CLARK COUNTY COMMISSIONERS PROCEEDINGS

July 24, 2018

The Clark County Commissioners met in regular session on Tuesday, July 24, 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, Wicks, Hass and Reints. Also present Auditor Tarbox.

**AGENDA:** Motion by Wicks, second by Reints to approve the July 24, 2018 agenda as presented. All present voting aye. Motion carried.

**MINUTES**: Motion by Reints, second by Wicks to approve the minutes from the regular meeting of July 10, 2018 meeting. All present voting aye. Motion carried.

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

**EXECUTIVE SESSION**: Motion by Reints, second by Hass to move into executive session at 8:03 a.m. for discussion of contractual matters 1-24-2-(3). All present voting aye. Motion carried.

**NURSE**: County Health Nurse Linneman met with the board to deliver her quarterly report. She informed the board of services provided to residents of Clark County through the nurse office. She also informed the board she would be setting up flu shot clinics.

**VICTIM WITNESS ADVOCATE**: Alayna Wellnitz, victim witness coordinator met with the board to discuss her job duties, the counties that she covers and her job responsibilities.

**EXTENSION**: Motion by Hass, second by Wicks to allow Extension Educator McGraw to advertise and hire office help to assist extension staff the week of achievement days. This position will be paid minimum wage $8.85 for hours worked. All present voting aye. Motion carried.

**ROD**: ROD Helkenn met with the board to inform them of the progress of updating the Register of Deeds office. No action needed.

Commissioner Sass present via teleconference.

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

**HEARING**: At 9:00 a.m. the time specified hearing was held for Variance 3-18. Dwight Warkenthien, John Taylor, Brian Friedrichsen, Trevor Johnson, Casey Gross, Jason

Nelson, Mary Freeman, Helen Olson and Nicole Nelson appeared. Also present HS Eggleston and SA Fjelland. This Variance will allow applicant to use NW¼ 17-114-57 to construct a building closer than setback. Motion by Reints, second by Wicks to open public hearing and to approve Variance 3-18 subject to approval of written findings. John Taylor, Atty and Brian Friedrichsen presented information regarding the site and size of the building. Public comment was taken from members present. The public hearing was closed following public comment. Questions from the board were answered by the applicant, his attorney and Brian Friedrichsen. Roll call vote to approve Variance 3-18 subject to approval of written findings. Voting aye: Wicks, Hass, Reints, Sass and Bjerke. Voting nay: None. Motion carried.

**HEARING**: At 9:05 a.m. the time specified hearing was held for Conditional Use 6-18. Dwight Warkenthien, John Taylor, Brian Friedrichsen, Trevor Johnson, Casey Gross, Jason Nelson, Mary Freeman, Helen Olson and Nicole Nelson appeared. Also present HS Eggleston and SA Fjelland. This Conditional use will allow applicant to use NW ¼ 17-114-57 to construct a Class A CAFO. Motion by Sass, second by Hass to open public hearing and to approve CU 6-18 subject to approval of written findings. John Taylor, atty presented information regarding the project. Public comment was taken from members present. The public hearing was closed following public comment. Questions from the board were answered. Roll call vote to approve CU 6-18 subject to approval of written findings. Voting aye: Wicks, Reints, Sass, Hass and Bjerke. Voting nay: None. Motion carried.

**HEARING**: At 9:45 a.m. the time specified, hearing was held for Conditional Use 7-18. Barry Kerkaert and Marty Rost appeared. Also present: SA Fjelland and HS Eggleston. This conditional use will allow applicant to use SW1/4SE1/4 5-114-58 to expand existing Class ”A” CAFO. Motion by Wicks, second by Reints to open public hearing and approve CU 7-18 subject to approval of written findings. Barry Kerkaert and Marty Rost discussed the expansion and changes that will be made. Public comment was taken from members present. The public hearing was closed following public comment. Questions from the board were addressed. Roll call vote to approve CU7-18 subject to approval of written findings. Voting aye: Wicks, Reints, Sass, Hass and Bjerke. Voting nay: None. Motion carried.

**HEARING:** At 10:15 a.m. time specified hearing was held for Variance 4-18. Nicole Nelson appeared. Also present SA Fjelland and HS Eggleston. This variance will allow applicant to use NE ¼ 30-115-58 to construct a building and plant trees closer than the setback. Motion by Wicks, second by Sass to open public hearing and approve Variance 4-18 subject to approval of written findings. Nicole Nelson discussed the building and trees. Public comment was taken from members present. The public hearing was closed following public comment. Questions from the board were addressed. Roll call vote to approve Variance 4-18 subject to approval of written findings. Voting aye: Wicks, Hass, Reints, Sass and Bjerke. Voting nay: None. Motion carried.

**HEARING**: At 10:20 a.m. time specified hearing was held for Variance 5-18. Kim Madsen appeared. Also present SA Fjelland and HS Eggleston. This variance will allow applicant to use SW ¼ 27-114-59 to construct a building closer than the setback. Motion by Hass, second by Wicks to open public hearing and approve Variance 5-18 subject to approval by the board of written findings. Kim Madsen informed the board of size and site of the proposed building. Public comment was taken. The public hearing was closed following public comment. Questions from the board were addressed. Roll call vote to approve Variance 5-18 subject to approval of written findings. Voting aye: Wicks, Hass, Reints, Sass and Bjerke. Voting nay: None. Motion carried.

**HEARING**: At 10:25 a.m. time specified hearing was held for Variance 6-18. Shane and Heather Patenode and Larry Brannan appeared. Also present SA Fjelland and HS Eggleston. This variance will allow applicant to use School House Lot in NW ¼ 28-117-59 to move in a mobile home older than 15 years. Motion by Sass, second by Wicks to open public hearing and approve Variance 6-18 subject to approval by the board of written findings. Shane and Heather Patenode discussed their plans for the project. Public comment was taken from members present. The public hearing was closed following public comment. Questions from the board were addressed.

Motion by Reints, second by Wicks to continue hearing until August 7, 2018 at 9:00 a.m. Roll call vote, voting aye: Wicks, Hass, Reints, Sass and Bjerke. Nay: None. 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.

Sass teleconference concluded.

**AIRPORT**: Steve Hennigs met with the board to discuss his 2nd annual Summer Fly In noon meal at the Clark County Airport, Hangar 12, on August 4, 2018. Motion by Reints, second by Bjerke to approve the event and allow Chairman to sign contract between Clark County and Steve Hennigs. Appropriate insurance information is to be provided to the Auditor office prior to the event. All present voting aye. Motion carried.

**PLANNING & ZONING**: Luke Mueller from First District Association of Local Governments and Planning & Zoning Director Reidburn met with the board to discuss potential changes to the Clark County Planning and Zoning manual. No action needed.

**RESOLUTION 11-18:** Motion by Hass, second by Wicks to approve Resolution 11-18 which continues support for the First District Association of Local Governments during fiscal year 2019. Members present voting aye. Motion carried.

RESOLUTION TO CONTINUE SUPPORT FOR THE  
 FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS

DURING FISCAL YEAR 2019

(October 1, 2018 – September 30, 2019)

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 2019 (October 1, 2018 – September 30, 2019). To support the Joint Cooperative Agreement and the activities of the District staff, the Clark County Board of County commissioners will provide $10,149.44 to the First District Association of Local Governments during the aforementioned Fiscal Year 2019 period.

ADOPTION:

Adopted this 24th day of July, 2018

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

Chair, Clark County Commission

ATTEST:

/s/ Christine Tarbox

Clark County Auditor

/s/ Todd A Kays

First District Association of Local Governments

**BUDGET**: The board discussed 2019 budget.

**REPORTS:**  Motion by Reints, second by Bjerke to approve the following reports. All voting aye. Motion carried.

AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER  
 Cash on hand…………………………………………..… 34,225.41

Money Market…..…………………………………… .… 4,117,862.35

CD’s…………..…………………………………………… 800,000.00  
 Checking Account....…….…………………………………. 107,796.10  
    TOTAL:……………..………………………………… 5,059,883.86

These funds include all funds administered by the county including: General Fund $3,429,743.88, Road & Bridge: $1,178,758.52, 911 Service Fund: $88,562.07,

E/D: 10,188.67, Domestic Abuse: 205.00, 24/7: $9189.46, ROD Mod/Pres: $6642.98, TIF: 5492.78, **Trust & Agency Funds $331,100.50 which are funds returned to schools, towns, townships and special districts.** TOTAL: $5,059,883.86.

**ROD Fees**: June recording fees: 2310.00, Transfer fees: 1273.00, Births: 35.00, Deaths: 145.00, Marriages: 15.00, Copy money: 88.00, Misc 155.00. TOTAL: 4021.00.

**Ambulance**: 16,841.19, **Sheriff**: Mileage 172.00, Civil fees $941.00, Pistol permits $12.00.

**CLAIMS**: Motion by Hass, second by Wicks to approve the following claims and allow the auditor to issue payments for same. All voting aye. Motion carried. GENERAL FUND: Watertown Fire Department 60% of run – 602.14, COMMISSIONERS: Cardmember Service-gas/car wash –van 89.81, Lake County Treasurer-meeting 11.00, ELECTIONS: Election Systems & Software – ballots 485.33, JUDICIAL: Thomson Reuters – West Publishing – SD Codified/ rules of court 690.76, AUDITOR: Lake County Auditor – meeting registration 11.00, PMB-0112-access fees 34.75, Thomson Reuters-West Publishing- SD Codified law books – 203.38, TREASURER: Lake County Treasurer- registration fee 11.00, Office Peeps- cartridge 98.00, STATES ATTORNEY: Prairie Lakes Healthcare –blood draw 85.00, Thomson Reuters-West Publishing-online library 862.70, COURT: SDACC- 3rd qtr catastrophic legal 2583.00, PUBLIC BUILDINGS: City of Clark- branches/water 85.95, Cole Paper-supplies 56.24, Northwestern Energy – utilities 1205.22, DIRECTOR OF EQUALIZATION: Cardmember Service - envelopes 306.25, Thomson Reuters-West Publishing – SD Codified law books – 36.10, VanGuard Appraisals-reappraisal contract 6179.40, REGISTER OF DEEDS: Creative Printing- blank sheets – 190.68, Lake County Treasurer-registration 11.00, Office Peeps- pens 10.54, Toshiba Financial Services-copier 124.13, SHERIFF: Chief Supply Corp-batteries 122.47, JB’s Repair- supplies 73.50, Office Peeps-cartridge 21.88, The Lodge at Deadwood-lodging 237.00, AIRPORT: Northwestern Energy-utilities 108.74, NURSE: Office Peeps-labels 19.89, AMBULANCE: Advanced Asset Alliance – amb fees 328.09, Cardmember Services – air conditioner 152.26, City of Clark – water 66.25, Northwestern Energy-utilities 249.82, EXTENSION: Cole Papers –supplies 20.25, Office Peeps-paper 181.52, WEED: City of Clark –water 187.45, Northwestern Energy – utilities 121.80, Nutrient Ag Solutions – pesticides 5610.00, ROAD & BRIDGE: Advantage RV’s – parts 703.00, Avera Queen of Peace – drug testing 92.00, David Borns-ins deductible reimbursement 1800.00, Larry Brannan – mileage 18.48, Cardmember Services- cameras 127.97, City of Clark – water 66.25, City of Garden City –water 90.00, Duininck Inc – hot mix 16,841.06, Flint Hills – MC 3000-89,265.03, GCR Tires & Services – tires 972.68, General Equipment & Supplies – parts 466.24, Van Jackson – mileage 33.60, Matt Kadinger –ins deductible reimbursement 1500.00, Lake County Treasurer- meeting registration 11.00, Lyle Signs-signs 249.98, Northern Con Agg-pea rock 8936.95, Northwestern Energy – utilities 946.20, The Lodge at Deadwood-lodging 288.00, Tony’s Electric-building maintenance/electrical 32,099.98, 911 SERVICE FUND: Centurylink –fees 273.67, CIVIL DEFENSE: JB’s Repair – supplies 647.80, REGISTER OF DEEDS: US Records Midwest LLC – book/tab sheets/new binder 2985.12. TOTAL: 179,889.31.

**PAYROLL**: AUDITOR: 4851.08, TREASURER: 4501.99, STATES ATTORNEY: 3806.88, COURTHOUSE: 2367.64, DIRECTOR OF EQUALIZATION: 4437.25, REGISTER OF DEEDS: 3,217.94, VETERAN SERVICE OFFICE:  336.40, SHERIFF: 6708.22, CORONER: 107.65, NURSE: 1816.35, AMBULANCE: 9,983.77, EXTENSION: 1212.08, WEED: 5,056.01, ROAD & BRIDGE: 39,403.97, EMERGENCY & DISASTER: 1260.13. TOTAL: 89,067.36.

**ADJOURN**:  Motion by Hass, second by Reints to adjourn at 1:04 p.m. until next regular meeting Tuesday, August 7, 2018 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

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