

January 6, 2026

The Board of County Commissioners met in regular session Tuesday, January 6, 2026, at 9:00 a.m. at the Clay County Jail and Law Enforcement Center, 1250 Stanford St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, David Thiesse, and Travis Mockler.

Chairman Mockler called the meeting to order.

Brady moved, seconded by Gray-Lobe and unanimously carried to approve the agenda with the addition of Executive Session per SDCL 1-25-2 subsection 1, appointment to the Wakonda Development Co., and a correction to the number of food trays being declared surplus as 120 instead of 100.

Mockler asked for a declaration of any conflicts of interest regarding agenda items.

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the minutes of the December 30, 2025 and December 31, 2025 meetings.

At 9:03 a.m., the meeting adjourned and reconvened to reorganize for the ensuing year with a motion by Brady, seconded by Thiesse and unanimously carried.

Auditor Carri Crum called for nominations for Chairperson. Thiesse nominated Mockler for Chairperson, and Brady seconded the nomination. Gray-Lobe moved, seconded by Brady and unanimously carried that nominations cease and a unanimous ballot be cast for Mockler.

With Chairman Mockler presiding, the following proceedings were held.

The Chairperson called for nominations for Vice-Chairman. Gilbertson nominated Thiesse, and Brady seconded the nomination. Gray-Lobe moved, seconded by Brady and unanimously carried that nominations cease and a unanimous ballot be cast for Thiesse.

Robin Schiro of Elk Point in Union County appeared as a Visitor to be Heard. She voiced concerns about human trafficking and drug activity being conducted out of her attic by unknown individuals. She said she has been asking the Clay County Commissioners for help for three years. She also spoke about former Union County Sheriff Dan Limoges and said he was the only person who helped her, but he was killed.

At 9:08 a.m., Brady moved, seconded by Thiesse and unanimously carried to enter an Executive Session for personnel matters per SDCL 1-25-2 subsection 1.

At 9:18 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to exit the Executive Session.

Gray-Lobe moved, seconded by Brady 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.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Brent Hays as Highway Superintendent for a 2-year term expiring 1/3/2028.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to appoint Layne Stewart as Emergency Management Director for a one-year term expiring 1/4/2027.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to appoint Noah Westergaard as Zoning Administrator and Veterans Service Officer for a 4-year term expiring 1/7/2030.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Brady to Fair Board.

Brady moved, seconded by Thiesse and unanimously carried to appoint Gray-Lobe as member of the Executive Board of SECOG.

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

The Board considered appointments to the Planning Commission per Ordinance #2025-05. Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Matt Olson to Seat #1, a 1-year term. Gray-Lobe moved, seconded by Brady and unanimously carried to appoint Ruslan Averain to Seat #2, a 2-year term. Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Marty Gilbertson to Seat #3, a 3-year term, with Gilbertson abstaining from the vote to avoid any conflict of interest. Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Cynthia Aden to Seat #4, a 4-year term. Brady moved, seconded by Gray-Lobe and unanimously carried to appoint Thiesse to Seat #5, the County Commissioner seat on the Planning Commission, a 1-year appointment.

Gray-Lobe moved, seconded by Brady to pass and adopt the following Resolution #2026-03, a Resolution Appointing Members to the Clay County Planning Commission. Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-03

A RESOLUTION APPOINTING MEMBERS TO THE CLAY COUNTY PLANNING COMMISSION.

WHEREAS, on November 13th, 2025, the Board of Commissioners of Clay County adopted Clay County Ordinance 2025-05, which shall be referred to as the Ordinance; and

WHEREAS, the Ordinance organizes the Clay County Planning Commission; and

WHEREAS, Section 2 of the Ordinance provides that “the Planning Commission shall consist of four (4) members appointed and confirmed by the members of the Board of Commissioners” as well as a fifth member, who shall be a member of the Board of Commissioners; and

WHEREAS, Section 3 of the Ordinance provides for the terms of each appointed member of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Clay County, South Dakota in session met this 6th day of January, 2026, and that:

Section 1. The Board of Commissioners hereby appoints and confirms the following members to serve on the Planning Commission:

Planning Commission Member

Term Expiration

Seat 1: Matt Olson
(Name)

1/4/2027
(Date)

Seat 2: <u>Ruslan Averin</u> (Name)	<u>1/3/2028</u> (Date)
Seat 3: <u>Marty Gilbertson</u> (Name)	<u>1/1/2029</u> (Date)
Seat 4: <u>Cynthia Aden</u> (Name)	<u>1/7/2030</u> (Date)
Seat 5: <u>David Thiesse</u> (Name)	<u>1/4/2027</u> (Date)

Adopted this 6th day of January, 2026.

ATTEST:

Auditor

Seal

Chairman, Board of Commissioners

Adopted: January 6, 2026
Published: January 22/23, 2026
Effective: February 12, 2026

Published once at the approximate cost of:___.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Bob Fuller to the Public Safety Board for a three-year term expiring 12/31/2028.

Thiesse moved, seconded by Brady and unanimously carried to appoint Gilbertson and Highway Superintendent Brent Hays to the Vermillion Basin Advisory Board.

Thiesse moved, seconded by Brady and unanimously carried to appoint Gilbertson to the Joint Powers Solid Waste & Recycling Advisory Board.

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

Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Mockler to the Vermillion Now Advisory Council.

Thiesse moved, seconded by Brady and unanimously carried to appoint Gray-Lobe to the Clay County Park Board.

It was discussed that the Chair and Vice-Chair always serve on the ICAP Committee, so there is no motion necessary.

Gray-Lobe moved, seconded by Brady and unanimously carried to appoint Thiesse to the Point of Dispensing Committee.

Brady moved, seconded by Gray-Lobe and unanimously carried to appoint Thiesse to the Local Emergency Planning Committee.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to appoint Brady to the UAS (Drone) Committee.

Gilbertson moved, seconded by Brady and unanimously carried to appoint Thiesse to the County's Employee Safety Program Board.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Brady to the Wakonda Community Development Committee.

Gray-Lobe moved, seconded by Brady 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.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to designate the Vermillion Plain Talk and The New Era as the official legal newspapers for the County, with the Vermillion Plain Talk being the legal newspaper for the Joint Jurisdiction Zoning Area as The New Era does not serve that area.

Gray-Lobe moved, seconded by Brady and unanimously carried to designate First Bank & Trust, BMO Bank, CorTrust Bank/Vermillion, First Dakota National, Wells Fargo Bank/Vermillion, First Premier Bank/Wakonda, SD Funds Investment Trust, and Voyage 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 or cremation services 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. Gray-Lobe moved, seconded by Brady and unanimously carried to set the sum at \$1,900 for services as required by SDCL 28-17-4.

Gray-Lobe moved, seconded by Brady and unanimously carried to follow regulations adopted by the State Board of Finance which provide for rates in connection with travel reimbursement for meals and mileage, and if the State changes reimbursement rates during the year the County will follow suit.

Gray-Lobe moved, seconded by Brady 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 Commission members be set at \$35.00 plus mileage.

Gray-Lobe moved, seconded by Brady and unanimously carried to set the Treasurer's fees for Priority Mail shipping at \$13.00 in addition to fees set in statute and \$34.00 for Priority Express Mail shipping in addition to fees set in statute.

The Board considered Westergaard's recommendation for fees associated with the Planning & Zoning Office. Gray-Lobe said it looks like Westergaard made the recommendations carefully and not to make money but rather to cover the County's costs. Brady moved, seconded by Gray-Lobe and unanimously carried to set the fees as follows: 911 Address Sign Application \$100, Building Permit Fee \$75 plus \$2 per thousand, Conditional Use Permit Application \$200, Variance Application \$100, Rezoning/Amendment Petition \$250, Board of Adjustment Appeal \$100, Plat Application \$100, and Development Application \$175.

Thiesse moved, seconded by Gilbertson and unanimously carried to approve fees for boarding prisoners for other counties at \$95 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 \$20 per 2 cards, mug shots at \$8, UA test \$10, accident reports at \$2 per page, other reports or printing e-mailed civil process to serve at

\$2 per page, production of video \$10 per CD/DVD or email/cloud share in addition to \$10 per hour for review and redaction if necessary.

After a brief discussion, Gilbertson moved, seconded by Gray-Lobe and unanimously carried to hold Commissioner meetings every other Tuesday, starting with the first Tuesday in January of each year, with additional meetings to be held as necessary, for example the Thursday after any election due to canvassing of the votes.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to approve SD Public Assurance Alliance as the County's liability insurance and SDML for worker's compensation insurance.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve worker's compensation insurance coverage for all interns and 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 Brady and unanimously carried to authorize the use of Sourcewell as a potential vendor source for the county.

4-H Educator Laurie Fritsch met with the Board to present her quarterly report. She said the State has removed her fleet vehicle, she shared news releases she has prepared, she will be creating an Instagram account, and she will be doing some new member orientations as well as other programs and regional projects.

Gray-Lobe moved, seconded by Brady to pass and adopt the following Resolution #2026-01 for Establishment of Election Precincts/Polling Places for 2026. Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-01
Establishment of Election Precincts/Polling Places for 2026

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 Gray-Lobe moved the adoption of the foregoing resolution. Motion seconded by Commissioner Brady.

Vote of Commission: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 6th day of January, 2026.

January 6, 2026

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Brady moved, seconded by Thiesse to pass and adopt the following Resolution #2026-02 for Establishment of Precinct Election Officials Fees for 2026. Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-02
Precinct Election Officials Fees for 2026

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 \$225.00, and election superintendent at \$250.00, 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 \$.67/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 \$.67/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 \$.67/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 Brady moved the adoption of the foregoing resolution. Motion seconded by Commissioner Thiesse.

Vote of Commission: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

Upon which voting the resolution was declared passed and adopted.

Dated at Vermillion, South Dakota this 6th day of January, 2026.

Board of County Commissioners
Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Auditor Carri Crum reviewed changes to the Employee Handbook with the Board. Gray-Lobe moved, seconded by Thiesse and unanimously carried to pass and adopt the Employee Handbook for 2026.

State's Attorney Michael Smith discussed the procedure for selling surplus property. Gray-Lobe moved, seconded by Thiesse and unanimously carried to declare surplus 120 food trays from the jail and authorize Sheriff Andy Howe to sell them. Gray-Lobe moved, seconded by Brady and unanimously carried to appoint Andy Howe, Layne Stewart, and Sarah Miller to appraise the food trays, 50-amp food warmer, and flag pole lights; if the value exceeds \$2,500, the sale will be noticed, and Howe can sell the items on the auction website Purplewave.

Gray-Lobe moved, seconded by Brady and unanimously carried to approve and authorize the Chairman to sign a contract with Union County for boarding of Clay County inmates in Union County.

Gray-Lobe moved, seconded by Brady and unanimously carried to approve and authorize the Chairman to sign a contract with Union County for boarding of Union County inmates in Clay County.

Howe reported he send a boarding contract to Moody County, so it will likely be on a future agenda.

The 2026 payroll to be reported in the minutes is as follows:

Last Name	Preferred/First Name	Base Rate	Per Unit
Aakre	Aaron	23.42	Hour
Aden	Cynthia	35.00	Meeting
Alvarado	Maria	22.34	Hour
Alvarado Agüero	Alfonso	22.35	Hour
Anders	Jeffrey	43.22	Hour
Armstrong	Aaron	37.95	Hour
Armstrong	Marcie	26.19	Hour
Averin	Russ	35.00	Meeting
Averin	Victoria	28.34	Hour
Barcklay	Kalie	24.06	Hour
Baylor	Rozmus	25.27	Hour
Beatty	Dawn	31.29	Hour
Biel	Tanner	24.06	Hour
Boyd	Aidan	23.47	Hour
Brady	Kevin	11.82	Hour
Brinkmann	Kristina	27.47	Hour
Brown	Melissa	24.00	Hour
Burge	Justin	24.06	Hour
Campbell	Austin	33.21	Hour
Chamberlain	Tracy	23.28	Hour
Christopherson	Kaleb	34.32	Hour
Church	Ryan	30.54	Hour
Chytka	Isaac	22.35	Hour
Crum	Carri	42.03	Hour
Doherty	Corey	31.15	Hour
Dommer	Caitlyn	47.64	Hour

Dooley	Timothy	31.31	Hour
Fries	Colton	24.06	Hour
Ganschow	Dennis	30.00	Hour
Gilbertson	Glen	11.82	Hour
Gilbertson	Marty	35.00	Meeting
Gilbertson	William	23.47	Hour
Gray	Tristan	20.50	Hour
Gray-Lobe	Geoffrey	11.82	Hour
Gregg	Sarah	25.34	Hour
Gunderson	Drew	36.80	Hour
Haglund	Alicia	19.78	Hour
Hanson	Scott	33.49	Hour
Hays	Brent	41.64	Hour
House	Myien	27.67	Hour
Howe	Andrew	58.05	Hour
Howe	Rhonda	42.03	Hour
Huber	Kyle	33.21	Hour
Huber	Savannah	24.06	Hour
Johnson	Loren	21.26	Hour
Johnson	Patrick	22.34	Hour
Jongeward	Chris	22.35	Hour
King	Kase	25.19	Hour
Kludt	Joselin	24.06	Hour
Klunder	Nicole	28.37	Hour
Kymala	Shannon	34.32	Hour
Lucas	Jenna	50.00	Call
Maassen	Darin	24.06	Hour
Miller	Sarah	29.01	Hour
Mockler	Travis	12.68	Hour
Morgan	Cameron	41.43	Hour
Olson	Lennea	42.03	Hour
Olson	Matthew	24.65	Hour
Olson	Matthew	35.00	Meeting
Passmore	Gelynn	20.77	Hour
Paulsen	Andrew	39.78	Hour
Pederson	Paul	44.27	Hour
Peterson	Ina	36.75	Hour
Pinkelman	Ashley	20.24	Hour
Pittman	John	25.87	Hour
Plaatje	Julie	30.07	Hour
Polley	Rodney	30.00	Hour
Proefrock	Robert	30.31	Hour
Rainwater	Dual	24.06	Hour
Sangster	Katie	50.00	Call
Schaeftbauer	William	37.84	Hour
Schuck	Tyler	31.61	Hour
Severson	Brianna	23.88	Hour
Smith	Michael	60.06	Hour

Smith-Dennehey	Tanner	24.06	Hour
Spulak	Isabela	24.06	Hour
Stewart	Layne	38.17	Hour
Styles	David	34.40	Hour
Sundet	Laura	25.73	Hour
Sykes	Rali	19.86	Hour
Taggart	Rhonda	28.37	Hour
Terwilliger	Lisa	42.03	Hour
Thiesse	David	11.82	Hour
Waage	Patty	50.00	Call
Walker	John	27.47	Hour
Weber	Linda	39.43	Hour
Westergaard	Noah	34.33	Hour
Whitehead	Patrick	24.06	Hour
Wingate	Michael	22.35	Hour
Wood	Lisa	32.45	Hour

At 10:29 a.m., Gray-Lobe moved, seconded by Brady and unanimously carried to adjourn and reconvene Tuesday, January 20, 2026 at 9:00 a.m. at 1250 Stanford St., Vermillion, SD 57069.


Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

January 20, 2026

The Board of County Commissioners met in regular session Tuesday, January 20, 2026, at 9:00 a.m. at the Clay County Jail and Law Enforcement Center, 1250 Stanford St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, David Thiesse, and Travis Mockler.

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

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the agenda with the addition of setting the date for the annual joint ditch board meeting with Yankton County.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to approve the minutes of the January 6, 2026 meeting.

Sheriff Andy Howe met with the Board. Gray-Lobe moved, seconded by Brady and unanimously carried to approve a contract with SD Game, Fish & Parks for office space rental in the Law Enforcement Center and to authorize the Chairman to sign it.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve a contract for boarding Moody County inmates at the Clay County Jail and to authorize the Chairman to sign it.

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

Auditor Carri Crum presented a Combined Election Agreement with the City of Vermillion and the Vermillion School District. She said it saves money for all entities and increases voter turnout. Gray-Lobe moved, seconded by Brady and unanimously carried to approve the agreement and authorize the Chairman to sign it.

Highway Superintendent Brent Hays met with the Board. Thiesse moved, seconded by Brady and unanimously carried to approve a Payment Application for the Stream Bank Stabilization Project in the amount of \$58,121.41 and to authorize the Chairman to sign it.

The Board reviewed quotes for propane. Quotes were solicited from TLC Propane, SE Farmers Elevator Coop., and Butch's Propane. Quotes were received from TLC Propane for \$1.37/gallon, SE Farmers Elevator Coop. for \$1.30/gallon, and Butch's Propane for \$1.42/gallon. Gray-Lobe moved, seconded by Brady and unanimously carried to accept the low quote of \$1.30/gallon from SE Farmers Elevator Coop.

The Board discussed with State's Attorney Michael Smith the procedures for the sale of old iron, aluminum signs, and bridge planks. Gray-Lobe moved, seconded by Thiesse and unanimously carried to declare surplus old iron, aluminum signs, and bridge plank from the Highway Department. Gray-Lobe moved, seconded by Brady and unanimously carried to appoint Mockler, Gilbertson, and Hays as three property owners to appraise the surplus items per SDCL

6-13-1. Gray-Lobe moved, seconded by Brady and unanimously carried to authorize private sale of the items if the value is found to be under \$2,500.

Brady moved, seconded by Thiesse and unanimously carried to approve the annual Highway Materials bid specifications and set the opening date as 9:00 a.m. February 17, 2026.

At 9:23 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board.

Thiesse moved, seconded by Brady and unanimously carried to approve an invoice from the Ulteig in the amount of \$5,931.25 for work on Clay Creek Ditch.

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the final Change Order from Wieman Construction for the Clay Creek Ditch in the amount of \$40,042, which is \$1,000 less, and to authorize the Chairman to sign it.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve a Payment Application from Wieman construction for the Clay Creek Ditch in the amount of \$40,042.00 and to authorize the Chairman to sign it.

Thiesse moved, seconded by Gray-Lobe and unanimously carried to set the date for the annual joint ditch board meeting with Yankton County as 1:00 p.m. on February 17, 2026 at the Clay County 4-H Center, 515 High St., Vermillion.

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

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

Clay County Sheriff South Dakota	100.00	Nobles County Sheriff's Office	75.00
Clay County Treasurer	5,557.50	Olson's Pest Technicians	85.00
SD Department of Revenue	315,891.62	One Office Solution	282.64
AARMS	2,310.00	O'Reilly Auto Parts	72.79
Alternative HR, LLC	660.00	Peterson, Stuart & Klentz	14,583.33
A-Ox Welding Supply	156.45	Pharmchem, Inc.	479.25
Appeara	372.78	Pollman Excavation, Inc.	6,376.50
AT&T Mobility	56.88	Pressing Matters	268.00
Aumentum Technologies	2,720.54	Presto-X Company, LLC	228.69
AXON Enterprise, Inc.	7,071.84	Prochem Dynamics	19,221.85
Barco Municipal Products	89.06	Professional Forms & Supplies, Inc.	220.39
Mason Berens	51.00	Qualified Presort Service, Inc.	5,252.14
Bob Barker Co., Inc.	488.83	Reliance Telephone	140.00
Broadcaster Press & Plain Talk	1,491.26	Runnings Supply, Inc.	1,162.07
Brunick Service, Inc.	665.06	Santel Communicaitons Cooperative, Inc.	12.10
Buhl's Drycleaners and Linen Supply	177.10	SD Assn. of County Commissioners	6,138.09
Bureau of Administration Finance	58.00	SD Department of Health	585.00
Butler Machinery Co.	2,468.25	SD Department of Transportation	332.83
Cenex Fleet Fueling	1,985.78	SD Emergency Management Association	50.00
CentralSquare Technologies	63.58	SD Executive Management Finance Off.	11.04

January 20, 2026

Century Business Products	45.05	SD Supplemental Retirement System	100.00
Christensen Radiator & Repair	9,039.85	SDACO - M&P Fund Payment	268.00
CHS, Inc.	3,331.35	SDML Workers' Compensation Fund	63,789.00
Cintas	229.32	Software Services, Inc.	2,525.00
City of Vermillion	127.21	South Eastern Council of Governments	13,768.00
Clay Rural Water System	135.70	Southeast Farmers Coop	1,300.52
Clay-Union Electric Cooperative	703.32	Summit Food Service, LLC	8,490.82
CMoore Pit Service	100.00	SuperCom, Inc.	39.00
Dakota PC Warehouse	49.97	TEGRA Group, Inc.	1,000.00
Davis Pharmacy	101.17	Terri Lembcke Schildhauer	432.00
Dean Schaefer Court Reporting	90.00	The Emblem Authority	1,079.00
D-Ware, Inc.	6,040.00	The Lumberyard, LLC	16.09
Erickson Solutions Group	4,401.00	Thompson Law Office	548.07
Fast Auto Glass, Inc.	3,280.00	Todd's Electric Service	666.54
First Dakota Credit Card	1,462.91	Total Flooring, LLC	741.04
Fischer's Disposal, LLC	65.00	Trane Technologies	161.82
Guardian RFID	20.90	Uline	609.33
Interstate Power Systems, Inc.	1,053.92	Ulteig	5,994.75
Intoximeters, Inc.	1,200.00	Verizon Wireless	107.58
I-State Truck Center	293.91	Vermillion ACE Hardware	770.33
Billings, John	4,290.00	Vermillion Area Chamber & Dev. Co.	26,525.00
Kevin O'Dell Electric	325.51	Vermillion Ford	170.36
Lawson Products, Inc.	273.96	Vermillion Garbage Service	60.00
Lewis & Clark Behavioral Health	225.00	Wakonda Town	62.65
LexisNexis	999.96	Yankton Janitorial Supply	139.00
Lincoln County Auditor	796.00	A&B Business	228.45
Loffler Companies	419.56	Soukup Excavation Inc	58,121.41
MaintainX, Inc.	4,140.00	Wiemann Construction, LLC	40,042.00
Microfilm Imaging Systems	1,885.00	Lloyd Construction Company	449,790.61
MidAmerican Energy	21.45	Paylocity	378,275.78
Mid-States Organized Crime Info.	100.00	Jury & Witness Expenses	1,158.80
New Century Press	36.76		

It was reported that a Court Security Grant was awarded for more advanced door security systems in conjunction with the current Court Security Project. The grant is a state grant from the Unified Judicial System, and it requires a 25% match.

The Sheriff's Office 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, regarding items in the hands of the County Treasurer as of January 2, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	5,159,712.49
Amount of actual cash:	946.67

January 20, 2026

Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	11,060.93
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	5,014.00
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	11,687,962.98
Cash Variation	0.00
Total	18,016,397.07

Dated this 2nd of January, 2026.

Carri R. Crum, County Auditor

At 9:31 a.m., Brady moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, February 3, 2026 at 9:00 a.m. at 1250 Stanford St., Vermillion, SD 57069.


Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

February 3, 2026

The Board of County Commissioners met in regular session Tuesday, February 3, 2026, at 9:00 a.m. at the Clay County Jail and Law Enforcement Center, 1250 Stanford St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, David Thiesse (via Zoom), and Travis Mockler.

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

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

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the minutes of the January 20, 2026 meeting.

Rich Jahn appeared under Visitors to be Heard to voice concerns about rising assessments and property taxes and cutting spending at the County level.

A public hearing was held for renewal of the East River Electric franchise. Jerae Wire was present via Zoom on behalf of East River Electric. He said they do not have any projects planned in Clay County for the next year. The map he provided was for existing items. They need the franchise renewal in order to continue operating in Clay County. There was discussion regarding future projects, and Wire said a substation would require a conditional use permit, but new lines would likely be permitted use. They would likely cross roads, so it would require East River Electric to work with the township boards and the Highway Superintendent. Gray-Lobe moved, seconded by Brady to pass and adopt Resolution #2026-04 for Authorization to Construct Electric Transmission and Distribution Lines on the Public Highways of Clay County. Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

Resolution #2026-04

Authorization to Construct Electric Transmission
and Distribution Lines on the Public Highways of Clay County

WHEREAS, East River Electric Power Cooperative, Inc., of Madison, South Dakota, on the 14th day of January, 2026, filed with the County Auditor of Clay County, South Dakota, its duly verified Petition for the purpose of obtaining and acquiring one franchise for both its existing transmission lines and system and the planned extension and future expansion thereof, from Clay County, South Dakota, by and through its County Commissioners, for the right to maintain its existing and future system and to erect and maintain poles and wires for the purpose of transmitting and distributing electricity for lighting, heating and power purposes, in, along, and over the public highways of Clay County, South Dakota, for rural electrification throughout said County and State for a period of twenty years;

WHEREAS, said application was heard and considered by the members of the Board of County Commissioners of said County of Clay, in South Dakota, on the

3rd day of February 2026, at the hour of 9:00 o'clock am., at the Clay County Law Enforcement Center, 1250 Stanford St., Vermillion, Clay County, South Dakota, due notice of said hearing having been given by mail as provided by law to all persons, firms or corporations owning or operating transmission, telegraph or telephone lines on or along any part of the highways of said County;

WHEREAS, no person, firm or corporation having appeared in opposition to the granting of such application, and it appearing to the satisfaction of the Board of County Commissioners of said County that the request contained in said Petition should be granted;

THEREFORE, BE IT RESOLVED, by the Clay County Board of Commissioners that the right to construct, maintain and operate poles and wires, both for its existing transmission lines and system, and also for its future extension and expansion, for the purpose of transmitting and distributing electricity for lighting, heating and power purposes, over, upon, along and across the public highways within Clay County, South Dakota, for rural electrification, on a county-wide basis, for a period of twenty (20) years from and after the date and passage hereof, be, and it hereby is, granted to said East River Electric Power Cooperative, Inc., of Madison, South Dakota, subject to the terms and conditions of Chapter 31-26 of the South Dakota Codified Laws (1984 Revisions).

Dated this 3rd day of February, 2026.

APPROVED BY THE COMMISSION:

_____	_____
_____	_____
_____	ATTEST: _____
	County Auditor

A public bid opening was held for Structure Berm Repairs and Riprap Scour Protection for Structure #14-103-090. Bids were opened and read aloud as follows: ARGO Excavating \$202,811.80, Pollman Excavating \$148,951.55, Soukup Construction \$197,653.05, 3D Digging & Trucking \$186,926.20, First Rate Excavating \$258,494.00, BX Civil & Construction \$197,840.00, 605 Companies \$150,958.05, Brock Contracting \$171,684.00, Runge Enterprises \$153,046.41, LT Companies \$181,110.00, Feimer Construction \$462,231.00, WJS Contracting \$170,521.02, Midwest Contracting \$215,855.55, and Alliance Construction \$244,110.45. Brad Stangohr, Ulteig Operations, said he will review bids for the County to ensure they meet specifications and return at the next meeting for the bid award.

Rachel Gackle of MMA met with the Board for the annual employee insurance benefits renewal. She said Wellmark give a 3% increase, but the trend is 8%. She discussed the County’s claim history and costs. She also discussed ancillary insurance policies. Gray-Lobe moved, seconded by Brady and unanimously carried to renew the County’s current Wellmark policy. Brady moved, seconded by Gray-Lobe and unanimously carried to table consideration of the ancillary benefits until the next meeting.

Highway Superintendent Brent Hays met with the Board to discuss highway matters. Brady moved, seconded by Gray-Lobe and unanimously carried to pass and adopt Resolution #2026-05 for Clay County Weight Limit Enforcement. Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-05
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;

That 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 3rd day of February 2026 at Vermillion, S.D.

ATTEST:

Carri R. Crum
CLAY COUNTY AUDITOR

Travis Mockler
CHAIRMAN, CLAY COUNTY COMMISSION

Gray-Lobe moved, seconded by Brady and unanimously carried to approve a letter to the SD Highway Patrol requesting assistance with weight limit enforcement that will accompany Resolution #2026-05, and to authorize the Chairman to sign the letter.

Brady moved, seconded by Gray-Lobe and unanimously carried to pass and adopt Resolution #2026-06 for Bridge Reinspection Program Resolution for Use with SDDOT Retainer Contracts. Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

**RESOLUTION #2026-06
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 3rd day of February, 2026, at Vermillion, South Dakota.

ATTEST:

Carri R. Crum, County Auditor

Travis Mockler, Chairman
Board of Clay County Commissioners

Brady moved, seconded by Gray-Lobe and unanimously carried to approve easement documents for Frog Creek Gulch Project (Structure #14-070-063), Dawson Bridge (Structure #14-108-213), and Dakota Street Bridge (Structure #14-117-214), and to authorize the Chairman to sign the documents.

The Board discussed how to award Rural Access Infrastructure Fund Grant money remaining due to projects coming in under budget. State's Attorney Michael Smith reviewed the statutes and said he believes the County will need to wait until next year as the statute says the funds must be awarded prior to January 15th. There was discussion regarding which townships have received funds, and Hays said he has the additional applications on file from the townships. Gray-Lobe moved, seconded by Brady and unanimously carried to table the matter until the next meeting.

The Board discussed the purchase of a paver for the Highway Department. They discussed with Auditor Carri Crum the process for supplementing the budget to pay for the equipment. Hays said the price went down since last year's quote. The current quote is about \$24,000 less, and there is a \$30,000 trade-in allowance. There was discussion regarding trading in the old equipment vs. auctioning it. Hays said there are a lot of pavers on auction right now, and most are newer. Mockler said he would like to wait until bids are opened for the Frog Creek project. Rich Jahn asked questions about what they use the paver for, how old it is, and how much use it gets. Brady moved, seconded by Gray-Lobe and unanimously carried to table the matter until the next meeting.

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

AFLAC	692.16	New York Life Insurance	258.57
Alternative HR, LLC	305.25	Olson's Pest Technicians	240.00
Andwin Scientific	8,470.00	O'Reilly Auto Parts	901.81
AT&T Mobility	56.86	Pheasantland	9.26
Avera McKennan Hospital	2,619.00	Pressing Matters	934.00
Barco Municipal Products	639.66	Presto-X Company, LLC	0.30
Beckenhauer Construction, Inc.	104,109.57	Prochem Dynamics	248.90
Blackstrap, Inc.	1,874.70	Qualified Presort Service, Inc.	1,796.59
Broadcaster Press & Plain Talk	1,016.70	Quality Motors	83.44

Brunick Service, Inc.	110.00	Quill, LLC	122.33
Buhl's Drycleaners and Linen	150.97	Runnings Supply, Inc.	120.58
Bureau of Administration Fin.	60.00	Sanford Health	11,028.98
Canon Financial Services	592.36	SD Public Assurance Alliance	265,644.53
Catalis Tax & CAMA	8,000.00	SD Retirement System	48,110.88
CentralSquare Technologies	718.22	SD Supplemental Retirement Sys.	9,210.00
Cintas	155.51	SD Supplemental Ret. Roth 457(b)	780.00
City of Vermillion	4,317.80	Security Shredding Service	40.00
Colonial Life Insurance	293.86	Stryker Sales, LLC	4,628.14
Dakota Alignment & Frame	626.67	Summit Food Service, LLC	8,433.09
Dakota PC Warehouse	85.97	Terri Lembcke Schildhauer	414.00
Davis Pharmacy	68.03	The Soap Guys	28.80
Jordanna Diver	22.00	The Standard Dental Insurance	2,309.96
Empire HVAC	2,409.70	The Standard Vision Insurance	593.04
Erickson Solutions Group	1,596.55	Transcendent Technologies	25,766.00
Fast Auto Glass, Inc.	330.00	United Way of Vermillion	280.00
FedEx	42.58	Verizon Wireless	39.73
Friberg, Nelson & Ask, LLP	150.00	Vermillion ACE Hardware	350.09
Graham Tire S.F. North	4,544.34	VOID FOR OVERFLOW	0.00
Hy-Vee, Inc.	203.06	Vermillion Garbage Service	470.00
Intoximeters, Inc.	2,216.00	Voyage Federal Credit Union Card	38.07
JLG Architects	13,640.00	Washington National Insurance	24.45
Johnsen Heating & Cooling	199.02	Yankton County Treasurer	50.00
Katie Johnson Law, PLLC	387.20	Yankton Rexall Drug	24.21
Kennedy Pier Loftus Reynolds & Brandt	1,632.37	Yankton Winnelson Company	125.13
Loffler Companies	293.59	Youngberg Law, LLC	240.00
MaintainX, Inc.	1,190.20	Paylocity	372,434.49
Microfilm Imaging Systems	1,020.00	TASC (FLEX System)	3,446.63
MidAmerican Energy	1,694.18	The Standard Life Insurance	430.49
Muth Technology	1,834.73	The Standard Short Term Dis. Ins.	1,734.25
New Century Press	784.74	Wellmark Blue Cross/Blue Shield	70,096.83

At 10:28 a.m., Gray-Lobe moved, seconded by Brady and unanimously carried to adjourn and reconvene Tuesday, February 17, 2026 at 9:00 a.m. at 1250 Stanford St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

February 17, 2026

The Board of County Commissioners met in regular session Tuesday, February 17, 2026, at 9:00 a.m. at the Clay County Jail and Law Enforcement Center, 1250 Stanford St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, David Thiesse, and Travis Mockler.

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

Brady moved, seconded by Gray-Lobe and unanimously carried to approve the agenda with the addition of an Executive Session for personnel matters per SDCL 1-25-2 (1).

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the minutes of the February 3, 2026 meeting.

A public bid opening was held for the 2026 Asphalt Surface Project. Bids were opened and read aloud as follows: Bituminous Paving \$1,068,671.40, The Road Guy Construction \$989,950.00, and ASTECH Corporation \$1,107,833.00. Brad Stangohr with Ulteig was present as the engineer for the project. He will review bids to ensure they meet specifications and return at the next meeting for awarding of the bid.

A public bid opening was held for the Frog Creek Road Culvert Project. Bids were opened and read aloud as follows: ARGO Excavating \$583,358.00, Earthworks Enterprises \$453,224.35, Loiseau Construction \$330,310.50, Pollman Excavation \$601,408.75, BX Civil & Construction \$640,000.00, 3-D Digging & Trucking \$641,587.10, Alliance Construction \$831,688.59, Precision Dirt Work \$616,817.50, 605 Companies \$786,607.25, Runge Enterprises \$647,037.37, LT Companies \$388,000.00, Lieber Construction \$514,214.26, Soukup Construction \$545,545.45, First Rate Excavate \$894,000.00. Brad Stangohr with Ulteig was present as the engineer for the project. He will review bids to ensure they meet specifications and return at the next meeting for awarding of the bid.

A public bid opening was held for highway materials for the year. Bids were opened and read aloud. The Highway Superintendent will review bids to ensure they meet specifications and return at the next meeting for awarding of the bids.

Rachel Gackle of MMA met with the Board for a follow-up to the annual employee insurance benefits renewal. She reviewed ancillary benefit quotes. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve Mutual of Omaha for dental, vision, life, and short-term disability insurance.

Tim Schreiner was present via Zoom on behalf of the Clay County Historic Preservation Commission (CCHPC) to request that Mitchell Morse be appointed to the CCHPC. Gray-Lobe moved, seconded by Thiesse and unanimously carried to appoint Mitchell Morse to the CCHPC.

Highway Superintendent Brent Hays and Stangohr met with the Board for the bid award for the Structure #14-103-090 Berm Repairs & Riprap Scour Protection. Brady moved, seconded by

Thiesse and unanimously carried to award the project to the low bidder, Pollman Excavation, for \$148,951.55.

Hays said he spoke to SD Local Transportation Assistance Program regarding awarding the remaining Rural Access Infrastructure Fund Grant money, and he was told the County will need to go through the whole process. State's Attorney Michael Smith said they will need to keep that in mind this fall because there are October deadlines. Gray-Lobe said they should think about criteria and give Townships a chance to apply if they now have a higher priority project than they had last time. Smith discussed the statutes. Mockler said the bill in this year's legislative session to take back unused funds was not getting traction. Gray-Lobe asked Hays to keep track of deadlines on the calendar to help them remember.

Regarding a paver purchase, Hays asked to put it on hold as he has a lot of projects in the works and can continue to use the old one for now. Rich Jahn was present as a member of the public and asked how many hours it has on it. Hays said it has a little over 1,600.

Brady moved, seconded by Thiesse and unanimously carried to table discussion of the Agri-Business Grant Agreement. There was discussion regarding the need to find out whether the County can use asphalt, or whether it has to be concrete and whether 456 Ave. is included. Gray-Lobe said he would like clarity on the State's contribution as well. Is the \$600,000 grant for roads only, or does it include a portion of the turning lanes? He asked if there is anything in writing from SE Farmers Elevator Coop. that they are not paying a portion of the turning lanes because the State said the usual agreement is that the State pays 1/3, the County pays 1/3, and the developer pays 1/3. He would like to have a conversation about that. Gilbertson said he has done the math, and we should not ask the developer as they have spent a lot of money to build the facility. It has been an improvement and saved traffic in other areas of the County. Thiesse said we are saving blacktops that were running grain elsewhere. Brady asked when the SD Dept. of Transportation decided we need turning lanes as there are none going to Freeburg's Hay or Toby's Lounge. He questioned the need compared to other areas along Highway 50 going to Yankton. Gilbertson said it is related to the volume of trucks. Freeburg's may have a half-doze a day. Mockler said at full capacity, the grain elevator could have 8,000 trucks. Gilbertson said he came up with 1,875 truckloads of corn, and soybeans would be another 1/4 to 1/3. Traffic leaving the facility all goes onto Highway 50, so we are saving wear on the County roads.

The Board reviewed quotes for ethanol blend fuel. Quotes were solicited from Jerry's Service, Brunick's Service, CHS, SE Farmers Elevator Coop., and Vollan Oil. Quotes were received from Jerry's Service for \$2.18/gallon, Brunick's Service for \$2.17/gallon, SE Farmers Elevator Coop. for \$2.599/gallon, and Vollan Oil for \$2.146/gallon. Gilbertson moved, seconded by Thiesse and unanimously carried to accept the low quote of \$2.146/gallon from Vollan Oil.

The Board reviewed quotes for 50/50 diesel fuel. Quotes were solicited from Jerry's Service, Brunick's Service, SE Farmers Elevator Coop., and Vollan Oil. Quotes were received from Jerry's Service for \$2.69/gallon and SE Farmers Elevator Coop. for \$3.49/gallon. Gilbertson moved, seconded by Thiesse and unanimously carried to accept the low quote of \$2.69/gallon from Jerry's Service.

The Board reviewed quotes for propane. Quotes were solicited from TLC Propane, SE Farmers Elevator Coop., and Butch's Propane. Quotes were received from TLC Propane for \$1.32/gallon, SE Farmers Elevator Coop. for \$1.40/gallon, and Butch's Propane for \$1.35/gallon. Brady moved, seconded by Thiesse and unanimously carried to accept the low quote of \$1.32/gallon from TLC Propane.

Hays reported he will be out of the office next week.

Treasurer Rhonda Howe met with the Board. Brady moved, seconded by Gray-Lobe to pass and adopt the following Resolution #2026-07 for Establishment of Closure for Treasurer's Office Relocation. Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion unanimously passed.

RESOLUTION #2026-07
Establishment of Closure for Treasurer's Office Relocation

WHEREAS, pursuant to SDCL 7-7-2, the Board of Clay County Commissioners may by resolution establish the hours of operation for County offices, and;

WHEREAS, the Treasurer's Office is vacating its current space and moving to a new office space;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners hereby establishes that the Treasurer's Office be closed on March 5 & 6, 2026 to move equipment and set up the new office space.

Dated this 17th day of February 2026.

Vote of the Board: 5 Ayes, 0 Nays.

Attest:

Carri R. Crum, Clay County Auditor

Travis Mockler, Chairman
Board of Clay County Commissioners

Facilities Manager Scott Hanson presented agreements for Fire Alarm System Check-out and Service for the Law Enforcement Center. He said it is required by code to have a contract. It was noted that one agreement did not specify a cost. Thiesse moved, seconded by Brady and unanimously carried to table the matter for clarification.

Emergency Management Director Layne Stewart met with the Board to present the Quarterly Activity Report. Gilbertson moved, seconded by Brady and unanimously carried to approve the report and authorize the Chairman to sign it.

Sheriff Andy Howe met with the Board to present an Inmate Boarding Contract with Bon Homme County. He said it is the standard agreement that he uses for other counties. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the contract and authorize the Chairman to sign it.

Smith discussed closure of the State's Attorney's Office for relocation. The plan is to move out February 23rd and into the new office by February 27th. It sounds like the Fire Marshal has approved. He also said he has been working through old warrant documents that are 15 years and

older. They are not provable anymore, so he has dismissed around 20 cases. He wanted to inform the Board in case they receive any questions from the public.

Auditor Carri Crum presented a Combined Election Agreement with the Beresford School District. Gray-Lobe moved, seconded by Brady and unanimously carried to approve the agreement and authorize the Chairman to sign it.

Crum requested to enter a 3-year lease agreement with KnowInk for poll pads. She explained they will take the place of the paper poll books at the elections. Several counties are using them already, and their poll workers like them. The lease cost will be reimbursed by Help America Vote Act Grant funds. Crum said she has been interested in poll pads for a few years, but the grant funds were not previously available for use on poll pads. Brady moved, seconded by Thiesse and unanimously carried to allow the Auditor to enter into a 3-year lease for the poll pads and authorize the Chairman to sign the quote.

Gray-Lobe moved, seconded by Brady and unanimously carried to approve an amendment to the WIC Contract with the SD Department of Health that would allow an extra \$6,000 to be paid to the County and to authorize the Chairman to sign it.

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the SD Public Assurance Alliance Intergovernmental Agreement and authorize the Chairman to sign it.

At 10:20 a.m., Thiesse moved, seconded by Brady and unanimously carried to adjourn and convene as Clay County Ditch Board.

Thiesse moved, seconded by Brady and unanimously carried to approve an invoice from Ulteig in the amount of \$2,706.50 for Clay Creek Ditch.

At 10:21 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

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

Clay County Jail	30.00	One Office Solution	184.70
Clay County Treasurer	7,753.50	Pennington County Jail	304.62
SD Department of Revenue	334,443.55	Peterson, Stuart & Klentz	15,000.00
Anglin Handyman Service LLC	992.60	Pharmchem, Inc.	1,776.39
Appeara	554.04	Pressing Matters	580.00
Automatic Building Controls	540.00	Presto-X Company, LLC	85.75
Avera McKennan Hospital	160.47	Prochem Dynamics	4,350.92
Bob Barker Co., Inc.	582.49	Qualified Presort Service, Inc.	2,542.00
Brunick Service, Inc.	162.00	Redwood Toxicology Laboratory	173.00
Budget Blinds of Sioux Falls	9,205.20	Reliance Telephone	250.00
Cenex Fleet Fueling	2,006.73	SD Attorney General	3,387.00
Cintas	34.80	SD Department of Health	1,050.00
Dakota PC Warehouse	94.99	SD Department of Revenue	1,675.00
Gapp, Debra	6,750.00	SDSU Extension	11,525.00

February 17, 2026

FedEx	16.08	Software Services, Inc.	575.00
Fischer's Disposal, LLC	75.00	Summit Food Service, LLC	8,540.35
Houska Dental Clinic	1,003.00	SuperCom, Inc.	217.75
Ilchuk Enterprises, LLC	240.00	TEGRA Group, Inc.	1,000.00
Kevin O'Dell Electric	225.51	T-Mobile	124.00
Lewno Law Office	234.74	Tri-State EMA	20.00
Lincoln County Auditor	894.51	Ulteig	2,706.50
Lloyd Construction Company	246,230.95	University of South Dakota	71.40
Loffler Companies	83.65	Larson, Val	20.00
Katterhagen, Mark	20.00	Vermillion ACE Hardware	209.90
McClure & Hardy Prof LCC	3,893.00	Wyatt Waage	37.50
Smith, Michael	40.32	Yankton County Treasurer	201.25
Microfilm Imaging Systems	60.00	Yankton Rexall Drug	24.21
MidAmerican Energy	3,691.32	Youngberg Law, LLC	292.80
Midwest Alarm Co., Inc.	119.85	CorTrust Bank	4.00
New Century Press	80.61		

The Sheriff's Office 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, regarding items in the hands of the County Treasurer as of February 2, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	8,570,465.27
Amount of actual cash:	5,036.42
Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	62,255.22
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	5,014.00
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,201,902.69
Cash Variation	0.00
Total	18,996,373.60

Dated this 2nd of February, 2026.

Carri R. Crum, County Auditor

February 17, 2026

At 10:23 a.m., Thiesse moved, seconded by Brady and unanimously carried to enter an Executive Session for personnel and legal matters per SDCL 1-25-2 Subsections 1 and 3.

At 11:29 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

At 11:30 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, March 3, 2026 at 9:00 a.m. at 1250 Stanford St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

Yankton-Clay Ditch Board
February 17, 2026

The Clay and Yankton County Commissions met jointly as the Yankton-Clay Ditch Board Tuesday, February 17, 2026 at 1:00 p.m. at the Clay County 4-H Center, 515 High St., Vermillion, SD.

Members present—Clay County: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, David Thiesse, Auditor Carri Crum, Highway Superintendent Brent Hays, and Highway Foreman Tim Dooley. Yankton County: Ryan Heine, Dan Klimisch, Wanda Howey-Fox, Auditor Patty Hojem, and Development Services Director Gary Vetter.

The meeting was called to order by Chairman Travis Mockler.

A motion was made by Howey-Fox and seconded by Gray-Lobe to dispense with the reading and approve the minutes of the February 25, 2025 meeting as presented. All members voted aye; the motion passed.

Ditch fund balances were noted as follows. Clay County Yankton-Clay Creek Ditch \$66,532.72 and Yankton County Yankton-Clay Creek Ditch \$39,120.05.

A motion was made by Gilbertson and seconded by Fox to approve the 2025 Clay County claims: Qualified Presort Service (Postage for meeting notices) \$125.09, Quill (Postcard paper for meeting notices) \$32.77, New Century Press \$44.14, Broadcaster/Plain Talk \$58.19, Complete Excavation \$2,642.50, Dakota Timber Clearing \$12,244.92, 2025 Meeting Per Diem & Mileage \$424.20. All members voted aye; the motion passed. A motion was made by Klimisch and seconded by Heine to approve the 2025 Yankton County claims: Feimer Construction Inc. \$72,704.21, Yankton P&D \$6.24. All members voted aye; motion passed.

Troy Walraven requested spraying of trees/weeds. Calvin Hanson requested replacement of a bridge in Norway Township, the last one in Clay County before crossing into Yankton County.

Walraven moved, seconded by Gilbertson to set the 2026 payable 2027 Yankton-Clay Creek Ditch levy at 8% for both counties. All members voted aye; the motion passed.

At 1:13 p.m., a motion was made by Klimisch and seconded by Howey-Fox to adjourn and convene as Clay Creek Ditch Board. All members voted aye; the motion passed.

Clay Creek Ditch Board
February 17, 2026

The Clay and Yankton County Commissions met jointly as the Clay Creek Ditch Board Tuesday, February 17, 2026 at 1:13 p.m. at the Clay County 4-H Center, 515 High St., Vermillion, SD.

Members present—Clay County: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, David Thiesse, Auditor Carri Crum, Highway Superintendent Brent Hays, and Highway Foreman Tim Dooley. Yankton County: Ryan Heine, Dan Klimisch, Wanda Howey-Fox, Auditor Patty Hojem, and Development Services Director Gary Vetter.

The meeting was called to order by Chairman Travis Mockler.

A motion was made by Howey-Fox and seconded by Gray-Lobe to dispense with the reading and approve the minutes of the February 25, 2025 meeting as presented. All members voted aye; the motion passed.

Ditch fund balances were noted as follows. Clay County Clay Creek Ditch \$472,776.38 (includes \$397,020.77 from FEMA) and Yankton County Clay Creek Ditch \$94,532.66.

A motion was made by Klimisch and seconded by Gray-Lobe to approve the 2025 Clay County claims: Qualified Presort Service (Postage for meeting notices) \$125.10, Quill (Postcard paper for meeting notices) \$32.77, New Century Press \$44.14, Broadcaster/Plain Talk \$58.19, TrueNorth Steel \$12,633.60, Ulteig Engineering \$35,963.75. All members voted aye; the motion passed. A motion was made by Howey-Fox and seconded by Sue McClure to approve the 2025 Yankton County claims: Yankton Observer \$4.08. All members voted aye; motion passed.

Sue McClure requested trees be cut out where the lateral and private ditch meet the Clay Creek Ditch in Yankton County. There is a lot of trash where Frank Martz left his equipment. It was decided that Yankton County will handle it.

Tom Logue moved, seconded by Jeff Becker to set the 2026 payable 2027 Clay Creek Ditch levy at 40% for Clay County. All members voted aye; the motion passed.

Jory Freeburg moved, seconded by Sue McClure to set the 2026 payable 2027 Clay Creek Ditch levy at 40% for Yankton County. All members voted aye; the motion passed.

Klimisch moved, seconded by Howey-Fox to elect Travis Mockler as Chairman and Ryan Heine as Vice-Chairman of the Clay and Yankton County Joint Ditch Board and that nominations cease and a unanimous ballot be cast. All members voted aye; the motion passed.

Laterals were discussed, and balances were as follows: Clay County Laterals 1A & 1B \$68,221.63, Laterals 2A & 2B \$180,082.06, Laterals 3A & 3B \$119,338.02, Prairie Center \$39,395.86, Laterals 50A & 50B \$17,490.97. Yankton County Turkey Valley \$28,692.10, Lesterville Drain \$269.86, Volin Lateral \$109,791.79, 1st Ext. Volin Lateral \$48,167.51, L&C Sewer \$1,520.15, YC Lateral #2 \$18,193.49.

At 1:34 p.m., a motion was made by Klimisch and seconded by Howey-Fox that the meeting be adjourned. All members voted aye; the motion passed.

Travis Mockler, Chairman

Attest:

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

March 3, 2026

The Board of County Commissioners met in regular session Tuesday, March 3, 2026, at 9:00 a.m. at the Clay County Jail and Law Enforcement Center, 1250 Stanford St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

Brady moved, seconded by Thiesse and unanimously carried to approve the agenda with the deletion of the Petition for Vacation of Street as it is a Township matter.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the minutes of the February 17, 2026 meeting.

Greg Merrigan appeared under Visitors to be Heard to present the Annual Impact Report for Feeding Vermillion and to thank the Board for its support. Merrigan said Feeding Vermillion was a merger of the Food Pantry and Welcome Table a few years ago and has grown to seven programs: The Welcome Table, Community Food Pantry, Tanager Shopping, Tanager Delivery, Golden Share, School Supplies, and Brain Boost. Clay County's food insecurity rate in 2023 was 13.7%, and in 2025 the Food Pantry served 12,108 people. The Feeding Vermillion programs are located in the Community Connection Center downtown.

Sheriff Andy Howe appeared under Visitors to be Heard to discuss the contract with Reliance Telephone for inmate calling. The FCC lowered the rates, so a new contract needs to be signed. The costs are paid by the inmates, and he thinks it actually raises the share of the proceeds that the County receives. He said, historically, he has signed the contract and asked if there was any objection to him signing it. There were no objections from the Board.

Veterans Service Officer and Zoning Administrator Noah Westergaard discussed construction in the Courthouse. He said when they were working on renovations for the new annex, he could not answer the phones because the noise below his office was so loud. Now, work will be taking place next door to his office. He requested to be allowed to work remotely as he has a laptop and the ability to answer phone calls through the Vonage app. He would place signs to notify people to call him and would be willing to meet people off-site if necessary. This would be as-needed during the construction. Gray-Lobe moved, seconded by Brady and unanimously carried to approve Westergaard to close the office as-necessary and work remotely during this construction project.

Highway Superintendent Brent Hays and Paula Huizenga from the SD Department of Transportation met with the Board to discuss the Agri-Business Grant Agreement. Huizenga added 456 Ave. to the agreement. There was clarification that the County will still get the grant if the roads are left as gravel as the \$600,000 is at the County's discretion. The State will pay for its 1/3 of the turning lanes in addition to the \$600,000. Gray-Lobe found a section of the agreement (A3) that also needed to include 456 Ave. Huizenga said she will make the necessary

change. Brady moved, seconded by Thiesse and unanimously carried to approve the agreement with the changes discussed and authorize the Chairman to sign it.

The Board reviewed the bid tabulations from the public bid openings at the last meeting. Gray-Lobe moved, seconded by Brady and unanimously carried to award the bid for the 2026 Asphalt Surface Project to the low bidder, The Road Guy for \$989,950. Thiesse moved, seconded by Gray-Lobe and unanimously carried to award the bid for the Frog Creek Road Culvert Project to the low bidder, Loiseau Construction for \$330,310.50. Thiesse moved, seconded by Brady and unanimously carried to accept the Highway Superintendent’s recommendations for the 2026 Highway Materials bids as follows.

Clay County Highway Department 2026 Material Bid Recommendations

Asphalt concrete (Hot Mix)

Myrl & Roy’s	Knife River	Barkley Asphalt
G-1 \$70.00 50-ton min.	D-1/D-2 \$78.00 Yankton	\$90.00 1/2” mix
G-2 \$72.00 100-ton min.	G-1/G-2 \$72.00 Madison St. Sioux Falls	\$105.00 3/8” mix

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

Road Sealant

Midstates Equipment & Supply, Inc.

Roadsaver 221	Maxwell Elastoflex (zipbox) \$0.628/lb.
Mastic One	Maxwell Gap Modified 201 \$.056/lb.

White Cap

Duramelt Crack Seal \$.70/lb.

Duramelt Mastic \$.65/lb.

Flex-O-Mat \$4.25/sq. ft.

Recommend awarding to Midstates Equipment.

Carbides, Plow and Grader Blades

Butler

4’X6” Carbide Blades \$246.49

8’ Grader Blades \$150.65

12’ Plow Blades \$236.67

Recommend awarding to Butler (only bidder).

Crane Work, Crane Men, & Driven Piling Equipment & Labor

40 Ton Crane & Operator \$450.00 per hr.

110 Ton Crane & Operator \$600.00/hr.

Cat 299D2 & Operator \$220.00/hr.

Takeuchi Mini Excavator \$210.00/hr.

General Labor \$125.00/hr.

Bridge Superintendent \$180.00/hr.

Recommend awarding to Hollaway Construction (only bidder).

Dirt Work

Complete Excavation

Skid Loader \$125.00/hr.

Mini Excavator & Operator \$145.00/hr.

Large Excavator John Deere 200D \$225.00/hr.

Side Dump \$145.00/hr.

Recommend awarding to Complete Excavation (only bidder).

Corrugated Metal Pipe

TrueNorth Steel (Beadle County Bid)

2026 Price	2025 Price
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18" \$24.00/ft.	\$24.00/ft.
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24" \$30.40/ft.	\$30.40/ft.
-----------------	-------------

36" \$46.40/ft.	\$46.40/ft.
-----------------	-------------

48" \$76.80/ft.	\$76.80/ft.
-----------------	-------------

Bands 12"

18" \$48.00 each	\$48.00 each
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24" \$60.50 each	\$60.50 each
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36" \$92.80 each	\$92.80 each
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48" \$121.60 each	\$121.60 each
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Arched Metal Pipe

2026 Prices	Bands	2025 Prices	Bands
24"=28"x20" \$34.96/ft.	12" wide \$69.92	24"=28"x20" \$34.96/ft.	12"wide \$69.92
54"=64"x43" \$134.32/ft.	24"wide \$242.88	54"=64"x43" \$134.32/ft.	24"wide \$242.88

Flex-O-Mat \$4.65 per sq. ft.

Recommend accepting Beadle County Bid Packet for Corrugated Metal Pipe and Flex-o-mat; True North was the only bidder.

Facilities Manager Scott Hanson presented a contract from Schumacher Elevator for elevator maintenance. The contract is \$195.00/mo. and is \$1,000/yr. cheaper than the old contract. Brady moved, seconded by Thiesse to approve the contract and authorize the Chairman to sign it. Under discussion, Mockler pointed out that there is a 3% discount for paying the contract in one annual payment. Gray-Lobe moved to amend the motion to make the payment annually, seconded by Brady and unanimously carried. All voted aye on the motion to approve the contract and authorize the Chairman to sign it; motion passed unanimously.

There was discussion regarding additional employees in the State's Attorney's Office and the Director of Equalization Office. Mockler said they have been asking for and needing an additional person in each office. After seeing the final budget numbers from last year, he asked State's Attorney Michael Smith and Director of Equalization Lennea Olson to compile cost estimates. Smith said he does not have anyone to fill the front window space in the new office and will not put a current Legal Assistant in that space as they will not get any work done aside from answering questions from the public. He presented cost estimates for a Legal Assistant with and without qualifications and a list of staff in State's Attorney's Offices in similar sized counties. He said his office has taken over welfare duties. They are also no longer scanning documents as they do not have time. They are drowning in work and are understaffed. He has an adequate number of attorneys but needs support staff. There was discussion regarding the duties of an additional person. Gray-Lobe said when he thinks about investing in the office, he thinks of diversion programs that save the County money in the long run. Smith said they are already running a robust diversion program, and the attorneys have been doing the work. Additional support staff would either do some of the work, or they would pick up other tasks to free up the attorneys to do additional work on diversion. He is looking to expand and work more efficiently in that respect.

Olson said she would hire an Assessor Clerk. It would be around a \$60,000 increase, and she would need an additional phone line and computer. That person would not need to attend conference and school or be licensed. They would only need sales ratio training. Mockler asked if they could allow that person to go to school. Olson said they can, but having that person in the office would allow the certified officials to attend training at the same time. She has had the former director, Ina Peterson, cover the office, but she cannot count on her forever. They are 3 parcels away from 9,300 parcels of land. The State cap is 3,500 parcels per Assessor Appraiser, so they would need 3 Assessor Appraisers. She is also managing & supervising the office, addressing taxpayer concerns, preparing for appeals, etc. She does not have the time in the office to study the data her people are bringing back from the field. She is barely treading water. The reappraisal cycle is 5-7 years, but her office is on year 8 and has not touched Vermillion commercial property. They are behind on filing; 2024 has not even been touched yet. They are implementing new software, and a clerk could do data entry. By international standards, they are handling double the parcels they should be. Gray-Lobe said down the road they could discover that clerk is a really talented person. Mockler said they could be trained up.

Gilbertson said the two offices' staffing needs would cost approximately \$140,000 combined. They discussed that a computer for each office is around \$2,000. Gray-Lobe and Auditor Carri

Crum discussed the County's cash reserved. Brady said these are not new requests. Thiesse said it has been a need for quite some time. Mockler asked about the renovation project budget. Crum said she has not received many bills for that yet. There will be change orders. Gilbertson discussed the sprinkler system cost. Gray-Lobe moved, seconded by Gilbertson and unanimously carried to authorize Smith and Olson to hire for the two additional staff positions.

The Board considered a change order for the renovation project, and it was decided that it fit within the authority granted to Gilbertson in his oversight of the project.

The Board discussed the open burning ordinance. Smith said from an enforcement mechanism, the Sheriff's Office will need to prepare a report and forward to the State's Attorney's Office, or issue a citation for a court appearance. The challenge is how to identify who to cite. Most class 2 misdemeanors have a set fine amount and no mandatory court appearance. This is a little rare to have the mandatory court appearance. Gray-Lobe said the next paragraph after that seemed to indicate the other costs, such as the fire department time, and that could be way more than \$500. Smith said that statute is about civil liability and is in effect regardless of whether this ordinance is in place. Howe clarified the current ordinance doesn't have anything to do with the Red Flag Warning provision. Mockler said the purpose was so people have to call in a controlled burn so that if people call 911 for a fire, the fire departments know it is controlled. Emergency Management Director Layne Stewart said this time of year, he ends up driving around checking out smoke to make sure there are no uncontrolled fires. Mockler said they are not looking for criminals. They just want people to call in when they are going to burn. All of the fire departments are volunteer, so they are leaving their jobs to chase a fire that is not out of control. Howe said he ran into a situation where they couldn't determine who to cite. Smith discussed that kind of situation and said the ordinance does leave some ambiguity. He said the current challenge is the mandatory court appearance as well if an owner lives elsewhere and the renter does not take responsibility. Mockler said it can be remedied between the owner and renter. Thiesse agreed that the intent of the ordinance is to make people call in controlled burns. Vermillion Fire/EMS Director Matt Callahan said he tells people they have to call in a controlled burn, it has to be attended to, and if someone else will be switching shifts, they have to call back in to notify dispatch. The number of false responses have gone down. Howe agreed. The only issue is enforcement. Brady said the question is whether it should be a mandatory court appearance. Smith said a question is also who to cite. Howe said if he cites an absent landowner, and they choose not to appear in court, he is not going to extradite them for this kind of offense. Some people are not interested in following the rules. Callahan said most people are educated the first time, so there are less and less offenses each year. There was a lengthy discussion about responsibility. Zoning Administrator Noah Westergaard asked if it could be worded as "land manager." Gray-Lobe said that might be possible with an added definition of land manager. There was also discussion regarding how the ordinance came into being. Gray-Lobe said it seems like setting a dollar amount might solve one aspect. Identifying the responsible person might be more challenging. Olson suggested using the term "lease holder." Howe suggested using "the person who lit the fire." Smith said he likes that standard as it is probably the most straightforward. He likes it as a starting point. He can draft some language to include a fine schedule rather than a mandatory court appearance. It would simplify things and alleviate extra

work. Mockler said other fire chiefs are saying they need the Sheriff to issue a fine so they can collect the damages. Smith and Callahan discussed the statute. Thiesse asked if they need to decide on a fine amount. Smith said he can do some research and bring a recommendation to the Board.

The Board considered the renewal contract with SD Department of Health for the Community Health Nurse. There was discussion regarding whether the nurse will be present a specified number of hours. Thiesse moved, seconded by Brady and unanimously carried to approve the contract and authorize the Chairman to sign it.

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

A&B Business	227.89	Pressing Matters	66.00
AFLAC	657.33	Presto-X Company, LLC	98.59
Paulson, Alicia	1,800.00	Pro Movers LLc	1,651.50
A-Ox Welding Supply	180.00	Prochem Dynamics	504.21
Barco Municipal Products	2,836.89	Qualified Presort Service, Inc.	2,727.22
Blackstrap, Inc.	3,782.62	Quill, LLC	259.97
Bob Barker Co., Inc.	194.60	Ramkota Hotel - Pierre	784.00
Brunick Service, Inc.	333.00	Riverside Hydraulics & Labs, Inc.	148.09
Budget Blinds of Sioux Falls	1,761.00	Runnings Supply, Inc.	12.99
Butch's Propane	281.34	Schumacher Elevator Company	2,269.80
Canon Financial Services	592.36	SD Association of Assessing Officers	150.00
Century Business Products	39.89	SD Assn. of County Commissioners	5,781.00
Jongeward, Chris	28.00	SD Department of Transportation	21,399.01
Christensen Radiator & Repair	352.85	SD Retirement System	46,955.26
Cintas	160.31	SD Supplemental Retirement System	10,365.00
City of Vermillion	4,644.84	SD Supplemental Retirement Roth	825.34
Clay Rural Water System	151.90	SDACO - M&P Fund Payment	220.00
Clay-Union Electric Cooperative	739.70	Stewart Oil & Tire Co.	100.00
CMoore Pit Service	100.00	Summit Food Service, LLC	8,405.39
Colonial Life Insurance	293.86	The Lumberyard, LLC	288.68

Doherty, Corey	134.00	The Standard Dental Insurance	2,309.96
Davis Pharmacy	98.37	The Standard Vision Insurance	549.60
De Castro Law Office, PLLC	1,759.60	Thompson Law Office	2,994.58
Den Herder Law Office	154.03	Dooley, Tim	28.00
Ganschow, Dennis	736.00	Trane Technologies	856.20
Erickson Solutions Group	1,266.30	Transwest Trucks of Sioux Falls	10,497.18
Fast Auto Glass, Inc.	80.00	Two Way Solutions, Inc.	188.99
Fox Law Firm, PLLC	255.57	Uline	609.33
Frame Aligners, Inc.	167.00	Ulteig	19,570.75
Graham Tire S.F. North	1,398.24	United Way of Vermillion	280.00
Graham Tire Yankton	404.15	Larson, Val	40.00
HOV Services, Inc.	979.36	Verizon Wireless	140.31
Jerry's Service	6,114.24	Vermillion ACE Hardware	356.23
Kennedy Pier Loftus Reynolds & Brandt	1,882.88	Vermillion Ford	186.16
Kodex, Inc.	245.00	Vermillion Garbage Service	410.00
Leisure Lawns, LLC	1,068.42	Vollan Oil	3,575.24
Lewis & Clark Behavioral Health	225.00	Voyage Federal Credit Union Card	431.30
Locators & Supplies, Inc.	356.80	Wakonda Town	62.65
Lyle Signs, LLC	321.96	Washington National Insurance	24.45
Katterhagen, Mark	40.00	Yankton County Treasurer	264.75
Smith, Michael	40.32	Youngberg Law, LLC	739.20
National Sheriff's Association	250.00	CorTrust Bank	8.00
New Century Press	250.91	First Dakota Credit Card	16,188.14
New York Life Insurance	258.57	Paylocity	363,741.35
Olson's Pest Technicians	240.00	TASC (FLEX System)	3,296.63
One Office Solution	224.61	The Standard Life Insurance	426.21
O'Reilly Auto Parts	120.61	The Standard Short Term Dis. Ins.	1,712.38
Terwilliger, Philip	987.40	Wellmark Blue Cross/Blue Shield	70,996.82

March 3, 2026

Crum presented the 2025 Annual Report and Surplus Cash Report to the Board. She stated she was impressed with how the year ended and expressed appreciation to the department heads for once again keeping spending down. Crum said she has not seen the County finish a year so well financially in almost 10 years. She is hopeful the trend will continue now that the new jail is open.

The Board reviewed the current quarter's Local Emergency Management Performance Grant (LEMPG) Agreement Matrix Report.

At 10:25 a.m., Brady moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, March 17, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

March 16, 2026

The Board of County Commissioners met in a joint meeting with the City of Vermillion City Council Monday, March 16, 2026 at 5:00 p.m. at City Hall, 25 Center St., Vermillion, SD, for consideration of the Joint Jurisdiction Comprehensive Plan for the Joint Jurisdictional Area of Clay County and the City of Vermillion.

County members present: Travis Mockler, David Thiesse, Kevin Brady, Glen Gilbertson, and Geoffrey Gray-Lobe (via phone). It should be noted that Gray-Lobe was unable to hear everything that was said due to the technological limitations of being on the phone.

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

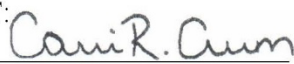
Zoning Administrator Noah Westergaard and City Engineer José Dominguez gave a brief presentation on the proposed plan. There was discussion between the Council and the Commission regarding the map and annexation language, changes to language and positioning of paragraphs within the document, boundary lines, and grammatical corrections.

The next meeting was scheduled for April 6, 2026 at 5:00 p.m. at City Hall, 25 Center St., Vermillion, SD 57069.

At 5:59 p.m., Thiesse moved, seconded by Brady and unanimously carried to adjourn the meeting.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

March 17, 2026

The Board of County Commissioners met in regular session Tuesday, March 17, 2026, at 9:00 a.m. at the Clay County Jail and Law Enforcement Center, 1250 Stanford St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe (via Zoom), David Thiesse, and Travis Mockler.

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

Brady moved, seconded by Thiesse and unanimously carried to approve the agenda with the addition of discussion regarding the kitchen in the Extension/4-H building.

Brady moved, seconded by Thiesse and unanimously carried to approve the minutes of the March 3, 2026 meeting.

The Board considered a Driveway Application from Robert Peterson, to be located at 42°58'43.85", -97°1'6.18". Brady moved, seconded by Gilbertson and unanimously carried to approve the application and authorize the Chairman to sign it.

The Board considered a Driveway Application from Tim Gregoire and Ken Wastlund on 309 St., to be located at 42°54'38.1"N, 96°56'18.3"W. Thiesse moved, seconded by Gilbertson and unanimously carried to approve the application and authorize the Chairman to sign it.

The Board considered a Right-of-Way Application from Bluepeak for fiber internet cable to be located under 299 St. at 452 Ave., under 452 Ave. at 300 St., and under 452 Ave. approx. 1015' south of 303 St. Gilbertson moved, seconded by Brady and unanimously carried to approve the application and authorize the Chairman to sign it.

Thiesse moved, seconded by Brady and unanimously carried to approve the contract for the Frog Creek Rd. Culvert Replacement Project and authorize the Chairman to sign it.

Brady moved, seconded by Gilbertson and unanimously carried to approve the contract for the 2026 Asphalt Surface Treatment Project and authorize the Chairman to sign it.

The Board reviewed quotes for propane. Quotes were solicited from TLC Propane, SE Farmers Elevator Coop., and Butch's Propane. Quotes were received from TLC Propane for \$1.280/gallon, SE Farmers Elevator Coop. for \$1.469/gallon, and Butch's Propane for \$1.200/gallon. Brady moved, seconded by Thiesse and unanimously carried to accept the low quote of \$1.200/gallon from Butch's Propane.

The Board discussed the burn ban ordinance. State's Attorney Michael Smith said the County will have to go through the ordinance creation process. It will involve changing language to make the person who started the fire responsible for the fire. He read the current section 2e and discussed a change in language to "adult burner who started the fire." If there is a state law, the County cannot implement a higher fine. SDCL 5-4-15 is similar enough that he believes the County should stay with the bond schedule. It is currently a \$54 fine, with the total being \$132.50 including court costs. He recommends implementing that fine. There is no possibility of

jail time with that. Smith and Sheriff Andy Howe discussed the issues with enforcement in the past. This would clear up who is responsible for a fire. Vermillion Fire/EMS Chief Matt Callahan said the intent was never to fine someone whose fire got out of control. This was for those who light a fire and leave it unattended. Smith read the rest of the provisions and said it is all about supervision. It was discussed that it is based on the National Weather Service's fire weather watch and red flag warning. Callahan said some other counties have a permanent burn ban right now, but he doesn't think we need that. Howe said if people call in, they will be informed if there is a burn ban. Thiesse and Smith discussed the definition of open burning. There was also discussion regarding campgrounds. Gray-Lobe said Clay County Park has a campground host. Mockler wondered if the Clay County Park Board should have some authority to place a ban on campfires. Gilbertson asked if a host is there 24/7. Gray-Lobe said there is usually one. Emergency Management Director Layne Stewart said the intent was to include campgrounds if the Commission put on a permanent burn ban. The park should be able to shut down burning any time they want to. Smith agreed with Stewart. Gray-Lobe pointed out Section 2c and said if there is a burn ban it applies to campgrounds. Callahan said even in campgrounds there is a high fire risk on red flag days. Stewart said from the original conception the campground was exempt. Gilbertson said the host should be responsible. Gray-Lobe would like to have the same ban apply in the campground as the rest of the county. Gilbertson said the host would have to be the enforcing party. Callahan suggested not having exemption areas such as a campground. Mockler said it needs to be straight across the board. Howe suggested when there is a red flag warning, the camp host posts a sign. If someone lights a fire, the camp host needs to tell them to put it out. If they don't comply, then the Sheriff's Office can issue a citation. Mockler said he would like to see the fine money go to the fire department that had to be called out. Callahan said the fire department has the ability to bill the person, but if it's not paid, they have to civilly sue the individual. Smith said he will work on a proposed ordinance.

Smith reported to the Board that, in 2024, the Supreme Court appointed a committee to work on the public service pathway to bar admission to allow a select few law students to take a public service pathway in lieu of bar exam. It's a 5-year commitment to placement inside of public service in South Dakota after law school. The student works under an attorney and submits work to the Supreme Court, and they make the decision to grant the license in lieu of the bar exam. He was approached about being a placement for a 3rd year law student. There are only up to 10 students selected. They work 500 hours during the fall of the 3rd year of law school. Smith agreed to the placement. Not every county is paying for the placement, and due to our location near the law school, his recommendation is not to pay. There is no obligation to employ the person after law school. They will handle misdemeanor cases.

Zoning Administrator Noah Westergaard requested permission from the Board to sign off on all plats. Over the past year, they have had a handful of meetings where the only thing on the agenda is a single plat. It seems to him to be a waste of County resources and money. There have also been situations where a person comes in the day after the meeting with a plat application, and they have to wait a month. Mockler and Thiesse said there are rarely questions at the Planning Commission meeting. It does not stop Westergaard from bringing in a plat if there are issues. Mockler said the applicant still has the ability to appeal Westergaard's decision. Westergaard

clarified we have minor and major plats, and he is requesting permission to sign major plats. Currently, it goes to the Planning Commission. Gray-Lobe said he thinks it's important to maintain an open meeting for a major plat to maintain transparency. Westergaard further explained the process. Gray-Lobe said he was confusing the final plat and the preliminary plan stage. He referred to page 4 of the subdivision ordinance. Smith said it will involve an ordinance change within the subdivision ordinance. He suggested working with Westergaard for the change and bringing it to the Commission for more conversation. Gray-Lobe said they should consider what makes a plat a major plat and read the definition. He thinks criteria could be changed in the definition. Thiesse said things are taken into consideration within the guidelines and ordinance because Westergaard has to follow those. Gray-Lobe said public comment is an important part of the process.

The Board discussed a proposed renovation of the Extension/4-H building kitchen. Brady said the 4-H clubs have raised funds for the kitchen renovation. They are concerned about getting bids. The City owns the land, the County owns the building, and the 4-H leases it from the County. They would like the bid process to go through the County, but they would be paying for it. Mockler said he thinks it would be simpler for them to get a better product if they just handle the process. There will be little details that will need to be fleshed out by a contractor. They don't have to follow the bid regulations. Smith said it would go back to the agreement for the building and whether the County is ok with them making decisions regarding a County building. If the County wants ultimate say on how the project goes, it complicates things. They are not expending public funds, so he does not think it is within the realm of the bid regulations since the County is not spending public funds. Mockler said he thinks it would be better for them to choose a contractor. Brady asked if there are any concerns about them making changes to a County building. Mockler said he is not concerned about that, but he wondered if they will need to install a sprinkler system. They will need to have a conversation with the City about that. Smith said the permit will likely need to be under the County. Mockler said that cost will be minimal.

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

Clay County Treasurer	3,668.00	Katterhagen, Mark	40.00
SD Department of Revenue	311,159.65	Microfilm Imaging Systems	1,080.00
A&B Business	220.95	MidAmerican Energy	4,381.89
A-Ox Welding Supply	192.50	Minnehaha County Auditor	313.17
AT&T Mobility	56.86	New Century Press	203.59
Auto Value Vermillion	62.93	O'Reilly Auto Parts	210.53
AXON Enterprise, Inc.	895.00	Pennington County Jail	254.80
Barco Municipal Products	590.95	Peterson, Stuart & Klentz Prof LLC	15,000.00
Beckenhauer Construction, Inc.	62,995.28	Pharmchem, Inc.	223.65
Broadcaster Press & Plain Talk	852.78	Pheasantland	274.24
Brunick Service, Inc.	400.45	Pictometry International, Inc.	21,776.48
Buhl's Drycleaners and Linen	161.22	Pressing Matters	3,589.00
Butch's Propane	2,687.51	Pro Movers LLC	560.00
Cenex Fleet Fueling	1,659.87	Qualified Presort Service, Inc.	5,399.14
CentralSquare Technologies	116.51	Quality Motors	83.44

March 17, 2026

Century Business Products	46.03	Quill, LLC	119.64
Cintas	138.34	Runnings Supply, Inc.	219.92
Clay Co. Sheriff South Dakota	3.60	Sanford Health Occ. Medicine	244.00
Clay Rural Water System	303.80	SD Assn. of County Highway Sup.	600.00
Clay-Union Electric Cooperative	2,520.13	SD Attorney General	1,473.00
CMoore Pit Service	100.00	SD Department of Health	865.00
Crafco, Inc.	3,313.00	SD Department of Revenue	830.30
Dakota PC Warehouse	59.99	SDAAO	375.00
Davis Pharmacy	68.42	SDACO - M&P Fund Payment	308.00
D-P Tools, Inc.	75.42	Security Shredding Service	160.00
Erickson Solutions Group	540.00	South Dakota Planners Association	375.00
First Dakota Credit Card	17,911.29	Summit Food Service, LLC	8,564.42
Fischer's Disposal, LLC	75.00	SuperCom, Inc.	204.75
Fleetpride	576.99	TEGRA Group, Inc.	1,000.00
Fox Law Firm, PLLC	195.57	The Soap Guys	114.40
Graham Tire S.F. North	241.92	TLC Propane	792.00
Hy-Vee, Inc.	72.00	Ulteig	13,927.39
JLG Architects	32,028.29	Larson, Val	40.00
Kennedy Pier Loftus Reynolds & Brandt	247.27	Vermillion ACE Hardware	205.93
Lewis & Clark Behavioral Health	675.00	Vermillion Garbage Service	60.00
Lewno Law Office	198.74	Wakonda Town	68.65
Lincoln County Auditor	899.80	Woodbury Sheriff's Office	30.00
Lloyd Construction Company	252,839.62	Yankton County Treasurer	461.25
Loffler Companies	67.73	Jury/Witness Expenses	757.30

The Sheriff's Office Monthly Reports, Vermillion Public Library Board Report, 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, regarding items in the hands of the County Treasurer as of March 2, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	7,405,904.91
Amount of actual cash:	4,231.36
Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	29,463.92
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	69.40
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,228,532.68
Cash Variation	0.00
Total	17,819,902.27

March 17, 2026

Dated this 2nd of March, 2026.

Carri R. Crum, County Auditor

At 10:09 a.m., Brady moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, March 31, 2026 at 9:00 a.m. at 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

March 31, 2026

The Board of County Commissioners met in regular session Tuesday, March 31, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the agenda with the addition of an aerial spraying service under Ditch Board and Executive Session for legal/contractual matters per SDCL 1-25-2 Subsection 3.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to amend and approve the minutes of the March 16, 2026 and March 17, 2026 meetings.

Sheriff Andy Howe appeared under Visitors to be Heard to discuss the recent RFP process for an ATM in the lobby at the jail. He said there were no responses to it, even from Chad Grunewaldt who has the ATM that is currently there but not in use. Howe said statute permits negotiation when no bids are received and asked for direction from the Board. State's Attorney Michael Smith said it should be an agenda item before any official action is taken. Gilbertson asked if the ATM is something they need. Howe said people do use it. Fees are higher than at a bank, though. Gray-Lobe asked what the advantages are, and Howe said it is a secure place to use an ATM, people get bond money from it, and people get money from it to pay fingerprint fees.

Zoning Administrator Noah Westergaard was present for a public hearing and first reading of a proposed ordinance amending the 2013 Revised Zoning Ordinance for Clay County. Specifically, the County Commissioners will be considering adoption of an amendment to Article 2, Definitions; Section 2.02, Definitions; Article 3, General District Regulations; Section 3.10, Mobile Homes/Manufactured Homes; Article 4, Districts And Boundaries; Section 4.05, District Regulations Established; Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1: Agricultural District; Section 4.05.03, Rr: Rural Residential District. Westergaard said he is trying to help address housing affordability issues in the county. This amendment would add another classification as modular homes do not have a trailer tongue and wheels under them when placed on a foundation. Director of Equalization Lenna Olson said she is in favor of this change as it would help ease some frustration for people who do not have a serial number because their home is modular rather than mobile or manufactured, so they would not need to go through a conditional use permit. Thiesse asked if it is true that the university purchased Suburban Mobile Home Park. Olson said she has not seen any deed transfers for the property. She knows residents received a letter, but she has not seen it, so she does not know whether it referenced new ownership or new management. Westergaard said this change would help people build affordable housing that will create equity versus something that will deteriorate over the next 20 years. Olson said modular homes are stick built and do not have serial numbers. It was discussed that once they are placed on a foundation, it is difficult if not impossible to know it is a modular home. The ability

to obtain traditional financing is also a factor for people in a modular home purchase. Gray-Lobe moved, seconded by Thiesse to advance the ordinance to a second reading. Under discussion, Mockler brought up Section C, and the version in front of the Commission had language that was updated recently. It was discussed that the language should match the current version. Gray-Lobe rescinded his motion. Gray-Lobe moved, seconded by Brady and unanimously carried to re-advertise the proposed ordinance for another public hearing and first reading with the updated language.

Highway Superintendent Brent Hays met with the Board. Gilbertson moved, seconded by Thiesse and unanimously carried to set a bid opening date of April 14, 2026 for removal of Structure #14-030-180 over Yankton-Clay Ditch and its replacement with a culvert.

Gray-Lobe moved, seconded by Brady and unanimously carried to set a bid opening date of April 14, 2026 for purchase of a road widener machine.

Hays discussed purchase of a pickup truck. He said state bid is \$48,253.00. He asked Jerry's for a quote, and it was \$50,860.00, which is over the \$50,000.00 bid threshold. He requested to purchase the truck using the state bid. Howe said the County can legally purchase off of state bid or purchase from another vendor if they can match or beat state bid, which is not the case in this situation. Thiesse moved, seconded by Gilbertson and unanimously carried to allow Hays to purchase the truck using the state bid of \$48,253.00.

Hays reported to the Board that the State allocated \$5 million for the Rural Access Infrastructure Fund grant program. He should know in a month or two how much Clay County will receive. Thiesse said this is great news.

The Board reviewed quotes for diesel fuel for the Wakonda Highway Shop. Quotes were solicited from Jerry's Service, Brunick's Service, SE Farmers Elevator Coop., and Vollan Oil. Quotes were received from Jerry's Service for \$3.75/gallon, Brunick's Service for \$3.62/gallon, and Vollan Oil for \$3.63/gallon. Gilbertson moved, seconded by Thiesse and unanimously carried to accept the low quote of \$3.62/gallon from Brunick's Service.

At 9:32 a.m., Thiesse moved, seconded by Gilbertson and unanimously carried to adjourn and convene as Clay County Ditch Board.

Thiesse moved, seconded by Brady and unanimously carried to approve an invoice from TrueNorth Steel for a culvert on the Yankton-Clay Ditch in the amount of \$13,254.00.

The Board reviewed aerial spray services from NEN Aerial Services for Yankton-Clay Ditch for \$1,500.00. It was approved at the annual joint meeting. Hays said the best time to spray is in the fall once the crops are out of the fields but the leaves still have foliage. Gilbertson moved, seconded by Thiesse and unanimously carried to approve the spray service.

At 9:34 a.m., Brady moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Hays asked for permission to give a tour of the Highway Shop and machinery to an individual that SESDAC serves. The consensus was that he can give a tour as long as he feels it is safe to do so.

March 31, 2026

Smith discussed a draft of changes to the burn ban ordinance. He said he has worked through it but would like to contact SECOG before presenting a draft for a first reading. Gray-Lobe gave an updated from the Park Board. He said his expectation was that any burn ban would also apply in the Clay County Park Campground. However, the Park Board informed him that the long-time tradition has been that burning is allowed under a burn ban as long as it is in the designated fire rings. Gray-Lobe said any other burns are done in concert with the fire department. Smith said he will review the matter. Brady asked if there is a better way to get the word out to the public because the irony of having five fires immediately after it was discussed at the last meeting was not lost on him. Smith said it is a slow system of informing the public and then getting people to change their ways. Mockler said it is not really a total burn ban, just on the red flag warning days. Smith said it is important to include a provision that allows the Commission the authority to issue a burn ban if necessary.

Treasurer Rhonda Howe met with the Board. Gray-Lobe moved, seconded by Brady to pass and adopt the following Resolution #2026-08 for Treasurer Outstanding Checks Cancellation. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-08
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 \$951.03 in Treasurer's Checks and that the Auditor and Treasurer Office's shall make note of such cancellation in the Warrant and Check Register, respectfully. (List on File in the Auditor's Office)

Dated this 31st day of March, 2026, at Vermillion, South Dakota.

Commissioner Gray-Lobe moved for the adoption of the foregoing resolution, motion seconded by Commissioner Brady.

Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye.

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

Board of County Commissioners
Clay County, South Dakota

Attest:

Travis Mockler, Chairman

Carri R. Crum, County Auditor

March 31, 2026

Gray-Lobe moved, seconded by Brady to pass and adopt the following Resolution #2026-09 for Mobile Homes Moved to Uncollectible Tax List. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-09
Mobile Homes Moved to Uncollectible Tax List

WHEREAS, pursuant to SDCL 10-22-32, the Board of Clay County Commissioners may by resolution after examination of unpaid tax list, transfer to the uncollectible list.

NOW THEREFORE BE IT RESOLVED that the Board of Clay County Commissioners hereby authorizes the Clay County Treasurer by Resolution to move the following Mobile Homes to the Uncollectible Tax List, as in their judgment these mobile home taxes cannot be collected (Further collection effort not required).

List of mobile homes to be moved to the Uncollectible Tax List located in Clay County Treasurer's Office are as follows:

Name/Address	MH#	Tax District/Year	Amount
Black Bear, Brandon	15999-01800-01324	2024 R 1343	\$181.76
Blaine, Alfred	15999-00500-00038	2024 R 8117	\$120.08
Bundy, Corbin	15999-01000-00110	2024 R 5877	\$725.55
Hage, Tom	15999-00200-00014	2024 R 4633	\$82.75
Hartz, Brodie	15999-01600-00926	2024 R 3463	\$177.75
Hodges, Matthew S	15999-01500-00929	2024 R 1009	\$71.90
Nielsen, Howard or Darlene			
%Charles Woodward	15999-01900-01001	2024 R 6226	\$361.18
Schliesman, Jacob	15999-01600-01006	2024 R 353	\$143.52
Total			\$1864.49

Dated this 31st day of March, 2026 at Vermillion, South Dakota.

Commissioner Gray-Lobe moved for the adoption of the foregoing resolution, motion seconded by Commissioner Brady.

Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye.

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

Attest:

Board of County Commissioners
Clay County, South Dakota

Carri R. Crum, County Auditor

Travis Mockler, Chair

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

Beckenbauer Construction, Inc.	138,819.84	One Office Solution	73.14
AFLAC	621.45	O'Reilly Auto Parts	51.89
Andwin Scientific	275.08	Pressing Matters	27.00

Auto Value Vermillion	64.90	Presto-X Company, LLC	98.59
Avera McKennan	3,310.00	Prochem Dynamics	3,828.85
Barco Municipal Products	698.04	Qualified Presort Service, Inc.	1,628.23
Bob Barker Co., Inc.	307.90	Quill, LLC	86.56
Hays, Brent	602.00	Rasmussen Electric	982.65
Brunick Service, Inc.	190.00	Riverside Hydraulics & Labs, Inc.	27.80
Budget Blinds of Sioux Falls	238.95	Runnings Supply, Inc.	5.29
Bureau of Administration	66.25	Sanford Health	10,385.34
Canon Financial Services	96.00	Santel Communicaitons Cooperative	250.00
Cash	45.40	SD Assn. of County Commissioners	600.00
Cintas	47.61	SD Department of Transportation	702.22
City of Vermillion	102,968.90	SD Retirement System	44,263.68
Climate Systems Inc	1,695.00	SD Supplemental Retirement System	10,540.00
Colonial Life Insurance	293.86	SD Supp. Retirement Roth 457(b)	820.05
Davis Pharmacy	388.12	SDSU Extension	71.79
Duininck	1,456.00	Summit Food Service, LLC	8,411.25
Erickson Solutions Group	1,715.63	Terri Lembcke Schildhauer	446.00
FedEx	20.35	T-Mobile	62.00
Fox Law Firm, PLLC	207.57	Trane Technologies	6,339.77
Heiman, Inc.	1,540.89	Transwest Trucks of Sioux Falls	3,611.32
High Point Networks LLC	48,669.00	TrueNorth Steel	13,254.00
Jerry Miller Law PLLC	842.23	Uline	415.08
Kennedy Pier Loftus Reynolds & Brandt, LLP	5,894.34	United Way of Vermillion	280.00
Lawson Products, Inc.	110.17	Larson, Val	24.00
Loffler Companies	277.09	Verizon Wireless	147.31
Lyle Signs, LLC	184.72	Vermillion ACE Hardware	321.79
Katterhagen, Mark	24.00	Voyage Federal Credit Union Card	67.69
McClure & Hardy Prof LCC	378.00	Washington National Insurance	24.45
MidAmerican Energy	9.83	Yankton County Sheriff	100.00
Motorola Solutions, Inc.	980.39	Yankton County Treasurer	50.00
Muller Repair	30.00	Yankton Janitorial Supply	212.50
Murph's Appliance	1,648.00	Yankton Medical Clinic, PC	112.75
NEN Aerial Services	1,500.00	CorTrust Bank	7.00
New Century Press	641.73	Paylocity	348,907.69
New York Life Insurance	258.57	TASC (FLEX System)	3,296.63
Northern Tool & Equipment	149.99	Wellmark Blue Cross/Blue Shield	72,353.42
Olson's Pest Technicians	240.00	Jury & Witness Fees	487.60

At 9:41 a.m., Brady moved, seconded by Thiesse and unanimously carried to enter an Executive Session for legal/contractual matters per SDCL 1-25-2 Subsection 3.

At 9:54 a.m., Brady moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

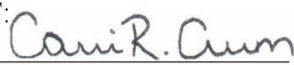
At 9:54 a.m., Brady moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, April 14, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.

FILED in the Clay County Auditor's Office
April 14, 2026
Carri R. Crum, Clay County Auditor

March 31, 2026

A handwritten signature in dark ink, appearing to read 'Travis Mockler', written over a horizontal line.

Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

April 14, 2026

The Board of County Commissioners met in regular session Tuesday, April 14, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

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

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the minutes of the March 31, 2026 meeting.

A public bid opening was held for Removal of Structure #14-030-180 and replacement with a culvert supplied by the County. Bids were opened and read aloud as follows:

1. Gregoire Excavating, LLC - \$53,439.07
2. Pollman Excavation, Inc. - \$24,973.00
3. 3D Digging & Trucking, LLC - \$59,000.00
4. Pershing Excavating - \$90,000.00

Highway Superintendent Brent Hays will review the bids to ensure the bids met specifications and include the bid bond. He will return at the next meeting for the bid award.

A public bid opening was held for purchase of a Road Widener Single Right Side Discharge Machine. Bids were opened and read aloud as follows:

1. Butler Machinery Company - \$69,780.77
2. HTC Enterprise, LC (Hydraln) - \$56,000.00

Hays will review the bids to ensure the bids met specifications and include the bid bond. He will return at the next meeting for the bid award.

Hays presented an Application for Payment for Stream Bank Stabilization on Structure #14-125-120. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the Application for Payment and authorize the Chairman to sign it.

Director of Equalization Lennea Olson met with the Board for her annual review. She gave updates on happenings in her office and presented an informational packet.

The Board asked how often the County does Pictometry flyovers. Olson said it is conducted every three years. Gray-Lobe was curious about whether trees or shadow covering makes it hard to see buildings. Olson said they make notes of things that were covered or hard to see due to the environmental factors and physically go to those locations to make a better evaluation.

The Board discussed the shortcomings of the Zoom meeting microphones in the Commissioner Room. To see if the microphones need to be replaced, Olson asked Paul Ebsen to look that them

because he has a background with audio technology. After a few tests, and with him being present at the meeting, Ebsen told the Board what he did to better adjust the microphones, and he said they don't need to purchase new microphones anytime soon. The Board was appreciative of Ebsen volunteering his time and talents for the County.

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

Clay County Treasurer	10,246.50	MidAmerican Energy	3,625.76
SD Department of Revenue	364,736.12	Midwest Alarm Co., Inc.	25,051.63
Kodex, Inc.	245.00	Minnehaha Co. Juvenile Det. Ctr.	522.02
SD Police Chiefs' Association	135.00	Olson, Molly	130.50
A&B Business	220.85	New Century Press	359.63
All Star Cleaning Services & Janitorial	217.50	Nutrien Ag Solutions	12,066.00
Alternative HR	1,823.25	O'Connor Company	1,660.46
Amazon Capital Services	105.94	One Office Solution	42.35
A-Ox Welding Supply	163.35	O'Reilly Auto Parts	25.52
Appeara	886.56	Johnson, Patrick	75.00
AT&T Mobility	56.86	Peterson, Stuart & Klentz Prof	15,000.00
Avera McKennan Hospital	873.00	Pharmchem, Inc.	305.55
Barco Municipal Products	117.54	Pressing Matters	60.00
Bob Barker Co., Inc.	512.28	Prochem Dynamics	4,268.26
Broadcaster Press & Plain Talk	1,563.16	Qualified Presort Service, Inc.	3,002.24
Brunick Service, Inc.	8,683.91	Runnings Supply, Inc.	25.91
Buhl's Drycleaners and Linen	316.28	Santel Communicaitons	125.00
Builders Supply Company	3,900.00	SD Attorney General	1,366.00
Canon Financial Services	496.36	SD Department of Health	785.00
Cenex Fleet Fueling	2,459.14	SD Federal Property Agency	7,000.00
Century Business Products	65.96	SD Records Management	11.04
Cintas	177.19	SD Secretary of State	30.00
Clay County Treasurer	1,586.36	SDAAO	600.00
Clay-Union Electric Cooperative	839.87	SDACO - M&P Fund Payment	314.00
CMoore Pit Service	100.00	Security Shredding Service	40.00
Dakota Lock & Key	390.00	Kymala, Shannon	114.00
Dakota PC Warehouse	22.99	Soukup Excavation Inc	117,024.30
Davis Pharmacy	75.11	Summit Food Service, LLC	8,628.47
Dean Schaefer Court Reporting	186.00	SuperCom, Inc.	221.00
Fischer's Disposal, LLC	75.00	Manning, Tanner	1,175.00
Hansen Funeral Home, Inc.	1,900.00	TEGRA Group, Inc.	1,000.00
Heiman, Inc.	1,636.79	Uline	1,397.87
Interstate Power Systems, Inc.	473.97	Ulteig	12,144.15
I-State Truck Center	47.62	Verizon Wireless	82.94
Jacob Bies	87.70	Vermillion ACE Hardware	88.92
Johnson Feed, Inc.	116.42	Vermillion Ford	77,574.86
Kennedy Pier Loftus Reynolds & Brandt, LLP	4,556.86	Vermillion Garbage Service	470.00
KNOWiNK, LLC	15,460.64	Wade's Drywall	7,000.00
Lewis & Clark Behavioral Health	225.00	Wakonda Town	67.65
Lincoln County Auditor	633.16	Yankton County Treasurer	165.95
Lloyd Construction Company	357,964.72	Yankton Winnelson Company	293.38
Loffler Companies	3,417.43	Youngberg Law, LLC	656.20

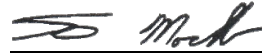
April 28, 2026

Carri R. Crum, Clay County Auditor

April 14, 2026

McClure & Hardy Prof LCC	2,277.00	CorTrust Bank	137.06
Microfilm Imaging Systems	1,110.00		

At 9:40 a.m., Gray-Lobe moved, seconded by Brady and unanimously carried to adjourn and reconvene Tuesday, April 28, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman

Board of County Commissioners

ATTEST:



Nicole Klunder, Chief Deputy Auditor

April 14, 2026

The Clay County Consolidated Equalization Board met at 1:00 p.m. on Tuesday, April 14, 2026 in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD 57069. Oaths were administered, and the meeting convened. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, David Thiesse, Jon Cole, Richard Holland, and Jay Thaler. Others present: Chief Deputy Auditor Nicole Klunder, Director of Equalization Lennea Olson, Deputy Director of Equalization Melissa Brown, State's Attorney Michael Smith, and Deputy State's Attorney Caitlyn Dommer.

Appeal #2026-01 – Candice Spurlin (15800-00200-150-00) The Director recommended lowering the structure value from \$221,170 to \$203,903 due to basement finish correction. Thaler moved, seconded by Gray-Lobe and unanimously carried to accept the Director's recommended value.

Appeal #2026-02 – JC & Anna Fielder (15730-08600-070-24) The Director recommended lowering the structure value from \$224,610 to \$183,021 due to basement finish correction. Cole moved, seconded by Holland and unanimously carried to accept the Director's recommended value.

Appeal #2026-03 – Laurence Brady (15880-09252-144-01) The Director recommended lowering the structure value from \$256,684 to \$178,818 due to improvements removed prior to November 1, 2025. Kevin Brady moved, seconded by Thiesse and unanimously carried to accept the Director's recommended value.

Appeal #2026-04 – Vermillion Chamber & Development Co. (15295-00700-030-00) The Director recommended lowering the structure value from \$4,909,551 to \$3,444,977 due to recent market analysis. Mockler and Cole recused themselves as they serve on the VCDC Board. Gray-Lobe moved, seconded by Brady and unanimously carried to accept the Director's recommended value.

Appeal #2026-05 – Kimberly Dawn Carter (15999-01000-000-82) The Director's value was \$2,290. Thiesse moved, seconded by Brady and unanimously carried to accept the Director's original value of \$2,290 due to purchase price.

Appeal #2026-06 – Rodney E & Jill SN Schaeffer (15730-08600-070-42) After some discussion, Cole moved, seconded by Gray-Lobe and unanimously carried to table the appeal until the meeting scheduled on April 28, 2026 at 9:00 a.m.

Appeal #2026-07 – Tailwind Vermillion LLC (15575-00500-030-00) The Director's original value was \$9,485,242 due to analysis using the income approach to value. Cole moved, seconded by Thiesse and unanimously carried to accept the Director's original value.

Appeal #2026-08 – Tailwind Vermillion LLC (15575-0600-020-00) The Director's original value was \$3,657,039 due to analysis using the income approach to value. Cole moved, seconded by Thiesse and unanimously carried to accept the Director's original value.

Appeal #2026-09 – Tailwind Vermillion LLC (15575-00700-020-00) The Director’s original value was \$4,204,096 due to analysis using the income approach to value. Cole moved, seconded by Thiesse and unanimously carried to accept the Director’s original value.

At 2:04 p.m., Cole moved, seconded by Brady and unanimously carried to recess the Consolidated Board of Equalization until April 28, 2026 and convene the County Board of Equalization.

Oaths were administered, and the meeting convened. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse. Others present: Chief Deputy Auditor Nicole Klunder, Director of Equalization Lennea Olson, Deputy Director of Equalization Melissa Brown, State’s Attorney Michael Smith and Deputy State’s Attorney Caitlyn Dommer.

Appeal #2026-11 – Wade D & Chris A Druin (09000-09353-021-06) The Local Board made no change to the assessed value and the property owner appealed to the County Board of Equalization. Thiesse moved, seconded by Gilbertson and unanimously carried to table the appeal until the meeting scheduled on April 28, 2026 at 9:00 a.m.

Appeal #2026-12 – Goose-In LLC (12000-09251-101-00) The Director recommended lowering the land value from \$423,246 to \$407,480 due to soil survey statistics that could be adjusted. Thiesse recused himself. Brady moved, seconded by Gilbertson and unanimously carried to accept the Director’s recommendation.

Appeal #2026-13 – Richard R & Andrea M Jahn (11000-09252-154-04) The Local Board made no change to the assessed value and the property owner appealed to the County Board of Equalization. Thiesse moved, seconded by Gilbertson and unanimously carried to lower the NA-C1-S structure value from \$421,399 to \$400,000

Appeal #2026-14 – Steven A Erickson – (01000-09551-203-03) The Local Board changed the property to AG but did not use productivity numbers. The Director appealed the Local Board decision with the recommendation to reclassify the land from NA-C-S to AG-C, increasing the value from \$55,479 to \$59,737. Thiesse moved, seconded by Gray-Lobe and unanimously carried to accept the Director’s recommendation.

The Tax-Exempt Applications List for 2026 was presented. Mockler recused himself from consideration of the application from the Vermillion Chamber & Development Co. Gray-Lobe moved, seconded by Brady and unanimously carried to approve the addition of parcel 15295-00600-060-02. Thiesse moved, seconded by Brady and unanimously carried to approve the addition of parcel 15880-09251-183-83. Gray-Lobe recused himself as he is on the Missouri Valley Growth Board. Brady moved, seconded by Thiesse and unanimously carried to approve the addition of parcel 15730-08600-050-15.

Parcel	Name	Legal
15295-00600-060-02	Vermillion Chamber & Development	Lot 6D Blk 6 Erickson Addn

15880-09251-183-83	Missouri Valley Growth, Inc.	S 1,138.5' of E 165' Exc S 364' & Exc Turner Addn SE1/4 SW1/4 18-92-51
15730-08600-050-15	Apostolic Faith Church	Lot 4A of Lots 4 & 5 Blk 86 Addn to Snyder's Addn

Brady moved, seconded Gray-Lobe and unanimously carried to approve the existing Tax-Exempt list as published in county legal newspapers. The list is on file in the Auditor's Office.

Gilbertson moved, seconded by Thiesse and unanimously carried to accept the additions of Owner-Occupied status for 2026 for the following parcels. Brady moved, seconded by Thiesse and unanimously carried to accept the removal of Owner-Occupied status for 2026 for the following parcels.

ADDITIONS		
Parcel	Name	Address
15280-07800-060-00	KELLER CHARLES ROSS & SUSAN ELLEN KELLER-SMITH JOINT LIVING TRUST	304 CANBY St
15730-08600-070-27	STUBBS JOSHUA D	422 N DAKOTA
13750-00100-020-00	ANDERSON ERICK M & CHRISTAL L	203 PARK CIR
15999-01900-010-40	CORBIN FELICIA	1040 KIM LANE
REMOVAL		
Parcel	Name	Address
15730-08600-070-09	DEHNER TERA	106 E DARTMOUTH ST
15880-09252-144-25	IVERSON TY J	603 OLIVE DR
15310-00500-010-06	WAGNER ROBERT & CAYLYN	121 S UNIVERSITY
15280-07300-120-00	WOLFPACK LLC	215 E LEWIS ST
12000-09251-091-00	SCHMITZ JEROME & SALLY LIVING TRUST	31647 GREENFIELD RD
09000-09353-343-03	APLAND KATHLEEN P	45541 JETLEY PARK ST
15720-05400-100-00	MARSHALL GLEN & CHELSEA	302 FRANKLIN ST

Brady moved, seconded by Thiesse 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.

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

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Brady moved, seconded by Gray-Lobe and unanimously carried to instruct the Director of Equalization to make necessary changes in value in compliance with SDCL 1-19A-20 for the Tax Moratorium on qualifying historic properties.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to instruct the Director of Equalization to make the necessary changes in value for those properties qualifying for the Discretionary formula under SDCL 10-6-137.

Brady moved, seconded by Gray-Lobe to authorize the Director of Equalization to correct errors that did not result in a change to property values per SDCL 10-11-26.

At 4:29 p.m., Thiesse moved, seconded by Brady and unanimously carried to recess the County Equalization Board and reconvene Tuesday, April 28, 2026 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Nicole Klunder, Chief Deputy Auditor

April 28, 2026

The Board of County Commissioners met in regular session Tuesday, April 28, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady (via Zoom), Glen Gilbertson, Geoffrey Gray-Lobe, and Travis Mockler; David Thiesse was absent.

Chairman Mockler called the meeting to order and asked for a declaration of any conflict of interest regarding agenda items. Gray-Lobe said he serves on the board for Missouri Valley Growth, so he will be abstaining from consideration of the abatement application.

Gray-Lobe moved, seconded by Gilbertson and unanimously carried to approve the agenda with the addition of a SecureSD document signature approval.

Gray-Lobe moved, seconded by Gilbertson and unanimously carried to approve the minutes of the April 14, 2026 meeting and April 14, 2026 Consolidated and County Equalization Boards meeting.

Gray-Lobe moved, seconded by Gilbertson and unanimously carried to recess Board of County Commissioners meeting and reconvene the Consolidated Equalization Boards meeting. Members present were: Kevin Brady (via Zoom), Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, Jon Cole, Rich Holland, and Jay Thaler. Also present were Director of Equalization Lennea Olson, Deputy Director of Equalization Melissa Brown, State's Attorney Michael Smith, and County Auditor Carri Crum.

Appeal #2026-06 – Rodney E & Jill SN Schaeffer (15730-08600-070-42) Gilbertson moved to set the value at \$221,000, and the motion died for lack of a second. After some discussion, Cole moved, seconded by Gray-Lobe to accept the Director's recommendation to lower the structure value from \$243,350 to \$160,744 due to inspection and correction of current condition and finish. Roll call vote: Holland Aye, Cole Aye, Mockler Aye, Gray-Lobe Aye, Gilbertson Nay, Brady Nay, Thaler Aye. Motion passed.

Gilbertson moved, seconded by Gray-Lobe and unanimously carried to adjourn the Consolidated Equalization Board meeting and reconvene as County Equalization Board.

Appeal #2026-11 – Wade D & Chris A Druin (09000-09353-021-06) After some discussion regarding the appraisal presented by the Druins, Gray-Lobe moved, seconded by Gilbertson and unanimously carried to accept the Director's original value.

Gray-Lobe moved, seconded by Gilbertson and unanimously carried to adjourn the County Equalization Board meeting and reconvene as Board of County Commissioners.

A public hearing and first reading was held for a proposed ordinance amending the 2013 Revised Zoning Ordinance for Clay County. Specifically, amending Article 2, Definitions; Section 2.02, Definitions; Article 3, General District Regulations; Section 3/10, Mobile Homes/Manufactured Homes; Article 4, Districts and Boundaries; Section 4.05, District Regulations Established; Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1; Agricultural District; Section 4.05.03, RR: Rural Residential District. Gray-Lobe moved,

April 28, 2026

seconded by Gilbertson and unanimously carried to advance to the second reading at the next regular meeting.

Gilbertson moved, seconded by Gray-Lobe to pass and adopt the following Resolution #2026-10 for Establishment of Closure for Veterans Service/Zoning Office Relocation. Vote of the Board: 4 Ayes, 0 Nays. Motion passed.

RESOLUTION #2026-10
Establishment of Closure for Veterans Service/Zoning Office Relocation

WHEREAS, pursuant to SDCL 7-7-2, the Board of Clay County Commissioners may by resolution establish the hours of operation for County offices, and;

WHEREAS, the Veterans Service/Zoning Office is vacating its current space and moving to a new office space;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners hereby establishes that the Veterans Service/Zoning Office be closed on May 8, 2026 to move equipment and set up the new office space.

Dated this 28th day of April, 2026.

Vote of the Board: 4 Ayes, 0 Nays.

Attest:

Carri R. Crum, Clay County Auditor

Travis Mockler, Chairman
Board of Clay County Commissioners

Gilbertson moved, seconded by Brady and unanimously carried to approve an Application for Abatement for Missouri Valley Growth, Inc. on parcel #15880-09251-183-83 due to tax exempt status. Gray-Lobe recused himself from the vote.

It was decided that the bid award for removal and culvert installation on Structure #14-030-180 would be considered at the next meeting.

Highway Superintendent Brent Hays said HTC Enterprise's bid did not meet specifications for the Road Widener. Gray-Lobe moved, seconded by Gilbertson and unanimously carried to award the bid to Butler Machinery Company for \$69,780.77.

Gray-Lobe moved, seconded by Gilbertson and unanimously carried to approve a Right-of-Way Application from Clay-Union Electric on 299 St., Sec. 8, T95, R53.

The Board discussed bid bonds for machinery. Crum said the bid statutes do not require it, but it has been the practice of the Board in the past to require a bond. Smith agreed. Mockler said there has only been one time where the bond might have been needed. Smith said it can be a change in practice.

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

Angela Jackson from Fairview Township Board was present with a petition for vacation of a road in Burbank. Gray-Lobe said he read through the statutes, and it appears the authority falls under that of the Township Board. Smith agreed.

Smith said he does not have an update on a proposed amendment to the burn ban ordinance.

Deputy State's Attorney Caitlyn Dommer met with the Board to present the annual domestic violence grant application. Gray-Lobe moved, seconded by Gilbertson and unanimously carried to approve the application and authorize Dommer to sign and submit it.

Facilities Manager Scott Hanson met with the Board to give an update on the renovation of the old safety center and the 3rd floor court area. He said he had budgeted \$100,000 for improvements other than the project, but he has spent \$45,000 of that on project-related items that fell outside the scope of work. He has had the opportunity to resurface walls in several offices, for example. He said he is not asking to go over budget, but he is just updating the Board. He said some doors are scheduled for improved security. Others are becoming obsolete technology. Smith said his office has 3 of the old door locks, and they are not reliably functioning. Gray-Lobe said the items are necessary and more affordable to complete during the project. He suggested availability of the Commissioners' Contingency budget if necessary. Hanson said he can apply for additional grant funding as well. He also said this project may roll right over into another, separate project. Gilbertson updated the Board on that potential project. He said the committee received an estimate from Lloyd Construction for creating an office for the juvenile court services officer. The current office will no longer be available as it is in a restricted location following the current security updates. Hanson also discussed issues with the Register of Deeds' current vault. Space has been taken up with the recent renovations, and server equipment has caused heat issues that has affected the integrity of the records stored there. He proposes moving the Register of Deeds Office to the old Treasurer's Office and installing a mini-split system for climate control in the vault. Then the old Register of Deeds Office can be divided in half for the Public Defender's Office and space for visiting attorneys to meet with clients. Those spaces have become unavailable due to the court renovations on 3rd floor, so they will need to be designated elsewhere. Smith said the County is probably currently paying additional money in court appointed attorney fees due to continuances because the attorneys do not have a space to meet with their clients prior to court.

Gray-Lobe moved, seconded by Gilbertson and unanimously carried to table discussion regarding Senate Bill 96 for a county sales tax to the end of May so that all Commissioners can be present.

Gray-Lobe moved, seconded by Gilbertson and unanimously carried to approve and authorize the Chairman to sign the renewal Employee Assistance Program contract with The Village.

Gilbertson moved, seconded by Gray-Lobe and unanimously carried to authorize payment of \$100 to Paul Ebsen for time spent improving the microphones in the Commissioner Room. Sheriff Andy Howe was on Zoom and said the microphones are functioning much better.

Crum recognized her deputies, Nicole Klunder and Gelynn Passmore, for completing training with the US Election Assistance Commission and earning a Certificate of Federal Professional

Training. She said employees often do not get the recognition they deserve for going above and beyond. Gray-Lobe shared a reminder that absentee voting has started, and Crum said her deputies are not present at the meeting for the recognition because they are handling absentee voting in the office.

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

AFLAC	696.33	New York Life Insurance	258.57
Auto Value Vermillion	14.13	O'Connor Company	69.36
Avera McKennan Hospital	836.52	Olson's Pest Technicians	240.00
Barco Municipal Products	1,824.05	One Office Solution	89.73
Beckenbauer Construction, Inc.	41,733.34	O'Reilly Auto Parts	129.92
Beresford Public Library	750.00	Pheasantland	128.92
Birmingham & Cwach Law Offices	370.58	Prairie Reporting	863.00
Boys & Girls Club, Inc. of Vermillion	12,000.00	Pressing Matters	60.00
Broadcaster Press & Plain Talk	72.67	Presto-X Company, LLC	98.59
Butch's Propane	1,327.50	Prochem Dynamics	43.19
Canfield	1,348.94	Qualified Presort Service, Inc.	2,598.83
Canon Financial Services	461.60	ROCS Transit	3,000.00
Cintas	57.53	Runnings Supply, Inc.	181.90
City of Vermillion	97,559.20	Sanford Health Occ. Medicine	129.00
Clay County Fair Association	8,250.00	SD Assn. of Co. Commissioners	5,781.00
Colonial Life Insurance	293.86	SD Retirement System	45,371.84
Davis Pharmacy	104.37	SD Supplemental Retirement	10,515.00
Election Systems & Software, Inc.	1,174.14	SD Supplemental Ret. Roth 457(b)	722.82
Erickson Solutions Group	267.00	Software Services, Inc.	1,400.00
Feeding Vermillion	5,000.00	Steinley Real Estate Appraisals	200.00
First Dakota Credit Card	23,632.29	Subsurface, Inc.	25,360.00
Flags Unlimited	117.13	Summit Food Service, LLC	8,086.07
Fleetpride	121.99	Thompson Law Office	832.00
Fox Law Firm, PLLC	305.32	T-Mobile	31.50
Graham Tire S.F. North	1,085.96	Trane Technologies	200.63
Heiman, Inc.	329.50	United Way of Vermillion	230.00
Hy-Vee, Inc.	221.99	Larson, Val	20.00
I-State Truck Center	335.78	Verizon Wireless	107.80
Jacob Bies	112.70	Vermillion ACE Hardware	182.75
Kennedy Pier Loftus Reynolds & Brandt, LLP	1,498.10	Vermillion Public Library	4,000.00
Lewis & Clark Behavioral Health	26,778.00	VM Cleaning Service	2,230.00
Locators & Supplies, Inc.	972.23	Wakonda Public Library	1,250.00
Loffler Companies	330.68	Washington National Insurance	24.45
Katterhagen, Mark	20.00	Yankton County Treasurer	100.00
McClure & Hardy Prof LCC	1,410.00	Youngberg Law, LLC	3,076.40
McLeod's Printing & Supply	215.81	Cintas	7.53
Brown, Melissa	100.00	Fast Auto Glass, Inc.	50.00
Microfilm Imaging Systems	60.00	Paylocity	356,544.86
Midstates Equipment & Supply	29,259.78	TASC (FLEX System)	3,296.63
Mutual of Omaha	9,521.81	Wellmark Blue Cross/Blue Shield	72,353.42
New Century Press	524.22		

April 28, 2026

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, regarding items in the hands of the County Treasurer as of April 1, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	7,494,152.51
Amount of actual cash:	6,964.84
Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	106,274.41
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	723.32
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,252,262.02
Cash Variation	0.00
Total	18,012,077.10

Dated this 1st of April, 2026.

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes were as follows: Jaley Reed, Legal Assistant, \$21.81/hr. effective 4/20/26, Dylan Moser, Summer Highway/Weed, \$17.00/hr. effective 4/13/26, and Jenna Cwach, Summer Highway/Weed, \$17.00/hr. effective 5/6/26.

At 10:19 a.m., Gray-Lobe moved, seconded by Gilbertson and unanimously carried to adjourn and reconvene Tuesday, May 12, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.


Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

May 4, 2026

The Board of County Commissioners met in a joint meeting with the City of Vermillion City Council Monday, May 4, 2026 at 5:30 p.m. at City Hall, 25 Center St., Vermillion, SD, for consideration of a rezoning request.

County members present: Travis Mockler, David Thiesse, Kevin Brady, and Glen Gilbertson; Gray-Lobe was absent.

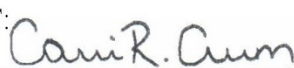
Thiesse moved, seconded by Brady and unanimously carried to approve the agenda.

Zoning Administrator Noah Westergaard and City Engineer José Dominguez gave a brief presentation during the Second Reading regarding proposed Ordinance #2026-01, an Ordinance Amending the 2012 revised Joint Zoning Regulations for Clay County and the City of Vermillion, a Request to re-zone land located at 224 N 466 Ave, Vermillion, SD from A-1: Agricultural to RR: Rural Residential, Legally Described as E 26 1/3 RDS SE1/4 SE1/4 Exc. Lots 1, 2, 3, 4 Harvest Edge Addn. 17-92-51. Thiesse moved, seconded by Brady and unanimously carried to pass and adopt the proposed Ordinance #2026-01. Roll call vote: Mockler Aye, Gilbertson Aye, Thiesse Aye, Brady Aye. Motion unanimously passed.

At 5:39 p.m., Thiesse moved, seconded by Brady and unanimously carried to adjourn the meeting.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

May 12, 2026

The Board of County Commissioners met in regular session Tuesday, May 12, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Travis Mockler, and David Thiesse; Geoffrey Gray-Lobe was absent.

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

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

Thiesse moved, seconded by Gilbertson and unanimously carried to approve the minutes of the April 28, 2026 meeting.

Treasurer Rhonda Howe spoke as a Visitor to be Heard. She said the US Postal Service has increased Priority Mail fees. In order to keep up, she is raising the fee charged to customers for Priority Express to \$36 and Priority Mail to \$14.

A public hearing and second reading was held for a proposed ordinance amending the 2013 Revised Zoning Ordinance for Clay County. Specifically, amending Article 2, Definitions; Section 2.02, Definitions; Article 3, General District Regulations; Section 3/10, Mobile Homes/Manufactured Homes; Article 4, Districts and Boundaries; Section 4.05, District Regulations Established; Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1; Agricultural District; Section 4.05.03, RR: Rural Residential District. Brady moved, seconded by Thiesse and unanimously carried to pass and adopt Ordinance #2026-02, an Ordinance Amending the 2013 Revised Zoning Ordinance for Clay County. Specifically, amending Article 2, Definitions; Section 2.02, Definitions; Article 3, General District Regulations; Section 3/10, Mobile Homes/Manufactured Homes; Article 4, Districts and Boundaries; Section 4.05, District Regulations Established; Section 4.05.01, NRC: Natural Resource Conservation District; Section 4.05.02, A-1; Agricultural District; Section 4.05.03, RR: Rural Residential District.

Weed Supervisor Corey Doherty met with the Board to present the annual Joint Powers Agreement with the SD Department of Transportation for weed spraying. Thiesse moved, seconded by Brady and unanimously carried to approve the agreement and authorize the Chairman to sign it.

Doherty asked the Board for an opinion regarding helping Charles Mix and Yankton County with spraying along the river again this year. State's Attorney Michael Smith said the topic is not on the agenda, but since it has been practice in previous years and is to the benefit of the County, it does not require official action. Doherty said it controls Salt Cedar and Purple Loosestrife.

At 9:07 a.m., Brady moved, seconded by Thiesse and unanimously carried to adjourn and convene as Clay County Ditch Board.

Highway Superintendent Brent Hays said he recommends awarding the removal and replacement of structure #14-030-180 to Pollman Excavation as they had the low bid of \$24,973, and it met

specifications. Brady moved, seconded by Thiesse and unanimously carried to award the bid to Pollman Excavation.

At 9:07 a.m., Brady moved, seconded by Thiesse and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

The Board considered a Final Payment Application and Change Order for the Streambank Stabilization Project on structure #14-125-120. It was noted that the project finished at \$99,571.34 less than the original contract. Gilbertson moved, seconded by Thiesse and unanimously carried to approve the documents and authorize the Chairman to sign them.

The Board considered a Final Payment Application for the Low Slump Dense Concrete Overlay on structure #14-103-090. It was noted that the project also came in considerably less than the original contract. Thiesse moved, seconded by Brady and unanimously carried to approve the documents and authorize the Chairman to sign them.

Hays reported he hired Nikota Smith, who is fitting in well, and he just needs to get his Commercial Driver License.

Thiesse took a moment to congratulate Sheriff Andy Howe on receiving the Community Service Award.

Howe discussed a light bar and control box that he would like to surplus and transfer to the Vermillion Police Department. It is from 2007 and has virtually no monetary value, but the City could use it on an unmarked vehicle. The light bar is a Star Signal Versa Star Model DLX3-W, serial #10R-03-7630, and the control box is a Star Signal Star Burst Split Phantom Model ULB24-DLP, serial #01580. Gilbertson moved, seconded by Thiesse and unanimously carried to declare the items surplus and authorize the transfer to the Vermillion Police Department.

Howe discussed the ATM in the jail lobby. He did not receive any responses to the RFP, not even from Chad Grunewaldt, who owned the ATM that was in the lobby but was not in use. Since then, Grunewaldt removed the machine. Howe said he called banks, and no one is interested in placing a machine there. Mockler suggested not pursuing the matter as we do not need to have one.

As an informational item, Howe reported the jail population has tripled due to housing inmates for the Dept. of Corrections. They have been more aggressive about parole violations recently, and Clay County is holding 20 inmates for them, with possibly a few more to come, at \$95/day. Howe also mentioned he is working on a contract for a medical provider who would see inmates at the jail.

Director of Equalization Lennea Olson met with the Board to discuss the relocation of her office from the basement to the second floor. Brady moved, seconded by Thiesse to pass and adopt the following Resolution #2026-11 for Establishment of Closure for Director of Equalization Office Relocation. Vote of the Board: 4 Ayes, 0 Nays. Motion passed unanimously.

RESOLUTION #2026-11
Establishment of Closure for Director of Equalization Office Relocation

WHEREAS, pursuant to SDCL 7-7-2, the Board of Clay County Commissioners may by resolution establish the hours of operation for County offices, and;

WHEREAS, the Director of Equalization Office is vacating its current space and moving to a new office space;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners hereby establishes that the Director of Equalization Office be closed on May 18-19, 2026 to move equipment and set up the new office space.

Dated this 12th day of May, 2026.

Vote of the Board: 4 Ayes, 0 Nays.

Attest:

Carri R. Crum, Clay County Auditor

Travis Mockler, Chairman
Board of Clay County Commissioners

Facilities Manager Scott Hanson and Austin Smit, Project Manager for Lloyd Construction, met with the Board. Smit said the object of today's proposal was to get Court Services moved into one office space. The proposal is to take the basement of the Auditor's Office vault and convert it to an office that is connected to the current Court Services office space. They would remove the staircase and cut a doorway into the structural wall, then finish it with electrical, lights, window blinds, paint, carpet, etc. Hanson said one of the objectives of the current court security project is to secure the north stairwell for staff only, so the current office for the Juvenile Court Services Officer is no longer accessible. This is the best fit. The other Court Services Officers do not have to move. Gilbertson said this keeps everyone else where they are at, and Lloyd Construction is already on site, so they can jump right into this project. The proposal is \$89,537, and Smit said they may be able to reduce that a bit by using carpet that the County already has in storage. Smith said the County is in compliance with bid statutes as the project is under \$100,000. In the fall, the Commission appointed a committee to work on the building improvements. The committee has been meeting. This was not part of the original RFP and was not planned at the time. The plan changed when the project was modified to make the north stairwell secure. This proposal will allow Court Services to be in one office space behind a secure door. The committee recommends proceeding with the proposal. The statute requires the Board to act at a separate meeting. Gilbertson requested a special meeting via Zoom on Thursday, May 14, 2026 at 8:30 a.m.

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

Clay County Treasurer	17,395.00	McLeod's Printing & Supply	3,089.00
SD Department of Revenue	338,880.12	Microfilm Imaging Systems	245.00
A&B Business	219.30	MidAmerican Energy	1,252.69
AgTerra Technologies, Inc.	900.00	Midwest Alarm Co., Inc.	975.12
Alternative HR	1,303.50	New Century Press	73.35
A-Ox Welding Supply	180.00	Olson's Pest Technicians	180.00
Appeara	560.85	O'Reilly Auto Parts	465.05
AT&T Mobility	56.84	Overhead Door Company	460.20
Auto Value Vermillion	109.28	Paul Ebsen	100.00

May 12, 2026

Bentson Pest Management	200.00	Pennington County Jail	254.80
Broadcaster Press & Plain Talk	508.68	Peterson, Stuart & Klentz	15,000.00
Brunick Service, Inc.	598.00	Pharmchem, Inc.	447.30
Buhl's Drycleaners and Linen	274.59	Pheasantland	160.00
Canon Financial Services	164.00	Presto-X Company, LLC	512.80
Cenex Fleet Fueling	2,633.77	Prochem Dynamics	1,236.90
CentralSquare Technologies	750.00	Qualified Presort Service, Inc.	2,257.84
Cheshe Blaine	6.00	Rasmussen Electric	936.33
Cintas	20.45	Redwood Toxicology Lab.	239.82
City of Vermillion	84.00	Amara Rowley	19.00
Clay Rural Water System	151.70	Runnings Supply, Inc.	315.19
Clay-Union Electric Coop.	786.23	Santel Communicaitons Coop.	127.00
CMoore Pit Service	125.00	SD Attorney General	852.00
Davis Pharmacy	62.20	Software Services, Inc.	2,920.00
Den Herder Law Office	202.83	Summit Food Service, LLC	8,462.71
Election Systems & Software	3,174.27	SuperCom, Inc.	136.50
Erickson Solutions Group	4,824.47	TEGRA Group, Inc.	1,000.00
Fischer's Disposal, LLC	75.00	The Lodge at Deadwood	95.00
Fox Law Firm, PLLC	109.75	The Lumberyard, LLC	65.86
Friberg, Nelson & Ask, LLP	1,274.68	Larson, Val	52.00
Graham Tire S.F. North	1,627.40	Vermillion ACE Hardware	599.60
Hauger Lawn Service, LLC	1,873.37	Vermillion Auto Works	220.00
Jack's Uniforms & Equipment	1,343.14	Vermillion Garbage Service	470.00
Jacob Bies	87.70	Voyage Federal Credit Card	313.56
Katie Johnson Law, PLLC	240.00	Wade's Drywall	9,787.70
Layne's World, Inc.	200.00	Wakonda Town	67.65
Lewno Law Office	297.48	Weinreich Plastering/Drywall	4,488.00
Lincoln County Auditor	792.09	Yankton County Treasurer	497.85
Locators & Supplies, Inc.	416.74	Yankton Janitorial Supply	132.60
Katterhagen, Mark	52.00	Jury/Witness Expense	468.00
Mart Auto Body & Marine	330.30		

At 9:32 a.m., Thiesse moved, seconded by Brady and unanimously carried to adjourn and reconvene Thursday, May 14, 2026 at 8:30 a.m. via Zoom for a special meeting, with the next regular meeting to be May 26, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

May 14, 2026

The Board of County Commissioners met in special session Thursday, May 14, 2026, at 8:30 a.m. via Zoom teleconference. Members present: Kevin Brady, Glen Gilbertson, Travis Mockler, and David Thiesse; Geoffrey Gray-Lobe was absent.

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

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

Brady moved, seconded by Thiesse to approve the proposal discussed at the May 12, 2026 meeting from Lloyd Construction to convert the Auditor's Office first floor vault space into an office to be connected to the Court Services Office. State's Attorney Michael Smith said he spoke to Court Services, and they gave every indication they were in favor of the project. All voted aye; motion passed unanimously.

At 8:33 a.m., Brady moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, May 26, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

May 26, 2026

The Board of County Commissioners met in regular session Tuesday, May 26, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

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

Brady moved, seconded by Thiesse and unanimously carried to approve the minutes of the May 4, 2026 joint meeting, the May 12, 2026 meeting, and the May 14, 2026 special meeting.

A public hearing was held for a supplement of the 2026 budget. No one appeared in opposition, and no written correspondence was received. Thiesse moved, seconded by Gilbertson to pass and adopt the following Resolution #2026-12 for Supplement of County Budget. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-12
Supplement of County Budget

WHEREAS, the County budget does not have adequate budget authority in 2026;

WHEREAS, the Board of County Commissioners have agreed to hold a public hearing on May 26, 2026 during the regular County Commission Meeting scheduled at 9:00 a.m. to supplement the 2026 Annual County Budget for building improvements, 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 2026 Annual Budget:

- General Gov't. Buildings – Improvements (10100-161-432000) - \$350,000

Dated the 26th day of May, 2026.

Commissioner Thiesse moved the adoption of the foregoing Resolution; Motion seconded by Commissioner Gilbertson.

Vote of the Commission: Mockler Aye Gray-Lobe Aye Brady Aye Thiesse Aye Gilbertson Aye

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

ATTEST:

Carri R. Crum, County Auditor

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

4-H Educator Laurie Fritsch met with the Board to present her Quarterly Activity Report.

The Board reviewed Joint Powers Solid Waste Agreement Amendment #11. There was discussion regarding concerns about the life expectancy of the landfill. Gilbertson said what Yankton is bringing over has greatly increased. Gray-Lobe moved, seconded by Brady and unanimously carried to approve the amendment and authorize the Chairman to sign it.

Highway Superintendent Brent Hays presented a Driveway Application from Scott Bryce on Bluff Rd. Between 456 and 457 Aves. There was a brief discussion about the culvert size. Thiesse moved, seconded by Gilbertson and unanimously carried to approve the application and authorize the Chairman to sign it.

The Board considered a resolution to delete a structure on 313 St. west of Saginaw Ave. from the National Bridge Inventory System for closure and removal of the structure. Brady moved, seconded by Thiesse to pass and adopt the resolution. Under discussion, Mockler said he doesn't know if the County should close this bridge yet until the Township closes the road. State's Attorney Michael Smith said it's a minimum maintenance road. There are two bridges within about 1,000 feet of each other. The other has been closed. This is a wooden structure rated at 3 tons. It is on a township road, but constructively the County would be closing 1,000 feet of township road by removing this structure. The Township Board has not started the process. The County does have the authority to do it as we own and maintain both structures. Mockler said there is no reason to keep it open, but the Township has not acted yet. Smith said it reduces liability and lowers the County's cost for maintenance and inspections. The Board could table or make a motion contingent upon the Township closing the road within a certain number of days. There was discussion regarding an acceptable timeframe. Thiesse clarified that by removing the bridge, it removes the County's liability. Gray-Lobe asked if the County could take over the road as a County road temporarily and then the County could vacate the road. Mockler said the Township has the authority to vacate the road, and it is a simple process. Hays said he spoke to the landowner. Brady rescinded his motion and moved to table the resolution until the next meeting. The motion was seconded by Thiesse and was unanimously passed.

The Board considered a Final Change Order and Payment Application for the Low Slump Dense Concrete Overlay on structure #14-103-090. It was noted that the project also came in about \$24,000 less than the original contract. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the documents and authorize the Chairman to sign them.

Attorney Seth Klentz met with the Board to present a proposal for renewal of the Public Defender Contract for the years 2027-2029. He proposed \$261,000 and said he ran the numbers multiple ways. He said the Clerk of Courts tracks numbers, the State tracks numbers, and his office tracks numbers. They were at \$180,000 this year for the contract. It is essentially \$504/file. They have been mindful not to far exceed that number. They took the 2025 number and added 10 files of growth. They are trying to be very fair. Misdemeanor court has not been moving files like they used to. Those are things for which the County doesn't get to see the savings of money. Smith said he supports everything Klentz stated. He did his own math, and Union County is over \$600/file. Yankton County is less, but he feels they are in an ebb and flow pattern and will be increasing. There is a change in scope with this proposal. They had taken off habeas and appeals. In review of the language, they cleaned it up to make it clear it doesn't cover

appeals. He discussed coverage under the contract for murder or attempted murder files. Smith said he is grateful there have not been any of those. He has reviewed it, and it is consistent with previous contracts. Mockler said on the surface it's a big number, but if the County went another route, this is still cheaper. Smith said the amount of time spent in misdemeanor court, they were going well into the afternoon with an excessive number of files. They are dealing with 10-12 different attorneys in the region. Getting into a position where they can work effectively again will help with additional staffing requests from his department. Mockler asked if they could make this work any quicker, and Klentz said he would not be able to. Gilbertson said it is clear they work well together, so he moved, seconded by Gray-Lobe and unanimously carried to approve the renewal contract as presented for the period January 1, 2027 through December 31, 2029 and authorize the Chairman to sign it.

Smith said Deputy State's Attorney Cameron Morgan resigned. Deputy State's Attorney Caitlyn Dommer has done a phenomenal job, and so he has promoted her to Chief Deputy. They had an opening with very few applicants, and he has made a decision not to move forward. He has agreed to take on a Public Pathways student from the law school on August 3rd. This is a third-year law student. She will take on a full caseload. The Dean's Certificate will allow her to practice under his supervision or Dommer's, depending upon who is in court with her. Starting a new person in the same timeframe did not make a lot of sense. He was not originally asking for compensation for the Public Pathways student. Now, he is seeing it more as a long-term job interview. He is requesting to pay the person at Grade 15, just over \$24/hour. His hope is that, if she is a good placement, they would be able to keep her on part-time and start in May 2027 full-time. Thiesse said with Morgan gone, it is well within the budget. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve paying the Public Pathways student at Grade 15 and to add the position to the County's pay scale.

Smith updated the Board that Tracy Hummel started as a Legal Assistant in his office on Friday. He said she has years of relevant experience.

Director of Equalization Lennea Olson met with the Board to discuss the hours of her office during training she and Deputy Melissa Brown are required to attend for their license. Brady moved, seconded by Gray-Lobe to pass and adopt the following Resolution #2026-13 for Establishment of Temporary Office Hours for Director of Equalization Office Training. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-13

Establishment of Temporary Office Hours for Director of Equalization Office Training

WHEREAS, pursuant to SDCL 7-7-2, the Board of Clay County Commissioners may by resolution establish the hours of operation for County offices, and;

WHEREAS, the Director of Equalization Office is attending annual training;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners hereby establishes that the Director of Equalization Office be closed on June 2nd, and have reduced hours June 3-5, 2026 to attend annual training required for licensure. Hours of operation will be 10am – 4 pm on June 3-5, 2026.

May 26, 2026

Dated this 26th day of May, 2026.

Vote of the Board: 5 Ayes, 0 Nays.

Attest:

Carri R. Crum, Clay County Auditor

Travis Mockler, Chairman
Board of Clay County Commissioners

Zoning Administrator Noah Westergaard met with the Board to discuss formation of a small workgroup. He said he discussed earlier in the year the potential formation of a small group to review the ordinance from the top down. He proposed 2 Commissioners, 2 Planning Commission Members, himself, and the State's Attorney. Gray-Lobe suggested a SECOG member. Westergaard said he plans to have SECOG review any changes. Gray-Lobe suggested public meetings. Westergaard said at first meetings would be in his office, meetings as a group, then send changes to SECOG for review, then have a public meeting for feedback, and then any changes would be referred to the Planning Commission. Smith said the Commission can appoint a working group as long as they avoid a quorum of the County Commission or Planning Commission. They would have to bring reports or recommendations to the County Commission or Planning Commission. Then that body has to delay taking action until the next meeting. There was discussion regarding appointing Thiesse and Gray-Lobe as Commissioners. Smith said they will need to create this committee by motion and then make a motion to appoint members. The item will be on the next agenda.

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

SD Attorney General	852.60	National Emg. Mgmt. Assn.	257.00
AFLAC	696.33	New Century Press	325.19
Barco Municipal Products	807.32	New York Life Insurance	258.57
Beckenbauer Construction, Inc.	22,034.80	Olson's Pest Technicians	240.00
Bob Barker Co., Inc.	1,043.40	One Office Solution	371.41
Bob's Sinclair Service	56.88	O'Reilly Auto Parts	84.10
Brunick Service, Inc.	140.00	Pressing Matters	1,031.00
Dommer, Caitlyn	140.00	Presto-X Company, LLC	98.59
Canon Financial Services	96.00	Pro Movers LLc	840.00
Crum, Carri	86.00	Prochem Dynamics	210.26
CentralSquare Technologies	12,129.73	Qualified Presort Service, Inc.	2,403.06
Century Business Products	40.50	Quill, LLC	58.94
Cintas	46.79	Ramkota Hotel - Pierre	1,128.00
City of Vermillion	5,402.78	Howe, Rhonda	34.00
Colonial Life Insurance	293.86	Runnings Supply, Inc.	886.98
Jenna Cwach	38.00	SD Department of Health	1,050.00
Swensen, Daniel	800.00	SD Retirement System	45,280.46
Davis Pharmacy	28.28	SD Supplemental Retirement	10,515.00
Erickson Solutions Group	1,262.55	SD Supp. Ret. Roth 457(b)	752.39
First Dakota Credit Card	11,536.53	SDACO - M&P Fund Payment	808.00
GeoTek Engineering	2,402.50	SFC Civil Constructors	92,443.68
Graham Tire S.F. North	552.00	Soukup Excavation Inc	24,210.63

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Guardian RFID	5.00	Summit Food Service, LLC	9,191.27
Houska Dental Clinic	416.00	The Lodge at Deadwood	1,460.00
Intoximeters, Inc.	330.50	The Soap Guys	93.60
I-State Truck Center	223.33	T-Mobile	63.00
Jensen Insurance	511.00	Trane Technologies	177.11
Katie Johnson Law, PLLC	2,610.40	Two Way Solutions, Inc.	372.50
Kennedy Pier Loftus Reynolds & Brandt, LLP	976.14	Ulteig	35,728.58
Koranda Construction LLC	2,678.58	United Way of Vermillion	230.00
Stewart, Layne	250.61	Verizon Wireless	79.44
Olson, Lennea	86.00	Vermillion ACE Hardware	304.43
Lewis & Clark Behavioral Health	675.00	Vermillion Auto Works	1,415.10
Terwilliger, Lisa	86.00	Vermillion Ford	105.74
Locators & Supplies, Inc.	57.63	Averin, Victoria	400.90
Loffler Companies	433.88	Washington National Insurance	24.45
Brown, Melissa	86.00	CorTrust Bank	16.50
Microfilm Imaging Systems	60.00	Paylocity	369,827.92
Midstates Equipment & Supply	30,092.85	TASC (FLEX System)	3,296.63
Minnehaha County Juv. Detention	10,962.42	US Bank	963,368.75
Mutual of Omaha	4,627.67	Wellmark Blue Cross	70,485.74

Brady moved, seconded by Thiesse to pass and adopt Resolution #2026-15 for Fund Transfer.
Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION # 2026-15
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 \$681,141.50 to Highway Fund (20100) and \$61,035.50 to Emergency Management Fund (22600) as levied for in the 2026 Budget.

Motion by Commissioner Brady seconded by Commissioner Thiesse.

Vote of the Board: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion carried.

Dated this 26th day of May, 2026.

ATTEST:

Travis Mockler
Board of County Commissioners
Clay County, South Dakota

Carri R. Crum, County Auditor

Thiesse moved, seconded by Gilbertson and unanimously carried to assign \$16,743.96 within the General Fund for future 911 equipment purchases.

The Board reviewed the 2nd Quarter LEMPG Matrix from the State of South Dakota.

May 26, 2026

The Board discussed June meeting dates. The next meeting will be Thursday, June 4, 2026 in order to canvass the Primary Election. Following that meeting, the next regular meeting will be June 23, 2026 unless urgent matters arise, in which case an earlier meeting will be noticed as required by statute.

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, regarding items in the hands of the County Treasurer as of May 1, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	15,909,839.40
Amount of actual cash:	3,482.68
Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	890,574.94
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	69.40
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,278,407.98
Cash Variation	0.00
Total	27,234,074.40

Dated this 1st of May, 2026.

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes were as follows: Jenna Cwach (Summer Weed & Highway) 5/7/26 \$17.00/hour, Dylan Moser (Summer Highway) 4/13/26 \$17.00/hour, Nikota Smith (Highway Department) 5/4/26 \$21.29/hour, Corbin Carda (Summer Weed & Highway) 5/11/26 \$17.00/hour, Jakeb Sullivan (Summer Weed & Highway) 5/18/26 \$17.00/hour, Jordan Wuestewald (Summer Weed & Highway) 5/18/26 \$17.00/hour, Tracy Hummel (State's Attorney Legal Assistant) 5/22/26 \$24.00/hour.

The Board took a 5-minute recess.

The Board discussed the potential passage of a .5% sales tax via Senate Bill 96, designed to be used as an owner-occupied property tax rebate. It would be January 1st before it can take effect. There was discussion regarding administration fees. Gray-Lobe said the Department of Revenue (DOR) received a lot of questions, and there have been questions whether passage of the sales tax could be automatically referred. The intent was to do that, but the language did not reflect that. It could be implemented contingent upon being passed at a referendum. The DOR estimate of impact for Clay County at .5 penny could reduce owner occupied taxes by 56%. Clay County

is one of the lowest impacted in the state. It doesn't look like there is any chance it could touch the other property taxes. Olson said they used the highest owner occupied levy in the county for that estimate, so it would affect rural residents in school districts other than Vermillion differently. Thiesse said the 56% number is skewed towards Vermillion. Forty percent of our city land doesn't pay property taxes. Gray-Lobe said it appears to be referencing specifically the county levy. He said this would exclude agricultural purchases. Sheriff Andy Howe discussed online purchases as well. Thiesse asked for opinions from the County staff present. Treasurer Rhonda Howe said she doesn't have an opinion. She thinks a tax break is great, but she is hesitant. Mockler thinks it is a good thing right now. He just wishes it was statewide instead of county by county. Thiesse believes they need to do it even though he doesn't like to do it because it is adding burden to the low income people. Forty percent of our land is not taxed but is used by probably 80% of the people who don't share the property tax burden. That is a unique issue to Clay County. Brady said the lower income bracket is paying a much higher percent of their income on goods. He doesn't feel it's our place, but now with Senate Bill 96 it is. It's a reverse Robin Hood. This is not a place he likes to be at. There is a large portion of renters in this town. Will we make up the difference in sales? How many people might shift and go to Sioux City? He said he has so many thoughts. As a landlord, he understands the plight of the renters. Thiesse said he agrees. Mockler said there are a lot of fixed income people who own their homes and would benefit. There is nothing we can ever do that is going to be perfect. Gilbertson said it seems like so often, property owners are the first to be hit with increases. He understands the issue for lower income people. Mockler said this doesn't give us any more money as a County government. Thiesse said if property taxes go down, it could spur some housing growth. Gray-Lobe said he is glad for everyone's perspectives. Senate Bill 245 also passed, so there will be a .3% sales tax increase. That could be a .8% increase, especially on groceries. He sees it as a transfer of burden. Renters will only see an increase. He struggles with fairness and yet believes property taxes are too high. He said it could make a mortgage more affordable. A lot of renters in Vermillion can only afford an apartment. Thiesse asked what our property taxes pay. The list of services such as law enforcement and emergency services was discussed, and Thiesse said the renters should pay for those services as well. This spreads it out more. Gray-Lobe said renters also pay property taxes indirectly. That is one of the core expenses covered by rent. There was discussion regarding people who come to Vermillion to purchase goods, and they also use our roads and services. Gilbertson said taxes are too high now, they were too high in the 1980's and 1960's. If you wait to be able to afford a house or a kid, you'll never have a house or a kid. At some point, you have to dig yourself out of the hole you're in to be able to afford the house or the kid. Gray-Lobe said there could be a teacher or a police officer who are doing what they need to be doing, and yet they cannot afford a house. Gilbertson said a person could buy a house, fix it up to gain equity, and work up to the next one. Westergaard said the Vermillion housing market is very skewed. Comparable houses in Sioux Falls were \$30,000 cheaper than the one he was buying here. Students should kick in a little sales tax. They use the Courts, the roads, everything. He asked if we could exempt food or SNAP, things like basic groceries. A person could go to the Goodwill or the Civic Council for clothes, but groceries are a necessity. Smith said if we implemented this, it would go into effect January 1, 2027. From an administrative perspective, how does it affect county resources? Crum and Howe said they don't know at this point. It is too early to tell. Crum, Howe, and Olson discussed how disbursement might work. Brady discussed

May 26, 2026

the situation for Irene if each county does something different. The housing market was discussed. Crum said the county property tax levy has remained fairly level over the past 30 years, so it is the housing market and inflation that are causing the increases. Gray-Lobe discussed what it would take to offset the property tax relief vs. the sales tax paid. He said there is a population that is avoiding property taxes, those who live in campus housing. He doesn't know what that is relative to the rental population. There are a lot of people who just live in Vermillion that are not in the dorms, and all they will see is more taxes. Thiesse said they are talking about fixed income people who will benefit from this. There is more than just dorm residents. There are also people who commute. There are a lot of renters who are not students. Howe said some rent because they don't want the responsibility of lawn care or home repairs. Olson said it will not affect her office, maybe some software changes. It will be mostly on the Auditor. Mockler said taxpayers also want us to do something, and unfortunately this is the easiest thing right now. Gray-Lobe suggested leaving it to the taxpayers to decide. It would give him a lot more confidence. Mockler said he thinks we should implement it and let them refer it because an election is costly. Gray-Lobe said people who are opposed that he has heard from are property owners. He discussed preference for a responsible state income tax. Crum said she came from Iowa, and she paid far more in income tax than she did in property taxes. Howe said they see non-residents who avoid state income tax by registering their vehicles here. They are very busy with those individuals. They drive to come here to avoid taxes in their own state. Westergaard said he saw a lot of 19 plates in Hawaii and New York when he lived there. Hawaii has a tourism tax. If you're not from the island, you pay more. Tourists contribute to the infrastructure like students would finally be contributing here. Gilbertson said we are surrounded by states that have income tax, and it's a bonus for us not to have it. Smith said nothing would occur until January 1, 2027, and if we were to go the route of an election, it would push the date to July 1, 2027. There was a lengthy discussion regarding how and when the funds would be applied since everything is a year behind. Gray-Lobe asked what the other Commissioners think about a potential tax rate. The consensus was it would be .5%. The matter will be placed on the June 23rd agenda.

At 11:19 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Thursday, June 4, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

June 4, 2026

The Board of County Commissioners met in regular session Thursday, June 4, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Travis Mockler, and David Thiesse; Geoffrey Gray-Lobe was absent.

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

Brady moved, seconded by Thiesse and unanimously carried to approve the agenda with the addition of approval of the Certificate of Substantial Completion from Lloyd Construction for the renovation of the old safety center and 3rd floor court areas.

Brady moved, seconded by Thiesse and unanimously carried to approve the minutes of the May 26, 2026 meeting.

The Board convened as the Canvassing Board and conducted a canvass of the returns for the June 2, 2026 Primary/Municipal/School Board Election. The returns were canvassed, and the Board signed two copies of the Canvass Certificate, one of which is mailed to the Secretary of State. County Auditor Carri Crum conducted a random drawing for the Post-Election Audit by placing papers with the precinct names on them in a bowl and having Chairwoman Smith draw from the bowl. The Southeast 2 Ward (S2) Precinct was drawn. As per statute, one statewide contest must be audited, and Governor was drawn. Statute requires the drawing of a second contest to be audited. Again, papers with the ballot contests on them were placed in a bowl, mixed up, and the District 17 State Representative race was drawn. Crum announced that the Post-Election Audit will be conducted June 16, 2026 at 9:00 a.m.

The Board discussed Resolution #2026-14, a Resolution to Delete Bridge from NBI, which had been tabled at the last meeting. State's Attorney Michael Smith said closing the bridge protects the County from liability. The Township Board needs to move forward to close the 1,000 feet of roadway, which will then allow the County to remove the structure. Highway Superintendent Brent Hays said there has been a tree fallen across the roadway for quite some time. Thiesse moved, seconded by Gilbertson to pass and adopt Resolution #2026-14. Roll call vote: Mockler Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-14
Resolution to Delete Bridge from NBI

The Clay County Board of Commissioners is in agreement with SDDOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s):

STRUCTURE ID, LOCATION and REASON FOR DELETION:

14-140-160	Approx. .7 mi. W of Saginaw Ave. on 313 St.	Structure is being closed and removed.
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The Commission is aware of the following stipulations once a structure is deleted from the NBI:

1. Federal Bridge funds will not be available for structure replacement or rehabilitation and
2. The structure will only be added to the Inventory following replacement, using County funds.

Upon receipt of this resolution, the above structure(s) will be deleted from inventory.

Vote of Commissioners: Yes 4 No 0

Dated at Vermillion, SD, this 26th day of May, 2026.

Attest:

Carri R. Crum, County Auditor

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

Weed Supervisor Corey Doherty presented a revision to the Joint Powers Agreement with the SD Dept. of Transportation for weed spraying. Brady moved, seconded by Thiesse and unanimously carried to approve the revised agreement and authorize the Chairman to sign it.

Zoning Administrator Noah Westergaard met with the Board to revisit the topic of forming a small workgroup to review the zoning ordinance. He said the Planning Commission unanimously recommends appointing Cynthia Aden to the small workgroup. The plan is to meet once a month as it allows enough time to buildup a section of the ordinance. Brady read an email from Gray-Lobe requesting the matter be tabled until June 23rd. Mockler said Gray-Lobe voiced interest in serving on the small workgroup committee. It was discussed that the same group will work on the Joint Jurisdiction Zoning Area (JJZA) as well. Smith said he would appreciate being on the committee as well because he will end up reviewing the entire ordinance anyway. Brady said he has no strong desire to be on the committee. Gilbertson said he actually would be interested. Westergaard said it will be adding things into the ordinance that were not thought of in 2013, such as definitions and businesses. Mockler said he is good with appointing Gilbertson. He can probably answer any questions about why something is the way it is. Mockler said Aden has worked on zoning longer than he has, so she will understand. Thiesse moved, seconded by Brady and unanimously carried to appoint Noah Westergaard, Glen Gilbertson, David Thiesse, Cynthia Aden, and Michael Smith to the small ordinance workgroup committee.

Treasurer Rhonda Howe met with the Board to discuss an Elderly Freeze Application she received after the deadline. The individual does qualify but must remain anonymous per statute. She asked for permission to do an abatement when tax bills are produced. Thiesse moved, seconded by Brady and unanimously carried to allow Howe to complete the abatement when the appropriate time comes.

The Board reviewed a contract with Lloyd Construction for Court Services renovations. Smith said he reviewed it, and it mirrors the previous contract with Lloyd, although it is a cost-plus project, whereas the last one was a guaranteed price. As long as we stay within the contract's scope of work, it is \$89,500. He recommended the Board sign the contract and said Lloyd Construction has dealt fairly with the County during the last project. Gilbertson said they seemed

confident they could find some cost savings. Brady moved, seconded by Thiesse and unanimously carried to approve the contract and authorize the Chairman to sign it.

The Board considered a Certificate of Substantial Completion from Lloyd Construction for the renovation of the old safety center and the third floor courts area. Smith said the committee has done final walkthroughs. Brady moved, seconded by Thiesse and unanimously carried to approve the certificate and authorize the Chairman to sign it.

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

Lamb Chevrolet	48,253.00	Microfilm Imaging Systems	1,080.00
Alternative HR	1,476.75	MidAmerican Energy	1,091.06
Appeara	443.44	Minnehaha County Auditor	245.40
Mabry, Arthur	263.96	New Century Press	664.80
Roel, Ashley	150.00	Oyen, Nicholas	339.60
Crum, Audrena	75.00	Doty, Nick	75.00
Bentson Pest Management	200.00	Hofman, Pam	150.00
Bob Barker Co., Inc.	954.27	Skorey-Solberg, Patricia	255.00
Broadcaster/Plain Talk	2,044.47	Nelsen, Peggy	324.48
Brunick Service, Inc.	270.12	Prochem Dynamics	104.14
Buhl's Drycleaners & Linen	341.98	Qualified Presort Service	27.36
Canon Financial Services	496.36	Quill, LLC	115.57
Ostrem, Carla	307.22	Oelmann, Rachel	305.75
Sanderson, Carol	255.00	Hofman, Ray	150.00
Cenex Fleet Fueling	3,975.82	Crum, Reyana	322.00
Klunder, Chloe	305.00	Ebert, Richard	293.29
Peterson, Christine	255.00	RISE Structural Associates	525.00
Aden, Cynthia	291.36	Oberle, Rodney	255.00
Dan's Drain & Duct	170.00	Runnings Supply, Inc.	874.32
Davis Pharmacy	694.23	Gregg, Sarah	75.00
Whipple, Dennis	255.00	SD Attorney General	939.25
Hodgen, Doris	285.00	Fairholm, Shannon	285.00
Election Systems/Software	1,901.61	South Dakota Sheriffs Assn.	880.00
Freidel, Hailey	255.00	Waller, Steven	255.00
Peterson, Ina	285.00	Summit Food Service, LLC	9,813.20
Mehlhaf, Jeanne	285.00	Jopling, Susan	255.00
Ashley, Jennifer	255.00	Madsen, Tamara	306.45
Freidel, Joanne	255.00	Terri Lembcke Schildhauer	1,024.00
Hall, Kacie	285.00	Goff, Thanna	30.00
Crum, Kelton	150.00	Sorensen, Thomas	255.00
Kocer, Kevin	75.00	Thompson Law Office	1,421.79
Barta, Laiken	188.00	Thompson Solutions Group	210.26
Stewart, Layne	100.00	Vermillion ACE Hardware	130.76
Olson, Linda J.	255.00	Vermillion Garbage Service	410.00
Manning, Linda	285.00	Voyage Federal Credit	23.34
Warren, Linda	255.00	Pravecek, Ethelyn (Wess)	285.00
Johnson, Lisa	285.00	Yankton Winnelson Co.	186.20
Loffler Companies	360.00	Youngberg Law, LLC	1,574.00
Winegar, Mark	30.00	Clay County Treasurer	6,518.00

June 4, 2026

Sorensen, Mary	255.00	CorTrust Bank	16.50
Fairholm, Matthew	255.00	Jury/Witness Expenses	516.60
Carlson, Michael	75.00		

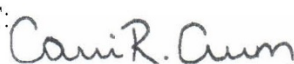
At 9:30 a.m., Brady moved, seconded by Thiesse and unanimously carried to enter an Executive Session for legal and personnel matters per SDCL 1-25-2 Subsections 1 and 3.

At 10:11 a.m., Brady moved, seconded by Thiesse and unanimously carried to exit the Executive Session.

At 10:11 a.m., Thiesse moved, seconded by Brady and unanimously carried to adjourn and reconvene Tuesday, June 23, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

June 23, 2026

The Board of County Commissioners met in regular session Tuesday, June 23, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the agenda with the addition of discussion regarding a Southeast Council of Governments (SECOG) Board alternate.

Brady moved, seconded by Thiesse and unanimously carried to approve the minutes of the June 4, 2026 meeting.

Sheriff Andy Howe met with the Board to discuss establishment of a rate for inmate transportation fees. He said they are doing a lot of transporting inmates to the doctor. He suggested \$25/hour and mileage at the State rate with a \$5 minimum. There was discussion regarding fees at other counties as well as the Dept. of Corrections. A. Howe said the County may need to reconsider daily boarding rates next year. Mockler asked if a \$5 minimum is enough. A. Howe said they charge a minimum of \$10 for civil process. He said the \$5 covers the mileage across town and back. Gray-Lobe asked about a break-even point for housing inmates and clarified it is more like \$140/night. A. Howe said that would be based on the 2027 budget, and the more inmates they have the better economy they have. Brady asked about the U.S. Marshals' rate. A. Howe said it is up for negotiations, and he is in the process now, but they have specific requirements. Mockler asked if the rate will change January 1, and A. Howe said he will likely recommend it. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the transportation fee of \$25/hour per officer and mileage at the State rate with a minimum of \$5.

A. Howe reported on a Comprehensive Opioid Stimulant Substance Use Program Grant application. He would like to pursue an employee who can work to prevent recidivism in the jail. The position is not in the 2027 budget request as he does not know if he will get the grant. The grant is \$1 million over 3 years, and the grant funds the person to manage the grant as well. The person would steer people towards opioid treatment. It would put more prescription drop boxes in the community, telehealth, partnership with the CORE Center, and he cited Narcotics Anonymous efforts as well. State's Attorney Michael Smith said it also includes support for the juvenile diversion program. Gray-Lobe said it seems like it has broad benefits, and the building has the physical space. Howe said most of the issues they have these days are addiction-based. This would give people the tools to succeed.

Highway Superintendent Brent Hays presented fuel quotes. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the low quote of \$3.219/gallon from Vollan Oil for gasoline for the Vermillion shop. Brady moved, seconded by Gilbertson and unanimously carried to approve the low quote of \$3.495/gallon from Jerry's Service for #2 diesel fuel for the

Vermillion shop. Brady moved, seconded by Thiesse and unanimously carried to approve the low quote of \$3.44/gallon from Brunick's Service for #2 diesel fuel for the Wakonda shop.

Hays reported that the County is receiving \$4,857.03 from FEMA for 2024 flooding.

Hays reported that the County has received \$67,211.83 from the State for Rural Access Infrastructure Fund Grants. Smith discussed the timeline of submission of a 5-year plan by August 31st and applications by October 31st for awarding the funds. Gray-Lobe asked if unapproved applications are still in the pile. It was stated that everyone will need to reapply. Smith said he will do a review before the next meeting. Gray-Lobe said it would be helpful to have a standard application form.

Thiesse moved, seconded by Gilbertson and unanimously carried to approve a Driveway Application from Chris Anderson at 29974 Greenfield Rd. and authorize the Chairman to sign it. Mockler asked if he is the landowner. Hays said no. Mockler said it is typically the landowner that applies. Smith suggested rescinding the motion. Brady moved, seconded by Gray-Lobe to rescind the motion. Under discussion, it was pointed out that Chris Anderson is the contractor, not the landowner. Thiesse said Anderson paid the fee. Mockler said the landowner's signature needs to be on the application. All voted aye; motion passed unanimously. Gilbertson moved, seconded by Thiesse and unanimously carried to table the application pending the owner's signature.

Auditor Carri Crum presented results of the Post-Election Audit for the 2026 Primary Election. The Governor and the District 17 State Representative races in the Southeast 2 (S2) Ward Precinct were audited by a bipartisan three-person board. After manually counting the races, the results of both races perfectly matched the election night tabulator count and County Canvass.

Smith discussed with the Board support for the Juvenile Diversion Coordinator Grant application. He said we are entering year 3 of the 3-year grant. The State is compensating \$750 per successful diversion. He said they are serving more juveniles through the program and keeping them out of things like JDC and the courtroom. His office has been pleased with the work from the Boys and Girls Club and the results the programming is providing the children. The program is funded through the end of June 2027. He said worst-case scenario, they can provide for the program with the staff they have for the second half of 2027. Smith said it is the same application the Board has reviewed the past 2 years. Gray-Lobe said he loves to see the numbers from the direct impact, but the indirect impact is a savings in the long term.

The Board discussed the 2027 budget, opt-out, and Senate Bill 96 (county sales tax). Gray-Lobe said he does not like the 2027 budget, and Crum agreed. He asked for the actual CPI and discussed his target of increasing salaries in keeping with inflation. Thiesse said it is 2.8. The Board discussed waiting until the next meeting to discuss the opt out. Mockler asked for any thoughts on Senate Bill 96. Gilbertson said he doesn't like doing it, but he thinks they have to do something for the property owners. Thiesse said the process is unfortunate, that it should be a statewide process, but the relief would be helpful. It is another burden for lower income, but everyone uses the services, so it spreads out the cost. Mockler said this is a net-zero for the County. It goes directly back to the owner-occupied property owners, and if anything is left it is

divided out between the other property classes. Gray-Lobe said there were specialists from the State at District Meeting, and he was surprised neighboring counties, especially Minnehaha County were not considering the sales tax. Brady said if we adopt this, we will go to 5%, or 7% in town. Treasurer Rhonda Howe said a few of the other counties in the district are possibly considering the tax, but they are waiting. Thiesse said the projections from the State showed Minnehaha County getting a 96% reduction in owner-occupied taxes. Gray-Lobe said on the pro side, it is valid to look closely at what the additional expense is, for example if a person spends \$100 on groceries, it would be \$.50. If a household spends \$20,000 a year, they would pay \$100 in additional sales tax. On the other hand, he has issues with the regressiveness of this tax. If you have more wealth, you have more benefit from this. The renters are getting no relief. He reached out to student housing to get numbers in an effort to figure out the impact. The student housing population is around 1,900, with 83% being freshman and sophomore. He said it used to be that the older generation was expected to help the younger generation, and now the expectation would be for the younger generation to pitch in more. It could be a substantial reduction in our levy. In light of Senate Bill 245 already giving a significant reduction in owner-occupied property taxes, he would be opposed. There was discussion regarding where the \$20,000 number came from, and Gray-Lobe said it came from a presentation by Mike Houdyshell from the SD Department of Revenue, that said homeowners will have a net benefit from this. Gilbertson said the property owners are spending the same on most stuff. Thiesse said that is the intent of this, property tax relief. Gray-Lobe said he would be more in favor if it applied to commercial as well. Mockler said for himself and other agricultural producers, this will be an added bill. The tax would be added to the 4.2% tax. Gray-Lobe and Mockler discussed the topic. There was discussion about whether it will apply to vehicles as well. Thiesse read from a source on the internet that said agricultural excise tax is fully excluded from Senate Bill 96. Smith said he would like to imagine that the Dept. of Revenue has a great understanding of what is included. Thiesse asked R. Howe what her office's feelings are on this. She said she has mixed feelings. She would like to see the taxpayers get the relief, but she would like to see how it is going to work. Thiesse found a statement from Governor Rhoden that states agriculture is excluded from Senate Bill 96. Smith discussed the timeline for implementing the sales tax and what the legislature might do if a new Governor is elected. Gray-Lobe said if we implement this July 1st, it would be collected starting January 1st, and it would be collected through the year, so the soonest property owners would see the relief in 2028. Mockler said the first year will likely be 11 months of collections because of the timing of tax bill, and then going forward it will be 12 months. The timeline for sales tax returns was discussed. Brady discussed the impact on Irene if two of the three counties do not pass the tax and one does. Gray-Lobe said this cannot be auto-referred to a vote. There is no option to just put this matter in front of the voters. He would be a lot more comfortable if it went to the voters. If the Board approves this, it would be referrable. Gray-Lobe pointed out that it is up to .5, so the Board could choose anything up to that amount. It was discussed that the first reading could be on July 30th. Thiesse moved, seconded by Gilbertson and unanimously carried to schedule a first reading on July 30th for implementation of a .5% sales tax.

Gray-Lobe discussed an alternate for the SECOG. There needs to be a quorum of appointed seats, and for the next meeting scheduled for July 8th, Gray-Lobe is not able to attend. SECOG

has asked if we have an alternate who can attend. He thought, due to confidentiality documents that need to be signed ahead of time, it might be burdensome for the Commissioners to complete the paperwork. He thought it might be more convenient for Betty Smith to fill that role as she has completed the necessary paperwork. Mockler said he thinks an alternate should be a Commissioner as they could potentially be speaking for the Board. Brady said he is unavailable that day. Thiesse said he is able to go. Gilbertson moved, seconded by Brady and unanimously carried to appoint David Thiesse as an alternate SECOG Board representative.

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

SD Department of Revenue	317,208.73	Loffler Companies	192.75
A&B Business	222.15	Lyle Signs, LLC	335.95
All Star Cleaning Services	271.81	Katterhagen, Mark	20.00
A-Ox Welding Supply	174.45	Microfilm Imaging Systems	955.00
AT&T Mobility	48.60	MidAmerican Energy	302.32
Barco Municipal Products	1,278.92	Klunder, Nicole	46.00
Broadcaster Press & Plain Talk	67.62	Olson's Pest Technicians	150.00
Brunick Service, Inc.	606.69	One Office Solution	81.05
C&R Supply, Inc.	360.70	O'Reilly Auto Parts	485.23
Century Business Products	67.60	Gelynn Passmore	60.00
Cintas	135.24	Pharmchem, Inc.	159.75
City of Vermillion	7,237.02	Pressing Matters	4,373.00
Clay Rural Water System	181.30	Presto-X Company, LLC	270.09
Clay-Union Electric Cooperative	778.98	Prochem Dynamics	55.51
CMoore Pit Service	150.00	Qualified Presort Service, Inc.	4,178.22
Dakota PC Warehouse	219.97	Rasmussen Electric	685.41
Dockendorf Equipment, Inc.	873.85	Riverside Hydraulics & Labs	252.18
Election Systems & Software, Inc.	1,405.23	Runnings Supply, Inc.	214.56
Erickson Solutions Group	1,378.00	Santel Communicaitons Coop.	125.00
FedEx	23.89	Gregg, Sarah	46.00
First Dakota Credit Card	14,636.13	SD Department of Health	365.00
Fischer's Disposal, LLC	75.00	SDACO - M&P Fund Payment	272.00
Fox Law Firm, PLLC	126.00	Security Shredding Service	120.00
Friberg, Nelson & Ask, LLP	1,024.80	Sign Solutions USA, LLC	411.02
Laurie Fritsch	307.63	Software Services, Inc.	875.00
GeoTek Engineering & Testing	1,662.50	SE South Dakota Tourism	540.00
Graham Tire S.F. North	6,638.28	Summit Food Service, LLC	10,090.58
Grainger	43.74	TASC (FLEX System)	1,647.00
Alicia Haglund	46.00	TEGRA Group, Inc.	1,000.00
Hy-Vee, Inc.	209.05	Terri Lembcke Schildhauer	526.00
Jerry's Chevrolet Buick GMC	2,386.25	TranSource Truck & Equipment	4,241.80
Jerry's Service	24,465.00	Ulteig	19,105.49
John Deere Financial	70.27	Larson, Val	20.00
Johnson Feed, Inc.	303.05	Vermillion ACE Hardware	102.28
Loren Johnson	15.80	Vermillion Garbage Service	60.00
Kennedy Pier Loftus Reynolds & Brandt	8,134.99	Vollan Oil	5,768.45
Knife River South Dakota	923.42	Wakonda Town	74.65
L.G. Everist, Inc.	15,364.92	Weinreich Plastering	3,566.00
Lewno Law Office	234.74	Grant Wunder	1,488.40

Lincoln County Auditor	140.83	Yankton County Treasurer	50.00
Lloyd Construction Company	241,254.72	Yankton Medical Clinic, PC	730.63
Locators & Supplies, Inc.	136.57		

Gray-Lobe moved, seconded by Brady and unanimously carried to table the topic of the 2026 Employee Handbook update.

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, regarding items in the hands of the County Treasurer as of June 1, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	7,953,299.29
Amount of actual cash:	3,019.41
Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	890,574.94
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	69.40
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,303,705.97
Cash Variation	0.00
Total	19,302,369.01

Dated this 1st of June, 2026.

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes were as follows: Spencer Rabbass was hired as a part-time jailer effective 6/3/26 at \$23.47/hour.

At 10:25 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to enter an Executive Session for legal matters per SDCL 1-25-2 Subsection 3.

At 11:32 a.m., Gray-Lobe moved, seconded by Brady and unanimously carried to exit the Executive Session.

At 11:33 a.m., Gray-Lobe moved, seconded by Brady and unanimously carried to adjourn and reconvene Tuesday, July 7, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.

FILED in the Clay County Auditor's Office
July 7, 2026
Carri R. Crum, Clay County Auditor

June 23, 2026

A handwritten signature in black ink, appearing to read 'Travis Mockler', written over a horizontal line.

Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

July 7, 2026

The Board of County Commissioners met in regular session Tuesday, July 7, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

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

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the minutes of the June 23, 2026 meeting.

A public hearing was held for the Highway Department's 5-Year Plan. Brad Stangohr from Ulteig was present and explained that once a year they prepare a 5-year plan to submit to the SD Department of Transportation (SDDOT). It is required for bridge improvement and replacement grants. There was no one from the public in attendance and no written correspondence received. Thiesse moved, seconded by Brady and unanimously carried to close the public hearing. Thiesse moved, seconded by Gray-Lobe and unanimously carried to adopt the plan. Stangohr said they will be applying for some grants. One is a structure rehabilitation, with the application due January 1. They are working on a couple of applications for the Commissioners. Upon discussion that the plan is adopted via resolution, Thiesse moved, seconded by Gilbertson and unanimously carried to rescind the motion to adopt the plan. Thiesse moved, seconded by Gilbertson to pass and adopt Resolution #2026-16, a Resolution Adopting the Clay County Five-Year Highway and Bridge Improvement Plan. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

Resolution #2026-16

A Resolution Adopting the Clay County Five-Year Highway and Bridge Improvement Plan

WHEREAS, the South Dakota Department of Transportation Local Bridge and Improvement Grant Fund requires that in order to be eligible to apply for Bridge Improvement Grant funds, counties are required to develop a five-year Highway and Bridge Improvement Plan, hereinafter referred to as Plan; and

WHEREAS, Clay County has utilized the South Dakota Department of Transportation, County staff, Ulteig, Townships, and the general public in developing the various components of the Plan; and

WHEREAS, the Plan includes maps and lists identifying an inventory of highways and bridges, project needs, and revenue sources; and

WHEREAS, Clay County held a public meeting on July 7, 2026 to solicit input into the Plan, and the no citizens attended, nor was any written correspondence received regarding the Plan; and

WHEREAS, the County will be able to use the Plan as a tool to budget for transportation enhancements and better coordinate transportation issues with other entities;

NOW, THEREFORE BE IT RESOLVED, by the Clay County Board of County Commissioners that the Clay County Five-Year Highway and Bridge Improvement Plan is hereby adopted and is recognized as the Highway and Bridge Improvement Plan for Clay County.

Dated at Vermillion, South Dakota this 7th day of July, 2026.

Attest:

Clay County Auditor

Chairman
Board of Clay County Commissioners

A public hearing was held for the First Reading of Proposed Ordinance to Rezone Land Located at Approx. 46970 SD 50, Burbank, and Legally Described as Tracts 4, 5, and 6 of Lot A, S1/2 of the NE1/4 of Sec. 13, T92N, R51W of the 5th P.M., Clay County, SD, from A-1: Agricultural to C-1: Commercial. Zoning Administrator Noah Westergaard explained that the land was replatted, but zoning doesn't extend when you replat, so they need to rezone it. Gilbertson clarified that Tract 4 is currently commercial. Thiesse said the parcels that are C-1s are commercial and the A-1 is Ag, and it is for Seiner's Electric and Irrigation. Westergaard said they are a growing business trying to go through the right steps. It is along Highway 50. Thiesse moved, seconded by Gilbertson to advance the proposed ordinance to a Second Reading. Under discussion, Westergaard said he has not heard any concerns from neighbors. All voted aye; motion passed unanimously.

Emergency Management Director Layne Stewart met with the Board regarding the Pre-Disaster Mitigation Plan update. Every 5 years it has to be updated. It will be mostly paid for by a grant. SE Council of Governments (SECOG) charges \$20,000 to handle the update. The County's 25% grant match can be in-kind. Last time, he doesn't think the County paid anything after in-kind matches. Gray-Lobe moved, seconded by Brady and unanimously carried to approve and authorize the appropriate signatures.

Jim Peterson of the Vermillion Chamber & Development Co. was present for a Data Center presentation. Mockler told the audience there is no data center being proposed today. Peterson said he is giving this presentation to other community groups as well. He gave his email address in case anyone would like a copy of the presentation, and he covered what it means to store data in the cloud, the types of data centers, etc. Electricity is a limiting factor, as is water and noise. As newer technology comes in, they use less water. He discussed how to regulate data centers. There is a new state law in effect July 1st regulating data centers. There are ordinances at the County and City levels as well. Ordinances involve public hearings. The governing bodies have to approve them. Gray-Lobe said the process is conditional use (CUP). Peterson discussed utility services for our half of the state. There are now closed loop systems for water. Noise regulation, land use, infrastructure cost (state law said the company has to pay it), and whether they employ enough people are all concerns to be considered. He discussed the benefits for communities and said other states give incentives, but our state does not. There is property tax revenue and sales tax revenue from equipment. There is also electricity tax. There is some community involvement

as it sometimes involves grid enhancements. The companies are paying to improve infrastructure (water, sewer, roads). Other smaller businesses come to the area to support it. Data centers create less jobs than manufacturing, but they are usually higher paying jobs. Peterson said he is just trying to get people to think about it.

There was a question from the audience inquiring whether Peterson has talked to the energy company. Peterson said he has talked to East River. He would also need to talk to the natural gas supplier. The audience member, who did not state her name, said she has heard there is an enormous impact on the water situation. She worked for Excel energy years ago and is familiar with brownouts and blackouts. Peterson said the utility companies would have to determine their capacity. Water companies and the State would need to review it. Modern systems for data centers are closed loops for water usage. His understanding is they cannot build without consulting appropriate service providers and the State.

Suzanne Skyrn commented she has heard there are not any closed loop systems in operation and asked if that is future technology. Peterson said his understanding is there are closed loop systems and cited West Virginia and Scott Data Center in Omaha, across from the University of Omaha, which has been around 20-plus years. Mockler said the Planning Commission has been working on the ordinance. They would only allow closed loop systems, if they allow data centers. Westergaard said a lot of research went into water, electricity, noise, and what other states are allowing. The closed loop system is most efficient. The proposed ordinance is only allowing closed loop systems. The State already put in place regulations as well. Clay-Union Electric said they would have to dig their own trench line separate from the rest of the county.

Gray-Lobe asked for details on Senate Bill 127. He is not clear on the protections. Westergaard said the intention is to prevent the common users' electric bill to increase. The electric provider cannot pass the burden of excess energy or construction on to the customers. Thiesse said it is all utilities, not just electric. Westergaard said Clay Rural Water would appreciate upgrading infrastructure as we are a growing county. State's Attorney Michael Smith said his understanding is there is no criminal violation with SB127. It would involve the Public Utilities Commission and a potential lawsuit.

Westergaard said another concern is noise. After much discussion of the Planning Commission, one main takeaway is to add a maximum noise level to the ordinance. During the day, they have proposed 55 decibels, or dB (normal conversation). They proposed 40 dB (library levels) at night. This would be measured at the property line. Gray-Lobe said he liked what was included. There are oftentimes ordinances that are many, many pages long with prescriptive rules on noise and such, more than we have the capacity for. In the draft, dBa includes filters designed to mimic the human hearing. In most zoning ordinances, that is what is appropriate. He has read several things pointing to dBb being important as well because it could have an affect on human and animal health and behavior. He cited livestock production in the county. He would like the Planning Commission to look into that. Westergaard asked Gray-Lobe to send him the

information. Thiesse asked if he has found research that these facilities produce that type of noise. Gray-Lobe said he will share it with the Commissioners. Westergaard said the draft ordinance is fairly restrictive. A data center would have to have landscaping. Everything is also screened in except next to heavy industrial, such as berms with trees, for visual appeal as well. There are small and large data centers contemplated in land use. Commercial and Light Industrial prohibits large centers. He discussed CUP process. There are not too many places in the county for it. Thiesse said we don't have an ordinance, so that is why we are asking questions and researching. This is an important thing to get the horse in front of the cart. Westergaard said he is trying to be more proactive for the county. We can be more restrictive than what the state requires. Thiesse said the Planning Commission has addressed some of the concerns, such as noise and water. Data centers are capable of using non-potable water. Westergaard said it is like a gaming computer, where the water is recirculated through the pipes. Brady said a few of the county officials got to tour Scott Data Center. It was an impressive experience. He was of a negative opinion and came out more optimistic. It made a huge difference to be able to see it. Thiesse said it is on a college campus across from a Hilton hotel, and you really couldn't tell it was there. Generators were indoors. Gray-Lobe said some build their own power. Ordinances should separate that out. Thiesse said it is not a power plant. It is the backup system for the data center itself if the grid goes down. They guarantee their customers that they will not lose service. There are two separate grids coming in as well as generators for backup at the Scott Data Center. It only powers them if the grid goes down. Gray-Lobe discussed capacity to generate or store power in battery banks. Those are separate things than the data center's daily use. Thiesse said they do not provide power to the grid. It is all within one building. Gray-Lobe said he thinks an ordinance should have prescriptive rules. Thiesse said we have generators in facilities around here, the hospital, County, medical school, etc. We do not regulate them. Gray-Lobe said his concerns are questions of scale. There are data centers that use as much power as Sioux Falls. The one in Omaha is just across the line from what he would consider a large data center. Different regulations are appropriate for different scales. Thiesse said the fuel storage and exhaust already regulated at the state and federal levels. He doesn't understand what Gray-Lobe would like to see. Gray-Lobe said noise, air pollution, and spills should be regulated. Mockler said those are already regulated by the state and federal governments.

Glen Pulse said he is not anti-data center, but going forward, the most important thing is transparency with the public. Regarding the decibel level, there is already a complaint out on Meckling Rd. for an irrigation system. There are companies shopping around to see where they can best fit in the least regulatory spot. He wants to make sure Clay County is not a dumping ground and has protections in place for the local population. There is a big push to overthrow SB127. He asked the Board to put in protections at the local level in case SB127 is watered down at the state level. Nationwide, they are scaling down mega centers to fit the ordinance and installing multiple in one county. He wants to make sure we are protected as a county. Pulse also discussed noise that affects wildlife and livestock. He said it affects fertility, agitation level, livestock weight gain, etc. When a center comes in, it will affect property values of adjoining

landowners and asked if a system is in place that his property taxes will be adjusted accordingly with the negative affect on his property value. Thiesse said that is why they are here and why they are researching decibels. He would like to see the research if Pulse could share it. They also have different regulations for different sizes. They will now allow people to put a data center in a storage container and such things. Some people are actually putting them in storage containers with no sound insulation.

Brady said he has been contacted already about this. One concern was reclamation. If they leave, the constituent asked what safeguards we have in place for an empty building just sitting there. The other concern was his own, and the potential for a ½-cent sales tax. If we do approve this, a ½-cent sales tax might bite us if neighboring counties don't have it. He is unhappy that the state put that burden on counties, but that is where we are at. He asked, will it hurt us in the long run?

Jo Swanson said she understands closed loop systems require a lot more energy than an open loop. There will still be leakage, so it is not like everything is contained. There will be trade-offs such as energy usage. Mockler said the company would be paying that energy bill. Swanson discussed differences in closed loop systems. She asked what the lifespan is of a data center. Peterson said 20-30 years, but the inside computers will be upgraded as technology changes. The structure will remain the same. Swanson said she has heard companies are trying to claim the equipment is personal property that can be moved around. Will it really generate a lot of tax revenue, or is it just a shell of a building? Mockler said it will not decrease the property tax. Swanson said, as a state, we are working at reducing real property taxes. If we reduce those, where will the revenue come from? She and Mockler discussed energy usage for cooling the water vs. pumping it out of the ground every day. Peterson said water usage would be questioned when a company brings a proposal. One may never come; the Commission is just trying to set an ordinance. Thiesse said the data centers often just own the building, and they lease out the space to other companies. The individual companies who lease the space set their own equipment up. Peterson said there are different types of data centers. He discussed property tax and sales tax on equipment purchases. Some states have a sales tax incentive, but South Dakota does not.

Veda Church asked if any thought has been given to what size of center might come to the area. Mockler said they have only seen one data center in person, around 20 megawatts, and Peterson said it was around 110,000 sq. ft. Gray-Lobe said it seems appropriate to have the size distinction as well as the megawatt usage. The megawatt usage should be considered for future usage. V. Church said noise has been addressed, but the vibration should be considered. Peterson said he looks at everything as an opportunity. Clay County should be ready if a situation arises. We need to ask the right questions if it does. Gray-Lobe asked if the current position of the VCDC is that most problems would be mitigated by a CUP. Peterson said he would need to go back to the Board with that as they have not taken a position. He is presenting Thursday, July 16th at the library as well.

Jeffrey Church said he has heard of data centers requiring Non-Disclosure Agreements (NDA). Those would prevent sharing of what the company plans to use for resources. Where do we address that in our ordinance? An NDA eliminates transparency. Peterson said there are times he is asked to have an NDA. In his own personal opinion, he believes that sometimes an NDA is necessary to prevent competitors from knowing a company is trying to come to an area. J. Church said he is not talking about NDAs for who goes where. He said when the company shares the news that are building here, they need to make sure information on energy, water, noise, etc. is transparent. Gilbertson said if they did make that decision, the company would be coming to the Commission, City Council, or rural electric, and when they do that, it is public information. Thiesse said they do not think that is even an issue. Gilbertson said they would be talking to the company in a public meeting. Brady said it would break open meeting laws if they did not. Gilbertson said it would be part of the permitting process, which is also public. Pulse said there might be a little confusion in the audience because the VCDC is not a government agency. Gray-Lobe said the County Commission does have one appointed seat on the VCDC board. One of the things you do as a VCDC board member is sign some confidentiality agreements. There could be instances where a Commissioner became aware and potentially prohibited from sharing. Pulse said it operates as a separate entity, so there is a line there. He also discussed eminent domain and asked for the County's position. The Board said eminent domain is not for private use. It would be illegal. Mockler said eminent domain was discussed for the law enforcement center project when considering expanding on the current courthouse site, and he said he would not take people's houses. Thiesse said he is not a fan of eminent of domain. Brady agreed. Gray-Lobe said there are other things eminent domain can be used for, and he does not think it would be appropriate to use eminent domain in this instance.

Pulse discussed electrical rates and demand usage. His concern would be priority use of electric. Farms cannot be starved of electricity when the data center needs it. Thiesse said that would be a reason for backup generators. Thiesse asked Matt Fairholm if the City is working on a data center ordinance. Fairholm said the City's Planning Commission is not currently working on one. Gray-Lobe asked Westergaard if he is aware of any uses that a data center would fit within. Westergaard said no, not at this time. Mockler said if it is not addressed in the ordinance, it is not allowed. Westergaard said if he disallowed something, they could appeal it to the Commission who could then also say no.

Westergaard voiced appreciation for public input both at the Planning Commission and County Commission levels. There will also be a public notice in the newspapers. Gray-Lobe asked if the draft will be scheduled for a first reading, or will work be done to address some concerns. Westergaard said they will have a first reading, and if the Board wants to make changes, they can send it back to the Planning Commission. Gray-Lobe asked for a timeline. Westergaard said they can hold off for a first reading as a couple of the Commissioners have upcoming vacations. He said his office is always open for any public concerns. It was decided that August will be an appropriate timeline.

Gray-Lobe discussed making Planning Commission agendas, minutes, and meeting recordings more accessible to the public. He said he requested it be on the agenda. He talked to Westergaard, and right now, we have a good process for the Planning Commission, backwards looking. Meetings are open, and notices are posted, as well as a Zoom option for attendance. Meetings have been recorded recently. He is requesting that videos be posted on the County YouTube page and minutes be posted on the website. The Auditor has a good system for County Commission minutes on the website, and he thinks with as much interest as there is with the data center issue it would be good. Westergaard said he looked at 12 other counties, and they have new websites. His page is already pretty lengthy. He gets calls from people who cannot find things on the website, and he guides them to scrolling down the page. He has been trying not to bog down the website. Yankton County doesn't post the minutes. They post the videos. Westergaard and Auditor Carri Crum voiced frustration regarding the aging website and lack of functionality. Crum advised the Board that it will be a costly investment, but it will be a necessary upgrade by 2028 due to federal ADA requirements. Director of Equalization Lennea Olson said she thinks minutes and such items would have to be clearly broken down by which Board they relate to. There was a lengthy discussion regarding the website and necessary upgrades due the ADA changes. Crum said she has done research on other counties' sites and found that the cost could be \$6,000-\$12,000 annually for a website company that would allow for the kind of functionality they are discussing. It was decided that no changes will be made to the Planning Commission until a new website is developed since that is required in the near future.

Highway Superintendent Brent Hays met with the Board for his 2027 budget request. He discussed the Meckling oil from Timber Rd. to Highway 50. He budgeted for micro-surfacing, but if he had a new paver, he could do a skim surface over it. It would save \$550,000 if he did not do the micro-surfacing. The cost of the paver and the micro-surfacing were both included in his budget request. The cost of the paver is \$600,000, so Mockler said it would almost be a wash. Gilbertson discussed paver model feature differences. Gray-Lobe discussed price fluctuation. Mockler wondered if it would be a better deal to order it in November since there will not be a lot of paving at that time. Gray-Lobe asked about the professional services & fees budget line. He said there was a lot of fluctuation over the years. Hays said he considered this year's expenditures and discussed diesel price increases. Crum said there has been some reclassification of expense types within professional services & fees and supplies & materials.

The Board discussed the Rural Access Infrastructure Fund Grant. Smith referred to the process by law and discussed prompting the township boards to submit their documentation. Gray-Lobe discussed making it easy as possible and having a uniform form. It was discussed that Crum will send out a copy of the handbook and a letter with the deadlines.

The Board considered a Driveway Application that had been tabled at the last meeting for Phyllis Lundberg at approximately 29974 Greenfield Rd. Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve the application and authorize the Chairman to sign it.

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve a Right-of-Way Application from Clay-Union Electric on 304 St., Sec. 5, T94, R51 and authorize the Chairman to sign it.

At 11:19 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board.

Hays presented an invoice for culverts. He said the main one is installed already. It should be done tomorrow. Gilbertson said he looked the other night, and they are close. Gray-Lobe moved, seconded by Brady and unanimously carried to approve the invoice.

At 11:30 a.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

The Board took a 5-minute recess.

Olson met with the Board for her 2027 budget request.

Register of Deeds Lisa Terwilliger met with the Board for her 2027 budget request.

Smith met with the Board for his 2027 budget request. He discussed staffing needs and costs for his office.

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

Armstrong, Aaron	180.00	Midwest Alarm Co., Inc.	14,445.50
AFLAC	696.33	Minnehaha Co. Juv. Detention	2,882.00
Alternative HR	1,113.75	Mutual of Omaha	4,817.96
Paulsen, Andrew	180.00	New Century Press	397.11
Howe, Andy	180.00	New York Life Insurance	258.57
Appeara	465.70	O'Connor Company	748.79
AT&T Mobility	37.85	Olson's Pest Technicians	90.00
Auto Value Vermillion	3.49	One Office Solution	81.22
Avera McKennan Hospital	234.34	O'Reilly Auto Parts	33.91
Kalie Barcklay	60.00	Johnson, Patrick	86.20
Barco Municipal Products	2,507.16	Pederson, Paul	180.00
Rozmus Balyor	60.00	Pennington County Jail	254.80
Dawn Beatty	180.00	Peterson, Stuart & Klentz	15,000.00
Tanner Biel	60.00	Pharmchem, Inc.	1,151.34
Bierschbach Equipment	296.06	Pheasantland	432.20
Bob Barker Co., Inc.	332.98	Ashley Pinkelman	60.00
Bob's Sinclair Service	21.24	Julie Plaatje	60.00
Aidan Boyd	60.00	Presto-X Company, LLC	171.50
Broadcaster& Plain Talk	672.48	Pro Movers LLc	700.00
Brunick Service, Inc.	9,180.96	Prochem Dynamics	4,615.66
Budget Blinds of Sioux Falls	459.00	Qualified Presort Service, Inc.	112.70

Buhl's Drycleaners	256.30	Dual Rainwater	60.00
Justin Burge	60.00	Ramkota Hotel - Pierre	336.00
Butler Machinery Co.	68,452.43	RDO Equipment	3,190.90
C&R Supply, Inc.	311.14	Runnings Supply, Inc.	249.85
Austin Campbell	180.00	Church, Ryan	60.00
Canon Financial Services	450.27	Sanitation Products, Inc.	398.94
Cenex Fleet Fueling	3,139.12	Santel Comm.	127.00
Cintas	50.88	Miller, Sarah	60.00
City of Vermillion	19.50	Tyler Schuck	60.00
Clay County Abstract & Title	254.88	SD Attorney General	997.50
Colonial Life Insurance	293.86	SD Retirement System	47,103.84
Dakota PC Warehouse	1,099.99	SD Supplemental Retirement	10,590.00
Styles, David	60.00	SD Supp. Ret. Roth 457(b)	773.71
Davis Pharmacy	331.12	Kymala, Shannon	180.00
Tanner Smith-Dennehey	60.00	Isabela Spulak	60.00
Erickson Solutions Group	1,262.55	Summit Food Service, LLC	9,604.81
Fast Auto Glass, Inc.	1,247.72	SuperCom, Inc.	377.00
FedEx	66.62	Thompson Law Office	640.50
Colton Fries	60.00	Thomson Reuters West	374.70
Sullivan, Gage	680.00	T-Mobile	31.50
William Gilbertson	60.00	TranSource Truck & Equipment	1,799.26
Hauger Lawn Service, LLC	398.25	Transwest Trucks of Sioux Falls	1,435.98
Horn Law Office LLC	237.90	Tyler Technologies	504.50
Myien House	60.00	United Way of Vermillion	230.00
Savannah Huber	60.00	Verizon Wireless	79.44
I-State Truck Center	113.67	Vermillion ACE Hardware	342.25
Anders, Jeffrey	180.00	Vermillion Ford	164.54
Christopherson, Kaleb	180.00	Vermillion Garbage Service	470.00
Kennedy Pier Loftus Reynolds & Brandt	1,833.54	Vermillion Rural Fire	2.70
Knife River South Dakota	4,208.40	Vollan Oil	4,119.75
Koletzky Implement, Inc.	222.89	Voyage Fed. Credit Union Card	1,176.56
Huber, Kyle	180.00	Washington National Insurance	24.45
Layne's World, Inc.	636.41	Patrick Whitehead	60.00
Light and Siren	4,837.00	Yankton County Treasurer	50.00
Loffler Companies	423.71	Paylocity	375,888.06
Lyle Signs, LLC	1,285.12	TASC (FLEX System)	3,396.63
Darin Maassen	60.00	Wellmark	74,199.98
Microfilm Imaging Systems	1,020.00	Jury/Witness Expenses	628.60
MidAmerican Energy	1,316.16		

Smith said the topic of the Employee Handbook update needs to be moved to a future meeting as he and Crum are still working on language.

July 7, 2026

The Board discussed the 2027 budget and any potential for an opt-out as well as future meeting dates because the opt-out deadline is July 15th. Gray-Lobe discussed the current CPI vs. pay raises. Crum said the canvass of the runoff election has to be July 30th. The Board discussed with Smith their compliance with open meetings laws regarding emails and how Crum should best distribute an adjusted budget to the Board, then determine whether to call a special meeting prior to July 15th. It was decided the upcoming meetings will be scheduled for July 21, July 30, and August 18, unless a special meeting is needed regarding an opt-out. It was determined that decision will be made by tomorrow, and if a meeting is called, noticed will be posted accordingly. The every-other week meeting schedule will resume as per normal after August 18th.

At 11:54 a.m., Brady moved, seconded by Gilbertson and unanimously carried to adjourn and reconvene Tuesday, July 21, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

July 20, 2026

The Board of County Commissioners met in a joint meeting with the City of Vermillion City Council Monday, July 20, 2026 at 5:30 p.m. at City Hall, 25 Center St., Vermillion, SD.

County members present: Travis Mockler, Kevin Brady, and Glen Gilbertson; Geoffrey Gray-Lobe and David Thiesse were absent.

Brady moved, seconded by Gilbertson and unanimously carried to approve the agenda.

Zoning Administrator Noah Westergaard and City Engineer José Dominguez gave a brief presentation during the First Reading for an application for rezoning and Amendment to the Ordinance for the Joint Jurisdiction Zoning Area by rezoning land located approximately 1 mile west of Vermillion city limits on the north side of Timber Rd. from A-1: Agricultural to LI: Light Industrial and legally described as Tract 2, Grunewaldt Addition, in the SW1/4 of the NW1/4 of Section 15, T92N, R52W of the 5th P.M., Clay County, SD. They said the land is approximately 1 mile west of city limits, and the request is for storage units. The applicant requested HI: Heavy Industrial, but the Planning Commissions recommend LI: Light Industrial. Mockler posed questions regarding the change to LI: Light Industrial. The City Attorney said if the property owner agreed to the change, then it is appropriate to proceed. Kirk Sorenson was present and said he does not want to look at that across from his house. He voiced concern about the loss of Holmes Welding as a landmark. There was discussion that neighboring properties are zoned Agricultural. The City Council voted to deny the rezoning request. Gilbertson moved, seconded by Brady and unanimously carried to deny the rezoning request.

Zoning Administrator Noah Westergaard and City Engineer José Dominguez gave a brief presentation regarding the First Reading for an Amendment to the Ordinance for the Joint Jurisdiction Zoning Area, Chapter 2, Districts and Boundaries and Chapter 2.01, Boundaries of Joint Jurisdiction. Westergaard said the County's Planning Commission recommends passage. Dominguez said the City's Planning Commission had a slightly different recommendation. The boundary was agreed upon, but the verbiage in Subsection C was different. The recommendation was to strike the word "preferred" to "shall." The City Council voted to approve the amended wording. Mockler clarified, in Section C at the bottom, they are reading whatever acreage is annexed is what is removed. Westergaard discussed what happens when section lines or roads do not line up. Gilbertson discussed flexibility. Brady moved, seconded by Gilbertson and unanimously carried to adopt the County Planning Commission's recommendation. There was discussion regarding whether it is a substantial change and that the bodies will need to work it out. Mockler said, based on past practice, if the bodies do not agree, the matter dies. The proposed ordinance was sent back to the Planning Commissions for further consideration.

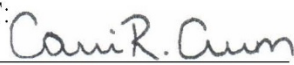
At 6:03 p.m., Brady moved, seconded by Gilbertson and unanimously carried to adjourn the meeting.

FILED in the Clay County Auditor's Office
July 30, 2026
Carri R. Crum, Clay County Auditor

July 20, 2026

A handwritten signature in black ink, appearing to read 'Travis Mockler', written over a horizontal line.

Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 
Carri R. Crum, County Auditor

July 21, 2026

The Board of County Commissioners met in regular session Tuesday, July 21, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Travis Mockler, and David Thiesse (via Zoom); Geoffrey Gray-Lobe was absent.

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

Brady moved, seconded by Gilbertson and unanimously carried to approve the agenda.

Brady moved, seconded by Gilbertson and unanimously carried to approve the minutes of the July 7, 2026 meeting.

A public hearing was held for the Second Reading of Proposed Ordinance to Rezone Land Located at Approx. 46970 SD 50, Burbank, and Legally Described as Tracts 4, 5, and 6 of Lot A, S1/2 of the NE1/4 of Sec. 13, T92N, R51W of the 5th P.M., Clay County, SD, from A-1: Agricultural to C-1: Commercial. Zoning Administrator Noah Westergaard explained that the land was replatted, but zoning doesn't extend when you replat, so they need to rezone it. Gilbertson clarified that Tract 4 is currently commercial. Thiesse said the parcels that are C-1s are commercial and the A-1 is Ag, and it is for Seiner's Electric and Irrigation. Westergaard said they are a growing business trying to go through the right steps. It is along Highway 50. Gilbertson moved, seconded by Brady to pass and adopt Ordinance #2026-03, an Ordinance Amending Ordinance #2013-04 (Updated with Amendments Through #2017-01) by Rezoning Certain Property. Roll call vote: Mockler Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

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

Stewart discussed with the Board his 2027 budget request.

Weed Supervisor Corey Doherty met with the Board for his 2027 budget request.

Highway Superintendent Brent Hays met with the Board. Brady moved, seconded by Gilbertson to pass and adopt Resolution #2026-17 for 2027 Bridge Improvement Grant/Local Federal Bridge PE Programs Resolution Authorizing Submission of Applications. Roll call vote: Mockler Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

Resolution #2026-17

2027 Bridge Improvement Grant/Local Federal Bridge PE Programs Resolution Authorizing Submission of Applications

WHEREAS, Clay County wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant and/or Local Federal Bridge Programs:

July 21, 2026

STRUCTURE NUMBER(S) AND LOCATION(S):

14-088-160, 313 St, 0.8 miles North and 3.8 miles East of Meckling over Clay Creek.

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 20.00% match on the Bridge Improvement Grant funds and 100% of ineligible expenses, and/or the applicable match as noted below • on the Local Federal Bridge funds and 100% of non-participating expenses;

and WHEREAS, Clay County hereby authorizes the Bridge Improvement Grant and Local Federal Bridge 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 and/or Local Federal Bridge application(s).

Vote of the Commisioners: Yes 4 No 0

Dated at Vermillion, SD, this 21st day of July, 2026.

ATTEST:

County Auditor

Chairman

NOTES

◀ Not applicable for: Cities applying for a Bridge Improvement Grant or Local Fed Only applications (mark as NA).

Minimum required for Bridge Improvement Grant is 20%; must match percent shown on application.

• Local Federal Match requirement; non-federal aid routes = 0%; federal aid routes = 18;05%

***After receiving a grant award, the county and SDDOT will enterinto a grant agreement within 30 calendar days of Transportation Commission award. Failure to sign a grant agreement may result in the Transportation Commission reallocating available grant funds to another eligible applicant within the associated grant cycle.*

2027 BIG PE / Fed PE Appl Page 2 of 4

Brady moved, seconded by Gilbertson to pass and adopt Resolution #2026-18, a Resolution to Delete Bridge from NBI. Roll call vote: Mockler Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-18
Resolution to Delete Bridge from NBI

The Clay County Board of Commissioners is in agreement with SDDOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s):

STRUCTURE ID, LOCATION and REASON FOR DELETION:

July 21, 2026

14-030-180

18S & 3E of Irene, SD

Structure has been replaced with
CMP that no longer meet NBIS
length requirements.

The Commission is aware of the following stipulations once a structure is deleted from the NBI:

1. Federal Bridge funds will not be available for structure replacement or rehabilitation and
2. The structure will only be added to the Inventory following replacement, using County funds.

Upon receipt of this resolution, the above structure(s) will be deleted from inventory.

Vote of Commissioners: Yes 4 No 0

Dated at Vermillion, SD, this 21st day of July, 2026.

Attest:

Carri R. Crum, County Auditor

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

Brady moved, seconded by Gilbertson and unanimously carried to approve a Driveway Application from Tyler Johnson at 46142 308 St. and authorize the Chairman to sign it.

Hays reported on the preconstruction meeting for the Frog Creek project. He said they will start late August or early September.

Hays said he will be hiring as an employee who was on military leave will not be returning to employment with Clay County.

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

Hays presented an invoice for culvert bands. Gilbertson moved, seconded by Brady and unanimously carried to approve the invoice.

At 9:13 a.m., Brady moved, seconded by Gilbertson and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Sheriff Andy Howe met with the Board to present the inmate boarding contract with the US Marshal Service. State's Attorney Michael Smith reviewed the contract. It includes the \$95 daily rate and transportation fees. It is a 3-year contract. Howe thinks this will help keep the jail numbers up. Brady moved, seconded Gilbertson and unanimously carried to approve the contract and authorize the Chairman to sign it.

Howe discussed with the Board his 2027 budget requests. There was a discussion regarding staffing needs and contracts for maintenance of the new facility.

Facilities Manager Scott Hanson met with the Board for his 2027 budget request. There was a lengthy discussion about building improvements and costs. He also presented estimates for moving the Register of Deeds Office and creating offices/conference spaces for the Public Defender and court appointed attorneys to meet with their clients. Register of Deeds Lisa Terwilliger discussed the need to better control the climate in her vault for records preservation. Hanson said he could act as the general contractor to save money. It was decided he would do some further research on cost options.

The Board took a 5-minute recess.

4-H Educator Laurie Fritsch met with the Board for her 2027 budget request.

Smith discussed a draft burn ban ordinance. He has worked with Stewart, Howe, and Vermillion Fire/EMS Chief Matt Callahan regarding language in the ordinance. It started with 5 pages, and he has condensed it to 3 pages. Smith discussed each section of the draft and said he wanted to brief the Commissioners prior to bringing it to a first reading and public hearing. Mockler asked where fine money goes, and Smith said it is allocated according to state law. Brady moved, seconded by Gilbertson and unanimously carried to schedule a first reading and public hearing for August 18, 2026. Mockler clarified the County does still have a burn ban ordinance in place if it is needed prior to passage of the new ordinance.

Veterans Service Officer and Zoning Administrator Noah Westergaard met with the Board for his 2027 budget request. He said the cost for permitting software would be prohibitive, so he will continue with his current procedure for permitting.

Westergaard presented an idea for a contest for a new county seal design. He said, after the previous website discussion, he started to think about the seal. He proposed a contest, open to art submissions from residents and students of varying ages, and a poll that Clay County residents could vote on. He discussed a similar competition when he was in the military. Howe said it could be used on a flag. Smith discussed the usage for identification for employees going out into the field, such as the Director of Equalization. Auditor Carri Crum said, with the focus on arts in the community and the county, it is a neat idea. It was the consensus of the Board that Westergaard proceed with the contest.

Treasurer Rhonda Howe met with the Board for her 2027 budget request.

Crum discussed with the Board her 2027 budget request. She said the budgeting software presented by Lincoln County would be great to have, but it is cost-prohibitive at this time.

Brady moved, seconded by Gilbertson to pass and adopt Resolution #2026-19 for Auditor Outstanding Checks Cancellation. Roll call vote: Mockler Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-19
Auditor Outstanding Checks Cancellation

July 21, 2026

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

NOW THEREFORE BE IT RESOLVED, that the Board of Clay County Commissioners hereby authorize the cancellation of checks and warrants of record, in the Clay County Auditor's Office that have not been presented for payment within the one (1) year of the date of the said checks or warrants, for \$2,642.00 in Auditor'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 21st day of July, 2026, at Vermillion, South Dakota.

Commissioner Brady moved for the adoption of the foregoing resolution, motion seconded by Commissioner Gilbertson.

Vote of Commission: Ayes 4 Nays 0.

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

Board of County Commissioners
Clay County, South Dakota

Attest:

Travis Mockler, Chairman

Carri R. Crum, County Auditor

Brady moved, seconded by Gilbertson and unanimously carried to adopt the 2027 provisional budget and authorize it be advertised accordingly.

Brady moved, seconded by Gilbertson and unanimously carried to approve the following claims for payment.

Clay County Treasurer	9,503.00	Microfilm Imaging Systems	60.00
SD Department of Revenue	393,688.37	MidAmerican Energy	21.14
A&B Business	219.50	Midwest Alarm Co., Inc.	45,641.62
A-Ox Welding Supply	180.00	Motorola Solutions, Inc.	3,120.00
Avera Behavioral Health Hopsital	759.36	New Century Press	57.33
Avera McKennan Hospital	11,101.28	Northern Safety & Industrial	251.29
Bob Barker Co., Inc.	167.24	Northern Tool & Equipment	99.99
Brunick Service, Inc.	434.90	O'Reilly Auto Parts	17.99
Canon Financial Services	164.00	Pharmchem, Inc.	319.50
Century Business Products	53.19	Platte County Sheriff	25.00
Cintas	88.51	Pressing Matters	101.00
City of Vermillion	189.02	Prochem Dynamics	847.42
Clay County Highway Department	8,088.20	Qualified Presort Service, Inc.	3,025.97
Clay County Historical Society	500.00	RDO Equipment	525.00
Clay Rural Water System	234.40	Reassurance Solutions	24,600.00
Clay-Union Electric Cooperative	775.95	Riverside Hydraulics & Labs, Inc.	113.73

CMoore Pit Service	150.00	Runnings Supply, Inc.	334.47
Crafco, Inc.	2,878.20	SD Assn. of Co. Commissioners	6,531.00
Dakota PC Warehouse	49.99	SD Department of Health	600.00
Davis Pharmacy	580.97	SD Department of Transportation	2,525.21
De Castro Law Office, PLLC	7,072.80	SD Executive Mgmt. Finance	11.04
Dean Schaefer Court Reporting	162.00	SD Secretary of State	30.00
Gapp, Debra	9,990.00	SDACO - M&P Fund Payment	394.00
Whipple, Dennis	35.45	Software Services, Inc.	1,350.00
Fischer's Disposal, LLC	75.00	Summit Food Service, LLC	9,715.16
Flags Unlimited	665.00	The Village Family Service Center	2,178.00
Hy-Vee, Inc.	114.92	Thompson Solutions Group	18,338.00
Peterson, Ina	32.79	Transwest Trucks of Sioux Falls	596.84
Intoximeters, Inc.	1,260.00	Two Way Solutions, Inc.	645.99
I-State Truck Center	1,029.69	Ulteig	6,100.00
Billings, John	6,039.00	US Bank	650.00
John Deere Financial	121.42	Larson, Val	60.00
Katie Johnson Law, PLLC	3,448.20	Vermillion ACE Hardware	243.47
Kennedy Pier Loftus Reynolds & Brandt	925.07	Wakonda Town	62.65
Knife River South Dakota	48,630.66	Pravecsek, Ethelyn (Wess)	32.93
Stewart, Layne	74.00	Grant Wunder	2,562.00
Layne's World, Inc.	476.35	Yankton County Treasurer	438.05
Lewis & Clark Behavioral Health	480.00	Yankton Winnelson Company	203.62
Lewno Law Office	457.48	Youngberg Law, LLC	1,459.60
Lincoln County Auditor	1,535.45	CorTrust Bank	4.00
Loffler Companies	82.65	SD Department of Revenue	10.11
Katterhagen, Mark	60.00		

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, regarding items in the hands of the County Treasurer as of July 1, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	7,683,675.85
Amount of actual cash:	1,574.72
Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	890,574.94
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	69.40
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,329,682.48
Cash Variation	0.00
Total	<u>19,057,277.39</u>

July 21, 2026

Dated this 1st of July, 2026.

Carri R. Crum, County Auditor

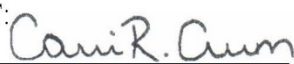
Recent payroll changes to be reported in the minutes were as follows: Lisa Utech was hired as a Director of Equalization Clerk effective 7/13/26 at \$20.24/hour.

At 11:47 a.m., Brady moved, seconded by Gilbertson and unanimously carried to adjourn and reconvene Thursday, July 30, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:


Carri R. Crum, County Auditor

July 30, 2026

The Board of County Commissioners met in regular session Thursday, July 30, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, and Travis Mockler; David Thiesse was absent.

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

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

Brady moved, seconded by Gilbertson and unanimously carried to approve the minutes of the July 20, 2026 joint meeting with the City of Vermillion City Council and the July 21, 2026 meeting.

A public hearing was held for the first reading of proposed Ordinance #2026-05, an Ordinance Imposing a County Gross Receipts Tax and a Use Tax for Clay County, South Dakota. State's Attorney Michael Smith explained that a citizen pointed out they felt like the notice did not provide enough information regarding time and place. Smith feels like the County is in compliance and referred to the statutes. The information was unintentionally omitted from the notice, and in the interest of maximizing transparency, he recommended the Commission table the topic and republish for a first reading on August 18, 2026. If the Commission chooses to move forward, or if they table the matter, they can allow the public to speak. Gray-Lobe said he saw the email chain and was a little surprised at the findings under the law and would suggest addressing changes to state law. If it were to pass both readings, Gray-Lobe clarified, the soonest it would be implemented is January 1, 2027. He asked if the County would still meet that deadline. Smith said he had a conversation with the SD Dept. of Revenue, and it is still possible to meet the deadline. Gray-Lobe asked, if it is referred by the voters, would there still be time to have it on the November ballot? Auditor Carri Crum said she would need to review the election calendar, but she does not believe it would meet the deadlines to have the measure on the ballot even if the first reading were to be held today; it would be a special election either way. Gray-Lobe said he would be interested in allowing the public to comment today and then table the matter. Gray-Lobe moved, seconded by Brady and unanimously carried to table the matter until the next meeting. Gilbertson moved, seconded by Gray-Lobe to schedule the first reading for August 18th. Under discussion, the group further considered the timeline. Gilbertson moved to rescind his motion, seconded by Gray-Lobe and carried. Gilbertson moved, seconded by Gray-Lobe to schedule a first reading for August 18, 2026 and a second reading at a special meeting scheduled for August 25, 2026. The vote was 3 ayes and one nay, with Brady being the nay vote.

The Board convened as the Canvassing Board and conducted a canvass of the returns for the Ly 28, 2026 Republican Runoff Election. The returns were canvassed. Brady moved, seconded by Gray-Lobe and unanimously carried to approve the results as canvassed. The Board signed the Canvass Certificate, to be mailed to the Secretary of State.

At 9:27 a.m., Brady moved, seconded by Gray-Lobe and unanimously carried to adjourn and convene as Clay County Ditch Board.

Weed Supervisor Corey Doherty asked for approval of an estimate for spraying on the Yankton-Clay Ditch in the amount of \$14,954.40. Gray-Lobe moved, seconded by Brady to approve the estimate. Under discussion, Gilbertson asked if the spraying would be done using a drone, and Doherty said yes. All voted aye; motion passed unanimously.

At 9:28 a.m., Brady moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene as Board of Clay County Commissioners.

Sheriff Andy Howe presented an inmate boarding contract with Charles Mix County. Gray-Lobe moved, seconded by Brady and unanimously carried to approve the contract and authorize the Chairman and A. Howe to sign it. Gray-Lobe noted the standard rate is \$95/day now, but the contract that was previously signed with the U.S. Marshal Service is a 3-year contract. He asked if 2027 will be a \$95 rate. A. Howe said he is not uncomfortable with the contract rate, but the \$95 rate is set in statute for the Dept. of Corrections. That will be considered in the next legislative session, and the contract can be amended. He discussed the other counties that the jail houses inmates for on a regular basis.

Brady moved, seconded by Gray-Lobe and unanimously carried to approve a Certificate of Substantial completion from Lloyd Construction for the Court Services office expansion and authorize the Chairman to sign it.

Treasurer Rhonda Howe met with the Board to discuss two Elderly Freeze Applications she received after the deadline. The individuals do qualify but must remain anonymous per statute. She asked for approval of the applications. Gray-Lobe clarified it is retroactive. R. Howe said the application is only good within the year. She discussed that it is the assessed value of the property when a person turns 65. Gray-Lobe moved, seconded by Brady and unanimously carried to approve the applications.

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

AFLAC	696.33	Oyen, Nicholas	286.50
Moore, Anna	225.00	Olson's Pest Technicians	85.00
Mabry, Arthur	229.48	One Office Solution	156.72
Roel, Ashley	175.00	Hofman, Pam	175.00
Avera Behavioral Health Hosp.	575.10	Skorey-Solberg, Patricia	225.00
Beresford Rural Fire	4,717.31	Nelsen, Peggy	290.07
Brunick Service, Inc.	130.00	Pressing Matters	75.00
Canon Financial Services	614.27	Presto-X Company, LLC	98.59
Ostrem, Carla	257.27	Prochem Dynamics	903.35
Sanderson, Carol	225.00	Qualified Presort Service, Inc.	133.38
Catalis Tax & CAMA	28,620.00	Quality Motors	210.44
Centerville Rural Fire	3,321.53	Quill, LLC	72.18
CentralSquare Technologies	28,742.04	Hofman, Ray	175.00
Klunder, Chloe	305.00	Ebert, Rejeana	260.00

Peterson, Christine	225.00	Reliance Telephone	20.00
City of Vermillion	86,476.02	Crum, Reyana	201.88
Colonial Life Insurance	293.86	RISE Structural Associates	300.00
Aden, Cynthia	241.10	Oberle, Rodney	225.00
Whipple, Dennis	230.90	Runnings Supply, Inc.	7.47
Hodgen, Doris	255.00	SD Retirement System	45,794.32
Election Systems & Software	939.76	SD Supplemental Retirement	11,090.00
Erickson Solutions Group	1,265.05	SD Supp. Ret. Roth 457(b)	799.63
First Dakota Credit Card	26,676.13	SDAAO	900.00
Fox Law Firm, PLLC	207.61	Security Shredding Service	80.00
Fraternal Order of Eagles	850.00	Fairholm, Shannon	255.00
Gayville Rural Fire	2,876.35	Waller, Steven	225.00
Hy-Vee, Inc.	61.46	Summit Food Service, LLC	9,327.37
Peterson, Ina	255.00	Jopling, Susan	225.00
Irene Rural Fire	1,614.04	Madsen, Tamara	255.73
Ashley, Jennifer	225.00	Terri Lembcke Schildhauer	701.00
Freidel, Joanne	225.00	The Soap Guys	104.00
Johnsen Heating & Cooling	633.10	Sorensen, Thomas	225.00
Hall, Kacie	255.00	T-Mobile	31.50
Oyen, Kari	225.00	Trane Technologies	824.50
Crum, Kelton	200.00	Two Way Solutions, Inc.	7,324.71
O'Kelley, Kevin	225.00	United Way of Vermillion	230.00
Barta, Laiken	183.13	Larson, Val	24.00
Manning, Linda	255.00	Vermillion ACE Hardware	42.94
Warren, Linda	225.00	Vermillion Ford	85.11
Johnson, Lisa	255.00	Vermillion Rural Fire	91,732.68
Loffler Companies	263.41	Volin Rural Fire	734.37
Katterhagen, Mark	24.00	Voyage Credit Union Card	199.05
Sorensen, Mary	255.00	Wakonda Rural Fire	8,382.68
Fairholm, Matthew	225.00	Washington National Insurance	24.45
Carlson, Michael	75.00	Pravecek, Ethelyn (Wess)	255.00
Midwest Alarm Co., Inc.	840.00	Paylocity	373,786.52
Mutual of Omaha	4,798.51	TASC (FLEX System)	3,396.63
New Century Press	31.93	Wellmark of South Dakota	73,271.42
New York Life Insurance	258.57		

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

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Itemized list of checks/drafts in Treasurer's possession over 3 days:	

July 30, 2026

Checks returned and not deposited	69.40
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,329,682.48
Cash Variation	0.00
Total	<u>19,057,277.39</u>

Dated this 1st of July, 2026.

Carri R. Crum, County Auditor

Recent payroll changes to be reported in the minutes were as follows: Kennedy Masuen was hired as a Public Pathways Law School Student Intern effective 8/3/26 at \$24.64/hour.

At 9:25 a.m., Brady moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, August 18, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor

August 18, 2026

The Board of County Commissioners met in regular session Tuesday, August 18, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

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

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the minutes of the July 30, 2026 meeting.

Members Todd Christensen, Scott Jepsen, and Bob Fallan of the Clay County Soil Conservation District were present for a 2027 funding request. Christensen explained the conservation district is a legal subdivision of state government. They work with the Natural Resources Conservation Service. The conservation district formerly received funding from the County, but the funding was cut a few years ago when the County had to make budget cuts. They provide grass drilling, filter strips, and tree planting to citizens. Their truck's transmission went out, costing them \$5,000. In previous years, equipment dealers would let them use a tractor, but they no longer do that, so rental is around \$5,000. Christensen said they are requesting \$10,000 for 2027. Gray-Lobe asked if any of their work benefits flood damage and watersheds. Christensen said they do filter strips and trees. Gilbertson asked if they have received money through farm bills. Christensen said no, not through the USDA.

Dr. Thomas Stanage from Lewis & Clark Behavioral Health Services met with the Board for the 2027 budget request. He said this is his 32nd year meeting with the Board. They have been trying to develop crisis care services for the past 10 years, and now they have a facility with 14 beds. It can be used for treatment of mental health, suicide attempts, substance use issues such as psychosis and withdrawal, including alcohol use. Law enforcement can bring individuals to them for care. There are only 1% of individuals they have to refer to Avera Sacred Heart Hospital. They saw 181 individuals last year. Of those, 61 received residential crisis care. Seventy percent of individuals go home, not to a higher level of care. Historically, the counties pay the pre-commitment costs, and with this there is no cost to counties. Stanage said it is a minimum \$1,000 savings per individual, law enforcement involvement costs, and potential ICU costs. They requested a 3% increase over 2026 for 2027. Gray-Lobe said he spends a lot of time thinking about the bills they do have to pay, but it's nice to hear the savings.

Barb Ballensky from Southeast Public Transit met with the Board for the 2027 budget request. They transport individuals to medical appointments and provide the safe ride service to reduce DUI arrests. Nearly 2/3 of their riders are low income. She discussed rising operating costs. Ballensky requested \$10,000 for 2027.

A public hearing was held for the first reading of proposed Ordinance #2026-05, an Ordinance Imposing a County Gross Receipts Tax and a Use Tax for Clay County, South Dakota. Mockler said the ordinance would create a .5% sales and use tax. Mockler opened the floor to public comment.

Austin Brunick, a resident of Elk Point and candidate for District 17 House of Representatives, opposed the ordinance. He said it will affect the least affluent. Clay County has a 19.3% poverty rate. This is higher than the state and national average. He would love property tax relief, but he said he is vehemently opposed to that relief coming at the expense of people who are already struggling. Clay County will not make enough money to make up for the property tax relief. He asked, will they cut public services or school budgets? It is not right for Clay County when there is already an affordability crisis. Mockler questioned what he meant by the tax not making enough money to make up for the property tax relief, and Brunick apologized and said he was thinking of another piece of legislation.

Caitlyn Collier said she is on her 4th house in Vermillion. She has lived here 50 years. She worked as a law clerk and a lobbyist. The median property tax in Clay County in 2024 was \$2,937 with an effective tax rate of 1.13%. She said that's pretty low. The current state and local sales tax burden is 6.11%. During the legislative session, some legislators noted this action is a redistribution that takes money from those with the least ability to pay it and gives it to those who can most afford it. Home values have gone up, and her property taxes doubled. Her sister in Fayetteville, AR lives in a house valued close to \$1 million pays a lot less. The reason for the huge increase in her property taxes is not the increase in home value, but it is because the citizens made a decision to build a law enforcement center and jail. Those in the Vermillion School District voted to build a new elementary school. That has to be taken into consideration. The ordinance is not a fix. The money would apply as a credit to the property tax bills. 51.8% of Clay County residents are homeowners. 19.3% of Clay County residents live below the poverty level. She discussed the rental market and said people are not able to qualify for mortgages, in part due to property taxes. This ordinance will not touch the payments on the jail or elementary school. Senate Bill 96 was targeted relief and was meant to be for counties with high tourism. She said we are not Sturgis, Sioux Falls, or the Black Hills. This law was never meant to be for one of the smallest counties in the state with one of the highest levels of poverty.

Leslie Gerrish spoke in opposition to the ordinance. She said the common feeling between her and the Commission is that the legislature doesn't give us enough flexibility to provide relief. The people who will be affected are the people using Tanager Takeout, the people using the backpack program, the people whose kids need shoes. They are our neighbors. Small businesses will have to raise their prices because of this. Students will need to pay more. She asked, why are we burdening them when the richest people are going to get the raise? The most vulnerable

people are the ones who will be affected. She thinks the Board will pass this, and it will go to referendum. She said the people in our community who will be most affected are not lazy.

Robert Gmeiner said a lot of homeowners are not rich and could use the relief. He teaches public finance. This is a gross receipts tax, and he said there are dangers with that. This will also affect businesses. Many businesses run on tight margins. It will result in increased prices. He is skeptical that property taxes will see any material change.

Ray Ring said he taught economics for 33 years. He is also a former state legislator for 8 years, with his last session being in 2020. South Dakota Searchlight has written an article about what a bad idea this is. This is a regressive tax. It means taxes as a percent of income are higher for lower income people. South Dakota has the 6th most regressive tax structure in the country. He discussed taxes on food, clothing, residential utilities, commercial utilities, and some services other states do not tax. Ring said our sales tax rate is low, but our total tax is very high. The property tax effective rate puts us 19th in the country. South Dakota's effective residential property rates are slightly higher than other states but are about equal to surrounding states. South Dakota has a comprehensive tax base on consumers but also businesses. We tax many business purchases that most other states do not. Studies find that about 40% of South Dakota's sales tax base is business. It will put a greater tax burden on businesses that are considering whether to come to our state or that are considering neighboring counties who do not have this tax. It will discourage businesses who are considering Clay County. There are a lot of poor people here. We have one of the highest poverty rates in the state, probably in the country. He thinks it would only reduce the property tax by about 10%.

Jerry Wilson said people are here because of the actions and inactions of state legislature. Our tax structure is regressive. We have no corporate income tax in South Dakota. We are one of two states who enable foreign entities to be shielded from taxation. Buying food for kids is no longer a necessity but a privilege. The ordinance seems contradictory. He knows that stretching tax dollars to meet obligations is never easy. He discussed a previous move to tax alcohol sales. His property taxes go up each year because of the general increase in property valuation. He does not support reducing his property taxes to raise the sales tax. The people who pay an increased sales tax in Clay County would be students and low income families, not out of state motorcyclists like in Meade County.

Eileen Thournir said everybody is suffering right now, in one way or another. For some, even their adult children are trying to make ends meet. When it comes down to it, she hopes the Commissioners use their heart to vote on this. Humans can change their minds. Maybe some statistics and facts others have presented will resonate with the Commission. She has only been living here four years, and she moved from Denver. She came here to find a community that works together and helps one another. She cited meals on wheels, United Way, the food pantry, and said the student population is amazing here. She loves Vermillion, and she loves the rural community. One thing to consider is people who are on a budget; she has seen the quality of the

food diminish in people's grocery carts. She watches grocery carts and has seen more processed food going into them. The cost of producing food is going up, and the prices go up. It diminishes the growth and health of children, who are the future generations.

Susanne Skyrn said she does not mind paying property taxes if it means not burdening someone else who cannot afford it. She said she also did not see the notice and agenda until Monday. Auditor Carri Crum explained it only has to be posted 24 hours in advance by statute, although usually she tries to get it posted Friday. The public hearing notice was also published in the newspapers.

Director of Equalization Lennea Olson said her office is not concerned with taxes. She does property values, and that's it. The only taxes she has a hand in is her annual budget request. She is not looking at properties to raise more taxes. She is only making sure people have an equal part of the pie. Property taxes have been the #1 issue for legislature the past couple of years. People saying they are ok with property taxes is not what the legislature has been hearing. Olson said legislator Chris Kassin says there are only 3 ways to lower taxes: 1) decrease budgets, which also decreases resources, 2) grow your tax base with industry, homes, new businesses, which stretches the need of public resources and infrastructure, and 3) find an alternative source of revenue, and legislators decided this was the easiest route. The funds from the sales tax would not increase the county budget. It reduces the owner-occupied tax bill first. Her role as Director of Equalization is to be unbiased. She pointed out that in the city limits, 40% of land mass is tax exempt. That's land mass, not property value. When you look at land mass north of Vermillion like Masaba, that's a huge difference in taxable value for the same land mass. South Dakota's second industry is tourism. Tourism taxes are higher. She said she does not have any more voice as a department head than the public does. Whichever way the Commission votes, she told the people in attendance, talk to the legislators (begin now), and shop local.

Shelley Sykes discussed RV residents who license their vehicles here because it is cheaper. She is mystified that the government has not levied that possibility. It is not being utilized, and it could be.

Mockler asked for discussion from the Board. He said the SD Department of Revenue sent out a guesstimate from 2025, and they estimate a 56% reduction in owner-occupied property taxes for Clay County. They are estimating Minnehaha County at a 96% reduction. Gmeiner asked if it is for the entire bill. Mockler said it is based on the Vermillion School District. Gray-Lobe said the state does not collect data on breaking down sales tax by county. Mockler said the number is by the Vermillion School District. He and Gray-Lobe discussed Minnehaha County. Mockler said his concern is that we are close enough to Minnehaha County, and people drive from Sioux Falls to Vermillion for work. How many will move here and build homes? There is more than just sales tax to consider. Ray Ring discussed how the state might have come up with their estimates and said statewide data is the lazy way to come up with the data because every county is

different. He came up with about \$6 million. He thinks the 56% number from the state is questionable at best.

Kathleen Kavanaugh asked if increasing tax on 19% of the population below poverty level is the best way to lower property tax.

Brady said he called the SD Dept. of Revenue yesterday. He discussed the counties that are enacting the tax, and most of them are tourist destinations. Gray-Lobe said they are generally not a body that likes to get out in front of things, pass things quickly, and make mistakes. The rate is entirely up to the Board, anything up to .5%. This ordinance would be the full .5% and would go into effect January 1st next year. In context of all the comments made today, he said, there is an additional sales tax increase passed by the legislature. The .3% will not go back into the general fund. It will be going into a pool to reduce owner-occupied school levies. There is already a sales tax increase that will reduce owner-occupied property taxes, and it factors into his decision. It is important to remember that everybody will pay the same additional sales tax rate, and that money will go into a pot that will be allocated to a certain pool of people. Someone with a \$5 million property will get more relief than someone with a \$200,000 property.

Austin Brunick added that the top 1% of earners in South Dakota pay an annual percentage of their income, about 2.4%. That is the lowest rate in the nation. They will see the biggest benefit. We are making the top 1%, who already pay the lowest percentage in the nation, pay even less. The lowest earners pay the 16th highest in the nation.

Thiesse said there are a lot of good points made today, but they are missing an element. He spent 20 years as the Director of Vermillion Housing and Redevelopment, which is low-income housing. He knows the low-income population. There is a high rate of poverty in the county. Yet no one is talking about the middle-income people, which encompasses most of us. This property tax reduction can mean the difference between buying a house or keeping a house to keep a family's kids sheltered. He feels that two ends have been discussed, but the middle-income people have not been discussed.

Gray-Lobe said he was surprised by some of the statistics shared by Ray Ring. He was surprised we are 5th in the country for per capita receipts of sales taxes. That makes him less interested in raising sales taxes. Being 29th in the nation shifted his perspective. He believes this is not the right tax at the right time for us. He said Thiesse makes a good point, that this could lower the barrier to home ownership for some. He discussed Mockler's point that capital is very mobile for developers. Gray-Lobe moved to deny the ordinance, seconded by Brady. Roll call vote: Mockler Nay, Gray-Lobe Aye, Brady Aye, Thiesse Nay, Gilbertson Nay. Motion failed. Thiesse moved, seconded by Gilbertson to move the proposed Ordinance #2026-05, an Ordinance Imposing a County Gross Receipts Tax and a Use Tax for Clay County, South Dakota, to a second reading. Mockler Aye, Gray-Lobe Nay, Brady Nay, Thiesse Aye, Gilbertson Aye. Motion passed. Mockler announced to those in attendance that the second reading will be August 25, 2026 at a 9:00 a.m. meeting.

The Board took a short recess.

A public hearing was held for the first reading of proposed Ordinance #2026-06, an Ordinance Authorizing the Declaration of Fire Danger Emergencies and Regulating Open Burning Throughout Unincorporated Clay County. State's Attorney Michael Smith said this was a move by the Commission to rework the current ordinance. The National Weather Service's red flag warning was implemented in the current ordinance. What he is trying to do is make the ordinance cleaner for enforcement and prosecution purposes. Ultimately, this is a continuation of the red flag or fire weather watch status. Whenever we are in one of those statuses, open burning is not allowed. It permits the Emergency Management Director or the Commission to declare a local fire danger emergency for up to 10 days. The Commission can rescind or extend it. It also defines open burning. For example, cooking appliances like grills are excluded. If the county is not in a burn ban, it is still required to report open burning to the 911 Communications Center's local non-emergency line. A penalty is a Class 2 Misdemeanor, or essentially a \$132 fine. Brady pointed out a typo in the ordinance. Mockler clarified that burning in a burn barrel with a proper cover is allowed. Smith said it is allowed as long as there is not a burn ban in effect. In a burn ban, the only fire permitted outdoors is a cooking appliance such as a grill. The Commission may exempt specific activities, locations, or facilities from the burn ban. Gray-Lobe commended the officials who worked on the ordinance: Smith, Sheriff Andy Howe, Emergency Management Director Layne Stewart, and Vermillion Fire/EMS Chief Matt Callahan. Mockler asked for public comment, and there was none. Brady moved, seconded by Gilbertson to advance proposed Ordinance #2026-06, an Ordinance Authorizing the Declaration of Fire Danger Emergencies and Regulating Open Burning Throughout Unincorporated Clay County, to a second reading. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Mockler announced to those in attendance that the second reading will be August 25, 2026 at a 9:00 a.m. meeting.

A public hearing was held for the first reading of proposed Ordinance #2026-07 for an Amendment to Article 2, Definitions; Section 2.02, Definitions; Article 3, General District Regulations; Article 4, Districts And Boundaries; Section 4.05, District Regulations Established; Section 4.05.05, C-1 Commercial District; Section 4.05.06, I-1: Light Industrial District; And Section 4.05.07, I-2: General Industrial District. Mockler said this is regarding data centers.

Zoning Administrator Noah Westergaard said his position is to research and write rules for new businesses. He was asked to get ahead of any data centers. He clarified he has not received any requests for a data center coming to Clay County. During his research, he worked with Southeast Council of Governments and other organizations throughout the U.S., including touring Scott data center in Omaha. His view is that data centers such as the one in Omaha are good. More research has come out on bitcoin and cryptocurrency mining data centers. He cannot, in good conscience, allow constant vibration, lower water pressure, brownouts, etc., in Clay County. Gilbertson asked what size he is discussing with vibration, and Westergaard said that is a 100-megawatt center. The information comes from El Paso, TX and near Cheyenne, WY. Westergaard

said a facility like the Scott data center in Omaha could be a benefit to the community. He recommends the commission hold off on the ordinance until he can add language regarding definitions of hyper-scale and cryptocurrency mining facilities and water language similar to the city's ordinance language. He also does not recommend adding deactivation provisions. Gray-Lobe said decommissioning is in the solar ordinance. Westergaard said a solar farm is not a structure. Mockler asked Gray-Lobe if he is discussing tearing down a building as decommissioning. Gray-Lobe discussed what could happen if something were partially built, and then they stop. Westergaard said if one of the size allowed in the proposed ordinance were to come in, it would be a good site for other large retail buildings. Thiesse said if we limit the hyper-scale facilities, they will not have a huge building. Gray-Lobe clarified Westergaard is proposing a permanent moratorium on hyper-scale facilities. Westergaard said that is correct; he cannot recommend that for Clay County. He would also like to change definitions for the megawatt sizes (0-20 megawatts small, anything from 20.1-50 megawatts large would be a conditional use only in heavy industrial district). The only possible places would be the landfill or Lewis & Clark Rural Water. Smith said moratoriums are temporary by state law. Westergaard said he wants to add language that prohibits hyper-scale. Mockler said he would like to be open to having a conversation about it if a company were to be interested. He said when you do prohibit something, you also raise a black flag to other interested businesses. Gray-Lobe said his impression is that data centers are outside of that conversation with other businesses. Westergaard said they could add language that it is a Commission vote, so it would require another 3 public meetings. Thiesse said that makes sense because the way technology changes, the current concerns may be addressed in redesigns and technology improvements. It is all conditional use. Westergaard confirmed data centers will all be conditional use. Gray-Lobe asked other Commissioners if they have had a single conversation with a single person who would support a hyper-scale data center in Clay County. He seems to be only hearing opposition to hyper-scale systems. Westergaard said he seems to be hearing a 50-50 mix of people regarding hyper-scale systems. He discussed usage requirements for things like streaming Netflix or Hulu. Thiesse said there is no sense in locking the door, when they could knock and have a conversation. Gray-Lobe said his take on it is that there are lots of legitimate concerns, so we need to make an ordinance that addresses those concerns. Then if someone comes in and will comply with the rules, then our concerns are addressed. He voiced concerns about administrative capacity of the County's staff. If Google lawyers come in, then the County has to have the administrative capacity to have the conversation. It's a lot of work. Westergaard said part of his research has shown that the infrastructure of the actual community gets upgraded without the cost to the citizens. Thiesse moved, seconded by Gray-Lobe to table the topic. Thiesse then rescinded the motion, seconded by Gray-Lobe.

Under public comment, Gmeiner said if they are interested in something that might actually provide property tax relief, they should encourage data centers to build in Clay County, somewhere away from homes. People who build data centers are not going to come if there are no resources. If they want to come, they will build their own resources. When it comes to

bothering residences, they will not build them next to residential neighborhoods because space does not exist. They will be on open land next to high voltage power lines. Some of the rules are arbitrary and tend to be deterrents. When he sees things like 45 dB, he grew up in places where the forest is a lot louder. Are they going to contribute to making sure the grid is going to be maintained? If we are going to use it to offset property taxes, he said, please make sure that's what actually happens. He also said decommissioning judgements are hard to collect.

Brunick said the biggest issue he had with the original language is having a categorical sizing by acre. Make sure we are categorizing by the amount of energy they are using. The purpose of data centers like the one in Omaha is to get information like you get on your phone. The ones being built for Artificial Intelligence (AI) and cryptomining create heat. They use more power and generate more heat. A closed loop system that doesn't have evaporation is good, but it requires more power. He cited a system in the eastern U.S. that needed its own turbines to run the closed loop system. He said we need a year-long moratorium on AI and cryptomining data centers. We need to ensure our distinction that data centers are not bad, but the moratorium on the type of AI and cryptomining data centers that are making people sick. The issue is that new research is evolving, so we should not rush the ordinances. We should take our time.

Skyrm said she thinks the ordinance is a good start, but it needs lots more teeth to it. In particular, she is concerned about decommissioning of toxic metals and waste. The noise levels and vibrations are concerning. The low sounds are shown to affect cognitive states, cardiovascular disease, sleep, etc. It also affects animals. Livestock are less productive. Closed loop systems still generate heat. Over time the pipes degrade, causing heavy metals to leach out. That water is disposed of eventually. She said she emailed the Commission an ordinance from Allamakee County, a primarily Republican county in Iowa.

Rob Marlowe encouraged the Board to do data centers right. The issue is hyper-scale data centers. He thinks definitions should be expanded to include the exact type of data center. He does not see the public benefit for a cryptomining data center in Clay County, other than more property taxes, and we can encourage that with other businesses. He would like more open public comment meetings.

Joe Appley said he is a small farmer in Union County, and he would like to see a 12-month moratorium. He is concerned about water usage and power for his farming operation. He said anyone he has talked to in rural areas do not like the idea of data centers. He said the Governor of Texas enacted has a pause on data centers.

Caitlyn Collier said at least 3 of the Commissioners will not listen to anything she says, and she can write a beautiful referendum petition. She has been talking to people for 4 weeks now, and the state law says to use megawatts, not acres. Even the State's Attorney has to uphold the Constitution and the law. Property tax relief from a data center will go away if the state legislature passes a bill to enact tax relief for data centers. Three days ago, Bank of America pledged money for data center infrastructure. The same people looking to build large scale data

centers own Bank of America. Newer data centers are using gas generators. Noise is a concern. When we talk about decibels, we forget where we are. Sound on the bluff carries from down in the valley. We live in wide open spaces. She discussed fire departments in the County and said fires in data centers are very different from other fires. Security and equipment components make them harder to fight. She also cited electrical load. She said there should be something to protect and aid the volunteer firefighters. Iowa, Minnesota, North Dakota, and even northern South Dakota have issues going on with data centers. She cited recall elections and death threats to elected officials. Commissioners may lose their jobs due to recall elections. She said there are places in Iowa where County Commissioners have had to move due to death threats.

Bruce Gray said he could not find any mention of this meeting in the latest Plain Talk or Broadcaster. Mockler said it was published. Gray said he agrees the ordinance should not be rushed and would be grateful if it was tabled.

Jerry Wilson asked if we need more AI. Kids and adults are addicted to screen time instead of spending time together in the natural world. He heard a whippoorwill, screech owl, and coyote from his patio. He doesn't want to hear a constant hum. Ordinances are to protect us before the horse is out of the barn. The energy used by a data center of any size should be provided by renewable sources, or offset the uses of energy resources with renewable energy from elsewhere.

Thiesse said what he hears is a lot of "what ifs," and he cannot do his job based on "what ifs." He takes offense to someone trying to threaten his job. He does this job for the people, not to get voted back in. Thiesse moved, seconded by Gray-Lobe to table the ordinance. Under discussion, Mockler asked if crypto is allowed in the draft ordinance. Westergaard said he addressed shipping container facilities and discussed what cryptomining typically uses. Gray-Lobe asked if the city's version of an ordinance is a newer version. Westergaard said they took our template and modified it to fit a city. He has been discussing the Joint Jurisdiction area with the city as well. If they do build one, they still have to meet IBC standards for sprinklers, emergency access, fire department access, etc. Building codes will address fire suppression. Smith said ultimately the wisest move forward, instead of tabling the ordinance, is to send the ordinance back to the Planning Commission. Mockler asked if the Commissioners can work through what they want and then send it back to the Planning Commission. Smith said they should voice their concerns and send it back to Planning Commission for the revisions. It will allow them to do what they are designed to do. Mockler asked if power generation, such as gas generators, is covered. Gray-Lobe discussed sections of the ordinance and said in some ways it sounds like on-site generation is prohibited. Westergaard said some are looking at massive solar fields, hydro power, and nuclear power. Mockler said his concern is that solar power generated by data centers should not be sellable to private entities. They should be able to sell it back to the grid, but not to private customers. Appley said he is not allowed to put up his own solar power and sell it back to the grid, so why should large companies? Mockler said that's not how he understood it. Wilson said South Dakota law is not written that way and cited a 1.25-cent rate. Thiesse rescinded his motion. Thiesse then moved to send the ordinance back to the Planning Commission, seconded

by Gray-Lobe. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

Westergaard presented information about training he has to attend. Gray-Lobe moved, seconded by Thiesse to pass and adopt the following Resolution #2026-20, Establishment of Closure for Veterans Service/Zoning Temporary Office Closure. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-20
Establishment of Closure for Veterans Service/Zoning Temporary Office Closure

WHEREAS, pursuant to SDCL 7-7-2, the Board of Clay County Commissioners may by resolution establish the hours of operation for County offices, and;

WHEREAS, the Veterans Service/Zoning Officer is scheduled to attend training;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners hereby establishes that the Veterans Service/Zoning Office be closed August 26, 27, & 28, 2026 for Planning & Zoning training and September 15, 16, 17, & 18, 2026 for Veterans Administration training.

Dated this 18th day of August, 2026.

Vote of the Board: 5 Ayes, 0 Nays.

Attest:

Carri R. Crum, Clay County Auditor

Travis Mockler, Chairman
Board of Clay County Commissioners

Register of Deeds Lisa Terwilliger and Facilities Manager Scott Hanson met with the Board to discuss plans for Terwilliger's office. She said rather than move to the old Treasurer's Office, she prefers to get a records storage table and a mini-split air conditioning system for her vault. Hanson said it would lower the cost from \$65,000 to \$20,000. There was discussion about the lifespan of a mini-split system, and it was determined to be 10-20 years. Terwilliger said there was not enough space in the old Treasurer's Office vault either. They will likely need to use that vault for overflow of records either way. Terwilliger said she has a solution to that as well. She spoke to the imaging system company she uses, and they can rent her a scanner to scan the old books that were in the flood. Per law, if she scans them and gives a copy to the state archives, she can dispose of them. She asked for forgiveness if she goes over budget with this project and asked to hire her daughter to do the scanning after school. Mockler asked how short she will be on the budget. Terwilliger said she has enough Modernization & Preservation money to cover the scanning rental, but she also needs that money for her software next year. Gilbertson asked if the courthouse would still have a space for attorneys to meet with clients. Smith said the basement is not feasible. He proposed cubicles in the old Treasurer's Office. Hanson said he is getting quotes. Mockler asked why they cannot meet in the basement. Smith said it is because it is happening within the court day. Mockler said he understands, but at some point we have got to stop spending money. The County spent a lot of money to fix the elevator, so they could take it to the basement. Smith said it would be beneficial to create a second space within that office. Hanson

said it was \$72,000 to transform a second-floor space into 2 offices. There was discussion about locking the vault in the old Treasurer's Office. Terwilliger said she does not want to add more money to what has already become a more expensive project. She did not want to move, and she did not ask for the computer equipment to be put in her vault, or for the space in her vault to be built out for mechanical systems. She said the storage table will be used for books and the records growth going forward. Current records are also scanned as they are accepted. Mockler said it sounds like the Commissioners are going to have to find the money somewhere. Hanson may have to do less next year. Terwilliger said she is fine doing the mini-split and scanning now. Then she can see if she needs the table when it is done. Hanson discussed reimbursement requests for projects partially covered by grants. There was discussion regarding the Employee Handbook policies for whether Terwilliger can hire her daughter to do the scanning.

Crum discussed with the Board the canvass of the July 28th Republican Runoff Election. She recalled that there were some small discrepancies in the number of absentee ballots when they compared the election day absentee numbers to the reports from the voter registration software. She said her research was as she thought during the canvass, that the software is using real-time information. The reports she ran for the canvass were pulled after the election, and when she compared the voter names between the canvass reports and the election day poll worker reports, the discrepancies were the voters who changed their political party from Republican to a different party the morning after the election.

Stewart met with the Board regarding a Homeland Security grant. He said the process is underway with SecureSD to switch the County to a .gov domain. Secure SD is paying the majority of the transfer. The website, however, is a different project. In 2024, Stewart applied for the Homeland Security grant for that project. The money finally came in, and he asked the Board for the authority to sign the agreement. Thiesse moved, seconded by Brady and unanimously carried to authorize Stewart to sign the Homeland Security grant documents.

Stewart explained the grant for part of his salary requires that the County certify that we follow I-9 procedures. The County already does it, so he requested a signature on the certification document. Gray-Lobe moved, seconded by Gilbertson and unanimously carried to authorize the Chairman to sign the certification document.

Stewart presented the 2027 Local Emergency Planning Grant documents. Gilbertson moved, seconded by Gray-Lobe and unanimously carried to authorize the Chairman to sign the documents.

Highway Superintendent Brent Hays met with the Board. Gray-Lobe moved, seconded by Brady to pass and adopt the following Resolution #2026-21 for 2027 Bridge Improvement Grant Program Resolution Authorizing Submission of Applications. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

Resolution #2026-21

August 18, 2026

2027 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):

14-105-209, 0.5 miles West of Vermillion over the BNSF Railroad.

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 20.00% match on the Bridge Improvement Grant funds and 100% of ineligible expenses;

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 the Commissioners: Yes ____ No ____

Dated at Vermillion, SD, this 18th day of August, 2026.

ATTEST:

County Auditor

Chairman

NOTES

◀ Not applicable for cities applying for the grant – simply mark 'NA'

Minimum required for Bridge Improvement Grant is 20%; must match percent shown on application.

***After receiving a grant award, the county and SDDOT will enter into a grant agreement within 30 calendar days of Transportation Commission award. Failure to sign a grant agreement may result in the Transportation Commission reallocating available grant funds to another eligible applicant within the associated grant cycle.*

2027 BIG PR RE Appl Page 2 of 9

Thiesse moved, seconded by Brady to pass and adopt the following Resolution #2026-22, a Resolution to Delete Bridge from NBI. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

RESOLUTION #2026-22

Resolution to Delete Bridge from NBI

The Clay County Board of Commissioners is in agreement with SDDOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s):

STRUCTURE ID, LOCATION and REASON FOR DELETION:

August 18, 2026

14-010-063

6.3S & 1E of Irene, SD

Roadway has been vacated and structure is now on a private drive.

The Commission is aware of the following stipulations once a structure is deleted from the NBI:

1. Federal Bridge funds will not be available for structure replacement or rehabilitation and
2. The structure will only be added to the Inventory following replacement, using County funds.

Upon receipt of this resolution, the above structure(s) will be deleted from inventory.

Vote of Commissioners: Yes _____ No _____

Dated at Vermillion, SD, this 18th day of August, 2026.

Attest:

Carri R. Crum, County Auditor

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

Gray-Lobe moved, seconded by Thiesse and unanimously carried to approve Payment Application #1 for the 2026 Asphalt Surface Treatment Project.

The Board reviewed quotes for fuel. Quotes were solicited from Jerry's Service, Brunick's Service, CHS, SE Farmers Elevator Coop., and Vollan Oil. Quotes were received from Jerry's Service for \$3.598/gallon, Brunick's Service for \$3.54/gallon, CHS for \$3.85/gallon, and Vollan Oil for \$3.555/gallon. Gilbertson moved, seconded by Thiesse and unanimously carried to accept the low quote of \$3.54/gallon from Brunick's Service.

Hays reported that he placed weight limits on structures on 313 St. and north of Meckling on the oil road. He is obtaining a quote from Hollaway Construction for repairs to the end caps and abutments. They may be able to do the work this fall. This is on the 5-year plan for the Bridge Improvement Grant program, but it would be about 3 years before the repairs could be done. He also reported the Frog Creek culvert project has been moved back to late September or early October.

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

Clay County Treasurer	7,260.50	Microfilm Imaging Systems	1,080.00
SD Department of Revenue	402,004.37	MidAmerican Energy	1,321.81
A&B Business	219.67	Midwest Alarm Co., Inc.	441.04
Armstrong, Aaron	500.00	Minnehaha Co. Juvenile Det.	10,962.42
Alternative HR	651.75	Motorola Solutions, Inc.	73.39
Anglin Handyman Service LLC	258.52	Myrl and Roy's Paving Inc	83,705.76

A-Ox Welding Supply	174.45	New Century Press	633.78
Appeara	610.05	Smith, Nikota	35.00
AT&T Mobility	37.89	Nutrien Ag Solutions	2,413.20
Avera Behavioral Health	523.43	Olson's Pest Technicians	240.00
Barco Municipal Products	1,645.78	One Office Solution	271.21
Broadcaster Press & Plain Talk	1,218.80	O'Reilly Auto Parts	663.62
Brunick Service, Inc.	6,307.50	Overhead Door Company	460.20
Buhl's Drycleaners & Linen	308.99	Gelynn Passmore	175.00
Butler Machinery Co.	5,633.18	Skorey-Solberg, Patricia	255.00
Robb, Cameron	50.00	Peterson, Stuart & Klentz Prof	15,000.00
Cenex Fleet Fueling	3,322.39	Pharmchem, Inc.	383.40
Century Business Products	59.78	Pheasantland	160.00
Cintas	96.73	Prochem Dynamics	463.25
City of Vermillion	28.00	Qualified Presort Service, Inc.	3,237.86
Clay Rural Water System	222.60	R&T Repair	336.60
Clay-Union Electric Cooperative	792.20	Riverside Hydraulics & Labs	260.42
CMoore Pit Service	150.00	Runnings Supply, Inc.	463.77
Coyote Enterprise, LLC	505.96	Sanford Health Occ. Med.	162.00
Davis Pharmacy	840.94	Santel Communicaitons Coop.	125.00
Richard England	1,377.50	SD Attorney General	1,038.55
Erickson Solutions Group	129.00	SD Department of Health	650.00
Fast Auto Glass, Inc.	370.00	SD Department of Transportation	935.78
First Dakota Credit Card	11,994.85	SDACO - M&P Fund Payment	246.00
Fischer's Disposal, LLC	75.00	Sign Solutions USA, LLC	522.87
Fox Law Firm, PLLC	195.61	Software Services, Inc.	350.00
GeoTek Engineering & Testing	170.00	Summit Food Service, LLC	9,399.44
Graham Tire S.F. North	3,025.48	SuperCom, Inc.	74.75
Grainger	369.21	Terri Lembcke Schildhauer	540.00
Horn Law Office LLC	610.00	Transwest Trucks of Sioux Falls	1,401.31
Houska Dental Clinic	520.00	Truck-Trailer Sales & Service	42.00
Hy-Vee, Inc.	188.17	Uline	1,008.53
I-State Truck Center	313.08	Ulteig	35,451.44
Jacob Bies	87.70	Larson, Val	20.00
Knife River South Dakota	131,692.86	Verizon Wireless	79.46
Summer Lang	17.00	Vermillion ACE Hardware	720.02
Stewart, Layne	84.94	Vermillion Ford	228.62
Lewis & Clark Behavior. Health	720.00	Vermillion Garbage Service	470.00
Lincoln County Auditor	769.46	Wakonda Town	72.65
Loffler Companies	101.78	Yankton County Sheriff	200.00
Katterhagen, Mark	20.00	Yankton Janitorial Supply	497.00
Mart Auto Body & Marine	119.19	Kodex, Inc.	245.00
Reeves, Megan	42.50	Jury & Witness Fees	618.80

The Sheriff's Office monthly reports and the following Auditor's Account with the County Treasurer report were accepted and placed on file. Gray-Lobe and Howe had a brief discussion about the reports and about the Dept. of Corrections inmate boarding fees.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County, regarding items in the hands of

August 18, 2026

the County Treasurer as of August 3, 2026. I hereby submit the following report of my examination of the cash.

Total amount of deposits in banks:	7,311,029.24
Amount of actual cash:	3,395.24
Amount of checks/drafts in Treasurer's possession not exceeding 3 days:	16,527.22
Itemized list of checks/drafts in Treasurer's possession over 3 days:	
Checks returned and not deposited	69.40
Cash Items	700.00
Investments	1,151,000.00
Bond Funds	9,354,957.33
Cash Variation	0.00
Total	17,837,678.43

Dated this 3rd of August, 2026.

Carri R. Crum, County Auditor

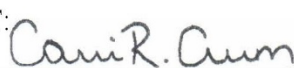
Recent payroll changes to be reported in the minutes were as follows: Travis Rydstrom was hired as a Highway Maintenance Worker effective 8/31/26 at \$21.29/hour.

At 1:04 p.m., Thiesse moved, seconded by Gray-Lobe and unanimously carried to adjourn and reconvene Tuesday, August 25, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST:



Carri R. Crum, County Auditor

August 25, 2026

The Board of County Commissioners met in regular session Tuesday, August 25, 2026, at 9:00 a.m. in the Commissioner Room in the basement of the Clay County Courthouse, 211 W. Main St., Vermillion, SD. Members present: Kevin Brady, Glen Gilbertson, Geoffrey Gray-Lobe, Travis Mockler, and David Thiesse.

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

Gray-Lobe moved, seconded by Brady and unanimously carried to approve the agenda, removing Facilities Manager Scott Hanson's topic and approval of vouchers.

Brady moved, seconded by Thiesse and unanimously carried to approve the minutes of the August 18, 2026 meeting.

A public hearing was held for the second reading of proposed Ordinance #2026-05, an Ordinance Imposing a County Gross Receipts Tax and a Use Tax for Clay County, South Dakota. Mockler opened the floor to public comment.

Evelyn Schlenker appeared via Zoom and commented that the method for distributing the sales tax back to property owners is not mentioned in the ordinance, and she asked why there is a county administrative fee. State's Attorney Michael Smith said the language of the ordinance is drafted pursuant to regulations from the South Dakota Department of Revenue. The money is collected by the state and divided out to counties. The counties are then charged with distributing the money as credits to owner-occupied property tax bills. The administrative fee is due to the work the county officials will have to do to administer the process. Gray-Lobe said it also has to do with the amount of work it will take to maintain the addresses within the county, particularly in Irene, where it is in three counties.

Ed Gerrish said this is the one tool the State gave us to relieve an acute problem. There are people who genuinely need tax relief. However, this will be a really expensive way to solve a problem for a small number people whose property taxes may be preventing them from getting by. This is going to benefit the people with the highest value homes the most. It scales linearly, and that is a problem. He said he did some math, and the Governor's office's estimates are wrong. He calculated the owner-occupied levy reduction of \$2.17/\$1,000, not \$3.15/\$1,000. The Governor's office took all the interstate gas stations and tourism spots in the Black Hills and applied them to Clay County. There are not a lot of sales going on in the county. A home in Rolling Hills valued at \$800,000, he said, would get about \$1,500 in tax relief. Those are probably not folks who might need tax relief. Renters would pay about \$250 more per year with the sales tax. E. Gerrish used as an example Town Square Apartments, SESDAC, and smaller homes in the community. He said it does not make sense to give more tax relief to \$600,000 or \$800,000 homes. The state legislature did not think hard about this. He also spoke about Senate

Bill 245. He said it seems like a big risk and will be imposing costs on those who cannot afford it.

Jerry Wilson said it is good having public hearings on controversial issues. Last week, a lot of people gave almost universally opposed perspectives. Not a lot of working people could attend a meeting at 9:00 a.m. on a Tuesday morning, or those who do not pay attention to happenings in the county, but they will be affected, too. The Commission has heard from mostly people for whom the tax changes would positively impact. The majority are homeowners. What those who came to testify on are interested in is the general good of the community. South Dakota has among the most regressive tax structure in the nation. Low income people already pay a greater percentage of their income than higher income people. Most people in this room, Wilson said, are in a higher income bracket, not necessarily rich but more able to pay. This is not a tax increase to the county budget to enable better services, safety, and roads and bridges. Wilson encouraged the Board to listen to the public, and listen to the interests of the majority of Clay County citizens.

Susanne Skyrn agreed with Wilson. She said she has heard great opposition and urged the Board to consider those requests by voting down the ordinance.

Smith said there was a discussion previously about the ability of the Commission to send the matter directly to the voters. He did independent research and reached out to colleagues. Sections 8-10 of Senate Bill 96 were codified in SDCL 10-52B-4 through 10-52B-6. It refers to SDCL 7-18A-13, which controls initiated measures. Citizens could petition for the Commission to enact an ordinance. However, it does not have any language allowing the Commission to directly refer an ordinance to the voters. The Board must instead vote on an ordinance, which generates the ability for the citizens to refer the ordinance to the voters.

Auditor Carri Crum said that the timeline of the past few weeks to the petition deadline for a referendum, there is no way for the matter to appear on the General Election ballot. Ballots are being ordered now. A referendum would create a special election, and due to the timeline, it would be within a week or two after the General Election. There would be absentee voting for two elections at the same time.

Leslie Gerrish followed up with a question. Given the timeline, if a referendum election were to take place, she asked if it would affect the timeline for implementing the tax. Smith said the entire process must be completed over 90 days prior to the tax being in place. The tax can only begin on January 1 or July 1. A referendum election would delay the implementation date of the tax until July 1, 2027. Conversely, if the ordinance is passed and not referred, the tax will be implemented beginning January 1, 2027.

Mockler closed the public hearing and asked for Board comments. Brady said he hates that the state has laid this on their shoulders because he does not feel it is their position. He said they have had public hearings, and outside of the Board, he has not heard anyone who wants this. He

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is trying to listen to his constituents, and no one has told him they support it. Special elections are not cheap. It is more money being encumbered upon the County Commission.

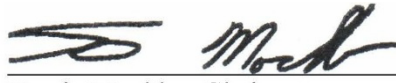
Gray-Lobe said he respects public comment, and he has shared some of his own comments previously. He also has not received any communication from the public supporting the ordinance. All he has heard are strong arguments not to implement the ordinance at this time. Gray-Lobe moved to decline passage of the ordinance, seconded by Brady. Roll call vote: Mockler Nay, Gray-Lobe Aye, Brady Aye, Thiesse Nay, Gilbertson Nay. Motion failed.

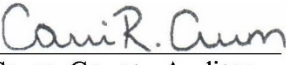
Thiesse agreed with Brady that this should not have been put upon the counties. It should have been statewide. But, he said, the voters have the option to refer the ordinance. He referred to E. Gerrish's comments and said not a lot of people will spend \$45,000/year in our community. The savings on property taxes are hopefully spent locally. This into going into the county budget, but the trickle-down effect of money spent locally will hopefully help some. Thiesse moved, seconded by Gilbertson pass and adopt Ordinance #2026-05, an Ordinance Imposing a County Gross Receipts Tax and a Use Tax for Clay County, South Dakota. Mockler Aye, Gray-Lobe Nay, Brady Nay, Thiesse Aye, Gilbertson Aye. Motion passed.

A public hearing was held for the second reading of proposed Ordinance #2026-06, an Ordinance Authorizing the Declaration of Fire Danger Emergencies and Regulating Open Burning Throughout Unincorporated Clay County. Smith referred to a typo found in the first reading and said it has been corrected. This will make the ordinance cleaner for enforcement, and Smith said he consulted with Sheriff Andy Howe and Vermillion Fire/EMS Chief Matt Callahan. Mockler asked for public comment, and there was none. Brady moved, seconded by Thiesse to pass and adopt Ordinance #2026-06, an Ordinance Authorizing the Declaration of Fire Danger Emergencies and Regulating Open Burning Throughout Unincorporated Clay County. Roll call vote: Mockler Aye, Gray-Lobe Aye, Brady Aye, Thiesse Aye, Gilbertson Aye. Motion passed unanimously.

The Board received and reviewed the 3rd Quarter LEMPG Matrix from the SD Office of Emergency Management.

At 9:29 a.m., Gray-Lobe moved, seconded by Thiesse and unanimously carried to adjourn and reconvene Tuesday, September 1, 2026 at 9:00 a.m. in the Commissioner Room in the Courthouse Basement, 211 W. Main St., Vermillion, SD 57069.


Travis Mockler, Chairman
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