CLARK COUNTY COMMISSIONER PROCEEDINGS

August 17, 2021

The Clark County Commissioners met in regular session on Tuesday, August 17, 2021 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 at the Courthouse: Francis Hass, Richard Reints, Wallace Knock, Terry Schlagel and Chris Sass. Also present Auditor Tarbox.

**COMMUNITY COMMENTS**: No one appeared.

**AGENDA:** Motion by Schlagel, second by Knock to approve the August 17, 2021 agenda. All voting aye. Motion carried.

**MINUTES**: Motion by Hass, second by Sass to approve the minutes from the regular meeting held August 3, 2021. All voting aye. Motion carried.

**HIGHWAY**: HS Eggleston met with the board via teleconference to discuss road conditions and road work being done. He informed the board that the sealing is completed and Brownlee has a pile of gravel finished.

**PURCHASE**: Motion by Schlagel, second by Reints to approve purchase the South 120’ of the East 234’ of the West 364’of Outlot 40 of the Subdivision of the Northwest Quarter of Section 6, Township 116 North, Range 57 West of the 5th P.M., Clark County South Dakota. This parcel is being purchased from Robert Benson, purchase price is $30,000.00. All voting aye. Motion carried.

**TIF:** Toby Morris discussed funding sources for County Road #17 (Carpenter Road), time frame and discussions with the DOT.

**WEED:** At 8:30 a.m. public auction was held for two four wheelers and two spray units that were surplus from the Weed Department. Motion by Hass, second by Reints to approve the purchase of the 2008 Polaris Sportsman 500 HO ATV, serial number 4XAMN50A08A500648. The item was purchased by Alfred Fryslie with a purchase price of $5200.00. All voting aye. Motion carried.

**WEED**: Motion by Reints, second by Knock to approve sale of the 2004 Polaris Sportsman 400 ATV, Serial number 4XACH42A24A335920, surplus from the Weed Department. The ATV was purchased by Dennis Larson, purchase price was $3100.00. All voting aye. Motion carried.

**WEED**: Motion by Knock, second by Schlagel to approve sale of complete boomless ATV sprayer unit to Larry McHenry. Purchase price was $350.00. All voting aye. Motion carried.

**WEED**: Motion by Reints, second by Hass to approve sale of a complete boom ATV sprayer unit to Gail Smith. Purchase price was $275.00. All voting aye. Motion carried.

**EXECUTIVE SESSION**: Motion by Reints, second by Knock to enter into executive session according to SDCL 1-25-2 at 9:27 a.m. to discuss personnel issues. Also in attendance SA Fjelland, AA Angermeier and Auditor Tarbox. Chairman declared out at 10:08 a.m.

**PUBLIC CONCERN**: Gordon Spaete, Mike Bach and Charles Dieter met with the board to discuss the Windy Ridge CAFO that was approved in Thorp Township. SA Fjelland informed the citizens that the hearing has been held and the board will not comment regarding the CAFO. Mr. Spaete spoke briefly requesting information regarding the request. He was informed all of the information is on file in the Director of Equalization office.

**TREASURER**: Motion by Schlagel, second by Knock to approve request of Treasurer Mahlen to purchase a new HP printer, cost of the printer will be $652.00. All voting aye. Motion carried.

**ORDINANCE 3 & ORDINANCE 4**: The board spent time developing Ordinance 3 and Ordinance 4 that directs medical cannabis operations within the County. Public hearing and 1st reading will be on August 31, 2021 at 8:00 a.m.

**ZONING**: The board spent time discussing the possibility of adding Lake Park District to the Planning and Zoning Ordinance of Clark County.

**Resolution 17-21**: Motion by Knock, second by Hass to approve Resolution 17-21 to approve off sale liquor license within Clark County. All voting aye. Motion carried.

RESOLUTION 17-2021

WHEREAS, the Legislature of the State of South Dakota has provided for the approval of package off-sale liquor by the boards of county commissioners of the counties of said State pursuant to SDCL Title 35 as amended; and

WHEREAS SDCL 35-4-11.1 as amended provides that the board of county commissioners shall on or before the first of September in each year determine by ordinance or continuing resolution the number of package off-sale liquor licenses (other than malt beverage) it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses: and

 WHEREAS, the Clark County Board of County Commissioners has set the number of package off-sale liquor licenses at three and the fee for such licenses at $1,000.00; and

WHEREAS, the Clark County Board of Commissioners has set the renewal fee for such licenses at $500.00; and

WHEREAS, the Clark County Board of Commissioners wishes to make the licenses available to the public on a first-come, first-serve basis;

WHEREAS, no off-sale license may be issued for a retailer located within 3 miles of the exterior boundary of an incorporated municipality.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Clark County Commission makes the following rules applicable to the issuance of new package off-sale liquor licenses:

1. Applicants may immediately apply for the package off-sale liquor license.

1. Such application packet shall include the following:

* 1. Uniform Alcoholic Beverage Application. This must be completed fully and according to its instructions, and bear the necessary original signatures.

* 1. License Purchase Fee. License purchase fee in the amount of $1,000.00 shall be presented at time of application.

1. In the event the first-come, first-served applicant is not able to meet the licensing standards set out by SDCL Ch. 35-2, the applicant who next submits a fully and accurately completed application shall be next considered.

Dated this 17th day of August, 2021.

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

Chris Sass, Chairman

Clark County Commission

ATTEST:

/s/ Christine Tarbox

Christine Tarbox, Clark County Auditor

**RURAL ACCESS INFRASTRUCTURE FUNDING**: The 2021 Legislature passed HB1259 (now SDCL 31-34) creating the Rural Access Infrastructure program. Due to this action all townships must conduct an inventory of small structures on township roads. The County will set up an informational meeting and contact the townships.

**SET HEARING**: Motion by Reints second by Schlagel to set hearing for 2022 Provisional Budget for Clark County at 9:15 a.m. on Tuesday, September 7, 2021. All voting aye. Motion carried.

**SET HEARING**: Motion by Hass, second by Knock to set hearing for the 2022 Road and Bridge Five (5) Year Plan for September 7, 2021 at 8:00 a.m. All voting aye. Motion carried.

**REPORTS:**  Motion by Hass, second by Reints to approve the following reports. All voting aye. Motion carried.

 AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER
 Cash on hand…………………………………………..… 27,276.87

Money Market…………………………..………………….4,215,152.27

CD’s…………..…………………………………………… 800,000.00
Checking Account....…….…………………………………. 358,165.33 TOTAL:……………..……………… …..…………………5,400,594.47

These funds include all funds administered by the county including: General Fund

$3,474,633.46, Road & Bridge: $1,096,149.44, 911 Service Fund: 71,775.98, ED:9,762.20, Domestic Abuse: 535.00, 24/7 – 15,871.44, ROD Mod/Pres: $6,789.98, American Rescue Plan Funds: 362,837.00, Rural Access Infrastructure fund: 57,878.26. **Trust & Agency Funds $304,361.71 which are funds returned to schools, towns, townships and special districts.** TOTAL: $5,400,594.47.

**ROD Fees**: July recording fees 1685.00, Transfer fees: 640.00, Births: 30.00, Deaths: 105.00, marriages: 60.00, Copy money: 67.00, Misc. 94.00. TOTAL: 2681.00.

**Ambulance**: 15,294.36, **Sheriff**: Mileage 23.00 Civil fees $300.00, Pistol permits $21.00.

**CLAIMS**: Motion by Knock, second by Schlagel to approve the following claims and allow the auditor to issue payment. All voting aye. Motion carried. COMMISSIONERS: US Bank Voyager Fleet Systems-fuel 154.42, AUDITOR: Connecting Point – yearly service fee/ backup replacement 4035.00, Office Peeps-typewriter ribbons 38.18, TREASURER: Clark Co Treasurer- postage 63.30, Connecting Point-support contract 2475.00, McLeods-tax notices/copy paper 231.80, US Postmaster – 10 rolls of stamps 550.00, STATES ATTORNEY: Thomson Reuters – online library/software subscription – 1312.56, PUBLIC BUILDINGS: Cardmember Service-supplies 115.79, City of Clark – water 98.45, Cook’s Wastepaper-garbage 35.75, Dakota Data Shred – shredder fees 80.99, Northwestern Energy- utilities 1695.39, Star Laundry- rugs 40.90, REGISTER OF DEEDS: Toshiba Financial Services-copy machine rent 95.32, SHERIFF: Cardmember Service-continuing ed/ antivirus program 133.95, Clark Co Treasurer-postage 79.00, Clark Com Oil – fuel 808.23, Mack’s -oil change 54.95, US Bank Voyager Fleet Systems-gas 144.87, PRISONER CARE: Codington County Auditor – prisoner care 4095.00, AIRPORT: Northwestern Energy – utilities 75.56, AMBULANCE: A-Ox Welding – oxygen 48.80, Bound Tree Medical – supplies 311.64, Cardmember Service- portable A/c unit – 399.99, City of Clark – water 67.25, Clark Co Treasurer – postage 157.65, Clark Community Oil – gas 375.08, Ken’s Fairway – supplies 55.54, Lewis Family Drug-supplies 65.00, Northwestern Energy- utilities 363.31, Star Laundry – laundry – 11.85, Stryker Sales- supplies 273.06, SOC SERV FOR AGED: Inter-Lakes Com Action – support comm service/ August 1488.00, MENTAL ILLNESS BOARD: Lincoln Co Treasurer -involuntary mental illness fees 59.40, EXTENSION: ITC-service 107.62, Office Peeps- copier 90.56, Star Laundry- rugs 25.38, WEED: City of Clark -water 82.85, Cook’s Wastepaper – garbage 47.50, Brian Jenkins – battery for Polaris 4 wheeler 50.00, Ken’s Fairway – supplies 28.46, Northwestern Energy – utilities 123.54, Nutrien Ag Solutions – herbicides 2004.68, Sturdevants Auto Parts – supplies 49.11, Ameripride Services – towels 138.36, Boyer Ford Trucks -parts – 8.20, City of Clark – water 72.45, Clark Co Treasurer – title registration 21.20, Clark Community Oil – fuel – 3377.23, Connecting Point – software support 1390.00, Cook’s Wastepaper – garbage 47.50, Dakota Electronics – radio 443.00, Equipment Blades – cutting edges 1747.96, Flint Hills Resources – road oil 137,913.25, IMEG- bridge design 21,640.57, Lyle Signs – signs 248.07, Mack Land Surveying – land survey – 445.00, North American Truck and Trailer -parts – 29.97, Northern Con Agg-pea rock 2716.26, Northwestern Energy – utilities 1591.21, Oscar’s Machine Shop-parts 516.50, Sturdevants Auto Parts-supplies/filters-3176.51, Transource – hitch /chipper180.59, Westside Implement – parts 792.82, Wheelco – parts 284.19, 911 SERVICE: City of Watertown – 911 surcharge 3042.31, CIVIL DEFENSE: Cardmember Service – SDEMA Conference registration 52.50, US Bank -gas 47.89, REGISTER OF DEEDS: Connecting Point-support contract 280.00, Microfilm Imaging Systems-software/scanner rent 250.00. TOTAL: 203,154.72.

**PAYROLL**: AUDITOR: 5493.65, TREASURER 4951.50, STATES ATTORNEY: 5074.50, COURTHOUSE: 2606.80, DIRECTOR OF EQUALIZATION: 5224.06, REGISTER OF DEEDS: 3618.40, VETERAN SERVICE OFFICE: 371.10, SHERIFF: 9122.66, NURSE: 2072.34, AMBULANCE: 14,233,06, EXTENSION: 1966.05, WEED: 2708.37, ROAD & BRIDGE: 48,966.85, EMERGENCY & DISASTER: 1046.21. TOTAL: 107,455.55.

**ADJOURN**:  Motion by Schlagel, second by Sass to adjourn at 12:35 p.m. until next regular meeting Tuesday, September 7, 2021 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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