CLARK COUNTY COMMISSIONER PROCEEDINGS

May 2, 2017

The Clark County Commissioners met in regular session on May 2, 2017 in the Commissioners’ meeting room of the Clark County Courthouse. Chairperson Wicks called the meeting to order at 8:00 a.m. with the following Commissioners present: Bjerke, Hass, Reints Sass and Wicks. Also present Auditor Tarbox.

**AGENDA**: Motion by Sass, second by Bjerke to approve the agenda for the May 2, 2017 meeting. All voting aye. Motion carried.

**MINUTES**: Motion by Bjerke, second by Reints to approve the minutes from the regular meeting of April 18, 2017. All voting aye. Motion carried.

**EXECUTIVE SESSION**: Motion by Hass, second by Sass to enter into executive session at 8:01 a.m. to discuss personnel issues. All voting aye. Motion carried. Also present HS Eggleston. Chairman declared out at 8:07 a.m.

**HIGHWAY**: HS Eggleston met with the board to update them on road conditions and work being done. He informed the board that Clark County has been approved for grant dollars in the amount of $31,700 which is an 80/20 split. The funds are from the 2017 preliminary engineering bridge improvement grant and will be for structure number 13-101-225. This structure is 5 miles south and 1 mile west of Raymond on 413th Ave over a creek.

**FUEL QUOTES**: The following fuel quotes were presented to the board. Diesel #2: Clark

County Farmers Elevator, 1.79. Clark Community Oil – 1.76.5, GAS: Clark County Farmers Elevator: no bid. Clark Community Oil-1.95. The County accepted the low bid and all bids are on file in the Auditor's office.

**HIGHWAY**: Motion by Reints, second by Bjerke to allow HS Eggleston to accept the bid for gravel crushing from the Codington County bid. Bid is from Brownlee Construction, 3/4” 2.24 per ton. All voting aye. Motion carried.

**HIGHWAY**: Motion by Sass, second by Reints to hire Van Jackson, upon recommendation of HS Eggleston, for the position of motorgrader operator based out of Bradley. He will be paid $16.00 per hour through the six month probation period. All voting aye. Motion carried.

**WIND FARM**: Crocker Wind Farm attorney Brett Koenecke meet with the board to discuss the Crocker Wind Farm Conditional Use permit conditions. He stated that the Crocker Wind Farm requests the Board of Adjustment amend conditions to clarify terms to accurately represent the intent of the Board and to modify unworkable conditions. The five points discussed were the setback distance from existing off-site, non-participating residences shall be ¾ mile measured from the wall line of the neighboring principal building to base of the WES tower, unless otherwise negotiated pursuant to the zoning ordinance. The construction and operation of the WES shall be done in a manner so as to not interfere with the maintenance and operation of other utility and telecommunication lines, specifically incorporating and term and conditions contained in the Resolution proposed by Interstate Telecommunications Cooperative which resolution is part of the file in this matter. The applicant shall, at a minimum, meet all standards in the zoning ordinance or proposed in its application if more stringent than the zoning ordinance, including but not limited to the following categories: Mitigation measures; Roads, Setbacks, Electromagnetic Interference; Lighting; Turbine Spacing; Footprint Minimization; Collector Lines; Feeder Lines;, Decommissioning; Abandoned Turbines; Height from Ground Surface; Tower Design; Noise; Permit Expiration Limitation of three years; and any other conditions the Board of Adjustment deems necessary. The setback shall be at least one mile from cemeteries and the applicant shall provide an updated project map showing accurate project area boundaries, the movement of towers 56 and 58 (Potentially affection a private airstrip, and updated setbacks. He explained to the board that the ¾ mile setback will make the project move expensive as it will have to be set out over more land. No action taken.

**AMBULANCE**: Motion by Sass, second by Reints to utilize Louann Streff, PA-C, under the direction of Calvin Roseth, M.D as Medical Director for Clark County Ambulance service effective May 17, 2017. This change is being made at the request of AA Angermeier. All voting aye. Motion carried.

**AMBULANCE**: Motion by Reints, second by Hass to approve and add MacKenzie Robson, LPN, and Jodi Peterson, RN to the Willow Lake ambulance crew. All voting aye. Motion carried.

**REGISTER OF DEEDS**: ROD Helkenn met with the board to update them on items needed to continue to update her office records. She informed the board that she will be purchasing a deed index book cost of that will be $2000.00. She will also need to preserve her current one. Costs of these projects will be covered using ROD modernization and preservation funds.

**HEARING**: At 9:00 a.m. the time specified hearing was held for temporary malt beverage and temporary liquor license for Clark County Riders for event June 23, 2017 thru June 25, 2017. Rod Hersrud appeared. Motion by Hass, second by Bjerke to approve both temporary licenses for the specified period. All voting aye. Motion carried.

**BOARD OF ADJUSTMENT**: Motion by Hass, second by Reints to enter into Board of Adjustment. Voting aye: Reints, Hass, Sass, Bjerke and Wicks. Motion carried.

**SET HEARING**: Motion by Bjerke, second by Sass to set hearing for Variance 5-17 which if approved will allow applicant, James Morehouse to use NE ¼ 19-116-58 to plant trees closer than setback. Hearing set for May 16, 2017 at 9:00 a.m. All voting aye. Motion carried.

**SET HEARING:**  Motion by Reints, second by Hass to set hearing for Variance 6-17 which if approved will allow applicant, Jean Alness Obermeier, to use SE ¼ 34-118-58 to construct a garage closer than setback. Hearing set for May 16, 2017 at 9:05 a.m. All voting aye. Motion carried.

**HEARING**: At 9:15 a.m. the time specified hearing was held for Variance 4-17. No one appeared. Motion by Hass, second by Bjerke to approve Variance 4-17. This Variance will allow applicant Todd Warkenthien to use SE ¼ 24-116-58 to build a storage shed closer than setback. All voting aye. Motion carried.

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

**COLLINS TOWNSHIP**: Motion by Reints, second by Hass to appoint officials to serve on Collins Township board for one year. Members appointed are Chairman: Steve Birkholtz, Supervisors: Steve Kannegieter and Brent Symens, Clerk: Bob Schmidt. Treasurer: Sheldon Homola. Regular election will occur at the next annual meeting in March of 2018. Bob Schmidt was present. All voting aye. Motion carried.

**CONCERNED CITIZENS:**  Luveta Wicks, Fred Obermeier, Dave Adam, Darci Adam, Grace Adam, Shad Stevens, Jean Stevens, Joe Janssen, Linda Janssen, Nancy Tarbox, Wendy Crabtree, Dustin VanGilder and Kipp Obermeier present. Dave Adam spoke regarding the radar activating obstruction lighting for the towers of the Crocker Wind Farm. He explained that the first system has been installed on wind towers in Wyoming and he questioned if the Crocker Wind Farm had updated the board on this system. Darci Adam, Nancy Tarbox and Dustin VanGilder also spoke in regards to the setback, resident requirements, proximity to cemeteries and landowner payments. No action needed.

**WEED**: Motion by Reints, second by Sass to allow WS Mehlberg to sell the trailer that was declared surplus by advertising and accepting sealed bids. All voting aye. Motion carried. WS Mehlberg also discussed getting repairs to the weed shop. No action taken.

**SHERIFF SURPLUS**: Motion by Sass, second by Reints to declare 2005 Ford Crown Vic SN # 0535 as surplus at the request of Sheriff McGraw. Chairperson Wicks appointed Hass, Sass and Reints as appraisers. All voting aye. Motion carried. Motion by Reints, second by Hass to advertise and accept sealed bids on this item. All voting aye. Motion carried.

**AUDITOR**: Motion by Bjerke, second by Sass to allow Auditor’s office to declare a HP Photosmart 6520 copier as junk as it no longer functions. All voting aye. Motion carried.

**DENIAL**: Motion by Reints, second by Sass to deny payment to Avera Queen of Peace Hospital in Mitchell for a county resident for the dates of August 22, 2016. The service is being denied because of the extended time frame between date of service and date of request to the county as well as no application from the resident. . All voting aye. Motion carried.

**DENIAL**: Motion by Bjerke, second by Wicks to deny payment to Avera Queen of Peace Hospital in Mitchell for a county resident for dates of service June 28 and 29, 2016, July 1-20, 2016. The service dates are being denied because of the extended time frame between date of service and date of request for payment from the County as well as no application from the resident. All voting aye. Motion carried.

**RESOLUTION 10-17**: Pre-Disaster Mitigation Grant: Motion by Bjerke, second by Reints to approve and allow Chairman to sign the Application and Letter of Commitment, the Resolution, the State and Local Assistance Agreement, Program Assurances form and the Certification regarding Lobbying, Debarment, Suspension and Drug Free Workplace Requirements for Hazard Mitigation grant for Clark County. All voting aye. Motion carried.

RESOLUTION 10-17

DESIGNATION OF APPLICANT AGENT

Clark County

Violet Wicks, is hereby authorized to execute for and on behalf of Clark County, a public entity established under the laws of the State of South Dakota, this application and to file it with the Division of Emergency Management) for the purpose of obtaining Federal financial assistance under the Disaster Relief Act (Public Law 93-288 as Amended), or otherwise available from the President’s Disaster Relief Fund.

That Clark County, a public entity established under the laws of the State of South Dakota, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency, for all matters pertaining to such Federal disaster assistance, the assurances attached to the project application.

Approved by:  
 Violet Wicks,

Chairperson, Clark County Commission

May 2, 2017 \_\_\_\_\_\_\_\_ /s/ Violet Wicks\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Date) (Signature)

Attest:

May 2, 2017\_\_\_\_\_\_\_\_ /s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Date) Christine Tarbox

Clark County Auditor

**CLAIMS:** Motion by Hass, second by Bjerke, to approve the following claims and allow the Auditor to issue payments for same. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier-proceedings 368.24, SDPAA-ins coverage 1572.06, AUDITOR: AT&T Mobility – service 78.00, Clark County Treasurer- postage 13.60, Connecting Point- service 57.50, ITC-services 54.39, PMB-0112 –access fees 37.00, SDPAA – ins coverage 1188.62, TREASURER: Clark Co Courier – taxes due ad 77.00, Clark County Treasurer- postage 134.00, ITC-service 45.46, SDPAA- insurance coverage 1052.90, STATES ATTORNEY: Clark County Treasurer- postage 1.61, ITC-service 47.73, SDPAA – coverage 917.75, COURT: Austin, Hinderaker, Hopper-court appointed atty 1277.40, LAW LIBRARY: Beadle County Auditor-victim advocate fees 1100.00, PUBLIC BUILDLINGS: Culligan-water 45.50, Dekker Hardware- supplies 44.97, ITC-service 38.37, SDPAA-insurance coverage – 12,370.50, Star Laundry & Dry Cleaners-rugs 36.58, DIRECTOR OF EQUALIZATION: Clark CO Treasurer- postage 7.20, ITC-service 174.21, Office Peeps- pens 15.52, SDPAA-insurance coverage 1469.36, REGISTER OF DEEDS: Andrea Helkenn- ins deductible reimbursement 1500.00, ITC-service 89.29, McLeods- 2 mortgage books 257.38, SDPAA-insurance coverage 749.75, VETERANS: ITC-service 45.31, Office Peeps-paper 11.47, SDPAA- coverage 1.68, PREDATORY ANIMAL: SD Dept of Revenue-animal damage control 2599.84, SHERIFF: Clark Co Treasurer-postage 49.00, ITC-service 201.44, Rob McGraw- meals sp sheriffs conference 15.93, SDPAA-coverage 5774.77, Verizon Wireless-monthly fees 188.22, AIRPORT: Clark Rural Water-water 35.00, Helms & Associates –airport master plan 13,551.30, SDPAA-insurance coverage 1878.13, NURSE: SDPAA-coverage 511.26, AMBULANCE: A-Ox Welding Supply-oxygen 47.95, Advanced Asset Alliance-collection fees 64.32, AT&T Mobility- service 76.50, Chief Supply Corp-batteries 176.91, Clark Co Treasurer-postage 53.29, Dekker Hardware- supplies 223.19, ITC-service 268.14, Lake Grocery-supplies 21.34, Matheson TriGas-supplies 18.00, SDPAA-coverage 6823.00, Star Laundry-laundry 7.87, MENTAL & HANDICAPPED: SD Dept of Revenue-pt care 60.00, EXTENSION: Dekker Hardware-supplies 69.64, ITC-service 105.01, SDPAA-coverage 439.99, Star Laundry –rugs 21.20, US Postmaster-stamps 394.00, WEED: ADAPCO-pesticides 2089.20, Clark Co Treasurer-postage 12.29, Corner Diner - weed board annual meeting 32.48, Dekker Hardware- supplies 96.86, ITC-service 101.83, Matheson Tri-Gas-supplies 15.30, Overhead Door-repairs 1432.40, SD Federal Property-supplies 130.00, SDPAA-insurance coverage 4597.77, Van Diest Supply Company gopher bait 560.00, PLANNING & ZONING: Clark CO Courier –variance 10.27, ROAD & RIDGE: AT&T Mobility cell phone 59.62, Clark Co Courier- help wanted 31.00, Connecting Point-computer repair 100.00, Dekker Hardware-supplies 369.73, Flint Hills Resources-MC-800 13,064.93, ITC-service 104.85, Leachrod – tool-797.50, M&T Fire –first aid supplies 33.00, Matheson Tri-Gas-welding supplies 27.90, Northwestern Energy-utilities 39.66, Office Peeps- office supplies 12.40, SD Federal Property- shop supplies – tools 818.00, SD Dept of Transportation –bridge work- 3588.90, Sanford Health Network-new hire physicals 43.00, SDPAA-coverage 30603.18, Sioux Rural Water System-Vienna water 29.00, Westside Implement –parts 347.62, 911 SERVICE FUND: City of Watertown -911 surcharge 3902.62, CIVIL DEFENSE: SDPAA-coverage 452.95, Verizon Wireless-monthly fees 108.12, EXCIDE TAX FUND: SD Dept of Rev-excise tax 33.97, M&P Relief Flow Thru-SDACO-ROD Modernization fee -142.00, TOTAL: 122,363.94.

**PAYROLL:** COMMISSIONERS: 7194.13, AUDITOR: 3448.62, TREASURER: 3289.06, STATES ATTORNEY: 2621.45, COURTHOUSE: 1791.95, DIRECTOR OF EQUALIZATION: 4343.50, REGISTER OF DEEDS: 2788.89, VETERAN OFFICER: 336.41, SHERIFF: 5054.16, POOR: 453.60, NURSE: 1761.86, AMBULANCE: 9589.81, EXTENSION: 975.89, WEED: 243.96, PLANNING & ZONING: 561.75, ROAD & BRIDGE: 36,442.47, EMERGENCY & DISASTER: 930.19. TOTAL: 81,827.70.

**ADJOURN**: Motion by Hass, second by Bjerke to adjourn at 10:55 a.m. until next regular meeting to be held on Tuesday, May 16, 2017 at 8:00 a.m. All voting aye. Motion carried.

ATTEST:

(SEAL)

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Christine Tarbox  Violet Wicks, Chairperson

Clark County Auditor Clark County Board of Commissioners