CLARK COUNTY COMMISSIONER PROCEEDINGS  
   August 4, 2020

The Clark County Commissioners met in regular session on Tuesday, August 4, 2020 at 8:00 a.m. in the commissioner room of the Clark County Courthouse. Commissioner Sass called the meeting to order at 8:00 a.m. Commissioners present via teleconference: Chris Sass, Francis Hass, Robert Bjerke and Wallace Knock. Present at the Courthouse Richard Reints, also present Auditor Tarbox.

**AGENDA**: Motion by Hass, second by Reints to approve agenda for August 4, 2020. Voting aye: Hass, Bjerke, Knock, Reints and Sass. Motion carried.

**MINUTES:**  Motion by Bjerke, second by Knock to approve the minutes of the regular meeting of July 21, 2020. Members voting aye: Reints, Knock, Bjerke, Hass and Sass. Motion carried.

**PUBLIC COMMENT**: No one appeared.

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

**FUEL QUOTES**: The following fuel quotes were presented to the board for August 2020. Diesel #2: Agwrx Cooperative, 1.48, Clark Community Oil- 1.40, Gas E-10 – Agwrx Cooperative – No bid. Clark Community Oil: 1.73. The County accepted the low bid and all bids are on file in the Auditor's office.

**TRANSPORT FUEL QUOTES:** The following fuel quotes were presented to the board for Transport load for August 2020. Diesel #2: Agwrx Cooperative – 1.389, Community Oil -1.35. The County accepted the low bid and all bids are on file in the Auditor’s office.

**AUTO SUPPLEMENT**: Motion by Reints, second by Bjerke to approve auto supplement for Road and Bridge fund. Funds received from State of South Dakota from BIG grant in the amount of $123,555.89. Funds will be moved from 201-0-334 to 201-311-422. Voting aye: Knock, Reints, Hass, Bjerke and Sass. Motion carried.

**BOARD OF ADJUSTMENT**: Motion by Knock, second by Reints to recess as the County Commission and convene as the Board of Adjustment. Voting aye: Hass, Reints, Knock, Bjerke and Sass. Motion carried. Chairman Sass called the meeting of the Clark County Board of Adjustment to order. He pointed out that we are meeting via teleconference and the public is allowed to attend at the courthouse. Auditor Tarbox recorded attendance, persons on the call were Allen Hohertz, Brady Janssen, HS Eggleston and Terry Schlagel. Chairman Sass pointed out that Luke Muller from Fist District serves as our Parliamentarian as well as staff support.

Next item on agenda is items to be added to the Agenda by the Board members or staff. Nothing to add to the agenda. Next is an invitation for citizens to schedule time on the Board of Adjustment agenda for an item not listed under the Board of Adjustment portion. No one to add. Board members revealed they have no conflicts of Ex parte communications that would make them unable to participate in the hearings of give the applicant a fair hearing.

**AGENDA:** Motion by Bjerke, second by Hass to approve the Board of Adjustment Agenda. No discussion. Voting aye: Hass, Reints, Bjerke, Knock and Sass. Motion carried.

**CONDITIONAL USE**: Motion by Knock, second by Reints to approve Conditional Use for Riverview Dairy, LLP for accessory agricultural housing at a site with a Conditional use for a CAFO. Luke gave report. Applicant Brady Janzen appeared via teleconference and explained the size and setup and use of the proposed housing facilities. Hearing was opened for other public presentation. There was no further testimony and public hearing was closed. Board questions were answered and discussion was held. Commissioner Knock questioned if housing units could be used prior to the farm being stocked. Brady Janzen informed the board he would like to make use of them during the building stage. Luke stated current reads that the staff using the facilities have to be accessory to the CAFO in and engaged in operations of the site. Motion by Knock, second by Sass to change 1b to read the accessory agricultural housing structures may not be occupied until construction of the Concentrated Animal Feeding Operation commences. Voting aye: Hass, Bjerke, Knock Reints and Sass. Motion carried. Staff read the questions for the findings of fact. Luke restated the motion: To approve a request to allow agricultural housing accessory to a previously approved Class A Concentrated Animal Feeding Operation, subject to conditions as read with change to allow accessory agricultural housing structures may not be occupied until construction of the CAFO commences. Roll call vote aye: Hass, Reints, Bjerke, Knock and Sass. Voting nay: None. Motion carried. Chairman Sass asked for any other topics for the open. There were none. No other business.

**ADJOURN**: Motion by Bjerke, second by Hass to adjourn as the Board of Adjustment and return to County Commission agenda. Voting aye: Hass, Reints, Knock, Bjerke and Sass. Motion approved.

**RESCHEDULE MEETING**: Motion by Knock, second by Reints to move September 15, 2020 meeting to Thursday, September 17, 2020 to accommodate fall convention of SD County Officials. Voting aye: Hass, Bjerke, Reints, Knock and Sass. Motion carried.

**HAY CROP**: Mark McHenry provided written correspondence to the board regarding the hay crop from the airport property. No action needed.

**BUDGET**: The Board spent time discussing the 2021 Clark County budget.

**CONCEALED CARRY**: Further discussion was held regarding employees having concealed weapons within the Courthouse building. The board asked SA Fjelland to go forward with change to the personnel policy to allow employees to carry concealed weapons within the courthouse. Certain criteria will have to be met by individuals prior to being allowed to participate.

**WEED**: Motion by Knock, second by Bjerke to approve purchase of a computer with Windows 10 for the County weed department. Purchase will be made from Connecting Point, cost will be $1670.20. Voting aye: Hass, Reints, Knock, Bjerke and Sass. Motion carried.

Chris Sass absent.

**CLAIMS**: Motion by Reints, second by Bjerke to approve the following claims and allow the auditor to issue payments for same. Voting aye: Hass, Knock, Bjerke and Reints. Motion carried. COMMISSIONERS: Clark Co Courier-proceedings 435.52, US Bank Voyager Fleet Systems-fuel 50.83, AUDITOR: Connecting Point-support contract 3935.00, Dekker Hardware – fan/extension cord 44.98, ITC-service 55.32, TREASURER: Connecting Point support contract/remote support- 2530.00, Dekker Hardware – fan 36.99, ITC-service 118.46, STATES ATTORNEY: ITC-service 46.85, COURT SYSTEM: Austin, Hinderaker, Hopper-crt appt atty 58.20, Bratland Law-crt appt atty 834.20, Brevik Law Office-crt appt atty-189.75, SDACC-3rd quarter catastrophic legal 3168.00, PUBLIC BUILDINGS: Culligan- water 64.00, Dekker Hardware - supplies 337.95, Dollar General office cleaning supplies 29.23, ITC-service 78.86, Moeller Sheet Metal -check a/c unit 491.50, Office Peeps-masks/wipes 1229.83, Chris Tarbox -covid supplies 16.95, DIRECTOR OF EQUALIZATION: Dekker Hardware-fan 34.99, ITC-service 67.23, Office Peeps-labels 7.19, REGISTER OF DEEDS: Dekker Hardware – supplies 6.99, ITC-service 96.12, VETERANS OFFICER: Dekker Hardware -phone 36.99, ITC-service 50.60, SHERIFF: AT&T Mobility – service 296.69, Dekker Hardware- supplies 37.47, ITC-service 203.59, Mack’s -oil change 54.95, US Bank Voyager Fleet Systems-fuel 85.95, AIRPORT: Clark Rural Water System-water 35.00, NURSE: Dekker Hardware -fans 62.98, AMBULANCE: A-Ox Welding Supply –oxygen 56.34, AT&T Mobility – service 217.46, Clark Building Center – plywood/bed 31.18, Dekker Hardware-flashlights/supplies 344.91, HERO 24/7 -amb shirts with memorial funds 1280.06, ITC-service 185.52, Robert Koistinen - -online renewal – 25.00, Matheson Tri-Gas -rental 110.39, US Bank Voyager Fleet Systems-fuel 126.10, SOC SERV FOR AGED: Inter-Lakes Comm Action-support comm serv/ August 1469.33, EXTENSION: ITC-service 104.73, Quill Corp-bath tissue 27.99, WEED: Clark Co Courier-boxed ad/thistle ad 50.00, Dekker Hardware – supplies 29.98, ITC-service 98.75, Matheson Tri Gas -rental 32.58, VanDiest Supply Company-tordon/Evoluer 13,112.00, Westside Implement – valve man 84.80, PLANNING & ZONING: Clark Co Courier-cu-Riverview -49.56, ROAD & BRIDGE: 212 Truck & Trailer Repairs-outside repair 45.00, ASPHALT PAVING & MATERIALS-paver laid asphalt/hot mix 385,982.48, AT&T Mobility – utilities 48.63, Clark Building Center -2 x 6 – 39.40, Clark Co Courier-hwy rock piles ad 50.00, Clark Engineering Corp-construction engineering 25,752.59, Connecting Point-software support 1390.00, Dekker Hardware-supplies 405.86, Dekker Hardware -office supplies 74.99, DSR Inc-outside repair-4141.81, Flint Hills Resources -MC3000 145,477.39, Geotek Engineering – road improvements CR 17 7300.00, ITC-service 133.40, Light and Siren-parts 1603.24, Matheson Tri-Gas -welding supplies 355.74, Northern Safety Co-supplies 291.17, Northwestern Energy-utilities 33.62, Office Peeps-supplies 117.18, Oscar’s Machine Shop-parts 312.82, RC First Aid-first aid 55.50, Sioux Rural Water System-water 48.00, Vander Haags-parts 389.85, Westside Implement – parts 1154.10, 911 SERVICE: City of Watertown – 911 EM surcharge 3072.50, ITC-service 145.23, CIVIL DEFENSE: AT&T Mobility – service 45.25, ITC-service 54.98, US Bank Voyager Fleet Systems-fuel 78.20, PRISONER CARE: Redwood Toxicology Lab-24/7 UA test kits 275.50, REGISTER OF DEEDS: Connecting Point-support contract 280.00, Microfile Imaging Systems-software/scanner rent 240.00, M&P Flow Thru -SDACO 2.00 fee – 206.00. TOTAL: 611,866.27.

**PAYROLL**: COMMISSIONERS: 8125.20, AUDITOR: 3780.28, TREASURER: 3601.67, STATES ATTORNEY: 2927.23, COURTHOUSE: 2049.09, DIRECTOR OF EQUALIZATION: 4969.19, REGISTER OF DEEDS: 3390.70, VETERANS OFFICER: 363.82, SHERIFF: 6,586.06, POOR: 450.08, NURSE: 2052.82, AMBULANCE: 12,244.65, EXTENSION: 877.89, WEED: 2,899.67, PLANNING & ZONING: 303.22, ROAD & BRIDGE: 42,093.69, EMERGENCY & DISASTER: 1,093.17. TOTAL: 97,808.43.

Chris Sass present.

**DRY LAKE 2**: Greg Delzer, Joel Galloway and Eric Volkman with the US Geological Survey, Mark Rath with South Dakota DENR, Heidi Madsen, Del Bratland, EM Lewis, HS Eggleston, SA Fjelland, Jarred Lamb, Thomas Lamb, Curtis Lamb, Terry Schlagel, Roy Gjerde, Corey Tellinghuisen, Kyle Peterson, Joe Waldner, Mark Lamb, Trav Bratland and Karrie Johnson and Steve Myer with Clark Engineering were also available on the zoom meeting with Clark County Board to discuss water levels of Dry Lake 2. Greg Delzer indicated that the USGS is an agency that provides information to help entities make decisions they do not make recommendations. Discussion was held regarding Dry Lake #2, the natural outflow, the amount it has raised in the last several years, where the water will flow if it continues to rise, where the water is coming from and other aspects that are affecting Dry Lake #2. Mark Rath also discussed SDCL laws that pertain to flood control and permits required. Additional discussion included the process to get the water elevations lowered, the time frame it would take to do that and how that would affect persons downstream. Kyle Peterson, Curtis Lamb and Thomas Lamb discussed their concerns regarding their roads, homes and farmland if the water increase continues. The board requested that Clark Engineering prepare a estimation of the cost of a study for this situation. They will make contact when that is complete and further discussion will be held at that time.

**ADJOURN**:  Motion by Knock, second by Reints to adjourn at 12:35 p.m. until next regular meeting Tuesday, August 18, 2020 at 8:00 a.m. Voting aye: Knock, Bjerke, Reints, and Sass. 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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