CLARK COUNTY COMMISSIONERS PROCEEDINGS

April 27, 2020

The Clark County Commissioners met in special session on Monday, April 27, 2020 in the Commissioner room of the Clark County Courthouse. Chairman Sass called the meeting to order at 8:00 a.m. via teleconference. The following Commissioners present via teleconference as well: Chris Sass, Wallace Knock, Francis Hass, and Robert Bjerke. Richard Reints present at the courthouse. Also present Auditor Tarbox.

**AGENDA:** Motion by Bjerke, second by Hass to approve the April 21, 2020 agenda as presented. Voting aye: Reints, Knock, Bjerke, Hass and Sass. Motion carried.

**RESOLUTION 12-20**: Motion by Knock, second by Bjerke to compromise poor lien accepting $886.25 as payment in full upon payment being deposited with the Clark County Treasurer. Voting aye; Knock, Reints, Bjerke, Hass and Sass. Motion carried.

RESOLUTION COMPROMISING POOR LIENS 12-20

Commissioner Knock introduced and moved the adoption of the following RESOLUTION.

BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, that the following described real estate to wit, OL 34 & E 50’ of N 150’ of OL 35, Outlots, Willow Lake, South Dakota of Clark County, Clark SD be released from the County Poor Liens filed against a county resident (name withheld pursuant to SDCL 28-13-42) in the principal amount of $1772.50 upon the payment of the sum of $886.25 deposited in cash with the County Treasurer of Clark County, South Dakota; but as to any other property of such county resident said poor liens shall remain in full force and effect.

BE IT FURTHER RESOLVED that said compromise and full release of lien is made for the best interest of the County and it hereby is authorized that upon said payment being made the liens set out in the application be released against the OL 34 & E 50’of N 150’ of OL 35, Outlots, Willow Lake, South Dakota of Clark County, South Dakota.

Commissioner Bjerke seconded the adoption of the Resolution.

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

Commissioners voting nay: None.

Resolution adopted.

Dated this 27th day of April, 2020. at Clark, South Dakota.

ATTEST (SEAL)

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

County Auditor Chairman, Board of Clark

County Commissioners

**ORDINANCE 2-20**: Motion by Bjerke, second by Knock to approve Ordinance 2-20 which repeals Ordinance 1-20. Voting aye: Reints, Knock, Bjerke, Hass and Sass. Motion carried.

ORDINANCE #2-20

AN ORDINANCE TO REPEAL ORDINANCE #1-20

WHEREAS, on March 30, 2020, the Board of Commissioners of Clark County, South Dakota, passed and adopted Ordinance #1-20, entitled AN EMERGENCY ORDINANCE TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF CORONAVIRUS (COVID-19).

WHEREAS, On March 13, 2020, Executive Order 2020-04 declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19, which was extended through May 31, 2020 by Executive Order 2020-15; and,

WHEREAS, On March 23, 2020, Executive Order 2020-08, provided guidance and strategies to South Dakota citizens and businesses to reduce the likelihood of spreading COVID-19; and,

WHEREAS, The CDC & SD Department of Health (SD DOH) have issued guidance to state and local governments and all citizens recommending steps to prevent community spread and guard against the COVID-19 outbreak; and,

WHEREAS, On April 6, 2020, Executive Order 2020-12, rescinded Executive Order 2020-08, and put in place mandatory guidelines for South Dakota citizens, employers, retail businesses, health care organizations, and local and municipal governments; and,

WHEREAS, the mandatory nature of the guidelines contained in Executive Order 202012 make continuation of Ordinance #1-20 unwarranted at the present time;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Clark

County, South Dakota, that Ordinance #1-20 is hereby repealed in its entirety.

All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed from and after the effective date of this ordinance and this ordinance shall take precedence over any other ordinance previously adopted.

This Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the County and its citizens and shall become effective immediately upon passage.

Dated this 27th of April, 2020.

CLARK COUNTY:

/s/ Chris Sass

Chris Sass, Chairman

ATTEST:

/s/ Christine Tarbox

Christine Tarbox, Auditor

(SEAL)

**ORDINANCE 3-20**: Motion by Hass, second by Bjerke to postpone second reading of Ordinance 3-20 until regular meeting May 5, 2020. Voting aye: Reints, Bjerke, Knock, Hass and Sass. Motion carried.

**ORDINANCE 4-20**: Motion by Knock, second by Reints to postpone second reading of Ordinance 4-20 until regular meeting May 5, 2020. Voting aye: Reints, Bjerke, Knock, Hass and Sass. Motion carried.

**HIGHWAY**: Motion by Reints, second by Hass to approve and allow Chairman to sign the agreement to provide for the striping and continuing maintenance of county roads within Clark County. This agreement is between the State of South Dakota and Clark County. The County will participate in the project for the striping of approximately 43.50 miles with an estimated cost to the county to be $46,901.70. This agreement is for calendar year 2020. Voting aye: Hass, Bjerke, Knock, Reints and Sass. Motion carried.

**ACCEPT RESIGNATION**: Motion by Bjerke, second by Reints to accept resignation of Emergency Manager Flatten effective May 4, 2020. Voting aye: Hass, Bjerke, Reints, Sass and Knock. Motion carried.

**ADVERTISE FOR EM**: Motion by Knock, second by Reints to advertise for Emergency Manager for Clark County. Applications can be picked up at the Courthouse or by contacting the Auditor’s office and will be accepted until May 8, 2020 at 5:00 p.m. Voting aye: Knock, Reints, Hass, Bjerke and Sass. Motion carried.

**ADJOURN**: Motion by Hass, second by Knock to adjourn until next regular meeting Tuesday, May 5, 2020 at 8:00 a.m. Voting aye. Hass, Knock, Reints, Bjerke and Sass. Motion carried.

ATTEST:

(SEAL)

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Christine Tarbox  Chris Sass, Chairman

Clark County Auditor Clark County Board of Commissioners