CLARK COUNTY COMMISSIONER PROCEEDINGS
   January 7, 2020

 Auditor Tarbox called the regular meeting to order on January 7, 2020 at 8:00 a.m. in the Commissioners’ meeting room of the Clark County Courthouse. Commissioners present: Robert Bjerke, Richard Reints, Francis Hass, Chris Sass and Wallace Knock, also present Auditor Tarbox.

**ORGANIZATION OF THE BOARD**: Auditor Tarbox called for nominations for Chairman of the Clark County Board of Commissioners for the year 2020. Commissioner Bjerke nominated Commissioner Sass as Chairman, Commissioner Reints second. Commissioner Reints made motion nominations cease second by Knock. All voting aye. Motion carried. Auditor Tarbox called for nominations for Vice Chairman. Commissioner Reints nominated Commissioner Knock, second by Bjerke. Commissioner Bjerke made motion nominations cease, second by Commissioner Sass. All voting aye. Motion carried.
                .
**APPOINTMENTS**: Chairman made the following appointments for the year 2020. Mental Illness: Sass, Extension: Reints, Weed & Pest: Knock, Airport: Bjerke, Sass and Hass, I-Cap: Hass, First District: Reints, Glacial Lakes: Bjerke, Legislative Contact: Knock.

**AGENDA**: Motion by Reints, second by Bjerke to approve agenda for January 7, 2020. Change to agenda is Brandon Janzen will not be attending. All voting aye. Motion carried.

**MINUTES:**  Motion by Knock, second by Reints, to approve the minutes of the regular meetings of December 17, 2019 and December 30, 2019. All members voting aye. Motion carried.

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

**HIGHWAY:** Motion by Reints, second by Knock to allow HS Eggleston to receive bids for **“Cutback Asphalt, Emulsion Asphalt, Hot & Cold Mix, Plant Mix, Crack Sealant – Boxless, Mastic Sealant- Boxless, Pea Rock, Contracted Construction Equipment, Paver Laid Asphalt and Gravel Crushing.”** 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 N Commercial St, Clark, SD 57225 on or before 10:00 a.m. CST, on January 29, 2020. The Auditor and Highway Superintendent will open the bids and read them aloud on January 29, 2020 at 10:05 a.m. The bids will be considered by the Board of Commissioners on February 4, 2020 at 8:00 a.m. All bids must be submitted on the county issue bid forms. Envelopes or containers containing bids must be clearly marked:  **Cutback Asphalt, Emulsion Asphalt, Hot & Cold mix, Plant Mix, Crack Sealant – Boxless, Mastic Sealant – Boxless, Pea Rock, Contracted Construction Equipment, Paver Laid Asphalt and Gravel Crushing**.

Specifications may be obtained from the Clark County Highway Department at Clark, South Dakota upon request.

The board reserves the right to reject any or all bids and to waive defects or informalities deemed in the best interest of Clark County to do so. All voting aye. Motion carried.

**FUEL QUOTES**: The following fuel quotes were presented to the board for January 2020. Diesel #1: Clark County Farmers Elevator, 2.596, Clark Community Oil- 2.835 Diesel #2-70/30 blend: Clark County Farmers Elevator – 2.396, Clark Community Oil – 2.64. Gas: Clark County Farmers Elevator: no bid. Clark Community Oil-2.156. The County accepted the low bid and all bids are on file in the Auditor's office.

**RESOLUTION 7-20**

**LOAD LIMIT**

Commissioner Bjerke, moved for the adoption of the following resolution, second by Commissioner Reints. Voting aye: Knock, Hass, Reints, Sass and Bjerke. Voting nay: None.

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, 2020.

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 2020. 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 7th day of January 2020.

 /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Chairperson, Board of County

 Commissioners of Clark County

ATTEST:

/s/ Christine Tarbox\_\_
Clark County Auditor

**RESOLUTION 1-20**

**Designation of Official Newspaper**

It was moved by Commissioner Hass, seconded by Commissioner Bjerke, 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 2020.

Commissioners voting aye: Knock, Hass, Reints, Sass and Bjerke.

Commissioners voting nay: None.

Dated at Clark, South Dakota this 7th day of January, 2020.

/s/ Christine Tarbox /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Board of Clark County

 Commissioners

**RESOLUTION 2-20**

**DESIGNATION OF BANK DEPOSITORIES**

It was moved by Commissioner Bjerke, seconded by Commissioner Reints, that Dacotah Bank of Clark, Clark Branch within the County be designated as the official Clark County Bank Depository during 2020.

Commissioners voting aye: Knock, Hass, Reints, Sass and Bjerke.

Commissioners voting nay: None.

Dated at Clark, South Dakota this 7th day of January, 2020.

/s/ Christine Tarbox\_\_\_\_ /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Clark County Board

 Of Commissioners

**RESOLUTION 03-20**

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

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 2020 calendar year, that the policy and payment schedule, which is on file in the Auditors office as Appendix A be adopted with respect to indigent burial within Clark County, South Dakota.

The foregoing resolution was moved for adoption by Commissioner Knock, seconded by Commissioner Hass.

Upon roll call the following commissioners voted aye: Knock, Hass, Reints, Sass and Bjerke.

Commissioners voting nay: None.

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 7th day of January, 2020.

 /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 Chairman, Clark County Board of Commissioners

ATTEST

/s/ Christine Tarbox\_\_\_\_\_

County Auditor

**RESOLUTION 4-20**

**Set Salary for Election Officials**

Moved by Commissioner Reints, and seconded by Commissioner Bjerke, that the following resolution be adopted.

Members voting yes: Knock, Hass, Reints, Sass and Bjerke.
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 $11.00 per hour for hours worked Election Day and $11.00 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 $35.00 per election for use of the facility.

Dated: January 7, 2020

ATTEST:

/s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_                               /s/ Chris Sass\_\_\_\_\_\_\_\_
County Auditor                                                 Chairperson, Clark County
 Board of Commissioners

**RESOLUTION 5-20**

Commissioner Hass, moved for the adoption of the following resolution, second by Commissioner Reints. Voting aye: Knock, Hass, Reints, Sass and Bjerke. Voting nay: None.

WHEREAS, the Board of Clark County Commissioners deem it necessary to set fees;

NOW, THEREFORE, BE IT RESOLVED by the Clark County Commissioners at a regular meeting held January 7, 2020, the following fees shall be charged.

 Copy - $.25 per page.

Fax charge - $2.00 for the first two (2) pages incoming and outgoing and $.50 each additional page.

 Highway maps - $2.00.

 Voter registration list – as per Secretary of State Office fee schedule

 Voting precinct maps - $2.00.

 Commissioner District map - $2.00.

 Building permits – $50.00 plus $1.00/thousand of valuation of the project, fee

 Doubles if late.

Variance and Conditional Use Permit applications - $125.00 – fee doubles if late.

 Rezoning -$200.00 – fee doubles if late.

 Overweight and Over width permits - $100.00 yearly or $100.00 one time.

 Ambulance to attend Henry FB game -$100.00.

 Director of Equalization –fee for parcel data - $125.00

 Register of Deed-fee per email of documents $2.00

 Boring under county roads for purpose of tiling fee- $200.00

 Toenail care - $20.00 (or per federal poverty guidelines)

 ROD Fees for monthly reports to Clark Abstract $75.00

 Weed – Chemical rate and labor schedule-on file in Auditor’s office

Dated at Clark County, South Dakota this 7th day of January, 2020.

ATTEST (SEAL)

/s/ Christine Tarbox /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Clark County

 Board of Commissioners

**RESOLUTION 6-20**

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.

Bonnie Graves- one year

Francis Hass – two years

Char Peterson - three years

Basil Englert - four years

Robert Bjerke – five years

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SIGNED MY NAME AS Chairman of the Clark County Board of Commissioners, Clark, South Dakota this 7th day of January, 2020.

Motion by Knock, second by Reints to approve Chairman’s appointments. Voting aye: Knock, Hass, Reints, Sass and Bjerke. Voting nay: None. Motion carried.

Dated: January 7, 2020

/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_

Chairman, Clark County Commissioners

ATTEST:

/s/ Christine Tarbox \_\_\_\_\_\_\_\_\_

Clark County Auditor

**GOVERNMENT DAYS:** The board was informed government days is scheduled for Monday, February 10, 2020.

**VETERAN SERVICE OFFICER**: Chairman Sass asked for a motion three times to reappoint Veteran Service Officer. No motion presented so no reappointment was made, therefore position is open. Motion by Knock, second by Reints to approve advertising for the position. All voting aye. Motion carried.

**SET HEARING**: Motion by Reints, second by Bjerke to set hearing regarding Vacating a section of County Road #55. All voting aye. Motion carried. Hearing has been set for February 4, 2020 at 9:00 a.m.

**CCR**: Larry Nielsen representing the Clark County Riders met with the board to discuss leasing fairgrounds June 10 through June 14, 2020 for the Clark County Riders event and also request a malt beverage and liquor license for the event. Motion by Bjerke, second by Hass to approve request to use Fairgrounds in June for the event. All voting aye. Motion carried. Motion by Hass, second by Bjerke to set hearing for malt beverage and liquor license for the event. All voting aye. Motion carried. Hearing for malt beverage and liquor license will be set for February 4, 2020 at 9:30 a.m. All voting aye. Motion carried.

**ORDINANCE 3-19**: Chairman Sass proceeded with second reading of Ordinance 3-19, An ordinance entitled, an ordinance amending section 1.03.01(The Official zoning map), adopted by Ordinance 01-14, as amended, of the Clark County Zoning Ordinance. Motion by Bjerke, second by Hass to approve Ordinance 3-19. Voting aye: Knock, Hass, Reints, Bjerke and Sass. Motion carried. The ordinance shall become effective 20 days after the last publication of this notice.

**CONTINGENCY TRANSFER 1-19**: Motion by Reints, second by Knock to allow Auditor to increase contingency transfer 1-19 by an additional $12,000.00 to cover shortage in expense account 101-225-422. All voting aye. Motion carried.

**AMBULANCE**: AA Angermeier met with the board to provide a year end review which included statistics of runs, 2019 budget used, run times and employee participation.

**EXECUTIVE SESSION**: Motion by Knock, second by Bjerke to enter into executive session at 10:46 a.m. to discuss personnel issues as per SDCL 1-25-2.1. All voting aye. Motion carried. Chairman declared out at 11:06 a.m.

**EMERGENCY MANAGER**: Motion by Reints second by Bjerke to appoint Chris Tarbox as interim Emergency Manager until position is filled. All voting aye. Motion carried.

**CLAIMS**: Motion by Knock, 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 198.80, SDLM Workers Comp- WC Ins 105.43, US Bank Voyager Fleet Systems - fuel 204.53, AUDITOR: Connecting Point- hard drive 140.00, ITC-service 59.95, SDML Workers Compensation – WC ins 220.79, TREASURER: Clark Co Courier- delinquent taxes 270.08, Connecting Point – services 25.00, ITC-service 45.65, SDML Workers Comp- wc ins 216.67, STATES ATTORNEY: ITC-service – 49.32, SDML Workers comp-wc ins 131.34, PUBLIC BUILDINGS: Culligan – water 33.00, D’s Bobcat Service -snow removal 245.00, Dekker Hardware- supplies 18.97, ITC-service 77.08, SDML Work Comp- wc ins 1458.53, DIRECTOR OF EQUALIZATION: ITC-service -147.26, SDML Workers Comp-WC ins 1006.22, VanGuard Appraisals service fee 2100.00, REGISTER OF DEEDS: ITC-service 89.73, SDML Workers Comp- wc ins 147.97, VETERAN SERVICE OFFICER: ITC-service 39.79, SDML Workers Comp- wc ins 22.54, SHERIFF: AT&T Mobility – Service 296.60, ITC-service 197.86, SD Dept of Public Safety-teletype service 1-20-6-20, 2730.00, SDML Workers Comp-wc ins 3271.86, US Bank Voyager Fleet – fuel 307.95, CORONER: SDLM Workers Comp-wc ins 1.51, AIRPORT: Clark Rural Water-water 35.00 Helms & Associates – airport master plan 1635.55, NURSE: Dekker Hardware – supplies 1.99, SDML Workers Comp- WC Ins 69.87, AMBULANCE: A-OX Welding Supply-cylinder lease-362.05, AT&T Mobility – service 171.79, Bound Tree Medical – supplies 252.64, Dekker Hardware- supplies 35.12, ITC-service 183.18, Ken’s Fairway-supplies 18.47, Matheson Tri-Gas-rental 33.51, SDML Workers Comp-wc ins -9003.87, US Bank Voyager Fleet Systems – fuel 371.68, MENTAL HEALTH CENTER \_ Human Service Agency-1st qrt appropriations 3868.25, EXTENSION OFFICE: Dekker Hardware – supplies 1.99, ITC-service 94.31, SDML Workers Comp- wc ins 50.37, WEED: ITC-service 95.14, Ken’s Fairway – supplies – 8.50, Matheson Tri-Gas – rental service 31.03, SDML Workers Comp-wc ins 2294.12, ROAD & BRIDGE: Ameripride Services-towels 226.94, AT&T Mobility – service 48.60, Butler Machinery – parts 132.22, Clark Co Courier-bridge bids 66.91, Dekker Hardware-supplies 352.39, ITC-service 125.87, Matheson Tri-Gas welding supplies 114.62, Northwestern Energy-service 11.87, Productivity Plus Account -parts 430.00, SDLM Worker’s Com-wc ins 36,677.54, Sioux Rural Water System-water 42.00, Ted Warkenthien – gravel royalties 149,031.67, Westside Implement - parts 1366.81, COMMUNICATIONS: ITC-service 145.23, CIVIL DEFENSE: Clark Co Courier- help wanted ad 29.50, SDLM Workers Comp-wc ins 17.37, US Bank Voyager Fleet Systems-fuel 54.00, Watertown Ford Chrysler – repairs EM vehicle – 139.33, REGISTER OF DEEDS: Microfilm Imaging Systems- software/scanner rent 240.00, M&P RELIEF FUND: SDACO – 2.00 fee – 240.00. TOTAL: 221,970.73.

**PAYROLL**: COMMISSIONERS: 8283.52, AUDITOR: 3780.27, TREASURER: 3601.66, STATES ATTORNEY: 3731.22, COURTHOUSE: 1989.04, DIRECTOR OF EQUALIZATION: 4969.20, REGISTER OF DEEDS: 3569.30, VETERANS OFFICER: 363.82, SHERIFF: 7782.90, POOR: 450.08, NURSE: 2052.83, AMBULANCE: 13,142.43, EXTENSION: 1068.23, WEED: 483.25, PLANNING & ZONING: 303.22, ROAD & BRIDGE: 45,989.43, TOTAL: 101,560.40.

**ADJOURN**:  Motion by Bjerke, second by Reints to adjourn at 12:01 p.m. until next regular meeting Tuesday, January 21, 2020 at 8:00 a.m. Members present voting aye. Motion carried.

 ATTEST:

 (SEAL)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Christine Tarbox Chris Sass, Chairman

Clark County Auditor Clark County Board of Commissioners

Published once at the total approximate cost of $\_\_\_\_\_\_\_\_\_\_\_\_.