAHAM TIRE S.F. NORTH	\$692.00	(MACHINERY AND AUTOMOTIVE EQUIP)	
GROSSENBURG IMPLEMENT IN	\$14.36	SD SHERIFF'S ASSN	\$336.98

Mockler moved, seconded by Thiesse and unanimously carried to pass and adopt the following Resolution #2023-07 for USDA Rural Development Grant Authorization.

RESOLUTION #2023-07

USDA Rural Development Grant Authorization

A resolution of **Clay County** agreeing to apply for financial assistance with the United States Department of Agriculture, Rural Development to finance the **Clay County Jail & Law Enforcement Center**. Be it further resolved that **Clay County** authorizes the Chairwoman of the County Commission to sign all documents relating to the USDA Rural Development grant.

Passed and adopted this 6th day of June, 2023, at Vermillion, South Dakota.

Commissioner Mockler moved for the adoption of the foregoing resolution, motion seconded by Commissioner Thiesse.

Vote of Commission: Ayes 5 Nays 0.

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

Board of County Commissioners
Clay County, South Dakota

Elizabeth T. Smith, Chairwoman

Attest:

Carri R. Crum, County Auditor

Mockler said they are still working on updated cost estimates for the jail project. Thiesse asked about the land cost, and Mockler said that is in progress. Auditor Carri Crum said she had a conference call while on vacation between Colliers Securities and Moody's Investor's Service, Inc., the company that issues the credit rating. The County received a aa3 rating, which Colliers Securities was pleased with as it is a good rating for the county.

It was reported that there will be a Joint Jurisdiction Zoning meeting with the City of Vermillion on June 20, 2023.

Smith welcomed new State's Attorney Michael Smith. Gray-Lobe said he is excited M. Smith is going to the indigent legal services listening session this afternoon. M. Smith said everyone needs adequate legal counsel for a democracy to work, and he excited to see how the community can participate.

At 9:43 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, June 13, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

June 13, 2023

The Board of County Commissioners met in regular session Tuesday, June 13, 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 addition of approval of invoices from Ulteig Engineering under Ditch Board, design development for jail and law enforcement center, and Executive Session for contractual matters.

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the June 6, 2023 meeting.

Highway Superintendent Rod Polley reported that the specifications were met by Boyer Trucks for the F550 bid opening held at the last meeting. Mockler moved, seconded by Thiesse and unanimously carried to accept the bid of \$70,475 from Boyer Trucks of Sioux Falls for the F550 truck.

Mockler moved, seconded by Hammond and unanimously carried to approve the low quote of \$2.91/gallon from Brunick's Service for gasoline.

Mockler said he, Hammond, Thiesse, Nick Slattery, and the Fairview Township Board met at Whimp's Place in an open meeting on June 7th to discuss the drainage issues surrounding the Whimp's Place property. They gave suggestions, and the ball is in Slattery's court now. Hammond said the best suggestion is to build a new building outside of the right-of-way. The current building hangs over the right-of-way by 7 feet. Polley discussed clearing out the culvert and said the Highway Department will be taking care of that. Hammond said, with the fixes they have discussed, water will be allowed to move off faster, maybe in one day instead of three, for example. Polley said they pulled out a garbage can that was stuck in the east end of the culvert.

Polley said they will be blading the east mile to the county line.

At 9:08 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and convene as Clay County Ditch Board with Chairman Mockler presiding.

Polley reported we got the 30-day FEMA extension for the Clay Creek Ditch. He said we can reapply for 18 months if necessary. Brad Stangoehr with Ulteig Engineering said the contracts are in order, so it is ready to go. He thinks it will happen in the fall now. Mockler said the extension gets us to the end of the year, and the completion date is December 1st.

Stangoehr presented a construction administration contract for Clay Creek Ditch. An inspector from Ulteig will go out once a week, and Stangoehr will do the final contract paperwork. Hammond moved, seconded by Thiesse and unanimously carried to authorize the Chairman to sign the contract.

The Board considered invoices from Ulteig Engineering in the amounts of \$110, \$946, and \$2,845 for work on Clay Creek Ditch. Smith moved, seconded by Thiesse and unanimously carried to approve the invoices for payment.

Polley asked, when the creek goes under a county road and a structure needs to be replaced, for example, the culvert under 454 Ave. on Yankton-Clay Ditch where the bottom is gone, who pays for that. Mockler said it is supposed to be 50/50. That is state law. Polley said 3-D Digging is out there digging for Clay Rural Water System, so he is hoping he can get him to do it while he is there.

At 9:14 a.m., Smith moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman Smith presiding.

Treasurer Rhonda Howe met with the Board to discuss the fees for Priority and Priority Express mailing. This is the year for new license plates, and they have been doing a lot of mailing. The Governor signed a bill increasing the allowable fees. A lot of customers request license plates to be mailed Priority or Priority Express. Howe discussed the cost for mailing and the fees the State required Counties to request. She would like it on record that we charge \$5 for Priority mail and \$25 for Priority Express mail. Gray-Lobe moved, seconded by Hammond and unanimously carried to set the fees for mailing of license plates at \$5 for Priority mail and \$25 for Priority Express mail.

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

(DUE TO OTHER GOVERNMENT)		SANFORD HEALTH OCCMED	\$89.00
CLAY CO TREASURER	\$8,152.50	SATELLITE TRACKING OF	\$126.75
SD DEPT OF REV ANDERSON	\$452,252.63	SD DEPT OF HEALTH LAB	\$445.00
STATE OF SD GAME FISH	\$630.39	SD NETWORK AGAINST FAMIL	\$200.00
(INSURANCE DEDUCTIBLE REIMBURSE)		SECURITY SHREDDING SVC.	\$35.00
STEWART, LAYNE	\$500.00	(OTHER PROFESSIONAL SERVICE)	
(PROFESSIONAL SERVICES AND FEES)		SCHILDHAUER, T. LEMBCKE	\$1,992.00
BUHLS DRYCLEANERS &	\$187.58	SD ATTORNEY GENERAL	\$776.00
CITY OF VERMILLION	\$48.00	(LAW OFFICE)	
ELK POINT AMBULANCE	\$293.92	FRIEBERG, NELSON & ASK	\$3,225.00
FEDEX	\$112.05	KATTERHAGEN, MARK	\$18.00
FIRST DAKOTA CREDIT CARD	\$6,634.55	KOLETZKY LAW OFFICE, PRO	\$198.60
FOX, DAN	\$335.70	MATTER LAW OFFICE LLC	\$214.00
HOUSKA, DDS, RANDY	\$548.00	PETERSON, STUART, KLENTZ	\$10,587.50
LARSON, VAL	\$39.00	TERWILLIGER, PHILIP	\$3,575.00
LEWNO, LUCILLE M	\$112.25	(MENTAL HEALTH)	
LINCOLN COUNTY AUDITOR	\$1,610.26	LEWIS & CLARK BEHAVIORAL	\$1,104.00
LOCKWOOD, DARCY	\$21.00	(MENTAL HEALTH)	
MOTOROLA	\$3,257.00	SD DEPT OF REV ANDERSON	\$600.00
NATIONAL EMERGENCY	\$250.00	(PUBLISHING)	
OLSON'S PEST TECHNICIANS	\$80.00	BROADCASTER PRESS	\$431.50
PHARMCHEM, INC.	\$914.70	NEW CENTURY PRESS ACCT44	\$618.35
QUALIFIED PRESORT SVC IN	\$9,975.66	(REPAIRS AND MAINTENANCE)	
QUILL LLC AUD	\$49.99	BRUNICK SERVICE, INC.	\$150.00
SANFORD HEALTH	\$177.35	EASTWAY AUTO SERVICE INC	\$99.95

FIRST DAKOTA CREDIT CARD	\$664.88
INTERSTATE POWER SYS INC	\$369.82
JOHNSON FEED, INC.	\$325.36
KONE, INC.	\$893.22
MART AUTO BODY & MARINE	\$165.00
MIDWEST READY MIX	\$45.00
NELSON REPAIRS	\$235.00
OVERHEAD DOOR COMPANY	\$985.11
RICHARDS, BRENDLYN	\$355.22
SCHLENKER, EVELYN	\$252.86
SCHREINER, TIM	\$769.32
(DATA PROCESSING/CLAY CREEK/INF)	
FIRST DAKOTA CREDIT CARD	\$7,944.44
MICROFILM IMAGING SYSTEM	\$1,800.00
SOFTWARE SERVICES, INC.	\$16,206.00
ULTEIG	\$3,901.00
(SUPPLIES & MATERIALS)	
A & B BUSINESS	\$190.50
A-OX WELDING SUPPLY CO	\$117.10
BARCO MUNICIPAL PRODUCTS	\$76.36
BRUNICK SERVICE, INC.	\$277.40
CORTRUST BANK	\$4.00
D-P TOOLS, INC.	\$369.95
FIRST DAKOTA CREDIT CARD	\$690.53
HY-VEE, INC. EXTENSION	\$149.22
INTELLECTUAL	\$397.68
INTERSTATE POWER SYS INC	\$137.46
JENSEN, RAVEN	\$350.39
JOHNSON FEED, INC.	\$26.03
MART AUTO BODY & MARINE	\$83.85
MCLEOD'S PRINTING & SUPP	\$439.90
MICROFILM IMAGING SYSTEM	\$30.00
O'REILLY AUTO PARTS	\$130.58
PROCHEM DYNAMICS	\$265.28
QUALIFIED PRESORT SVC IN	\$623.17
QUILL LLC AUD	\$195.94
REDWOOD TOXICOLOGY LAB.	\$123.12
RUNNINGS SUPPLY INC EXT	\$44.34
RUNNINGS SUPPLY INC HWY	\$30.98
SD DEPT OF TRANS	\$2,286.03
STURDEVANT'S AUTO HWY	\$22.99
VERMILLION ACE HARDWARE	\$199.99
(COPIER SUPPLIES)	
QUILL LLC AUD	\$43.72
RELIANCE TELEPHONE	\$500.00
(TRAVEL AND CONFERENCE)	
FIRST DAKOTA CREDIT CARD	\$1,453.36
HARGRAVE, SAMANTHA	\$74.00
HOWE, RHONDA	\$52.00
JENSEN, RAVEN	\$98.94
SDSU EXTENSION SERVICE	\$144.79
STEWART, LAYNE	\$56.00

(INMATE TRAVEL)	
PUMP N PAK	\$401.11
(UTILITIES)	
BUREAU OF ADMINISTRATION	\$76.83
CENTURYLINK	\$114.48
CENTURYLINK EMG	\$13.81
CENTURYLINK HWY	\$149.99
CITY OF VERMILLION	\$75.12
CLAY RURAL WATER SYSTEM	\$137.10
CLAY UNION ELECTRIC CORP	\$693.58
FIRST DAKOTA CREDIT CARD	\$890.95
LOFFLER COMPANIES	\$232.42
MCPHERSON, LARRY	\$150.00
MIDAMERICAN ENERGY C H	\$61.42
MIDAMERICAN ENERGY EXT	\$3.16
MIDAMERICAN ENERGY S C	\$35.34
MIDCO BUSINESS	\$210.39
MIDCO BUSINESS EXT.	\$75.39
VERMILLION GARBAGE SVC.	\$60.00
WAKONDA TOWN	\$62.65
(PAYMENT)	
BAYLOR, MINDY	\$10.00
BENDERT, RACHELLE	\$10.00
BRADY, MACKENZIE	\$10.00
BULTSMA, WILLIAM	\$10.00
CENEX SUPPLY & MARKETING	\$30.67
FIRST DAKOTA CREDIT CARD	\$98.95
FOWLKS, ZACHARY	\$20.20
HANSEN, AMBER	\$10.00
HANSON, PAUL	\$10.00
HECHT, LORI	\$30.40
HY-VEE, INC. COURTHOUSE	\$106.50
HY-VEE, INC. JAIL ACCT	\$441.40
JENSEN, REBECCA	\$22.24
JOHNSON, JUSTIN	\$10.00
JOHNSON, LISA	\$10.00
KEATING, LEAH	\$10.00
KONNOR, HANSON	\$10.00
LAMBERTZ, CHELCI	\$10.00
LEBER, CYNTHIA	\$17.14
MARSH, JUDITH	\$15.10
MARTIN, JOANNE	\$10.00
MILLER, MONICA	\$10.00
MISTER SMITH'S	\$74.99
NELSON, ROBERT	\$10.00
NUTRIEN AG SOLUTIONS	\$4,399.20
PEARSON, CARLA	\$31.42
PERSON, TREVOR	\$10.00
PETERS, TAYLOR	\$10.00
PIZZA RANCH 14762	\$3,858.50
POZNICEK, STEVE	\$16.12
PUMP N PAK	\$2,504.07

RASMUSSEN, JESSIE	\$10.00	JLG ARCHITECTS	\$747.87
RICHARDS, CORALIE	\$26.32	LAYNE'S WORLD, INC.	\$12.00
RUMELHART, TANYA	\$22.24	MIDWEST ALARM CO., INC.	\$6,881.01
SCHAFFER, JILL	\$10.00	NATURESCAPING DESIGN LLC	\$575.00
SE SD TOURISM ASSOC.	\$530.00	(BOOKS)	
SETTLES, DESIREE	\$10.00	BOYER FORD TRUCKS	\$70,475.00
STEWART, NOREEN	\$10.00	(FURNITURE AND MINOR EQUIPMENT)	
THIESSE, DAVID	\$21.22	BRUNICK SERVICE, INC.	\$161.40
THOMAS, RICHARD	\$16.12	CANON	\$84.79
WASTLUND, KENNETH	\$21.22	FIRST DAKOTA CREDIT CARD	\$77.97
WEST, NATHANIEL	\$10.00	LOFFLER COMPANIES	\$255.76
(JDC/SPECIAL EQP.)		MICROFILM IMAGING SYSTEM	\$335.00
JACK'S UNIFORMS & EQUIP.	\$304.64	(MACHINERY AND AUTOMOTIVE EQUIP)	
MINNEHAHA COUNTY JDC	\$13,069.29	LIGHT AND SIREN	\$1,580.00
SDACC OFFICE	\$1,025.00	(AUTOMOTIVE)	
(BUILDINGS AND STRUCTURES)		FIRST DAKOTA CREDIT CARD	\$13.24
HANSEN LOCKSMITHING INC	\$1,517.63		

State's Attorney Michael Smith discussed the contract for the courthouse mechanical/electrical/HVAC project. He said the only change was the liquidation clause to include \$100/day for the County if the project is not substantially completed on time. There are some requirements that the County provide notice that we are going to start demanding liquidated damages in the event it becomes necessary. Otherwise, he has looked at the contract, spoken with Former State's Attorney Alexis Tracy, and everything looks to be in order. Smith clarified that the contract under discussion is with L&L Builders. Hammond agreed that they reviewed and discussed the contract a few weeks ago. He said there will normally be monthly owner's meetings, and February would be the time to start talking about it if it looks like they are not going to meet the deadline. Mockler moved, seconded by Thiesse and unanimously carried to authorize the Chairwoman to sign the contract.

Sheriff Andy Howe met with the Board to present a Driveway Application to be submitted to the SD Department of Transportation for a driveway at the site of the new jail and law enforcement center. There is a driveway at the north end, but we want access as well. There was a brief discussion about the matter. Mockler moved, seconded by Gray-Lobe and unanimously carried to authorize Chairwoman to sign the application.

At 9:26 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for contractual matters per SDCL 1-25-2.

At 10:57 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to exit the Executive Session.

Hammond asked for input on talking to the Lion's Club about the building projects. Thiesse said we should share that we are still in budget. Mockler said they are working to figure out what the City's portion is. Hammond said it sounds like it's coming in at budget after some significant adjustment to the design. Mockler said he thinks both sides will be where they need to be. Howe said he thinks the City will be comfortable with where they are at. Hammond said it will mainly be a repeat of what he presented to the historical preservation group. Mockler said the consultant

is pushing for groundbreaking October 1st. Hammond said we should know within a few weeks what it will look like. He said anything he could give for a projected footprint will help. Mockler said the bonds have been sold. Hammond discussed fire suppression and said Day County's Courthouse burned out. This will help prevent that situation.

Gray-Lobe moved, seconded by Mockler and unanimously carried to move on to the design development phase of the jail and law enforcement center project.

At 11:03 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, June 27, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

June 20, 2023

The Board of County Commissioners met in a joint meeting with the City of Vermillion City Council Tuesday, June 20, 2023 at 6:00 p.m. for Second Reading of Ordinance #2023-02, an Ordinance Amending the Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2 Districts and Boundaries; Section 2.07 Classification of Land Coming Within the Joint Zoning Jurisdiction, Ordinance #2023-03, an Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 6 Light Industrial District; Section 6.01, Permitted Uses; and Chapter 6.02 Conditional Uses, and Ordinance #2023-04, an Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 19 Definitions; Section Chapter 19.02 Definitions.

County members present: Richard Hammond, Elizabeth Smith, David Thiesse, Travis Mockler, and Geoffrey Gray-Lobe.

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

First to be considered was Ordinance #2023-02, an Ordinance Amending the Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2 Districts and Boundaries; Section 2.07 Classification of Land Coming Within the Joint Zoning Jurisdiction. City Engineer José Dominguez gave a brief report regarding the proposed ordinance. Gray-Lobe moved, seconded by Hammond to pass and adopt Ordinance #2023-02, an Ordinance Amending the Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2 Districts and Boundaries; Section 2.07 Classification of Land Coming Within the Joint Zoning Jurisdiction. Roll call vote: Hammond Aye, Smith Aye, Gray-Lobe Aye, Thiesse Aye, Mockler Aye. Motion unanimously passed.

Next to be considered was Ordinance #2023-03, an Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 6 Light Industrial District; Section 6.01, Permitted Uses; and Chapter 6.02 Conditional Uses. Dominguez gave a brief report regarding the proposed ordinance. Mockler moved, seconded by Gray-Lobe to pass and adopt Ordinance #2023-03, an Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 6 Light Industrial District; Section 6.01, Permitted Uses; and Chapter 6.02 Conditional Uses. Roll call vote: Hammond Aye, Smith Aye, Gray-Lobe Aye, Thiesse Aye, Mockler Aye. Motion unanimously passed.

Last to be considered was Ordinance #2023-04, an Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 19 Definitions; Section Chapter 19.02 Definitions. Dominguez gave a brief report regarding the proposed ordinance. Hammond moved, seconded by Mockler to pass and adopt Ordinance #2023-04, an Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 19 Definitions; Section Chapter 19.02 Definitions. Roll call vote: Hammond Aye, Smith Aye, Gray-Lobe Aye, Thiesse Aye, Mockler Aye. Motion unanimously passed.

At 6:11 p.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene at 9:00 a.m., Tuesday, June 27, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

June 27, 2023

The Board of County Commissioners met in regular session Tuesday, June 27, 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 Gray-Lobe and unanimously carried to approve the agenda with the addition of rescheduling the next meeting and an invitation from the Spirit Mound Trust to discuss solar farm issues.

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the June 13, 2023 and June 20, 2023 meetings.

Under Visitors to be Heard, Director of Equalization Ina Peterson appeared to thank the Board for 29 ½ years of employment and to invite them to her retirement party. Smith thanked Peterson for her fairness and wisdom.

Highway Superintendent Rod Polley met with the Board to discuss highway matters. He presented three Right-of-Way Applications from Clay Rural Water System on 459 Ave., Section 18, T92N, R52W, 304 St., Section 6/7, T94N, R51W, and 304 St., Section 6/7, T94N, R51W. Hammond verified with Polley that the applications look good. Polley said yes, and he is having them dig on out on Volin Rd. to prove to him that it is encased. Hammond moved, seconded by Thiesse and unanimously carried to approve the applications and authorize the Chairwoman to sign them. Polley said in the near future, we will need to discuss what will be changed on the permit application. Hammond said he would entertain the idea of having Ulteig review it. Polley said he is disappointed that Clay Rural Water System had not been encasing the pipes in the past.

The group discussed the 306 St. rebuild/repair plan. Polley said boring samples showed a lot of asphalt and not much under it. The next step is to figure out cross-sections and what the County wants to do. He knows concrete is expensive, but he's not sure he likes the plan for asphalt. The contract under consideration with Ulteig Engineering will be money well spent. It will help the County to have a plan. Hammond said we cannot really put load limits on an arterial road. There was discussion regarding the Union County facility. Hammond said micro-surfacing might help keep the road together in the few years that this takes. Mockler said the first 3-5 years of operations for the Union County facility will be just beans, so we do have some time. Hammond said micro-surfacing will not increase any load-bearing for the road. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the contract with Ulteig Engineering in the amount of \$55,878 and authorize the Chairwoman to sign it.

Hammond discussed a new federal program for 100% funding for rural infrastructure. Polley said Ulteig Engineering is looking into that, and there is also a state program.

Polley discussed Butler's trade-in quote for the blade. It was \$123,500, which is about \$50,000 more than the one we previously sold at Girard Auction. He looked at other auctions and thinks

the trade-in price is close. Other counties were not interested when they heard the price. Thiesse was in favor as it is a for-sure price, and auctions are not for-sure. Polley said Butler does not usually offer trade-ins, so there may be a market right now, but auctions take a while. Mockler moved, seconded by Hammond and unanimously carried to accept the trade-in quote from Butler and authorize Polley to proceed.

Polley said the micro-surfacing crew starts July 10th. He removed the Volin Oil and W. Main from the plan and added Burbank Rd. There are holes on W. Main, so it needs to be milled and have a 1 ½" overlay installed.

Facilities Manager Scott Hanson met with the Board to discuss the 4-H building roof. He explored several options. The price of \$38,400 in 2022 is now escalated to \$46,080 with a 20-year warranty. Repairs would have been \$11,200 in 2022 but are now \$12,400, which will add 5-plus years to the life of the roof. He also discussed the kitchen area roof, canopy, and exhibit hall. The entire complex was quoted at \$224,000. A pitched roof was quoted at \$141,900. He said the County needs to do something. He budgeted for repairs, but he needs direction from the Board regarding repairing or replacing the roof. He said repairs might be a little less now because he did have to have some repairs done last year to stop leaks. Smith discussed the longevity of the building overall. Thiesse asked if the pitched roof option would be shingles or steel. Hanson said it would be shingles. Hammond asked how many valleys there would be because they could be a problem in the future. Hammond said by the time we fix other parts, we would be money ahead to do the pitched roof. Thiesse said it might also increase the efficiency of the building. Hammond said the other fair buildings are in disrepair, but not this one. Smith said the ICAP committee is looking at a long-term plan for the fair. There are many questions. Does the 4-H need to move out to the fairgrounds? She thinks it should stay in town. Hammond said the building has a future for kids' activities. Thiesse and Hanson discussed the overall condition of the building, such as plumbing, HVAC, and termite damage. Hanson said he has budgeted to replace the old paneling with sheet rock. Gray-Lobe said he would like to see the pitched roof plans. Hammond said if we deferred repairs, we could need an extra \$120,000. Smith discussed the Austin School building and the potential for sharing space with the Boys & Girls Club in that building. She said she could contact them. Thiesse clarified that we would not have ownership of that building and said he thinks there are problems with that building. Hanson said there were problems with indoor air quality. Thiesse said he would like to explore the option of a pitched roof on the current building. Hammond and Thiesse discussed the future of the building if the County ever elected not to keep it.

Hanson discussed the courthouse mechanical/electrical/HVAC project. He said there is a pre-construction meeting tomorrow. There was discussion regarding having a meeting between the Commission and court personnel to discuss the impact on the court proceedings. Hanson said he has also been working on where to move storage items during the project. Hammond asked if this will dovetail with the court security project. Hanson said he has worked on it, but he has also been speaking with Dick Strassburg from TEGRA Group. It will involve a lot of subcontractors, so it would be beneficial to have a project manager or owner's representative. It will be a good winter project, so he thinks 2025 might be a good target timeframe for that project.

Hanson discussed the failing carpet in the courtroom and jury room. The supplier looked at it, and Mohawk sent an inspector. He is working with the supplier. Hanson asked the Board whether they would like him to just replace it or look at pursuing any legal options. It was installed in 2015. Smith asked what the estimated cost is. Gray-Lobe said it makes sense to do the renovation first. Hanson discussed that the carpet is taped at the moment and looks very bad. He said he considered replacing it and purchasing additional stock to have on hand for after the renovations. Hammond asked about the warranty timeframe. Mockler reminded the Board that this topic was not on the agenda.

Zoning Administrator Drew Gunderson presented a plat. Hammond said the Planning & Zoning Commission approved it last night. Hammond moved, seconded by Thiesse and unanimously carried to pass and adopt the following Resolution #2023-10 for Plat of Bancroft Tracts 3, 4, and 5 in Lot 4 and Lot 4A of Section 35, Township 92 North, Range 51 West of the 5th Principal Meridian, Clay County, South Dakota; Tom Muenster, Managing Member of Cottonwood Farm, LLC, owner.

**RESOLUTION #2023-10
RESOLUTION OF COUNTY COMMISSIONERS**

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

A plat of Bancroft Tracts 3, 4, and 5 in Lot 4 and Lot 4A of Section 35, Township 92 North, Range 51 West of the 5th Principal Meridian, Clay County, South Dakota; Tom Muenster, Managing Member of Cottonwood Farm, LLC, owner.

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

Elizabeth Smith, Chairwoman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on June 27, 2022.

Carri R. Crum
County Auditor, Clay County, SD

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

(PAYROLL)		AUDITOR'S OFFICE	\$14,159.75
COMMISSIONER'S	\$8,978.03	TREASURER'S OFFICE	\$24,009.74

STATE ATTORNEY'S OFFICE	\$31,715.38
COURTHOUSE	
\$10,738.73	
DIRECTOR OF EQUALIZATION	
\$19,216.11	
REGISTER OF DEEDS	\$9,915.64
VETERAN'S OFFICE	\$1,893.78
24/7 PROGRAM	
\$2,272.48	
SHERIFF'S OFFICE	\$57,081.28
COUNTY JAIL	\$37,744.08
EMERGENCY MGMT	\$5,560.75
HIGHWAY	\$47,171.83
COMMUNITY HEALTH NURSE/WIC	
\$3,622.21	
EXTENSION OFFICE	\$3,335.32
WEED	\$11,711.37
PLANNING & ZONING	\$3,919.19
(DUE TO OTHER GOVERNMENT)	
BERESFORD SCHL DIST 61-2	\$34,827.68
BETHEL TOWNSHIP	\$9,681.30
CENTERVILLE SCH DIST 60-	\$42,200.62
CITY OF VERMILLION	\$154,593.51
FAIRVIEW TOWNSHIP	\$9,273.61
GARFIELD TOWNSHIP	\$6,824.67
GAYVILLE/VOLIN SCHL DIST	\$12,914.79
GLENWOOD TOWNSHIP	\$10,989.49
IRENE CITY	\$3,723.10
IRENE/WAKONDA SCHL 13-3	\$79,297.30
MECKLING TOWNSHIP	\$9,597.28
NORWAY TOWNSHIP	\$9,758.01
PLEASANT VALLEY TWP.	\$7,843.18
PRAIRIE CENTER TWP.	\$7,808.50
RIVERSIDE TOWNSHIP	\$10,780.89
SPIRIT MOUND TOWNSHIP	\$10,683.50
STAR TOWNSHIP	\$11,877.15
TLC WATER PROJECT DIST.	\$7,437.29
VERMILLION BASIN WATER	\$2,185.79
VERMILLION SCHL DIST 13-	\$482,817.62
VERMILLION TOWNSHIP	\$6,173.69
VIBORG/HURLEY SCHL 60-6	\$72.14
WAKONDA TOWN	\$5,114.55
(PAYROLL WITHHOLDING)	
AFLAC	\$2,038.57
CLAY CO FIT FICA	\$66,373.09
COLONIAL LIFE	\$183.16
CONSECO/WASHINGTON	\$24.45
DIV OF CHILD SUPPORT IA	\$440.00
DIV OF CHILD SUPPORT SD	\$2,403.00
NEW YORK LIFE INSURANCE	\$328.57
SD RETIREMENT SYSTEM	\$34,015.20
SD SUPPLEMENT RETIREMENT	\$6,735.00

SDRS ROTH 457(B) PLAN	\$600.00
TASC PVR	\$2,270.80
THE STANDARD - DENTAL	\$1,405.48
THE STANDARD - LIFE INS.	\$417.62
THE STANDARD - SH TRM DI	\$1,131.79
THE STANDARD - VISION	\$343.44
UNITED WAY OF VERMILLION	\$146.92
VERMILLION FEDERAL	\$750.00
WELLMARK BLUE CROSS	\$58,717.34
()	
BERESFORD RURAL FIRE	\$1,795.43
CENTERVILLE RURAL FIRE	\$1,291.14
GAYVILLE RURAL FIRE ASSO	\$1,103.13
IRENE RURAL FIRE ASSOC	\$273.77
VERM. RURAL FIRE ASSOC.	\$7,811.89
VOLIN RURAL FIRE ASSOC.	\$270.51
WAKONDA RURAL FIRE	\$2,618.69
(OTHER INSURANCE)	
SD PUBLIC ASSURANCE ALL.	\$634.43
(PROFESSIONAL SERVICES AND FEES)	
AGYEIWAA, VEMA	\$1,000.00
CLAY CO TREASURER	\$121.80
EMS ASSOCIATION	\$290.06
ERICKSON SOLUTIONS GROUP	\$887.20
FIRST DAKOTA CREDIT CARD	\$141.39
FLEX SYSTEM (TASC)	\$1,504.44
HANSEN FUNERAL HOME, INC	\$350.00
HOUSKA, DDS, RANDY	\$205.00
PRESTO-X COMPANY LLC	\$99.44
QUALIFIED PRESORT SVC IN	\$5,608.16
ULTEIG	\$8,712.00
US BANK	\$1,200.00
WAGNER COMMUNITY	\$68.95
YANKTON CO SHERIFF	\$150.00
YANKTON CO TREASURER	\$632.20
(OTHER PROFESSIONAL SERVICE)	
UNION CO. SHERIFF	\$22,640.00
YANKTON CO SHERIFF	\$1,360.00
(LAW OFFICE)	
GOEDEN, JAMES	\$17.00
GUNHAMMER, TORI	\$83.00
GUNHAMMER, TRISTAN	\$28.00
MATTHEWS, ANDRE	\$35.00
MCBRIDE, STEPHANI	\$10.00
YOUNGBERG LAW LLC	\$598.90
(REPAIRS AND MAINTENANCE)	
BRUNICK SERVICE, INC.	\$120.00
CENTURY BUSINESS PRODUCT	\$40.53
EASTWAY AUTO SERVICE INC	\$362.02
FIRST DAKOTA CREDIT CARD	\$1,076.10
FLEX SYSTEM (TASC)	\$52.80
NORTHSIDE GLASS	\$377.03

PRESTO-X COMPANY LLC	\$73.45	VERIZON WIRELESS EMG	\$40.01
THOMPSON SOLUTIONS GROUP		VERIZON WIRELESS HWY TRS	\$96.32
\$2,630.00		VERIZON WIRELESS SHERIFF	\$401.89
TRACTOR SUPPLY CREDIT PL	\$57.98	(PAYMENT)	
TRI-STATE TURF &	\$223.92	BLAINE'S BODY SHOP	\$405.00
VERMILLION ACE HARDWARE	\$298.95	BRUNICK SERVICE, INC.	\$30.00
(DATA PROCESSING/CLAY CREEK/INF)		DOMESTIC VIOLENCE	\$120.00
FIRST DAKOTA CREDIT CARD	\$4,006.25	HEEREN, DANIELLE	\$57.14
TRIMIN SYSTEMS INC.	\$3,400.00	HUDSON, TYLER	\$45.50
(SUPPLIES & MATERIALS)		HUNTLEY, CHRIS	\$45.50
AGTERRA TECH INC.	\$900.00	HY-VEE, INC. JAIL ACCT	\$552.02
BRUNICK SERVICE, INC.	\$4,544.95	MCGUIRE, JAMES	\$56.12
CINTAS	\$59.60	MILLER, CRIMSON	\$20.00
D-P TOOLS, INC.	\$2,602.92	NELSEN, PEGGY	\$50.00
EASTWAY AUTO SERVICE INC	\$857.22	OLSON, KATHERINE	\$50.00
FIRST DAKOTA CREDIT CARD	\$599.25	PASSICK, CHAD	\$50.00
GRAHAM TIRE S.F. NORTH	\$692.00	ROTHSCHADL, BARBARA	\$50.00
INTERSTATE POWER SYS INC	\$97.12	SCHULTZ, JAMES	\$50.00
KNIFE RIVER MIDWEST, LLC	\$2,592.80	THE SOAP GUYS	\$67.20
LEWIS DRUG, INC.	\$42.71	VERMILLION FORD	\$79.89
O'REILLY AUTO PARTS	\$488.05	WAYSMAN, CALEY	\$50.00
PRESSING MATTERS	\$237.00	WHERRY, JAY	\$56.12
PROCHEM DYNAMICS	\$296.57	WILLIAMS, BROOKLYN	\$20.00
QUALIFIED PRESORT SVC IN	\$455.36	(JDC/SPECIAL EQP.)	
QUILL LLC TRS	\$72.37	JACK'S UNIFORMS & EQUIP.	\$56.95
RUNNINGS SUPPLY INC CH	\$30.38	(BUILDINGS AND STRUCTURES)	
RUNNINGS SUPPLY INC HWY	\$535.78	NEU POND & LANDSCAPING	\$1,508.41
TYLER TECHNOLOGIES	\$449.00	RUNNINGS SUPPLY INC CH	\$156.00
UNION CO. SHERIFF	\$611.04	VERMILLION ACE HARDWARE	\$131.14
VERMILLION ACE HARDWARE	\$322.91	(BOOKS)	
VERMILLION FEDERAL	\$15.98	FIRST DAKOTA CREDIT CARD	\$125.00
YANKTON JANITORIAL SUPPL	\$1,103.95	THOMSON REUTERS - WEST	\$1,297.20
(TRAVEL AND CONFERENCE)		(FURNITURE AND MINOR EQUIPMENT)	
CALVERT, KYLE	\$160.18	CANON	\$222.94
FIRST DAKOTA CREDIT CARD	\$95.45	FIRST DAKOTA CREDIT CARD	\$213.20
OLSON, LENNEA	\$100.00	LOFFLER COMPANIES	\$820.77
PETERSON, INA	\$100.00	QUALITY MOTORS	\$1,409.91
SDAOO	\$1,100.00	VERMILLION ACE HARDWARE	\$155.97
SDVSOA	\$100.00	(MACHINERY AND AUTOMOTIVE EQUIP)	
(UTILITIES)		WEGNER AUTO CO, INC	\$41,078.00
BUREAU OF ADMINISTRATION	\$46.50	(AUTOMOTIVE)	
CITY OF VERMILLION	\$901.93	BRUNICK SERVICE, INC.	\$160.15
FIRST DAKOTA CREDIT CARD	\$1,780.90	FIRST DAKOTA CREDIT CARD	\$35.11

The Board discussed Clay County Park. Gray-Lobe said it has been great working with the park board. The park board has been hearing requests from the public for more trail space. There has also been discussion regarding the farm ground. The park is leased to the park board, but the farm ground does not seem to have a written agreement. The farm ground rent helps the park budget. Of 125.68 acres, there is approximately \$17,760 of annual rent, which is about \$141/acre. Gray-Lobe said that is low. However, productivity seems to decrease as you get

closer to the river because the soil is sandier. It seems the rental agreement has been verbal, but the County really needs to do something different. The park board wants to put the farm ground lease out for bids, with the hope that the parcel closest to the river can become public space. They want to secure grant funds for options. The State's Attorney's Office determined that the lease process would have to be handled by the Commission. The lease would need to be year-to-year for the farm ground, but not for the park itself. Smith said it is time to modernize as things were just done by a handshake back in the 1960's. Thiesse asked about the bidding process, and Deputy State's Attorney Samantha Hargrave said the statute requires advertisement and an auction by the Auditor. Hammond discussed with Mockler the typical specifics of farm ground leases. Mockler asked how the City rents ground with leases of 3 years, and Hargrave said they may have different statutes. Thiesse discussed with Mockler and Hammond maintaining soil nutrient levels. Hammond said the County should obtain financials from the park board at budget time. Mockler asked if the County can restrict bidding to Clay County residents only. Hargrave said she will look into it, and it was decided the matter will be placed on the next agenda.

The Board discussed at length the Governor's granting of July 3rd as administrative leave because the July 4th holiday falls on a Tuesday this year, and they reviewed the Employee Handbook. Hammond moved, seconded by Gray-Lobe and carried to grant administrative leave in agreement with the Governor and that the County offices be closed. Under discussion, Smith said administrative leave is different than a holiday, and they may need to put it into the handbook in writing. Mockler said it ends up being an extra day of leave per year that they are granting. Hammond said they should stick to the handbook and be consistent.

The Board noted that the next County Commission meeting will be July 11th due to the holiday.

Smith said the Spirit Mound Trust is concerned about potential solar regulations. They have invited the Commission to walk up Spirit Mound and discuss their concerns. A date has yet to be determined.

The Sheriff's Office and Vermillion Public Library Board monthly reports as well as the following Auditor's Account with the County Treasurer Report were accepted and placed on file.

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 June 1, 2023.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	13,425,220.41
Amount of actual cash	2,489.58
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	82,782.92

Itemized list of all items, checks and drafts which have

been in the Treasurer's possession over three days: 484.67

Checks returned and not deposited

Cash Items 700.00

Investments 336,000.00

Cash Variation 0.00

Total

Dated this 1st day of
June, 2023.

13,847,677.58

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes are as follows: Melissa Brown as Assessor for the Director of Equalization at \$3,186.29/month effective May 15, 2023 and Ryan Carlisle as Summer Highway & Weed at \$16.00/hour effective May 24, 2023.

At 10:55 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to enter an Executive Session for contractual matters per SDCL 1-25-2.

At 11:14 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

At 11:14 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, July 11, 2023.

ATTEST:

Carri R. Crum

Carri R. Crum, County Auditor

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

July 11, 2023

The Board of County Commissioners met in regular session Tuesday, July 11, 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.

Minutes of the June 20, 2023 and the June 27, 2023 meetings were approved with a motion by Hammond, seconded by Thiesse and unanimously carried.

The Board considered a BNSF Railroad funding request for \$1,000/linear foot for replacement of a railroad crossing on Saginaw Ave. The matter was tabled to the next meeting so that Highway Superintendent Rod Polley can be present for the discussion.

Emergency Management Director Layne Stewart met with the Board for the 2024 budget request.

Veterans Service Officer/Welfare/Zoning Administrator Drew Gunderson met with the Board for the 2024 budget request.

Auditor Carri Crum met with the Board for the 2024 budget request.

Sheriff Andy Howe met with the Board for the 2024 budget requests for the Sheriff's Office, Jail, 24/7 Sobriety Project, and Coroner.

Director of Equalization Lennea Olson met with the Board for the 2024 budget request.

The Board discussed passage of Resolution #2023-11 for Opt-Out. It was discussed that unavoidable expense items such as software costs and inflation/cost escalation have affected the budget. Smith and Gray-Lobe said a 3% COLA is an effective pay cut, but 5.8% does not seem doable. After much review, it was decided that the Board would have another meeting before July 15.

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

(DUE TO OTHER GOVERNMENT)		IRENE/WAKONDA SCHL 13-3	\$54,676.36
BERESFORD SCHL DIST 61-2	\$20,925.53	MECKLING TOWNSHIP	\$4,124.48
BETHEL TOWNSHIP	\$3,531.92	NORWAY TOWNSHIP	\$2,214.09
CENTERVILLE SCH DIST 60-	\$12,926.10	PLEASANT VALLEY TWP.	\$3,825.60
CITY OF VERMILLION	\$25,327.02	PRAIRIE CENTER TWP.	\$2,685.10
CLAY CO TREASURER	\$6,808.00	RIVERSIDE TOWNSHIP	\$3,742.69
FAIRVIEW TOWNSHIP	\$2,902.40	SD DEPT OF REV ANDERSON	\$397,976.10
GARFIELD TOWNSHIP	\$4,279.72	SDACO - M&P FUND PAYMENT	\$122.00
GAYVILLE/VOLIN SCHL DIST	\$2,209.34	SPIRIT MOUND TOWNSHIP	\$4,207.02
GLENWOOD TOWNSHIP	\$4,409.79	STAR TOWNSHIP	\$3,900.17
IRENE CITY	\$283.83	VERMILLION BASIN WATER	\$146.56

VERMILLION SCHL DIST 13-	\$159,529.04
VERMILLION TOWNSHIP	\$1,156.31
VIBORG/HURLEY SCHL 60-6	\$56.35
WAKONDA TOWN	\$2,211.86
(FIRE)	
BERESFORD RURAL FIRE	\$88.01
CENTERVILLE RURAL FIRE	\$63.29
GAYVILLE RURAL FIRE ASSO	\$54.07
IRENE RURAL FIRE ASSOC	\$13.42
VERM. RURAL FIRE ASSOC.	\$382.92
VOLIN RURAL FIRE ASSOC.	\$13.26
WAKONDA RURAL FIRE	\$128.36
(INSURANCE DEDUCTIBLE REIMBURSE)	
PICK, TONY	\$500.00
(PROFESSIONAL SERVICES AND FEES)	
BUHLS DRYCLEANERS &	\$151.04
CITY OF VERMILLION	\$60.54
FEDEX	\$115.10
HOUSKA, DDS, RANDY	\$466.00
INTEK	\$1,539.32
LINCOLN COUNTY AUDITOR	\$128.40
MEIERHENRY SARGENT LLP	\$49,780.00
MOODY'S INVESTORS	\$33,500.00
NORTH CENTER RADIOLOGY	\$56.65
PHARMCHEM, INC.	\$830.70
PRESTO-X COMPANY LLC	\$99.44
QUALIFIED PRESORT SVC IN	\$4,270.87
SANFORD HEALTH	\$279.72
SANFORD ORTHOPEDICS &	\$177.32
SATELLITE TRACKING OF	\$117.00
SD DEPT OF HEALTH LAB	\$530.00
SULLIVAN, GAGE QMHP	\$637.50
TIGERT ART GALLERY	\$100.00
UNION CO. SHERIFF	\$52.50
VERMILLION ED SANFORD	\$647.89
YANKTON MEDICAL CLINIC P	\$59.26
(OTHER PROFESSIONAL SERVICE)	
SD ATTORNEY GENERAL	\$595.00
(LAW OFFICE)	
BOYS & GIRLS CLUB, INC.	\$1,750.00
DEPT OF SOCIAL SERVICES	\$17.20
FRIEBERG, NELSON & ASK	\$3,225.00
MATTER LAW OFFICE LLC	\$801.00
PETERSON, STUART, KLENTZ	\$10,587.50
TERWILLIGER, PHILIP	\$2,675.00
(PUBLISHING)	
BROADCASTER PRESS	\$24.64
NEW CENTURY PRESS ACCT44	\$120.96
(REPAIRS AND MAINTENANCE)	
BUTLER MACHINERY CO.	\$185.00
FAST AUTO GLASS, INC.	\$1,006.00
LOFFLER COMPANIES	\$289.52

YANKTON WINNELSON CO.	\$115.72
(DATA PROCESSING/CLAY CREEK/INF)	
MICROFILM IMAGING SYSTEM	\$90.00
SOFTWARE SERVICES, INC.	\$3,992.00
(SUPPLIES & MATERIALS)	
A & B BUSINESS	\$190.50
A-OX WELDING SUPPLY CO	\$469.33
BARCO MUNICIPAL PRODUCTS	\$76.32
BRUNICK SERVICE, INC.	\$129.66
CINTAS	\$168.50
D-P TOOLS, INC.	\$63.14
HY-VEE, INC. EXTENSION	\$229.93
JOHN DEERE FINANCIAL	\$104.49
MCLEOD'S PRINTING & SUPP	\$92.23
MICROFILM IMAGING SYSTEM	\$30.00
O'REILLY AUTO PARTS	\$58.88
ONE OFFICE SOLUTION	\$431.09
PHARMCHEM, INC.	\$26.50
QUALIFIED PRESORT SVC IN	\$323.61
QUILL LLC AUD	\$101.86
RUNNINGS SUPPLY INC EXT	\$14.94
RUNNINGS SUPPLY INC H&W	\$309.92
TRUENORTH STEEL	\$13,872.00
VERMILLION ACE HARDWARE	\$778.95
(COPIER SUPPLIES)	
QUILL LLC AUD	\$25.10
(TRAVEL AND CONFERENCE)	
HOLIDAY INN-SIOUX FALLS	\$675.00
SD EMG. MGMT. ASSOCIATIO	\$100.00
(INMATE TRAVEL)	
CENEX FLEET FUELING	\$441.47
(UTILITIES)	
ALLEN, VICTOR	\$180.00
ANDERS, JEFFREY	\$180.00
ARMSTRONG, AARON	\$180.00
BUREAU OF ADMINISTRATION	\$22.88
CENTURYLINK	\$122.54
CENTURYLINK EMG	\$13.80
CENTURYLINK HWY	\$149.99
CHRISTOPHERSON, KALEB	\$180.00
CITY OF VERMILLION	\$1,555.74
CLAY RURAL WATER SYSTEM	\$150.90
CLAY UNION ELECTRIC CORP	\$629.57
HOWE, ANDY	\$180.00
HUBER, KYLE	\$180.00
HUSBY, TIFFANY	\$180.00
KYMALA, SHANNON	\$180.00
MIDAMERICAN ENERGY C H	\$91.58
MIDAMERICAN ENERGY EXT	\$9.25
MIDAMERICAN ENERGY S C	\$39.70
MIDCO BUSINESS	\$210.39
MIDCO BUSINESS EXT.	\$75.39

PAULSEN, ANDREW	\$180.00	VERMILLION PUBLIC LIBRAR	\$1,000.00
PEDERSON, PAUL	\$180.00	WAKONDA PUBLIC LIBRARY	\$625.00
RIVERSIDE HYDRAULICS AND	\$86.76	(JDC/SPECIAL EQP.)	
VERMILLION GARBAGE SVC.	\$236.00	THE LUMBERYARD LLC	\$11.97
WAKONDA TOWN	\$66.90	(BUILDINGS AND STRUCTURES)	
(PAYMENT)		JLG ARCHITECTS	\$3,198.93
CENEX FLEET FUELING	\$2,217.56	(BOOKS)	
CLAY CO AGR FAIR ASSOC	\$2,062.50	THOMSON REUTERS - WEST	\$883.29
DAKOTA SENIOR MEALS	\$1,377.25	(FURNITURE AND MINOR EQUIPMENT)	
DOMESTIC VIOLENCE	\$240.00	CANON	\$125.17
LEWIS & CLARK BEHAVIORAL	\$6,126.00	MICROFILM IMAGING SYSTEM	\$155.00
PIZZA RANCH 14762	\$2,142.40	(AUTOMOTIVE)	
STURDEVANT'S AUTO CRTHS	\$49.18	BRUNICK SERVICE, INC.	\$56.10
VERMILLION AREA ARTS CNC	\$1,250.00	QUALITY MOTORS	\$404.03
VERMILLION FEDERAL	\$68.65		

The Board discussed Clay County Park. Gray-Lobe said he visited the FSA office regarding legal descriptions of the farm ground at the park, and he said we do not have appropriate legal descriptions to put into an advertisement for lease auction. Thiesse asked State's Attorney Michael Smith regarding advertising for tillable acres. Smith said he spoke to Gray-Lobe regarding the farmland, and he shares some of the same concerns as Gray-Lobe. The information looks incomplete regarding legal descriptions. They do not appear to correspond with how the rodeo grounds, farmland, and County Highway Shop are actually situated. If things have been changed over the past several decades, we may not have an accurate legal description. Mockler said when it is rented, it is listed as tillable acres per section, not per legal description. Gray-Lobe said if that is acceptable methodology, he is happy to avoid a survey. There is also not consistency between the FSA vs. Beacon. Things are listed as owned by Clay County Park Association that are not, etc. It did seem as though the Register of Deeds Office records have some clarity. Hammond said tillable acres from the FSA maps should be accurate within a few hundredths of an acre. Mockler said it will be close enough. M. Smith said it makes a lot of sense and suggested Mockler and Hammond should look at it since they have experience with it. Mockler said the only thing that has to be done by September is to notify the current renter. He said the new renter will not have access until March 1st. Smith asked who needs to send the notification letter to the current renter. There was discussion regarding the lease to the Clay County Park Association. Gray-Lobe said the County should hold the lease of the farm ground as it is most appropriate to state law, per his conversations with M. Smith. Hammond said that is correct, but he thinks the current agreement suggests the park board should send the letter. M. Smith suggested the County should also send a letter to the park board. Mockler asked if it is easier to add an addendum to the current lease contract that allows the park board to sub-lease the farm ground. Smith said some of the rent money may be used for trail maintenance and further development of the park, and they could have a long-term capital account that they can deposit into for 501(c)3 rules. It might be cleaner for us to amend the lease as Mockler suggested. M. Smith said he will look back at the statutes from that perspective to ensure the statutes do not prohibit it. Gray-Lobe also discussed the statutes, and he said it sounded like it would be permissible. Smith said the lease probably needs a second look. Gray-Lobe said he believes the current tenant has been notified verbally, but the next park board meeting is the 19th

and he will attempt to attend via Zoom to let them know the tenant needs to be notified in writing as well as the Commission's current discussion. Smith said if the lease can be revised, the Commission can review any revisions for clarity. Mockler said the notice should be sent certified mail. He would also like to see it rented to a Clay County resident.

Crum discussed August meeting dates with the Board. She will be out of the office, and Chief Deputy Nicole Klunder has a scheduling conflict on August 8th. It was decided that Deputy Jessica Beringer will take minutes and close the Auditor's Office during the meeting.

Under building project updates, it was reported that there will be an owner's meeting on Friday morning.

A meeting was set for budget discussion and a Resolution for Opt-Out on Friday, July 15 at 10:00 a.m.

At 11:49 a.m., Mockler moved, seconded by Thiesse and unanimously carried to enter an Executive Session for contractual matters per SDCL 1.25.2.

At 12:20 p.m., Mockler moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

At 12:21 p.m., Mockler moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Friday, July 15, 2023 at 10:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

July 14, 2023

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

Vice Chairman Mockler 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.

The Board discussed the 2024 budget and the need for an opt out. Auditor Carri Crum presented the Board with several options for the budget and reported that Chairwoman Smith voiced her support for a \$600,000 opt out and her feelings that it would fulfill the budgetary needs while still being responsible to the taxpayers. Hammond agreed and said \$600,000 was the amount he arrived at although it may be cutting it a bit close. Crum said she was surprised at how well department heads were able to tighten their budgets, and she feels better about the budget now, although she knows there were some big sacrifices. Hammond asked about the Sheriff's patrol car budget. Sheriff Andy Howe said he cut out a vehicle replacement for 2024. Crum discussed organizations that applied for funding. Mockler said the Commissioner budget has \$75,000 in professional services and fees, and that may be able to be reduced. Crum said that budget has been paying for architecture fees and other contracts for the building projects, and now that the bond funding is in place, those fees can be paid from those funds. She said she was unsure just how much the Commission would like her to reduce that line item. Hammond talked about future plumbing repairs that will likely be needed in the courthouse. Mockler said there is potential savings if the Board increases the deductible for health insurance and offers a reimbursement for those employees who meet their deductible so that, effectively, the deductible would remain the same for the employees. Crum said they would need to look at the out-of-pocket maximum as well to make sure that was a proportionate increase. Hammond and Crum discussed the reduction in the 911 budget, and it was due to an equipment purchase last year that was a one-time expense. The Board discussed the ambulance replacement budget, and the increased cost of the vehicles. Mockler said the annual budget for ambulance replacement probably should be \$60,000. The group talked about inmate boarding costs and the jail and law enforcement center project's projected completion date of the fall of 2025. Hammond said he thinks a \$600,000 opt out gives the County some wiggle room for unexpected expenses, and he thinks that much is needed. He asked Crum if she feels ok with a \$600,000 opt out, and Thiesse asked where that puts the County at the end. Mockler said it's a little over 13% in reserves. Mockler said the wild card is how much is unspent at the end of the year as that may help. Crum said she tries to be somewhat conservative on revenue projections, so if the revenues come in stronger than the projections, there could be some additional money. Hammond moved, seconded by Thiesse to pass and adopt the following Resolution #2032-11 for Opt Out. Roll call vote: Gray-Lobe Aye, Hammond Aye, Thiesse Aye, Mockler Aye.

**ATTENTION TAXPAYERS:
NOTICE OF
PROPERTY TAX INCREASE**

OF \$600,000

RESOLUTION #2023-11 FOR OPT OUT

THE GOVERNING BOARD OF Clay County Commissioners do state that the above said board is unable to operate under the tax limitation measure currently in statute. We therefore OPT OUT of such tax limitation in the amount of \$600,000 starting with calendar year 2023 taxes payable in the calendar year 2024. This opt out will be for 1 year, which will be through taxes payable in the calendar year 2024. This action has been taken by the board and approved by at least a two-thirds vote of the board.

This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters in the district and filed with the governing body within twenty days of the first publication of this decision.

Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above stated amount.

Signed: Elizabeth T. Smith was absent and did not vote. Board Chairwoman

David Thiesse Board Member

Richard Hammond Board Member

Travis Mockler Board Member

Geoffrey Gray-Lobe Board Member

Attest: Carri R. Crum Clay County Auditor

Date 7/14/2023

PT182

At 10:25 a.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, July 25, 2023 at 9:00 a.m.



Travis Mockler, Vice Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

July 25, 2023

The Board of County Commissioners met in regular session Tuesday, July 25, 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 adoption of the provisional budget.

Hammond moved, seconded by Mockler and unanimously carried to approve the minutes of the July 11, 2023 and July 14, 2023 meetings.

Tom Sorensen appeared under Visitors to be Heard to voice concerns about the posted speed limit on Discovery Avenue. It is a .2 mile section of road, and there is a 55 mph speed limit. He spoke of a recent car crash involving young drivers. The car went into the Yankton-Clay Ditch. He said it is a dangerous area, and he does not know how the speed limit is 55 mph on such a short stretch of road. He has also heard there is a lot of pedestrian and bicycle traffic. Thiesse asked him what he sees as a good solution. Sorensen suggested taking down the 55 mph sign. Gray-Lobe said it then defaults to 55 mph under statute. Hammond and Mockler said it is a township road, and the Commission has no control over it. Thiesse said they can forward the suggestions to the township board. Smith said she is happy to contact the township board. Hammond said he did go look at the area, and he suggested a "stop ahead" sign. He and Highway Superintendent Rod Polley discussed signage.

Polley met with the Board regarding a request from BNSF Railroad for funding to complete construction work on the railroad crossing at Saginaw Avenue. He said he asked BNSF for an itemized list of what will be done and has not received anything. He said he agrees it needs to be done. Polley said the County has and has not paid in the past. This is one of the most expensive crossings. Two years ago, the railroad asked the County to cut the asphalt, yet the project will not be done until next year. It is not in his budget to provide the requested funding. Other counties sometimes unwillingly provide funding for crossings. This also does not include lights. Gray-Lobe said a citizen did contact him regarding obtaining something more than just what is there for that crossing. Polley said lighting is an extra \$150,000. He discussed the width of the crossing and said he thinks it is more like 80 feet instead of the 66 feet listed in the request. Thiesse asked if it is railroad right-of-way, and Mockler said yes. Thiesse said it sounds like they are trying to pull the wool over the County's eyes. Smith said it is unprofessional, and Mockler said it sounds like the County would be footing the bill, and the railroad would only be throwing in their labor. Hammond discussed additional costs involved with asphalt patching. Gray-Lobe said it would not surprise him if railroads have an unjust legal structure and asked for the State's Attorney's opinion on the matter. Mockler said if there is a statute, the railroad will be able to tell us. Emergency Management Director Layne Stewart said when there was a train derailment at Ag Opportunities a few years ago, he was told by the railroad to leave because he had no jurisdiction. State's Attorney Michael Smith said there is probably federal laws involved. He will

need to research the matter. Gray-Lobe asked if the County should ask the railroad what their justification is. Thiesse asked where the liability falls. Mockler said other railroad crossings have been done without consulting the County. Hammond moved to defer Board action until the railroad provides more information on the nature and true cost of the project, seconded by Gray-Lobe. Under discussion, it was suggested that the State's Attorney should draft a letter. M. Smith said if there is federal law involved, it supersedes state law. There is a lot of research, and it seems strange that the railroad has not responded to Polley's request for more information. Hammond amended his motion to deny the request pending the railroad providing more information on the cost, scope of work, and authority for the request. Gray-Lobe seconded the amended motion. Under discussion, Thiesse said we need an estimate, or we can deny it and let the railroad provide proof. B. Smith said she thinks we could deny the request pending more information. M. Smith said the railroad knows the answer. They deal with every state. B. Smith said there are railroad lawyers, and we could ask what authority they are using. Thiesse said if we deny the request, they will give us the information. B. Smith said she does not want to get into a bureaucratic battle. Gray-Lobe said his only hesitation on a flat denial is that they may give a list of more crossings. It was determined that M. Smith will send the letter. Hammond said he is not sure if BNSF isn't just leasing from the state railroad authority. Stewart said everything he receives indicates it is a BNSF line. All voted aye; motion passed.

Polley said the Highway Department removed and replaced asphalt in the entrance of the 4-H building parking lot. He asked if he should bill the entire price or materials only. B. Smith said it is a small budget. Polley said he bills materials only to the Clay County Park when work is done out there. Materials totaled approximately \$1,268. Mockler said it is easier to have the 4-H cover materials to keep things consistent. Mockler moved, seconded by Hammond and unanimously carried to bill the 4-H for the \$1,268 in materials.

The Board considered Bridge Improvement Grant (BIG) Agreements with the State for structures #14-112-090 and #14-130-146. Thiesse asked which bridges these are for, and Polley said one is on University Rd. south of Erlan Olson's new house, and the other is on the Volin Oil near Ron Huot's property. Mockler moved, seconded by Thiesse and unanimously carried to approve the agreements and authorize the Chairwoman to sign them.

Polley discussed his 2024 budget request with the Board.

Stewart met with the Board to present the Quarterly Activity Report for his department. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the report and authorize the Chairwoman to sign it.

Dr. Stanage, Lewis & Clark Behavioral Health Services, met with the Board for the 2024 budget request.

Welfare Director Drew Gunderson met with the Board to present Welfare Cases #CW23-012 & #CW23-013 for county burials. Hammond moved, seconded by Mockler and unanimously carried to approve the total payment of \$3,298 as the individuals met current welfare guidelines.

M. Smith discussed his 2024 budget request with the Board.

Treasurer Rhonda Howe met with the Board for her 2024 budget request.

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

(PAYROLL)		JLG ARCHITECTS	\$334,964.41
COMMISSIONER'S	\$8,978.03	LEWIS DRUG, INC.	\$813.26
AUDITOR'S OFFICE	\$14,159.75	MINNEHAHA COUNTY JDC	\$176.47
TREASURER'S OFFICE	\$24,009.74	MITCHELL CLINIC LTD	\$147.00
STATE ATTORNEY'S OFFICE	\$31,044.55	OLSON'S PEST TECHNICIANS	\$80.00
COURTHOUSE	\$10,540.93	PRESSING MATTERS	\$33.00
DIRECTOR OF EQUALIZATION	\$11,549.53	QUALIFIED PRESORT SVC IN	\$1,449.34
REGISTER OF DEEDS	\$9,915.64	SANFORD HEALTH RELEASE O	\$107.57
VETERAN'S OFFICE	\$1,893.78	SECRETARY OF STATE	\$30.00
24/7 PROGRAM	\$1,628.27	TASC PVR	\$258.33
SHERIFF'S OFFICE	\$56,945.93	TEGRA GROUP INC	\$64,590.38
COUNTY JAIL	\$40,038.65	VERMILLION FEDERAL	\$25.73
EMERGENCY MGMT	\$6,024.75	(OTHER PROFESSIONAL SERVICE)	
HIGHWAY	\$50,675.85	CITY OF VERMILLION	\$83,093.24
COMMUNITY HEALTH NURSE/WIC	\$3,608.21	OSBORN, ROXANE	\$140.25
EXTENSION OFFICE	\$3,335.32	SCHAEFER, DEAN	\$126.00
WEED	\$8,606.80	SCHILDHAUER, T. LEMBCKE	\$2,151.00
PLANNING & ZONING	\$3,869.19	UNION CO. SHERIFF	\$34,960.00
(PAYROLL WITHHOLDING)		YANKTON CO SHERIFF	\$3,655.00
AFLAC	\$961.76	(LAW OFFICE)	
CLAY CO FIT FICA	\$64,319.80	BERGER, MARK	\$34.00
COLONIAL LIFE	\$183.16	CHAPMAN, MARCUS	\$36.00
CONSECO/WASHINGTON	\$24.45	PERSON, GABRIEL	\$50.00
DIV OF CHILD SUPPORT IA	\$220.00	TERWILLIGER, PHILIP	\$900.00
DIV OF CHILD SUPPORT SD	\$1,253.00	(PUBLISHING)	
NEW YORK LIFE INSURANCE	\$298.57	BROADCASTER PRESS	\$373.38
SD RETIREMENT SYSTEM	\$33,760.10	CNA SURETY DIRECT BILL	\$50.00
SD SUPPLEMENT RETIREMENT	\$6,710.00	(REPAIRS AND MAINTENANCE)	
SDRS ROTH 457(B) PLAN	\$600.00	C & R SUPPLY, INC	\$440.00
TASC PVR	\$2,220.80	CENTURY BUSINESS PRODUCT	\$37.50
THE STANDARD - DENTAL	\$1,445.88	EASTWAY AUTO SERVICE INC	\$635.99
THE STANDARD - LIFE INS.	\$419.12	JOHNSEN HEATING & COOLIN	\$1,252.80
THE STANDARD - SH TRM DI	\$1,114.46	NELSON REPAIRS	\$720.00
THE STANDARD - VISION	\$354.04	TAYLORMADE CONCRETE	\$8,268.00
UNITED WAY OF VERMILLION	\$146.92	VERMILLION ACE HARDWARE	\$260.10
VERMILLION FEDERAL	\$750.00	(DATA PROCESSING/CLAY CREEK/INF)	
WELLMARK BLUE CROSS	\$59,126.28	FIRST BANK & TRUST VISA	\$1,581.00
(PROFESSIONAL SERVICES AND FEES)		TRANSCENDENT TECHNOLOGIES	\$20,100.00
BUHLS DRYCLEANERS &	\$48.00	(SUPPLIES & MATERIALS)	
BUREAU OF ADMIN PMB0112	\$10.56	BLUE TARP FINANCIAL, INC	\$624.98
CERTIFIED LANGUAGES INTL	\$26.40	BRUNICK SERVICE, INC.	\$112.00
ERICKSON SOLUTIONS GROUP	\$885.95	C & R SUPPLY, INC	\$1,761.47
FEDEX	\$18.64	CINTAS	\$101.56
FIRST BANK & TRUST VISA	\$423.87	D-P TOOLS, INC.	\$695.00
GEO TEK ENGINEERING &	\$18,745.00	EASTWAY AUTO SERVICE INC	\$846.85
HUGHES COUNTY SHERIFF	\$50.00	FAST AUTO GLASS, INC.	\$1,032.00
HY-VEE, INC. JAIL ACCT	\$5.00	FIRST BANK & TRUST VISA	\$240.22

HY-VEE, INC. HWY ACCT	\$61.36	HEEREN, DANIELLE	\$57.14
KNIFE RIVER MIDWEST, LLC	\$15,592.58	HY-VEE, INC. JAIL ACCT	\$449.98
MCLEOD'S PRINTING & SUPP	\$459.90	LOPEZ, MIGUEL	\$20.00
MIDWEST HOOP CONFINEMENT	\$10,837.00	MCGUIRE, JAMES	\$56.12
O'REILLY AUTO PARTS	\$311.54	NELSEN, PEGGY	\$50.00
PHARMCHEM, INC.	\$1,297.34	NUTRIEN AG SOLUTIONS	\$1,200.00
PROCHEM DYNAMICS	\$612.01	OLSON, KATHERINE	\$50.00
QUALIFIED PRESORT SVC IN	\$114.32	PARKINSON, JESSICA	\$20.00
RUNNINGS SUPPLY INC H&W	\$39.44	PASSICK, CHAD	\$50.00
STURDEVANT'S AUTO HWY	\$670.50	ROTHSCHADL, BARBARA	\$50.00
UNION CO. SHERIFF	\$14.75	VERMILLION FORD	\$56.59
VERMILLION ACE HARDWARE	\$225.86	WHERRY, JAY	\$56.12
(COPIER SUPPLIES)		(JDC/SPECIAL EQP.)	
CANON	\$161.12	INTOXIMETERS, INC.	\$325.00
(TRAVEL AND CONFERENCE)		MINNEHAHA COUNTY JDC	\$15,571.92
CALVERT, KYLE	\$100.00	(BUILDINGS AND STRUCTURES)	
SDACC OFFICE	\$800.00	TWO MEN AND A TRUCK LLC	\$4,274.65
(UTILITIES)		(BOOKS)	
FIRST BANK & TRUST VISA	\$892.45	THOMSON REUTERS - WEST	\$927.59
VERIZON WIRELESS EMG	\$40.01	(FURNITURE AND MINOR EQUIPMENT)	
VERIZON WIRELESS HWY TRS	\$96.34	CANON	\$348.11
(PAYMENT)		FIRST BANK & TRUST VISA	\$1,016.84
BRUNICK SERVICE, INC.	\$90.00	MICROFILM IMAGING SYSTEM	\$60.00
GARCIA, JOE	\$20.00		

Gray-Lobe gave a brief update on the Clay County Park Board meeting last Thursday.

It was reported that the Joint Jurisdiction Zoning Area committee has a meeting scheduled.

Mockler moved, seconded by Hammond and unanimously carried to adopt the 2024 Provisional Budget and publish it as adopted for public hearing.

At 10:39 a.m., Mockler moved, seconded by Gray-Lobe to enter an Executive Session for personnel and legal/contractual matters per SDCL 1-25-2.

At 11:56 a.m., Mockler moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

At 11:57 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene Tuesday, August 1, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

August 1, 2023

The Board of County Commissioners met in regular session Tuesday, August 1, 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.

Hammond moved, seconded by Thiesse and unanimously carried to approve the minutes of the July 25, 2023 meeting.

Under Visitors to be Heard, Director of Equalization Lennea Olson reported that the appeal brought to the Office of Hearing Examiners was dismissed, and the Board of Equalization values were unchanged.

Register of Deeds Lisa Terwilliger met with the Board for her 2024 budget request. She also reported that the new software will allow citizens to sign up for notifications of anything that is filed in her office with their name attached. This service will be coming soon.

Highway Superintendent Rod Polley met with the Board to discuss highway matters. He presented a Right-of-Way Application on behalf of Clay-Union Electric on 313 St., Sec. 21, T93N, R52W. Smith asked if it will be encased, and Polley said yes. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the application and authorize the Chairwoman to sign it.

Polley discussed the Bridge Improvement Grant Program and said there are no structures in the County that he is willing to spend any money on. Most that qualify for the program are already closed, have been removed, or are on the removal list. Smith said the map Polley provided matches the Master Transportation Plan. Polley said this is a good thing. It means most of the County's structures are in good condition and do not meet the criteria for the program.

Polley presented a job description for the Assistant Highway Superintendent. Smith said she would add supervisory experience to the qualifications. Hammond and Thiesse were in favor of moving forward with that addition. Gray-Lobe moved, seconded by Thiesse to approve the job description with the addition of supervisory experience under qualifications. Under discussion, Mockler asked if the person will need a Commercial Driver's License. Mockler said the individual should be able to do every job in the department, so they should have a Class A CDL. Gray-Lobe amended the motion to approve the Assistant Highway Superintendent job description with the additional qualification requirements of supervisory experience and possession of a Class A CDL, seconded by Thiesse and unanimously carried.

Polley reported that the micro-surfacing project is done, and striping will be done today and tomorrow. Missouri Petroleum was very good to work with.

Polley called attention to the State offering for sale lots along West Main Street. He said he doesn't like the potential driveway locations and said the land is also in a flood zone.

Polley provided a revised Right-of-Way Application to the Board for review. Mockler asked what good it is to change it if people couldn't read the encasement requirement before, except that the fee update was included.

At 9:33 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.

Polley reported on damage to Lateral 2A in an area owned by Shellings out of Corsica, SD. The renters cut silage and got the loader tires stuck in the mud. They have also added dirt to widen the driveway, and one end of the culvert is almost blocked. This is enough damage that Polley said he wonders if the Sheriff should be involved. Due to the location, he suggested hiring someone to repair the damage in order to ensure the ditch elevations/slope remain correct. Mockler said the individuals cannot fix it themselves. Polley said he already caught them hauling when load limits were in place. Mockler said the letter needs to go to the landowners. Smith said the State's Attorney should send it. Mockler said the County can lien the property if they don't pay it. Hammond and Polley discussed that it is not a big area, but the elevation is a concern.

Polley said they are replacing a culvert on Yankton-Clay Ditch. 3-D Digging is already on a job site nearby, so Polley will have them do it to save mobilization fees and because the project does not require bids. Mockler said the County paid for the culvert across Jetley Park, so we need to stay consistent.

Polley said nothing has been done on the FEMA portion of the Clay Creek Ditch project.

Hammond and Polley talked about the improved drainage at Jetley Park due to the work that was done.

At 9:45 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman Smith presiding.

Thiesse asked Polley if he has heard anything more about the drainage at Whimp's Place. Polley said he has not, but the Highway Department did clean out the culvert and repair the crushed culvert end.

A public hearing was held for a One-Day Malt Beverage License for the Burbank Historical School District 10 & Park Association for an event to be held August 5, 2023. There was no opposition. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the license and authorize the Chairwoman to sign it.

Gray-Lobe reported that there will be a ribbon cutting ceremony at Clay County Park on August 2, 2023 at 5:30 p.m. He spoke about the lease and said it was reviewed by the previous State's Attorney. Smith asked if the current State's Attorney is good with it, and Gray-Lobe said he has not heard anything to the contrary.

There was a brief discussion regarding the jail and law enforcement center project. Mockler talked about fitting the needs into the budget. Smith said she had a call from a citizen who was concerned about progress on the project. She thinks it would be good to do a press release. Mockler said the end date is still projected to be fall 2025. Thiesse said they also should include in the press release information about the improvements being made to the courthouse.

Hammond reported that the Joint Jurisdiction Zoning Area committee met recently to work through the configuration of the JJZA vs. another overlay for a comprehensive plan city expansion area. His impression is that the group thinks it is a meaningless concept, so it is on hold and may go away.

The Sheriff's Office and Vermillion Public Library Board monthly reports and the following Auditor's Account with the County Treasurer report were accepted and placed on file.

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 July 5, 2023.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	12,342,415.21
Amount of actual cash	3,715.35
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	44,616.14
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	384.67
Checks returned and not deposited	
Cash Items	700.00
Investments	336,000.00
Cash Variation	0.00
Total	
Dated this 5th day of July, 2023.	12,727,831.37

Carri R. Crum, County Auditor

At 9:59 a.m., Gray-Lobe moved, seconded by Mockler to enter an Executive Session for personnel and legal/contractual matters per SDCL 1-25-2.

At 10:11 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

At 10:11 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, August 29, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

August 15, 2023

The Board of County Commissioners met in a special session Tuesday, August 15, 2023 at 2:00 p.m. Members present: Travis Mockler, Geoffrey Gray-Lobe, David Thiesse, and Richard Hammond; Elizabeth Smith was absent. It was noted that Zoom was not working for this meeting, so there would be no recording, and Smith would not be able to utilize Zoom to attend.

Vice-Chairman Mockler 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 with the addition of the Construction Manager At-Risk contract with Beckenhauer Construction for the jail and law enforcement center project.

State's Attorney Michael Smith spoke to the Board. He reported that other counties are getting the same type of funding requests from BNSF Railroad. He sent a letter to the engineering firm handling these funding requests for the railroad. He received a response, but there was no guidance on cost-sharing regulations, and it seemed like a form letter. It stated BNSF will minimally maintain safety until such time the crossing is deteriorated and needs to be closed. The Board discussed that they cannot budget anything for the requested project without an accurate cost estimate from BNSF.

M. Smith requested authority to enter into expenses regarding the recent homicide case, CRI23-293 as needed so that he does not need to approach the Board each time something occurs. Hammond moved, seconded by Gray-Lobe and unanimously carried to authorize the State's Attorney to incur necessary expenses for the homicide case.

M. Smith told the Board he met with court officials, judges, and attorneys regarding a potential for DUI/Drug Court expansion into this area. He was a specialty court/drug court prosecutor in Pennington County and was admittedly skeptical of the program when he started, but he was shocked at the positives that come out of it. There is a good team of people in this area to start the program, but it will require state resources. Gray-Lobe asked for M. Smith to discuss the benefits. M. Smith said the program is for users, and it puts them on a specialty program with a court services officer. There are many requirements to meet to be discharged from the program. It is a rehabilitation and diversion program, a long-term approach to helping people get into a better place for themselves and society. It would be a positive thing for the community. Thiesse said he agrees with the program, but he foresees needing office space for an additional court services officer. M. Smith said hopefully by the time the program is available, the jail and law enforcement center would be finished, freeing up more space in the current building. Hammond asked if there is an in-patient care provision for parts of the program, particularly those recovering from meth. M. Smith said there is a substance abuse counselor on the team who may recommend in-patient treatment if necessary. The program is made up of a team of professionals from various areas of expertise. Mockler asked what the trigger is for a person to fail the program. M. Smith said there is a protocol, and if a person gets terminated from the program, they go to the penitentiary. They only get one shot in the program. Hammond asked if, in the

future, there may be more fluidity in counties joining together. M. Smith said yes, there is a movement towards “rallying the troops.”

The Board considered a contract with Beckenhauer Construction for Construction Manager At-Risk services for the jail and law enforcement center project. TEGRA Group has approved of the contract, as has attorney James Wiederrich of Woods, Fuller, Shulz & Smith P.C. Hammond moved, seconded by Thiesse and unanimously carried to approve it and authorize Vice-Chairman Mockler to sign the contract.

At 2:40 p.m., Gray-Lobe moved, seconded by Hammond to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

At 2:55 p.m., Gray-Lobe left the meeting.

At 3:33 p.m., Hammond moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

At 3:33 p.m., Hammond moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, August 29, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

August 29, 2023

The Board of County Commissioners met in a regular session Tuesday, August 29, 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 Gray-Lobe and unanimously carried to approve the minutes of the August 1, 2023 and August 15, 2023 meetings.

Kenneth Orr appeared as a Visitor to be Heard. He discussed Article 8.01 Section a2 of the zoning ordinance regarding a building permit application and an issue with a neighbor's fence project. He said the present fence goes to an arch, and he is the only one that can explain why the fence went to the arch instead of staying on the property line. The new fence is too close to Orr's building, so he cannot mow. Gray-Lobe asked if he knows the approximate year the old fence would have been installed. Orr said he does not. He and the neighbor have the same goal, to put it in properly. Orr said the Commission created a problem. Hammond asked if the old fence is still there. Orr said the neighbor got a demolition permit to remove part of the fence. There is a wooden fence that still remains, as well as the arch. Hammond asked if the fence is on Orr's property. Orr said the neighbor just put it in on his property. Mockler said this is a civil issue, and the Board does not have any jurisdiction over it. If the fence was installed on Orr's property, it is a civil issue. If there is a property line dispute, it has to go to civil court. E. Smith said she is sorry that the Commission has no jurisdiction there. Thiesse said there is no criminal or punishable action. Orr said there is an issue with removing a property pin. Thiesse said that is a property line issue. Mockler said removing a pin is a crime. Orr said he is working with the Sheriff on that. Orr asked if he goes to the Sheriff, the Zoning Administrator, or State's Attorney. State's Attorney Michael Smith said he spoke to Mr. Orr for about an hour-and-a-half a couple weeks ago and gave him similar information. E. Smith said there is nothing the Commission can do about it, but he is right about getting information from the State's Attorney and pursuing it with the Sheriff, so he is on the right track. However, there is no role for the County Commission. She said if there was any issue, he would still need to go through the Zoning Administrator. Hammond said he does not even know that the Zoning Administrator even has any help for Orr. Orr said the Zoning Administrator gave him the same information. E. Smith said she suggests that Orr pursue this in another form. Orr said the Board created the permit process, and there are failures in it, so they should fix it. Gray-Lobe asked if the neighbor got a permit. Orr said he got a permit, but the Zoning Administrator should have demanded Section 2. If he had gotten the information, Orr said, he would not have to be here.

Weed Supervisor Dennis Ganschow met with the Board for his 2024 budget request.

Highway Superintendent Rod Polley met with the Board to discuss highway matters. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the low bids of \$3.43/gallon from Vollan Oil for fuel and \$3.33/gallon from Grow Mark for #2 diesel fuel.

At 9:24 a.m., Mockler moved, seconded by Hammond and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 9:32 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

Polley discussed fees for the Right-of-Way Application. He suggested \$75 for regular office hours or \$150 for anything outside of office hours. E. Smith said we have learned that we do need to have inspections and it should reflect the cost of inspections. Gray-Lobe said if people want to save a little, then if the fees match the cost of the cost to the county. Mockler said a lot of work gets done on the weekends. He said we can always put a flat fee and revisit it if it's not working. Hammond said we could end up with an hourly fee for hours expended. Mockler said it should take longer to drive to the site than it should to inspect it. Polley said we have a quite a few coming in on the east side of the county next year for internet. He asked if the fee should be per bore, or would they be allowed to put multiple on a permit. Mockler said now each location has a permit. Hammond said we should stick to that, and he doesn't think \$150 is a terrible deal. Polley said sometimes it's an hour there and back, plus time out there. He doesn't want to gouge anyone either. Gray-Lobe asked if the fee would be a negligible portion of the cost. Hammond said it should be negligible, maybe 5-10%. E. Smith said it sounds like the consensus is that \$75 is too low. Polley said sometimes they might need to make two trips as well. Hammond said sometimes they will have to wait for the contractor. Gray-Lobe moved, seconded by Hammond and unanimously carried to set the fee at \$125. Mockler suggested putting a start date on the fee. It was the consensus of the Board that October 1st would give a decent notice for people.

Polley discussed the purchase of an asphalt reclaimer and hot box. He said Vermillion Ford will have the F450 that he has been waiting on for 2 years. He has enough money in this year's budget and can trim the estimated \$143,000 cost off his 2024 budget.

Polley told the Board he received a check from Lone Spruce Farms for a culvert. Mockler discussed whether the County has to charge excise tax, so he thinks Polley will have to send the check back and have them write it to the Township Board.

At 9:50 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and convene as Clay County Ditch Board with Ditch Board Chairman Mockler presiding.

Polley updated on damage to Lateral 2A. The landowner came down from Corsica, looked at it, and is willing to fix it. However, Polley said he has not heard back. The landowner will leave the driveway on the east and extend the one to the west. Polley said when it comes up for permit approval, they can look at it to determine if it's too close. He discussed that the current culvert is concrete. He also asked the Board if we should start allowing a plastic pipe like what we installed under the Volin Rd. by the west county line. It's very rigid and is used in the cities for sewer. Water flows better than corrugated metal pipe. Mockler asked about when they burn the

ditch, and Polley said it will withstand it. Polley said it is also cheaper to install. He said they installed one by St. Peters Church, and it was easier. Mockler asked if it is more expensive, and Polley said it is about a wash except these do not require a band to join them. E. Smith asked if there is any downside, and Polley discussed the maximum size and depth. Hammond asked about minimum depth. Polley said he would have to look at the manual.

Polley asked what the completion date is for cleaning the creeks. Mockler said it is December 1st. Polley said there is a lot of water standing in them, and there are a lot of cattails.

At 10:01 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman Smith presiding.

Zoning Administrator Drew Gunderson met with the Board to discuss a software purchase through TTECH. He said \$2,000 is a great price, but he can cut it from his budget if necessary. He would like to keep \$500 for flags instead. Mockler and Hammond discussed with Gunderson that it would be good for long-term, and other offices already have that company. It was decided he would keep it in the budget for now, and the Board can review it before the 2024 budget is approved.

Gunderson said bills for inmate medical come through his office. He said he is finding different hospitals have different billing practices. He reported that he is working on a contract with Sanford hospitals. He said the contract will set a flat rate for services. For example, doctor bills will be billed at 50%.

Facilities Manager Scott Hanson met with the Board to discuss the courthouse renovation project. He gave the Board a proposed schedule and said we are a couple weeks into the project. Hammond asked how the lead and asbestos abatement is going. Hanson said they want to be done by the end of the week. The boilers have been removed. Materials are being delivered. It looks like they will start drilling through walls on September 11th. It will be very loud, so he is working with the contractor to mitigate noise during business hours. Water service work will begin September 18th. He is working on setting up temporary water service as the courthouse will be out of water for at least 2 days. Hammond said hopefully there will not be any schedule slippage on the boiler work due to the potential for cold weather. The group discussed moving the Commission meetings while work is being completed in the current room.

Hanson discussed the carpet failure in the jury room and courtroom. He has been working with the vendor and Mohawk. There will not likely be any financial compensation. There is money figured into the court security project to re-carpet those areas. We need to do something as it will become a safety hazard, and it looks terrible. He suggested replacing it and keeping extra on hand for what needs to be replaced during construction. Mockler suggested taking the carpet up and going back to the concrete floor for now until construction is complete. M. Smith said he understands that the jury room is not being used now due to the size constraints. Gray-Lobe said we already have construction going on all over the place, so it is just more pre-construction work.

Hanson discussed the estimate for the pitched roof at the 4-H building. AMS Construction gave an estimate of \$125,000 vs. the \$224,000 to repair the existing flat roof. Thiesse asked about rooftop equipment, and it was discussed that there might be a small expense to relocate the air conditioning unit and re-vent the kitchen exhaust fan. Hammond suggested the vent could possibly be extended.

Hanson and the Board reviewed his 2024 budget request. He discussed upcoming needed repairs to facilities such as elevator replacement, main water lines, interior plumbing, paint, roof access to the current Safety Center as there currently is none, sidewalk trippers, cleaning of the 4-H building exterior, sheet rock work in the 4-H building, the courthouse retaining wall, and south entrance doors to the courthouse, etc. Hammond said we'll need to prioritize the safety and critical maintenance items. The group also discussed snow removal challenges and equipment needs for the courthouse.

Emergency Management Director Layne Stewart met with the Board to present the contract for the LEMPG Grant. The county gets approximately \$11,000 per quarter from the grant. Mockler moved, seconded by Gray-Lobe and unanimously carried to authorize the Chairwoman to sign the grant contract.

Gray-Lobe moved, seconded by Hammond and unanimously moved to approve the following claims for payment.

(PAYROLL)		SD DEPT OF REV ANDERSON	\$369,472.83
COMMISSIONER'S	\$8,978.03	SDACO - M&P FUND PAYMENT	\$528.00
AUDITOR'S OFFICE	\$14,159.75	SEILERS SECOND ROAD DIST	\$16.15
TREASURER'S OFFICE	\$24,009.74	SPIRIT MOUND TOWNSHIP	\$7,053.19
STATE ATTORNEY'S OFFICE	\$30,998.90	STAR TOWNSHIP	\$6,870.89
COURTHOUSE	\$10,738.73	VERMILLION BASIN WATER	\$80.86
DIRECTOR OF EQUALIZATION	\$12,653.78	VERMILLION SCHL DIST 13-	\$41,604.43
REGISTER OF DEEDS	\$9,915.64	VERMILLION TOWNSHIP	\$1,465.64
VETERAN'S OFFICE	\$1,893.78	VIBORG/HURLEY SCHL 60-6	\$60.68
24/7 PROGRAM	\$2,309.00	WAKONDA TOWN	\$4,072.16
SHERIFF'S OFFICE	\$54,948.15	(CLEARING FUND - MISC.)	
COUNTY JAIL	\$37,141.58	VERM. RURAL FIRE ASSOC.	\$2.84
EMERGENCY MGMT	\$5,560.75	(DUE TO OTHER GOVERNMENT)	
HIGHWAY	\$58,321.00	BERESFORD RURAL FIRE	\$3,228.71
COMMUNITY HEALTH NURSE/WIC	\$3,608.21	CENTERVILLE RURAL FIRE	\$2,299.60
EXTENSION OFFICE	\$3,335.32	GAYVILLE RURAL FIRE ASSO	\$1,998.40
WEED	\$4,949.64	IRENE RURAL FIRE ASSOC	\$1,055.18
PLANNING & ZONING	\$4,143.67	VERM. RURAL FIRE ASSOC.	\$56,989.57
(DUE TO OTHER GOVERNMENT)		VOLIN RURAL FIRE ASSOC.	\$501.61
BERESFORD SCHL DIST 61-2	\$420.08	WAKONDA RURAL FIRE	\$5,707.24
BETHEL TOWNSHIP	\$5,174.56	(PAYROLL WITHHOLDING)	
CENTERVILLE SCH DIST 60-	\$241.16	AFLAC	\$1,957.19
CITY OF VERMILLION	\$30,393.06	CLAY CO FIT FICA	\$64,831.85
CLAY CO TREASURER	\$16,788.00	COLONIAL LIFE	\$183.16
FAIRVIEW TOWNSHIP	\$5,438.95	CONSECO/WASHINGTON	\$24.45
GARFIELD TOWNSHIP	\$6,560.59	DIV OF CHILD SUPPORT IA	\$220.00
GAYVILLE/VOLIN SCHL DIST	\$43.57	DIV OF CHILD SUPPORT SD	\$2,506.00
GLENWOOD TOWNSHIP	\$6,799.09	NEW YORK LIFE C/O M&T BN	\$298.57
IRENE CITY	\$638.66	SD RETIREMENT SYSTEM	\$33,554.36
IRENE/WAKONDA SCHL 13-3	\$3,925.44	SD SUPPLEMENT RETIREMENT	\$7,110.00
MECKLING TOWNSHIP	\$7,377.79	SDRS ROTH 457(B) PLAN	\$600.00
NORWAY TOWNSHIP	\$3,911.56	TASC PVR	\$2,220.80
PLEASANT VALLEY TWP.	\$6,471.06	THE STANDARD - DENTAL	\$1,445.88
PRAIRIE CENTER TWP.	\$5,517.06	THE STANDARD - LIFE INS.	\$419.12
RIVERSIDE TOWNSHIP	\$5,594.01	THE STANDARD - SH TRM DI	\$1,114.46

THE STANDARD - VISION	\$354.04	ACE TOWING, INC	\$2,250.00
UNITED WAY OF VERMILLION	\$146.92	CENTURY BUSINESS PRODUCT	\$37.50
VOYAGE FEDERAL CREDIT	\$750.00	CHARLIE'S BUS SERVICE IN	\$174.00
WELLMARK BLUE CROSS	\$59,126.28	DAKOTA ALIGNMENT & FRAME	\$359.00
(FIRE)		DAKOTA LOCK & KEY	\$190.00
BERESFORD RURAL FIRE	\$24.37	DOCKENDORF EQUIPMENT INC	\$650.00
CENTERVILLE RURAL FIRE	\$17.52	FAST AUTO GLASS, INC.	\$480.00
GAYVILLE RURAL FIRE ASSO	\$14.98	FIRST DAKOTA CREDIT CARD	\$355.98
IRENE RURAL FIRE ASSOC	\$3.72	GRAHAM TIRE S.F. NORTH	\$625.00
VERM. RURAL FIRE ASSOC.	\$106.03	GRAINGER	\$123.80
VOLIN RURAL FIRE ASSOC.	\$3.67	INTERSTATE POWER SYS INC	\$980.40
WAKONDA RURAL FIRE	\$35.54	JOHNSON FEED, INC.	\$482.23
(MISC. REVENUE)		LARRY'S HEATING & COOLIN	\$150.00
LEWIS & CLARK BEHAVIORAL	\$13,210.34	NELSEN ELECTRIC LLC	\$300.00
(MISC. REIMBURSEMENTS)		PRESTO-X COMPANY LLC	\$158.66
MOELLER SHELTON OR AMAND	\$30.00	VERMILLION ACE HARDWARE	\$530.00
(INSURANCE DEDUCTIBLE REIMBURSE)		VERMILLION FORD	\$418.50
CRUM, CARRI R	\$500.00	(DATA PROCESSING/CLAY CREEK/INF)	
(OTHER INSURANCE)		FIRST DAKOTA CREDIT CARD	\$2,782.24
JENSEN INSURANCE	\$359.34	MICROFILM IMAGING SYSTEM	\$3,600.00
SD PUBLIC ASSURANCE ALL.	\$115.00	SOFTWARE SERVICES, INC.	\$1,760.00
(PROFESSIONAL SERVICES AND FEES)		TRIMIN SYSTEMS INC.	\$2,312.04
AVERA MCKENNAN HOSPITAL	\$830.00	(SUPPLIES & MATERIALS)	
BILLINGS, JOHN P	\$8,239.00	A & B BUSINESS	\$190.50
BUHLS DRYCLEANERS &	\$315.20	A-OX WELDING SUPPLY CO	\$363.32
CIOX HEALTH	\$230.06	BOB BARKER CO INC	\$284.00
CITY OF VERMILLION	\$192.00	BROCK WHITE CAP L. P.	\$993.80
ELK POINT AMBULANCE	\$1,585.00	BRUNICK SERVICE, INC.	\$254.78
ERICKSON SOLUTIONS GROUP	\$885.95	BUTCH'S PROPANE	\$143.29
FEDEX	\$73.68	CHS INC.	\$3,755.16
FIRST DAKOTA CREDIT CARD	\$111.05	CINTAS	\$31.40
GAPP, DEBRA	\$5,850.00	CORTRUST BANK	\$8.00
HANSEN FUNERAL HOME, INC	\$6,946.00	COYOTE ENTERPRISE LLC	\$9.99
HOUSKA, DDS, RANDY	\$1,398.00	D-P TOOLS, INC.	\$820.26
KONE, INC.	\$893.22	DAKOTA ALIGNMENT & FRAME	\$22.26
LINCOLN COUNTY AUDITOR	\$1,112.57	DIAMOND MOWERS INC	\$407.29
MINNEHAHA COUNTY JDC	\$38.52	DOCKENDORF EQUIPMENT INC	\$162.08
MOTOROLA SOLUTIONS INC.	\$6,357.42	FAST AUTO GLASS, INC.	\$1,571.02
OLSON'S PEST TECHNICIANS	\$160.00	FIRST DAKOTA CREDIT CARD	\$550.26
PHARMCHEM, INC.	\$894.60	GRAHAM TIRE S.F. NORTH	\$13,276.06
PRESTO-X COMPANY LLC	\$348.88	GROWMARK FS	\$8,815.50
QUALIFIED PRESORT SVC IN	\$16,908.12	HY-VEE, INC. HWY ACCT	\$52.37
SANFORD HEALTH CLINIC	\$1,655.86	I-STATE TRUCK CENTER	\$2,237.20
SATELLITE TRACKING OF	\$149.50	INTERSTATE POWER SYS INC	\$109.11
SD DEPT OF HEALTH LAB	\$790.00	JACK'S UNIFORMS & EQUIP.	\$266.74
SECURITY SHREDDING SVC.	\$210.00	JOHN DEERE FINANCIAL	\$291.31
ULTEIG	\$89,146.42	JOHNSON FEED, INC.	\$80.18
VOYAGE FEDERAL CREDIT	\$105.48	KALINS INDOOR COMFORT IN	\$84.04
YANKTON CO SHERIFF	\$100.00	KNIFE RIVER MIDWEST, LLC	\$113,907.02
YANKTON MEDICAL CLINIC P	\$599.70	LAYNE'S WORLD, INC.	\$847.48
(OTHER PROFESSIONAL SERVICE)		LEWIS DRUG, INC.	\$917.21
DAVISON COUNTY	\$9,000.00	MICROFILM IMAGING SYSTEM	\$60.00
JOHNSON, CAROL	\$42.50	NELSEN ELECTRIC LLC	\$627.74
SD ATTORNEY GENERAL	\$576.00	O'REILLY AUTO PARTS	\$753.77
UNION CO. SHERIFF	\$63,200.00	ONE OFFICE SOLUTION	\$231.35
YANKTON CO SHERIFF	\$2,380.00	PRESSING MATTERS	\$48.00
(LAW OFFICE)		PROCHEM DYNAMICS	\$934.56
FRIEBERG, NELSON & ASK	\$6,450.00	QUALIFIED PRESORT SVC IN	\$1,317.54
JOKLOW, RUACH	\$52.00	RUNNINGS SUPPLY INC H&W	\$542.91
PETERSON, STUART, KLENTZ	\$21,824.14	STIOUX CITY FOUNDRY CO.	\$844.62
TERWILLIGER, PHILIP	\$7,150.00	SMITH, MICHAEL	\$70.24
(PUBLISHING)		UNION CO. SHERIFF	\$60.00
BROADCASTER PRESS	\$3,079.28	VERMILLION ACE HARDWARE	\$133.08
NEW CENTURY PRESS ACCT44	\$2,558.00	VERMILLION FORD	\$170.84
(REPAIRS AND MAINTENANCE)		VOLLAN OIL	\$5,016.30

VOYAGE FEDERAL CREDIT	\$95.98	HEEREN, DANIELLE	\$114.28
WHEELCO BRAKE AND SUPPLY	\$1,407.88	HY-VEE, INC. EMG MNG	\$52.59
WHERRY, JAY	\$56.12	HY-VEE, INC. JAIL ACCT	\$556.65
(TRAVEL AND CONFERENCE)		JOHNSON FEED, INC.	\$944.91
BEST WESTERN RAMKOTA INN	\$164.00	LIGHT AND SIREN	\$92.74
BRUNICK SERVICE, INC.	\$197.00	MCGUIRE, JAMES	\$112.24
DOMMER, CAITLYN	\$39.32	NELSEN, PEGGY	\$100.00
FIRST DAKOTA CREDIT CARD	\$201.59	OLSON, KATHERINE	\$100.00
MCPHERSON, LARRY	\$352.34	PASSICK, CHAD	\$100.00
SDSU EXTENSION	\$498.16	QUALITY MOTORS	\$221.66
VOYAGE FEDERAL CREDIT	\$249.12	ROTHSCHADL, BARBARA	\$100.00
(UTILITIES)		SANFORD HEALTH CLINIC	\$4,588.00
BUREAU OF ADMINISTRATION	\$117.82	VERMILLION FORD	\$4,655.98
CENTURYLINK	\$245.08	WAYSAN, CALEY	\$100.00
CENTURYLINK EMG	\$27.60	WHERRY, JAY	\$56.12
CENTURYLINK HWY	\$299.98	(JDC/SPECIAL EQP.)	
CITY OF VERMILLION	\$8,678.42	JACK'S UNIFORMS & EQUIP.	\$1,251.54
CLAY RURAL WATER SYSTEM	\$231.80	MINNEHAHA COUNTY JDC	\$1,677.53
CLAY UNION ELECTRIC CORP	\$1,152.92	NAMI SIOUX FALLS	\$120.00
FIRST DAKOTA CREDIT CARD	\$890.53	(BUILDINGS AND STRUCTURES)	
MIDAMERICAN ENERGY C H	\$275.88	JLG ARCHITECTS	\$1,978.36
MIDAMERICAN ENERGY EXT	\$19.66	PRECISION PAINTING	\$595.68
MIDAMERICAN ENERGY S C	\$116.36	(BOOKS)	
MIDCO BUSINESS	\$631.17	BUTLER MACHINERY CO.	\$511,139.24
MIDCO BUSINESS EXT.	\$150.78	FIRST DAKOTA CREDIT CARD	\$250.00
VERIZON WIRELESS HWY TRS	\$96.34	THOMSON REUTERS - WEST	\$1,084.22
VERIZON WIRELESS SHERIFF	\$803.80	(FURNITURE AND MINOR EQUIPMENT)	
VERMILLION GARBAGE SVC.	\$472.00	CANON	\$348.11
WAKONDA TOWN	\$125.30	ERICKSON SOLUTIONS GROUP	\$503.00
(PAYMENT)		FIRST DAKOTA CREDIT CARD	\$1,096.25
BARRETT, TEENA	\$20.00	LAYNE'S WORLD, INC.	\$18.48
BRUNICK SERVICE, INC.	\$210.00	LOFFLER COMPANIES	\$432.28
CENEX FLEET FUELING	\$6,114.80	MICROFILM IMAGING SYSTEM	\$430.00
CLAY CO TREASURER	\$7.31	VERMILLION ACE HARDWARE	\$59.96
DOMESTIC VIOLENCE	\$490.00	(AUTOMOTIVE)	
GUNHAMMER-ARROW, SONYA	\$20.00	BRUNICK SERVICE, INC.	\$1,920.00

Gray-Lobe updated the Board that the bid process is underway for the farmland lease for the Clay County Park land. The Board discussed that there was a nice event at the park.

Hammond said there was a Joint Jurisdiction Zoning Area meeting, but there is nothing significant to report.

Thiesse and Gray-Lobe said they attended the fairgrounds meeting, and there were a lot of concerns about the state of the current facility.

Mockler said the earthwork bids for the jail & law enforcement center will be coming to the Board for approval on September 12th.

The Sheriff's Office and Vermillion Public Library Board monthly reports and the following Auditor's Account with the County Treasurer Report were accepted and placed on file.

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 August 1, 2023.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks		12,197,066.18
Amount of actual cash		3,125.22
Total amount of checks and drafts in Treasurer's Possession not exceeding three days		656.00
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:		131.10
Checks returned and not deposited		
Cash Items		700.00
Investments		336,000.00
Cash Variation		0.00
Total	Dated this 1st day of August, 2023.	12,537,678.50

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes are as follows: Larry McPherson moved to Assistant Highway Superintendent effective August 1, 2023 at \$35.80/hour.

At 10:51 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

At 11:18 a.m., Hammond moved, seconded by Mockler and unanimously carried to exit the Executive Session.

The Board discussed purchase agreements related to the new jail and law enforcement center project. Gray-Lobe moved, seconded by Mockler and unanimously carried to authorize the State's Attorney to make any minor language changes that do not alter the substance of the purchase agreements and authorize the Chairwoman to sign the documents for the purchase of 7 acres of land from the City of Vermillion, the transfer of a County-owned strip of land along Baylor to the City of Vermillion, and the sale of the City of Vermillion's portion of the current Public Safety Center to Clay County.

At 11:21 a.m., Thiesse moved, seconded by Mockler and unanimously carried to adjourn and reconvene Tuesday, September 5, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

September 5, 2023

The Board of County Commissioners met in a regular session Tuesday, September 5, 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 Gray-Lobe and unanimously carried to approve the minutes of the August 29, 2023 meeting.

Brad Stangoehr with Ulteig Engineering met with the Board to present a pay request and final change order for the micro-surfacing project. Hammond moved, seconded by Thiesse to approve the pay request and change order and authorize the Chairwoman to sign them. E. Smith asked what percentage is completed, and Stangoehr said it is 100% complete. The change order is for as-constructed quantities of materials. Mockler asked how it came out compared to the bid, and Stangoehr said it was under the bid by about \$52,900. Hammond clarified that there was one stretch that could not be done, and Stangoehr confirmed that there was an area of Main St. that was removed from the project, and other areas added. E. Smith said people in the northern part of the county have been saying good things. All voted aye; motion passed.

State's Attorney Michael Smith spoke to the Board about an agreement with the City of Vermillion in relation to James St. as it pertains to the building of the jail and law enforcement center. He said the Board needs to make a motion and sign a formal agreement. Mockler said the County has already approved the land purchase agreements, but there needs to be an agreement in place for the County's portion of the James St. construction. E. Smith asked if the City is sending an agreement to the County. It was discussed that the City Council is to pass a resolution. Thiesse read the agreement from the City's website. Hammond suggested making a motion, and M. Smith said it should mirror the City's language for consistency. E. Smith said the County could pass a resolution. Mockler said a resolution can be changed, so the County really should have a binding contract. Mockler moved, seconded by Thiesse and unanimously carried to have M. Smith write a contract where the County will agree to pay its portion of a standard 33-foot street for James St. improvements outlined in the City's resolution dated September 5, 2023 and authorize the Chairwoman to sign it. It was briefly discussed that the purchase agreements are in review by the City's attorney, and the expiration date may need to be extended. M. Smith said he hopes to have them by next Tuesday.

Mockler moved, seconded by Thiesse and unanimously carried to approve the following claims for payment. (Courthouse Improvements) L&L Builders \$97,137.00; (Jury/Witness Fees) Jurors - \$782.54; (NSF Fees) C.P. \$4.00; (Travel/Conference) SDACC Office \$1250.00.

Hammond spoke about the upcoming SD County Officials and SD County Commissioners Convention and said if they wish to have legislators introduce something for a new statute

regarding county land leases, it might be a good idea to bring it up at the convention. It was discussed that Crum should register all the Commissioners for the convention.

A public hearing was held regarding the 2024 budget. No one appeared and no written comments were received. Mockler spoke about the library funding budget item. He said last year the Commissioners gave up their pay raises to fund the libraries, but he wondered if anyone had any funding ideas for next year. Gray-Lobe said he thinks they should continue the funding out of the Commissioners' pay raises for the libraries. Mockler said that would be a pay cut for the Commissioners. Gray-Lobe said the savings would be continuing next year unless they gave themselves that raise, and the libraries are in the current budget. Mockler said they are because they were in the budget last year, and that's when Mockler said they could pay for the libraries by foregoing their pay raises, but for the following year someone would need to come up with an idea how to continue to pay the libraries. E. Smith said she would like to step back and think about how we think about libraries because if we don't fund it, anyone who lives outside of the City of Vermillion has to pay something like \$50. Mockler said they do not yet. E. Smith said they raised the cost this year. If we were to go by population and pay our fair share, we would be somewhere around \$138,000, and they are not asking for that. They are asking for a small contribution relative to the size of the budget as a whole. She thinks it should become permanently a part of the tax base. Mockler said it cannot become permanent because it is not mandated in statute. E. Smith said in the same way we fix roads and bridges every year we should assume we are going to fund the libraries. Mockler said we have the fiscal responsibility, we are mandated to fix roads and bridges by the state. He said the food pantry, soil conservation, and all the other non-mandated things they had to cut are good. He asked how we explain to the general public that they are paying for non-mandated things. Last year it was simple; they didn't get their raises. The 3% they might give themselves this year is not going to cover it. E. Smith said she is comfortable thinking of it as part of the County's tax base, as a necessity they pay for every year to have a public library for every citizen in the county. Thiesse said he agrees that the library is very important, but how do they pay for it, and how is the library the most important non-mandated thing? How is it more important than the food pantry? There are plenty of kids in the county that are not eating, too. How do we justify that the library is the most important non-mandated program, and we are going to give them money and not the food pantry? He is for supporting the library, but how do we do that? Gray-Lobe said what the library provides is a uniquely public resource that is critically important to a host of citizenship issues that as a local governing body they ensure any citizen has access to a computer at the library if someone wants to look up state laws, etc. It is important to note that it the \$8,000 funding goes to the Vermillion library and also the Beresford and Wakonda libraries so people at the northern end of the county have access to that. It is free access to all the county residents. There aren't other public meeting rooms that are accessible in the way these are, and that is important for the citizenship. As a portion of the total budget, this \$8,000 is well worth the investment. E. Smith said it is difficult to have a democracy without free public libraries; that was Thomas Jefferson. The most common thing she sees people do is sitting down with newspapers and periodicals. They can read the Plain Talk and see what is going on with state legislature. Gray-Lobe said the cost is less than \$1 per county resident, so to him that is not much more than they are spending for the bench they sit at. Thiesse said he does not think anyone disputes the value of the libraries. Mockler said they

opted out for \$600,000. Thiesse said he totally understands E. Smith and Gray-Lobe, but the question is how to pay for it. E. Smith said maybe they need to take a look at what the budget looks like with and without the library. Hammond asked what the proposed 3% Commissioner raises totals up to. Mockler said it's about \$600 per person. E. Smith said she doesn't feel that it is something that is always taken out of Commissioners' salaries. It should come out of the General Fund. There are options that folks have given them when they talked about their budgets, and they need to see what the bottom line is. She asked Auditor Carri Crum to give them a good update on where they are and said they can review what department heads have told them what can be moved. Mockler said even if we cannot fund them, the libraries are not closing. E. Smith said essentially for a lot of county residents they might close if they are required to pay for a library card. For now, the library board decided not to charge, but if the County does not fund, libraries around the state charge a fee for non-residents. All of a sudden, Clay County people would have to pay, and for a lot of them that would close the library to them because they could not afford to pay \$50. Thiesse said that is the library's choice to do that. Mockler said we are in a lot worse financial situation than we were two years ago, not by a little bit, by a lot. So he is trying to figure out how, when we had this conversation last year and were able to figure out how to fund it without costing the County additional money, we've had a year to think about how to fund it, has anyone come up with an idea of how to fund it without costing the County money? E. Smith said she thinks it is going to cost the County to fund this. Mockler said they took it out of their wages last year, so has anyone come up with another idea. E. Smith said it should come out of the General Fund. Mockler said that is not going to save the County money; it's going to cost the County money. E. Smith agreed. Mockler asked how to explain that to the other organizations that were cut, or how to explain to the department heads that they cut 10% of their budget, and they are mandated, yet they willingly cut 10%. How do they justify that compared to non-mandated? How do they fund it without costing the County money? What are the Board members' ideas to solve this problem? E. Smith said her idea to solve the problem is to say that going forward the library contribution becomes part of what we fund every year. It does cost the County. Gray-Lobe said the reality is that there are a lot of non-mandated items that are important for the County to fund. Right now we are in a particularly difficult situation, but he thinks that when the law enforcement center is completed and the budget is more flexible, then they will consider which of the additional ones they add on. Mockler said that is a completely different conversation for two years from now. Gray-Lobe said it is the same conversation in different terms. He thinks this is a good investment of \$8,000, and it is a small portion of the entire county budget. Mockler said every non-mandated program we cut can say the same thing. Gray-Lobe said there is a unique argument for the public services that a library provides. Mockler said he does not think it is any more unique than the food pantry because before he wants to read a book, he would rather have a meal. Gray-Lobe said if he would like to consider potentially raising the levy to add the food pantry back in they can have that conversation. E. Smith said this year we asked the non-mandated programs to make a request, and the library did make a request and explained what the money is for. Mockler said that's great. All he is asking is how to pay for it. Gray-Lobe said with property taxes, to which Mockler replied that is not how to save the County money, and E. Smith agreed it doesn't save the County money. Thiesse said his question is how to pay for it, and he will gladly pay for it if it can be done right. E. Smith said

they should look at the numbers next week. Hammond asked for a list of all the non-mandated programs that sent requests. Crum said, off the top of her head, the libraries did, the food pantry, W.H. Over Museum, the fair, the senior meals, and a senior transportation request that has not been received in the past but was this year, and the Salvation Army. Gray-Lobe said when the Commission did not take the raise, that raise that was declined is a savings going year-to-year going forward. Mockler said it is not a savings when we still had to opt out for \$600,000. It was a way to not increase the budget and pay for a project. How do we do that without increasing the budget again. E. Smith said it is part of the base. Mockler said we are in a worse financial position this year than we were last year, and that's not going to get better until we are done with the jail and can stop opting out. E. Smith they all understand that, but what Gray-Lobe is saying is that you always start with a base of what you spent last year, and it's only an increase if you increase the amount of money that part of the budget is getting. We had the same tax base last year as this year, and it becomes part of the base budget. It's not base-plus. We are in dire straits, we are opting out for \$600,000, we have a lot of budget problems, every place we can cut we should, but what Gray-Lobe is doing is making a value statement. It is a matter of citizenship, the ability to be part of a democracy, it's short-changing the people who don't live in cities with libraries, and it is costing them money, so they lost the capacity to be good citizens. Mockler asked where it is costing them money. E. Smith said it is if they have to pay a library fee. Mockler asked if they are talking about an "if," or is it an absolute? E. Smith said it would be up to the libraries, and there is a guideline for the state library association that tells local libraries they must charge the people who do not reside in the cities. Mockler said Beresford doesn't do that and neither does Wakonda, so they are not following the law? E. Smith said it is not a law but a guideline. They are different than government. They function on a state library system. They function through funding from governments but are independent in many ways. This library board is appointed by the City, and we could ask if we could have someone appointed to the Board. Mockler said, if it is in their guidelines that they must charge, why are they not? Are they just picking and choosing what to enforce? He and E. Smith further discussed guidelines. E. Smith said we are short-changing our citizens if we do not give them the tools they need to participate in a democracy. Mockler asked if that tool is going to end if we don't fund it, and E. Smith said it might. Mockler said it didn't when we didn't fund it before. E. Smith said we are splitting hairs, and their positions are pretty clear. She asked Hammond if he would like to add to the conversation. He said he thinks they need to make a comparison of all the non-mandated programs that applied for funding. We are in worse shape than we have been. The first day he was on the Commission 6 years ago, he thought the next budget year would be when it was going to hit the fan, and two years ago, with the additional expenses of law enforcement is when it started. We need to compare the most critical needs of the County when carrying out our basic functions, and some of those support the basic functions of county governments. We should take a fresh look with the idea of re-evaluating where our priorities are next week. Gray-Lobe said that seems appropriate. Hammond said it may very well be that everything gets axed. Budget requests are not always honored in full. Any one of them may get, say, 20% or 50% of what they ask. E. Smith said she is good with that. Thiesse discussed with the group the minutes of the library board regarding fees and accreditation standards. They discussed when the next meeting of the library board might be. They discussed the definition of political subdivision as it pertains

to funding libraries and the accreditation standards. Crum said the year that the County did not fund the libraries, the Vermillion Public Library Foundation paid the \$4,000. Steve Waller was present and confirmed Crum's statement. Mockler asked if we can pose the question to the library board, if the County does not fund them, what will happen? E. Smith said she will do that. Mockler said he wonders how many non-residents they have using the libraries. Mockler said the County did not always contribute to Beresford, and they did not charge non-residents for library cards. Thiesse said Vermillion has 103 non-resident card holders and 87 that were active. They are suggesting that non-resident fees go from \$45 to \$50 in January. It doesn't depend on what we do; it's still going up. Gray-Lobe said if the library board is not planning to charge that unless the County does not fund them. Thiesse said nothing says it is dependent on County money. Hammond said it may depend on whether the entity involved provides monetary support. Mockler said it is not a topic of conversation unless the County did not provide funding. Then it would probably be a topic of discussion, but nothing says it would go from \$0 to \$50 if you don't live in the City of Vermillion.

E. Smith asked for any building project updates. Mockler said there is another meeting tomorrow, the purchase agreements are close, and they will be taking bids. Crum said there is an advertisement for bids going out for materials with longer lead times.

At 10:12 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 10:27 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

Gray-Lobe reported that the County was denied for the RAISE grant that would have paid for a trail system between Clay and Yankton Counties. The Dept. of Transportation is willing to do a one-time review session on why it was denied and how to make a stronger application in the future.

At 10:29 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, September 12, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

September 12, 2023

The Board of County Commissioners met in a regular session Tuesday, September 12, 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 discussion regarding the north parking lot.

Gray-Lobe moved, seconded by Mockler and unanimously carried to approve the minutes of the September 5, 2023 meeting.

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

(DUE TO OTHER GOVERNMENT)

BERESFORD SCHL DIST 61-2	\$3,214.69
BETHEL TOWNSHIP	\$2,658.43
CENTERVILLE SCH DIST 60-	\$773.24
CITY OF VERMILLION	\$42,396.11
FAIRVIEW TOWNSHIP	\$6,584.08
GARFIELD TOWNSHIP	\$3,510.02
GAYVILLE/VOLIN SCHL DIST	\$27.73
GLENWOOD TOWNSHIP	\$3,874.62
IRENE CITY	\$1,219.92
IRENE/WAKONDA SCHL 13-3	\$11,377.89
MECKLING TOWNSHIP	\$3,713.57
NORWAY TOWNSHIP	\$3,109.19
PLEASANT VALLEY TWP.	\$3,461.35
PRAIRIE CENTER TWP.	\$2,734.65
RIVERSIDE TOWNSHIP	\$3,406.33
SPIRIT MOUND TOWNSHIP	\$4,719.05
STAR TOWNSHIP	\$3,644.60
TLC WATER PROJECT DIST.	\$514.31
VERMILLION BASIN WATER	\$473.56
VERMILLION SCHL DIST 13-	\$141,073.31
VERMILLION TOWNSHIP	\$5,517.56
VIBORG/HURLEY SCHL 60-6	\$38.62
WAKONDA TOWN	\$1,841.44
(CLEARING FUND - MISC)	
SD DEPT OF REVENUE	\$6,677.71
(FIRE)	
BERESFORD RURAL FIRE	\$362.88
CENTERVILLE RURAL FIRE	\$260.95
GAYVILLE RURAL FIRE ASSO	\$222.94
IRENE RURAL FIRE ASSOC	\$55.33
VERM. RURAL FIRE ASSOC.	\$1,578.89
VOLIN RURAL FIRE ASSOC.	\$54.67
WAKONDA RURAL FIRE	\$529.26

(PROFESSIONAL SERVICES AND FEES)

AUDRA HILL CONSULTING IN	\$197.87
BUHLS DRYCLEANERS &	\$227.01
CANON	\$261.12
DAKOTA'S WINDOW CLEANING	\$5,200.00
FEDEX	\$121.11
HEIMAN INC.	\$236.50
JLG ARCHITECTS	\$335,544.00
PRESTO-X COMPANY LLC	\$249.44
QUALIFIED PRESORT SVC IN	\$10,450.14
SD DEPT OF HEALTH LAB	\$530.00
TEGRA GROUP INC	\$21,400.00
WOODS, FULLER, SHULTZ &	\$375.42
YANKTON MEDICAL CLINIC P	\$1,023.41
YELLOW ROBE, CONSULTING	\$1,500.00
(OTHER PROFESSIONAL SERVICE)	
SCHILDHAUER, T. LEMBCKE	\$1,092.00
SD ATTORNEY GENERAL	\$398.00
UNION CO. SHERIFF	\$26,160.00
YANKTON CO SHERIFF	\$1,190.00
(LAW OFFICE)	
FRIEBERG, NELSON & ASK	\$3,225.00
PETERSON, STUART, KLENTZ	\$10,587.50
TERWILLIGER, PHILIP	\$3,575.00
THOMPSON, CRAIG K	\$378.83
(PUBLISHING)	
BROADCASTER PRESS	\$1,461.92
NEW CENTURY PRESS ACCTAU	\$991.50
(REPAIRS AND MAINTENANCE)	
DAKOTA ALIGNMENT & FRAME	\$384.00
DAKOTA PC WAREHOUSE	\$649.99
HANSEN LOCKSMITHING INC	\$1,600.00
JOHNSON FEED, INC.	\$282.40
MART AUTO BODY & MARINE	\$300.00

MOORE WELDING & MFG	\$55.00	VERMILLION ACE HARDWARE	\$192.44
PRESTO-X COMPANY LLC	\$79.33	VOYAGE FEDERAL CREDIT	\$43.88
TRI-STATE TURF &	\$112.58	YANKTON JANITORIAL SUPPL	\$149.40
TURNER PLUMBING INC	\$2,721.48	(TRAVEL AND CONFERENCE)	
VERMILLION ACE HARDWARE	\$182.00	CALVERT, KYLE	\$214.00
YANKTON WINNELSON CO.	\$231.41	OLSON, LENNEA	\$214.00
(DATA PROCESSING/CLAY CREEK/INF)		STEWART, LAYNE	\$74.00
MICROFILM IMAGING SYSTEM	\$90.00	(UTILITIES)	
(SUPPLIES & MATERIALS)		BUREAU OF ADMINISTRATION	\$65.48
A & B BUSINESS	\$197.13	CENTURYLINK	\$384.67
A-OX WELDING SUPPLY CO	\$140.72	CENTURYLINK HWY	\$149.99
BOB BARKER CO INC	\$206.54	CITY OF VERMILLION	\$98.27
BRUNICK SERVICE, INC.	\$109.00	CLAY RURAL WATER SYSTEM	\$110.60
BUTLER MACHINERY CO.	\$2,967.70	CLAY UNION ELECTRIC CORP	\$738.48
D-P TOOLS, INC.	\$1,252.59	MIDAMERICAN ENERGY EXT	\$9.83
DAKOTA ALIGNMENT & FRAME	\$22.26	MIDCO BUSINESS EXT.	\$75.39
DAVIS PHARMACY	\$621.98	VERIZON WIRELESS EMG	\$210.01
HY-VEE, INC. EXTENSION	\$143.74	VERIZON WIRELESS SHERIFF	\$401.90
JACK'S UNIFORMS & EQUIP.	\$354.54	VERMILLION GARBAGE SVC.	\$236.00
JENSEN, RAVEN	\$126.63	WAKONDA TOWN	\$62.65
JOHNSON FEED, INC.	\$94.56	(PAYMENT)	
KNIFE RIVER MIDWEST, LLC	\$75,188.08	BRUNICK SERVICE, INC.	\$60.00
LAWSON PRODUCTS, INC.	\$620.90	CENEX FLEET FUELING	\$3,300.97
M & M FARM SUPPLY	\$8.80	DOMESTIC VIOLENCE	\$665.00
MART AUTO BODY & MARINE	\$1,028.00	NUTRIEN AG SOLUTIONS	\$930.00
MICROFILM IMAGING SYSTEM	\$885.00	PHEASANTLAND INDUSTRIES	\$502.20
O'REILLY AUTO PARTS	\$26.45	PIZZA RANCH 14762	\$4,037.25
ONE OFFICE SOLUTION	\$133.21	VERMILLION FORD	\$190.56
PRESSING MATTERS	\$21.00	(CLEARING FUND - MISC)	
PROCHEM DYNAMICS	\$975.72	SD SHERIFF'S ASSN	\$121.05
QUALIFIED PRESORT SVC IN	\$1,618.69	(BOOKS)	
QUILL LLC AUD	\$405.68	THOMSON REUTERS - WEST	\$676.88
QUILL LLC ROD	\$104.03	(FURNITURE AND MINOR EQUIPMENT)	
QUILL LLC TRS	\$80.74	MICROFILM IMAGING SYSTEM	\$215.00
RIVERSIDE HYDRAULICS AND	\$536.26	ONE OFFICE SOLUTION	\$282.08
RUNNINGS SUPPLY INC H&W	\$13.77	RUNNINGS SUPPLY INC H&W	\$62.98
STURDEVANT'S AUTO HWY	\$30.99	(AUTOMOTIVE)	
TIGER MOWERS LLC	\$371.71	BRUNICK SERVICE, INC.	\$100.00
UNION CO. SHERIFF	\$36.50	VOLLAN OIL	\$300.20

Mockler reported that the Vermillion Chamber & Development Company (VCDC) has asked if the County is interested in selling the gravel parking lot to the north of the courthouse. They are looking for any available land for housing. He said at this point, it is overflow parking for court days. E. Smith asked how much it gets used, and Auditor Carri Crum said it is used a lot. Gray-Lobe asked if a portion could be cut out and sold. Mockler said not with the placement of the entrances. Gray-Lobe asked if the basement of the Safety Center could become public parking, and Crum said it is much too small. Hammond said they should save the lot for now at least.

A First Reading was held for an ordinance amending Ordinance #2013-04 (updated with amendments through #2017-01), an amendment to Article 2, Section 2.02 Definitions,

Definitions. Specifically, adding/amending definitions for Open Lots and Animal Feeding Operation(s). Zoning Administrator Drew Gunderson said they identified changes that should be made to the definitions and reviewed those changes. The Planning & Zoning Commission process was completed in July. He received no public comments. Hammond said there was confusion during the recent court case, so it will help clarify that. State's Attorney Michael Smith said it is a step in the right direction. Mockler asked about existing permitted operations, and Gunderson said the key word is "existing." Hammond said the other part is in reference to vegetation growth. Gray-Lobe discussed what the Dept. of Agriculture & Natural Resources (DANR) thinks about sustained growth. Gunderson said the DANR does not want to make a distinction. This does not answer all problems, but it does narrow them down. Hammond said the verbiage comes down from federal regulations and then trickles down to state and local levels. He suggested drafting something that would fit the local climate. Gray-Lobe asked if we should define "sustained vegetation." Gunderson suggested focusing on the number of animals. Gray-Lobe said he thought it seemed to hinge on that language. Gray-Lobe and Gunderson discussed the permit process. Hammond asked about the number of animals it takes to turn the earth black. He said they could do something at the local level regarding animal units per acre. Mockler talked about temporary winter feeding vs. permanent. Hammond asked if concrete and feeders would be considered temporary, and Mockler said it can be. Gunderson asked if they think the ordinance change is not solving the problem. Mockler said he does not think it is, but the discussion was that it is a move in the right direction. Hammond talked about how east river is different than west river, and Mockler talked about defining how many animals can be on an acre for winter feeding. Hammond said even an upper limit on an open lot would be good. E. Smith said it a move in the right direction to have something measurable. Hammond said it would be more defensible in court and suggested surveying current operators to see what limits they think are appropriate. Hammond moved, seconded by Gray-Lobe and unanimously carried to advance the ordinance to a Second Reading at 9:05 a.m. on September 26, 2023.

A First Reading was held for an ordinance amending Ordinance #2013-04 (updated with amendments through #2017-01), an amendment to Article 3, Section 3.07, Concentrated Animal Feeding Operations (CAFO), 3. County Conditional Use Permit. Specifically, removing "a new owner takes over an existing operation." Gunderson talked about enforcement if a father passes an operation to his son, and he has a hard time tracking whether it's a new owner or not. Gray-Lobe discussed the Conditional Use Permit (CUP) provisions under Section 11.05. He said the language could be a problem if we end up in court, and it could prevent the County from enforcing an ordinance. M. Smith said it is a valid concern. Hammond asked if it is redundant with the original owner language that Gray-Lobe discussed, and M. Smith said redundancy is ok, but being in contrast is not. E. Smith suggested taking another look at things. M. Smith and Hammond talked about avoiding internal inconsistencies. Mockler said they could change the "original applicant" to "current owner." Gray-Lobe said he was thinking along those lines. Gunderson and Mockler discussed the requirements of a CUP with Gray-Lobe, and Gray-Lobe said state law is strong at protecting the interests of CUP holders. If getting a CUP is the place you have to jump through hoops then we want to make sure there are no loopholes. Gunderson said it is just a fact that every one of them ends up in a fight, and the County does not have the personnel or resources. Mockler asked what other businesses the County will be doing this for

because Section 11.05 affects all other parts of the ordinance. Gray-Lobe said that is a good thing. Mockler said if they do it to livestock, they have to do it to all other types of businesses. Gray-Lobe was in favor of that. E. Smith asked if they do this to liquor licenses, and that process was briefly discussed. Gunderson said the current language is not enforceable. He is working on a list of CUP holders. E. Smith said they may want to put this off for the State's Attorney to take a look. M. Smith said if he does a comprehensive review, it will take some time, which he can do, but he cannot offer a specific timeline. Mockler said it is the Planning & Zoning Commission's job to offer language, not the State's Attorney's job. Hammond said maybe they need to define "new owner," and Gunderson asked him how they would be notified of a new owner. E. Smith said she likes where Hammond is going with this. Hammond said it does not relieve the burden of tracking ownership, and Gunderson asked if they want to put themselves in a position of invalidating the ordinance because they were not enforcing it for decades. M. Smith said LLC membership can change as well. Thiesse asked if they are overthinking it. An original owner could have a life change that would affect compliance. Hammond said it is complaint-based because they do not have the staff for routine inspections. If there is a violation, they pursue it no matter who owns it. Thiesse said maybe an owner is retirement age and decides to rent things out. Gray-Lobe discussed grandfathering of current operations and how it could become problematic. Mockler said not matter what the business is, probably 80% do not have a CUP because they have been in operation so long. Hammond wondered, in the County's ordinances, if they ought to include a note that it was changed on a specific date to address grandfathering. Mockler said they can require them to file the CUP and current zoning ordinance with the Register of Deeds. Hammond said that would accomplish the same thing. Mockler the permit fee can be changed to include the filing fee. Mockler moved, seconded by Gray-Lobe and unanimously carried to remand the proposed ordinance to the Planning & Zoning Commission for further consideration.

Hammond reported that the Planning & Zoning Commission is having a meeting September 25th at 5:15 p.m. regarding the solar ordinance. The Board decided that Crum will post notice so that Commissioners can attend, but they emphasized it is a Planning & Zoning Commission meeting, not a County Commission meeting. They will simply be there to listen.

Sheriff Andy Howe met with the Board to report that he has 16 model X26 tasers that are not in use anymore by the department, but Lake County uses that model. He would like to pass them along to Lake County. Mockler moved, seconded by Gray-Lobe and unanimously carried to declare surplus the 16 tasers (serial numbers X00-520888, X00-520932, X00-520933, X00-520965, X00-521001, X00-521015, X00-521035, X00-521066, X00-521077, X00-521079, X00-521082, X00-521089, X00-521091, X00-521102, X00-637770, X00-702294) and give them to Lake County.

Howe said he has a patrol car going out of service, and the equipment is in the car. He has checked with other agencies to see if they need an equipped car, or he can put it on an auction. He said he wanted the Board's opinion on the matter. Gray-Lobe said he thinks the best option is selling to another agency. Thiesse asked if Howe needs a spare transport vehicle. Howe said he

has one. This vehicle is a 2015 with 185,000 miles. It was decided he will return at a later meeting with more information.

Mockler moved, seconded by Thiesse and unanimously carried to accept the low bid of \$3.335/gallon from Jerry's Service for #2 Diesel fuel.

M. Smith reported to the Board that it appears the County owns 750' of the lot that was to be conveyed to the City of Vermillion as part of the jail & law enforcement center project, not the full 1500' feet. He thinks the County should do a title search, which would take a few weeks. He believes the County should also do a title search on the 7 acres of land. He requested the Board give him authorization to move forward with title search and title insurance costs. Gray-Lobe moved, seconded by Mockler and unanimously carried to allow M. Smith to proceed and incur the expenses.

Facilities Manager Scott Hanson met with the Board to report on the courthouse mechanical/electrical/HVAC project. He said the Commission should find another place to have meetings for the next couple of months. The contractor will be starting basement work next week. The courthouse and Safety Center will be without water for at least a day next week. Mockler discussed water service to the jail. Hammond asked if it is new service all the way from the street, and Hanson said he has more such questions for the contractor. Mockler said it would be good to have a new line from across the street. They also discussed security of the building during the renovations. Hanson asked about closing the courthouse for the day while the water is off. Hammond asked if they can tie into a fire hydrant. He said pressure should not be an issue. Mockler asked how much it will cost because it might be easier to close for a day. Hammond said the courthouse would be low flow usage. The court schedule was discussed. The consensus was to let the Chairwoman decide once they have a cost estimate. E. Smith said the only certainty is closing the courthouse for a day. Thiesse said there is time to advertise, but it could be a problem if the schedule changes. Port-a-pot rental was discussed. Hammond discussed water safety. E. Smith said she will speak to department heads as well.

Also regarding the renovation project, Hanson said he has a change order request for the fire suppression system. It will be an extra \$30,000 for the attic if the County continues to store items up there. Crum asked if the files can just be moved out of the attic. M. Smith discussed records retention for his office. When asked, Hanson said it might take a 40'x40' area to store those files. It was discussed that there will be storage space when the jail & law enforcement center is complete because the current Safety Center will have open storage space. The consensus of the Board was not to proceed with the additional \$30,000 of fire suppression in the attic and instead plan to move storage items out of the attic.

Hanson reported that the carpet in the courtroom will be replaced by the manufacturer at no cost to the County. The judge is reviewing carpet samples. The jury room and hall will be the County's responsibility to pay, and it can be managed until the remodel. Mockler said it would be ideal to keep the same carpet throughout the building.

Dick Strassburg, TEGRA Group, met with the Board regarding Bid Packet #1 for the jail & law enforcement center. He reported that they are targeting October 2nd for the start of earthwork and

October 3rd at 11:30 a.m. for the groundbreaking ceremony. Bill Barritt, Beckenhauer Construction, said bids came in within budget. Bid Packet #2 is in progress for the footing and foundation and items with longer lead times. When Bid Packet #1 is approved, they will present a contract amendment for that. Strassburg discussed specifics such as fencing on the site. Lynn Remmers, JLG Architects, showed a rendering and site plan. Strassburg said the vehicle storage is the variable that will depend on cost and inflation. He reported to the Board that this project has a really good team and strong collaboration, which is unusual, so it has been a very positive experience thus far. Barritt said they will have a project update at the same time as the approval of Bid Packet #2, mid-November for final construction documents, and a final guaranteed maximum price by year end. Getting the geo-piers and footings, then pre-cast materials in place will allow for inter construction if all goes well. The projected completion date is the winter of 2025/2026. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve Bid Packet #1 for \$1,638,500.

The Board discussed the 2024 budget. E. Smith thank department heads for trimming down the budget requests. Thiesse asked what non-mandated services they are providing for, and others listed Lewis & Clark Behavioral Health Services, Dakota Senior Meals, the county fair, and Teen Court, although not all were budgeted at their full request. The Board was in agreement that Lewis & Clark Behavioral Health Services and Teen Court actually save the County money due to the nature of their services. Gray-Lobe said if department heads were asked to cut 10% from their requests, then maybe the Board should look at the requests from others as well. He said \$54,283 is what has been budgeted, but \$114,104 is what was requested. Gray-Lobe said this is his first time through the budget, and regarding the \$600,000 opt out and said he may have asked for a higher opt out. He said for a \$200,000 house, it would cost \$1 per year to fund the libraries. It would also be appropriate to have a conversation about the food pantry, etc. Thiesse said the Salvation Army helps a lot with housing. E. Smith said the Salvation Army is out of funding and has appealed for donations. Thiesse said he has a hard time picking one organization over another. The USD library is open to the public, and he has a hard time putting libraries above food, housing, and senior citizen programs. Gray-Lobe said at 80% the amount would be \$62,083, and that would be \$8.61 per \$200,000. Department heads cut their budgets, and more than 10% cut seems appropriate while still giving something to these organizations. Thiesse said he agrees with that on a normal year, but they have building projects, and the County is in the worst position in memory. He said he spoke with 75% of the department heads, because he struggled with this, and heard zero positive comments. It's a trickle-down effect. The department heads do the County's jobs for public safety, veterans, etc. Gray-Lobe said he agrees that the Board has to be conscious of money in and money out. They made about \$990,000 in cuts, and this is a small portion. He said they do not spend money willy-nilly. The real problem is at the state level. The counties should be getting 50% of the alcohol tax. Counties are capped at not the real cost of living or inflation and are not allowed to keep up with the real costs. They have to opt out or fall behind real inflation. Thiesse said people tend to believe in what can be instead of what is. They asked everyone to tighten their belts. He asked Daniel Burniston, Vermillion Public Library, if the library is in peril. Burniston said no and discussed the City's budget. Thiesse said this is a one-year decision to get the County through some rough times. He said the integrity and the value of services the library provides is not in question; they do a wonderful job. The County

has a job, too. Gray-Lobe said Thiesse is not wrong, but it came down to \$1 per year for a normal family in the County, and that is worth it to him. He thinks they should throw in food and housing for an additional \$1 per year. Mockler said they opted out because they didn't have any money, so now they have additional money, and they cannot start spending more. It's not sustainable to say it's only \$1. A dollar here and a dollar there eventually add up to a lot of money. Gray-Lobe said they add up to about \$89/year. Mockler said they will end up opting out again next year, and people will ask why they continue to spend the opt out money on non-mandated things. The department heads did not cut things; they kicked it down the road, and it will cost more in a year or two when it comes due. Gray-Lobe said these items were in the provisional budget when they discussed the opt out. The libraries were in there, but they are talking about additional things like the food pantry and Salvation Army. The impact will be on the cash reserves at the end of the year. Are we at 16.3%, or are we at 16.18% if we added those in? But we could just go with the budget we used to set the opt out. That number came after department heads made cuts. He is now entertaining not giving 100%, and that makes more sense. If they told the department heads they needed to make cuts, then they should also cut the amounts they are giving to libraries. Maybe they give 50% and give 50% to the food pantry and Salvation Army. Mockler said Gray-Lobe is not understanding how that process worked. After they asked the department heads to make cuts and then agreed to the \$600,000 opt out, everything in the budget was still on the table, and everybody agreed to that. That doesn't mean they did the opt out and then said, ok, now we're going to fund whatever's in the budget. Gray-Lobe said they talked about that, about other programs staying in. Mockler said it was in there, nothing was approved, and everything was still on the table. Everything is still on the table until the budget is approved. Gray-Lobe said they had a good idea of what they were working for. Mockler said he and Gray-Lobe will not change each other's minds on this, and Gray-Lobe agreed. Mockler said what he is saying is he doesn't know how they can ask the public to pony up more money and then spend it discretionarily on something that is not mandated. They justify mental health and Teen Court because they hope it alleviates pressure on the jail. Dakota Senior Meals will be severely impacted, and Burniston has already said the library will not. We have to look after their tax dollars prudently. All the non-mandated organizations that totaled about \$160,000 two years ago could all sit here and make the same argument according to what they believe in, but the County is not getting ahead and this is the farthest behind the County has been since he has been on the Board. This is his 11th budget. Hammond said \$600,000 came up in the final hour. They were talking about \$0, \$250,000, \$500,000, or \$750,000 opt out, and they thought \$600,000 was prudent to keep the budget in line. He was acutely aware that if they ended up running out of money before they ran out of services, there are not a lot of options. Gray-Lobe said that is the personal responsibility of the Commissioners. Hammond said when they refer to mandated vs. non-mandated funds, there is a third option. There are also essential, critical services like the food pantry, the libraries, and the senior citizens services. There are services they should be funding and only should cut in the most extreme circumstances. Burniston said they are not looking for a reason not to serve county residents. The library has not asked for an increase in a number of years. There is almost another category involved, and without debating the worthiness of the other organizations, they are not mandated, but the library is outlined by state law. He discussed the provisions in the law for libraries. Ultimately, he

reports back to the library board, and they decide what happens. They could decide to charge or not charge the county residents. The library is open 7 days a week almost every day of the year. They partner with many of these other groups and organizations. They help connect those services together. They are a tax-funded public service. There are other items in the budget that are not mandated but are essential. His concern long-term is that sometimes when these things drop out of the budget, it's hard to get them back in again. They are asking the City of Vermillion residents to pay the county residents' share, and they are not going to be happy about that and will wonder why the county residents are not paying their fair share. Thiesse said city residents are also county residents. Thiesse and Burniston discussed other funding sources, such as Friends of the Library, the Library Foundation, book sales, etc. Burniston said every year they probably get \$15,000-30,000. When opportunities come up for grants, they apply. Thiesse said none of the Board thinks cutting the library is a long-term thing. Mockler asked, since he is a county resident, what wouldn't he be able to do at the library? Burniston said checking items out and some of the digital services or online subscription-based continuing education programs would not be available. M. Smith said it sounds like most of them have developed some opinions and asked for a motion. Gray-Lobe moved to allocate \$7,000 to Teen Court, \$5,625 to the Vermillion Food Pantry, \$1,300 to Salvation Army, \$25,240 to Lewis & Clark Behavioral Health Services, \$3,000 to the Vermillion Public Library, \$1,875 to the Wakonda Library, \$1,125 to the Beresford Library, \$8,250 to the Clay County Fair Association, \$5,793 to Dakota Senior Meals, and \$1,875 to ROCS Senior Transportation. Hammond seconded the motion. Under discussion, E. Smith said she has been listening, and the fact that the Salvation Army ran out of money to help people, and that Lewis & Clark Behavioral Health Services and Teen Court save the County money, and her feelings about the library being essential to a democratic society, she hadn't thought about senior transportation being essential. It is a small amount of money for household to create the kind of quality of life that the Board would like to guarantee to citizens, she will support the motion. Hammond asked Gray-Lobe for the total, and he said it would be \$61,096. Thiesse said that's twice the amount they just said they couldn't afford to spend on fire suppression for the courthouse attic. Gray-Lobe said the fire suppression system is not a good long-term use of County funds. Thiesse said this is not a long-term use of County funds either. Mockler asked if they are going to talk about the other organization they fund, the Clay County Park, because that comes out of taxpayer pockets, too. He said it is mind boggling that they could add anything back in when they had to opt out and considering the current financial situation that the County is in. Thiesse said they just went from \$54,000 to \$61,000, and Mockler said they are going way in the wrong direction. Gray-Lobe said the difference is cutting library funding and adding in the other organizations. The impact is the difference in the cash reserves at the end of the year, and Mockler said if we lose one bridge, we are broke. Gray-Lobe said if they feel they cannot afford this, they are literally talking about \$2 of most families' property taxes for a year. It is 1/3-penny per day for an average household. He pays quite a bit more than a penny of taxes per day. He does not think fiscal irresponsibility is ok, but it is all a matter of scale and scope for a small portion of the total budget. That's where his reasoning is coming from. He thought they had spent time considering everything in the budget prior to the last meeting. He said it is not that either argument is bad, but to him it is a breakdown of cost. Mockler said you can break every line item down that way. The library is not going to go anywhere, so no one will miss out on it,

they just can't check things out. Gray-Lobe said this will be a topic of discussion until winter of 2025/2026, if the libraries can't be funded, he would still advocate for the Salvation Army, food pantry, and senior transportation if it is impacting the organizations' ability to help people in the community to put food on the table he does not want to shut that discussion down. Mockler said, according to the city council's minutes, the food pantry somehow turned a profit last year. Gray-Lobe said he was puzzled by that, too, but he thinks someone misspoke, and it is reserves retained at the end of the year. Mockler said it was more than the year before, they added services, and they still retained more money. E. Smith said every non-profit should have cash reserves. Mockler said if they have reserves that should mean they are not going away. The services are going to be there. They are obviously running the operation correctly. Gray-Lobe said they are providing vastly more services, and the amount of families being fed and the amount of food being provided is much more. E. Smith said there has been pressure on the food pantry, and the Salvation Army has been extraordinary since COVID. Watching the Salvation Army run out of money was a real shock to her, and the idea that anyone in this county would go hungry or not have a place to sleep is unacceptable to her. Thiesse said those are true statements, but we don't know what will happen next year. We don't have the luxury of being flush with cash reserves, so what happens if we lose a bridge. Hopefully the economy turns around, but we cannot predict it. E. Smith said the budget includes the three organizations, and to restate the motion, they would be adding in the food pantry, Salvation Army, and senior transportation, and decreasing the allocation to the libraries. She has spent hours on the budget, and it is not comfortable. It is a painful budget that has been cut to the bone, but the very small amount of money to add the critical services is not substantial. It is hard for her to believe that most voters would say they should leave someone without food to eat or a place to live. Mockler said a lot of voters would also not want to pay for anything that is not mandated, and the property tax payers have been hit the hardest the last couple of years. Gray-Lobe said he thinks the renters have been hit the hardest as he doesn't know a landlord in the county that doesn't pass the cost of their property taxes on to their renters in the form of additional rent. Thiesse said he has not done that, and Gray-Lobe can ask his renters. He is still renting three-bedroom houses for \$500 per month because he thinks about the people. Gray-Lobe commended Thiesse for that. E. Smith asked for any additional comments. Hammond said this can be looked at as a portion of the Commissioners' Contingency budget, which is about \$130,000. It amounts to about half of the contingency budget. He cited examples of uses of the contingency. Gray-Lobe said those organizations were already budgeted in addition to the contingency, so they are talking about an additional \$5,000-10,000. Mockler said they normally spend that contingency budget each year. Crum said Mockler is correct, that they have spent it all for the past several years. E. Smith said the contingency budget is the right amount, and the surplus is where it would fall out of. Gray-Lobe said messing with the cash balance is messy. Crum said it is worth noting that the last several years they have done budget supplements in addition to spending the contingency budget, so they are effectively dipping into the cash reserves. Gray-Lobe said they should consider that next year when looking at the contingency budget amount. Hammond said adding these in is dipping into that contingency budget since the provisional budget was set, so they are spending it before the year even starts. Gray-Lobe said if they can not touch the contingency by reconsidering the library budget line for the other critically important organizations, they could

have that conversation. Mockler said if they start adding things back in, they better throw everything back in and start over because the things the department heads cut were not fluff and will cost more in future years. Hammond said he knows there are delayed expenditures that went into the cuts. Thiesse discussed the Zoning Office software. The Board agreed it needs to stay in the budget. Gray-Lobe said he would entertain amendments to his motion if anyone had something to offer. Hammond said he thinks there is value in keeping a toe in the door for funding some of these things. It is hard to get restarted when you go to zero as Burniston said. He said he reviewed things and made similar cuts to the requests, and the ones he had left in were Teen Court at \$9,000, the food pantry at \$5,000, and each of the libraries he would cut in half. Gray-Lobe said he would be comfortable amending his motion to change the libraries to 50% of their requests, and the Vermillion Food Pantry at \$5,000. Hammond said he would be comfortable leaving Teen Court at \$7,000. Gray-Lobe asked about Salvation Army and senior transportation. Thiesse and Hammond discussed that the Salvation Army provides deposit money for people to get them into an apartment. Hammond said we do not have an on/off switch between mandated and non-mandated. There are expenses within the list that he wouldn't consider critical. Just because some Pierre told them they have to spend their money on that stuff, and where is the local control in that? E. Smith said it would be a net increase of \$2,300 difference. They discussed the contingency, and Mockler said taking it out of contingency doesn't help. It's taking it out of one pocket and putting it into the other as they spend it every year. Gray-Lobe amended his motion to allocate \$7,000 to Teen Court, \$5,000 to the Vermillion Food Pantry, \$1,300 to Salvation Army, \$25,240 to Lewis & Clark Behavioral Health Services, \$2,000 to the Vermillion Public Library, \$1,250 to the Wakonda Library, \$750 to the Beresford Library, \$8,250 to the Clay County Fair Association, \$5,793 to Dakota Senior Meals, and \$1,875 to ROCS Senior Transportation. Hammond seconded the amended motion. Hammond said they use their contingency every year, but they have a cash carry-over. Mockler said it's still hard to explain to the taxpayers that there is a cash carry-over, but they had to opt out. Others said they have to have reserves. E. Smith said we would be in big trouble if we didn't have reserves. Crum said she doesn't think they have actually had a cash carry-over when reserves have declined every year. They were at 32% for several years, and now we are looking at 16%. Mockler said that's why you don't spend extra money. Mockler called to question. Vote of the Board: Mockler Nay, Gray-Lobe Aye, Smith Aye, Thiesse Nay, Hammond Aye. Motion passed.

Regarding the Clay County Park, Gray-Lobe said he met with M. Smith to look at the statutes closer, and they do allow the County to do things as they have been doing.

At 12:37 p.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2.

At 1:01 p.m., Mockler moved, seconded by Hammond and unanimously carried to exit the Executive Session.

At 1:02 p.m., Hammond moved, seconded by Mockler and unanimously carried to adjourn and reconvene Tuesday, September 26, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

September 26, 2023

The Board of County Commissioners met in a regular session Tuesday, September 26, 2023 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. 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 Thiesse and unanimously carried to approve the minutes of the September 12, 2023 meeting.

Director of Equalization Lennea Olson met with the Board as a Visitor to be Heard to give her department's salary breakdown for the 2024 budget.

Welfare Director Drew Gunderson met with the Board to present Welfare Case #CW23-018 for a county burial. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the claim for payment as the individual met current welfare guidelines.

A Second Reading was held for Ordinance #2023-05, an Ordinance Amending Ordinance #2013-04 (updated with amendments through #2017-01), an amendment to Article 2, Section 2.02 Definitions, Definitions. Specifically, adding/amending definitions for Open Lots and Animal Feeding Operation(s). Gray-Lobe moved, seconded by Hammond to pass and adopt Ordinance #2023-05, an Ordinance Amending Ordinance #2013-04 (updated with amendments through #2017-01), an amendment to Article 2, Section 2.02 Definitions, Definitions. Roll Call Vote: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Aye.

Assistant Highway Superintendent Larry McPherson met with the Board to discuss highway matters. Mockler moved, seconded by Hammond and unanimously carried to approve and authorize the Chairwoman to sign a Right-of-Way Application from Clay-Union Electric on E. Main, Sec. 16, T92N, R51W and a second Right-of-Way Application from Clay-Union Electric on 313 St. in Sec. 30, T93N, R52W.

Hammond moved, seconded by Thiesse and unanimously carried to approve and authorize the Chairwoman to sign a Driveway Application from Tom Larsen on 306 St. McPherson said the landowner is also installing an 18" culvert. Smith verified with him that it is acceptable, and McPherson said it is.

Hammond moved, seconded by Mockler and unanimously carried to accept the low bid of \$3.335/gallon from Jerry's Service for #2 Diesel fuel.

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

(PAYROLL)		AUDITOR'S OFFICE	\$14,159.75
COMMISSIONER'S	\$8,978.03	TREASURER'S OFFICE	\$24,009.74

STATE ATTORNEY'S OFFICE	\$30,998.90
COURTHOUSE	\$10,343.14
DIRECTOR OF EQUALIZATION	\$12,372.03
REGISTER OF DEEDS	\$9,915.64
VETERAN'S OFFICE	\$1,893.78
24/7 PROGRAM	\$2,110.16
SHERIFF'S OFFICE	\$56,479.39
COUNTY JAIL	\$36,800.02
EMERGENCY MGMT	\$5,560.75
HIGHWAY	\$58,000.68
COMMUNITY HEALTH NURSE/WIC	\$3,608.21
EXTENSION OFFICE	\$3,335.32
WEED	\$1,596.48
PLANNING & ZONING	\$3,736.03
(DUE TO OTHER GOVERNMENT)	
CLAY CO TREASURER	\$6,967.26
SD DEPT OF REV ANDERSON	\$436,395.15
SDACO - M&P FUND PAYMENT	\$316.00
(PAYROLL WITHHOLDING)	
AFLAC	\$961.76
CLAY CO FIT FICA	\$64,258.97
COLONIAL LIFE	\$183.16
CONSECO/WASHINGTON	\$24.45
DIV OF CHILD SUPPORT SD	\$956.00
MESSERLI & KRAMER	\$706.71
NEW YORK LIFE C/O M&T BN	\$298.57
SD RETIREMENT SYSTEM	\$34,012.80
SD SUPPLEMENT RETIREMENT	\$6,910.00
SDRS ROTH 457(B) PLAN	\$600.00
TASC PVR	\$2,220.80
THE STANDARD - DENTAL	\$1,445.88
THE STANDARD - LIFE INS.	\$419.12
THE STANDARD - SH TRM DI	\$1,114.46
THE STANDARD - VISION	\$354.04
UNITED WAY OF VERMILLION	\$146.92
VOYAGE FEDERAL CREDIT	\$750.00
WELLMARK BLUE CROSS	\$59,126.28
(PROFESSIONAL SERVICES AND FEES)	
CANON	\$125.17
DEPT OF LEGISLATIVE AUD.	\$21,840.00
ERICKSON SOLUTIONS GROUP	\$878.20
FEDEX	\$30.77
FIRST DAKOTA CREDIT CARD	\$242.21
FOX, DAN	\$70.00
JLG ARCHITECTS	\$244,355.78
LEWIS & CLARK BEHAVIORAL	\$213.00
LOFFLER COMPANIES	\$449.67
MATTER LAW OFFICE LLC	\$374.50
MINNEHAHA COUNTY JDC	\$87.95
MITCHELL CLINIC LTD	\$895.00
PHARMCHEM, INC.	\$702.90
SANFORD HEALTH OCCMED	\$108.00

TEGRA GROUP INC	\$21,679.44
ULTEIG	\$20,499.50
(OTHER PROFESSIONAL SERVICE)	
DAVISON COUNTY	\$3,100.00
YANKTON CO SHERIFF	\$255.00
(LAW OFFICE)	
HORN LAW OFFICE, PROF.LL	\$246.10
LINDAHL, JOSETTE MD/PHD	\$1,500.00
(MENTAL HEALTH)	
AMG UNIVERSITY PSYCH	\$168.27
(PUBLISHING)	
THE NEW ERA	\$54.00
(REPAIRS AND MAINTENANCE)	
CENTURY BUSINESS PRODUCT	\$37.50
DAKOTA ALIGNMENT & FRAME	\$404.00
FIRST DAKOTA CREDIT CARD	\$316.00
GREGG'S AUTO BODY	\$3,522.25
JOHNSON FEED, INC.	\$332.40
LOFFLER COMPANIES	\$464.92
OVERHEAD DOOR COMPANY	\$425.00
PRESTO-X COMPANY LLC	\$261.73
STEWART OIL & TIRE	\$60.00
VERMILLION ACE HARDWARE	\$38.97
3D DIGGING & TRUCKING LL	\$14,200.00
(DATA PROCESSING/CLAY CREEK/INF)	
FIRST DAKOTA CREDIT CARD	\$2,746.25
(SUPPLIES & MATERIALS)	
BARCO MUNICIPAL PRODUCTS	\$4,234.54
BOB BARKER CO INC	\$33.82
BRUNICK SERVICE, INC.	\$562.00
CINTAS	\$369.80
CORTRUST BANK	\$4.00
DAKOTA ALIGNMENT & FRAME	\$22.26
FIRST DAKOTA CREDIT CARD	\$270.28
GREGG'S AUTO BODY	\$1,409.13
HOLLENBECK, LAUREN	\$82.07
HY-VEE, INC. EXTENSION	\$186.17
INTOXIMETERS, INC.	\$950.00
JACK'S UNIFORMS & EQUIP.	\$115.90
JERRY'S SERVICE	\$26,680.00
JOHNSON FEED, INC.	\$39.40
KNIFE RIVER MIDWEST, LLC	\$99,427.20
MISSOURI PETROLEUM	\$932,865.50
MOTOROLA SOLUTIONS INC.	\$25.00
O'REILLY AUTO PARTS	\$7.00
ONE OFFICE SOLUTION	\$164.78
OVERHEAD DOOR COMPANY	\$145.00
RUNNINGS SUPPLY INC H&W	\$208.95
SANFORD HEALTH	\$18.89
SECURITY SHREDDING SVC.	\$35.00
TIGER MOWERS LLC	\$338.02
VERMILLION ACE HARDWARE	\$43.98

VOYAGE FEDERAL CREDIT	\$65.82	GLASS, ANTHONY J	\$20.00
3D DIGGING & TRUCKING LL	\$289.82	GRAHAM TIRE S.F. NORTH	\$1,223.12
(TRAVEL AND CONFERENCE)		HECK, ERIC	\$20.00
BEST WESTERN PLUS	\$607.98	HEEREN, DANIELLE	\$57.14
BEST WESTERN RAMKOTA INN	\$210.00	HY-VEE, INC. JAIL ACCT	\$451.91
CRUM, CARRI R	\$162.52	MCGUIRE, JAMES	\$56.12
FIRST DAKOTA CREDIT CARD	\$176.50	NELSEN, PEGGY	\$50.00
HOLLENBECK, LAUREN	\$616.00	OLSON, KATHERINE	\$50.00
HUSBY, TIFFANY	\$200.54	PASSICK, CHAD	\$50.00
PAULSEN, ANDREW	\$140.00	QUANBECK, BAILEY	\$10.00
SDSU EXTENSION	\$33.82	ROTHSCHADL, BARBARA	\$50.00
STEWART, LAYNE	\$214.00	THE SOAP GUYS	\$201.60
TAGGART, RHONDA	\$20.00	TWO WAY RADIO SOLUTIONS	\$3,733.63
TERWILLIGER, LISA	\$84.26	WAYS MAN, CALEY	\$50.00
VOYAGE FEDERAL CREDIT	\$50.00	WHERRY, JAY	\$56.12
(UTILITIES)		(JDC/SPECIAL EQP.)	
BUREAU OF ADMINISTRATION	\$46.81	JACK'S UNIFORMS & EQUIP.	\$104.90
CITY OF VERMILLION	\$2,872.62	MINNEHAHA COUNTY JDC	\$4,449.12
FIRST DAKOTA CREDIT CARD	\$890.53	VOYAGE FEDERAL CREDIT	\$500.00
LOFFLER COMPANIES	\$232.42	(BUILDINGS AND STRUCTURES)	
VERIZON WIRELESS EMG	\$210.01	JLG ARCHITECTS	\$1,346.18
VERIZON WIRELESS HWY TRS	\$98.42	(BOOKS)	
VERIZON WIRELESS SHERIFF	\$401.97	FIRST DAKOTA CREDIT CARD	\$125.00
VERMILLION ACE HARDWARE	\$42.44	THOMSON REUTERS - WEST	\$727.37
VERMILLION GARBAGE SVC.	\$176.00	(FURNITURE AND MINOR EQUIPMENT)	
(PAYMENT)		CANON	\$222.94
BRUNICK SERVICE, INC.	\$108.00	LOFFLER COMPANIES	\$176.52
CHRISTOPHERSON, JAMA	\$10.00	(AUTOMOTIVE)	
FIRST DAKOTA CREDIT CARD	\$70.28	FIRST DAKOTA CREDIT CARD	\$100.00

The Board considered adoption of the 2024 Budget. Hammond moved, seconded by Gray-Lobe to pass and adopt the 2024 Provisional Budget, with changes to be published, as the 2024 Annual Budget along with Resolution #2023-12. Under discussion, Mockler said the County will have another unintended expense with the County Health Nurse/WIC Office restructuring by the SD Department of Health (SDDOH). If they approve the budget it is what it is, and the County will be spending more. He is not in favor of this budget due to the non-mandated things. They cut from department heads, added stuff in, and will need to add more for the health nurse. E. Smith said they do not have any power to change that. Mockler said no, but they have to pay for it. They are already dipping into reserves and will be spending more. Now is the time to discuss it. Thiesse said he agrees this will cost money. They do not have the power to change it, but they do have the power to change the non-mandated things. Hammond asked about a cost estimate from Auditor Carri Crum. She discussed the clerical salary and usage of the county vehicle as well as changes to services. Thiesse said the separation of services is irrelevant, but it will still cost the County money. They have to look at the raise, and he asked how much they are talking about. E. Smith said their decision is whether to pay for the community health and clerical support. It's really hard to figure the cost. She agrees that there is so much they don't know. She is not sure they have it straight at the SDDOH because the emails are conflicting. It hasn't been authorized by legislature and is something SDDOH just decided to do. Interestingly, the contract looks like

other contracts. Mockler said they know there is a change coming. E. Smith said they can't act on the change until it comes. Thiesse said they know we will have to pay for it. Hammond said the salary adjustment is the issue and said that's why he would like an estimate. If it is plus or minus \$5,000 that is within their risk brackets. Every year they have some risk, such as extra snowfalls, for example. The Board discussed use of the county vehicle vs. a person vehicle, insurance, etc. Vote of the Board: Hammond Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Mockler Nay.

ANNUAL BUDGET FOR CLAY COUNTY, SD
For the Year January 1, 2024 to December 31, 2024

Tax Levy in

RESOLUTION #2023-12

COUNTY TAX LEVIES	Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
* General County Purposes		
(10-12-9)	6,487,133.00	4.4963
Library		
LIMITED LEVY (10-12-21) -		
SUB TOTAL		
OUTSIDE LIMITED LEVY:	6,487,133.00	4.4963
County Snow Removal Fund		
(34-5-2)		
County Road and Bridge		
(10-12-13)		
Courthouse, Jail, etc., Bldg.		
(7-25-1)		
Bond Interest Sinking	2,628,238.00	1.8217
(7-24-18)		
Ag Building		
(7-27-1)		

ADOPTION OF ANNUAL BUDGET FOR CLAY
County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and, Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR CLAY County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2024 and ending December 31,

UNLIMITED LEVY - SUB TOTAL	2,628,238.00	1.8217
LIMITED AND UNLIMITED LEVY - SUB-TOTAL	9,115,371.00	6.3180
OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76) (31-12-27)		
Fire Protection (34-31-3)	245,834.00	0.2894
TOTAL TAXES LEVIED BY COUNTY	9,361,205.00	6.6074

2024 and the same is hereby approved and adopted by the

Board of County Commissioners of Clay County, South Dakota, this 26th day of September, 2023.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor,

Clay County, South Dakota. The accompanying taxes are levied by Clay County for the year January 1, 2023 through December 31, 2023.

BOARD OF COUNTY COMMISSIONERS OF Clay County, South Dakota

Elizabeth T. Smith Chairwoman

Richard Hammond Commissioner

David Thiesse Commissioner

Geoffrey Gray-Lobe Commissioner

Mockler voted nay and did not sign.

ATTEST Carri R. Crum County Auditor

* These Amounts include the 25% to be distributed to cities.
As of September 26, 2023 these levies are not approved by the Department of Revenue

Thiesse moved, seconded by Mockler and unanimously carried to approve the 2024 Payroll as presented and to authorize the Chairwoman to sign it.

The Board considered contracts from the State for Community Health Nurse and WIC services. E. Smith said the issue going forward is the separation of the programs. It is an administrative decision at the SDDOH level. She said the contract before them seems to be the same as previous years. Hammond moved, seconded by Gray-Lobe to approve both contracts and authorize the Chairwoman to sign them. Under discussion, Mockler asked how they are the same if we don't have a nurse anymore. E. Smith said we are getting 24 hours a week of community health services. Crum discussed the division of services between community health and WIC and

wondered if they will come back with another amended contract. E. Smith said the contracts are backdated June 30-September 30 and October 2023-May 2024. They are describing the same WIC services as the County has had before. Crum said another county's Commission is meeting with SDDOH regarding the changes to services today. It was decided that since the WIC contract is backdated and is tied to grant funding, it would be best to approve that contract and wait for information regarding the community health contract. Hammond and Gray-Lobe amended the motion to approve only the WIC contract. It was decided to table the other contract until the next meeting.

A public hearing was held for the Highway Department's 5-Year Road & Bridge Plan. Brad Stangohr from Ulteig Engineering presented the plan and said it makes the county eligible for the SD Department of Transportation grants. John Lindstrom was present and discussed the bridge north of this farm near the Baptist church and said he does not want it closed and abandoned. There is a 14' culvert ¼-mile downstream and a 40' bridge ¼-mile upstream. He wouldn't necessarily spend money on a bridge, but he may like to see a 14' culvert. Stangohr said they do a bridge safety inspection every 2 years. Some are posted or closed, and it is due to condition. He said he does not know the specifics on the structure under discussion. Lindstrom said he thinks the bridge qualifies for the grant program. Mockler said he doesn't know if the bridge program knows it is on a dirt road. Stangohr said there are two programs. One doesn't have as many strings attached. Sometimes they might be eligible due to the score, but there are other criteria that have to be met. Wayne Thedorff and Craig Nelson were present from the Garfield Township Board and asked for the timetable for minimum maintenance to full maintenance if they change it. Stangohr said, with the SDDOT, if it is declared minimum maintenance and you un-declare it, there is a procedure to be followed. As long as that is done, the SDDOT doesn't have any input on the timeline. There is a checkbox, and it either is minimum maintenance or not. Hammond said from the hog facility to the east, that is the designated haul route, and that is about a ½-mile. He remembers he tried to drive by Baptist Creek and turned around and went back. Lindstrom said there is a small township structure near Garfield Hall that is not in great shape. If that road gets closed, he has only one access from Greenfield Road. He said they cannot keep shutting down everything. It's the same problem with the bridge on 308 St. that is not a County structure. Marshalltown is the only crossing on Baptist Creek for 3 miles. He said his point is that it is disappointing. Gray-Lobe said the challenge is that some of these are cost-shared grants, and the cost-share can be very substantial, so they can be pretty weighty decisions. Lindstrom discussed the cost of participating in the grant vs. installing a culvert. Hammond said the other issue is that applying for the grant is applying to join the lottery, and it has to compete with all other bridges in the state that may or may not be greater need. Lindstrom asked if it costs to apply, and Hammond said they do have to pay the engineer. Stangohr said he will look at it. Bridges have gone up a lot in the last few years, and a 42' bridge might cost \$650,000 for a box culvert. Lindstrom asked if they can size down. Stangohr said no, that they would have to agree to do it according to the state's manual. He said the design standards are usually a 10-year return interval storm, and sometimes there are also FEMA regulations. Mockler discussed putting in four 4' culverts, and said that can be done without the Bridge Improvement Grant (BIG) program. He said they did that near Westerville. The Township has to sign off on it. It would still be a County structure because they are within a foot of each other. Stangohr said if they are closer than 2 ft.,

then it would be over the 20' span. Dean Lindstrom asked if there is a minimum height regarding water flowing over it. Rather than serving as a dike, it goes over and there is less damage. Stangoehr said they call that an overtopping section, and they do that often because it is easier to fix a washed-out road than a washed-out culvert. Hammond said it is sort of like an emergency spillway. Mockler said they can do it without the Township having to change the maintenance. Mockler asked about the structure by Garfield Hall. Thedorff and Nelson said it is a wood structure and is #2 on the Township's 5-year plan. It can be replaced with a box culvert. Stangoehr said a 5-year plan can be amended. They discussed ranking rules for the structures. Thedorff and Nelson discussed the RAIF grant. Mockler said they have 4 years to sit on the money. Stangoehr said there is a window of time to spend the money. Once the State gives the money, there is an internal clock. The 2024 money has to be spent within 4 years. A contract might count as spent money. Getting the money spent is not the hard part. Getting enough money to do a project is the hard part. Mockler discussed with Thedorff and Nelson their #1 and #2 projects. They discussed prices going up. Mockler said Star and Bethel Townships have been awarded. It was decided to put Garfield Township on the agenda for next week to award RAIF money. J. Lindstrom asked how a township is supposed to put in a \$400,000 bridge. Craig asked if there is an oversight for bridges. Stangoehr said there are lots of old bridges out there that he doesn't understand how they were sized when they were installed. Nelson said they will be chasing their tail on 308 St., so can they put in something different? Is there someone who can approve it? Stangoehr said they do that all the time. He can size it for them according to written design guidelines. They should ask themselves, if they back water up, what will they ruin? There is high cost & low risk, and there is low cost & high risk. E. Smith said it sounds like there are some options, and it probably starts with the Township deciding what their priorities are. Stangoehr, McPherson, and Olson reviewed the bridge in question on Pictometry software. E. Smith said it sounds like they need technical follow-up, and she asked McPherson to help them. Thedorff asked if there have been many structures added to the inventory list since it was started. Stangoehr said yes, but he does not remember details. They discussed the formula for the RAIF grant distribution from the state. Stangoehr asked Crum for a copy of J. Lindstrom's letter. Nelson asked if any of the township boards were included in the plan, and Stangoehr said they are, but it's only County structures on the plan. J. Lindstrom asked what some of the big ones are, and Stangoehr said he has only inspected a handful at this point but will have a better big picture after he inspects all of them. It was determined that the County's 5-year Road & Bridge Plan would be placed on the next agenda for approval and put on the Commissioner's website.

Gray-Lobe gave an update for Clay County Park. They have been working on a bid notice for the farm parcel and said the feeling is that the other is not worth the federal program. It's not a whole lot of money, maybe \$1,500/year. They would be very limited on what they could do with the site. They are discussing with Game, Fish & Parks (GF&P) and USD whether either would like to pursue a grant to help with habitat restoration and educational opportunities for college students. He discussed the denial for the RAISE grant and said the debriefing meeting was encouraging. They encouraged the County to resubmit an application. They also discussed the Federal Land Access Program, which is aimed at improving access and connectivity from federal lands. There will be a meeting Thursday between those involved in the previous application to review the previous application and decide how to go forward.

Crum reported to the Board that employees have been asking her if they will be allowed to attend the groundbreaking ceremony for the new jail & law enforcement center. She explained that for most employees, they were very invested in the passage of the bond, and it will likely be a once-in-a-lifetime event for them in their time working for the County. It was the consensus of the Board to allow department heads to decide whether their offices can close for staff to attend the groundbreaking.

At 10:36 a.m., Mockler moved, seconded by Gray-Lobe and unanimously carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 10:57 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to exit the Executive Session.

The Board reviewed data from the GF&P for visitation at the Clay County Park. Cars going into the park were up 26% over the last year. Campsite occupation in August 2023 was up 128% over 2022, and year-to-date it is up 135%.

State's Attorney Michael Smith requested to discuss the courthouse renovation situation with the Board. His deputy was in court yesterday and said they could barely hear the judge speak with all the construction noise. He said it would be worth taking a look and making a long-term decision. He discussed working from home, but said not everyone has the ability and technology to do that. Drilling days will be problematic for courthouse staff, and moving is a very difficult process. Olson said it's going to be difficult to clean up the offices afterward from the dust, and it's hard to breathe in the building due to the dust in the air. Smith said he will have to move out when they are working in his office as his legal assistants cannot work from home. It was the consensus of the Board that offices may have to close as necessary. It will be a department head decision, and they hope employees can understand that some will work from home while others cannot work while the offices are closed simply due to the nature of work in each individual office; it is unavoidable with the scope of the renovation project.

At 11:12 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene Tuesday, October 3, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

October 2, 2023

The Board of County Commissioners met in a special session Monday, October 2, 2023 at 8:15 a.m. at the County Auditor's Office, 211 W. Main St., Suite 200, Vermillion, SD. Members present: Travis Mockler, Elizabeth Smith, David Thiesse, and Richard Hammond; Geoffrey Gray-Lobe was absent.

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 Thiesse and unanimously carried to authorize the Chairwoman to sign closing documents for the purchase of property from the City of Vermillion.

Hammond moved, seconded by Thiesse and unanimously carried to authorize quiet title proceedings for the property along Baylor St. Mockler updated the Board that Clay County Abstract recommended Attorney Craig Thompson. State's Attorney Michael Smith said he left his information at Craig Thompson's office, and they do this kind of work quite often. As long as there is no conflict of interest, he should be able to complete the process for the County.

At 8:25 a.m., Hammond moved, seconded by Mockler and unanimously carried to adjourn and reconvene Tuesday, October 3, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

October 3, 2023

The Board of County Commissioners met in a regular session Tuesday, October 3, 2023 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. 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 Gray-Lobe and unanimously carried to approve the agenda.

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the September 26, 2023 meeting.

Highway Superintendent Rod Polley met with the Board to discuss highway matters. He reported that he received Rural Access Infrastructure Fund (RAIF) Grant applications from Star, Bethel, Garfield, Pleasant Valley Townships. Requests total \$372,982.18 for 2024. The County currently has \$197,770.97 unallocated. The 2024 amount to be received from the State is unknown at this time. E. Smith said the hard part is the bridges that cost a lot. Garfield had a project that was going to cost a lot. It was discussed that there will be a bridge that the County will be responsible for, and Polley and Assistant Highway Superintendent Larry McPherson said a bridge will be better than a box culvert in this case. Brad Stangohr, Ulteig Engineering, said a culvert might not even be cheaper in this case. Polley said a steel bridge would be better. Mockler said if it is cheaper, the Township will be happy with that. Technically, the Township will be putting it in. He asked if there is any work the highway department can do. Polley said they can tear the old one out. He said, if it was up to him, he would close it and leave it alone as there is one to the north and one to the south. There are other bridges the County could spend money on. Mockler clarified that the RAIF money cannot be used on County bridges. Smith asked, if Polley was going to prioritize the requests, how would he prioritize them? Polley said the one in Pleasant Valley would be first, then Bethel, then Star, then Garfield. Hammond said Garfield Township is asking for a fair expenditure, but other bridges are in the area that wouldn't extend the detour too much. Polley said he looks at how many people live on the road. Mockler said there is access also. Polley discussed the Baptist Creek hauls a lot of water, and if they had to do it, his preference would be a bridge so that it doesn't hold logs and debris. He is thinking of the worst-case scenario when it floods. The Board discussed award amounts. Polley said he can look up steel bridge prices. He does not remember ever having to take over a Township structure. Mockler said we have given quite a few back, and it goes both ways. Polley said the Pleasant Valley structure is 1.5 miles west of Highway 19 on 304 St., and it's in pretty sad shape. Mockler said it's a box culvert now. Polley said a lot of trucks have been going over it. Thiesse discussed the application proposal of 2 9-foot culverts to replace the structure. Polley said they are putting about the same amount of flow back in there at about \$32,000 just for the culverts. Polley said last year the County did not award anything until January, but that was his fault as he got behind. He said he is surprised the County has not received the reimbursement requests for the previous awards. Mockler asked if the funding is fluid each year. Stangohr said the legislature allocates it. He said it could change if townships that originally did not apply decided to apply the following

year. He said \$3 million was allocated this year. It was decided to put the matter on the next agenda.

The Board discussed the County's 5-Year Road & Bridge Plan. Polley said he added 306 St. The grain storage facility opened up, and east of Hub City is already showing stress after a week. He is going to patch a couple of spots. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the plan.

A public bid opening was held for Structure #14-130-146 Bridge Deck Polymer Chip Seal. Two bids were received. PCI bid \$226,202.10 and BX Construction bid \$201,160.20. A public bid opening was also held for Structure #14-112-090 Low Slump Dense Concrete Overlay & Column Repair. Two bids were received. PCI bid \$563,102.85 and SFC bid \$569,424.55. Stangohr stepped away to inspect and tabulate the bids to be approved at this meeting as one project would be better done now while the water is low.

Polley said, regarding Structure #14-130-146, Ulteig Engineering discovered the southeast corner of the bridge is washed out and caved in. The wing wall fell into the river. The County needs to get that fixed, and unfortunately it is not covered by the Bridge Improvement Grant (BIG) Program. This is the structure south of Erlan Olson's new house on University Rd. It has to be fixed now. He looked at the budget, and he didn't do as much as he planned for micro-surfacing and is not at the end of pavement dollars. He should have enough in the budget, but Stangohr is getting him a number. It will need 500 tons of rip rap. Due to the likely cost, it will have to go out for bids. He is trying to get it done this fall. Auditor Carri Crum discussed that the County should look into whether it falls under the emergency statute for exemption from bidding. State's Attorney Michael Smith said it looks like it fits the statutory requirements. Stangohr said it may actually be eligible for the BIG Program as well.

The Board discussed the Community Health Nurse (CHN) contract with the State. The restructuring of the department would involve extra training, travel, and nights and weekends for the clerical staff. E. Smith said they would have to look at the salary. The County will lose a lot of public health capacity. It makes sense for them to meet with the SD Department of Health (DOH). She said we don't have a lot of control, but it's still in our best interests to have a contract with the DOH, even with the diminished services. Crum and E. Smith are going to try to meet with DOH. Gray-Lobe asked M. Smith a question about the contract as he is a temporary state employee and wanted to know if he should recuse himself from a vote on the contract. M. Smith said yes. E. Smith said she will also contact the association to see if there is any knowledge at this level. This will affect vaccination rates statewide, so it is a real concern. In the meantime, getting any CHN from the state is an advantage. Mockler and Thiesse said we do not have any other options, and Hammond said chances of alteration in the contract in the short term are small; however, they should visit with the SD County Commissioners' Association regarding any legislation. Mockler said we should clarify whether our person is serving other counties, and we should get reimbursed for that. Hammond agreed. E. Smith said they are regionalizing, and if we don't want to send our clerical staff for training and such, we could say no, and they could say they are canceling the contract. If they are moving their staff around, they should be responsible for mileage. Ultimately, the legislature should weigh in on this because it will affect

the whole state. Mockler said if they change terms, we can get out of the contract. Hammond said we don't know which counties we will share services with. E. Smith said the nurse would be commuting from Canton, so we would not get a full day. Thiesse asked if our person could give vaccinations with proper training. E. Smith said we have a poverty rate here that is higher than the rest of the state. It's a big problem for people. Mockler said he could talk to Damon Alvey to see if we could contract with the school nurse. Hammond said maybe we could contract with a pharmacist, but sometimes a nurse could spot other problems. Mockler said maybe the school would need another half-time nurse, where we could pay the other half. E. Smith said in the meantime, she will schedule a meeting with DOH. Mockler moved, seconded by Thiesse and unanimously carried to approve the contract and authorize the Chairwoman to sign it. Gray-Lobe did not vote due to recusal.

Hammond moved, seconded by Gray-Lobe and unanimously carried that the County will pay the cost of flu vaccines for employees not covered by health insurance.

Gray-Lobe updated the Board that the Clay County Park farmland bid notice is going to the paper. They reached out to USD and Game, Fish, & Parks (GF&P) to invite them to collaborate on the prairie restoration for the parcel not being farmed, and they sound excited. The parcel is 31 acres. They will be lining up grant applications, donations of seed, etc. The plan is to seed before the winter of 2024-2025. Putting the land in the CRP program is off the table as it would require a 10–15-year contract and a new lease as well as some expenses. The potential income from CRP was discussed. Mockler told Gray-Lobe if he needs any help, call him.

Hammond said the Joint Jurisdiction Zoning Area (JJZA) meeting was postponed. It will be about a month from now. The SECOG personnel are busy, so it has been difficult to schedule.

Stangohr said the bid tabulation is good. Mockler moved, seconded by Thiesse and unanimously carried to accept the low bid from PCI in the amount of \$563,102.85 for Structure #14-112-090 Low Slump Dense Concrete Overlay & Column Repair. Mockler moved, seconded by Thiesse and unanimously carried to accept the low bid from BX Construction in the amount of \$201,160.20 for Structure #14-130-146 Bridge Deck Polymer Chip Seal.

E. Smith reported that the closing on the land transactions with the City of Vermillion was yesterday.

M. Smith said he spoke to Attorney Craig Thompson and it doesn't appear there will be a conflict of interest in the quiet title proceedings for the property along Baylor St. It could be a couple-month process if there are no hurdles. He will be asking Thompson to expedite the process as much as possible.

Polley said he checked into the RAIF, and last year's payment to the County was more because the original House Bill had money left over, so it was divided out. He thinks there will be another \$112,000 coming next year, similar to this year's allocation. Clay County has 1.35% of the bridges in the state.

At 10:29 a.m., Mockler moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, October 10, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

October 10, 2023

The Board of County Commissioners met in a regular session Tuesday, October 10, 2023 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. 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 the Community Health Nurse services and authorization for Mockler to approve items up to \$100,000 for the jail and law enforcement center project.

Hammond moved, seconded by Mockler and unanimously carried to approve the minutes of the October 3, 2023 meeting.

Vermillion School District Superintendent Damon Alvey appeared during Visitors to be Heard to thank the Board for the School Resource Officer and road maintenance for school buses.

Greg Merrigan from Feeding Vermillion also appeared during Visitors to be Heard to express thanks for the \$5,000 allocation in the 2024 budget. He said they are merging programs to better serve the community, and the food pantry is open to all residents of Clay County. They are on track to serve over 10,000 people in 2023. There are over 60 volunteers and one paid director. Clay County is one of 11 counties in South Dakota that is considered to be in persistent poverty by the US Census Bureau. The other 10 counties are reservation counties. E. Smith asked what Merrigan knows about the demographics, and he said it is the whole range of the population, not just one demographic.

Bill Barritt from Beckenhauer Construction presented the contract amendment for Bid Package #2, which includes 11 packages. This amendment supercedes the previous iGMP amendment and will allow them to begin the foundation of the jail and law enforcement center this fall as well as to order other materials. Dick Strassburg from TEGRA Group said the bottom line is that the process will continue until they have bid everything. As of now, he said, the project is under budget. Barritt said they should have 100% final approval of the Guaranteed Maximum Price (GMP) by the first of the year. As for the foundation, Barritt said they will bring in fill dirt, and that has to settle for 2 weeks before beginning the foundation work. Then they will have to wait until March for the walls to go up. Gray-Lobe and Mockler discussed building permit fees, which are estimated right now, but the City is working on actual permit costs. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the iGMP contract amendment and authorize the Chairwoman to sign it.

4-H Educator Lauren Hollenbeck met with the Board to present the quarterly activity report.

A public bid opening was held for purchase of a truck for the Highway Department. Bids were opened and read aloud. One bid was received from Vermillion Ford for the F450 truck in the amount of \$61,810, and the truck is stock. Mockler asked if there is a state bid. Highway

Superintendent Rod Polley said no, that there is only an F350, and there is a wait as they are not in stock. Hammond said it seems favorable. Polley was to review specifications.

Polley discussed the surplus of old snow wings. He said one county asked for one for parts. State's Attorney Michael Smith said sealed bids is the safest route. Mockler asked if there is any reason to keep one for a spare. Polley said they have never needed a spare. Mockler asked if taking sealed bids is better than a public auction. Polley said he could put them out for auction. Thiesse said the auction is a better option because that's where people who are in the market will look. E. Smith said the sealed bid market is smaller. Mockler moved, seconded by Hammond and unanimously carried to declare the three old snow wings surplus and authorize the auction.

Polley said he received the applications for the Rural Access Infrastructure Fund (RAIF) Grant. He got them all back except Bethel Township. The bridge over Baptist Creek might be around \$200,000, and it could be done next year. It would become a county bridge as it is over 20 feet. Mockler said \$200,000 is less than a box culvert. Craig Nelson from the township board said Hollaway Construction is looking into used steel. Polley said if it is going to be taken over by the county, he does not want anything used. Mockler said we should see if the contractor would honor this year's bid price. It was decided that the matter will be on the next agenda. Nick Oyen from the Garfield Township Board said they agree with the proposal, and he wanted to say the natural flow is 28 feet, but the area is bottlenecked to 14 feet for the bridge, so he would like to see the width of the bridge be appropriate for the natural flow of the water. They discussed closed bridges and the financial burdens to townships. The township has levied the required \$.50/\$1,000 to be eligible for the program, and they are putting forth the 20% match. Polley said he still thinks there are other higher priority structures, and the bridge should remain closed. Gray-Lobe said there are other points of access. Oyen discussed Jim Danielson's property and the other access point being low visibility. He said 306 St. is already dangerous with drop-offs and areas of no shoulder, and traffic is being added to since 308 St. is closed. He is asking the County to undo the decision from the 1970's to narrow the waterway. There were things that could have been done with that bridge before it became the Township's responsibility. Nelson said there are other people who would use that bridge that don't live right there. Rural residents have to get to town. There used to be more infrastructure than there is now, yet the rural population is growing as people build more houses. E. Smith said a lot of those structures were from the WPA era when there was federal money. Hammond said they are making the decision to make this a main throughfare across the Baptist Creek, but they may need to abandon others upstream. Nelson said it is ironic that the smallest bridge is right before the river. Polley said this bridge will not solve the problem of flooding on University Rd. Nelson said in 2019 he took a tractor to bring his kids home because it was the only way. E. Smith said it all comes down to money, and there is never enough.

Thiesse asked for an update on the washed-out bridge. Polley said they are working as fast as they can, but he is waiting for information on cost.

Polley returned to topic of the truck bid. He said the bid meets specifications. Mockler moved, seconded by Gray-Lobe and unanimously carried to accept the bid from Vermillion Ford for the F450 truck in the amount of \$61,810.

Polley said he is attending a national bridge conference next week on a scholarship, so he will be out of the office.

Hammond moved, seconded by Mockler and unanimously carried to approve the following claims for payment. (Repairs/Maintenance) Johnson Feed \$81.34, Sooland Bobcat \$150.00; (Supplies/Materials) A&B Business \$197.13, A-OX Welding \$129.65, Butler Machinery \$517.09, CHS Diesel \$673.00, D-P Tools \$174.02, Graham Tire S.F. North \$2,508.00, I-State Truck Center \$106.01, Interstate Power Systems \$3,669.49, Johnson Feed \$20.50, Knife River Midwest \$91,011.20, SD Dept. of Transportation \$235.72, Sooland Bobcat \$12.00, Tiger Mowers \$105.69, Vermillion ACE Hardware \$142.95; (Utilities) Centurylink \$149.99, Clay Rural Water \$126.50, Clay-Union Electric \$660.39, Vermillion Garbage Service \$60.00, Wakonda Town \$62.65; (Equipment) Butler Machinery \$87,531.33

Gray-Lobe moved, seconded by Thiesse and unanimously carried to authorize Mockler to make decisions and sign documents up to \$100,000 for the jail and law enforcement project. This will make the construction more efficient as there will not be a waiting period for the Commission to approve things throughout the project.

E. Smith reported to the Board that she, Auditor Carri Crum, and Gray-Lobe met with the SD Dept. of Health regarding Community Health Nurse and WIC services. They were unable to answer all questions, but it was clear that Clay County will lose about 6 weeks of services. In the times she has stopped into the office, there were two babies missing their scheduled immunizations. WIC Nurse Sami Cusick is not allowed to give vaccines under the new structure. Mockler said it is safe to say the two divisions are working against each other. E. Smith said there is no synergy. They have not planned this well, and they keep giving staff different directives. It puts the clerical staff, Lisa Wood, in a difficult spot. None of that is in the Commission's power to change. The DOH is operating within federal guidelines. In the meantime, as a County, she does not know what step we can take. The magic seems to be in combining food services with public health services, and that clearly is not going to happen. Gray-Lobe said it sounded more like a bottom-up shift. E. Smith made a point to tell the DOH that people will slip through the cracks. Mockler said Cusick is sitting in her office and cannot give immunizations to patients, yet we do not have anyone there who can. Crum said she expressed concern that a regional nurse will not have enough time to adequately serve all the patients. She also asked about a timeline for Wood to make her decision to accept the additional job responsibilities or not, as well as travel requirements, mileage, vehicle, and time spent in other counties. E. Smith said the SD Association of County Commissioners will be calling her back this week. It is possible the lobbyist could help. The only other route she can think of is to contact our Congressmen for federal help. Hammond said they could form a coalition to take the concerns to the Governor. We are losing critical services for people in Clay County. Thiesse said he has dealt with federal money for 20 years at his other job, and it's all a federal game. At one point, he was out of money to help people, and the federal government literally told him to have a bake sale. E. Smith said the State told us they cannot work for both Community Health and WIC. She said Thiesse may be correct about the federal rules. It might be worth discussing the matter with Dakota Hospital Foundation as they have been around longer and understand

community resources. Hammond said it is a problem that sounds great at administrative levels, but not at the street level. They also discussed vaccination rate data.

Facilities Manager Scott Hanson met with the Board to report on the courtroom carpet. The judge chose a carpet sample, and he is looking for Board guidance whether we are replacing the carpet now or waiting until the security project is underway. Also, he asked if he should replace the carpet in the small courtroom and jury room so that it matches. He can order it now and store it. E. Smith said it seems backwards to put new carpet down now when construction will be happening. Mockler said we have to order now due to warranty replacement. Thiesse agreed that it should wait in order to avoid patching. The Board questioned whether we can account for the cost in our matching portion of the grant. The consensus of the Board was that the carpet should match in all the rooms.

At 10:54 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to adjourn and reconvene Tuesday, October 31, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

October 31, 2023

The Board of County Commissioners met in a regular session Tuesday, October 31, 2023 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. 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 Gray-Lobe and unanimously carried to approve the agenda.

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

Dr. Jacob Quail and Rachel Olson appeared on behalf of the Boys & Girls Club during Visitors to be Heard to thank the Board for support. They are currently serving 100 kids and creating a safe space for youth before and after school.

Auditor Carri Crum also appeared during Visitors to be Heard to report on behalf of the Treasurer that the 7-month CDs invested for the Ditch Board have reached their due date, and the interest earned was \$4,798.25.

Bill Barritt from Beckenhauer Construction presented the iGMP 3 contract amendment. This amendment supercedes the previous iGMP amendments and will allow them to add \$780,010 for the garage on the south side of the building. Earthwork, foundation, concrete, wall panels, and steel are included. He does not anticipate any more amendments before the final Guaranteed Maximum Price (GMP) is presented in the first part of January. Dick Strassburg, TEGRA Group, said the project is on budget. Panels have a long lead time, so it is important to order them now. Barritt said the plan is to get footings in the ground, and panels should arrive in March. They install those in the cold, as long as it is not too cold for the workers. Mockler moved, seconded by Hammond and unanimously carried to approve the iGMP 3 contract amendment and authorize the Chairwoman to sign it.

Highway Superintendent Rod Polley met with the Board to discuss highway matters. He reported he has placed the surplus snow wings, truck, etc. on Girard's Auction to be held in mid-November.

The Board discussed a request from Rob Hansen for a "Cross Traffic Does Not Stop" sign at 306 St. and University Rd. Sheriff Andy Howe said there is no history of crashes, but they have been doing enforcement in the area. Mockler asked if the sign can be hung on the same post as the "Stop" sign. Polley said he contacted SD Local Traffic Assistance Program (SD LTAP) and is waiting for a return call. Mockler said he doesn't think it will help, but it's worth a try. Polley said he will discuss it with SD LTAP.

The Board considered a contract from Uleig Engineering for the bid that was approved for Bridge Deck Epoxy Chip Seal on Structure #14-130-146, the structure south of Erlan Olson's new house. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the contract and authorize the Chairwoman to sign it.

Polley said they started hauling clay and rip-rap to fix the washed out bridge on University Rd.

Polley said he got 2 Rural Access Infrastructure Fund (RAIF) Grant applications from Star and Bethel Townships. He discussed the estimate from Hollaway Construction for the bridge over Baptist Creek. It includes owner-furnished materials and other County responsibilities, and steel is higher cost than concrete right now. E. Smith asked if the applications from Star and Bethel Townships are new or revisions. Polley said they are for 2024. Mockler said there is one from Pleasant Valley Township, too. E. Smith said it would be helpful to have the applications all in a packet to compare. Polley said he will do that for the next meeting. Garfield Township Board members were present to present a petition/letter of support with almost 100 signatures for the 308 St. bridge across Baptist Creek. They have a couple of contractors willing to take out the old structure. Some of the signatures on the petition are from fire departments, EMS, and school bus drivers. Craig Nelson asked if there is a problem with the Township assuming responsibility for the bridge. E. Smith said the responsibility for the bridge maintenance is not the issue. For her it is a limitation on funds, and it is a matter of deciding where the money will do the most good. They need to decide which bridges have the highest priority. Nelson said they cannot bank the money, but Mockler said they were told they can. Wayne Thedorff said this has been priority #1 since the first application. Nelson said they are getting tired of wondering if they are ever going to be granted the money. He said the County is using 2022 money to fund 2024 projects when Garfield Township applied previously. E. Smith said they cannot make a promise today. Gray-Lobe said it is not first-come, first-served but rather a priority of access considering as well the master transportation plan, etc. The Commission is doing its best. The Township is making strong cases, and their questions are good. Mockler said they cannot use the County's plan, and traffic counts will not work as it is currently closed. The Commission is wasting the Township's time, and they would rather hear a "no" than wait and see. There was discussion regarding due dates for plans and applications. Nelson said they did theirs early both times. It was decided that the matter will be placed on the next agenda.

The Board considered gas quotes. Mockler moved, seconded by Hammond and unanimously carried to accept the low bid of \$3.19/gallon from Jerry's Service.

Polley said SD LTAP got back to him, and they will be present at next week's meeting to discuss the RAIF program.

Mockler asked Polley if he has purchased diesel fuel yet. Polley said he has not as he saves the County a lot of money if he waits until he needs a tanker.

Howe discussed with the Board an inmate boarding contract with Charles Mix County. He sends inmates there when there are no closer jail beds. Mockler moved, seconded by Hammond and unanimously carried to approve the contract and authorize the Chariwoman to sign it.

Regarding the surplus 2015 Explorer with 185,000 miles, Howe said he was hoping to sell it to another agency, but no one responded. It would be more convenient to sell it on Girard's Auction rather than on Purplewave. Mockler asked if it is reliable and whether they should keep it for county travel vehicle. Howe said if he were to do that, he would wait for the 2016 that is the next

one to be replaced since it is more reliable. Mockler moved, seconded by Gray-Lobe to declare surplus the 2015 Ford Explorer and authorize the sale on Girard's Auction.

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

Stewart discussed the LEPC HAZMAT Grant, which will re-write the LEPC Plan. The LEPC Grant will need his signature when he gets the materials. Hammond moved, seconded by Gray-Lobe and unanimously carried to authorize Stewart to sign the grant.

Stewart reported that the POD Grant was awarded for the \$3,000 that he applied for. It was to be used for the POD Coordinator position, but they are now saying it can be used for anything. He will wait for the final contract to determine that. Mockler moved, seconded by Gray-Lobe and unanimously carried to authorize Stewart to sign the grant.

Stewart reported that the new Federal Aviation Administration laws will require all drones to have transponders. The old drone will no longer be legal. He is hoping to get Board approval to surplus the parts for parts to the robotics club and will return at a later date for a motion once he receives approval from the State's Attorney's Office.

Zoning Administrator Drew Gunderson met with the Board regarding the purchase of TTECH software. E. Smith clarified migration terms in the contract, and Gunderson said it will be an easy process. Mockler moved, seconded by Hammond and unanimously carried to approve the contract and authorize the Chairwoman to sign it.

State's Attorney Michael Smith met with the Board to report on a sexual assault training. The County was previously awarded \$850 for one person to attend the training, and the second person would be at the County's cost. However, he was able to apply for an additional grant for \$850 to cover the cost of the second person's training, making the County's cost for the training \$0.

M. Smith reported that the County received \$3,250 for participation in the juvenile diversion program. The County had 13 successful completions and 43 referrals. Some were not successful, some are not complete yet, and he does not know how many of the referrals were actually accepted into the program. He does believe the program is working. Gray-Lobe asked if we can do better. M. Smith said it will never be 100%, but they are forming a support system for the juveniles. The numbers are good at this point.

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

(PAYROLL)		DIRECTOR OF EQUALIZATION	\$13,527.03
COMMISSIONER'S	\$8,978.03	REGISTER OF DEEDS	\$9,915.64
AUDITOR'S OFFICE	\$14,159.75	VETERAN'S OFFICE	\$1,893.78
TREASURER'S OFFICE	\$24,009.74	24/7 PROGRAM	\$1,947.84
STATE ATTORNEY'S OFFICE	\$31,078.19	SHERIFF'S OFFICE	\$59,088.25
COURTHOUSE	\$10,424.58	COUNTY JAIL	\$42,704.21

EMERGENCY MGMT	\$5,560.75
HIGHWAY	\$50,810.86
COMMUNITY HEALTH NURSE/WIC	\$3,608.21
EXTENSION OFFICE	\$3,335.32
WEED	\$8,434.43
PLANNING & ZONING	\$3,873.78
(PAYROLL WITHHOLDING)	
AAA COLLECTIONS	\$184.25
AFLAC	\$961.76
CLAY CO FIT FICA	\$66,616.89
COLONIAL LIFE	\$183.16
CONSECO/WASHINGTON	\$24.45
DIV OF CHILD SUPPORT IA	\$220.00
DIV OF CHILD SUPPORT SD	\$1,367.00
MESSERLI & KRAMER	\$522.66
NEW YORK LIFE C/O M&T BN	\$298.57
SD RETIREMENT SYSTEM	\$34,972.34
SD SUPPLEMENT RETIREMENT	\$6,885.00
SDRS ROTH 457(B) PLAN	\$600.00
TASC PVR	\$2,220.80
THE STANDARD - DENTAL	\$1,405.48
THE STANDARD - LIFE INS.	\$414.84
THE STANDARD - SH TRM DI	\$1,096.70
THE STANDARD - VISION	\$343.44
UNITED WAY OF VERMILLION	\$146.92
VOYAGE FEDERAL CREDIT	\$750.00
WELLMARK BLUE CROSS	\$58,293.74
(PROFESSIONAL SERVICES AND FEES)	
CERTIFIED LANGUAGES INTL	\$90.75
DICKINSON COUNTY SHERIFF	\$34.00
ERICKSON SOLUTIONS GROUP	\$1,507.20
FEDEX	\$167.41
FORENSIC BEHAVIORAL	\$1,500.00
GAPP, DEBRA	\$2,340.00
HANSEN FUNERAL HOME, INC	\$1,900.00
LINCOLN COUNTY AUDITOR	\$745.87
LINCOLN COUNTY SHERIFF	\$75.00
LOFFLER COMPANIES	\$449.67
MITCHELL CLINIC LTD	\$695.00
MOTOROLA SOLUTIONS INC.	\$609.11
NETSYS PLUS, INC.	\$125.00
PHARMCHEM, INC.	\$383.40
QUALIFIED PRESORT SVC IN	\$13,910.97
SULLIVAN, GAGE QMHP	\$425.00
(OTHER PROFESSIONAL SERVICE)	
CHARLES MIX COUNTY	\$350.00
MINNEHAHA COUNTY JAIL	\$2,123.00
SD ATTORNEY GENERAL	\$271.00
UNION CO CLERK OF COURTS	\$11.75
(LAW OFFICE)	
PETERSON, STUART, KLENTZ	\$10,587.50
(MENTAL HEALTH)	

MINNEHAHA CO. AUDITOR	\$139.10
(PUBLISHING)	
NEW CENTURY PRESS ACCTAU	\$1,269.11
THE NEW ERA	\$54.00
(REPAIRS AND MAINTENANCE)	
ELECTION SYSTEMS AND	\$4,667.25
HARDING GLASS	\$448.00
HOFFMAN, DEREK J.	\$375.37
LARRY'S HEATING & COOLIN	\$299.00
MICROFILM IMAGING SYSTEM	\$915.00
PRESSING MATTERS	\$1,008.00
PRESTO-X COMPANY LLC	\$261.73
QUALITY MOTORS	\$673.84
(DATA PROCESSING/CLAY CREEK/INF)	
ESRI INC	\$1,430.00
MICROFILM IMAGING SYSTEM	\$90.00
SOFTWARE SERVICES, INC.	\$726.00
(LATERALS 50A & 50B EXPENSE)	
POLLMAN EXCAVATION, INC.	\$4,000.91
(SUPPLIES & MATERIALS)	
CORTRUST BANK	\$4.00
COYOTE ENTERPRISE LLC	\$184.97
HEIMAN INC.	\$89.00
INTELLECTUAL	\$794.70
LAYNE'S WORLD, INC.	\$30.00
LEWIS DRUG, INC.	\$1,925.48
MICROFILM IMAGING SYSTEM	\$30.00
MOTOROLA SOLUTIONS INC.	\$6,370.40
PRESSING MATTERS	\$910.00
PROSOURCE SPECIALTIES LL	\$239.00
QUALIFIED PRESORT SVC IN	\$655.29
QUILL LLC AUD	\$99.98
YANKTON REXALL DRUG	\$46.95
(TRAVEL AND CONFERENCE)	
BEST WESTERN-RAMKOTA	\$398.06
CRUM, CARRI R	\$287.64
DOMMER, CAITLYN	\$246.56
HOWE, ANDY	\$48.00
NOTHERN PLAINS APPRAISAL	\$24.00
SD LTAP	\$125.00
STYLES, DAVID	\$315.24
(INMATE TRAVEL)	
PENNINGTON COUNTY JAIL	\$144.22
(UTILITIES)	
BUREAU OF ADMINISTRATION	\$96.81
CENTURYLINK	\$113.55
CITY OF VERMILLION	\$1,268.69
MIDAMERICAN ENERGY C H	\$94.40
MIDAMERICAN ENERGY S C	\$38.74
MIDCO BUSINESS	\$210.39
(PAYMENT)	
BRUNICK SERVICE, INC.	\$135.00

DAKOTA SENIOR MEALS	\$1,377.25	SHAW, KYRA	\$20.00
ELLIS, KARLY	\$20.00	WAYS MAN, CALEY	\$50.00
HEEREN, DANIELLE	\$57.14	WHERRY, JAY	\$56.12
HY-VEE, INC. COURTHOUSE	\$23.92	(JDC/SPECIAL EQP.)	
HY-VEE, INC. JAIL ACCT	\$408.77	RUNNINGS SUPPLY INC SHRF	\$679.55
JORDAN, WILLOW	\$20.00	(BUILDINGS AND STRUCTURES)	
LACROIX, PATRICIA	\$755.50	EARTH SERVICES ABATEMENT	\$26,288.00
MCGUIRE, JAMES	\$56.12	JLG ARCHITECTS	\$1,047.02
OLSON, KATHERINE	\$50.00	L & L BUILDERS	\$50,459.00
PASSICK, CHAD	\$50.00	(FURNITURE AND MINOR EQUIPMENT)	
PAULSON, ALICIA	\$399.65	MICROFILM IMAGING SYSTEM	\$155.00
PIZZA RANCH 14762	\$1,688.25	(AUTOMOTIVE)	
QUALITY MOTORS	\$283.04	QUALITY MOTORS	\$100.90
ROTHSCHADL, BARBARA	\$50.00		

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the renewal of the Microsoft 365 contract and authorize the Chairwoman to sign it.

The Board considered a contract from Midco for internet services. It was decided that Crum should contact the City to see what their experience has been with Bluepeak, and also contact the County's IT provider, Erickson Solutions Group, to get their recommendation.

The Board considered a request to support the National Association of County Officials' (NACO) initiative for a Center for Public Lands. There was discussion regarding the number of counties that did or did not allocate funding as well as what the program might accomplish. It was decided that the matter should be placed on the next agenda.

Gray-Lobe reported that bid notices for the Clay County Park farmland lease are in the newspapers today.

Regarding the jail and law enforcement center project, Mockler reported that earthwork is underway. Hammond said the geo piers can be installed when the ground is frozen, although the workers may not be able to be out in the cold.

There was discussion regarding the courthouse mechanical/electrical/HVAC project. The building is without heat, and Crum asked the Board for any solutions to keep employees warm as some offices are already below 60 degrees. Employees have been wearing winter coats, gloves, and electric blankets from home. There was discussion as to whether the building's electrical wiring can handle space heaters, and Crum said one office tried to use one but the breaker almost instantly tripped. It was decided that the County would borrow space heaters from the Community Connection Center and use them in offices where the electrical wiring can handle the load. Gray-Lobe moved, seconded by Mockler and unanimously carried to set courthouse hours as 11:00 a.m.-4:00 p.m. effective November 1, 2023 until such time as the building's heat is operational, to be adjusted by individual department heads as necessary upon consultation with office staff.

At 10:58 a.m., Mockler moved, seconded by Hammond and unanimously carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 11:07 a.m., Hammond moved, seconded by Mockler and unanimously carried to exit the Executive Session.

Gray-Lobe discussed re-applying for the RAISE Grant, and a meeting will be held at the library from 5:30 p.m.-7:30 p.m. on November 2nd. It was decided that Crum will post notice so that Commissioners can attend.

E. Smith reported that there is a meeting with the Secretary of the SD Department of Health this week regarding the Community Health Nurse/WIC Nurse program.

At 11:08 a.m., Gray-Lobe moved, seconded by Mockler and unanimously carried to adjourn and reconvene Tuesday, November 7, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

November 7, 2023

The Board of County Commissioners met in a regular session Tuesday, November 7, 2023 at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. 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 October 31, 2023 meeting.

Director of Equalization Lennea Olson appeared during Visitors to be Heard to discuss GIS training opportunities for the department. She will be in Brookings on Thursday for a different training. She also reported that the department completed the full-county review.

Brad Trudeau appeared during Visitors to be Heard to complain about the manure smell at his house. There are out of state farmers bringing in manure from out of state. He said he would like information on setbacks and showed the Board a map of the land owned by the out of state operation. He is concerned about people being able to sell their land and referred to the smell of dairies in Lincoln County. Kids are leaving the farm and finding jobs elsewhere because dairies are buying all the land and leaving young people no room for expansion. He showed a parcel on the map of an area right outside of Vermillion that is being farmed by the same operation. E. Smith asked if he has spoken to Zoning Administrator Drew Gunderson. Gray-Lobe referred to state laws regarding agricultural operations. Trudeau said he expects the operation to make a request for a feedlot. He said it will destroy our county. Hammond clarified that the manure is coming out of Iowa. Trudeau said it is coming from Iowa, and he does not like out of state manure being hauled in. Mockler asked if there is a livestock facility there. Trudeau said no, but he thinks the Board will be approached for that in the future.

Weed Supervisor Dennis Ganschow met with the Board to present a weed grant application to combat the spread of purple loosestrife and other noxious weeds. The grant application is for \$26,500, with applicant and other costs of \$28,400, for a total project cost of \$54,900. It is a 3-year plan between 5 counties, and this will be the second year of the grant. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the application and authorize the Chairwoman to sign it.

Greg Vavra and Andrew Peterson from SD Local Traffic Assistance Program (SD LTAP) met with the Board to give a presentation on the Rural Access Infrastructure Fund (RAIF) Grant. Vavra reviewed SD Codified Laws, criteria, and responsibilities. He said the program has a minimum match of 20%, but a township can contribute more. He said Clay County has one extremely large project that can consume all of the funds and acknowledged that the Commission is in a tough position. The criteria for the award needs to guide the decision of the Commission. He urged the township board members in attendance to understand that the Commission has until January 15, 2024 to decide. He said the money can be carried from year to year and discussed

legislation that would change the deadlines due to Dept. of Transportation delays. Vavra said this year Clay County is \$152,000 short, so someone will not get awarded the full amount. He said some counties have a lot of money and no applicants, so that is something the RAIF group will have to discuss. Hammond asked if that will require legislative action, and Vavra said yes. Hammond asked if the money reverts back to DOT, is there a mechanism to re-allocate money for these kinds of projects. Vavra said no, things would have to be done legislatively and then back to the local level. He said Clay County township boards did their due diligence, but the problem is there is a shortage. Wayne Thedorff from the Garfield Township Board asked if the money has to be allocated each year, and Vavra said no, it can be carried over. Gray-Lobe clarified that next year's money is the last year for the program. Vavra said that last money will be distributed in 2024. He suggested getting together with other counties to make sure local legislators know there is a huge shortfall. Senator Sidney Davis said she has been around for the program funding when it got started, and she is very much aware of the legislative actions. She is concerned about the program coming to an end and would be interested in talking to Vavra more about what they can do legislatively to re-allocate the funds between counties. She is a resident of Garfield Township and also deals with the issue on a different level. She said, unfortunately, a lot of townships meet the criteria, and she is hopeful they can still find different creative avenues for re-allocating unused funds. Vavra said the money is already there; it's just taking what we already have and re-distributing it back out to those who have a need. Davis said asking for more will be a hard sell if there are unused funds, so we should try a re-allocation effort before asking for more funding. Gray-Lobe discussed the helpfulness of a 5-year plan. Vavra said he thinks Garfield Township's bridge is a needed project but discussed the issue with prioritizing failing structures and moving traffic onto another structure that may also be failing. There are failing structures throughout Clay County. He wondered what other townships are doing that are not being as proactive as the townships that have applied. Thedorff asked, where would be the first place to start talking about re-allocation of funds? Vavra said the Association of Towns and Townships and the County Association would be good advocates. He discussed potential criteria going forward. Vavra said the Garfield Township bridge is by far the largest project he has seen in the program. Craig Nelson of the Garfield Township Board and Vavra discussed the method for sizing the bridge. Thedorff asked if hydraulic studies are legitimate or how they come up with their sizes. Vavra said they have criteria. Mockler asked about county use of funds under SDCL 31-34-8, and Vavra said that is a county-maintained road within an unorganized township, so it does not apply to Clay County. Gray-Lobe said, even if the Board awarded all the funds they have, it would not reach 80% of the project. Mockler said, in Garfield's situation, currently what was there is a small structure, and it would be replaced with a bigger one, so is that a problem? Vavra said it would become a county structure, and that is ok. The question was asked where is the liability for structures that are minimum maintenance used by farmers? Vavra said it would be load-rated, and if it is posted but someone drives through it with an overweight load, they will buy that bridge. He said none of these funds can be used on a minimum or no-maintenance road. Nelson clarified that you can re-rank your 5-year plan, and Vavra said yes, before the Commission awards the money. Hammond said the Garfield Township bridge is the smallest structure downstream, and it acts as a dam to spread the discharge over 200-300 acres of farmland. He is concerned that the county road ditch may have higher levels, and it may

endanger University Rd. before it reaches the creek. Nelson said when it floods, it usually blows out part of that bridge and the dikes, and once it blows the dike, the water is there within minutes anyway. E. Smith said one of the other problems Clay County has is a lot of water. There are a lot of other places in the state that are not facing the kind of conditions we face. Vavra said you can kind of follow that along the Big Sioux River. Gray-Lobe discussed whether the structure would be affected by a 100-year flood. Hammond said it is within the 100-year flood plain of Vermillion. A lot of floods in Clay County have a lot to do with what goes on upstream. Nelson clarified that counties are allowed to bank money from a previous year if there are outstanding applications in place. Vavra said they can. Gray-Lobe discussed the timeline for spending money. Gray-Lobe said he would be happy to approach the County Association. Hammond discussed liabilities of hanging onto money as a kind of insurance policy in case a structure fails. Vavra said if they are not proactive enough to put it into an application, it could raise the question of why it was not in an application. Davis said she keeps thinking about how they would know that a county has excess funds to be re-allocated if they can bank it. How would they ensure accountability? Hammond said being able to bank from year to year allows larger projects and takes pressure off of small townships with large projects. Vavra said one thing that would help is looking at ratings (i.e. poor or failing). E. Smith said there are a few options of how to look at this. She thinks they would prioritize by condition, and as she looks at the financial side if we add \$110,000 that we expect next year to what we have now, we end up being around \$41,000 short. One possibility would be to sequence the grants in a way that we can maximize the number of projects done this year. We could also award funds proportionately to each project and divide the shortfall between everybody. She discussed Star Township's timber bridge with rotted pilings. There is not one bridge that isn't important, and it's hard to imagine awarding the money without taking that into account. Gray-Lobe said he has begun to think of this less as an ongoing funding source, and there is value in distributing to multiple townships. Maybe a township has had projects funded, so possibly they get essentially crossed off. Davis discussed the end of the program and said there is not going to be a lot of extra state money to fund things like this, but need is a bell that rings loud in Pierre. She thinks there is work to be done to continue demonstrating the needs county by county to show disparities of more need and less need. Vavra again said failing and poor condition could show more need vs. less need. Mockler clarified location of Star Township's requested project. Ron Peterson of Star Township discussed access and the heavy agricultural vehicles that use it but said no one lives out there. Mockler asked, wouldn't it be cheaper to gravel one of the neighboring roads than to replace the structure? Peterson said they are downsizing it and making it a low water crossing to make it more economical. Vavra said just because no one lives there, it doesn't mean there is no need for a farm to market road. Hammond said one of the things at the road conference was the suggestion of abandoning roads and bridges, but you do have to get crops out. The structure on the Wakonda Oil was discussed. Vavra discussed functional obsolescence in relation to that structure. Thiesse said it is more about the commerce of the agricultural community, and it is hard to get the semis around some of those corners. He would like to see this Garfield Township application go forward and figure out how we can get it done. E. Smith said they need to figure out how they are going to move forward. She suggested looking at proportion and sequencing and looking at the math prior to the next meeting. She discussed what might happen if they

allocate money, and someone comes in with a failing structure. Vavra discussed an emergency clause in statute and eligibility under the 5-year plan. It was discussed that most townships have not applied, and Peterson said townships are not getting enough guidance. Nelson urged the Board to keep in mind that cost goes up with each passing year. Mockler said we are talking about next year's money, and we have no idea what is coming in. Davis asked if Garfield Township could apply again for a partial amount. Vavra said the allocation should not change much from this year's. Hammond discussed the township share based on the money we have available now, and he said that the county does not have the money to cushion the share. E. Smith said we only have one year left and it may be that some townships are not funded until next year. Vavra said it says they have to be done by January 15th, but they could approve the applications at the next meeting. E. Smith said they would like to approve them sooner rather than later because there is a long pre-construction timeline. She asked if anyone would like to make a motion, or would they like to create a proposal for the next meeting. Gray-Lobe said his hesitation is pinning down whether they allocate the full amount or anything less than that as there is not enough money to make an 80/20 split. Gray-Lobe asked what the goal is for Garfield Township, whether it was steel or concrete. Nelson said they would take the lower cost. Mockler moved, seconded by Thiesse and unanimously carried to award \$197,770.97 to Garfield Township for its RAIF project. E. Smith said she would like to see every bridge funded, and they will work with the County Commissioners' Association to get funds re-allocated. They would appreciate it if the township boards could approach their association as well. Gray-Lobe talked about placing it on the agenda for the next county district meeting. Nelson asked whether the County Highway Superintendent will need to be involved in construction as the bridge is going to become a county structure. Vavra discussed the matter, and Mockler said the County uses Hollaway Construction as well, so that is beneficial. Hammond said they could ask the engineers for the County to be involved as it is good for everyone to stay on the same page. Emergency Management Director Layne Stewart asked if there is a cost-benefit analysis associated with the application through SD LTAP. Vavra said no, because where would you start? Stewart said a pre-disaster mitigation application for FEMA has to go through a planning district and other requirements. They are trying to decide now if farm to market roads can be part of that. He will have some conversations with Pierre, but there may be another outlet for funding due to the potential for flooding, although he makes no guarantee.

Mockler moved, seconded by Hammond and unanimously carried to approve the following claims for payment. (Professional Services/Fees) Ulteig Engineering \$15,122.90; (Court Appointed Attorney) Frieberg, Nelson & Ask \$3,225.00, Terwilliger Law \$7,150.00; (Repairs/Maintenance) Charlie's Bus Service \$25.00, Growmark FS \$52.93, Johnson Feed \$325.36, Volitant Drone Technology \$2,062.50; (Supplies/Materials) Brunick Service \$80.00, Butler Machinery \$450.39, D-P Tools \$439.95, Growmark FS \$1.06, I-State Truck Center \$210.13, Jerry's Service \$4,349.50, Johnson Feed \$26.03, Knife River South Dakota \$81,945.80, Lawson Products \$113.34, Menard's \$95.63, O'Reilly Auto Parts \$138.98, One Office Solution \$49.44, Plain Talk/Broadcaster \$52.00, Runnings Supply \$223.65, SD Dept. of Transportation \$644.09, Truenorth Steel \$10,246.50, Ulteig Engineering \$5,137.00, Union County Highway Dept. \$1,334.26, Volitant Drone Technology \$180.50; (Travel/Conference) Larry McPherson \$28.00, Rodney Polley \$100.00; (Utilities) Verizon Wireless \$98.52; (Building Improvements)

L&L Builders \$142,990.00 (Machinery) Vermillion Ford \$61,810.00; (Sheriff's Fees) Clay County Sheriff \$1,500.00.

The Board discussed a proposed internet service contract with Midco. It was decided that Auditor Carri Crum will follow up with some questions regarding pricing and return at the next meeting.

The Board considered alcoholic beverage license renewals for Whimp's Place and Toby's Lounge. Mockler moved, seconded by Thiesse and unanimously carried to approve the applications and authorize the Chairwoman to sign them.

The Board discussed the Center for Public Lands initiative, and E. Smith said she does not have anything new to report at this time.

At 10:58 a.m., Mockler moved, seconded by Thiesse and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday, November 14, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

November 14, 2023

The Board of County Commissioners met in a regular session Tuesday, November 14, 2023, at 9:02 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, and David Thiesse, and Richard Hammond.

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

Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the agenda with the added agenda items: FEMA update, Bridge Contract Overlay Structure #14-112-090, surplus tires and truck for Girard's sale, Jailer staffing, and Garfield Township discussion.

Thiesse moved, seconded by Mockler and unanimously carried to approve the minutes from November 7, 2023 meeting.

Highway Superintendent Rod Polley met with the County Commissioners to speak about the Right-of-Way Application fee. The fee price will be \$125; that includes the weekends and after hours, too. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve the Right-of-Way Application fee.

Mockler made a motion to reconsider the amount of \$125 for both the weekend and after hours amounts of the Right-Of Way application fee, after Hammond found in the minutes what the Board spoke of at the August meeting, seconded by Gray-Lobe and unanimously carried to approve to reconsider the motion for the amount on the Right-of-Way Application fee.

Motion was made by Hammond, seconded by Gray-Lobe and unanimously carried to amend the previous motion for the Right-of-Way Application fee of \$125 for both the weekend and after hours to set the fee at \$125 for the week and \$150 for the weekend and after hours.

Polley spoke briefly on the FEMA update, and he said the deadline has been extended to December 1st.

Polley presented the County Commissioners with the bridge #14-112-090 contract for Low Slump Concrete Overlay to be signed. Mockler moved, seconded by Thiesse and unanimously carried to approve the contract and authorize the Chairwoman to sign it.

Polley asked if it would be okay if he could surplus the used tires and a 2000 Chevy truck for the Girard's Auction sale. He will notify Auditor Carri Crum to remove it from the highway's surplus list. Mockler moved, seconded by Gray-Lobe and unanimously carried to declare surplus the used tires and 2000 Chevy truck for the Girard's sale.

The County Commissioners discussed a question that the Garfield Township Board had with the upcoming Rural Access Infrastructure Fund (RAIF) Grant project, how they want to handle the bills they will be receiving, if the Auditor's Office should keep them and pay them, or we pay Garfield Township and they pay their own bills. The consensus of the County Commissioners was that we pay Garfield Township, and they pay their own bills, but they want the Auditor to keep a copy of the bills, so they don't overpay the RAIF Grant award amount.

Polley mentioned that the Highway Department is switching to winter hours next week, which are 7:00 a.m. to 3:30 p.m.

Sheriff Andy Howe met with the County Commissioners to present an updated Charles Mix County Inmate Boarding Contract. It did increase to \$90/day to house an inmate, but Sheriff Howe mentioned that is the common rate. Mockler moved, seconded by Gray-Lobe and unanimously carried to approve and authorize the Chairwoman to sign the contract.

Howe discussed his jail staffing. He asked if he could have a \$15,000 increase in the 2024 budget to get rid of one part-time position and turn that position into a full-time position. He would then have just two part-time positions due to the fact it's hard filling part-time positions and keeping them working here. Then, this full-time position will be able to cover more shifts, and the two part-time positions can fill in where it's needed. The \$15,000 will cover the benefits that a full-time position would receive. Howe will notify the board next year when it happens so the board is aware of this. Thiesse moved, seconded by Gray-Lobe and unanimously carried to hire one full-time jailer, with the budget increase of \$15,000 for 2024, and to get rid of a part-time position.

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

(DUE TO OTHER GOVERNMENT)		BERESFORD RURAL FIRE	\$586.80
BERESFORD SCHL DIST 61-2	\$18,548.26	CENTERVILLE RURAL FIRE	\$421.98
BETHEL TOWNSHIP	\$2,725.87	GAYVILLE RURAL FIRE ASSO	\$360.54
CENTERVILLE SCH DIST 60-	\$2,448.96	IRENE RURAL FIRE ASSOC	\$89.47
CITY OF VERMILLION	\$71,135.42	VERM. RURAL FIRE ASSOC.	\$2,553.19
CLAY CO TREASURER	\$4,212.00	VOLIN RURAL FIRE ASSOC.	\$88.41
FAIRVIEW TOWNSHIP	\$6,580.18	WAKONDA RURAL FIRE	\$855.87
GARFIELD TOWNSHIP	\$4,510.36	(PROFESSIONAL SERVICES AND FEES)	
GAYVILLE/VOLIN SCHL DIST	\$32.23	BUHLS DRYCLEANERS &	\$153.23
GLENWOOD TOWNSHIP	\$4,057.14	CEDAR COUNTY	\$18.00
IRENE CITY	\$3,045.37	CITY OF VERMILLION	\$72.00
IRENE/WAKONDA SCHL 13-3	\$25,514.26	CLAY COUNTY ABSTRACT	\$977.38
MECKLING TOWNSHIP	\$3,232.19	FIRST DAKOTA CREDIT CARD	\$21.23
NORWAY TOWNSHIP	\$2,565.19	(OTHER PROFESSIONAL SERVICE)	
PLEASANT VALLEY TWP.	\$3,434.16	CITY OF VERMILLION	\$89,946.58
PRAIRIE CENTER TWP.	\$4,567.97	(ALLOCATIONS)	
RIVERSIDE TOWNSHIP	\$3,142.88	BOYS & GIRLS CLUB, INC.	\$1,750.00
SD DEPT OF REV ANDERSON	\$390,415.66	CLAY CO AGR FAIR ASSOC	\$2,062.50
SPIRIT MOUND TOWNSHIP	\$4,601.27	DOMESTIC VIOLENCE	\$385.00
STAR TOWNSHIP	\$3,640.35	(PUBLISHING)	
TLC WATER PROJECT DIST.	\$1,265.37	BROADCASTER PRESS	\$1,033.92
VERMILLION BASIN WATER	\$782.38	(REPAIRS AND MAINTENANCE)	
VERMILLION SCHL DIST 13-	\$208,471.03	BOONE BROTHERS	\$215.18
VERMILLION TOWNSHIP	\$1,783.27	CENTURY BUSINESS PRODUCT	\$37.50
VIBORG/HURLEY SCHL 60-6	\$44.90	COYOTE ENTERPRISE LLC	\$62.95
WAKONDA TOWN	\$2,399.46	DAKOTA LOCK & KEY	\$24.00
(CLEARING FUND - MISC.)		FIRST DAKOTA CREDIT CARD	\$292.00
SD DEPT OF REVENUE	\$1,475.00	JOHNSON FEED, INC.	\$81.34
(FIRE)		SOOLAND BOBCAT	\$150.00

(DATA PROCESSING RELATED)		CRUM, CARRI R	\$72.00
BUREAU OF ADMIN PMB0112	\$10.56	FIRST DAKOTA CREDIT CARD	\$978.96
CPS TECHNOLOGY SOLUTIONS	\$13,980.03	KLUNDER, NICOLE	\$72.00
FIRST DAKOTA CREDIT CARD	\$2,896.75	RAMKOTA HOTEL	\$1,210.00
(SUPPLIES & MATERIALS)		(UTILITIES)	
A & B BUSINESS	\$197.13	BUREAU OF ADMINISTRATION	\$23.38
A-OX WELDING SUPPLY CO	\$129.65	CENTURYLINK	\$367.44
BRUNICK SERVICE, INC.	\$48.72	CENTURYLINK HWY	\$149.99
BUTLER MACHINERY CO.	\$517.09	CLAY RURAL WATER SYSTEM	\$126.50
CHS INC.	\$673.00	CLAY UNION ELECTRIC CORP	\$660.39
CORTRUST BANK	\$90.45	FIRST DAKOTA CREDIT CARD	\$58.67-
COYOTE ENTERPRISE LLC	\$84.99	VERMILLION GARBAGE SVC.	\$60.00
D-P TOOLS, INC.	\$174.02	WAKONDA TOWN	\$62.65
FIRST DAKOTA CREDIT CARD	\$351.61	(AUTOMOTIVE)	
GRAHAM TIRE S.F. NORTH	\$2,508.00	BRUNICK SERVICE, INC.	\$392.20
I-STATE TRUCK CENTER	\$106.01	CENEX FLEET FUELING	\$3,607.51
INTERSTATE POWER SYS INC	\$3,669.49	(JURY/WITNESS)	
JOHNSON FEED, INC.	\$20.50	JURORS	\$50.00
KNIFE RIVER MIDWEST, LLC	\$91,011.20	SUBPOENA FEES	\$20.00
SD DEPT OF TRANS	\$235.72	(BOOKS)	
SOOLAND BOBCAT	\$12.00	BUTLER MACHINERY CO.	\$87,531.33
TIGER MOWERS LLC	\$105.69	(FURNITURE AND MINOR EQUIPMENT)	
VERMILLION ACE HARDWARE	\$142.95	COYOTE ENTERPRISE LLC	\$89.99
(TRAVEL AND CONFERENCE)		FIRST DAKOTA CREDIT CARD	\$476.98
BERINGER, JESSICA	\$72.00	(CAP. PROJECTS)	
BROWN, MELISSA	\$200.00	JLG ARCHITECTS	\$486,153.04
COUNTRY INN & SUITES	\$375.00	TEGRA GROUP	\$44,880.78

The Board discussed a proposed internet service contract with Midco. It was decided to go with the one-year contract for \$200/month. Gray-Lobe moved, seconded by Hammond and unanimously carried to approve the one-year internet contract with Midco and authorize the Chairwoman to sign it.

The Board discussed the SDSU MOU for the 4-H Advisor position. It was decided that Crum will send it to Lauren Hollenbeck, 4-H Youth Program Advisor, to let her look it over. The matter was tabled until the next meeting.

The Board discussed the outdated 1996 lease agreement with the SD Game, Fish & Parks for Clay County Park campground. The Clay County Park is updating the 1996 liability agreement, and the Clay County Park Board wanted to make sure the County is still liable for the park. The County will continue with the Clay County Park, but wants to make sure the park has insurance, and a hold-harmless clause reflects that in the new agreement. Gray-Lobe said he will get the Board's questions answered from the Clay County Park Board and will bring further information to the next meeting.

The Board briefly discussed the building project and expressed hope that the courthouse will have heat this week, but they asked that Facilities Manager Scott Hansen attend the next meeting to give them an update on the project.

The Board discussed the Joint Jurisdiction Zoning Area. Hammond has been attending “Ask a County Commissioner,” and a question he was asked was, who is responsible for abandoned cemeteries? After further discussion, it was suggested to reach out to the cemetery board or the Historical Society. Hammond will pass this information along and will continue to attend these “Ask a County Commissioner” discussions in the future.

E. Smith spoke briefly on the Community Health Nurse/WIC Office situation. She told the Board that the State will only have a nurse in the WIC office once a week. She spoke with District 17 Senator Sydney Davis about her concerns of only having a nurse present in the WIC office once a week. Hopefully, she will have more answers for the Board soon.

The Board discussed briefly the new jail and law enforcement center facility and will reach out to the contractors to see if a fence is needed around the facility for safety.

At 10:17 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday November 28, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

November 28, 2023

The Board of County Commissioners met in a regular session Tuesday, November 28, 2023, at 9:02 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith (via Zoom), and David Thiesse, and Richard Hammond.

Vice-Chairman Mockler called the meeting to order and asked for 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 Gray-Lobe and unanimously carried to approve the minutes from the November 14, 2023 meeting, with the correction in the sixth paragraph that Hammond, not State's Attorney Michael Smith, "found in the minutes what the Board spoke of at the August meeting."

At 9:02 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board.

Hammond moved, seconded by Thiesse and unanimously carried to approve an invoice from Ulteig Engineering in the amount of \$710 for the Clay Creek Ditch Cleanout Project.

At 9:03 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Emergency Management Director Layne Stewart met with the Board to present a HAZMAT Plan Update Agreement with SECOG for their services on the project. After soft match contributions, there will be no cost to the County. Gray-Lobe moved, seconded by Hammond and unanimously carried to authorize the Chairwoman to sign it.

Regarding Draft Bill 239, Stewart asked the Board for a statement of opposition. He gave a background report on the bill. It would change the Emergency Management Director to a regional, State employee position. Clay County would lose all local control, but the County would still be expected to pay for a clerical employee. M. Smith suggested a motion and a letter of opposition. Hammond asked for thoughts from the Commission. Thiesse said he is not in support of the bill, and Hammond agreed. The feeling from the Board was unanimous opposition to the draft bill. E. Smith said the nature of the Emergency Management Director position is to respond to local conditions. Loss of local knowledge is a serious problem. There is a reason this has not been done anywhere else. She said she is strongly and unalterably opposed to this proposition. Hammond suggested a resolution of unanimous opposition and a letter during the legislative session. Hammond moved, seconded by Gray-Lobe and unanimously carried to oppose Draft Bill 239 as it exists at this point.

Stewart reported he was a POD meeting with the State Department of Health, and the feeling he got was the State's attitude towards the reduction in Community Health Nurse services and the lack of any completed vaccinations for the month of September was that Clay County did not do

many vaccinations anyway. E. Smith said she got an email that we will have a nurse once a week, but the contract says 24 hours per week, so she will be responding in that fashion.

M. Smith discussed the Dawson Rd. and S. Dakota St. bridges. He recently spoke to the Department of Transportation attorney, and according to SDCL 31-14-2, it is the duty of the Commissioners to maintain bridges unless they are on a State highway system. Mockler asked if anything changes with a municipal annexation, and M. Smith said the bridge would have to be annexed as well, unless the city had built the bridge to begin with. Hammond clarified it would need to be in the annexation agreement. Thiesse asked if the County built these bridges, and Mockler said yes. Gray-Lobe said there are some fairness arguments to be made in the event of annexation. Stewart and Mockler discussed township bridges in relation to the statutes and the statutory definition of a bridge.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the 2024 jail meal bid specifications and set the bid opening for 9:30 a.m. on December 12, 2023.

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

(PAYROLL)		SD SUPPLEMENT RETIREMENT	\$6,910.00
COMMISSIONER'S	\$8,978.03	SDRS ROTH 457(B) PLAN	\$600.00
AUDITOR'S OFFICE	\$14,159.75	TASC PVR	\$2,220.80
TREASURER'S OFFICE	\$24,009.74	THE STANDARD - DENTAL	\$1,445.88
STATE ATTORNEY'S OFFICE	\$30,998.90	THE STANDARD - LIFE INS.	\$419.12
COURTHOUSE	\$10,843.44	THE STANDARD - SH TRM DI	\$1,114.46
DIRECTOR OF EQUALIZATION	\$13,148.78	THE STANDARD - VISION	\$354.04
REGISTER OF DEEDS	\$9,915.64	UNITED WAY OF VERMILLION	\$146.92
VETERAN'S OFFICE	\$1,893.78	WELLMARK BLUE CROSS	\$55,796.12
24/7 PROGRAM	\$2,094.94	(INSURANCE)	
SHERIFF'S OFFICE	\$57,742.75	SD PUBLIC ASSURANCE ALL.	\$154.11
COUNTY JAIL	\$39,227.37	(PROFESSIONAL SERVICES AND FEES)	
EMERGENCY MGMT	\$5,580.75	BUHLS DRYCLEANERS &	\$144.00
HIGHWAY	\$56,035.05	EAST RIVER PSYCHOLOGICAL	\$2,500.00
COMMUNITY HEALTH NURSE/WIC	\$3,608.21	ERICKSON SOLUTIONS GROUP	\$901.45
EXTENSION OFFICE	\$3,335.32	FIRST DAKOTA CREDIT CARD	\$119.33
WEED	\$1,706.21	OLSON'S PEST TECHNICIANS	\$170.00
PLANNING & ZONING	\$3,736.03	PETERSEN, SARAH	\$82.50
(DUE TO OTHER GOVERNMENT)		PRESTO-X COMPANY LLC	\$107.40
STATE OF SD GAME FISH	\$630.39	QUALIFIED PRESORT SVC IN	\$4,299.46
(CLEARING FUND - MISC.)		SANFORD HEALTH CLINIC	\$3,497.36
SD DEPT OF REVENUE	\$3,090.67	SD DEPT OF HEALTH LAB	\$895.00
(PAYROLL WITHHOLDING)		SECURITY SHREDDING SVC.	\$40.00
AAA COLLECTIONS	\$677.47	ULTEIG	\$5,398.00
AFLAC	\$961.76	US BANK	\$12.50
CLAY CO FIT FICA	\$64,778.66	VERMILLION SANFORD CLINI	\$62.22
COLONIAL LIFE	\$410.94	WOODS, FULLER, SHULTZ &	\$1,910.61
CONSECO/WASHINGTON	\$24.45	YANKTON CO SHERIFF	\$390.00
DIV OF CHILD SUPPORT IA	\$1,367.00	DAVISON COUNTY	\$2,600.00
NEW YORK LIFE C/O M&T BN	\$298.57	SCHILDHAUER, T. LEMBCKE	\$1,080.00
SD RETIREMENT SYSTEM	\$34,321.68	UNION CO. SHERIFF	\$15,360.00

(LAW OFFICE)
 FRIEBERG, NELSON & ASK \$3,225.00
 PETERSON, STUART, KLENTZ \$10,587.50
 (PUBLISHING)
 VERMILLION PLAIN TALK \$52.00
 (REPAIRS AND MAINTENANCE)
 BOONE BROTHERS \$357.78
 CHARLIE'S BUS SERVICE IN \$60.00
 FAST AUTO GLASS, INC. \$320.00
 FIRST DAKOTA CREDIT CARD \$849.26
 GRAHAM TIRE S.F. NORTH \$187.50
 LOFFLER COMPANIES \$316.78
 MURPH'S APPLIANCES, INC. \$176.72
 OVERHEAD DOOR COMPANY \$250.00
 PROCHEM DYNAMICS \$73.77
 QUALITY MOTORS \$553.06
 TWO WAY RADIO SOLUTIONS \$300.00
 VERMILLION ACE HARDWARE \$397.43
 (DATA PROCESSING)
 FIRST DAKOTA CREDIT CARD \$2,767.69
 SOFTWARE SERVICES, INC. \$1,210.00
 (CLAY CREEK DITCH)
 ULTEIG \$710.00
 (SUPPLIES & MATERIALS)
 BARCO MUNICIPAL PRODUCTS \$78.62
 BRUNICK SERVICE, INC. \$40.00
 CLAY CO AGR FAIR ASSOC \$220.64
 FAST AUTO GLASS, INC. \$834.00
 FIRST DAKOTA CREDIT CARD \$468.17
 GRAHAM TIRE S.F. NORTH \$367.54
 HARDING GLASS \$448.00
 HOLLENBECK, LAUREN \$210.21
 HY-VEE, INC. EXTENSION \$32.91
 KNIFE RIVER SOUTH DAKOTA \$1,170.12
 L.G.EVERIST, INC \$1,969.35
 LAWSON PRODUCTS, INC. \$408.60
 LEWIS DRUG, INC. \$863.05
 M & M FARM SUPPLY \$282.72
 OFFICE ELEMENTS \$1,027.78
 ONE OFFICE SOLUTION \$320.44
 OVERHEAD DOOR COMPANY \$1,237.00
 PROCHEM DYNAMICS \$1,255.98
 QUALIFIED PRESORT SVC IN \$2,971.54
 QUILL LLC TRS \$78.76
 RIVERSIDE HYDRAULICS AND \$582.79
 ROAD KING, INC \$9,350.00

RUNNINGS SUPPLY INC CH \$71.93
 RUNNINGS SUPPLY INC EXT \$39.37
 SOOLAND BOBCAT \$7,066.04
 TIGER MOWERS LLC \$276.82
 TRUENORTH STEEL \$22,510.62
 UNION CO. SHERIFF \$26.00
 VERMILLION ACE HARDWARE \$4.47
 (TRAVEL AND CONFERENCE)
 CLUBHOUSE HOTEL & SUITES \$1,275.60
 FIRST DAKOTA CREDIT CARD \$1,010.39
 SCHUCK, TYLER \$20.00
 (INMATE TRAVEL)
 PENNINGTON COUNTY JAIL \$144.22
 (UTILITIES)
 CITY OF VERMILLION \$2,100.24
 FIRST DAKOTA CREDIT CARD \$889.61
 LOFFLER COMPANIES \$21.13
 MIDAMERICAN ENERGY S C \$38.32
 STEWART, LAYNE \$150.00
 VERIZON WIRELESS HWY TRS \$98.52
 VERIZON WIRELESS SHERIFF \$804.02
 VOYAGE FEDERAL CREDIT \$129.63
 (PAYMENT)
 BOB'S SINCLAIR SERVICE \$54.34
 FIRST DAKOTA CREDIT CARD \$263.35
 FOLEY, MARK \$20.00
 GRAVE, TROY \$20.00
 HELES, KATHRYN \$20.00
 HY-VEE, INC. JAIL ACCT \$519.26
 QUALITY MOTORS \$118.45
 SANFORD HEALTH - ATTN: \$4,900.00
 VERMILLION ACE HARDWARE \$19.99
 VERMILLION AREA ARTS CNC \$1,250.00
 VERMILLION AUTO WORKS \$487.50
 VERMILLION FORD \$164.99
 VERMILLION PUBLIC LIBRAR \$1,000.00
 WAKONDA PUBLIC LIBRARY \$625.00
 (JDC/SPECIAL EQP.)
 SDACC OFFICE \$2,050.00
 (FURNITURE AND MINOR EQUIPMENT)
 CANON FINANCIAL \$348.11
 LOFFLER COMPANIES \$407.93
 MOTOROLA SOLUTIONS INC. \$400.00
 VERMILLION ACE HARDWARE \$4,274.87
 (MACHINERY AND AUTOMOTIVE EQUIP)
 LIGHT AND SIREN \$8,550.78

M. Smith discussed the SDSU Memorandum of Understanding for the 4-H Advisor, and said his initial thought is to check with the Union County Commission as it is a shared position. He said, at the end of the day, we probably do not have any leverage, although some of the language just seemed to be clarifying what was already being done. Hammond said 4-H Educator Lauren

Hollenbeck does an excellent job with the kids, and the County chooses to give her a bonus for exceptional performance. M. Smith recommended to wait and see what Union County does. Gray-Lobe moved, seconded by Thiesse and unanimously carried to table the matter until the next meeting.

Regarding the Center for Public Lands contribution, E. Smith said she spoke to Jim Schmidt, who is a National Association of County Officials (NACO) representative, and asked him why we are creating an organization that will do what NACO has already been doing. He will be researching and will get back to her. He couldn't say how it would help in a way that counties are not already being served. It will probably be a 1-year commitment, but it is hard to tell how an organization will function after just 1 year in operation. She has read the information several times, and it doesn't hang together. Hammond said he is not so sure he is interested in allocating funding to it. It was decided that any further action will wait until Schmidt gets back to E. Smith.

Gray-Lobe updated the Board on Clay County Park. Final camping numbers are in; statewide camping reservations were down 2%, but Clay County Park was up 91%. The new reservation system seems to be working great. Visitation to parks was down 1% statewide, but Clay County Park was up 24%. Revenues are up a bit. The park board wants to convert a parcel of farmland to prairie. A private citizen, who wishes to remain anonymous, pledged \$5,000 for that project. It could be a match for grant funding. Fred Balleweg is the manager at the campground, and Gray-Lobe said he has been really responsive. He has been struggling with people tearing up the west shoulder of the road leading to Clay County Park as they are hunting and such. Balleweg has requested "no parking" signs. Hammond asked whether that would extend from Timber Rd. to the river. Gray-Lobe said yes. Hammond asked, regarding the financials, if there is a report on receipts. Gray-Lobe said there was an overall \$60,710.23 generated, and \$39,785.30 was from camping. He said these are good numbers. Hammond said previous years were in the low \$40,000 range, and Gray-Lobe said the \$39,000 amount was what the park keeps after paying for the reservation system cost. Hammond said the budget had been around \$60,000 previously. Gray-Lobe said farm rent bids will be opened in December. E. Smith said the problem before was the payroll costs for day laborers. Gray-Lobe said those have been lower this year, but the park board did give the manager a raise due to his performance. The rodeo grounds is a topic under discussion currently.

Mockler said there are no new updates on the jail and law enforcement center project. E. Smith said Facilities Manager Scott Hanson reported to her that noisy work will still be happening in the basement of the courthouse during Commission meeting hours. She received word from the newspaper that they have received complaints about the disruptions in business schedules of courthouse offices due to the construction project. Hanson will be trying to get the contractor to give him a schedule a couple of weeks in advance. The lack of heat in the building and the cold weather introduced an additional level of unanticipated chaos.

Hammond said the next Joint Jurisdiction Zoning Agreement committee meeting will be December 12th.

Hammond brought the subject back to the building renovations and said the court security renovations will be in the late winter and early spring, and the process will be months long. M. Smith said they should have a meeting with the judges as the 2024 court schedule has already been done. There was discussion regarding the need for one renovation project to be done before they could start the next. M. Smith said he has been increasingly more impressed with the coordination of the contractors and the courthouse office duties. Hammond said he has done a lot of work with L&L Builders over the years, and they are a good company. He said they may be involved in the courthouse security project as well.

Gray-Lobe spoke about informational items. He was invited to talk to the Yankton County Commission about the Federal Land Access Program grant. As he was listening to the meeting, he discovered that their health insurance renewal was up 29%. Their library agreement was for \$20/year library cards for residents and \$40/year for non-residents. John Marquardt was impressed with a product for dust control. He will be having the vendor present it, and Gray-Lobe said he plans to attend. Hammond said he was at the same conference and was present during Marquardt's discussion with the vendor. It is a soybean-based product that suppresses washboarding of the road as well, so it improves safety. The road is treated and then not bladed. From a maintenance standpoint, it is treated as a hard surface road with a layer of chip seal. Up front costs are more, but maintenance costs are lower. It is for roads where washboarding is a problem, not for every gravel road.

Thiesse and Gray-Lobe listened to a funding taskforce meeting, and Gray-Lobe said it was interesting. One thing that did not get passed on was a county sales tax outside of municipalities. He spoke to the director of the business taxes at the Department of Revenue. Clay County online sales are not tracked. Sales outside of municipalities are \$32 million, and if the tax was 2%, it could generate an estimated \$655,000. Statewide, online sales are 7.9%, and if Clay County was proportional, it might bring us up to \$700,000 or more. Hammond said the bill was voted down three times for a county sales tax. He and Mockler testified for the legislation, and those were for .5-1%, not 2%. Mockler said he is trying to figure out where the \$32 million figure came from. Gray-Lobe said he may discuss it at the upcoming District Meeting.

At 10:10 a.m., Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene at 9:00 a.m. on Tuesday December 5, 2023.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

December 5, 2023

The Board of County Commissioners met in a regular session Tuesday, December 5, 2023, at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith (via Zoom), and David Thiesse, and Richard Hammond.

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

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

Thiesse moved, seconded by Hammond and unanimously carried to approve the minutes from the November 28, 2023 meeting.

Lynne Keller Forbes, Sophie Johnson, and Sean Hegyi from SE Council of Governments (SECOG) were present to give a presentation on the services that SECOG provides to counties and things they can help with in the future as well as loan and grant funding. Mockler asked about the street the County will need to build for the new jail and law enforcement center. Keller Forbes discussed options available. Hammond asked what a typical interest rate is, and it was discussed that rates are in the 3-4% range. The SD Dept. of Transportation would typically be the organization for street grants.

The Board discussed a resolution for a Federal Land Access Program Grant application. Gray-Lobe said it is a follow-up to the RAISE Grant application from last year that was denied. This is a focus on the federal lands, such as the Missouri National Recreational River (MNRR) and Spirit Mound, and it is for improvement of access for pedestrians and bicycles to the MNRR areas. It would be in the amount of \$250,000 to hire an engineering firm to develop a master plan to hopefully address safety issues. There is no match, so there would be no cost to the County. E. Smith said there is a possibility of another river access for recreation and rescue (not motorized craft) at the border of Clay and Yankton Counties. Yankton County is very excited about the potential for a good economic impact. Gray-Lobe said the National Park Service (NPS) has been involved. A resolution of support in Yankton County was unanimously approved. Thiesse clarified that this would be a kayak access. Gray-Lobe said the MNRR brings \$8.1 million in economic benefit each year, and Yankton gets most of the benefit. It will help generate tourism dollars for Clay County. Thiesse discussed landowner cooperation. Gray-Lobe said if we get the grant, we will need to have a landowner meeting. The best-case scenario is that this study would be completed in the next couple of years to guide us for the next couple of decades and be a tool for obtaining future grants. Johnson discussed landowner input up until this point. Thiesse said the major hurdle will be the landowner participation. E. Smith said the discussion was clear that eminent domain is off the table. The process is long and slow for trail development. Gray-Lobe said eminent domain would be a plan killer for this project. Mockler suggested the landowner meetings should be before the application. Keller Forbes said that is a chicken and egg scenario. A consultant has to be hired to figure out where things could go so landowners could be brought into the conversation. Johnson said the meetings to this point have been public. Gray-Lobe discussed meeting invitations. Thiesse and Mockler asked if all landowners were notified.

Mockler said he would not have known about it if Hammond had not told him. Thiesse said landowner notification is very important. Hammond agreed with Thiesse that landowners should be notified, and he discussed the Master Transportation Plan. Thiesse said he has no issue with the trails, but landowners need to be notified. Mary Turner, a landowner from River Drive was present and said she is not opposed but a bike trail is not possible on a riverbank because it will collapse like Vermillion's. She would like to see a trail, but it floods along there, so make the trail someplace where it is possible. Gray-Lobe said this would be funding that is not coming from property tax dollars to gather ideas and input and develop a plan. The purpose is to get the money to be able to gather broad input for a plan. People generate tourism dollars. Gray-Lobe and Thiesse said a trail would not be possible on the riverbank. The focus of the public meeting was to begin to gather input for the application without spending money. Roger Turner asked how much the grant is, and it was answered that it is \$250,000. R. Turner said the first part should be spend talking to landowners, but he asked what happens to the rest of the grant when everyone says no. Gray-Lobe said they could do engineering work for other scenarios where things can go on public land. Becky Aga, an area landowner, said she drives Timber Rd. to Meckling Rd. every day and experiences bike traffic. It's hard for a tractor to move over. This is a backwards process. We do need space for bikers, but she asked, who will maintain and accept the liability? If they are spraying crops according to regulations, who is responsible if the wind blows in the direction of a biker? Their farm is their business and their livelihood. She asked where this idea is coming from, all the commissioners? Gray-Lobe said he is taking the lead. E. Smith has attended meetings, as have two Yankton County commissioners. They are at the point of asking for a resolution of support. B. Aga said she challenges the Commission to do what is best for the whole county, agriculture as well as city. Lars Aga said he made phone calls and did not find anyone in support of this. Gray-Lobe asked for contact information for all in attendance so he can make sure they are notified of any future meetings. Nothing will be built if their concerns are not heard. Mockler said if we get the grant, have the meeting, and get denied, the grant money is spent. Hammond said we could give back part of it. Gray-Lobe discussed things the grant can be spent on. B. Aga said the landowners would much rather hear from the Commission than a consultant. Gray-Lobe said County Commission meetings are great but not ideal for public input meetings. The process would include separate public input meetings. B. Aga pointed out that Mockler did not even know about the public input meeting. R. Turner asked if they have chosen a consulting firm yet. Gray-Lobe said there is an entity that works with the Dept. of Transportation, but they are in Colorado, and we would like to see someone local who knows the culture and landscape. E. Smith said she hears their concerns. The grant is not about putting a path through private land. There would be access points along public section lines, etc. Bike lanes would be on the smaller roads. The goal is working out workarounds unless the landowners welcome them with open arms. Smith moved, seconded by Gray-Lobe to pass and adopt the resolution in support of the FLAP Grant application. Under discussion, Hammond said private land has an easement to the center of the road to provide utility access and such. The land is still private to the center of the road. He made it clear that the black line on the map being considered is the state line, not a bike path line. Also, the Master Transportation Plan is the start of this as there are proposed bike trails in that plan.

Auditor Carri Crum excused herself from the meeting, and Chief Deputy Auditor Nicole Klunder assumed minute taking duties.

A vote of the Board was unanimously in favor of passage and adoption of the following Resolution #2023-13 for Federal Lands Access Program.

RESOLUTION #2023-13
Federal Lands Access Program

WHEREAS, the Clay County Commission endorses the proposed Federal Lands Access Program (FLAP) application, which consists of developing a feasibility study and master plan to provide better access to the Missouri National Recreational River; and

WHEREAS, the project will comply with all program requirements; and

WHEREAS, the Clay County Commission will assist in project coordination.

NOW THEREFORE BE IT RESOLVED, that the Clay County Commission will sponsor the Federal Lands Access Program grant application; and

BE IT FURTHER RESOLVED, that the Clay County Commission will provide the administrative assistance needed to ensure compliance with all grant requirements.

Vote of Commission:

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

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board.

Brad Stangoehr with Ulteig Engineering discussed two projects that are going on. First, we need to pay for the contract and sign the certification of completion for the FEMA portion of the project on Clay Creek Ditch. There is no change in what they previously discussed, but Brad needs the documents to send to FEMA. Then he will go to the highway department and have Laura Sundet, the Highway Department's bookkeeper, upload it to the FEMA portal. For FEMA to approve it, it's due by December 31st, when the project expires. If they don't approve of it, FEMA will let them know right away. Stangoehr will communicate this information to Rod Polley, the Highway Superintendent. The amount is \$59,100.00. FEMA covers 75% of it, and the Ditch Board covers the rest. The Ditch Board will get reimbursed of that 75% from FEMA, but we pay that full \$59,100.00 up front. The Auditor's Office will write a check today, December 5th, so they can make the deadline for this project. Hammond moved, seconded by Gray-Lobe and unanimously carried to have Mockler sign the FEMA application. Hammond moved, seconded by E. Smith and unanimously carried to pay the FEMA application for \$59,100.00.

The second project that Stangoehr mentioned was about the progress of the Clay Creek Ditch clean-out. The deadline was December 1, 2023, but the contractor won't have it done until the end of the month. He is behind schedule. He is getting paid per mile that he gets cleaned out. Stangoehr recommends that the Board take a look at the liquidated damages for not finishing on time but take into consideration that the trees are thicker than they thought, and it's taking him longer. With the nice weather we've had and hopefully will have, he'll have it done by the end of the month. Yet, at the same time, keep him accountable, too. Stangoehr said that there is no action that is needed at this time, but he is informing the Board of the progress of this project.

Hammond moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Stangoehr discussed the status on a few bridges within Clay County. He says the bridges get inspected every two years, due to the law. The repairs on the bridge on University Road were just completed. It took about a month to complete this project. They will making the similar repairs to the Cotton Park bridge over Dakota Street this summer.

Sheriff Andy Howe spoke about the Davison County Inmate Boarding Contract. He said that the daily cost went from \$100.00 to \$105.00, so it is a small increase. He mentioned they have a good working relationship and that they work with us well and asked the board to sign the contract. Gray-Lobe moved, seconded by Thiesse and unanimously carried to have Mockler sign the Davison County Inmate Boarding Contract.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to move the last meeting of the month to December 28, 2023.

Approval of Invoice Procedure for Jail and Law Enforcement Center will be moved to next week's meeting on December 12, 2023, for further discussion.

Hammond made a motion, seconded by Thiesse and unanimously carried to approve the U.S. Bank bond payment of \$2,199,666.97.

State's Attorney Michael Smith spoke briefly on the SDSU Extension MOU for 4-H Advisor. He said that the Union County Commissioners signed their contract, and it looks like a similar contract as previous years, besides this one being on a year long. Hammond moved, seconded by Thiesse and unanimously carried to have Mockler sign the SDSU Extension MOU for 4-H Advisor contract.

Under building project updates, the courthouse has heat, and the contractor is doing work in the State's Attorney's Office. Scott Hanson, Facilities Manager, is doing a great job keeping the department heads up to date on things.

Hammond said the Joint Jurisdiction Zoning Area committee meets on December 12th.

At 10:55 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2.

At 11:20 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

At 11:21 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to adjourn and reconvene on Tuesday, December 12, 2023 at 9:00 a.m.


Elizabeth T. Smith, Chairwoman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

December 12, 2023

The Board of County Commissioners met in a regular session Tuesday, December 12, 2023, at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith, and David Thiesse, and Richard Hammond.

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

Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the agenda with the addition of the jail & law enforcement center building permit.

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

Highway Superintendent Rod Polley met with the Board to discuss highway matters. Mockler moved, seconded by Hammond and unanimously carried to approve and authorize the Chairwoman to sign a driveway application from John Lindstrom on 304 St. ¼ mi. east of 464 Ave. Hammond moved, seconded by Thiesse and unanimously carried to approve and authorize the Chairwoman to sign a driveway application from Vickie Geuther at 30734 456 Ave.

Hammond moved, seconded by Mockler and unanimously carried to approve and authorize the Chairwoman to sign a driveway application from Bernard Schelling on 313 St. ¼ mile west of Clay Creek Ditch. Hammond moved, seconded by Mockler and unanimously carried to approve and authorize the Chairwoman to sign a driveway application from Jeremy Carlson on 304 St. 1 ¼ mile west of Greenfield Rd. & 304 St. Intersection.

Gray-Lobe moved, seconded by Hammond and unanimously carried to pass and adopt the following Resolution #2023-14 for Bridge Improvement Grant Program Resolution Authorizing Submission of Applications.

Resolution #2023-14
BRIDGE IMPROVEMENT GRANT PROGRAM
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS

WHEREAS, Clay County wishes to submit an application(s)

for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

14-103-090, 2.8 miles West of Hub City over Vermillion River Overflow on 306th Street.

and WHEREAS, Clay County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

and WHEREAS, Clay County agrees to pay the 20% match on the Bridge Improvement Grant funds;

and WHEREAS, Clay County hereby authorizes the Bridge

Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Vote of Commissioners/Council: Yes 5 No 0

Dated at Vermillion, SD, this 12th day of December, 2023.

ATTEST:

County Auditor/City Finance Officer

Chairman/Mayor

*NOTE – not applicable for cities applying for the grant – simply mark ‘NA’

Minimum required is 20%; must match percent shown on application.

At 9:08 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.

Hammond moved, seconded by Thiesse and unanimously carried to approve invoices from Ulteig Engineering for \$4,796.75 and \$2,643.85 for Clay Creek Ditch.

The Board considered a payment application from Two Rivers Contracting, LLC for \$29,078.80 for Clay Creek Ditch. Hammond discussed the item regarding unit price and said it looks correct, but it looks like there may have been a rounding error in the spreadsheet. Mockler said this application is only for one mile. Hammond moved, seconded by Gray-Lobe and unanimously carried to approve the payment application and authorize the Chairman to sign it.

Troy Walraven was present and discussed Lateral 2. He said there needs to be a longer culvert on the south side near 453 Ave. & 311 St. Mockler asked Polley if the County has a culvert that can be installed. Polley said he would have to look, but there probably is one.

Walraven said there are a lot of trees on Lateral 50 near 313 St. and requested they be cleaned out. Mockler said it does not have to wait until the annual Ditch Board meeting.

Polley said Becker’s property near 469 Ave. is silted in. Mockler asked Walraven to talk to other landowners along Lateral 2 as he sees them, and ask them to drive their portions to look for any cleaning items.

Thiesse moved, seconded by Hammond and unanimously carried to replace the culvert on Lateral 2 on the south side near 453 Ave. & 311 St.

Polley will call Wieman Construction for an estimate on Lateral 50 for tree removal. If it is under \$16,000, the Board directed him to have the work done.

It was reported that the FEMA portion of repairs on Clay Creek Ditch is complete, and Polley uploaded the documents to the FEMA reimbursement portal.

At 9:23 a.m., Gray-Lobe moved, seconded by Hammond and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners with Chairwoman Smith presiding.

A public bid opening was held for 2024 jail meals. One bid was received from Pizza Ranch for \$1/breakfast and \$5/lunch or supper meal. Sheriff Andy Howe said it is a bit higher than last year, but he is not surprised because they are not getting the volume that they previously got. Hammond moved, seconded by Thiesse and unanimously carried to accept the bid from Pizza Ranch.

The Board considered a contract renewal from Minnehaha County for inmate boarding. The price went up \$5/day to \$112. Thiesse asked if we use them a lot. Howe said sometimes they will take inmates that other jails will not. Sometimes he houses inmates there that were arrested there. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the contract and authorize the Chairwoman to sign it.

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

(DUE TO OTHER GOVERNMENT)		DIV OF CHILD SUPPORT SD	\$1,367.00
BERESFORD SCHL DIST 61-2	\$36,914.34	(FIRE)	
BETHEL TOWNSHIP	\$4,809.91	BERESFORD RURAL FIRE	\$1,376.02
CENTERVILLE SCH DIST 60-	\$29,230.90	CENTERVILLE RURAL FIRE	\$989.53
CITY OF VERMILLION	\$217,005.01	GAYVILLE RURAL FIRE ASSO	\$845.44
CLAY CO TREASURER	\$4,260.00	IRENE RURAL FIRE ASSOC	\$209.81
FAIRVIEW TOWNSHIP	\$10,887.85	VERM. RURAL FIRE ASSOC.	\$5,987.09
GARFIELD TOWNSHIP	\$4,100.81	VOLIN RURAL FIRE ASSOC.	\$207.32
GAYVILLE/VOLIN SCHL DIST	\$5,251.28	WAKONDA RURAL FIRE	\$2,006.97
GLENWOOD TOWNSHIP	\$5,279.69	(PROFESSIONAL SERVICES AND FEES)	
IRENE CITY	\$5,185.39	ALTERNATIVE HR, LLC	\$409.00
IRENE/WAKONDA SCHL 13-3	\$81,900.78	AMG PSYCHIATRY SF	\$302.40
MECKLING TOWNSHIP	\$4,739.54	AVERA QUEEN OF PEACE	\$230.00
NORWAY TOWNSHIP	\$3,830.87	BUHLS DRYCLEANERS &	\$326.46
PLEASANT VALLEY TWP.	\$6,205.18	CERTIFIED LANGUAGES INTL	\$24.75
PRAIRIE CENTER TWP.	\$5,292.24	CITY OF VERMILLION	\$192.00
RIVERSIDE TOWNSHIP	\$7,619.37	CLAY COUNTY ABSTRACT	\$254.88
SDACO - M&P FUND PAYMENT	\$210.00	FEDEX	\$51.19
SEILERS SECOND ROAD DIST	\$32.53	FOX LAW FIRM, PLLC	\$111.38
SPIRIT MOUND TOWNSHIP	\$3,450.83	GEO TEK ENGINEERING &	\$100.00
STAR TOWNSHIP	\$7,931.41	HOUSKA, DDS, RANDY	\$405.00
TLC WATER PROJECT DIST.	\$8,453.96	KATTERHAGEN, MARK	\$6.00
VERMILLION BASIN WATER	\$2,027.20	LARSON, VAL	\$6.00
VERMILLION SCHL DIST 13-	\$511,579.17	LEWNO, LUCILLE M	\$30.00
VERMILLION TOWNSHIP	\$3,845.63	LINCOLN COUNTY AUDITOR	\$1,372.45
VIBORG/HURLEY SCHL 60-6	\$43.31	MINNEHAHA CO. AUDITOR	\$870.22
WAKONDA TOWN	\$6,892.12	PHARMCHEM, INC.	\$511.20
(PAYROLL WITHHOLDING)		PRESTO-X COMPANY LLC	\$75.00
DIV OF CHILD SUPPORT IA	\$264.00	QUALIFIED PRESORT SVC IN	\$3,729.74

SANFORD HEALTH OCCMED	\$232.00
SATELLITE TRACKING OF	\$230.75
SD CONTINUING LEGAL	\$650.00
SD DEPT OF HEALTH LAB	\$2,290.00
STADEL, BRENDA	\$81.25
STATE BAR OF SD	\$1,370.00
SULLIVAN, GAGE QMHP	\$595.00
VERIZON WIRELESS SERVICE	\$50.00
VOYAGE FEDERAL CREDIT	\$19.40
YANKTON CO TREASURER	\$102.90
(OTHER PROFESSIONAL SERVICE)	
DAVISON COUNTY	\$2,600.00
MINNEHAHA COUNTY JAIL	\$9,553.50
SD ATTORNEY GENERAL	\$234.00
UNION CO. SHERIFF	\$22,160.00
YANKTON CO SHERIFF	\$1,275.00
(LAW OFFICE)	
FRIEBERG, NELSON & ASK	\$3,225.00
PETERSON, STUART, KLENTZ	\$10,587.50
TERWILLIGER, PHILIP	\$3,575.00
(MENTAL HEALTH)	
SD HUMAN SERVICES CENTER	\$1,200.00
(PUBLISHING)	
BROADCASTER PRESS	\$545.28
VERMILLION PLAIN TALK	\$52.00
(RENTALS)	
SCHNEIDER GEOSPATIAL	\$10,584.00
(REPAIRS AND MAINTENANCE)	
BOONE BROTHERS	\$387.42
CHARLIE'S BUS SERVICE IN	\$58.00
LAYNE'S WORLD, INC.	\$20.00
LOFFLER COMPANIES	\$193.99
MIDWEST ALARM CO., INC.	\$341.25
PRESTO-X COMPANY LLC	\$79.33
STURDEVANT'S AUTO CRTHS	\$5.49
(DATA PROCESSING/CLAY CREEK/INF)	
MICROFILM IMAGING SYSTEM	\$945.00
SCHNEIDER GEOSPATIAL	\$7,750.00
TWO RIVERS CONTRACT. VIA	\$29,078.80
ULTEIG	\$7,440.60
WIEMAN CONSTRUCTION LLC	\$59,100.00
(SUPPLIES & MATERIALS)	
A & B BUSINESS	\$197.13
A-OX WELDING SUPPLY CO	\$129.65
BLACKSTRAP INC	\$1,826.98
BRUNICK SERVICE, INC.	\$642.16
CINTAS	\$31.40
CLARK EQUIPMENT CO.	\$7,066.04
COYOTE ENTERPRISE LLC	\$294.95
DMC WEAR PARTS LLC	\$4,005.09
GRAHAM TIRE S.F. NORTH	\$1,728.20
I-STATE TRUCK CENTER	\$1,359.73

L.G.EVERIST, INC	\$441.37
LIGHT AND SIREN	\$6,084.10
M & M FARM SUPPLY	\$35.52
MICROFILM IMAGING SYSTEM	\$30.00
MINNEHAHA COUNTY JAIL	\$15.70
O'REILLY AUTO PARTS	\$54.68
ONE OFFICE SOLUTION	\$191.64
PRESSING MATTERS	\$118.00
PROCHEM DYNAMICS	\$936.17
QUALIFIED PRESORT SVC IN	\$177.60
RIVERSIDE HYDRAULICS AND	\$573.01
RUNNINGS SUPPLY INC CH	\$127.02
RUNNINGS SUPPLY INC EXT	\$30.48
RUNNINGS SUPPLY INC H&W	\$91.20
SANITATION PRODUCT	\$3,993.33
SD DEPT OF TRANS	\$45,027.98
SHARE CORPORATION	\$966.44
STANARD & ASSOCIATES INC	\$372.00
TITAN MACHINERY YANKTON	\$466.00
UNION CO. SHERIFF	\$71.25
VERMILLION ACE HARDWARE	\$207.85
VERMILLION AREA CHAMBER	\$600.00
VERMILLION PLAIN TALK	\$52.00
VOYAGE FEDERAL CREDIT	\$27.48
(COPIER SUPPLIES)	
CANON FINANCIAL	\$522.24
(TRAVEL AND CONFERENCE)	
KYMALA, SHANNON	\$20.00
SDSU EXTENSION	\$199.88
THE LODGE AT DEADWOOD	\$282.00
(INMATE TRAVEL)	
CENEX FLEET FUELING	\$398.19
(UTILITIES)	
BUREAU OF ADMINISTRATION	\$24.20
CENTURYLINK HWY	\$149.99
CLAY RURAL WATER SYSTEM	\$105.30
CLAY UNION ELECTRIC CORP	\$626.12
GANSCHOW, DENNIS	\$300.00
MCPHERSON, LARRY	\$150.00
MIDAMERICAN ENERGY C H	\$185.12
MIDAMERICAN ENERGY EXT	\$25.60
MIDAMERICAN ENERGY S C	\$30.33
MIDCO BUSINESS	\$220.39
MIDCO BUSINESS EXT.	\$90.39
R&T REPAIR	\$3,027.72
VERMILLION GARBAGE SVC.	\$412.00
WAKONDA TOWN	\$67.65
(PAYMENT)	
BRUNICK SERVICE, INC.	\$15.00
CENEX FLEET FUELING	\$2,328.08
DOMESTIC VIOLENCE	\$290.84
GRAHAM TIRE S.F. NORTH	\$584.00

HEEREN, DANIELLE	\$114.28	MOTOROLA SOLUTIONS INC.	\$3,407.96
LEWIS & CLARK BEHAVIORAL	\$6,126.00	(BUILDINGS AND STRUCTURES)	
MCGUIRE, JAMES	\$112.24	JLG ARCHITECTS	\$1,196.60
NELSEN, PEGGY	\$100.00	L & L BUILDERS	\$954,293.00
OLSON, KATHERINE	\$100.00	(BOOKS)	
PASSICK, CHAD	\$100.00	LAURSEN ASPHALT	\$73,446.00
ROTHSCHADL, BARBARA	\$100.00	(FURNITURE AND MINOR EQUIPMENT)	
SD DEPT OF HEALTH	\$7,097.76	CANON FINANCIAL	\$84.79
TWO WAY RADIO SOLUTIONS	\$4,657.56	GRAINGER	\$7,718.14
VERMILLION FORD	\$54.79	MICROFILM IMAGING SYSTEM	\$155.00
WAYSMAN, CALEY	\$100.00	NORTHERN TRUCK EQUIP. CO	\$4,999.00
WHERRY, JAY	\$56.12	(AUTOMOTIVE)	
(JDC/SPECIAL EQP.)		BRUNICK SERVICE, INC.	\$145.00
MINNEHAHA COUNTY JDC	\$10,288.59		

Auditor Carri Crum discussed the invoicing procedure for the jail and law enforcement center project. There is a relatively tight window for payment under the contract. Other counties who work with TEGRA Group allow them to review the invoices and approve them. Then they forward them on to the county, where there is usually a representative who approves the payment. Gray-Lobe moved, seconded by Thiesse and unanimously carried that once TEGRA Group has reviewed the invoices, they should go to Mockler and Crum for approval and payment. Howe said these are bid items, and TEGRA Group makes sure they comply. There should be a level of comfort in the process.

The Board discussed the Community Health Nurse contract with the State. Crum said the contract ends December 31, 2023, and no new contract has been received. E. Smith said she is not surprised. She has spoken to administrators and department heads within the Department of Health. Thiesse said Yankton voted to shut down their office. He wondered if those patients will drive to Clay County. Those people cannot afford to drive that far. Union County's clerical staff resigned as well. E. Smith said that is happening all over the state. Thiesse said the State is offering a van that would be parked like a mobile unit in a parking lot, and patients would need to use the restroom inside the building. E. Smith said most of the nurses have opted to do WIC, so there are not many nurses, and the staff will have to travel. She would like to revisit the topic on December 28th. Clay County has a persistent poverty rate, so this service is very important. Thiesse said it comes down to feeding babies. There was a discussion regarding the contract and Clay County's clerical staff. E. Smith said she will investigate contract matters. The program has worked well for generations, but we are not there anymore with this new structure. Crum said there has been rumor of frustrations being taken out on clerical staff, and if that is the case, that is not right. Thiesse said there is a lot of frustration. E. Smith said it is no wonder the counties are frustrated. Hammond said the services we are getting are a small fraction of what we had previously. E. Smith said they are not giving us the contracted hours, only one-third. E. Smith said she also discussed reimbursement for the clerical staff going to other counties, but there is no mechanism for them to reimburse us. Mockler asked if our clerical staff could run WIC. E. Smith said her worry is that the state will cut Community Health. Gray-Lobe said his impression is that it is more than just a worry. Hammond said they likely be paying current rates while

incumbents are in the job and then will hire at a lower paraprofessional rate as they leave. There was discussion about what will happen to Yankton's WIC program.

E. Smith said she has received no further justification for the Center for Public Lands funding request. Jim Schmidt advocated for it because the counties had received grant money. She said she has not heard anything to make her believe it will be an important new agency. There was discussion regarding the County's financial situation. Mockler moved, seconded by Thiesse and unanimously carried to deny the request to allocate funding to the Center for Public Lands.

It was reported that there will be a meeting of the Clay County Park Association next week to open farmland bids.

It was reported that the contractor is working on the geo piers for the new jail and law enforcement center. As for the courthouse project, Facilities Manager Scott Hanson is sending out updates when they have construction meetings.

It was reported that there is a Joint Jurisdiction Zoning Area (JJZA) meeting tonight.

Under the building permit discussion topic, Mockler reported to the Board that the City will track the hours they spend on building inspections for the jail and law enforcement center, and they will bill the County for those. It should not be over \$8,500, and the City will share that. Sewer, water, and transformer hookup fees will be forthcoming.

At 9:57 a.m., Mockler moved, seconded by Hammond and unanimously carried to adjourn and reconvene on Tuesday, December 28, 2023 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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

December 28, 2023

The Board of County Commissioners met in a regular session Tuesday, December 28, 2023, at 9:00 a.m. at the Vermillion City Hall, 25 Center St., Vermillion, SD. Members present: Travis Mockler, Geoffrey Gray-Lobe, Elizabeth Smith (via Zoom), and David Thiesse; Richard Hammond was absent.

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

Thiesse moved, seconded by Gray-Lobe and unanimously carried to approve the agenda.

E. Smith moved, seconded by Thiesse and unanimously carried to approve the minutes from the December 12, 2023 meeting.

E. Smith moved, seconded by Thiesse and unanimously carried to approve a driveway application from David Smit/Smit Family Trust on Frog Creek Rd.

E. Smith moved, seconded by Thiesse and unanimously carried to accept the low bid of \$2.4972/gallon from Jerry's Service for #2 diesel fuel for the Vermillion Shop.

E. Smith moved, seconded by Thiesse and unanimously carried to accept the low bid of \$2.80/gallon from Brunick's Service for 50/50 blend diesel fuel for the Wakonda Shop.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to accept the low bid of \$2.66/gallon from Brunick's Service for gasoline for the Vermillion Shop.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to accept the low bid of \$1.499/gallon from Butch's Propane for propane at the Wakonda Shop.

Thiesse moved, seconded by E. Smith and unanimously carried to accept the low bid of \$1.499/gallon from Butch's Propane for propane at the Vermillion Shop.

The Board reviewed the report of surplus sale results.

E. Smith moved, seconded by Thiesse and unanimously carried to approve a Change Order for the County Road D-1 Pipe Replacement and authorize Mockler to sign it. Gray-Lobe moved, seconded by E. Smith and unanimously carried to approve the Final Payment Application for the County Road D-1 Pipe Replacement and authorize Mockler to sign it.

Zoning Administrator Drew Gunderson was present to discuss 313 St. & 456 Ave. Southeast Farmers Elevator Coop. is purchasing land for the construction of a grain storage facility. The County will need to consider additional traffic on the roads. Representatives from the cooperative discussed the value of the proposed facility and the employment opportunities. Ralph Marquardt will continue to own adjacent properties. They will be going through the Planning & Zoning Commission in January to rezone the land. Currently the land around it is zoned Industrial 2 (I-2) because at one point the ethanol plant was going to be built in the area. Gray-Lobe asked if Highway Superintendent Rod Polley is comfortable with this. Gunderson

said there may be some money involved in road improvements. The cooperative's representatives said they would be willing to contribute. Gray-Lobe said he is comfortable moving forward.

At 9:18 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to adjourn and convene as Clay County Ditch Board.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to approve a Payment Application for \$34,760.37 from Two Rivers Contracting for Clay Creek Ditch and authorize the Chairman to sign it.

At 9:19 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Under discussion regarding the plat of land to be rezoned for the grain facility, Gray-Lobe clarified that the plan is for Lot 1 to be rezoned, and everything around it is currently zoned I-2. It was also discussed that the facility is to be higher than the 500-year FEMA flood plain. Thiesse moved, seconded by Gray-Lobe and unanimously carried to pass and adopt the following Resolution for Plat of Lots 1 and 2 in Marquardt First Addition in the SE1/4 Quarter of Section 22, Township 93 North, Range 53 West of the 5th P.M., Clay County, South Dakota; Ralph J. Marquardt, owner.

**RESOLUTION #2023-18
RESOLUTION OF COUNTY COMMISSIONERS**

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

A plat of Lots 1 and 2 in Marquardt First Addition in the SE1/4 Quarter of Section 22, Township 93 North, Range 53 West of the 5th P.M., Clay County, South Dakota; Ralph J. Marquardt, owner.

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

Travis Mockler
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on December 28, 2023.

Carri R. Crum
County Auditor, Clay County, SD

E. Smith moved, seconded by Thiesse and unanimously carried to approve the following claims for payment.

(PAYROLL)		HOUSKA, DDS, RANDY	\$462.00
COMMISSIONER'S	\$8,978.03	INTERSTATE POWER SYS INC	\$380.00
AUDITOR'S OFFICE	\$14,159.75	JLG ARCHITECTS	\$186,868.00
TREASURER'S OFFICE	\$24,009.74	QUALIFIED PRESORT SVC IN	\$5,635.01
STATE ATTORNEY'S OFFICE	\$31,354.83	SD SHERIFF'S ASSN	\$949.01
COURTHOUSE	\$10,634.01	SECURITY SHREDDING SVC.	\$35.00
DIRECTOR OF EQUALIZATION	\$13,693.28	TEGRA GROUP INC	\$21,400.00
REGISTER OF DEEDS	\$9,915.64	TURNER, ROBERT III	\$60.00
VETERAN'S OFFICE	\$1,893.78	VERMILLION SANFORD CLINI	\$715.87
24/7 PROGRAM	\$1,988.42	WOODBURY CO. SHERIFF	\$38.00
SHERIFF'S OFFICE	\$60,301.17	YANKTON CO SHERIFF	\$50.00
COUNTY JAIL	\$39,686.99	(OTHER PROFESSIONAL SERVICE)	
EMERGENCY MGMT	\$6,010.75	BROOKINGS CO SHERIFF DEP	\$1,900.00
HIGHWAY	\$60,927.26	(LAW OFFICE)	
COMMUNITY HEALTH NURSE/WIC	\$3,636.21	MATTER LAW OFFICE LLC	\$1,823.32
EXTENSION OFFICE	\$3,335.32	(MENTAL HEALTH)	
WEED	\$3,233.56	AVERA MCKENNAN HOSPITAL	\$4,860.00
PLANNING & ZONING	\$3,873.78	(REPAIRS AND MAINTENANCE)	
(DUE TO OTHER GOVERNMENT)		BEAR, INC. DBA TODD'S	\$562.96
SD DEPT OF REV ANDERSON	\$322,557.60	CENTURY BUSINESS PRODUCT	\$37.50
SDACO - M&P FUND PAYMENT	\$326.00	CHRISTENSEN RADIATOR	\$525.00
(PAYROLL WITHHOLDING)		FAST AUTO GLASS, INC.	\$1,312.00
AAA COLLECTIONS	\$782.54	FIRST DAKOTA CREDIT CARD	\$865.99
AFLAC	\$961.76	LOFFLER COMPANIES	\$225.50
CLAY CO FIT FICA	\$68,080.60	PERSING, SCOTT VINCENT	\$12,440.00
COLONIAL LIFE	\$297.05	POLLMAN EXCAVATION, INC.	\$2,337.50
CONSECO/WASHINGTON	\$24.45	PRESTO-X COMPANY LLC	\$79.33
DIV OF CHILD SUPPORT IA	\$264.00	VERMILLION ACE HARDWARE	\$95.04
DIV OF CHILD SUPPORT SD	\$1,367.00	WIESELER, JUDY	\$37.50
NEW YORK LIFE C/O M&T BN	\$298.57	(DATA PROCESSING/CLAY CREEK/INF)	
SD RETIREMENT SYSTEM	\$35,692.12	FIRST DAKOTA CREDIT CARD	\$5,595.50
SD SUPPLEMENT RETIREMENT	\$6,910.00	QUILL LLC ROD	\$20.18
SDRS ROTH 457(B) PLAN	\$600.00	SOFTWARE SERVICES, INC.	\$3,899.00
TASC PVR	\$2,221.20	TWO RIVERS CONTRACT. VIA	\$34,760.37
THE STANDARD - DENTAL	\$1,445.88	(SUPPLIES & MATERIALS)	
THE STANDARD - LIFE INS.	\$419.12	BARCO MUNICIPAL PRODUCTS	\$144.92
THE STANDARD - SH TRM DI	\$1,114.46	BLACKSTRAP INC	\$1,733.46
THE STANDARD - VISION	\$354.04	BOB BARKER CO INC	\$102.25
UNITED WAY OF VERMILLION	\$146.92	BROOKINGS CO SHERIFF DEP	\$39.29
VOYAGE FEDERAL CREDIT	\$750.00	BRUNICK SERVICE, INC.	\$9,358.14
WELLMARK BLUE CROSS	\$58,293.74	BUTLER MACHINERY CO.	\$136.73
(PROFESSIONAL SERVICES AND FEES)		CHRISTENSEN RADIATOR	\$301.00
CERTIFIED LANGUAGES INTL	\$29.70	CINTAS	\$956.58
CITY OF VERMILLION	\$5,045.08	COYOTE ENTERPRISE LLC	\$119.99
CLAY CO TREASURER	\$130.20	D-P TOOLS, INC.	\$503.94
ERICKSON SOLUTIONS GROUP	\$3,820.54	DAKOTA RIGGERS & TOOL IN	\$1,145.32
FEDEX	\$44.34	DAVIS PHARMACY	\$2,223.40
FIRST DAKOTA CREDIT CARD	\$676.38	FIRST DAKOTA CREDIT CARD	\$3,001.65
HOLLENBECK, LAUREN	\$2,068.12	I-STATE TRUCK CENTER	\$732.00

JERRY'S SERVICE	\$18,733.99	FIRST DAKOTA CREDIT CARD	\$2,231.07
LEWIS DRUG, INC.	\$516.79	HOWE, ANDY	\$180.00
NORTHERN SAFETY CO., INC	\$184.98	HUBER, KYLE	\$180.00
PERSING, SCOTT VINCENT	\$248.80	HUSBY, TIFFANY	\$180.00
PLAIN TALK/BROADCASTER	\$52.00	KYMALA, SHANNON	\$180.00
POLLMAN EXCAVATION, INC.	\$28,987.61	LOFFLER COMPANIES	\$232.42
QUALIFIED PRESORT SVC IN	\$382.76	MIDAMERICAN ENERGY S C	\$30.33
QUILL LLC AUD	\$293.84	PAULSEN, ANDREW	\$180.00
QUILL LLC ROD	\$21.38	PEDERSON, PAUL	\$180.00
RUNNINGS SUPPLY INC EXT	\$336.80	VERIZON WIRELESS HWY TRS	\$121.67
SD DEPT OF TRANS	\$40,031.44	VERIZON WIRELESS SHERIFF	\$402.01
TITAN MACHINERY YANKTON	\$410.00	WAKONDA TOWN	\$76.15
TWO RIVERS	\$4,540.00	(PAYMENT)	
VANDER HAAG'S, INC.	\$7,695.00	BRUNICK SERVICE, INC.	\$183.00
VERMILLION ACE HARDWARE	\$141.91	FIRST DAKOTA CREDIT CARD	\$657.13
YANKTON JANITORIAL SUPPL	\$595.02	GRAHAM TIRE S.F. NORTH	\$584.00
(COPIER SUPPLIES)		HY-VEE, INC. JAIL ACCT	\$504.87
QUILL LLC AUD	\$73.46	PALMER, DAVID	\$40.46
RELIANCE TELEPHONE	\$500.00	PIZZA RANCH 14762	\$2,270.25
(TRAVEL AND CONFERENCE)		TWO WAY RADIO SOLUTIONS	\$666.97
FIRST DAKOTA CREDIT CARD	\$1,819.29	(BOOKS)	
GRAY-LOBE, GEOFFREY	\$893.20	CHRISTENSEN RADIATOR	\$9,803.27
STEWART, LAYNE	\$254.00	DOOSAN BOBCAT	\$31,323.48
(UTILITIES)		FIRST DAKOTA CREDIT CARD	\$962.25
ALLEN, VICTOR	\$180.00	THOMSON REUTERS - WEST	\$160.37
ANDERS, JEFFREY	\$180.00	(FURNITURE AND MINOR EQUIPMENT)	
ARMSTRONG, AARON	\$180.00	CANON	\$348.11
BUREAU OF ADMINISTRATION	\$46.50	FIRST DAKOTA CREDIT CARD	\$2,355.06
BUTCH'S PROPANE	\$1,935.51	JMJ CASEWORKS, INC	\$7,289.89
CARRINGTON, CINDY	\$300.00	LOFFLER COMPANIES	\$341.82
CENTURYLINK	\$447.83	MICROFILM IMAGING SYSTEM	\$2,112.00
CHRISTOPHERSON, KALEB	\$180.00	PROCHEM DYNAMICS	\$4,618.80
CITY OF VERMILLION	\$2,614.99	(AUTOMOTIVE)	
DOWNEY, JOAN	\$300.00	BRUNICK SERVICE, INC.	\$203.87

The Board discussed an upcoming Crisis Track Training with Emergency Management Director Layne Stewart. E. Smith said she is willing to go, but she thought it would be valuable to another Commissioner to go as well. Gray-Lobe said he will go.

A public hearing was held regarding supplement of the 2023 budget. E. Smith moved, seconded by Thiesse to pass and adopt the following Resolution #2023-15 for Supplement of County Budget. Vote of the Board: Thiesse Aye, Gray-Lobe Aye, Smith Aye, Mockler Aye.

**RESOLUTION #2023-15
Supplement of County Budget**

WHEREAS the County budget does not have adequate budget authority in 2023 for Commissioners Contingency;

WHEREAS, the Board of County Commissioners have agreed to hold a public hearing on December 28, 2023 at 9:30 a.m. to supplement the 2023 Annual County Budget for unanticipated or unbudgeted expenses and the

proper conduct and discharge of lawful county obligations and has been given in accordance with the law and direction of the County Board,

NOW THEREFORE BE IT RESOLVED: That the following budget be adopted to show the supplement to the foresaid 2023 Annual Budget:

- Treasurer Professional Services & Fees (10100X4220142) - \$45,000
- Courthouse Building Improvements (10100X4320161) - \$1,214,505
- Capital Project Fund (30000X4220161) - \$2,492,935
- Modernization & Preservation Data Processing (25000X4251163) - \$1,405
- Care of Poor Supplies for Inmate Medications (10100X4260411) - \$20,725
- Bond Redemption Debt Service Principal (40100X4410800) - \$1,330,000
- Bond Redemption Debt Service Interest (40100X4420800) - \$869,667

Dated the 28th day of December, 2023.

Commissioner Smith moved the adoption of the foregoing Resolution; Motion seconded by Commissioner Thiesse.

Vote of the Commission: Thiesse Aye Gray-Lobe Aye Smith Aye Hammond Absent Mockler Aye

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

ATTEST:

Carri R. Crum, County Auditor

Travis Mockler
Board of County Commissioners
Clay County, South Dakota

Gray-Lobe moved, seconded by Thiesse to pass and adopt the following Resolution #2023-16 for Contingency Transfer. Vote of the Board: Thiesse Aye, Gray-Lobe Aye, Smith Aye, Mockler Aye.

**RESOLUTION # 2023-16
Contingency Transfer**

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

\$32,120 to Commissioners – Professional Services/Fees (10100X4220111)
\$3,155 to Election – Maintenance (10100X4250120)
\$4,045 to Auditor – Data Processing (10100X4251141)
\$16,270 to Treasurer Data Processing (10100X4251142)
\$1,675 to Public Defender – Utilities (10100X4280152)
\$7,935 to Court Appointed Attorney A&N (10100X4222154)
\$6,015 to Modernization & Preservation Data Processing (25000X4251163)
\$19,300 to Information Technology (10100X4251171)
\$14,650 to Sheriff – Salaries (10100X4110211)
\$1,255 to Coroner (10100X4290213)
\$7,390 to Nurse – Group Insurance (10100X4150421)
\$445 to Domestic Abuse (22900X4290434)
\$15,745 to Planning & Zoning – Wages (10100X4110711)

Motion by Commissioner Gray-Lobe, seconded by Commissioner Thiesse.

Vote of the Board: Mockler Aye, Thiesse Aye, Smith Aye, Gray-Lobe Aye, Hammond Absent.

Dated this 28th day of December, 2023.

ATTEST:

Travis Mockler
Board of County Commissioners
Clay County, South Dakota

Carri R. Crum, County Auditor

Thiesse moved, seconded by E. Smith to pass and adopt the following Resolution #2023-17 for Fund Transfer. Vote of the Board: Thiesse Aye, Gray-Lobe Aye, Smith Aye, Mockler Aye.

**RESOLUTION # 2023-17
FUND TRANSFER**

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund (10100) in the amount of \$500,000 to Highway Fund (20100) as levied for in the 2023 Budget.

Motion by Commissioner Thiesse seconded by Commissioner Smith.

Vote of the Board:

Thiesse Aye, Gray-Lobe Aye, Hammond Absent, Smith Aye, Mockler Aye. Motion carried.

Dated this 28th day of December, 2023.

ATTEST:

Travis Mockler
Board of County Commissioners
Clay County, South Dakota

Carri R. Crum, County Auditor

E. Smith moved, seconded by Gray-Lobe and unanimously carried to assign \$50,000 within the General Fund to building projects.

Thiesse moved, seconded by E. Smith and unanimously carried to un-assign \$1,367,845 from the building projects within the General Fund for the courthouse mechanical/electrical/HVAC project expenses paid.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve copier contracts for the State's Attorney and Director of Equalization Offices and authorize signing of the documents.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve and authorize Mockler to sign the 2024 Combined Election Agreement with the City of Vermillion and the Vermillion School District.

The Board discussed the Community Health Nurse program with the State. It was reported that there is a meeting Friday afternoon with the SD Dept. of Health. The Yankton County Commissioners were very unhappy with what the State offered, so they are working with United Way for a community health program. The State wants to discuss Clay County's clerical staff being trained as a paraprofessional for WIC. The contract for community health services expires at the end of the year, and we have not received a new one yet. The matter will be on Tuesday's agenda.

Under Clay County Park discussion, Gray-Lobe reported the high bidder for the farmland lease was Nicholas W. Olson at \$312/acre. The previous lease had been \$144/acre. This will be an increase in park revenue, so it will allow the park board to increase services.

It was reported that the contractors are installing ductwork and sprinkler system components in the courthouse. The geo piers for the new jail and law enforcement center are complete, and temporary power has been run to the site. The next step is to install the footings.

At 9:46 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to enter an executive session for personnel and legal matters per SDCL 1-25-2.

At 9:58 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

State's Attorney Michael Smith discussed the courthouse project. He has concerns about the ethical integrity of his office. Past problems with confidential conversations in his office being overheard in other parts of the building have intensified with the nature of the project (i.e. new ductwork and piping). He can now hear the public defender's conversations, and he can hear inmates talking in the jail. Ethically, he said, he has the obligation to request a different office space, so he will request to be on the agenda for that soon.

Related to the courthouse renovations, Gray-Lobe said he attended a Planning & Zoning meeting, and the Commissioner Room did not seem to be too bad. Crum said during business hours is when the noise becomes a problem for meetings. E. Smith said Facilities Manager Scott Hanson thinks they may be able to move meetings back to the courthouse by the end of January. Thiesse said he was in the Treasurer's Office for only 10 minutes, and the construction noise was really bad.

At 10:02 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene on Tuesday, January 2, 2024 at 9:00 a.m.

ATTEST:

Carri R. Crum
Carri R. Crum, County Auditor

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