CLARK COUNTY COMMISSIONERS PROCEEDINGS

August 18, 2020

The Clark County Commissioners met in regular session on Tuesday, August 18, 2020 in the Commissioner room of the Clark County Courthouse. Chairman Sass called the meeting to order at 8:00 a.m. with the following Commissioners present via teleconference: Chris Sass, Wallace Knock, Francis Hass, and Robert Bjerke. Richard Reints present at the courthouse. Also present Auditor Tarbox.

**AGENDA:** Motion by Knock, second by Reints to approve the August 18, 2020 agenda as presented. Voting aye: Hass, Bjerke, Knock, Reints, Sass. Motion carried.

**MINUTES**: Motion by Hass, second by Knock to approve the minutes from the regular meeting held August 4, 2020. Voting aye: Knock, Hass, Reints, Bjerke and Sass. Motion carried.

**COMMUNITY COMMENTS**: Lois Kannegieter presented for community comments and informed the board that she had spoke to Senator Rounds regarding assistance for the Dry Lake 2 situation.

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

**HIGHWAY**: Motion by Reints, second by Knock to approve HS Eggleston request to add revenue from 2020 to his 2021 budget Income to be included will be $85,000, Crocker Wind Farm reimbursement, $62,400, Riverview reimbursement and $17,073.53 reimbursement from FEMA and additional $100,000 funds from FEMA reimbursement. These funds will be added to budget line 201-311-42 .Voting aye: Knock, Hass, Reints, Bjerke and Sass. Motion carried

**DRY LAKE 2**: Kevin Goff with Clark Engineering met with the board to discuss the preliminary engineering report for Dry Lake 2. Also present via teleconference: SA Fjelland, HS Eggleston, DOE Reidburn, EM Lewis, Thomas Lamb, Curtis Lamb, Joe Waldner, Corey Tellinghuisen, Kyle Peterson, Lois Kannegieter, Roy Gjerde and Jeff Galloway, USGS. Also present Bill Krikac. Mr Goff discussed the scope of work to be done and the potential costs. Clark Engineering is prepared to do the engineering report once it is determined what information is needed. It was also discussed that the solution for the problem would take years to get accomplished. Jay Gilbertson with East Dakota Water Development District and David Bartel with James River Water Development District also were available to discuss Dry Lake 2. They discussed the potential flow of water upstream and downstream. They indicated its important to know how the water flow would impact residents, how much water actually needs to be removed. It also needs to be determined the capacity to accept the water downstream and what is the desired outcome from the entire project. EM Lewis discussed what is the acceptable level. Thomas Lamb and Curtis Lamb spoke discussed concerns about where the water is coming from, ground water or an aquafer. Joel Galloway with the USGS stated that is what they want to help determine and those aspects will be looked at when collecting data. Further research will be done and reported back to the board.

**PUBLIC HEARING**: Appearing via teleconference: Todd Kays, First District, Toby Morris, Dougherty and Associates, Brady Janzen and Alex Hohertz with Riverview, DOE Reidburn, SA Fjelland, HS Eggleston and Terry Schlagel. Toby Morris discussed the Clark County TIF #2, including the parcels listed in the TIF District and the purpose of the TIF. Chairman Sass opened the public hearing. Brady Janzen with Riverview discussed the financial commitment Riverview would apply to the project depending on which option is chosen and provided an overview of the total funding for the project. Terry Schlagel spoke regarding the two options available. The public hearing was closed and Board questions were addressed. Motion by Hass second by Knock to allow Planning Commission make recommendation to declare boundaries and recommend creation of Tax Incremental District Number Two, Clark County to the Board of Commissioners. Voting aye: Reints, Hass, Knock, Bjerke and Sass. Motion carried.

**RESOLUTION 16-20 DECLARING BOUNDARIES AND RECOMMENDING**

**CREATION OF TAX INCREMENTAL DISTRICT NUMBER TWO,**

**CLARK COUNTY**

WHEREAS, the Planning Commission of Clark County, South Dakota, published a Notice of Hearing at which interested parties were afforded a reasonable opportunity to express their views on the proposed creation of Tax Incremental District Number Two, Clark County, on real property consisting of the following parcels:

NW ¼ 3-115-59 Parcel ID 1813

NE ¼ 3-115-59 Parcel ID 1812

SE ¼ 3-115-59 Parcel ID 1815

SW ¼ 3-115-59 Parcel ID 1814

West ½ of Section 34 T115N, R59W

That portion of 178th street and right of ways from NE ¼ 3-115-59 Parcel ID 1812 and NW ¼ 3-115-59 Parcel ID 1813 to 415th Avenue

415th Avenue to US Hwy 212 and right of ways

415th Avenue South to Hwy 28 and right of ways

WHEREAS, such Notice was published in the official newspapers in Clark County, not less than ten (10) nor more than thirty (30) days from the date of the hearing; and

WHEREAS, a copy of the Notice was sent prior to publication by first-class mail to the Chief Executive Officers and the School Board of the following taxing entities:

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| --- |
| ChairpersonClark County CommissionClark Courthouse PO Box 294Clark, SD 57225Clark School DistrictAttn: Superintendent220 North Clinton StreetClark, SD 57225 |
| Fordham TownshipLinda Helken41212 181st Street, Raymond, SD 57258Logan TownshipDawn Foiles41609 175th Street, Raymond, SD 57258Richland TownshipRichard Glanzer41312 188th Street, Carpenter, SD 57322 |
|  |

WHEREAS, a hearing was held on May 19th and August 18th, 2020, as provided in such Notice, and all interested parties were allowed a reasonable opportunity to be heard on the proposed creation of Tax Incremental District Number Two, Clark County.

THEREFORE, BE IT RESOLVED by the Planning Commission of Clark County, South Dakota:

1. Authority and declaration of necessity. Pursuant to SDCL §§ 11-9-4 & 11-9-13, the Planning Commission hereby declares the necessity to form a tax incremental district in Clark County.
2. Findings. The Planning Commission finds that there is statutory authority to refer said district to the Clark County Commission for their consideration and that all notice requirements have been met and all findings required by statute are hereby made.
	* 1. The South Dakota Department of Revenue has reviewed the TIF Plan and classified the Tax Increment District Two of Clark County to be Economic Development
		2. Not less than twenty-five percent, by area, of the real property within the district is a blighted area as defined under SDCL 11-9-11.
		3. At least fifty percent of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of either industrial, commercial, manufacturing, agricultural, or natural resources development
3. Boundaries of District. The Planning Commission has determined the boundaries of the district are as follows:
* NW ¼ 3-115-59 Parcel ID 1813
* NE ¼ 3-115-59 Parcel ID 1812
* SE ¼ 3-115-59 Parcel ID 1815
* SW ¼ 3-115-59 Parcel ID 1814
* West ½ of Section 34 T115N, R59W
* That portion of 178th street and right of ways from NE ¼ 3-115-59 Parcel ID 1812 and NW ¼ 3-115-59 Parcel ID 1813 to 415th Avenue
* 415th Avenue to US Hwy 212 and right of ways
* 415th Avenue South to Hwy 28 and right of ways
1. Project Plan. The Planning Commission has reviewed and recommends the Project Plan to the Clark County Commissioners
2. Recommendation of District: The Planning Commission hereby recommends to the County Commission that Tax Incremental District Number Two, Clark County be created and hereby submits its recommendation to the County Commission for consideration.

Passed this 18th day of August, 2020.

 /s/ Chris Sass

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|  |  | Chairperson |
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| ATTEST: |  |  |
| /s/ Christine Tarbox |  |  |
| Auditor |  |  |

The motion for the adoption of the foregoing resolution was duly seconded by Knock, and upon vote being taken thereon the following voted YEA: Reints, Hass, Bjerke, Knock and Sass.

those voting NAY: None, those abstaining: None.

Whereupon said resolution was declared duly passed and adopted.

 /s/ Christine Tarbox

Clark County Auditor

STATE OF SOUTH DAKOTA )

 :SS

COUNTY OF CLARK )

I, the undersigned, being the duly qualified and acting Secretary of the Planning Commission, do hereby certify that the attached and foregoing is a full, true and complete transcript of the minutes of a meeting of the Planning Commission of Clark County, held on May 19th, and August 18th,2020 insofar as the original minutes relating to a hearing for the creation of a tax incremental district.

 WITNESS my hand this 18th day of August, 2020.

 /s/ Christine Tarbox\_\_

 Clark County Auditor

**SET HEARING**: Motion by Reints, second by Hass to set the hearing for the provisional budget on Tuesday, September 1, 2020 at 9:00 a.m. Voting aye: Hass, Knock, Bjerke, Reints and Sass. Motion carried.

**AMBULANCE**: Motion by Knock, second by Bjerke to approve AA Angermeier request to provide tuition assistance for Trevor Forest for the EMT course. He will receive one-half of the expense $425.00, at the beginning of the class and additional $425.00 when he passes the course. If he fails to pass the course he will reimburse Clark County for the first half. Voting aye: Hass, Knock, Bjerke, Reints and Sass. Motion carried.

**REPORTS:**  Motion by Hass, second by Reints to approve the following reports. Voting aye: Hass, Bjerke, Reints, Knock and Sass. Motion carried.

 AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER
 Cash on hand…………………………………………..… 18,568.19

Money Market…..……………………………………...… 3,512,454.50 CD’s…………..…………………………………………… 800,000.00
Checking Account....…….…………………………………. 385,160.70 TOTAL:……………..……………… …..…………………4,716,183.39

These funds include all funds administered by the county including: General Fund $3,540,071.07, Road & Bridge: $778,244.86, 911 Service Fund: 77,938.62, E/D: 3,489.72, Domestic Abuse: 195.00, 24/7 – 14,319.25, ROD Mod/Pres: $6,373.46, TIF: 8,821.52. **Trust & Agency Funds $286,729.89 which are funds returned to schools, towns, townships and special districts.** TOTAL: $4,716,183.39.

**ROD Fees**: June recording fees 2685.00, Transfer fees: 264.50, Births: 40.00, Deaths: 15.00, marriages: 15.00, Copy money: 67.00, Misc. 208.00. TOTAL: 3294.50.

**Ambulance**: 18,506.88, **Sheriff**: Mileage 148.00, Civil fees $470.00, Pistol permits $65.00.

**CLAIMS**: Motion by Knock, second by Bjerke to approve the following claims and allow the auditor to issue payment. All voting aye. Motion carried. COMMISSIONERS: Brite – 5 computers/cases 3045.00. Clark Community Oil – gas 42.34, SD Counties – convention registration 370.00, JUDICIAL SYSTEM: Certified Languages International-interpreter 6.60, AUDITOR: Office Peeps-toner 472.00, TREASURER: Cardmember Services-postage 270.00, STATES ATTORNEY: Prairie Lakes Healthcare-blood draw 85.00, SD Dept of Revenue – blood draw 240.00, Thomson Reuters-West Planning – online library 897.55, COURT: Thomas F Burns-attorney fees-310.20, PUBLIC BUILDLINGS: Cardmember Service-Lysol/germ-X 143.11, City of Clark -water 101.65, Cook’s Wastepaper & Recycling – 33.25, NorthWestern Energy-utilities 1486.35, Star Laundry & Dry Cleaners-laundry-40.58, Sturdevants Auto Parts-copper 4.50, REGISTER OF DEEDS: Cardmember Services -postage 210.00, Office Peeps-toner 324.74, Toshiba Financial Services-copy machine rent 94.24, VETERANS OFFICER: Office Peeps-supplies 234.00, SHERIFF: Clark Community Oil- fuel 499.32, SD Dept of Public Safety-teletype service 2730.00, PRISONER CARE: Codington Co Auditor-prisoner care 1105.00, AIRPORT: Northwestern Energy-utilities 90.22, AMBULANCE: Bound Tree Medical -supplies 579.13, Cardmember Service=car wash 12.00, City of Clark – water 63.75, Clark Community Oil – fuel 304.91, Ken’s Fairway-supplies 32.28, Lake Grocery-supplies 3.61, Lewis Family Drug-Narcan 695.00, Northwestern Energy- utilities 316.43, Star Laundry & Dry Cleaners -laundry 23.56, Stryker Sales Corp-supplies 207.56, MENTAL ILLNESS BOARD: Lewis & Clark BHS-BMI intake 184.00, Yankton Co Treasurer-mental illness hearing 122.50, EXTENSION: City of Clark – water 208.85, ITC-service 83.47, Office Peeps-copy rent 236.94, Star Laundry—rugs 25.20, State 4-H Office – fair pass 27.50, WEED: City of Clark-water 198.95, Cook’s Wastepaper-garbage – 44.25, Northwestern Energy-utilities 134.83, Nutrien Ag Solutions- platoon 2640.00, Sturdevant’s Auto Parts-supplies 109.28, ROAD & BRIDGE: Agwrx Coop – fuel 9876.18, Ameripride Services-towels 125.38, Bierschbach Equipment -cold mix 3038.85, Boyer Ford Trucks-parts 444.13, Cardmember Services-freight/parts 175.24, City of Clark – water 63.75, Clark Community Oil – fuel/propane 25825.15, Clausen Construction- culvert replacement 2574.50, Cook’s Wastepaper-garbage 44.25, Flint Hill Resources-MC-3000 57,710.46, I-State Truck Center-parts 1269.83, Dennis Johnson- contract hauling 4851.00, Jim Johnson Trucking-contract hauling 4753.00, Lucas Johnson Trucking -contract hauling 4753.00, Northern Safety Co-gloves 229.77, Northwestern Energy-utilities 1533.28, Office Peeps-supplies 75.51, RDO Equipment – filters 987.00, RDO-parts 1149.94, Sturdevants Auto Parts-filters/supplies – 3606.24, Truenorth Steel-culverts 2281.49, WW Tire Service-tires 139.00, Wheelco -parts 1029.44, 911 SERVICE FUND: City of Watertown – 911 surcharge 3044.25. TOTAL: 148,670.29.

**PAYROLL**: AUDITOR: 5267.07, TREASURER 4988.67, STATES ATTORNEY: 4,961.62, COURTHOUSE: 2633.46, DIRECTOR OF EQUALIZATION: 4834.54, REGISTER OF DEEDS: 3,441.57, VETERAN SERVICE OFFICE: 363.81, SHERIFF: 9750.86, NURSE: 1985.33, AMBULANCE: 11,815.50, EXTENSION: 1,577.97, WEED: 3482.93, ROAD & BRIDGE: 48,326.76, EMERGENCY & DISASTER: 705.77. TOTAL: 104,135.86.

**ADJOURN**:  Motion by Hass, second by Knock to adjourn at 11:18 a.m. until next regular meeting Tuesday, September 1, 2020 at 8:00 a.m. All 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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