CLARK COUNTY COMMISSIONERS PROCEEDINGS

March 16, 2021

The Clark County Commissioners met in regular session on Tuesday, March 16, 2021 in the basement of the Clark County Courthouse. Chairman Sass called the meeting to order at 8:00 a.m. with the following Commissioners present via teleconference: Francis Hass. Present at the Courthouse basement: Chris Sass, Richard Reints, Wallace Knock and Terry Schlagel. Also present Auditor Tarbox.

**COMMUNITY COMMENTS**: No one appeared.

**AGENDA:** Motion by Knock, second by Reints to approve the March 16, 2021 agenda. Voting aye: Hass, Reints, Knock, Schlagel and Sass. Motion carried.

**MINUTES**: Motion by Hass, second by Schlagel to approve the minutes from the regular meeting held March 2, 2021. Voting aye: Hass, Reints, Knock, Schlagel and Sass. Motion carried.

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

**RIGHT OF WAY AGREEMENT**: Motion by Schlagel, second by Reints to approve agreement for voluntary right of way donation signed by Randy Helkenn for project no: BRO8013-18-2. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**HIGHWAY**: One sealed bid was received for the 2008 Gehl 6640 Skid Steer. Chairman Sass opened the bid from Jason McHenry in the amount of $16,800.00. Motion by Knock, second by Sass to approve the bid for the 2008 Skid Steer. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**HIGHWAY**: Motion by Knock, second by Hass to approve the Beadle County bid for gravel crushing for ¾ inch gravel from pit near Desmet. BIDS: Ochsner Rock & Gravel LLC, 30,000 ton more or less $7.25/ ton, Brownlee Construction – 50,000 ton more or less $6.70/ton. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**GAME WARDEN**: Zach Thomsen, Game Warden met with the board to determine if the County is interested in working with the Game Fish & Parks to establish Lake access onto Antelope Lake. The board stated they are willing to work with the Game Fish and Parks if the water recedes and the property is accessible.

**BOARD OF ADJUSTMENT**: Motion by Reints, second by Knock to recess as County Commission and Convene as Board of Adjustment. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

Commissioner Sass called the meeting of the Board of Adjustment to order and pointed out that the meeting is being conducted by teleconference. Present Luke Muller from First District, who serves as Parliamentarian as well as staff support. There are no items to be added to the agenda by Board members or staff. No persons requesting to schedule time on the Board of Adjustment agenda. Luke asked Board members if there were any conflicts or Ex parte Communications that would make them unable to participate in the hearings. There were none.

**APPROVE AGENDA**: Motion by Schlagel, second by Reints to approve the Board of Adjustment Agenda. Voting aye; Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**VARIANCE**: Item on agenda is Variance request by Steve Berg on his property described as: the Southeast Quarter of Section 4, Township 119 North, Range 57 West of the 5th P.M. (Cottonwood Township) Clark County, SD to construct an addition to an existing structure less than one hundred (100’) feet from the 155th Street right of way. Motion by Schlagel, second by Knock to approve Variance. Staff report was given by Luke Muller regarding the request. Steve Berg spoke regarding the request. Chairman Sass opened the public hearing. No one else spoke. The public hearing was closed and board questions were answered. Luke covered the questions for finding of fact and restated the motion: The motion is to approve a variance to allow Steve Berg to build an addition 95’ from the 155th Street right of way. Voting aye: Reints, Schlagel, Knock, Hass and Sass. Motion carried.

**CONDITIONAL USE EXTENSION**: The next agenda item is a request by Redstone Farms for a one-year extension on conditional use permit for Class A CAFO in Northwest Quarter of the Northeast Quarter of Section 36, Township 114 North, Range 58 West of the 5th P.M. (Hague Township), Clark County, South Dakota. Motion by Reints, second by Hass to approve this request. Luke gave report on the request. They are requesting an extension of an expiration date of Conditional use permit for a Class A Concentrated Animal Feeding operation granted on August 6, 2019 to Redstone Farms, RE, LLC. The current permit will expire without extension on August 6, 2021 if construction is not completed. This request is to extend the expiration of this permit, without completion of construction from August 6, 2021 to August 6, 2022. This is just a condition of the Conditional use permit. Persons present at the courthouse basement: Nick Fitzgerald, Marty Rost, and Jack Schmidt. Nick Fitzgerald with Pipestone and Redstone Farms spoke regarding the request. He informed the board that with the COVID pandemic supplies and construction crews were hard to retain therefore building did not proceed as had been planned. The building is proposed to start on or about May 1, 2021 and should take eight months to complete. Chairman Sass opened the public hearing. Jack Schmidt spoke supporting the passage of the extension. There being no further testimony Chairman Sass closed the public hearing and board questions were addressed. There are no findings as this is an amendment to a conditional use. The motion is to approve a one year extension to allow the Conditional Use permit granted on August 6, 2019 for Class A CAFO to Redstone Feeders to remain active until August 6, 2022 instead of August 5, 2021. Voting an: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**CONDITIONAL USE EXTENSION**: The next agenda item is a request by Riverview Farms LLP for a one year extension on its conditional use permit for a Class A CAFO on the North Half of the Northwest Quarter of Section 16, Township 113 North, Range 56 West of the 5th P.M. (Washington Township), Clark County, South Dakota and the South Half of the Northwest Quarter and the North Half of the Southwest Quarter of Section 16, Township 113 North, Range 56 West of the 5th P.M. (Washington Township), Clark County, South Dakota. Motion by Knock, second by Hass to approve this request. Luke gave report on this request. They are requesting an extension of an expiration date of a Conditional Use permit for a Class A Concentrated Animal Feeding Operation with accessory agricultural housing granted on November 17, 2020 to Riverview LLP. The Conditional use permit for up to 17,875 animal units would expire without extension on November 17, 2022 if construction is not completed. Present in the courthouse basement: Jason VanKooten, Tom Walsh, Jack Schmidt and Alex Hohertz. Persons available via teleconference. Peggy Nelson, Trav Bratland, Marshall Edelman, Brady Janzen, Ryan McDaniels, Tellinghuisen, Rodney and Sue Koistinen and Lyle Grimm. Brady Janzen spoke on behalf of the request. Chairman Sass opened the public hearing. Marshall Edelman, Rod and Sue Koistinen, Ryan McDaniels and Trav Bratland all spoke in support of the project. Chairman Sass closed the public hearing. Board member questions were answered. Luke restated the motion. The motion is to approve a one-year extension to allow the Conditional use permit granted on November 17, 2020 for Class A CAFO to Riverview Feeders to remain active until December 15, 2023 instead of December 15, 2022. There are no findings as this is an amendment to a existing conditional use. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

There was no other business for the open and no other business before the Board.

**ADJOURN**: Motion by Schlagel, second by Knock to adjourn as Board of Adjustment and reconvene as Board of County Commissioners. Voting aye; Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**CONNECTING POINT**: Auditor Tarbox discussed the amount that has been paid to Connecting Point over the last five years for IT assistance provided by Connecting Point. Full IT coverage is not cost effective. They do offer an IT coverage for the server, firewall and switches that would be monthly fee of $255.00. No action taken.

**AMBULANCE**: AA Angermeier provided a roster of ambulance employees for both Clark Station I and Clark Station II. Motion by Schlagel and second by Knock to approve the roster. List is on file in the Auditor’s. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**AMBULANCE:** Motion by Reints, second by Knock to place a lien against 9 accounts totaling $10,211.73 with the Clark County Ambulance as per request of Auditor Tarbox. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**EASTER HOLIDAY**: Auditor Tarbox informed the board that Good Friday, April 2, 2021 and Easter Monday, April 5, 2021 have been declared as administrative leave per Governor Noem.

**MEETING DATE**: Motion by Hass, second by Schlagel to approve changing second meeting in July from the 20th to Tuesday, July 27, 2021. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**RESOLUTION 11-21**: Motion by Schlagel, second by Reints to approve Resolution 11-21 Plat for Clark Community Oil Fertilizer Plant. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried.

**RESOLUTION 11-21**

“BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, that the plat entitled: **“Clark Community Oil Fertilizer Addition, in the Northeast Quarter of Section 8, Township 116 North, Range 57 West of the 5th P.M., Clark County, South Dakota,** which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, that plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated this 16 day of March, 2021.

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

Chairman, Board of County Commissioners

Clark County, South Dakota

ATTEST:

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

County Auditor

Clark County, South Dakota

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

 AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER
 Cash on hand…………………………………………..… 39,257.08

Money Market… ………………………………………….3,414,086.39

CD’s…………..…………………………………………… 800,000.00
Checking Account....…….…………………………………. 511,281.92 TOTAL:……………..……………… …..…………………4,764,625.39

These funds include all funds administered by the county including: General Fund $2,659,084.18, Road & Bridge: $1,615,564.71, 911 Service Fund: 73,144.56, E/D: 518.00, Domestic Abuse: 180.00, 24/7 – 15,152.76, ROD Mod/Pres: $6,584.81, TIF FUNDS: 1,911.97. **Trust & Agency Funds $392,484.40 which are funds returned to schools, towns, townships and special districts.** TOTAL: $4,764,625.39.

**ROD Fees**: February recording fees 2065.00, Transfer fees: 2649.00, Births: 20.00, Deaths: 80.00, marriages: 15.00, Copy money: 67.00, Misc. 224.00. TOTAL: 5120.00.

**Ambulance**: 11,193.42, **Sheriff**: Mileage 252.00, Civil fees $625.00, Pistol permits $12.00.

**CLAIMS**: Motion by Knock, second by Sass to approve the following claims and allow the auditor to issue payment. Voting aye: Hass, Knock, Reints, Schlagel and Sass. Motion carried. COMMISSIONERS: Clark County Courier- proceedings 328.48, US Bank Voyager Fleet Systems-gas 49.48, ELECTIONS: Election System and Software-hardware maintenance license 94.80, AUDITOR: Cardmember Service-envelopes 1639.70, Office Peeps- correction tape 3.02, PMB-0112 – user fees 112.75, STATES ATTORNEY : Prairie Lakes Healthcare System-blood draw 85.00, Thomson Reuters- West Publishing – online library 897.55, COURT SYSTEM: Austin, Hinderaker, Hopper- court appointed attorney – 627.45, Sutton Law Offices – court appointed attorney – 537.10, PUBLIC BUILDINGS: City of Clark – water 93.25, Cook’s Wastepaper-garbage 35.00, D’s Bobcat Service- snow removal 230.00, G&R Controls – relief valves- 328.04, JCL Solutions- supplies 88.12, Northwestern Energy-utilities 258.25, Star Laundry – rugs 20.29, DIRECTOR OF EQUALIZATION: Cardmember Service – envelopes/stamps 670.00, Office Peeps- toner 145.00, VanGuard Appraisals-service fees 3475.00, REGISTER OF DEEDS: Toshiba Financial Services-copy machine rent – 106.00, SHERIFF: Cardmember Service – quicken – 55.37, Clark Community Oil – oil change - 514.19, US Bank Voyager Fleet – gas 43.77, PRISONER CARE: Codington Co Auditor – prisoner care 340.00, AIRPORT: Northwestern Energy- utilities 113.25, AMBULANCE: Bound Tree Medical LLC-supplies 748.97, City of Clark – water 77.65, Clark Community Oil – gas 372.03, Ken’s Fairway-supplies 35.60, Lewis Family Drug-supplies 32.00, Northwestern Energy- utilities 488.39, Star Laundry -laundry 11.78, US Bank Voyager Fleet-gas 38.02, SOC SERV FOR AGED: Inter-Lakes Comm Action-support comm service/March 1488.00, MENTAL ILLNESS BOARD: SD Human Services-involuntary services 552.44, PUBLIC LIBRARY: City of Clark – county library access 500.00, EXTENSION: Cardmember Service-education, 79.00, Ken’s Fairway – supplies 10.33, Kimberly McGraw-supplies/computer equipment 55.48, Office Peeps-copier 83.04, Star Laundry-rugs 25.20, SOIL CONSERVATION: Clark County Conservation District- 2021 Appropriation request 14,000.00, WEED: Big State Industrial Supply- supplies 389.40, C&R Supply- supplies – 214.68, Cardmember Services – filter assembly/mouse- 428.09, Clark Co Courier-call for bids - 74.56, Hansmeier & Son Inc-seeds 166.89, Ken’s Fairway – 18.37, Sturdevants Auto Parts-supplies 79.35, Westside Implement – supplies 137.83, PLANNING & ZONING: Clark Co Courier-CU asphalt mixing plant 25.49, ROAD & BRIDGE: 3D Specialists – signs 1416.45, Agwrx Coop- Clark Agronomy=bulk oil – 3717.30, Ameripride Services-towels 141.63, Boyer Ford Trucks-parts 2111.79, Brock White – parts 31.03, Cardmember Services – 128.23, City of Clark – water 144.90, Clark Building Center – supplies 317.59, Clark Co Courier-advertising/skid steer 33.77, Clark Community Oil-fuel 133.07, Clark Engineering Corp-CR17 reconstruction 12,500.00, Cook’s Wastepaper – garbage 92.75, DSR Inc-outside repair 8829.17, Forest Excavating – contract road repair 1669.65, Mac’s Hardware-supplies 415.91, Menards – supplies 371.35, North American Truck & Trailer – parts 292.20, Northwestern Energy-utilities 928.04, Office Peeps-supplies 28.18, Oscar’s Machine Shop – parts/supplies 284.62, Runnings Farm & Fleet -supplies 89.99, Sturdevants Auto Parts-filters 805.55, Sturdevants Auto Parts- supplies 3263.16, WW Tire – tires 140.18, Wheelco-parts 3694.60, CIVIL DEFENSE: US Bank Voyager Fleet Systems – gas 31.32, REGISTER OF DEEDS: Microfilm Imaging Systems- software/scanner rent 240.00. TOTAL: 72,875.88

**PAYROLL**: AUDITOR: 5493.64 TREASURER 4951.51, STATES ATTORNEY: 5074.48, COURTHOUSE: 2664.09, DIRECTOR OF EQUALIZATION: 4998.37, REGISTER OF DEEDS: 3306.25, VETERAN SERVICE OFFICE: 371.10, SHERIFF: 9107.58, NURSE: 2072.34, AMBULANCE: 14,468.18, EXTENSION: 1406.31, WEED: 3178.00, ROAD & BRIDGE: 45,212.47 EMERGENCY & DISASTER: 1090.26. TOTAL: 103,394.58.

**ADJOURN**:  Motion by Schlagel, second by Sass to adjourn at 10:55 a.m. until next regular meeting Tuesday, April 6, 2021 at 8:00 a.m. Voting aye: Hass, Knock, Reints, Schlagel 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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