+CLARK COUNTY COMMISSIONER PROCEEDINGS  
   April 7, 2020

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

**AGENDA**: Motion by Knock, second by Hass to approve agenda for April 7, 2020. All voting aye. Motion carried.

**MINUTES:**  Motion by Bjerke, second by Reints to approve the minutes of the special meeting of March 17, 2020 and March 24, 2020 and regular meeting of March 30, 2020. All members voting aye. Motion carried.

**PUBLIC COMMENT**: No one appeared.

**HIGHWAY**: HS Eggleston met with the board to update them on road conditions and work being done. He informed the board of roads that have gone under water and revenue from items sold on Purple Wave auction.

**FUEL QUOTES**: The following fuel quotes were presented to the board for April 2020. Diesel #2: Agwrx Cooperative, 1.47, Clark Community Oil- 1.29, Gas E-10 – Agwrx Cooperative – No bid. Clark Community Oil: 1.01. The County accepted the low bid and all bids are on file in the Auditor's office.

**TRANSPORT FUEL QUOTES:** The following transport fuel quotes were presented to the board for April 2020. Diesel #2: Agwrx Cooperative- 1.36, Clark Community Oil- 1.30. The County accepted the low bid and all bids are on file in the Auditor’s office.

**HIGHWAY:**  Motion by Bjerke, second by Reints to approve and allow Chairman to sign electric utility permit for crossing for NorthWestern Energy. All voting aye. Motion carried.

HIGHWAY: HS Eggleston informed the board that Riverview has agreed to pay additional costs to the engineering study for County Road 17. No action needed.

**RESOLUTION 10-20**: The board discussed declaring a disaster due to spring flooding. No action taken.

**WEED:** Larry Lynch acting Weed Supervisor met with the board to open 2020 yearly weed bids. Bids are listed below.

Nutrien Solutions:

Tordon 22K $39.20/gal 2.5 gal container

39.20/gal 30 gallon drum

Weedone LV4# Ester – $13.02/gal 2.5 gal container

$13.02/ gal -30 gallon drum

$12.98/gal – 250 gallon tote

Milestone – $265.00/gal 2.5 gal container

66.25 per quart

Platoon 2 – 4-D Amine 8.94/gal 2.5 gal container

8.80/ gal –30 gallon drum

8.70/ gal 250 gal tote

Cinco Herbicide – 14.80/gal 2.5 gal container

Arsenal Herbicide – 44.60/gal

Freelex Herbicide– 20.00/gal 2.5 gal containers

Method 240 SL Herbicide – 322.56/gal/2.5 gal container

Piper Herbicide -70.00/pound 3.75/lb container

VanDiest Supply

Tordon 22K $39.09/gal 2.5 gal container

2-4D Ester- $13.18/gal 2.5 gal container

Milestone-$265.00/gal 2.5 gal container

2-4D Amine –$8.96/gal 2.5 gal container

Imitator Aquatic -$14.20/gal 2.5 gal container

Polaris - $42.10/gal - 2.5 gal container

Freelax - $20.00/gal 2.5 gal containers

Method 240 SL - $322.56/gal 2.5 gal container

Piper – $4.375/oz -60 oz container

Premier 90 NIS - 20.62/gal 2.5 gallon container

2-4D Ester 4 lb – 12.88/gal

2-4D Amine 4 lb – 8.96/gal

William Mayhew

AgraSyst90 (NIS) – 16.00/gal 2.5 gal container

Agra Lo Drift 90 – 18.00/gal 2.5 gal container

MaxSO -18.00/gal 2.5 gal container

MaxSO Con 18.00/gal 2.5 gal container

Drift fiant drift agent – 22.00/gal 2.5 gal container

**WEED**: Motion by Bjerke, second by Reints to accept the low bids of 2-4D Ester, Milestone and 2-4D Amine from Nutrien Solutions and low bids for Picloram, Milestone, Rodeo, Polaris, Freelex, Method 240 SL and Piper from VanDiest Supply. All voting aye. Motion carried.

**BOARD OF ADJUSTMENT**: Motion by Hass, second by Knock to recess as County Commission and convene as Board of Adjustment. All voting aye. Motion carried. Luke Muller, staff from First District was present via teleconference. Also present via teleconference was Lorna Buchelmin, Drew Edleman, Jake Edleman, Marshall Edleman and Trevor Johnson from Dakota Environmental.

Items to be added to the agenda by Board members or Staff under board discussion. No additional items for the agenda. There were no other citizens that needed to schedule time on the Board of Adjustment. Board members presented no conflicts of interest, relationship to applicant or Ex Parte Communication.

**APPROVE AGENDA**: Motion by Bjerke, second by Reints to approve Board of Adjustment Agenda. All voting aye. Motion carried. Agenda approved.

**HEARING VARIANCE**: Motion by Reints, second by Knock to open hearing for Variance and Conditional Use request from Drew Edleman which if approved will allow him to use property owned by Myron Edleman described as: Southwest ¼ of the Northwest ¼ of Section 5 Township 113N Range 56W (Washington Township) in Clark County, South Dakota to operate a Class C Concentrated Animal Feeding Operation with structures less than 330 feet from a township right of way. Discussion was held for the Variance and the Conditional Use at the same time but will vote on the Variance first. Chairman Sass opened the public hearing. Drew Edelman spoke regarding the project explaining the need for the Variance. Trevor Johnson from Dakota Environmental also spoke regarding the project. Chairman Sass asked for additional testimony. No one else spoke with proponent or opponent testimony and the public hearing was closed. The board had no additional questions. Staff asked questions for the findings of fact for the Variance. The motion restated is to approve the variance to allow the applicant to construct buildings associated with a Class C CAFO 200’ east of the 431st Ave Right of Way. Voting aye for the Variance: Knock, Hass, Reints, Bjerke and Sass. Voting nay: None. The motion for the Variance is approved.

Chairman Sass called for a motion to approve the conditional use permit subject to conditions read by staff. Motion by Knock, second by Reints to approve the conditional use permit for a Class C CAFO to house up to 2,400 head of swine (under 300 lbs) which equates to 720 animal units subject to the conditions as ready by staff. The board had no further questions or comments. Staff read questions for the findings of fact for the permit. The motion was restated. Voting aye; Knock, Reints, Bjerke, Hass and Sass. Voting nay: None. Motion for the conditional use is approved.

No further business for the open and no other business for the Board of Adjustment. .

**ADJOURN**: Motion by Bjerke, second by Hass to adjourn from Board of Adjustment and convene as the Planning Commission and County Commission. All voting aye. Motion approved. Chairman Sass called the meeting of the Clark County Planning Commission to order. Luke from First District participated in this portion of the meeting. The next agenda item was to discuss a draft ordinance for an ag housing ordinance that was provided to us by First District. Brady Janzen from Riverview Diary was also present via teleconference. General discussion was held and direction was given to Luke to draft an ordinance and plan a public hearing for May 19, 2020.

**ADJOURN**: Motion by Knock, second by Hass to adjourn as Planning Commission and Reconvene as County Commission. All voting aye. Motion carried.

**PERMIT:** SA Fjelland was available to discuss a request for right of way boring permit from Joe Waldner from Mayfield Colony. He will contact the applicant and necessary paperwork will be requested. No action taken.

**EXECUTIVE SESSION**: Motion by Knock, second by Reints to enter into executive session at 12:30 as per SDCL 1-25-2 (3) at 12:30 p.m. All voting aye. Motion carried. Chairman declared out at 12:37 p.m.

**INSURANCE PRESENTATION:** Taylor Jacobsen with McKinney Olson Insurance Company met with the board via teleconference to make presentation and a quote for property limits general liability coverage and automobile coverage insurance for Clark County. No action taken.

**HANDBOOK CHANGES**: Motion by Knock, second by Bjerke to change the current policy handbook to allow staff to use any paid time off including earned vacation and earned sick leave for any circumstance. This change will be in effect from April 1, 2020 to May 31, 2020 and will allow more flexibility for scheduling work hours during the COVID-19 pandemic. All voting aye. Motion carried.

**RESOLUTION 11-20**: Motion by Knock, second by Reints to allow combining polling places for the June 2, 2020 primary election as per Resolution 11-20. All voting aye. Motion carried.

RESOLUTION 11-20

**WHEREAS**, the Board of County Commissioners deem it necessary to change the voting precincts for the June 2, 2020 primary due to the COVID-19 pandemic, and

**WHEREAS**, the Board of County Commissioners of Clark County, South Dakota, deems it in the best interests of the public and of Clark County, South Dakota, to change the boundaries of election precincts established, to provide one polling place, pursuant to the authority granted to the Board of County Commissioners by SDCL 12-14-1;

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Clark County, South Dakota, that the election precincts for the **June 2, 2020 Primary Election ONLY** will be combined to form one precinct as follows: Blaine Township, Cottonwood Township, Spring Valley Township, Warren Township, Town of Bradley, Ash Township, Woodland Township, Garfield Township, Elrod Township, Raymond Township, Logan Township, Raymond Town, Fordham Township, Thorp Township, Maydell Township, Eden Township, Town of Garden City, Mt Pleasant Township, Day Township, Darlington Township, Foxton Township, Merton Township, Town of Naples, Lake Township, Washington Township, Collins Township Town of Willow Lake, Town of Vienna, Pleasant Township, Rosedale Township, Richland Township, Hague Township, City of Clark-Ward I, City of Clark, Ward II, City of Clark – Ward III, Lincoln Township **at the first floor of Clark County Courthouse.**

The precincts and polling place shall be the for the June 2, 2020 Primary election only.

Those members voting aye: Knock, Bjerke, Reints, Hass and Sass. Those members voting nay: None.

Dated this 7th day of April 2020.

ATTEST (SEAL)

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

Christine Tarbox Chris Sass, Chairman

Clark County Auditor Board of Clark County Commission

A**MBULANCE**: Motion by Knock, second by Reints to add Trevor Forest as an EVOC driver for Clark County Ambulance Station 1. All voting aye. Motion carried.

**AMENDMENT**: Motion by Bjerke, second by Reints to approve amendment to application from South Dakota Reinvestment Payment Program for Riverview project. All voting aye. Motion carried.

**DIRECTOR OF EQUALIZATION:** As a requirement to SDCL10-3-14, the Director of Equalization met with the County Commissioners and Auditor for conference in reference to the performance of his duties.

**RESCHEDULE MEETING**: Motion by Bjerke, second by Reints to reschedule June 2, 2020 meeting to Thursday June 4, 2020 to accommodate for the 2020 Primary Election. All voting aye. Motion carried.

**AIRPORT**: Motion by Hass, second by Bjerke to approve and allow Chairman to sign the Airport Amendment #1 to the agreement for Professional Services for Clark County Airport Runway 13/31 Reconstruction Project A-6806. All voting aye. Motion carried.

**WELFARE:** WD Tarbox presented notifications of hospitalization.

**REPLACE CHECK:** Motion by Hass, second by Bjerke to allow Auditor to replace a lost check for the Town of Naples. Original check was lost in the mail. All voting aye. Motion carried.

**TELECONFERENCE OPTIONS**: Discussion was held regarding choosing a teleconferencing system to be able to conduct meetings in the future. Options were discussed and it was decided to use Zoom. The system will be set up prior to the next meeting time so board members have option to be present via teleconference.

**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 County Courier-proceedings 654.65, ELECTIONS: Ken’s Fairway-supplies 9.14, AUDITOR: Dekker Hardware-supplies 16.99, ITC-service 56.28, Office Peeps-paper 39.90, PMB-0112-53.00, TREASURER: Clark Co Courier-notice to redeem 17.21, ITC-service 44.96, STATES ATTORNEY: ITC-service 53.77, COURT: Austin, Hinderaker, Hopper- court appointed attorney 77.60, SDACC- 1st qrt catastrophic legal, 3168.00, PUBLIC BUILDINGS: Cooks Wastepaper-garage 33.25, Culligan – water 56.25, D’s Bobcat – snow removal 450.00, Dekker Hardware- supplies 201.61, Gruenwald Electric-light bulbs 182.00, ITC-service 77.65, Mid-American Research-supplies 523.81, Star Laundry-rugs 40.58, Verdon Roofing – 4th floor repair 183.60, DIRECTOR OF EQUALIZATION: Clark Co Courier- tax exempt list 191.51, ITC-service 99.08, Office Peeps-keyboard 46.51, REGISTER OF DEEDS: ITC-service 88.19, VETERANS OFFICER: ITC-service 50.18, SHERIFF: AT&T Mobility-service 326.96, Clark Community Oil – gas 442.46, Digital Ally-camera system/dodge Durango 3855.00, ITC-service 194.35, Light & Siren – tail light flasher unit 2020- 71.00, Sturdevants Auto Parts-supplies 25.77, US Bank Voyager – fuel 191.13, PRISONER CARE: Codington Co Auditor – prisoner care 2840.08, AIRPORT: Clark Rural Water – water 35.00, AMBULANCE: Randy Angermeier – mileage – 10.80, AT&T Mobility – service 216.09, Bound Tree Medical LLC-supplies 1055.78, Clark Community Oil – gas 338.15, Dekker Hardware – supplies - 216.27, ITC-service 183.46, Ken’s Fairway-supplies 37.88, Matheson Tri-Gas – rental oxygen 173.19, Reemployment Assistance Division- 1st qrt unemployment -179.50, Star Laundry & Dry Cleaners – laundry 11.78, Tony’s Collision Center- windshield repair 215.00, US Bank Voyager Fleet Systems-fuel 119.30, SOC SER FOR AGED: Inter-lakes Comm Action – support comm serv/April 1469.33, MENTAL HEALTH CENTER: Human Service Agency -2nd qrt appropriations -3191.25, MENTAL ILLNESS BOARD: Lincoln County Treasurer – involuntary mental hearing 75.00, EXTENSION: ITC-service 107.07, Office Peeps-backup 142.99, Star Laundry -rugs 25.20, WEED: Clark Community Oil – fuel – 504.64, Cook’s Wastepaper – garbage 44.25, Dekker Hardware – supplies 102.41, ITC-service 95.94, Matheson Tri-Gas -rental 32.58, NASASP-annual dues 39.00, Reemployment Assistance Division- 1st qtr unemployment 269.23, Sturdevants Auto Parts-supplies 116.05, PLANNING & ZONING – Clark Co Courier- cu-18.76, ROAD & BRIDGE: Ameripride Services-towels 139.28, AT&T Mobility – 48.50, Automated Waste Systems-parts 784.32, Boyer Ford Trucks-parts 1465.32, Clark CO Courier- highway bids 21.02, Clark Community Oil – fuel 12,454.54, Clark Engineering – bridge design 5600.00, Clausen & Sons Construction – rip rap 3463.92, Cook’s Wastepaper – garbage – 44.25, Dekker Hardware- supplies 129.34, ITC-service – 164.27, Kibble Equipment LLC-rental agreement – 5000.00, Mac’s Hardware – supplies 277.44, Mack Steel Warehouse- parts 232.62, Matheson Tri-Gas – welding supplies 562.56, Menards-supplies 52.67, Northern Safety Co-supplies 140.81, Northwestern Energy- utilities 129.49, Oscar’s Machine Shop- parts/supplies 1361.04, Pomps Tire Service-tires 1555.88, RDO Equipment – filters- 407.57, Reemployment Assistance-1st qrt unemployment – 448.73, Sioux Rural Water-water 42.00, Sturdevants Auto Parts-filter-254,86, Sturdevants Auto Parts – supplies 1690.68, Transource-parts 585.19, Truenorth Steel-culvert 15,425.24, Vander Haags-parts 276.56, WW Tire Service-tire repair 21.00, Westside Implement - parts 1823.18, Wheelco- parts 290.48, 911 SERVICE: Centurylink - fees 291.92, City of Watertown - 911 surcharge 3117.33, ITC-service 145.23, CIVIL DEFENSE: AT&T Mobility- service 45.14, Bound Tree Medical LLC-supplies 107.90, Dekker Hardware-supplies 15.98, Fay Wookey Memorial Assisted -supplies 479.20, ITC-service 55.90, US Bank Voyager Fleet-fuel 123.63, REGISTER OF DEEDS: Microfilm Imaging Systems- software/scanner rent 240.00, CITY & TOWNS: City of Naples -replace check 167.08, M&P Relief Flow THRU: SDACO -2.00 fee – 170.00. TOTAL: 83,240.44.

**PAYROLL**: COMMISSIONERS: 8223.47, AUDITOR: 3780.28, TREASURER: 3601.66, STATES ATTORNEY: 3617.82, COURTHOUSE: 2009.05, DIRECTOR OF EQUALIZATION: 4969.19, REGISTER OF DEEDS: 3263.14, VETERANS OFFICER: 363.82, SHERIFF: 6604.43, POOR: 450.08, NURSE: 2052.83, AMBULANCE: 12,506.20, EXTENSION: 1468.83, WEED: 620.06, PLANNING & ZONING: 303.22, ROAD & BRIDGE: 45,923.14, EMERGENCY & DISASTER: 1506.64. TOTAL: 101,263.86.

**ADJOURN**:  Motion by Knock, second by Reints to adjourn at 1:50 p.m. until next regular meeting Tuesday, April 21, 2020 at 8:00 a.m. Members present voting aye. Motion carried.

 ATTEST:

(SEAL)

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Christine Tarbox Chris Sass, Chairman

Clark County Auditor Clark County Board of Commissioners

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