CLARK COUNTY COMMISSIONER PROCEEDINGS

  January 6, 2015

 Auditor Tarbox called the regular meeting to order at 8:00 a.m. in the Commissioners’ meeting room of the Clark County Courthouse. Commissioners present: Robert Bjerke, Richard Reints, Douglas Loomis, Francis Hass and Violet Wicks.

**ORGANIZATION OF THE BOARD**: Auditor Tarbox called for nominations for Chairman of the Clark County Board of Commissioners for the year 2015. Commissioner Hass nominated Reints as Chairman, Commissioner Wicks second. Wicks made motion nominations cease second by Bjerke. All voting aye. Motion carried. Auditor Tarbox called for nominations for Vice Chairman. Commissioner Reints nominated Wicks, second by Bjerke. Bjerke made motion nominations cease, second by Reints. All voting aye. Motion carried.
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**APPOINTMENTS**: Chairman made the following appointments for the year 2015. Mental Illness: Doug Loomis, Extension: Richard Reints, Weed & Pest: Violet Wicks, Airport: Bjerke, Loomis and Hass, I-Cap: Hass, First District: Reints, Glacial Lakes: Bjerke, Legislative Contact: Wicks.

**MINUTES:**  Motion by Loomis, second by Bjerke, to approve the minutes of the regular meeting on December 30, 2014. All members voting aye. Motion carried.

**RESOLUTION 1-14:** Designation of Official Newspaper

It was moved by Commissioner Hass, seconded by Commissioner Loomis, that the Clark County Courier, being the only legal newspaper within the County as defined in Chapter 7-18, Sec 3 SDCL of 1967, be designated as the official Clark County Newspaper for publishing all matters pertaining to government of Clark County for or during 2015.  Commissioners voting aye: Bjerke, Reints, Loomis, Wicks and Hass. Commissioners voting nay: None.
Dated at Clark, South Dakota this 6th day of January, 2015.

 /s/ Christine Tarbox /s/ Richard Reints\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor              Chairman, Clark County

 Board of Commissioners

**RESOLUTION 2-15**: DESIGNATION OF BANK DEPOSITORIES

It was moved by Commissioner Loomis, seconded by Bjerke, that Dacotah Bank of Clark, Clark
Branch within the County be designated as the official Clark County Bank Depository during 2015.
Commissioners voting aye:  Bjerke, Reints, Wicks, Loomis and Hass.
Commissioners voting nay: None.
Dated at Clark, South Dakota this 6th day of January, 2015.

/s/ Christine Tarbox /s/ Richard Reints\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Clark County Board of Commissioners

**RESOLUTION 03-15**

 A RESOLUTION SETTING FORTH POLICY, PROCEDURES AND
 PAYMENT RELATED TO INDIGENT BURIAL WITHIN CLARK COUNTY,
 SOUTH DAKOTA.

The resolution was moved for adoption by Commissioner Bjerke, seconded by Commissioner Hass. Upon roll call the following commissioners voted aye: Bjerke, Reints, Wicks, Loomis and Hass. Commissioners voting nay: None.

WHEREAS, SDCL 28-17-4 provides that Board of County Commissioners shall adopt a Resolution establishing a sum to be paid by the County for County burial of its
indigent residents: and,

WHEREAS, The Board of County Commissioners has consulted with interested parties;
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, for the 2015 calendar year, that the policy and payment  schedule,
which is on file in the Auditor’s office as Appendix A be adopted with respect to indigent burial within Clark County, South Dakota.

Whereupon the chairman of the Clark County Board of Commissioners declared the resolution to be duly passed and adopted.
Dated at Clark, Clark County, South Dakota, this 6th day of January 2015.
/s/ Richard Reints\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Chairman, Clark County Board of Commissioners
 ATTEST
 /s/ Christine Tarbox
 County Auditor

**RESOLUTION 4-15:** Set Salary for Election Officials

Moved by Commissioner Wicks, and seconded by Commissioner Reints that the following
resolution be adopted. Members voting yes: Bjerke, Reints, Wicks, Loomis and Hass.
Members voting against: None.
NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, that the fee to be established pursuant to SDCL 12-15-11 for
compensation of election superintendents and deputies shall be computed at the rate of $ 8.50 per hour for hours worked Election Day and $10.00 to attend training session. The superintendents and judges shall be paid for each hour they are required to be present to perform their respective duties as specified by law. The person delivering the poll books and ballot boxes to the proper authority at the county seat shall receive the county rate for mileage as established pursuant to Sec. 7-7-24 SDCL, for miles necessarily traveled in going to and returning from making the delivery. The polling place shall receive $30.00 per election for use of the facility.

 Dated: January 6, 2015

ATTEST:

 /s/ Christine Tarbox                                          /s/ Richard Reints\_\_\_\_\_\_\_\_\_\_
County Auditor                                                 Chairman, Clark County
 Board of Commissioners

**RESOLUTION 5-14:**  Resolution 5-14 sets fees for the current year. DOE Reidburn met with the board to consider changes to the fee schedule for 2015. Further information will be presented to the board on January 20, 2015. No action taken.

**RESOLUTION 6-15:** Motion by Wicks, second by Loomis to approve certificate of appointment of commissioners of the Clark County Housing and Redevelopment Commission. All members voting aye. Motion carried.

RESOLUTION 6-15

CHAIRMAN’S CERTIFICATE OF APPOINTMENT OF COMMISSIONERS OF THE CLARK COUNTY HOUSING AND REDEVELOPMENT COMMISSION
Pursuant to South Dakota Codified Law 11-7-12 and by virtue of my office as Chairman, I hereby appoint five (5) persons hereinafter named to serve as Commissioners of the Clark County Housing and Redevelopment Commission and to serve for the number of years appearing after their names, respectively from the date of this certificate.
Robert Bjerke–one year
Bonnie Graves- two years
Francis Hass – three years
Char Peterson - four years
Basil Englert - five years.

Clark County Board of Commissioners, Clark, South Dakota this 6th day of January,
2015.

/s/ Richard Reints\_\_\_\_\_\_\_\_\_

 Chairman, Clark County Commissioners
 ATTEST:
 /s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_\_\_\_

Clark County Auditor

**HIGHWAY:**  SA Fjelland met with the board to discuss options for road bores. Scott Campbell and Paul Fuller also present. Board has determined that no decision will be made until after the 2015 legislative session to see if any action is taken regarding Senate Bill 2 which would provide for establishment of river basic natural resources districts. Decision also contingent upon decisions made from the Codington County ordinance that addresses this issue.

**HIGHWAY**: HS Eggleston met with the board to update them on road conditions and work being done.

**HIGHWAY**: Motion by Loomis, second by Bjerke to call for bids for **“Cutback Asphalt, Emulsion Asphalt, Cold Mix, Plant Mix, Pea Rock and Contracted Construction Equipment.”** for any job site in Clark County for the Highway Department. Clark County guarantees no maximum or minimum quantities. Bids must be filed at the Clark County Auditor’s Office, PO Box 294, 200 North Commercial Street, Clark SD 57225, on or before 10:00 a.m. CST, on January 28, 2015. The Auditor and Highway Superintendent will open the bids and read them aloud on January 28, 2015 at 10:15 a.m. The bids will be considered by the Board of Commissioners on February 3rd, 2015 at 8:00 a.m. All bids must be submitted on the county issued bid forms. Envelopes or containers containing bids must be clearly marked: **Cutback Asphalt, Emulsion Asphalt, Cold Mix, Plant Mix, Pea Rock and Contracted Construction Equipment.** All voting aye. Motion carried.

**BRIDGE RESOLUTION**: Motion by Loomis, second by Hass to approve bridge resolution 8-15. All voting aye. Motion carried.

**RESOLUTION 8-15**

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM RESOLUTION 8-15 FOR COUNTY AND URBAN PROJECTS
WHEREAS, Clark County desires the replacement of the bridge hereinafter described: STRUCTURE NUMBER AND LOCATION: 13-050-212 -4.2 miles south and 3 east of Raymond, LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT: Randy Helkenn 17464 417th Ave Raymond, SD 57258 and Curtis Erickson, PO Box 484, Bath, SD 57427;

AND WHEREAS, Clark County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Clark County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement/rehabilitation for the following reasons:

1. The sufficiency rating is 52.8.
2. The bridge is \_\_\_\_\_\_or is not \_\_\_\_\_\_\_\_\_located on a County or Township designated Minimum Maintenance Road.
3. The bridge is located on a Federal Aid Route, a school bus route, a mail route, a field to farm to market route, a lake or recreation access route\_\_\_\_, or other (please specify)\_\_\_\_\_\_\_\_\_\_\_.
4. The load carrying capacity of the existing bridge can \_\_\_\_\_or cannot \_\_\_\_\_\_ be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

 That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the “Local Roads Plan” and the State’s
Standard Specifications for Roads and Bridges,” the bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: $ 400,200.

Federal Share (80%) $ 320,160.

Local Share (20%) $ 80,040.

Proposed Year of Construction:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Vote of Commissioners: Yes.

Date at Clark, SD, this 6th day of January 2015.

ATTEST:

/s/ Christine Tarbox /s/ Richard Reints\_\_\_\_\_

County Auditor Chairman

**LOAD LIMIT RESOLUTION**: Motion by Loomis, second by Bjerke to approve Load Limit Resolution 7-14 for calendar year 2015. All voting aye. Motion carried.

 LOAD LIMITS
 RESOLUTION 7-15

WHEREAS the County of Clark, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction,

WHEREAS it appears that said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restrictions as to the weight of vehicles are imposed, and

WHEREAS the County of Clark lacks the scale equipment with which to enforce road weight limits

NOW, THEREFORE, pursuant to SDCL 32-14-16, and any laws amendatory thereto, be it resolved that the load limit on Clark County roads with the County of Clark, South Dakota, shall be seven ton per axle for a full 75 day period from or after March 01, 2015.

IT IS FURTHER RESOLVED that there shall be erected and maintained signs designating the provisions of this Resolution as provided by State Law and that this Resolution shall not be effective until or unless such signs are erected and maintained.

IT IS FURTHER RESOLVED that the County of Clark shall request the South Dakota Highway Patrol Motor Carrier Enforcement Officer to enter the County of Clark with scales adequate to weigh motor vehicles to insure compliance with State Laws pertaining to vehicle weight, and with the weight laws established by this Resolution.

NOW, THEREFORE, BE IT RESOLVED that all asphalt roads will be posted at 7 ton per axles and 45 mph for trucks. Trucks 45 mph year round on all asphalt roads. Gravel will be posted as needed. Paved County Roads within the County of Clark, South Dakota, shall be 45 Miles Per Hour from January 1, to December 31 of each year, commencing with the year 2015. Refer to Resolution 98-23. Clark County request the South Dakota Highway Patrol Motor Carrier Enforcement Officer to enter the County of Clark to enforce the speed limit on all Clark County Roads.

 IT IS FURTHER RESOLVED that this Resolution be effective each and every year hereafter unless repealed or modified by duly enacted Resolution.

Dated at Clark, South Dakota, this 6th, day of January 2015.

 /s/ Richard Reints\_\_\_\_\_\_\_\_\_\_\_\_\_

 Chairman, Board of County

 Commissioners of Clark County

ATTEST:
**/**s/ Christine Tarbox
Clark County Auditor

**FUEL QUOTES**: The following fuel quotes were presented to the board. Blended 70/30: Clark Community Oil- No bid. Clark County Farmers Elevator, 2.01, Bradley, Garden City, Vienna, Willow Lake, Clark and Raymond shops. Diesel #1- Clark Shop 2.32, Diesel #2- $1.89, Gas $1.69. The County accepted the low bid and all bids are on file in the Auditor's office.

**HIGHWAY**: Motion by Wicks, second by Loomis to approve Agreement for Joint Exercise of Governmental Powers for cooperative action between the town of Vienna and Naples and Clark County and allow Chairman to sign. All voting aye. Motion carried.

**AIRPORT**: Airport Manager Hansen met with the board to request purchase of a zero turn mower for use at the Airport. He will check prices and report back to the Commissioners. He will also contact the Department of Aeronautics to see if grant money is available to fund the purchase.

**WELFARE**: Welfare Director Tarbox presented notifications of hospitalization.

**DENIAL:** Motion by Hass, second by Bjerke to deny claim to Sanford USD Medical Center dated October 7-16, Medicaid rate is $5057.30. County resident has not applied to determine eligibility for county assistance. All voting aye. Motion carried.

**COURTHOUSE:** Custodian Elsen met with the board to report on the status of the courthouse roof. He informed them there have been no problems with the repairs.

**EMERGENCY MANAGEMENT**: Motion by Bjerke, second by Wicks to approve 1st Quarter SLA Report for Emergency Management and allow Chairman to sign. All voting aye. Motion carried.

**GRANT**: Motion by Loomis, second by Wicks to approve EM Gravning to apply for a Homeland Security grant to purchase an infrared camera. This will be a 100% reimbursement grant and grant amount is $9445.00. All voting aye. Motion carried.

**JAIL CONTRACT**: Motion by Wicks second by Loomis to allow Chairman to sign the agreement to house adult prisoners at the Codington County Detention Center as presented by Sheriff McGraw. Price has been increased to $75.00 per day. All voting aye. Motion carried.

**CLAIMS:** Motion by Bjerke, second by Loomis, to approve the following claims and allow the Auditor to issue payments for same. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier-proceedings/ ads 341.76, SDACC-dues 1016.74, AUDITOR: ITC-service 37.52, TREASURER: Clark Co Courier-del MH, Del tax list 224.17, ITC-service 40.18, INS & BONDS: SDML Workers Comp-work comp ins 11615.00, STATES ATTORNEY: ITC-service 57.47, COURT SYSTEM: Bratland Law- Court appointed atty 1983.60, PUBLIC BUILDINGS: Cook’s Wastepaper-garbage service 26.75, Culligan-water 31.25, Dakota Data Shred-shredder minimum 51.20, ITC-service 37.05, Otis Elevator –service contract 7504.49, Star Laundry-rugs 54.87, DIRECTOR OF EQUALIZATION: ITC-service 58.65, REGISTER OF DEEDS: A&B Business - -copy machine rent 124.41, Andrea Helkenn-ins deductible 1000.00, ITC-service 123.70, Office Peeps-calendar 6.27, VETERAN SERVICE OFFICER: ITC-service 49.40, SHERIFF: ITC-service 183.34, Sturdevants Auto Parts- supplies 116.31, AIRPORT: Helms & Associates-construction admin 866.58, AMBULANCE: A-Ox Welding-cylinders/cylinder lease 5 year, 397.20, Credit Bureau of Watertown-collection fees 8.33, ITC-service 115.13, Unemployment Ins Div-4th qtr unemployment 92.20, MENTAL & HANDICAPPED: SD Dept or Revenue-pt care 60.00, EXHIBITION BLDG: Clark Co 4-H Leaders- 4-H Building fund 5000.00, EXTENSION: ITC-service 87.16, Office Peeps- printer 176.40, Star Laundry & Dry Cleaners-rugs 51.24, Clark County Conservation Dis –request 2015 12450.00, WEED: ITC-service 92.58, Productivity Plus-supplies 244.13, Unemployment Ins-4th qtr 138.30, Weed & Pest Conference-registrations/weed & Pest conference 345.00, PLANNING & ZONING: Clark Co Courier-variance 21.46, ROAD& BRIDGE: AT&T Mobility-cell service 58.44, Larry Brannan-mileage 32.56, Randy Brownlee-Gravel crushing 235,607.82, Butler Machinery-parts 1677.43, Cook’s Wastepaper-garbage service 71.75, ITC-service 110.38, Mac’s Inc-supplies 663.28, Matheson Tri Gas – welding supplies 145.79, Milbank Winwater Works-fabric 1970.20, Northwestern Energy-utilities 84.30, Oscars Machine –parts 339.04, Productivity Plus Accr-parts 1180.90, SDML Workers Compensation Fund-work comp 22369.00, Sioux Rural Water-water 29.00, Sturdevants-supplies 3369.05, Unemployment Ins Div-4th qtr unemployment 230.49. WW Tire Service-tires/repairs-1184.14, Westside Imp-supplies/parts 195.61, 911 Service Fund-arc/gis Maintenance-800.00, CIVIL DEFENSE: Sturdevants Auto Part supplies 11.98, EXCISE TAX: SD Dept of Rev-excise tax 24.80. M&P FLOW THRU: SDACO – fee-218.00. Total: 315,203.80.

**PAYROLL**: COMMISSIONERS: 5584.29, AUDITOR: 3251.65, TREASURER: 3099.33, STATES ATTORNEY: 2611.97, COURTHOUSE: 1685.74, DIRECTOR OF EQUALIZATION: 2497.14, REGISTER OF DEEDS: 2395.29, VETERAN OFFICER: 336.41, SHERIFF: 4514.89, POOR: 453.57, NURSE: 1842.52, AMBULANCE: 7204.68, EXTENSION: 1242.93, WEED: 316.39, PLANNING & ZONING: 397.78, ROAD & BRIDGE: 35,092.87, EMERGENCY & DISASTER: 877.00 TOTAL: 73,404.45.

**ADJOURN**:  Motion by Wicks, second by Hass, to adjourn at 11:25 a.m. until next regular meeting Tuesday, January 20, 2015 at 8:00 a.m. All voting aye. Motion carried.

ATTEST:

(SEAL)

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Christine Tarbox  Richard Reints, Chairman

Clark County Auditor Clark County Board of Commissioners