CLARK COUNTY COMMISSIONER PROCEEDINGS  
   January 5, 2021   
      
 Auditor Tarbox called the regular meeting to order on January 5, 2021 at 8:00 a.m. in the Commissioners’ meeting room of the Clark County Courthouse. Commissioners present: Terry Schlagel, Richard Reints, Chris Sass and Wallace Knock. Present via teleconference Francis Hass. Also present Auditor Tarbox.   
    
**ORGANIZATION OF THE BOARD**: Auditor Tarbox called for nominations for Chairman of the Clark County Board of Commissioners for the year 2021. Commissioner Hass nominated Commissioner Sass as Chairman, Commissioner Knock second. Commissioner Schlagel made motion nominations cease second by Reints. Voting aye: Reints, Schlagel, Knock, Hass and Sass. Motion carried. Auditor Tarbox called for nominations for Vice Chairman. Commissioner Schlagel nominated Commissioner Knock, second by Sass. Commissioner Reints made motion nominations cease, second by Commissioner Sass. Voting aye: Knock, Reints, Schlagel, Hass and Sass. Motion carried.  
                .                   
**APPOINTMENTS**: Chairman made the following appointments for the year 2021. Mental Illness: Sass, Extension: Reints, Weed & Pest: Knock, Airport: Schlagel, Sass and Hass, I-Cap: Hass, First District: Reints, Glacial Lakes: Schlagel, Legislative Contact: Knock.

**AGENDA**: Motion by Knock, second by Hass to approve agenda for January 5, 2021. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**MINUTES:**  Motion by Reints, second by Hass to approve the minutes of the regular meetings of December 29, 2020. Voting aye: Hass, Reints, Knock, Schlagel and Sass. Motion carried.  
  
**HIGHWAY**: HS Eggleston met with the board to update them on road conditions and work being done.

**HIGHWAY:** Motion by Hass, second by Reints to allow HS Eggleston to receive bids for **“Cutback Asphalt, Emulsion Asphalt, Hot & Cold Mix, Plant Mix, Crack Sealant – Boxless, Mastic Sealant- Boxless, Pea Rock, Contracted Construction Equipment, Paver Laid Asphalt and Gravel Crushing.”** for any job site in Clark County for the Highway Department. Clark County guarantees no maximum or minimum quantities. Bids must be filed at the Clark County Auditor’s office, PO Box 294, 200 N Commercial St, Clark, SD 57225 on or before 10:00 a.m. CST, on January 26, 2021. The Auditor and Highway Superintendent will open the bids and read them aloud on January 26, 2021 at 10:05 a.m. The bid opening will be available via a zoom meeting link. The bids will be considered by the Board of Commissioners on February 2, 2021 at 8:00 a.m. All bids must be submitted on the county issue bid forms. Envelopes or containers containing bids must be clearly marked:  **Cutback Asphalt, Emulsion Asphalt, Hot & Cold mix, Plant Mix, Crack Sealant – Boxless, Mastic Sealant – Boxless, Pea Rock, Contracted Construction Equipment, Paver Laid Asphalt and Gravel Crushing**.

Specifications may be obtained from the Clark County Highway Department at Clark, South Dakota upon request.

The board reserves the right to reject any or all bids and to waive defects or informalities deemed in the best interest of Clark County to do so. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**HIGHWAY:** Motion by Reints, second by Knock to allow HS Eggleston to call for bids for paver patching. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried. Notice is hereby given that the Board of County Commissioners of Clark County, Clark, South Dakota will receive sealed bids until 10:00 a.m. on the 26th of January, 2021 at the office of the County Auditor in the Courthouse for: **PAVER PATCHING**. Bidder will supply and place hot mix on sites in Clark County. Patches will be an average of (one) 1 inch deep on a 24 foot road top. There will be approximately 4,000 ton of material used. Patches will range in length from 150 feet to 3600 feet. Clark County reserves the right to increase the tonnage of material within 10 days after bid letting. Specifications will be payment per ton in place with all necessary work including tack oil. Traffic control (signs, flag men etc.) to be contractor’s responsibility.

Patches will be placed no later than August 1, 2021.

**HOT MIX**: Class D Type II with 20% RAP and PG 58-28 oil.

**Clark County requires ALL contractors carry full insurance which includes Liability and Workman’s Comp, and furnish Clark County a current Certificate of Insurance**, to be included with bid when submitted. Bid must be submitted on this Paver Laid Asphalt bid notice. Bids not meeting these requirements will be rejected. The bid opening will be available via a zoom meeting link. The board reserves the right to reject any or all bids and to waive any defects therein, and to buy in the best interest of the County. Bids shall be sealed and labeled as to contents and delivered to the County Auditor prior to the time of the letting.

**FUEL QUOTES**: The following fuel quotes were presented to the board for January 2021. Diesel #1: Agwrx, 2.02, Clark Community Oil- 1.91, Diesel #2-70/30 blend: Agwrx – 1.939, Clark Community Oil – 1.83. Gas: Agwrx: no bid. Clark Community Oil-1.89. The County accepted the low bid and all bids are on file in the Auditor's office.  There were no Transport fuel quotes.

**RESOLUTION 7-21**: Motion by Knock, second by Schlagel to approve Resolution 7-21 which establishes load limits for 2021. Voting aye: Hass, Reints, Knock, Schlagel and Sass. Motion carried.

**RESOLUTION 7-21**

**LOAD LIMIT**

Commissioner Knock moved for the adoption of the following resolution, second by Commissioner Schlagel. Voting aye: Hass, Schlagel, Knock, Reints and Sass. Voting nay: None.

WHEREAS the County of Clark, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction,

WHEREAS it appears that said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restrictions as to the weight of vehicles are imposed, and

WHEREAS the County of Clark lacks the scale equipment with which to enforce road weight limits

NOW, THEREFORE, pursuant to SDCL 32-14-16, and any laws amendatory thereto, be it resolved that the load limit on Clark County roads with the County of Clark, South Dakota, shall be seven ton per axle for a full 75 day period from or after March 01, 2021.

IT IS FURTHER RESOLVED that there shall be erected and maintained signs designating the provisions of this Resolution as provided by State Law and that this Resolution shall not be effective until or unless such signs are erected and maintained.

IT IS FURTHER RESOLVED that the County of Clark shall request the South Dakota Highway Patrol Motor Carrier Enforcement Officer to enter the County of Clark with scales adequate to weigh motor vehicles to insure compliance with State Laws pertaining to vehicle weight, and with the weight laws established by this Resolution.

NOW, THEREFORE, BE IT RESOLVED that all asphalt roads will be posted at 7 ton per axles and 45 mph for trucks. Trucks 45 mph year round on all asphalt roads. Gravel will be posted as needed. Paved County Roads within the County of Clark, South Dakota, shall be 45 Miles Per Hour from January 1, to December 31 of each year, commencing with the year 2021. Refer to Resolution 98-23. Clark County request the South Dakota Highway Patrol Motor Carrier Enforcement Officer to enter the County of Clark to enforce the speed limit on all Clark County Roads.  
  
 IT IS FURTHER RESOLVED that this Resolution be effective each and every year hereafter unless repealed or modified by duly enacted Resolution.

Dated at Clark, South Dakota, this 5th day of January 2021.

/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairperson, Board of County

Commissioners of Clark County

ATTEST:

/s/ Christine Tarbox\_\_  
Clark County Auditor

**HIGHWAY:** Motion by Reints, second by Knock to appoint Highway Superintendent Eggleston according to SDCL 31-11-1, for a period of two years ending December 31, 2022. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**HIGHWAY**: Adam Polley with Clark Engineering, IMAG, met with the board to update them on County Road #17. He informed the board the field survey is done, traffic counts have been done and they are on schedule.

**RESOLUTION 1-21**

**Designation of Official Newspaper**

It was moved by Commissioner Hass, seconded by Commissioner Reints, that the Clark County Courier, being the only legal newspaper within the County as defined in Chapter 7-18, Sec 3 SDCL of 1967, be designated as the official Clark County Newspaper for publishing all matters pertaining to government of Clark County for or during 2021.

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

Commissioners voting nay: None. Motion carried.

Dated at Clark, South Dakota this 5th day of January, 2021.

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

County Auditor Chairman, Board of Clark County

Commissioners

**RESOLUTION 2-20**

**DESIGNATION OF BANK DEPOSITORIES**

It was moved by Commissioner Knock, seconded by Commissioner Reints, that Dacotah Bank of Clark, Clark Branch within the County be designated as the official Clark County Bank Depository during 2021.

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

Commissioners voting nay: None.

Dated at Clark, South Dakota this 5th day of January, 2021.

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

County Auditor Chairman, Clark County Board

Of Commissioners

**RESOLUTION 03-21**

A RESOLUTION SETTING FORTH POLICY, PROCEDURES AND PAYMENT RELATED TO INDIGENT BURIAL WITHIN CLARK COUNTY, SOUTH DAKOTA.

WHEREAS, SDCL 28-17-4 provides that Board of County Commissioners shall adopt a Resolution establishing a sum to be paid by the County for County burial of its indigent residents: and,

WHEREAS, The Board of County Commissioners has consulted with interested parties;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clark County,

South Dakota, for the 2021 calendar year, that the policy and payment schedule, which is on file in the Auditors office as Appendix A be adopted with respect to indigent burial within Clark County, South Dakota.

The foregoing resolution was moved for adoption by Commissioner Reints, seconded by Commissioner Schlagel.

Upon roll call the following commissioners voted aye: Hass, Knock, Reints, Schlagel and Sass.

Commissioners voting nay: None.

Whereupon the chairman of the Clark County Board of Commissioners declared the resolution to be duly passed and adopted.

Dated at Clark, Clark County, South Dakota, this 5th day of January, 2021.

/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 Chairman, Clark County Board of Commissioners

ATTEST  
  
/s/ Christine Tarbox\_\_\_\_\_

County Auditor

**RESOLUTION 4-21**

**Set Salary for Election Officials**

Moved by Commissioner Knock, and seconded by Commissioner Reints, that the following resolution be adopted.

Members voting yes: Hass, Knock, Reints, Schlagel and Sass.  
Members voting against: None.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, that the fee to be established pursuant to SDCL 12-15-11 for  
compensation of election superintendents and deputies shall be computed at the rate of $10.00 per hour for hours worked Election Day and $10.00 to attend training session. The superintendents and judges shall be paid for each hour they are required to be present to perform their respective duties as specified by law. The person delivering the poll books and ballot boxes to the proper authority at the county seat shall receive the county rate for mileage as established pursuant to Sec. 7-7-24 SDCL, for miles necessarily traveled in going to and returning from making the delivery. The polling place shall receive $35.00 per election for use of the facility.

Dated: January 5, 2021

ATTEST:   
     
/s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_                               /s/ Chris Sass\_\_\_\_\_\_\_\_  
County Auditor                                                 Chairperson, Clark County  
 Board of Commissioners

**RESOLUTION 5-21**

Commissioner Reints, moved for the adoption of the following resolution, second by Commissioner Knock. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Voting nay: None.

WHEREAS, the Board of Clark County Commissioners deem it necessary to set fees;

NOW, THEREFORE, BE IT RESOLVED by the Clark County Commissioners at a regular meeting held January 5, 2021, the following fees shall be charged.

Copy - $.25 per page.

Fax charge - $2.00 for the first two (2) pages incoming and outgoing and $.50 each additional page.

Highway maps - $2.00.

Voter registration list – as per Secretary of State Office fee schedule

Voting precinct maps - $2.00.

Commissioner District map - $2.00.

Building permits – $50.00 plus $1.00/thousand of valuation of the project, fee

Doubles if late.

Variance and Conditional Use Permit applications - $125.00 – fee doubles if late.

Rezoning -$200.00 – fee doubles if late.

Overweight and Over width permits - $100.00 yearly or $100.00 one time.

Ambulance to attend Henry FB game -$100.00.

Director of Equalization –fee for parcel data - $5000.00

Director of Equalization – Obtaining GIS Information $5000.00

Director of Equalization – Web hosting information $350.00

Register of Deed-fee per email of documents $2.00

Boring under county roads for purpose of tiling fee- $200.00

Toenail care - $20.00 (or per federal poverty guidelines)

ROD Fees for monthly reports to Clark Abstract $67.00 for copies of pages and

$8.00 per printing of the report.

ROD Fees: Reports to financial institutions: Financial Statement and Lien

Report $2.00, Mortgage fee $4.00, Deed fee $4.00.

Weed – Chemical rate and labor schedule-on file in Auditor’s office

Dated at Clark County, South Dakota this 5th day of January, 2021.

ATTEST (SEAL)

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

County Auditor Chairman, Clark County

Board of Commissioners

**RESOLUTION 6-21**

CHAIRMAN’S CERTIFICATE OF APPOINTMENT OF COMMISSIONERS OF THE CLARK COUNTY HOUSING AND REDEVELOPMENT COMMISSION

Pursuant to South Dakota Codified Law 11-7-12 and by virtue of my office as Chairman, I hereby appoint five (5) persons hereinafter named to serve as Commissioners of the Clark County Housing and Redevelopment Commission and to serve for the number of years appearing after their names, respectively from the date of this certificate.

Bonnie Graves- one year

Francis Hass – two years

Char Peterson - three years

Basil Englert - four years

Terry Schlagel – five years

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SIGNED MY NAME AS Chairman of the Clark County Board of Commissioners, Clark, South Dakota this 5th day of January, 2021.

Motion by Schlagel, second by Reints to approve Chairman’s appointments. Voting aye: Knock, Hass, Reints, Sass and Bjerke. Voting nay: None. Motion carried.

Dated: January 5, 2021

/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_

Chairman, Clark County Commissioners

ATTEST:

/s/ Christine Tarbox \_\_\_\_\_\_\_\_\_

Clark County Auditor

**WEED:** Motion by Schlagel, second by Knock to allow WS Jenkins to advertise for seasonal help for the 2021 season. The job will be advertised and salary will be as described in the 2021 salary schedule. Voting aye; Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**COURTHOUSE CLOSURE**: The board discussed current situation and will continue to leave the courthouse closed to the public and continue to do business via phone, email and drop box. The situation will be evaluated again at the next regular meeting January 19, 2021.

**WASHINGTON DAIRY:** Motion by Hass, second by Knock to approve Washington Dairy sales tax rebate grant agreement. Voting aye: Hass, Knock, Reints, Schlage and Sass. Motion carried.

**RESOLUTION 8-21**: Motion by Reints, second by Schlagel to approve and allow Chairman to sign the Reinvestment Payment Program Grant Agreement #20-16 for Washington Diary in Clark County. Voting aye: Hass,Knock, Reints, Schlagel and Sass. Motion carried.

**RESOLUTION # 8-21**

**WHEREAS**, Washington Diary has been approved for a South Dakota Jobs Grant pursuant to SDCL § 1-16G-48(5), et. seq. and ARSD Chapter 68:02:10 for construction of a Concentrated Animal Feeding Operation on November 17, 2020, and

**WHEREAS**, the Clark County Planning & Zoning Commission recommended approval of a Conditional Use Permit to operate a 17,875-animal unit Concentrated Animal Feeding Operation in the Agriculture District on November 17, 2020. The property is legally described as the S ½ NW ¼ & N ½ SW ¼, 16-113-56; and

**WHEREAS**, the Clark County Board of Adjustment approved the Conditional Use Permit for the Concentrated Animal Feeding Operation on November 17, 2020; and

**WHEREAS**, assignment of payment is required to be signed by Clark County, South Dakota.

**Now, Therefore, be it resolved**, that the Clark County Commission authorizes the Chairman, Sass to sign assignment of payment for Reinvestment Payment Program Grant Agreement No: RPP-20-16.

Dated this 5th day of January, 2021 at Clark County, SD.

/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairman

ATTEST:

/s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_\_\_\_

Clark County Auditor

**FIRST DISTRICT**: Motion by Hass, second by Schlagel to approve and allow Chairman to sign letter of agreement between First District and Clark County for County GIS website hosting for calendar year January 1, 2021 to December 31, 2021. Cost is $5000.00. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**FIRST DISTRICT**: Motion by Knock, second by Reints to approve and allow Chair to sign letter of agreement between First District and Clark County for work for County Director of Equalization parcel update needs for calendar year January 1, 2021 to December 31, 2021. Cost is $2000. Voting aye; Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**CLAIMS**: Motion by Reints, second by Knock to approve the following claims and allow the auditor to issue payments for same. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier- proceedings 468.97, SDML Workers Comp- wc ins 101.00, AUDITOR: ITC-service 148.05, Office Peeps-paper/toner 154.90, SDML Workers Comp-wc comp 217.00, TREASURER: Clark Co Courier- delinquent taxes 219.74, ITC-service 55.61, Office Peeps- moistener/paper/toner 168.56, SDML Workers Comp- wc comp- 164.00, STATES ATTORNEY: Clark Co Courier- abused children affidavit 20.53, ITC-service 48.00, SDML Workers Comp- WC ins 127.00, Thomson Reuters – online library 897.55, COURT: Austin, Hinderaker, Hopper- court appt atty – 369.20, PUBLIC BUILDINGS: Cole Paper- supplies 320.76, Culligan – water 131.00, Dekker Hardware – supplies 31.97, ESEind Inc-panic button 306.00, ITC-service 82.85, SDML Workers Comp-wc ins 1247.00, DIRECTOR OF EQUALIZATION: First District Assn of Local – DOE parcel update / GIS website 7,000.00, ITC-service 68.75, SDML Workers Comp-wc ins 911.00, REGISTER OF DEEDS: ITC-service 91.58, SDML Workers Comp-wc ins 157.00, VETERANS OFFICER: Dataspec-state solution year fee 449.00, ITC-service 45.15, SDML Workers Comp-wc ins 23.00, SHERIFF: Dekker Hardware – supplies 8.99, ITC-service 200.50, Office Peeps-toner 104.08, SDLM Work Comp-wc ins 3242.00, WW Tire Service- flat repair 19.72, AIRPORT: Clark Rural Water -water 35.00, POOR: SDML Workers Comp-wc ins 13.00, NURSE: SDML Work Comp -wc ins 70.00, AMBULANCE: A-OX Welding – Supply -5 yr lease oxygen – 268.60, Dekker Hardware – supplies 23.97, ITC-service 183.83, Ken’s Fairway – supplies 47.75, Matheson Tri-Gas -rental invoice 110.39, SDML Workers Comp – wc ins 8449.00, MENTAL ILLNESS BOARD: Lincoln Co Treasurer – in-voluntary expense 135.80, EXTENSION: ITC-service 89.00, Office Peeps- laminate charge 88.07, SDML Work Comp-wc ins 49.00, WEED: Assn of SD CO Weed & Pest -2021 dues 150.00, ITC-service 97.43, Matheson Tri-Gas – rental invoice 32.58, SDML Work Comp-wc ins 1564.00, ROAD & BRIDGE: Clark Engineering Corp-bridge work 6000.00, Dekker Hardware -supplies 446.72, I-State Truck Center-parts 3660.70, ITC-service 161.95, Matheson TriGas-welding supplies 100.04, Northwestern Energy-utilities 122.03, RDO Equipment – parts 3564.43, SDML Workers Comp-wc ins 31,567.00, Sioux Rural Water – water 48.00, Ted Warkenthien-pit run royalties 7639.68, Westside Implement -parts 3130.57, 911 SERVICE: City of Watertown – 911 surcharge 3054.45, ITC-service 145.23, CIVIL DEFENSE: ITC-service 50.28, SDML Workers Comp-wc ins 52.00, PRISONER CARE: SD Attorney General – state 24/7 fees – 1610.00, REGISTER OF DEEDS: Microfilm Imaging Systems-annual software rental 1140.00, M&P RELIEF FLOW FUND: SDACO – 2.00 fee 214.00. TOTAL: 91,714.96.

**PAYROLL**: COMMISSIONERS: 6835.05, AUDITOR: 3866.88, TREASURER: 4811.55, STATES ATTORNEY: 2940.30, PUBLIC BUILDINGS: 2007.22, DIRECTOR OF EQUALIZATION: 5148.75, REGISTER OF DEEDS: 3218.16, VETERANS OFFICER: 371.10, SHERIFF: 7918.42, POOR: 461.78, NURSE: 2139.66, AMBULANCE: 16,370.31, EXTENSION: 1097.85, WEED: 137.23, PLANNING & ZONING: 309.64, ROAD & BRIDGE: 39,483.67, EMERGENCY & DISASTER: 1130.69. TOTAL: 98,203.26.

**ADJOURN**:  Motion by Reints, second by Knock to adjourn at 10:22 a.m. until next regular meeting Tuesday, January 19, 2021 at 8:00 a.m. Members present voting aye. Motion carried.

 ATTEST:

(SEAL)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                              
Christine Tarbox Chris Sass, Chairman

Clark County Auditor Clark County Board of Commissioners

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