CLARK COUNTY COMMISSIONER PROCEEDINGS

July 2, 2019

The Clark County Commissioners met in regular session on Tuesday, July 2, 2019 in the

Commissioners’ meeting room of the Clark County Courthouse. Chairman Bjerke called the meeting to order at 8:00 a.m. with the following Commissioners present: Robert Bjerke, Wallace Knock, Francis Hass, Richard Reints and Chris Sass. Also present Auditor Tarbox.

**COMMUNITY COMMENTS**: No one appeared.

**AGENDA**: Motion by Hass, second by Knock to approve agenda for July 2, 2019. All voting aye. Motion carried.

**MINUTES:**  Motion by Sass, second by Reints to approve the minutes of the regular meeting of June 18, 2019. All members voting aye. Motion carried.  
  
**HIGHWAY**: Motion by Knock, second by Reints to designate the new extension to County Road 55 as a minimum maintenance road under SDCL 31-12-46. The beginning point shall be at the point of current road closure and the end point shall be at the entrance to private property at the end of the road extension. All voting aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Sass, second by Knock to enter into executive session at 8:20 a.m. to discuss pending litigation according to SDCL1-25-2 (3). Chairman declared out at 8:32 a.m.

**HIGHWAY**: Motion by Hass, second by Sass to approve Bridge Improvement Grant Agreement for rehabilitation/replacement for structure number 13-010-225 between South Dakota Department of Transportation and Clark County and allow Chairman to sign. All voting aye. Motion carried.

**HIGHWAY**: Motion by Reints, second by Sass to allow HS Eggleston to purchase a John Deere 644K Loader from RDO Equipment, Aberdeen, SD. This purchase is from the Source Well bid. Purchase price is $241,480.00. All voting aye. Motion carried.

**HIGHWAY**: Motion by Reints, second by Knock to approve and allow Chairman to sign the application from NorthWestern Energy for occupancy of Clark County Highway 47 in Sections 11 and 12 in Township 113 North, Range 57 West of the 5th P.M., Clark County, SD. The boring will be at the crossing and will provide electric service to a new hog finishing barn. All voting aye. Motion carried,

**FUEL QUOTES**: The following fuel quotes were presented to the board for July 2019. **Diesel #2**: Clark County Farmers Elevator – 2.246, Clark Community Oil – 2.17. **Gas**- Clark County Farmers Elevator: no bid. Clark Community Oil-2.459. The County accepted the low bid and all bids are on file in the Auditor's office.

**PIPESTONE SYSTEMS**: Marty Rost with Pipestone Systems met with the board to discuss a new hog farm project, Red Stone Farms RE, LLC. This project will be located on NE ¼ Sec 36-114-58, property owned by Jack Schmidt. Jack Schmidt also present. Mr. Rost spent time explaining the project, location, farm description, nutrient management acres and road use. No action needed.

**BOARD OF ADJUSTMENT**: Motion by Hass, second by Knock to move into Board of Adjustment. All voting aye. Motion carried.

**SET HEARING**: Motion by Reints, second by Sass to set hearing for Conditional Use 6-19 for Mayfield Colony. This CU if approved will allow Mayfield Colony to use 8-114-56, to operate and maintain a religious farming community. Hearing set for August 6, 2019 at 9:10 a.m. All voting aye. Motion carried.

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

**HEARING**: At 9:00 a.m. the time specified, hearing was held for transfer of on/off sale malt beverage license and on sale liquor license. Jeff Banks, Jeremy Van Der Vegt appeared. Motion by Hass, second by Sass to approve the transfer of malt beverage and liquor license from Makens Oaktree to Oak Tree Retreat and Resort, Inc. Public hearing was held. Jeff Banks representing Oak Tree Retreat and Resort spoke regarding the change. Public hearing was closed. Board questions were answered. Voting aye: Knock, Hass, Reints, Sass and Bjerke. Voting nay: None. Motion carried.

**RESOLUTION 14-19**- Motion by Hass, second by Reints to approve continued support to First District Association of Local Government for fiscal year 2020. Voting aye: Knock, Hass, Reints, Sass and Bjerke. Motion carried.

RESOLUTION TO CONTINUE SUPPORT FOR THE

FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS

DURING FISCAL YEAR 2020

(October 1, 2019 – September 30, 2020)

Resolution 14-19

The Clark County Board of County Commissioners, having adopted and signed a Joint Cooperative Agreement on the 7th day of June, 1972, creating the First Planning and Development District, Model Rural Development Program, do hereby agree to renew their participation in the Joint Cooperative Agreement for Fiscal Year 2020 (October 1, 2019 – September 30, 2020). To support the Joint Cooperative Agreement and the activities of the District staff, the Clark County Board of County Commissioners will provide $10,453.93 to the First District Association of Local Governments during the aforementioned Fiscal Year 2020 period.

ADOPTION:

Adopted this 2nd day of July, 2019

/s/ Robert Bjerke\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chair,

Clark County Commission

ATTEST:   
  
/s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_\_\_\_

Clark County Auditor

/s/ Todd Kays\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

First District Assn of Local Governments

**TAX DEED UPDATE- RESOLUTION 15-19:** Treasurer Mahlen met with the board regarding three (3) tax deed properties for 2019. Motion by Sass, second by Reints to appoint appraisers and appraise properties scheduled for tax deed sale. All voting aye. Motion carried.

RESOLUTION DETERMING PROPERTY TO BE

SURPLUS PROPERTY AND APPOINTING APPRAISERS  
Resolution 15-19

WHEREAS, the County of Clark in the State of South Dakota is the owner of certain real property described below, and:

WHEREAS, the Board of Commissioners in and for said County has determined that the real property described is not necessary, useful or suitable for public purposes.

NOW, THEREFORE, IT IS HERBY RESOLVED by the Board of Commissioners of Clark County, South Dakota, in regular session this 2nd day of July, 2019 at the Courthouse in the City of Clark, County of Clark, State of South Dakota, that the following described real property, to-wit:

Lot Six (6) and Seven (7) Block 3, Original to the Town of Bradley, SD

Lots Three (3), Four (4) and Five (5) Original Town of Bradley, SD

Lot Twelve (12), Block 4, Original to the Town of Bradley, SD

Be, and hereby is declared surplus property, pursuant to SDCL 6-13-1.

IT IS FURTHER RESOLVED that, pursuant to SDCL 6-13-2, the following named individuals, being three real property owners of Clark County, South Dakota to wit: Knock, Sass and Reints be appointed and directed to appraise the value of the described real property and file a report of their appraisal with the Clark County Auditor.

Dated this 2nd day of July, 2019.

/s/ Robert Bjerke\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ /s/ Christine Tarbox\_\_\_\_\_\_\_\_

Robert Bjerke, Chairman Christine Tarbox, Auditor

Clark County Board of Commissioners Clark County

**TAX DEED SALE**: Motion by Reints, second by Knock to set the value of tax deed properties and set auction date for August 6, 2019 at 10:00 a.m. The sale will be in the first floor lobby of the Courthouse. All voting aye. Motion carried.

**COUNTY ROAD 55**: Doug Paulson met with the board with concerns about a cattle guard and fence that borders county road 55 extension. SA Fjelland and Ryan Eggleston also present. No action taken.

**EXECUTIVE SESSION**: Motion by Sass, second by Knock to enter into executive session at 10:06 a.m. to discuss personnel issues as per SDCL 1-25-2-(1), All voting aye. Motion carried. Chairman declared out at 10:26 a.m.

**PLANNING & ZONING**: Motion by Knock, second by Bjerke to contract with First District Association of Local Governments to do the Planning and Zoning for Clark County effective August 1, 2019 and to retain P&Z Officer Reidburn to be the point of contact for building permits, conditional use and variances in the County, the salary for the position will be $257.50 per month. Any action requiring a Conditional Use or Variance will be forwarded and handled by First District. Voting aye: Knock, Sass and Bjerke Voting nay: Hass and Reints. Motion carried.

**211 HELP LINE**: Auditor Tarbox presented information regarding the 211 Helpline. It is a program that utilizes phone number 211 dialing code that offers a connection between individuals and families in need and the appropriate community –based organizations and government agencies. Cost per year for Clark County is $3,375. Department of Social Services is offering financial support in the amount of $ 1687.50 per year for counties to establish the 211 services within their area. Motion by Knock, second by Sass to not participate with the 211 helpline at this time. All voting aye. Motion carried.

**BUDGET:** The board spent time discussing the 2020 budget.

**CLAIMS**: Motion by Knock, second by Sass to approve the following claims and allow the auditor to issue payments for same. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier-proceedings/Oak tree liquor notice 245.29, Duenwald Transportation – oil/filter/white pickup 363.26, Tony’s Collision Center-alignment 2011 Dodge Ram 70.00, AUDITOR: Connecting Point-repairs/yearly support contract 4070.00, ITC-service 50.87, TREASURER: Connecting Point- support contract 2475.00, ITC-service 47.62, STATES ATTORNEY: ITC-service 48.54, COURT SYSTEM: Bratland Law- crt app atty – 1007.00, PUBLIC BUILDINGS: Culligan – water 48.50, ITC-service 77.86, DIRECTOR OF EQUALIZATION: ITC-service 62.99, McLeods-PT 24’s 137.68, REGISTER OF DEEDS: ITC-service 90.94, VETERANS OFFICER: ITC-service 41.44, SHERIFF: AT&T Mobility- service 155.05, Black Hills Ammunition – ammunition 452.00, ITC-service 221.13, JB’s Repair – cabin air filter – 38.41, Tony’s Collision-Oil change/tire change 109.18, Zuercher Technologies – Zuercher contract 1047.65, AIRPORT: Clark Rural Water – water 35.00, NURSE: SD Dept of Health – 3rd qtr appropriation – 1042.50, AMBULANCE: AT&T Mobility-service 69.30, ITC-service 185.28, MENTAL & HANDICAPPED: SD Dept of Revenue-pt care 60.00, EXTENSION: ITC-service 100.10, WEED: ITC-service 97.56, Tony’s Collision Center-rotate/balance 2011 Chevrolet 125.00, VanDiest Supply Co-evoluer 1080.00, PLANNING & ZONING: Clark Co Courier- variance 10.27, ROAD & BRIDGE: Asphalt Paving & Materials – hot mix 12,635.98, AT&T Mobility -service 48.43, Avera Queen of Peace-drug testing 80.14, Clark Engineering Corp-bridge work 5673.53, Connecting Point- software contract 1390.00, Fast Measure – -KTP Enterprise – parts 144.50, I-State Truck center-parts 13.99, ITC-service 183.48, North Western Company-utilities 33.57, RDO Equipment – parts 318.48, SD Dept of Transportation – snow blower/trucks 88,000.00, Sioux Rural Water System-water 36.00, TrueNorth Steel Inc-culverts 16,876.58, 911 SERVICE FUND: City of Watertown – 911 EM surcharge 3091.18, ITC-service 145.23, REGISTER OF DEEDS: Connecting Point – support contract 280.00, M&P Relief Flow Thru- SDACO-2.00 fee -134.00. TOTAL: 142,750.51.

**PAYROLL**: COMMISSIONERS: 8223.43, AUDITOR: 3602.86, TREASURER: 3433.29, STATES ATTORNEY: 3219.45, COURTHOUSE: 1920.62, DIRECTOR OF EQUALIZATION: 4804.62, REGISTER OF DEEDS: 3204.85, VETERANS OFFICER: 346.49, SHERIFF: 6290.71, POOR: 463.37, NURSE: 1995.21, AMBULANCE: 9752.46, EXTENSION: 1040.36, WEED: 5641.32, PLANNING & ZONING: 578.12, ROAD & BRIDGE: 34,098.71, EMERGENCY & DISASTER: 292.95. TOTAL: 88,908.82.

**ADJOURN**:  Motion by Hass, second by Sass to adjourn at 11:15 a.m. until next regular meeting Tuesday, July 16, 2019 at 8:00 a.m. All voting aye. Motion carried.

 ATTEST:

(SEAL)

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Christine Tarbox Robert Bjerke, Chairman

Clark County Auditor Clark County Board of Commissioners

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