CLARK COUNTY COMMISSIONER PROCEEDINGS

April 3, 2018

 The Clark County Commissioners met in regular session on Tuesday, April 3, 2018 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: Bjerke, Hass, Reints, and Sass. Wicks absent. Also present Auditor Tarbox.

**AGENDA**: Motion by Sass, second by Reints to approve agenda for April 3, 2018. All present voting aye. Motion carried.

**MINUTES:**  Motion by Hass, second by Reints to approve the minutes of the regular meeting of March 26, 2018. All members present voting aye. Motion carried.

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

**HIGHWAY**: HS Eggleston presented the bids for bridge structure replacement 13-031-310. One bid was received from Lehtola Builders in the amount of $314,331.20. Motion by Reints, second by Sass to accept bid of Lehtola Builders. All members present voting aye. Motion carried.

**FUEL QUOTES**: The following fuel quotes were presented to the board for April 2018. Diesel #2: Clark County Farmers Elevator, 2.27, Clark Community Oil- 2.26, Gas: Clark County Farmers Elevator: no bid. Clark Community Oil-2.275. The County accepted the low bid and all bids are on file in the Auditor's office.  

**TRANSPORT LOAD QUOTES**: The following transport fuel quotes were presented to the board for April 2018. Diesel #2: Clark County Farmers Elevator, 2.195, Clark Community Oil- 2.185. The County accepted the low bid and all bids are on file in the Auditor’s office.

**HIGHWAY**: Motion by Reints, second by Sass to allow HS Eggleston to rent a mastic sealing machine from Brock White at the cost of $6000.00 per month. All members present voting aye. Motion carried.

**HIGHWAY**: Motion by Hass, second by Sass to accept change order for Woodring plumbing in the amount of 477.56. The additional cost is for extra airline tie in. All members present voting aye. Motion carried.

**WEED:** Weed Supervisor Michalski met with the board to present the 2018 Weed bids.

Crop Production Services:

Tordon 22K $38.60/gal 2.5 gal container

38.60/gal 30 gallon drum

De Ester LV4 – $13.80/gal 2.5 gal container

$13.80/ gal -30 gallon drum

$13.60/gal – 250 gallon tote

Milestone – $277/gal 2.5 gal container

70.75 per quart

Platoon 2 – 4-D Amine 9.05/gal 2.5 gal container

9.05/ gal –30 gallon drum

9.05/ gal 250 gal tote

Aquaneat - $15.80/gal 2.5 gal container

Arsenal – 43.70/gal – 2.5 gal container

Freelaxx – 17.00/gal 2.5 gal containers

Method 240 SL – 318.72/gal/2.5 gal container

91.52/qt- quart containers

Piper -90.08/pound 3.75/lb container

VanDiest Supply

Tordon 22K $40.98/gal 2.5 gal container

2-4D Ester- $13.58/gal 2.5 gal container

Milestone-$277/gal 2.5 gal container

2-4D Amine –$9.13/gal 2.5 gal container

Aquaneat $14.49/gal 2.5 gal container

Polaris - $48.98/gal - 2.5 gal container

Sub for Polaris – Ecomazapyr 2SL 44.78/gal 2.5 gal container

Freelex – 17.19/gal 2.5 gal container

Method 240 SL - 318.72/gal 2.5 gal container

Piper – 5.48/ oz -60 oz container

Commodity Services, Inc.

Tordon 22k -$59.00/gal 2.5 gal container

2-4D Ester $22.00/gal 2.5 gal container

Milestone – $309.00/gal 2.5 gal container

2-4 D Amine – Aquatic label -$10.75/gal 2.5 gal container

Piper – Pramitol Liquid 4x1 – 36.00/gal

**WEED**: Motion by Hass, second by Reints to accept the low bids of Crop Production Services on the Picloram, Milestone, Polaris, Freelex, and Method 240 SL and bid from VanDiest for 2-4D Ester, Milestone, Rodeo-Aquanet, Method 240SL and Piper based on availability of products. All members present voting aye. Motion carried.

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

**HEARING**: At 9:15 a.m. hearing was held for Conditional Use 3-18 which if approved will allow Chris Arthur to use SW¼NW¼ 2-116-57 to build a hog finishing barn. James Arthur, Craig Arthur, Chris Arthur, Shane Spooner, Larry Jones, Rip Mills, Jeff Nelson, Mark Foster, Jason Foster, Rod Foster, Chuck Beving, CJ Beving, Joe Arthur, Tauny Arthur, John Arthur, Kevin Dandurand, Riley Dandurand, Joseph Wittse, Brian Friedrichson, Engineer from Dakota Environment and Jim White from Dakota Environment appeared. Also present SA Fjelland. Motion by Hass, second by Reints to open public hearing. Chris Arthur presented information regarding the CAFO. Public comment was taken from concerned citizens in attendance. The public hearing was closed following public comment. Questions from the board were answered by the applicant. Roll call vote to approve CU3-18 subject to approval of written findings of fact. Aye: Hass, Reints, Bjerke. Voting nay: Sass. Motion carried.

**HEARING**: At 9:45 a.m. hearing was held for Conditional Use 2-18 which if approved will allow Chris Arthur to use SW¼SE¼ 23-116-57 to build a hog finishing barn. James Arthur, Craig Arthur, Shane Spooner, Larry Jones, Rip Mills, Jeff Nelson, Mark Foster, Jason Foster, Rod Foster, Chuck Beving, CJ Beving, Joe Arthur, Tauny Arthur, John Arthur, Brian Friedrichson, Engineer from Dakota Environment and Jim White from Dakota Environment appeared. Also present SA Fjelland. Motion by Sass, second by Reints to open public hearing. Chris Arthur presented information regarding the CAFO. Public comment was taken from concerned citizens in attendance. The public hearing was closed following public comment. Questions from the board were answered by the applicant. Roll call vote to approve CU2-18 subject to approval of written findings of fact: Voting aye: Hass, Reints, Sass and Bjerke. Motion carried.

**VARIANCE 1-18**: Discussion continued from previous motion regarding Variance 1-18 for Bob Schmidt to place a building closer than setbacks. Voting aye: Hass, Reints, Sass and Bjerke. Motion carried.

**CU 1-18**; Motion by Hass, second by Reints to approve findings of fact for Conditional Use 1-18 for Renae Burke, Class C Cafo. Voting aye: Hass, Bjerke, Sass, Nay: Reints. Motion carried.

**SET HEARING**: Motion by Hass, second by Sass to set hearing for Tanya Kelley which if approved will allow applicant to use W690’ of S540’ of NW ¼ 11-116-57 to plant trees closer than setback. Hearing set for April 17, 2018 at 9:00 a.m. All members present voting aye. Motion carried.

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

**AIRPORT LEASE**: At 10:15 a.m. the time specified, airport lease sale was held. Present Mark McHenry and Sandy McHenry. Motion by Hass, second by Reints to accept the bid of Mark McHenry at $4000.00 per year for three (3) years through December 31, 2020. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Reints, second by Sass to enter into executive session at 10:35 a.m.to conduct personnel interviews. All members present voting aye. Motion carried. Chairman declared out at 11:04.

**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.

**EXECUTIVE SESSION**: Motion by Reints, second by Sass to enter into executive session at 11:16 a.m. to conduct personnel interviews. All members present voting aye. Motion carried. Chairman declared out at 12:38 p.m.

**EM**: Motion by Reints, second by Sass to approve and allow Chairman to sign Emergency Management SLA Quarterly activity report FY 2018, second quarter. All members present voting aye. Motion carried.

**INVOICE**: Discussion was held regarding an invoice from Meierhenry Sargent regarding attorney fees. SA Fjelland recommended the invoice be approved and paid.

**CLAIMS:** Motion by Sass, second by Bjerke, to approve the following claims and allow the Auditor to issue payments for same. All members present voting aye. Motion carried. AUDITOR: ITC-service 59.64, TREASURER: ITC-services 45.29, STATES ATTORNEY: ITC-services 54.49, Meierhenry Sargent LLP – litigation expenses 1785.45, COURT: Bratland Law- court apt atty – 1485.20, LAW LIBRARY: Beadle County-victim advocate fees 2500.00, PUBLIC BUILDINGS: Culligan –water 45.50, ITC-services 41.38, DIRECTOR OF EQUALIZATION: ITC-services 82.15, REGISTER OF DEEDS: ITC-service 81.91, VETERANS OFFICE: ITC-services 42.61, SHERIFF: ITC-service 212.17, Light & Siren -equipment 2018 ford SUV 1400.00, Office Peeps- cartridge 73.08, Verizon Wireless-monthly fees 188.66, AIRPORT: Clark Rural Water System-water 35.00, Helms & Associates-airport project 9,809.35, Potomac Aviation Technology-monitoring fees – 250.00, AMBULANCE: AT&T Mobility-utilities 125.37, ITC-services 274.04, State Flag Account- 2 flags 34.28, Unemployment Ins Div of Sd 1st qtr unemployment 241.36, Verizon Wireless- monthly fees- 80.04, MENTAL & HANDICAPPED: SD Dept of Revenue-pt care 60.00, EXTENSION: ITC-service 91.07, Office Peeps-labels 20.19, WEED: ITC-services 99.48, Unemployment Ins Div of SD – 1st Qtr unemployment 362.04, ROAD & BRIDGE: 212 Truck & Trailer Repairs-outside repair 1035.50, Clark County Treasurer –license fee – 21.50, Clark Engineering Corp- bridge work 470.00, ITC-services 175.15, Menards-shop supplies 129.60, Northwestern Energy-utilities 193.15, Office Peeps- office supplies – 69.37, SD Assn – of Commissioners –registration office personnel-75.00, Sioux Rural Water-water bill-33.00, Unemployment Ins Div of SD – 1st qtr unemployment 603.37, Woodring Plumbing LLC –highway building 2227.56, 911 SERVICE FUND: ITC- utilities 145.23, CIVIL DEFENSE: Verizon Wireless – fees 108.44, M&P RELIEF FUND: SDACO-fees 150.00. Total: 25,016.62.

**PAYROLL**: COMMISSIONERS: 7930.45, AUDITOR: 3517.06, TREASURER: 3350.22, STATES ATTORNEY: 1899.28, COURTHOUSE: 1822.54, DIRECTOR OF EQUALIZATION: 4573.51, REGISTER OF DEEDS: 2813.03, VETERAN OFFICER: 336.41, SHERIFF: 6112.94, POOR: 453.58, NURSE: 1882.90, AMBULANCE: 10,711.05, EXTENSION: 861.30, WEED: 451.96, PLANNING & ZONING: 561.58, ROAD & BRIDGE: 33,542.05, TOTAL: 80,819.86.

**BOARD OF ADJUSTMENT**: Motion by Reints, second by Sass to enter into Board of Adjustment. All members present voting aye. Motion carried

**CU 3-18:** Motion by Reints, second by Hass to approve findings of fact for CU 3-18, Chris Arthur hog finisher barn. All members present voting aye. Motion carried.

**CU 2-18**: Motion by Sass, second by Reints to approve findings of fact for CU 2-18, Chris Arthur hog finish barn. All members present voting aye. Motion carried.

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

**ADJOURN**:  Motion by Hass, second by Sass to adjourn at 1:31 p.m. until next regular meeting Tuesday, April 17, 2018 at 8:00 a.m. All members present voting aye. Motion carried.  
   
ATTEST:

(SEAL)

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Christine Tarbox  Robert Bjerke, Chairman

Clark County Auditor Clark County Board of Commissioners