

Wheel Tax Discussion Focuses on Shared Responsibility

By Alan Dale
The Plain Talk

The first public reading of new Ordinance #2015-01, the Wheel Tax, was held at Tuesday's Clay County Board of Commissioners' meeting at the Clay County courthouse with little fanfare but plenty of discussion.

Scheduled next is the second reading for this next Tuesday at 9:30 a.m. The adoption of the Wheel Tax could happen that same day as well. On March 12-13 and March 19-20 the Ordinance will be published and the effective date could come as soon as April 9.

Discussion centered on who should pay for the county roads and whose responsibility it was to maintain them.

Commissioner Leo Powell said that one person he knew that was circulating a petition to repeal the ordinance told him that people in Vermillion should not be responsible for maintaining the county roads.

"I don't know where you come up with that philosophy, I don't think everything quits at the city limits of Wakonda," Powell said. "If you take the traffic count map it shows that there is an awful lot of traffic, on a whole bunch of roads and they all go to these communities. Those roads need to be maintained."

What many commuters may not realize is that to travel to Sioux City, Sioux Falls, Yankton, and other points of interest locally, they have to use county roads.

"How many times do you leave the city? How many times do you go to the river? You are definitely using county roads," Commissioner Phyllis Packard said.

Commissioner Michael Manning noted that he has learned that approximately 42 percent of the Vermillion work force commutes into the city. That commute would necessitate a need for drivable roads.

Powell said that there are no other taxing options available to the county and they are limited by what the state will allow.

"To date Clay County has not had a wheel tax in place during a period of time many counties have had a (wheel) tax in place," Powell said. "That leaves us 15 years behind. If you like it or not, the state has in the legislation (wording that says) you will have a wheel tax, you will have a long range plan, or you won't be eligible for those funds. This isn't anything new. Clay

County, to date, hasn't paid \$1 toward a wheel tax."

The funds in question are the various tax revenue streams that would provide counties with monies to aid in areas such as road improvement with the proviso that a wheel tax would have to be in place in order to receive them.

According to the ordinance's literature, the "county wheel tax shall become effective for collection beginning on Aug. 1."

Part of the ordinance reads that "the total vehicle tax may not exceed the sum of \$16 per vehicle... The total sum of all proceeds from the tax shall be retained by the county and deposited in the county road and bridge fund, to be used only for highway and bridge maintenance and construction."

The originally proposed wheel tax was repealed two weeks ago due to a concern focused on protocols being in place that the county had to post in licensed, legal publications, on how those opposed to the wheel tax could go about forcing a referendum on the ordinance.

A total of 421 registered, county, voters (5 percent) must sign a petition to ask for a referendum for a vote on the ordinance for such an action to take place.

Mockler said that the state has proposed a move to eventually impose a tax on a max 12 wheels and implementing an increase in licensing fees with current state bill proposal HB1131.

"To go to 12 wheels is in the bill," Mockler said. "They are raising the license fees, they are raising the number of wheels they can be passed...with this bill I have all the faith in the world it will go through in some form. Those two key parts will be in there."

That would mean that the new ordinance limits on the tax on wheels would be eligible to change within a year or less if the state moves toward a 12-wheel limit.

In other items, John Robertson of the Cherry Street Grille approached commissioners regarding concerns with their decision to overturn their original acceptance of the restaurant's bid to provide county jail meals.

Citing Robert's Rules of Order, Robertson pointed out via a printout that "the motion to reconsider cannot be applied to a vote...or an affirmative vote in the nature of a contract when the other party to the contract has been

notified of the vote."

"It's improper to take that contract away," Robertson said. "I talked to my attorneys and they feel that the commission acted inappropriately. We respectfully urge the council to stand by your original agreement and act within those rules."

On Feb. 3 the board voted 4-1 to agree to exit out of a verbal contract agreed upon the previous week with Cherry Street Grille and accept a lower jail meal bid by Roadhouse Vermillion once representatives of both businesses agreed to allow for the latter's to be read instead of going through the entire process again.

The advertisement posting for a jail meal bid for the county did not mention where interested parties could drop off their proposals, thus causing the mix-up in the first place.

Neil Chapman of Roadhouse Vermillion explained how on Monday, Jan. 26, he had dropped off his bid at the Clay County Sheriff's Department office and it never found its way to the auditor's office.

The following day county commissioners approved the only bid in their possession - from Cherry Street Grille for \$5.75/person for lunch and dinner meals and cereal at \$.30 a person - and entered into a verbal contract.

However Chapman's bid, it was confirmed, had been submitted in time and should have been given a chance to be put into consideration. His still sealed bid of \$3.50 per afternoon and evening meals and \$.30 a person for breakfasts was read and discovered to be the lower one on Feb. 3 and Roadhouse Vermillion was granted the jail meal bid at the expense of Cherry Street Grille.

Cherry Street Grille had been in contract with the county to provide these meals for the past few years, according to Howe.

Commissioners did not make a move yet, citing they still need to consult with their attorneys.

Clay County States Attorney Teddi Gertsma advised the board to proceed as planned for the time being. She also stated that she wasn't sure if they had anything more than an approved bid from Cherry Street Grille and not an actual contract.

Discussion will continue on the topic at the upcoming county board meeting.

A Relay Good Time

By Alan Dale
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A strong contingent of people arrived at the University of South Dakota on Sunday afternoon to get into the best fight possible. If Clay County was Rocky it would have beaten Apollo Creed in the first movie.

A total of approximately 300-400 combatants - aka relay participants - against cancer took part in the Clay County Relay for Life at the DakotaDome and despite the chill outside it was all about warm feelings and reflection on a day where the deadly disease would not ruin this gathering.

In fact, the final tally raised for this day was \$20,774.98 which bettered last year's numbers and more than eclipsed the 2013 total of \$2,981.50.

"We are so proud of how much the event has grown in just two years time," Emily Jansen, Clay County Relay for Life Coordinator, said. "I can honestly say it is hard to put my feelings into words. My heart is so full. I feel ecstatic about how much money we raised for the American Cancer Society. It is a spectacular amount of money for such a worthwhile cause. I feel proud of the students and faculty at USD and the people of Clay County for being such active participants and supporting this event."

Last year, this edition of the relay - held nationwide - raised \$10,000 in Clay County for the American Cancer Society but this particular day, the organization had already passed its pre-event goal of raising \$12,000.

"This has been the best Relay for Life for years and we have had the best community turnout," co-

chairwoman of the event, Krissy Zalud said. "We overshot our goal before we even got there (Sunday) we had \$14,000 raised when our goal was to raise \$12,000. Anything on top is just a bonus. We are very excited."

Zalud believes that a lot of the early success came from all the work that led up to the event. "We had a fantastic, devoted, executive team," Zalud said. "Everyone worked hard at their positions. We worked incredibly hard to reach out to more community groups."


"This is a great community event and it is very therapeutic to honor those you've walked for." A number of people took part in the relay, which consisted of participants casually walking the track around the basketball court in the dome while activities took place all around.

"I think it's very special and a nice remembrance for those who have passed away," Julie Brunick of Yankton said. "This is wonderful this year. It looks like a lot of people and a lot of effort went into it this year."


Brunick's visit was her first ever time involved in the relay as she came to honor a friend who had battled cancer for a long while before getting through the fight. Bill Belch, a junior at USD, said that this year's relay saw a much larger turnout with a lot more word getting around campus. Some of the increased number may have also been aided by no other events taking place to provide a conflict in what to attend.

"I came to support the fight against cancer," Belch said. "My girlfriend is one of the caregivers

■ RELAY, Page 6



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Broadcaster Press

**126.63 ACRES OF SOUTH UTICA TOWNSHIP
YANKTON COUNTY LAND**

• AUCTION •

In order to settle the estate, the following land will be offered for sale at public auction at Minervas Convention Center, 1607 E. Hwy. 50 Yankton, SD on:

**THURSDAY MARCH 12TH, 2015
10:30 A.M.**

It is our privilege to offer this outstanding, powerful, all tillable tract of land that has excellent soil ratings, with predictable yield potential, good eye appeal, and land that would command top rental rates. Great location within 1 mile of the city limits of Yankton and 1/2 mile from Hwy. 50 makes this an outstanding opportunity to purchase high quality land in the tightly held South Utica Township.

LEGAL: The SE 1/4 except Platted land therein, in Section 3, 93-56 Yankton County, SD

LOCATION: From the Junction of US Hwy. 81 & 50 (Wal-Mart) go 2-miles west on Hwy. 50 turn south 1/2 mile on 438th Ave or Timberland Drive west side of the road or from Yankton Redi-Mix go 1-1/4 mile west with driveway access on the north side, or at the junction of Timberland Drive & West 23rd St. Note field is behind all of the residential homes.

- 128.6 acres tillable land. Every acre productive with no loss of RROW acres.
- Single family housing developments are located on the south and east sides of the property. Access gained by a 66' strip of land that is located on the south side of the property that adjoins 310th St or West 23rd St.
- Soil production rating of 84.8. Predominant soils include Egan-Ethan-Complex (82), Wentworth silty loams (86) and Egan-Wentworth (91)
- Property is being sold subject to the 2015 crop lease which pays \$21,219/year or \$165/acre and is paid March 1st & November 1st
- Annual Taxes are \$2,886.48. No building eligibilities exist or will transfer with the property.
- Base & Yield info, wetland maps, and other pertinent information is found in the buyers packet
- If you are looking for an outstanding add-on piece for your farm operation or investment portfolio check out this property. No disappointments!

TO INSPECT THE PROPERTY: We invite you to inspect the property at your convenience or visit www.wiemanauktion.com for a buyers packet or contact the auctioneers at 800-251-3111 and a buyers packet can be mailed out.

TERMS: Cash sale with 15% (non-refundable) down payment auction day with the balance on or before April 15, 2015. Personal Representatives deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller to pay the 2014 taxes in full and buyer will be responsible for all of the 2015 taxes. Sold subject to the existing crop lease for the 2015 crop year, and Personal Representative's approval pursuant to SD Uniform Probate Code, and all easements and restrictions of record. Auction to be held indoors at Minervas Convention Center. Come prepared to buy!

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Sheila Woodward
Closing Attorney
605-665-5009


• ATTENTION •

The Garfield Board of Supervisors will meet as a Board of Equalization at the Marshalltown School
**Wednesday, March 18th, 2015
at 7 p.m.**


Please call 605-253-2524 for an appointment.

Jim Danielson, Clerk


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CEM: 10 SC: 0.2 CW: 17 REA: 1.01 YG: -.42 MARB: -.24

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