CLARK COUNTY COMMISSIONER PROCEEDINGS
 September 7, 2021

The Clark County Commissioners met in regular session on September 7, 2021 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. Present via teleconference: Chris Sass. Commissioners present in the Courthouse: Wally Knock, Richard Reints, Terry Schlagel and Francis Hass. Also present Auditor Tarbox.

**COMMUNITY COMMENTS:** None.

**AGENDA**: Motion by Hass, second by Reints to approve the agenda for September 7, 2021. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Motion carried.

**MINUTES:**  Motion by Reints, second by Knock, to approve the minutes of the regular meeting of August 17, 2021 and special meeting August 31, 2021. Voting aye: Knock, Hass, Reints Schlagel and Sass. Motion carried.

**HIGHWAY**: HS Eggleston met with the board to update them on road conditions and work being done. He also discussed purchasing a lot within the City of Willow Lake for future building site. It was also decided to keep the extra motorgrader at this time and use as a backup.

**TRANSPORT FUEL QUOTES**: The following transport load fuel quotes were presented to the board for September 2021. **Diesel #2**: Agwrx, 2.37, Clark Community Oil- 2.377, Vollan Oil – 2.31.  The County accepted the low bid and all bids are on file in the Auditor's office.

**FUEL QUOTES**: The following fuel quotes were presented to the board for September 2021. **Diesel #2**: Agwrx, 2.55, Clark Community Oil- 2.57, Vollan Oil – 2.4582. **Gas E-10**: Agwrx – no bid. Clark Community Oil-2.72. Vollan Oil – 2.8204. The County accepted the low bid and all bids are on file in the Auditor's office.

**HEARING: ROAD & BRIDGE 5 YEAR PLAN:** At 8:00 a.m. the specified time the Clark County 5 Year Road and Bridge plan was opened. Wayne Schlagel and Lee Fuller were in attendance. Discussion was held regarding the projects that are planned within the next five years. Discussion was held regarding the two bridges that are scheduled for repair over the next two years. Bridge #13-023-230 located 6 miles south and .3 miles East of Raymond, County Road #48 and Bridge #13-050-212 which is located 4.2 miles South and 3 miles East of Raymond on County Road #61. Lee Fuller also discussed funding and ways to receive additional funding for township roads. There was no further comment and the public hearing was closed.

**HIGHWAY:** Wayne Schlagel expressed concerns about the road haul agreement between Riverview and Clark County. He also had concerns about the damage to the roads, speeding on the township roads and running stop signs. He informed the board that most of the roads in Logan Township are posted 30 miles per hour as they are considered minimum maintenance roads. The sheriff office will be contacted and requested to monitor the area for problems.

**HIGHWAY**: HS Eggleston questioned the purchase of 911 signs for State, County and Township roads going through the Highway budget. He also informed the board that certain signs are repeatedly stolen and a number of them are vandalized. Auditor will check with other counties to determine budgeting process.

**HIGHWAY**: Adam Polley with, IMEG, met with the board to update them on County Road #17.  Also present via teleconference, Toby Morris and Brady Janzen. Mr. Polley informed the board that he had received the wetland report and it is not necessary to mitigate any wetlands they just need to get the permit. He is finalizing the plan and further discussion was held regarding the North 5 ½ miles of County Road 17. Discussion was also held regarding bid dates. Toby Morris also discussed funding status with the DOT and TIF. Motion was made by Knock, second by Schlagel to allow IMEG To finish the engineering work on the five and one half (5 ½) miles North on County Road 17 to have it bid ready and to proceed with the South twelve (12) miles. Voting aye: Knock, Hass, Schlagel and Sass. Voting nay: Reints. Motion carried.

**PROVISIONAL BUDGET**: At 9:15 a.m. the time specified hearing was held for the Clark County 2022 Provisional Budget. No one appeared. Motion by Hass, second by Knock to approve the 2022 Provisional budget as published. Voting aye: Knock, Reints, Bjerke, Hass and Sass. Motion carried.

**CONCERNED CITIZEN**: Donald Dunlavy spoke with the Board to discuss a claim for his damaged vehicle that was denied by the County Insurance. Mr. Dunlavy informed the board that he had ran over a large rock when he drove over a gravel windrow in the middle of the road on County Road #29. The board informed Mr. Dunlavy the insurance company had denied it.

**ORDINANCE 4-21:** Chairman Sass conducted the Second Reading of Ordinance #4-21. An Ordinance to amend Chapter 2.01 “District regulations”, Section 2.05.02, “Permitted Uses” (CI Commercial/Industrial District): Article IV “Supplemental Regulations”; and Article V, “definitions”, adopted by Ordinance 1-14 as amended, of the zoning Ordinance of Clark County. Motion By Knock, second by Schlagel to approve Ordinance 4-21. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Motion carried.

**NOTICE OF ADOPTION**

ORDINANCE NO. 4-21

AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND CHAPTER 2.03 “DISTRICT REGULATIONS”; SECTION 2.05.02, “PERMITTED USES” (“CI” COMMERCIAL/INDUSTRIAL DISTRICT); ARTICLE IV, “SUPPLEMENTAL REGULATIONS”; AND ARTICLE V, “DEFINITIONS”; ADOPTED BY ORDINANCE 1-14 AS AMENDED, OF THE ZONING ORDINANCE OF CLARK COUINTY.

BE IT ORDAINED by the Board of County Commissioners of Clark County, South Dakota: that CHAPTER 2.03 “DISTRICT REGULATIONS,” Section 2.03.02 Prohibited Uses, adopted by Ordinance 1-14, as amended, of the Zoning Ordinance of Clark County be amended by adding the following Section in bold and underline font:

**Section 2.03.02. Prohibited Uses.**

All uses and structures not specifically listed as a permitted use, **special permitted use,** or as a conditional use in a particular zoning district shall be prohibited in said district.

BE IT ORDAINED by the Board of County Commissioners of Clark County, South Dakota: that Section 2.05.02, “Permitted Uses” (CI- Commercial/Industrial District), adopted by Ordinance 1-14, as amended, of the Zoning Ordinance of Clark County be amended by adding language in bold and underline font:

**#7 Cannabis Dispensary (subject to Chapter 4.38)**.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Clark County, South Dakota: that Article IV, “SUPPLEMENTAL REGULATIONS” adopted by Ordinance 1-14, as amended, of the Zoning Ordinance of Clark County be amended by adding the following Chapter in bold and underline font:

**CHAPTER 4.38 CANNABIS DISPENSARIES.**

1. **Maximum Number of Cannabis Dispensaries.**
2. **In the development and execution of these regulations, it is recognized that there are some uses which because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a potential deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area.**
3. **The County shall allow up to one cannabis dispensary, provided the time, place, and manner of said dispensary complies with this ordinance.**
4. **Required Separation Distances**
5. **A cannabis dispensary shall be located not less than 1,000 feet from a public or private school existing before the date of the cannabis dispensary application.**
6. **Reserved.**
7. **Reserved.**
8. **Prescribed separation/setback distances from certain existing uses are to be measured from the lot line of the property where the dispensary is proposed.**
9. **Other Locational Requirements**
	* 1. **Permanent or temporary dispensaries are prohibited in all other zoning districts and not eligible for a home occupation use.**
		2. **It shall be unlawful to operate a dispensary in a building which contains a residence or a mixed-use building with commercial and residential uses.**
10. **Controlled Access - No cannabis establishment shall share premises with or permit access directly from another medical cannabis establishment, business that sells alcohol or tobacco, or, if allowed by law, other cannabis establishment.**

1. **Hours of operation:**
2. **Cannabis dispensaries are allowed to be open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday.**
3. **Documentation of State Licensure.**
4. **No cannabis dispensary shall acquire, possess, store, deliver transfer, transport, supply or dispense cannabis, cannabis products, or paraphernalia without providing documentation of licensure from the State of South Dakota.**
5. **The zoning official is authorized to issue permits (building/use) for cannabis dispensaries subject to following:**
6. **Submission of a site plan containing the following:**

* 1. **Any information required for applicable building permit**
	2. **Ingress and egress plan**
	3. **Parking plan**
	4. **Lighting plan (including security lighting)**
	5. **Screening/security fencing plan**
	6. **Refuse plan**
	7. **Hours of Operation**
	8. **Any other information as lawfully may be required by the Zoning official to determine compliance with this ordinance**
1. **Documentation of ability to meet setback/separation requirements.**
2. **Documentation of State Licensure.**
3. **All Cannabis Establishments are required to be constructed in conformance with the 2021 Edition of the International Building Code and International Fire Code.**

BE IT FURTHER ORDAINED by the Board of County Commissioners of Clark County, South Dakota: that Article V, “DEFINITIONS” adopted by Ordinance 1-14, as amended, of the Zoning Ordinance of Clark County be amended by adding the following Definitions in bold and underline font:

**Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. (hemp) and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.**

**Cannabis Cultivation Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.**

**Cannabis Dispensary: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.**

**Cannabis Establishment: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.**

**Cannabis Product Manufacturing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.**

**Cannabis Products: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures.**

**Cannabis Testing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.**

Adopted this 7th day of September, 2021.

 /s/ Chris Sass

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 Chairman, Board of County Commissioners

ATTEST:

/s/ Christine Tarbox

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County Auditor

This ordinance shall become effective twenty days after publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum is timely initiated prior thereto.

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| 1st Reading: | Sept. 1, 2021 |
| 2nd Reading: | Sept. 7, 2021 |
| Date Adopted: | Sept. 7, 2021 |
| Date Published: | Sept. 8, 2021 |
| Effective Date: | Sept. 28, 2021 |

**ORDINANCE 3-21**: Chairman Sass completed the second reading of Ordinance 3-21: An Ordinance Creating and Establishing Licensing Provisions for Cannabis Establishments within Clark County. Motion by Hass, second by Knock to approve Ordinance 3-21. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Motion carried.

**NOTICE OF ADOPTION**

**ORDINANCE #03-21**

**An ORDINANCE CREATING AND ESTABLISHING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS WITHIN CLARK COUNTY, SOUTH DAKOTA**

**Be It Ordained** by the Board of County Commissioners of Clark County as follows:

**Article 1: PURPOSE AND INTENT**

The Board of County Commissioners of Clark County enacts the following licensing ordinances in order to ensure that cannabis establishments within the unincorporated areas of the County operate in a manner which complies with state laws and regulations, protects the health, safety, and welfare of the general public, prevents potential conflicts and issues arising from ownership and employees, recognizes certain safety and security considerations, and minimizes risk of unauthorized use or access of cannabis by the general public.

**Article 2: DEFINITIONS**

Unless an alternative definition is explicitly stated in this section, this chapter utilizes the definitions for cannabis-related terms which are defined by SDCL 34-20G-1.

**Cannabis (or Marijuana):** all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

**Cannabis Cultivation Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

**Cannabis Dispensary:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

**Cannabis Establishment:** cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

**Cannabis Product Manufacturing Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

**Cannabis Products:** any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures

**Cannabis Testing Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

**Department:**the South Dakota Department of Health

**Article 3: LICENSE REQUIRED**

1. No cannabis establishment may be located or operate in the unincorporated area of the County without the appropriate valid and current cannabis establishment license issued by the County pursuant to this article. A violation of this provision is subject to the general penalty provision in Article 16. Each day of the violation constitutes a separate offense.
2. No cannabis establishment may be located or operate in the unincorporated area of the County without the appropriate valid and current cannabis establishment registration certificate issued by the Department pursuant to rules promulgated under SDCL 34-20G. A violation of this provision is subject to the general penalty provision in Article 16. Each day of the violation constitutes a separate offense.

**Article 4: LICENSE APPLICATION**

1. An application for a cannabis establishment license must be made on a form provided by the County. No other application form will be considered.
2. The applicant must submit the following:
	1. Application fee of $5,000. The County will reimburse $2,500 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.
	2. An application that will include, but is not limited to, the following:
		1. The legal name of the prospective cannabis establishment;
		2. The physical address of the prospective cannabis establishment that meets the zoning requirements, as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder.
		3. The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment.
		4. Any additional information requested by the County.

**Article 5: ISSUANCE OF LICENSE**

1. The County will issue a license unless:
	1. The applicant has made a false statement on the application or submits false records or documentation; or
	2. Any owners, principal officer, or board member of the applicant is under the age of twenty-one (21) years; or
	3. Any owner, principal officer, or board member of the applicant has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction;
	4. The proposed location does not meet the applicable zoning requirements;
	5. The proposed location does not meet all location requirements under SDCL 34-20G and the administrative rules promulgated thereunder;
	6. The license is to be used for a business prohibited by state or local law, statute, rule, ordinance, or regulation; or
	7. Any owner, principal officer, or board member of the applicant has had a cannabis establishment license revoked by the County or a registration certificate revoked by the state; or
	8. An applicant, or an owner, principal officer, or board member thereof, is overdue in payment to the County of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or
	9. The applicant will not be operating the business for which the license would be issued.
2. In the case of an application for a cannabis dispensary license, the County will reject the application if the limit on the number of cannabis dispensaries has been reached.

1. The license must be posted in a conspicuous place at or near the entrance to the cannabis establishment so that it may be easily read at any time.

**Article 6: COUNTY NEUTRALITY AS TO APPLICANTS**

1. Upon request from the Department as to the County’s preference of applicants, the County will neither support nor oppose any registration certificate application under consideration by the Department. Likewise, if inquiry is made by the Department, the County will abstain from endorsing any application as beneficial to the community.

**Article 7: NUMBER OF CANNABIS DISPENSARIES**

1. No more than one cannabis dispensary shall be allowed to operate in the unincorporated area of the County at any time.

**Article 8: EXPIRATION OF LICENSE AND RENEWAL**

1. Each license expires one year from the date of issuance and may be renewed only by making application as provided in Article 4. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.
2. The renewal fee is $5,000. The County will reimburse $2,500 for applicants who fail to obtain a renewal of their registration certificate from the Department.
3. Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the County may order closure of the cannabis establishment.
4. If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

**Article 9: SUSPENSION**

1. A license may be suspended if the license holder or an employee or agent of the license holder:
2. Violates or is otherwise not in compliance with any section of this article.
3. Consumes or smokes or allows any person to consume or smoke cannabis on the premises of the cannabis establishment.
4. Knowingly dispenses or provides cannabis or cannabis products to an individual or business to whom it is unlawful to provide cannabis or cannabis products.
5. A license may be suspended if the license holder has its Department-issued registration certificate suspended, revoked, or not renewed by the Department or if the registration certificate is expired.
6. A license may be suspended if the license holder creates or allows to be created a public nuisance at the cannabis establishment.

**Article 10: REVOCATION**

1. A license may be revoked if the license is suspended under Article 9 and the cause for the suspension is not remedied.
2. A license may be revoked if the license is subject to suspension under Article 9 because of a violation outlined in that section and the license has been previously suspended in the preceding 24 months.
3. A license is subject to revocation if a license holder or employee of a license holder:
	1. Gave false or misleading information in the material submitted during the application process;
	2. Knowingly allowed possession, use, or sale of non-cannabis controlled substances on the premises;
	3. Operated the cannabis establishment or the business of the cannabis establishment for which a license is required under this article while the license was suspended;
	4. Repeated violations of any article of this ordinance.
	5. Operated a function of a cannabis establishment for which the license holder was not licensed (e.g., a licensed cannabis cultivation facility conducting cannabis testing functions without a cannabis testing establishment license);
	6. A license holder, or an owner, principal officer, or board member thereof, is delinquent in payment to the city, county, or state for any taxes or fees related to the cannabis establishment;
	7. A license holder, or an owner, principal officers, or board member thereof, has been convicted of, or continues to employ an employee who has been convicted of, a disqualifying felony offense as defined by SDCL 34-20G; or
	8. The license holder has its Department-issued registration certificate suspended, revoked, or not renewed or the registration certificate is expired.
	9. The license holder allows a public nuisance to continue after notice from the County.

**Article 11. SUSPENSION AND REVOCATION PROCESS**

1. The license holder will receive a notice of intent to suspend or notice of intent to revoke informing the license holder of the violation and the County’s intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.
2. If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the County Commission Chairperson, Auditor, Sheriff, and County Commission Vice-Chairperson.
3. A suspension will be for thirty (30) days and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder exercises its rights to process and appeal, in which case the suspension takes effect upon the final determination of suspension.
4. A revocation will be for one (1) year and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder appeals the revocation, in which case the revocation takes effect upon the final determination of revocation.
5. The license holder who has had the license revoked may not be issued any cannabis establishment license for one year from the date the revocation became effective.

**Article 12: APPEAL**

An applicant or license holder who has been denied a license or renewal of a license or who has had a license suspended or revoked under this article may appeal to the Board of County Commissioners by submitting a written appeal within ten **(**10**)** days of the postmark on the notice of denial, nonrenewal, suspension, or revocation. The written appeal must be submitted to Clark County Courthouse, 200 North Commercial Street, Clark, South Dakota, 57225. The appeal will be considered by the Board of County Commissioners at a regularly scheduled meeting within one month of the receipt of the appeal.

**Article 13: LICENSES NOT TRANSFERRABLE**

No cannabis establishment license holder may transfer the license to any other person or entity either with or without consideration, nor may a license holder operate a cannabis establishment at any place other than the address designated in the application.

**Article 14: HOURS OF OPERATION FOR DISPENSARIES**

Hours of operation shall be limited to between 8:00 a.m. and 5:00 p.m., Monday through Saturday.

**Article 15: LIABILITY FOR VIOLATIONS**

Notwithstanding anything to the contrary, for the purposes of this article, an act by an employee or agent of a cannabis establishment that constitutes grounds for suspension or revocation will be imputed to the cannabis establishment license holder for purposes of finding a violation of this article, or for purposes of license denial, suspension, or revocation, only if an officer, director or general partner or a person who managed, supervised or controlled the operation of the cannabis establishment, knowingly allowed such act to occur on the premises.

**Article 16: PENALTIES**

Any person who operates or causes to be operated a cannabis establishment without a valid license or in violation of this article is subject to a suit for injunction as well as prosecution for ordinance violations. Such violations are punishable by a maximum fine of five hundred dollars ($500.00). Each day a cannabis establishment so operates is a separate offense or violation.

**Article 17: Severability**. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Adopted this 7th day of September, 2021.

 s/ Chris Sass

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 Chairman, Board of County Commissioners

ATTEST:

s/ Christine Tarbox

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County Auditor

This ordinance shall become effective twenty days after publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum is timely initiated prior thereto.

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| 1st Reading: | Sept. 1, 2021 |
| 2nd Reading: | Sept. 7, 2021 |
| Date Adopted: | Sept. 7, 2021 |
| Date Published: | Sept. 8, 2021 |
| Effective Date: | Sept. 28, 2021 |

**EMERGENCY MANAGEMENT**: EM Lewis met with the board to discuss applying for a generator for the Courthouse. He explained there are two options for grants to cover the costs. The board approved the request to search for funding of the purchase.

**LEMPG**: Motion by Schlagel, second by Sass to approve and allow Chairman to sign the 2022 Local Emergency Management Performance Grant between Clark County and the South Dakota Department of Public Safety. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Motion carried.

**AIRPORT**: Brooke Edgar with Helms and Associates met with the board via teleconference to explain the change order for the Clark County Airport runway project. She informed the board the contract price due to this Change order will be decreased by $95,824.80. Motion by Hass, second by Schlagel to approve the change order. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Motion carried.

**COVID PROTOCOLS**: The board spent time discussing COVID protocols for close contact and those infected with the disease. Further information will be gathered and discussed at the next meeting.

**CLAIMS**: Motion by Schlagel, second by Reints to approve the following claims and allow the auditor to issue payments for same. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Motion carried. GENERAL FUND: Trisha Walker – refund overpayment 19.70, COMMISSIONERS: Clark Co Courier- minutes/budget 537.32, US Bank Voyager – gas 206.71, JUDICIAL SYSTEM: Luke Yellow Robe – expert witness 1500.00, AUDITOR: Connecting Point- monthly backup fee 20.00, ITC-service 143.59, Office Peeps-paper/supplies 138.56, PMB-0112 – user fees 73.25, TREASURER: ITC-service 51.25, STATES ATTORNEY: ITC-service 51.99, COURT: Austin, Hinderaker, Hopper- crt appt atty 785.00, Bratland Law- crt appt atty – 3801.60, Green, Roby, Oviatt, Cummings-crt appt atty – 2155.30, PUBLIC BUILDINGS: Clark Comm Oil – gas 31.18, Cole Paper – supplies 225.22, Culligan -water 64.00, Dekker Hardware – supplies 185.32, Dustan Elsen – ins deductible 2250.00, ITC-service – 79.66, Ken’s Fairway – supplies 11.05, Moeller Sheet Metal – check a/c 518.80, Star Laundry – rugs 40.90, DIRECTOR OF EQUALIZATION: ITC-service 87.20, McLeods – PT 24 -109.58, Office Peeps- desk calendar/appt book 85.13, REGISTER OF DEEDS: ITC-service 98.78, Office Peeps - -wall calendar 17.36, US Postmaster-stamps 252.00, VETERANS OFFICE: ITC-service 51.55, Ramkota Hotel – Pierre-lodging 154.00, SHERIFF: AT&T Mobility -service 257.16, Clark Community Oil – gasoline – 700.44, ITC-service 198.79, JB’s Repair – oil change 70.00, US Bank Voyager Fleet Systems-gasoline 186.50, WW Tire Service – new tires 649.84, AIRPORT: Aaron Swan – airport improvement – 4697.24, Clark Rural water – water 35.00, Halme, Inc-runway reconstruction 942,294.88, Helms & Associates – engineering fees/airport project 11,993.57, AMBULANCE: AAA Collections – collections 75.00, AT&T Mobility – service 177.96, Clark Community Oil – gasoline 403.90, Dekker Hardware – supplies 8.99, Elite Drain and Sewer Cleaning – men’s bathroom sink line 141.92, ITC -service 192.32, Star Laundry – rugs 11.85, Teleflex LLC-needles 1115.50, US Bank Voyager Fleet-gasoline 49.50, SOC SER FOR AGED: Inter-Lakes Comm Action – support comm serv/ September 1488.00, EXTENSION :ITC-Service 88.03, Office Peeps- envelopes 50.81, Star Laundry – rugs 25.38, WEED: Clark Co Courier – surplus auction ad 102.40, ITC-service 107.45, Brenda Jenkins – sale bill 31.25, WW Tire Service-tube 38.00, PLANNING & ZONING: Clark Co Courier – notice 19.12, ROAD & BRIDGE: Agwrx Coop-fuel 3034.50, ATT Mobility – 53.54, Randy Brownlee – gravel crushing 234,654.10, Butler Machinery-supplies and materials – 276.56, Clark Co Courier- 5 yr R& B plan notice 9.20, Creative Printing – time cards – 250.15, Dakota Electronics -radio install-674.00, Dakota Fluid Power-parts 29.23, Dekker Hardware – supplies 440.92, Detco – supplies 474.88, Diamond Mowers – supplies 1227.24, DSR – parts 181.75, Efraimson Electric – shop repairs – 161.56, IMEG-CR 17 engineering fees 31,250.00, ITC-service 129.60, Loadrite Midwest supplies 125.00, Northwestern Energy -utilities 45.08, Office Peeps-supplies 17.48, Oscar’s Machine Shop – parts 198.39, Pro Line Inc – parts 168.17, Prostrollo – switch 51.33, RC First Aid – supplies 57.50, RDO Equipment – parts/bulk oil 1918.85, Sioux Rural water – water 50.00, Vollan Oil – gas/diesel 21,483.00, WW Tire Service – tires 1043.84, Westside Implement – parts 1415.03, 911 SERVICE: ITC-service 145.23, CIVIL DEFENSE: AT&T Mobility – service 45.38, Dekker Hardware -supplies 1.38, ITC-service 50.28, Office Peeps -paper/binders 14.72, REGISTER OF DEEDS: US Records Midwest – hanging plat envelopes/encapsulate two deed index books - 3881.97, EXCISE TAX FUND: SD Dept of Revenue – excise tax 71.44, M&P RELIEF FLOW THRU: SDACO- fee 238.00. TOTAL: 1,282,826.10.

**PAYROLL**: COMMISSIONERS: 6381.44, AUDITOR: 3,871.02, TREASURER: 4,245.59, STATES ATTORNEY: 2944.16, COURTHOUSE: 2,672.14, DIRECTOR OF EQUALIZATION: 4,584.50, REGISTER OF DEEDS: 3585.24, VETERANS OFFICER: 371.11, SHERIFF: 6,845.50, POOR: 461.77, NURSE: 2,142.56, AMBULANCE: 13,432.40, EXTENSION: 895.41, WEED: 4275.51, PLANNING & ZONING: 309.63, ROAD & BRIDGE: 46,088.07, EMERGENCY & DISASTER: 1574.20. TOTAL: 104,680.25.

**ADJOURN**:  Motion by Hass, second by Knock to adjourn at 11:26 a.m. until next regular meeting Tuesday, October 5, 2021 at 8:00 a.m. Members present voting aye. Motion carried.

 ATTEST:

 (SEAL)

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Christine Tarbox Chris Sass, Chairman

Clark County Auditor Clark County Board of Commissioners

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