CLARK COUNTY COMMISSIONER PROCEEDINGS

 February 17, 2015

The Clark County Commissioners met in regular session on February 17, 2015, in the Commissioners’ meeting room of the Clark County Courthouse. Vice-Chairman Wicks called the meeting to order at 8:00 a.m. with the following Commissioners present: Bjerke, Hass, and Loomis. Also present Auditor Tarbox.

**MINUTES**: Motion by Loomis, second by Hass to approve the minutes from the regular meeting of February 3, 2015. All members voting aye. Motion carried.

**HIGHWAY:** Motion by Hass, second by Bjerke to approve and allow Chairman to sign the 2015 County Striping Program contract. Clark County will participate in this project for approximately 15 miles at an estimated cost of $16,173.00, which County’s cost will be approximately 12,247.92. All voting aye. Motion carried.

**HIGHWAY**: HS Eggleston updated the board on road conditions and road work being done. He also presented a list of equipment for the highway department.

Reints present.

**AMBULANCE:** Motion by Hass, second by Wicks, at the request of Ambulance Administrator Grensberg, to allow Garrett Seefeldt be added to the Willow Lake ambulance roster as an EVOC driver. All voting aye. Motion carried.

**AIRPORT**: Motion by Wicks, second by Loomis, to approve the change order and allow Chairman to sign for Airport project, AIP#3-46-0009-008-2014. This contract is modified as follows upon execution of this Change order, which is for extra pavement repair that was needed on the taxiway heave repair. The increase of this change order will add $5295.00 to the contract price. All voting aye. Motion carried.

**DACOTAH BANK:** Motion by Bjerke, second by Wicks to approve and allow Chairman to sign notice and admission of service from Dacotah Bank. All voting aye. Motion carried.

**BOARD OF ADJUSTMENT**: Motion by Bjerke, second by Loomis, to enter into Board of Adjustment. All voting aye. Motion carried.

**HEARING**: At 9:00 a.m. the time specified, hearing was held for Conditional Use 1-15. Brian Michael, Randy Allen and John Cejka from Northern Natural Gas were present. Also present Brent Symens. Motion by Loomis, second by Bjerke to approve Conditional Use 1-15 which will allow Northern Natural Gas to use SW ¼ 15-113-57 to construct a compressor station to assist in the transportation of natural gas. Roll call vote: Voting aye, Bjerke, Hass, Wicks, Loomis and Reints. Motion carried.

**SET HEARING**: Motion by Bjerke, second by Loomis to set hearing for Variance 1-15, for March 3, 2015 at 9:00 a.m. This Variance if approved will allow Clint Lantgen to use E 255’ of the W 1456.4 of the N 255” of the NE1/4 of 10-118-56 to place a house 15’ from township right of way. All voting aye. Motion carried.

**PLANNING & ZONING**: Motion by Wicks, second by Loomis to allow P&Z Officer Reidburn to advertise for hearing and first reading for Ordinance Change to Ordinance 1-14, Section 1.02.03 Enforcement, Violation and Penalty, section 1.02.03.02. This change to Ordinance will change wording to include building, conditional use, variance, and rezoning. All voting aye. Motion carried.

**ADJOURN**: Motion by Bjerke, second by Hass, to adjourn from Board of Adjustment and return to Board of County Commissioners. All voting aye. Motion carried.

**CLARK HOUSING**: David Moritz, David Warkenthien and Theresa Kaufman met with the Board representing Clark Housing & Development. They informed the board that the organization has established tax exempt status. They discussed the reasons they are seeking the status change and how it will impact their organization.

**CONCERNED CITIZEN**: Kenny Clausen met with the board in regards to the Silver Lake Colony and turkey barns that they are proposing. No action taken.

**SET HEARING**: Motion by Loomis, second by Hass to allow auditor to set hearing for 9:30 a.m., March 17, 2015, Clark County Riders for temporary on sale malt beverage license. This license if approved will allow them to use W½ SE ¼ lying N of RR 6-117-57, Clark County Fairgrounds to serve malt beverage. This license will be accessible from noon, June 26, 2015 through noon, June 28, 2015. All voting aye. Motion carried.

**SET HEARING**: Motion by Loomis, second by Hass to allow auditor to set hearing for 9:35 a.m., March 17, 2015 for Clark County Riders for a temporary on sale liquor license. This license if approved will allow them to use W ½ SE ¼ lying N of RR 6-117-57, Clark County Fairgrounds to serve on sale liquor. This license will be accessible from noon, June 26, 2015 through noon, June 28, 2015. All voting aye. Motion carried.

**DOE:** DOE Reidburn met with the board to request his salary be adjusted to level of former DOE. He also informed the board that he does not feel that it would be beneficial or necessary for DOE deputy to become certified. Commissioners agreed with the request that deputy does not need to become certified.

**EXECUTIVE SESSION**: Motion by Wicks, second by Loomis to enter into executive session at 11:15. Chairman declared out at 11:45 a.m.

**SALARY:** Motion by Loomis, second by Wicks to implement change that will set salary of new hire to position of Director of Equalization which includes Planning and Zoning, salary for Planning and Zoning will be $4200 per year, Register of Deeds, Treasurer, Auditor, Highway Superintendent, Custodian and Ambulance Administrator, at 90% of base salary for the first six months, 95% of base salary for six months to one year and 100% of base salary after one year of service. The base salary will be the current salary of the person being replaced. This change will be effective immediately and apply to current Register of Deeds and Director of Equalization. Salary of current Register of Deeds Andrea Helkenn will be 2990.26/month, Director of Equalization Jarvis Reidburn will be $2890.62/ month. All voting aye. Motion carried.

**RESOLUTION 9-15**: Motion by Hass, second by Bjerke, to approve Resolution 9-15 which will approve cell phone policy. This change is being made upon recommendation of Safety Benefits. All voting aye. Motion carried.

RESOLUTION 9-15

Clark County

Cell Phone Policy

We deeply value the safety and well-being of all employees. Due to the increasing number of accidents resulting from the use of cell phones while driving, we are instituting a new policy.

1. Employees are not permitted to use a cell phone, either handheld or hands-free, while operating any vehicle requiring a CDL, as well as any equipment such as, but not limited to, trucks, loaders, motor graders, tractors, or equipment including cars, pickups etc. on company business and/or on company time.
2. Employees are not permitted to read or respond to e-mails or text messages while operating a motor vehicle/equipment as described above on company business and/or company time.
3. This policy also applies to use of PDAs.
4. While driving, calls cannot be answered and must be directed to voice mail.
5. If an employee must make an emergency call (911), the vehicle should first be parked in a safe location.

Employees will be given two warnings. The third time an employee is found to be in violation of this policy, it is grounds for immediate dismissal.

Policy adopted: February 17, 2015

Clark County Commission

ATTEST:
(SEAL)

/s/ Christine Tarbox                        /s/ Richard Reints
Christine Tarbox  Richard Reints, Chairman

Clark County Auditor Clark County Board of Commissioners

**RESOLUTION 10-15:** Motion by Wicks, second by Loomis, to approve Resolution 10-15, violence in the workplace prevention policy. This policy is being implemented on recommendation of Safety Benefits. All members voting aye. Motion carried.

RESOLUTION 10-15

CLARK COUNTY

Violence in the Workplace Prevention Policy

**Zero Tolerance**

Clark County has a policy of zero tolerance for violence. If an employee engages in any violence in the workplace, or threatens violence in the workplace, the employee shall be immediately suspended and may be terminated for cause.

“Violence” includes physical harming another, shoving, pushing harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. It is the intent of this policy to ensure that everyone associated with the County, including employees and the general public, never feels threatened by any employee’s actions or conduct.

**Weapons Banned**

Clark County specifically prohibits the possession of weapons by any non-law enforcement employee while on company property. Employees are also prohibited from carrying a weapon while performing County services off the County’s business premises.

Weapons include guns, knives, explosives, and other items with the potential to inflict harm. Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy.

**Inspections**

Desks, telephones, and computers are the property of the County and it reserves the right to enter or inspect any work area including, but not limited to, desks and computer storage disks, with or without notice.

Any private conversations overheard or private messages retrieved, that may constitute threats against other individuals may be used as the basis for termination for cause.

**Report violence**

It is in everyone’s best interest to prevent violence in the workplace. Employees are encouraged to report to a supervisor any information that would indicate that a co-worker is in possible violation of this policy.

All reports will be investigated and information will be kept confidential to the extent possible.

Adopted: February 17, 2015
Clark County Commission

ATTEST:
(SEAL)

/s/ Christine Tarbox /s/ Richard Reints
Christine Tarbox  Richard Reints, Chairman

Clark County Auditor Clark County Board of Commissioners

**RESOLUTION 11-15**: Motion by Bjerke, second by Loomis, to approve Resolution 11-15 which will establish a media policy. This resolution is being adopted upon recommendation of Safety Benefits. All voting aye. Motion carried.

RESOLUTION 11-15

Clark County

Media Policy

From time to time during the course of your service for Clark County you may receive unsolicited contact from representatives of the media including but not limited to newspaper reporters, television and radio reporters and news people and others. The purpose of this policy is to inform you of the proper steps to follow when such contact occurs.

1. Chairman of the Board has been designated as the only authorized spokesperson for Clark County in the event of communications with the media. Therefore, if you receive contact from the media, advise them that you cannot comment and refer them to Chairman. The telephone number is 532-5921.
2. In addition to referring members of the media to our designated contact person, notify your immediate supervisor immediately of any media contact.
3. Media representatives will understand that you cannot comment. They will appreciate a referral to someone who may or may not be able to answer their questions.
4. When an incident occurs that could give rise to a claim against you or others of your fellow employees, please notify everyone that they may receive contact from the media and that they must be aware of and follow this media policy- e.g., not comment on any occurrence and refer the media to the designated contact person.
5. Never give into what is a natural urge to be helpful if you are contacted by the media. You must follow this policy and the procedures described herein.
6. You should be friendly and not defensive or evasive when advising members of the media that you are not able to comment. As noted above, they will understand this position.
7. No comment means no comment. Do not explain or discuss any occurrence or event with the media unless you are authorized to do so as the designated spokesperson.
8. Keep in mind that whatever you say will be viewed as an official statement on behalf of your employer and your co-workers. This is yet another reason to follow the policy, make no comment, and direct the media representatives to the designated contact person.
9. If you are present during Executive Session of Clark County where litigation or claims are discussed, keep in mind that executive sessions are privileged, that no record is made of these discussions, and that anyone present is absolutely forbidden to discuss the content of conversations which occur during the course of executive session.

If you have any questions about the application of this policy, please contact your immediate supervisor.

Policy adopted: February 17, 2015

Clark County Commission

ATTEST:     (SEAL)

/s/ Christine Tarbox /s/ Richard Reints
Christine Tarbox  Richard Reints, Chairman

Clark County Auditor Clark County Board of Commissioners

**FSA:** Motion by Loomis, second by Wicks, to approve and allow Chairman to sign base reallocation and yield update decision for agriculture risk coverage (ARC) and price lost coverage (PLC) programs. This form was presented by Larry McHenry. All voting aye. Motion carried.

**AIRPORT**: Airport leases will be discussed at the March 3, 2015 meeting.

**AUDITOR:** Motion by Loomis, second by Wicks, to approve Auditor Tarbox request to close office November 4, 5, and 6, 2015 so all staff can attend Election School in Pierre. All voting aye. Motion carried.

**CPI:** Auditor Tarbox informed the board that the CPI to be used for taxes payable in 2016 is 1.5%. The index factor is the percent a taxing district may increase the taxes payable in the following year according to SDCL 10-13-35.

**WORKSHOP**: Discussion was held regarding upcoming Commissioner work shop that will be held in Pierre, March 18-19, 2015.

**CLAIMS**: Motion by Bjerke, second by Wicks to approve the following claims and allow the auditor to issue payments for same. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier-proceedings 319.18, Voyager Fleet- fuel 29.89, AUDITOR: Moritz Publishing-calendar/ledger sheets 15.00, Office Peeps-paper/correction tapes 50.18, TREASURER: Cardmember Service-stamps 51.30, Clark Co Courier- Redeem from tax sale 177.45, Moritz Publishing Co –fold tax forms 45.50, Office Peeps-cartridge ;72.36, STATES ATTORNEY: Chad Fjelland – postage 60.35, SD Dept of Revenue-blood draw 70.00, COURT SYSTEM: Bratland Law-court appointed 1149.60, Sutton Law Office-court appointed atty 509.69, PUBLIC BUILDINGS: City of Clark-water/sewer 61.50, Cook’s Wastepaper-garbage service 26.75, Dekker Hardware –supplies 9.98, Northwestern Energy-utilities 1747.59, DIRECTOR OF EQUALIZATION: Clark Co Courier-register mobile homes 6.92, Office Peeps-binders 118.23, SDAAO-2015 membership dues 55.00, REGISTER OF DEEDS: A&B Business-copy machine rent 124.41, Connecting point-recover missing info 40.00, SDACO-registration fee 100.00, SHERIFF: Clark Community Oil-gas 695.73, Mack’s –oil change 36.95, National Sheriff’s Assn 2015 dues 56.00, Performance Towing-tow/deer accident 190.00, SD Sheriffs Asso-spring conference registration 85.00, Sturdevants Auto Parts-supplies 27.18, Wex Bank-Jan 2015 fuel – 70.65, PRISONER CARE: Codington Co Auditor-prisoner care 4993.00, AIRPORT: Lehtola Builders –GA Terminal SRE building 81,284.44, Northwestern Energy-utilities 73.12, POOR: Credit Bureau of Wtn – collection fees 66.66, SDACO-new officials workshop 100.00, NURSE: Cardmember Service-bandages/candy 124.05 AMBULANCE: A-Ox Ambulance-oxygen./cylinder rent 185.92, Bound Tree Medical LLC –supplies 270.55, City of Clark-water/sewer 43.50, Clark Community Oil-diesel 276.63, Credit Bureau of Wtn-collection fees 8.33, Dekker Hardware-supplies 44.74, Moritz Publishing-N2DA Ledger sheets/toner 71.20, Northwestern Energy-utilities 488.76, Voyager Fleet Systems-fuel 122.08, SOC SER FOR AGED: Inter-Lakes Comm Action-support comm work Feb 1319.42, Lewis & Clark –services 160.00, Lincoln CO Treas-mental illness expenses 18.00, CULTURE & RECREATION: Glacial Lakes & Recreation- membership 425.00, EXTENSION: Dekker Hardware-supplies 10.19, SDSU Extension-4-H advisor billing 8890.00, WEED: Clark Comm Oil-propane 35.00, Dekker Hardware-supplies 77.98, NASASP-dues 39.00, PLANNING & ZONING: Clark Co Courier- variance/cond use 21.10, ROAD & BRIDGE: Ameripride Services-towels 84.26, Avera Queen of Peace-drug testing 191.77, David Borns-ins deductible reimbursement-1000.00, Boyer Trucks-parts 217.23, Larry Brannan-mileage 16.28, City of Clark –water/sewer 96.00. Clark Co Courier-ad-right of way-82.53, Clark Community Oil-gas/shop diesel 17474.50, Cook’s Wastepaper & Recycling-garbage service 71.75, Dakota Fluid Power-repairs 933.00, Dekker Hardware-supplies 725.18. GCR Tires & Service-tires 7470.68, I-State Truck Center-parts-1803.90, Matheson Tri-Gas-welding supplies 23.25, North American Truck & Trailer-parts 35.08, Northern Safety Co –supplies -143.65, Northwestern Energy-utilities 1902.62, Office Peeps-supplies 130.09, Oscar’s Machine Shop-parts 221.03, Productivity Plus Acct-parts 299.03, Prostrollo Motor-parts 271.02, RDO Trust-parts 649.00, Ron’s Small Engine Repair-parts 143.72, Sanford Lab-drug test 39.97, Sioux City Foundry-cutting edges 4180.00, Sturdevants Auto Parts –filters/parts - 3492.91, Wheelco Truck & Trailer-parts 485.37, 911 SERVICE FUND: Milbank Communications-radio install 240.00, Sioux Falls Two Way Radio-remove radios 225.00, CIVIL DEFENSE: Chief Supply Corp –arm rest/flashlight/167.30, Sturdevants Auto Parts-supplies 25.96, REGISTER OF DEEDS: Microfilm Imaging Systems-scanning rent 45.00. TOTAL 148,038.14.

**PAYROLL**: AUDITOR: 4588.37, TREASURER: 4165.41, STATES ATTORNEY:
3542.66, COURTHOUSE: 2374.29, DIRECTOR OF EQUALIZATION: 3415.54, REGISTER OF DEEDS: 2457.24, VETERAN SERVICE OFFICE:  336.41, SHERIFF:  6113.79, NURSE: 1572.80, AMBULANCE: 4604.15, EXTENSION: 977.13, WEED: 1374.95, ROAD & BRIDGE: 36160.07, EMERGENCY MANAGEMENT: 1149.06. TOTAL: 72831.87.

**REPORTS:**  Motion by Hass, second by Bjerke, to approve the following reports. All voting aye. Motion carried.

AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER:
Cash on hand…………………………………………..…  27,597.33
Money Market…..…………………………………… .… 1,942,881.52
CD’s…………..…………………………………………… 800,000.00
Checking Account....…….………………………………….. 268,423.32
   TOTAL:………………………………………………… 3,038,902.17

These funds include all funds administered by the county including: General Fund 2,136,880.36, Road & Bridge: 414,535.13, 911 Service Fund: 110,668.58 E/D: 4872.33, Domestic Abuse: 305.00, 24/7: 10,249.16, ROD Mod/Pres: 16,493.28, Clark County TIF 996.53, **Trust & Agency Funds 343,901.80, which are funds returned to schools, towns, townships and special districts.** TOTAL: 3,038,902.17.

ROD Fees: Recording fees: 2240.00, Transfer fees: 3850.50, Births: 30.00, Deaths: 60.00, Marriages: 135.00, Copy money: 58.00, Misc 95.00. TOTAL: 6468.50.

Ambulance: $10,183.32, Sheriff: Mileage 95.46, Civil fees $330.00, Pistol permits $39.00.

**ADJOURN**:  Motion by Hass, second by Reints to adjourn at 12:40 p.m. until next regular meeting Tuesday, March 3, 2015 at 8:00 a.m. All voting aye. Motion carried.

ATTEST:
(SEAL)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Christine Tarbox  Richard Reints, Chairman

Clark County Auditor Clark County Board of Commissioners