

2010 Legal and Public Notices

SN/_____
Raymond Passick, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on April 29, 2014.

Carri R. Crum
County Auditor, Clay County, SD

Paul Kostboth, SD Dept. of Ag., Toby Brown, SECOG, Lynne Keller Forbes, SECOG, and Jim Sampson, SECOG, met with the Board to present the results of the Clay County Rural Development Site Analysis. The site analysis examined many criteria for a Concentrated Animal Feeding Operation and Agricultural Industrial Development. The categories were listed as "best," "better," and "good." Two "good" sites were identified within Pleasant Valley Township for the CAFO criteria. No sites were identified for AID, but if the requirement for close proximity to rail lines was removed, 328 "good" sites were identified. Population density, shallow aquifer, and proximity to rail lines were all factors that impacted how many sites were identified. Going forward, the plan is to work with the County, State, utility providers, and landowners for further study and to develop a plan.

Mike Lovejoy was present and stated that he is a 5th generation landowner, is close to 3-phase power, has an 850 gal/minute well, and is 1/2 mile from a hard surface road. He suggested that maybe his place would be something to investigate, and he would be willing to be a "guinea pig" for further analysis. Paul Kostboth said that the process includes identifying landowners and the next generation who want to look at what the opportunities are and where they might fit. Kostboth also stated that they work with neighbors ahead of time to identify challenges. Mike Lovejoy also said this is not just about him and quoted a study about pork production which said that for every sow in production there are 64 jobs associated with it. Paul Kostboth suggested that the Board work with SECOG to look at scenarios and opportunities, and to see what the Board is comfortable with for the County.

Jay Bottolfson asked whether they had looked at the site numbers with water being left out of the equation. Jim Sampson said the "good" category takes that into account. Toby Brown stated that Clay County is also unique because there is a cap on the high end at 3,500 head for dairy in the zoning regulations.

Paul Kostboth said Lincoln County was recently a pilot for a dairy operation. A nationwide leading dairy operator found the site and contacted the County Commissioners. They involved the neighbors and talked through challenges. In the end, the neighbors appreciated being involved.

Mike Lovejoy said that an open operation is more pollution than a closed operation, and that is what people do not understand.

Passick stated that Clay County is densely populated, and the Board would want a good period of time to address any concerns.

Jerry Wilson stated that he is familiar with dairy and grew up on what was a large dairy farm of 35 head. Modern dairy is industrial and must be treated as industrial. He recently toured a facility of 3500 head, and the sanitation level at that facility would never have been tolerated by his father. Wilson said he is not opposed to dairies, but currently the County has 2 well thought out regulations that need to be maintained: the cap and the restriction over a shallow aquifer. He stated he would like to see the Board tour a large dairy and also wants to see the aquifers protected.

Mockler stated he is personally against the cap because the County does not regulate the size of any other industry. He said he has toured a large dairy and grew up with it as well. The Planning and Zoning Commission is currently reviewing regulations.

Shannon Draper, Vermillion Fire Department Chief, met with the Board to discuss the Fire Department. He said recently someone living outside city limits in a neighboring county told him that they expect to lose the structure if they have a fire, and they expect to die if they have a heart attack. Draper stressed to the Board that that is not what Clay County residents should expect. Recently, he has created more divisions and more training. EMS and Fire have merged at an administrative level, allowing

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them to improve services.

In the next two years, Draper said the plan is to have an Advanced Life Support provider on each ambulance who can administer life-saving drugs in the field such as cardiac drugs. The Fire Department is also working to improve the ISO number, which should help pass some cost savings on to residents through a decrease in insurance premiums. Residents outside of city limits but within a 5 mile radius would see the ISO rating go from 10 to 8B, and their insurance premiums go from \$1000 to \$890 annually, for example. The rating for residents within the city should be changing as well.

Draper reported that the five year plan includes a 3rd fire station, which would be located in Fairview Township. Based on a risk assessment, he would like to position it on Highway 50 in the 469 Ave. general area. It would allow them to better serve Burbank as well as areas that have historically had more fires. He did say they do not have land yet, but they do have the truck, so it would not involve an equipment purchase. He has received information that the insurance companies would rate residents within a 5 mile radius of the new station as if they were in the city, and initial estimates are that a person paying \$1000 annually would see a decrease in premium to about \$800. Draper stressed that he wants to make sure the Commission understands that the fire department prides itself on serving the whole community.

The Board discussed burn ban guidelines with Draper. He stated that he would like to see a change in the ordinance for the National Weather Service red flag warning to trigger a burn ban. The Board discussed what would be involved in changing the ordinance.

At 11:38 a.m., Powell moved, seconded by Packard and carried to adjourn and convene as Ditch Board.

Packard moved, seconded by Passick and carried to approve minutes of the April 15, 2014 Special Ditch Board Meeting.

Powell moved, seconded by Packard to put together a bid request for Lateral 2A & 2B, 5 miles of each lateral with an add alternate option of an additional 2 miles of each lateral.

Discussion regarding Laterals 1A, 1B, 3A, and 3B was tabled.

Packard moved, seconded by Powell to authorize Johnson Engineering to prepare Phase 3 of the Clay Creek Ditch Cleanout Project to the County Line.

At 12:02 p.m., Packard moved, seconded by Powell and carried to adjourn and reconvene as Board of County Commissioners.

Cathi Powell, Treasurer, met with the Board to present applications for abatement and an elderly tax freeze. Packard moved, seconded by Powell and carried to approve and authorize the chairman to sign all applications as presented due to all applications meeting requirements.

Powell moved, seconded by Kephart and carried to approve travel for the Auditor, Treasurer, and Register of Deeds to Pierre May 6-8 for Spring Workshop.

Mockler moved, seconded by Kephart and carried to authorize the chairman to sign the WIC Contract for FY2015.

Packard moved, seconded by Mockler and carried to approve payroll and the following claims for payment. Payroll April 2014: Commissioners \$4995.50, Auditor's Office 9151.50, Treasurer's Office \$13015.24, States Attorney Office \$13357.67, Courthouse \$2425.83, DOE's Office \$9151.50, ROD's office \$6925.17, Veteran's Office \$1583.33, 24/7 Sobriety Project \$2192.68, Sheriff's Office \$30503.02, County Jail \$12709.01, Coroner \$150.00, Emg. Management \$366.67, LEPC \$330.00, Highway \$37196.99, Health Nurse \$1343.56, WIC \$843.44, County Extension \$2802.50, Weed Control \$1826.17, and Zoning Office \$2210.34. (Payroll Deductions) AFLAC \$798.66, Clay Co Treasurer \$36882.05, Colonial Life \$409.47, Conoco/Washington \$100.70, Dearborn National \$228.06, Nationwide Ret. Solutions \$58.82, New York Life Insurance \$440.23, SD Retirement System \$18602.70, SD Supplement Retirement \$600.00, SDRS Roth \$275.00, TASC (Flex System) \$2934.00, United Way of Vermillion \$130.00, Vermillion Federal \$1141.00 and Wellmark Blue Cross \$32966.87. (Tax Disbursements) Beresford School District \$29827.70, Bethel

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Township \$7094.17, Centerville School District \$11490.78, Clay County Tax \$695624.40, Fairview Township \$11481.02, Garfield Township \$12259.79, Gayville-Volin School District \$4762.64, Glenwood Township \$9050.39, Irene City \$1133.47, Irene-Wakonda School District \$63998.09, Meckling Township \$8188.18, Norway Township \$6071.82, Pleasant Valley Township \$7450.55, Prairie Center Township \$11094.48, Riverside Township \$6051.94, Seiler's Second Road District \$125.95, Spirit Mound Township \$11474.02, Star Township \$9769.86, TLC Water Development District \$125.31, Vermillion City \$111431.27, Vermillion Township \$6169.93, Vermillion School District \$355949.02, Wakonda City \$8840.57, Verm. Basin Water Development District \$1783.48. (Law Library) Thomson Reuters \$545.59. (Insurance Reimbursement) Leo Powell \$150.00. (Prof. Serv./Fees) Argus Leader \$50.67, Billings, John P \$1572.50, Cody, Denise \$15.00, Corrisort LLC \$420.75, Gapp Debra \$2880.00, K&P Services, INC \$1.50, Lewis & Clark Behavior \$320.00, Lewno, Lucille M \$223.99, Netsys Plus, INC \$281.00, Pharmchem, INC \$281.00, SD Dept of Health Lab \$165.00, Secretary of State \$60.00, Shepherd Reporting \$30.00, Swanda, Karen \$15.00, Verm./Clay Co. Landfill \$96.23, Yankton Medical Clinic \$305.04, City of Vermillion \$83495.20, Thurman, Creighton A \$80.86, Yankton Co Treasurer \$220.00 and Plain Talk \$46.17. (Publishing) Star Publishing \$318.82. (Beacon/Pictometry) Schneider Corporation \$2115.00. (Repairs and Maintenance) Century Business Products \$40.00, Hansen Locksmith INC \$495.00, Interstate Power Systems \$576.93, Office Systems Company \$109.50, Netsys Plus, INC \$241.67, Paul's Plumbing INC \$496.43, Presto-X Company LLC \$65.39, Sioux Equipment \$278.60, Turner Plumbing INC \$66.33. (Historic Preservation) Stone, Jim \$187.65. (Data Processing) Mastel, Bruce \$35.00, Netsys Plus, INC \$220.00. (Supplies & Materials) Amsan LLC \$65.15, Appera \$42.44, Boyer Trucks SF INC \$308.45, Brock White Company \$23299.50, Campbell Supply Co. \$138.79, CAN Western Surety \$50.00, Etterman Enterprises \$41.15, Fast Auto Glass, INC \$234.00, Hy-Vee, INC \$100.89, K&P Services, INC \$142.16, Layne's World, INC \$75.42, Marco \$256.62, Mart Auto Body & Marin \$25.39, Midwest Oil Company \$2369.20, Neve's Uniforms and Equipment \$65.40, Office Elements \$1.55, Paul's Plumbing, INC \$10.92, Quill Corporation \$39.06, Richardson, Gretchen \$5.00, Secretary of State \$30.00, Sign-up LTD. \$22.73, State Farm Insurance \$50.00, Stockmen's Trailer Sal \$60.98, Sturdevant's Auto Part \$706.85, Titan Machinery \$514.55, Truck-Trailer Sales & Service \$36.00, Truenorth Steel \$2322.80, Verizon Wireless \$11.85, Vermillion Ace Hardware \$10.97, Vermillion Ford \$45.52, Wal-Mart \$22.32, Western Office Tech., \$354.77, Yankton Janitorial Supply \$454.00 and Zee Medical Services Co. \$104.55. (Travel & Conference) Ganschow, Dennis \$121.36, Jensen, Andrew \$274.32, SD Assn of Co Official \$525.00 and SD Continuing Legal \$7.42. (Utilities) Brunick Serivce, INC \$719.00, CenturyLink \$523.60, City of Vermillion \$1761.12, Clay Rural Water System \$42.40, Reliance Telephone \$300.00, Verizon Wireless \$354.06 and Vermillion Garbage Svc \$156.00. (Juv. Det. Contract) Minnehaha Co. Treasurer \$4840.34. (Jail Meals) Hy-Vee INC \$468.39, Wal-Mart \$131.65. (Machinery & Auto) Vermillion Ford \$481.28. (Juv. Detention) EMS Association \$56.00, Minnehaha County JDC \$1782.00. (Catastrophic Legal Fund) SDACC Office \$2629.34. (Furniture & Equipment) U.S. Merchant Systems \$405.00. (Machinery and Automotive Equip.) Vermillion Ford \$24653.00.

At 12:07 p.m. Powell moved, seconded by Mockler and carried to adjourn and reconvene Tuesday, May 6, 2014 at 9:00 a.m.

Raymond Passick, Chairman
Board of County Commissioners

ATTEST:
Carri R. Crum, County Auditor

Published once at the total approximate cost of \$861.68. Publish: May 16, 2014.

May 6, 2014

The Board of County Commissioners met in regular session Tuesday, May 6, 2014 at 9:00 a.m. Members present: Mockler, Packard, Powell, Kephart, and Passick.

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Kephart moved, seconded by Powell and carried to approve the agenda as presented.

Minutes of the April 29, 2014 meeting were approved with a motion by Powell, seconded by Mockler and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss highway matters. The replacement of the Wakonda Highway Shop was discussed. Powell moved, seconded by Packard and carried to declare surplus the Wakonda Highway Shop building, advertise for sealed bids to be opened on May 27, 2014, and require that the winning bidder have the building moved by June 16, 2014 at the bidder's expense.

An Application for Entrance from a Clay County Highway between 2409 & 2509 E. Main was presented on behalf of Merritt Groh. Powell moved, seconded by Mockler and carried to approve the application, providing that the applicant understands that the requirement is an 18 inch steel culvert to be installed at the landowner's expense because that is the County's standard.

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

Powell moved, seconded by Packard and carried to reconsider the motion from the previous meeting for putting together a bid request for Lateral 2A & 2B, 5 miles of each lateral with an add alternate option of an additional 2 miles of each lateral. Powell moved, seconded by Packard and carried to remove the section between 455 Ave. & 466 Ave. on Lateral 2A because it was included in the previous bid which has already been awarded and is underway.

At 9:26 a.m., Powell moved, seconded by Kephart and carried to adjourn and reconvene as Board of County Commissioners.

The Sheriff's Monthly Activity Reports and the Veterans, Welfare, and Zoning Monthly Reports were accepted and placed on file.

The following Auditor's Account with the County Treasurer Report for April 2014 was accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County items in the hands of the County Treasurer as of April 30, 2014. I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks 8,449,158.59

Amount of actual cash 2,104.81

Total amount of checks and drafts in Treasurer's Possession not exceeding three days 746,921.78

4,035.02

Checks returned and not deposited Cash Items Investments 1,000.00 Cash Variation 0.00 Total 9,203,220.20

Dated this 1st day of May 2014.

Carri R. Crum, County Auditor

The following Surplus Cash Report for March 31, 2014 was accepted and placed on file.

CLAY COUNTY GENERAL FUND SURPLUS ANALYSIS DATE March 31, 2014

The amount of General Fund dollars that counties can retain as surplus is restricted by SDCL 7-21-18.1 which states: "The total unreserved, undesignated fund balance of the general fund may not exceed forty percent of the total amount of all general fund appropriations contained in the budget for the next fiscal year. The total unreserved, undesignated fund balance of the general fund of the county as of March thirty-first and September thirtieth shall be published in the minutes of the proceedings of the board of county commissioners and reported to the Department of Legislative Audit. The report shall be on forms prescribed by the Department of Legislative

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Audit."

The following analysis should be completed as of March thirty-first and September thirtieth of each year. Thereafter, the unreserved, undesignated fund balance amount should be published in the minutes of the governing board. This analysis should also be filed with the Department of Legislative Audit.

ASSETS:
10100 Cash
2,054,695.78

10200 Cash Change
600.00

10300 Petty Cash
100.00

10400 Interest Bearing Accounts

10500 Savings Certificates

10600 Cash with Fiscal Agent

10700 Restricted Cash in Banks

10800 Taxes Receivable--Current
3,811,684.44

10900 Estimated Uncollectible Taxes Receivable--Current

11000 Taxes Receivable--Delinquent
140,939.10

11100 Estimated Uncollectible Taxes Receivable--Delinquent

11400 Judgment Receivable

11700 Accounts Receivable

11800 Estimated Uncollectible Accounts Receivable

12800 Notes Receivable

13100 Due from Other fund

13200 Due from Other Government

13300 Advance to Other Fund

13500 Interest Receivable

14100 Inventory of Supplies

15100 Investments

TOTAL ASSETS
6,008,019.32

GENERAL FUND SURPLUS ANALYSIS

LIABILITIES AND EQUITY:

20100 Claims Payable
30,165.23

20200 Accounts Payable

20800 Due to Other Funds

20900 Due to Other Governments

21600 Accrued Wages Payable
102,884.51

21700 Payroll Withholding Payable
14,987.53

22300 Revenues Collected in Advance

25000 Unavailable Revenue
3,952,623.54

FUND BALANCES:

27300 Nonspendable

27400 Restricted

27500 Committed (list)

27600 Assigned (list)

27601 Subsequent Year's Budget (one of the following three)

March - 3/4 of the current year
610,172.25

September - 1/4 of current year + subsequent year

December - subsequent year

27602 Capital Outlay Accumulations

27700 Unassigned
1,297,186.26

TOTAL LIABILITIES AND EQUITY
6,008,019.32

Following Year's General Fund Budget (use current year for March analysis)
4,793,833.00

The unassigned fund balance, account 27700, divided by the following year's General Fund budget resulting in the fund balance percentage
27.06%

At 9:32 a.m., Packard moved, seconded by Mockler and carried

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to adjourn and reconvene Tuesday, May 13, 2014 at 9:00 a.m.

Raymond Passick, Chairman
Board of County Commissioners

ATTEST:
Carri R. Crum, County Auditor

Published once at the approximate cost of \$95.93. Publish: May 23, 2014.

Unapproved Minutes Council Special Session May 5, 2014 Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, May 5, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Ward, Willson, Zimmerman, Mayor Powell

Absent: Osborne

2. Informational Session - Vermillion Booster Club presentation on request for assistance with funding of electronic sign to be placed at the High School - Jim Peterson

Jim Peterson, President Elect of the Vermillion Athletic Booster Club, stated that the club is a nonprofit organization of interested persons who support youth athletic programs in the community. Jim stated that the electronic sign project was the number one priority by the school last year. Jim stated that the club was asking for local contributions for this and the other projects. Jim stated that the two sided electronic message sign includes community events but not advertising. Jim stated that the request from the City is \$10,000 for the two sided electronic message board. Jim answered questions of the City Council on the project. Discussion followed with Mayor Powell stating that the action on the request is on the agenda for tonight's meeting.

3. Educational Session - Update on proposal to make Prentis Park improvements - John Prescott and Jim Goblirsch

John Prescott, City Manager, provided an update on the proposal to make Prentis Park improvements. John noted that, when the project was last discussed, it included a general obligation bond that would require an election. At that time, it was proposed to include the election on the November 3rd general election ballot. John reviewed the time line for adoption of a resolution for the bond no later than the first meeting in August. John reviewed the construction timeline that would award a bid in May 2015, start construction in August 2015 and, weather permitting, completion by July 1, 2016. John stated that we most likely cannot afford all the items included in the Prentis Park master plan but for the pool, parking lot and basketball courts, along with small items to connect this group, he estimated this portion at \$5.2 million. He proposed this to be funded with \$1 million of General Fund Reserves, \$1 million of second penny sales tax reserves, \$3 million of general obligation bonds and \$250,000 of donations and grants. John noted that some of the smaller items included on the master plan will be addressed by City departments. John stated that, to avoid the tax increase with a general obligation bond, he proposed that the debt service be financed from \$35,000 from Lotuswood reserves, \$35,000 from general fund, \$155,000 from second penny sales tax and \$5,000 from BBB sales tax. John reviewed the proposed changes in the composition of the debt service payments over the 20 year life of the bond. John reviewed the impact of the debt service payments on the individual funds. John requested City Council direction on what items they would want included from the master plan as well as any other funding options. John noted that a detailed design will need to be developed as well as ranking of the different items of the master plan. Discussion followed on the master plan items. John stated that he would provide the information to the City Council and request their input on how to proceed.

4. Briefing on the May 5, 2014 City Council Regular Meeting

Council reviewed items on the agenda with City staff. No action was taken.

5. Adjourn

143-14