CLARK COUNTY COMMISSIONER PROCEEDINGS

January 18, 2022

The Clark County Commissioners met in regular session on Tuesday, December 21, 2021 in the Commissioner Room of the Clark County Courthouse. Chairman Knock called the meeting to order at 8:00 a.m. with the following Commissioners present at the Courthouse: Francis Hass, Richard Reints, Chris Sass, Terry Schlagel and Wallace Knock. Also present Auditor Tarbox.

**COMMUNITY COMMENTS**: No one appeared.

**AGENDA:** Motion by Sass, second by Hass to approve the January 18, 2022 agenda. All voting aye. Motion carried.

**MINUTES**: Motion by Reints, second by Schlagel to approve the minutes of January 4, 2022 with correction made to the next meeting date, listed in the minutes was February 1, 2022, should be January 18, 2022.2. All voting aye. Motion carried.

**HIGHWAY:** HS Eggleston was not available.

**COUNTY ROAD #17**: Toby Morris met with the board via teleconference with update on County Road #17. He informed the board that he has spoken to staff at Willow Lake School they have no concerns. He has the notices and letter prepared and has everything prepared to move forward with the TIF. Hearing set for February 1, 2022 at 9:00 a.m.

**ABATEMENT**: Connie Rossow met with the board discussing property valuation. She failed to get the proper paperwork to the treasurer office by the deadline date last year. Motion by Hass, second by Schlagel to approve the request. All voting aye. Motion carried.

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

Commissioner Knock 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. Added to the agenda by board members, discussion regarding sludge from AgroPur. No persons requesting to schedule time on the Board of Adjustment agenda. Chairman Knock 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 Hass, second by Reints to approve the Board of Adjustment Agenda. Voting aye: Schlagel, Reints, Hass, Sass and Knock. Motion carried.

**CONDITIONAL USE**: The next agenda item is a request for Conditional Use permit by Drew Edleman, owner Marshall and Carolyn Edelman Living Trust, on property described as: The Southwest Quarter of the Northwest Quarter Section 9, Township 113 North, Range 56 West of the 5th P.M. Clark County, South Dakota (Washington Township). Mr. Edleman seeks a Class C CAFO permit to operate a 2,400 head finishing swine (55 to 300 lbs) CAFO. Motion by Sass, second by Hass to approve and open discussion on this item. Luke Muller gave report on this request. He discussed location, Class and number of animal units, manure management plan and road haul agreements. Commissioner Knock opened the public hearing, Attending the hearing in person were Brian Friedrichsen, Harvey Spieker and Andrew Wookey, P&Z Reidburn. Present by teleconference, Jacob Edelman, Drew Edelman and Marshall Edelman, SA Fjelland, Luke Muller. Drew Edelman spoke on behalf of the project. No other comments. There was no further public testimony and the public hearing was closed. Board questions were answered. Luke read the questions for the findings of fact. Luke restated the motion: The motion is to grant Drew Edleman a conditional use permit to operate a Class C CAFO on this property subject to the conditions read. Voting aye: Knock, Hass, Reints, Schlagel and Sass. Motion carried.

The next item added to the agenda was discussion on the Conditional Use of Agropur. The board has been informed that some of the by products the state has changed classification to fertilizer. Discussion was held regarding renewal for the agreement and how the reclassification affects the road haul agreement. DOE Reidburn informed the board that Agropur personnel had told him that not all of the by-products qualified so the CU will still be necessary.

**ADJOURN**: Motion by Schlagel, second by Reints to adjourn as Board of Adjustment and continue as Board of County Commissioners. All voting aye. Motion carried.

**BID PROTEST**: Motion by Hass, second by Reints to approve a bid protest procedure that will be adopted to assist the County in the bid process. All voting aye. Motion carried.

**WIC**: Motion by Sass, second by Hass to approve and allow Chairman to sign a second amendment to the FY22 county clerical contracts for WIC services. Changes were made to Section 1.1 and 1.2 to include additional detail in relation to Amendment 1. This does not change any amounts or terms of the contract, and payments will not be interrupted. All voting aye. Motion carried.

**SET HEARING**: Motion by Schlagel, second by Sass to set hearing for commissioner redistricting since receiving the information from the last preceding Federal Decennial census. The board will discuss proposed changes to the current commissioner districts. All voting aye. Motion carried.

Hearing will be held on February 1, 2022 at 10:00 a.m.

**FIRST DISTRICT**: Motion by Schlagel, second by Sass to approve and allow Chairman to sign agreement between First District Association of Local Governments and Clark County to commence January 1, 2022 and end December 31, 2022. The District agrees to perform work activities for County GIS website hosting. The Cost to the County will be $5000.00. All voting aye. Motion carried.

**FIRST DISTRICT:** Motion by Sass, second by Reints to approve and allow Chairman to sign agreement between First District Association of Local Governments and Clark County for calendar year 2022. The District agrees to provide work activities for County Director of Equalization Parcel update needs. The cost to the County will be $2000.00. All voting aye. Motion carried.

**FIRST DISTRICT**: Motion by Sass, second by Hass to approve and allow Chairman to sign letter of agreement between Clark County and First District Association of Local Governments to provide administrative and technical assistance services to Clark County Planning Commission/Board of Adjustment and County Commission in zoning and subdivision ordinance administration. Total Maximum contract will not exceed $10,600.00. All voting aye. Motion carried.

**EMERGENCY MANAGER**: EM Lewis met with the board to update them on LEPC funding received and spent. He also provided names of LEPC Board Members for commissioner approval. Motion by Schlagel, second by Hass to approve the LEPC board members. Board consists of Rob McGraw – Chairman, David Lewis, Vice Chairman, Chris Tarbox, Secretary, Tad Heaton Treasurer. Other board members are Randy Angermeier, Jeremy Wellnitz. All voting aye. Motion carried.

**EMERGENCY MANAGER**: Motion by Sass, second by Reints to approve and allow Chairman to sign the 1st quarter expense report for EM Lewis. All voting aye. Motion carried.

**CUSTODIAN**: Motion by Schlagel, second by Reints to approve a $.50 per hour increase for Custodian Marx as he has completed his six month probation period. All voting aye. Motion carried.

**SHERIFF**: Motion by Reints, second by Hass to approve and allow Chairman to sign contract for Server access in conjunction with the Northeast South Dakota rural information exchange model Riem program administered by the Watertown Police Department. This contract is between Clark County and the Watertown Police Department for term, January 1, 2022 to December 31, 2022. 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…………………………………………..… 47,764.03

Money Market…………………………..………………….3,766,069.68

CD’s…………..…………………………………………… 800,000.00
Checking Account....…….…………………………………. 421,760.65 TOTAL:……………..……………… …..…………………5,035,594.36

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

$2,820,492.39, Road & Bridge: $1,361,307.87, 911 Service Fund: 70,265.86, ED:4,563.52, Domestic Abuse: 30.00, 24/7 – 17,680.44, ROD Mod/Pres: $9,329.44, American Rescue Plan Funds: 362,837.00, Rural Access Infrastructure fund: 57,878.26. County TIF -1586.34, **Trust & Agency Funds $329,623.24 which are funds returned to schools, towns, townships and special districts.** TOTAL: $5,035,594.36.

**ROD Fees**: December recording fees 1925.00, Transfer fees: 6153.50, Births: 10.00, Deaths: 85.00, Marriages – 0, Copy money: 67.00, Misc. 96.00. TOTAL: 8336.50.

**Ambulance**: 11,276.72, **Sheriff**: Mileage 91.00 Civil fees $200.00, Pistol permits $77.00.

**CLAIMS**: Motion by Schlagel, second by Hass to approve the following claims and allow the auditor to issue payment. All voting aye. Motion carried. COMMISSIONERS: Mack’s – oil change County van – 64.95,Tony’s Collision – rock chip repair County Van – 65.00, JUDICIAL SYSTEM: Aileen Brewer- Spanish interpreter 40.00, AUDITOR: ITC-service – 47.16, Office Peeps-laser envelopes/1099 envelopes 29.10, Wageworks-cobra bill fee 12.90, TREASURER: ITC-service 47.06, Office Peeps--tabs/binders/cartridges-163.05, US Postmaster -stamps 966.00, STATES ATTORNEY: ITC-service 47.67, SD Dept of Revenue -blood draw 120.00, PUBLIC BUILDINGS: City of Clark – water 88.05, Cook’s Wastepaper -garbage 37.56, Culligan-install softener-257.50, ITC-service 78.04, Northwestern Energy- utilities 3832.09, Star Laundry- rugs 47.88, Sturdevants Auto Parts – battery 120.19, DIRECTOR OF EQUALIZATION: First District Assoc of Local Govt – GIS webhosting/parcel database 7,000.00, ITC-service 188.36, VanGuard Appraisals --service fees/remote edit 3475.00, REGISTER OF DEEDS: ITC-service 92.67, McLeods- mtg deed books 438.78, Toshiba Financial Services -copy machine rent 95.32, VETERANS OFFICE: ITC-service 49.99, SHERIFF: Clark Community Oil – sheriff gasoline 1029.14, Everspring Inn -lodging 285.12, ITC – service 200.20, Mack’s – oil change 59.95, Mid-States Organized Crime -dues for 2022 100.00, Tony’s Collision -install tires/car wash tokens 85.00, Watertown Police Department -servicer access 500.00, PRISONER CARE: Codington Co Auditor – prisoner care 510.00, AIRPORT: Northwestern Energy -utilities 247.73, AMBULANCE: A-Ox Welding Supply – oxygen – 73.20, Bound Tree Medical – supplies 265.27, City of Clark – water 72.45, Clark Community Oil – gas 419.81, Colonial Research Chem Corp - supplies 279.41, ITC-service 190.11, JB’s Repair – supplies 268.00, Ken’s Fairway – supplies 42.67, Lewis Family Drug – supplies 1362.00, Northwestern Energy- utilities – 719.12, Reemployment Assistance- unemployment ins – 30.46, SD Ambulance Association – annual conference dues/training 225.00, Star Laundry – laundry 11.85, MENTAL HEALTH CENTER: Human Service Agency – 1st qtr appropriations – 4183.25, CULTURE & RECREATION: Glacial Lakes Tourism – membership contribution 2022 --425.00, EXTENSION: ITC-service 88.60, SDSU Extension – 4-H advisor salary billing 10,567.75, Star Laundry – rugs 29.24, SOIL CONSERVATION DISTRICT: Clark Co Conservation District -appropriation request 14,000.00, WEED: Clark Community Oil – fuel 534.26, ITC-service 106.07, Ken’s Fairway-supplies 12.81, Reemployment Assositance-4th qtr unemployment – 20.31, Sturdevants Auto Parts – parts 38.93, PLANNING & ZONING: First District Association of Local Govt -tech services 1957.50, URBAN & RURAL DEVELOPMENT – First District Assn of Local Govt-dues for 2022 --11,090.57, ROAD & BRIDGE: City of Clark -water 134.50, Cook’s Wastepaper- garbage 98.51, Diamond Mowers – parts 130.15, ITC-service 156.62, Northwestern Energy - utilities 2640.80, Office Peeps – supplies 100.12, Oscar’s Machine Shop – parts 23.89, Reemployment Assistance Division -4th qtr unemployment 50.78, Sturdevants Auto Parts -filters/supplies 3087.30, Transource -parts 110.30, Ted Warkenthien- gravel royalties 34,805.33, Westside Implement -parts 1852.05, Wheelco – parts 252.92. 911 SERVICE: City of Watertown – 911 surcharge 2979.49, ITC--service 145.23, CIVIL DEFENSE: ITC-service 49.47, REGISTER OF DEEDS: Microfilm Imaging Systems - software/scanner rent 250.00, SALES TAX FUND: SD Dept of Rev-sales tax fund due state 5.36. Total: 114,307.92.

**PAYROLL**: AUDITOR: 5,681.38, TREASURER 5,129.21, STATES ATTORNEY: 5216.35, COURTHOUSE: 2704.04, DIRECTOR OF EQUALIZATION: 5402.50, REGISTER OF DEEDS: 3173.59, VETERAN SERVICE OFFICE: 389.65, SHERIFF: 9421.78, NURSE: 2132.80, AMBULANCE: 15,077.68, EXTENSION: 1492.71, WEED: 527.56, ROAD & BRIDGE: 46,838.66, EMERGENCY & DISASTER: 1,017.12. TOTAL: 104,205.03.

**ADJOURN**:  Motion by Sass, second by Schlagel to adjourn at 11:10 a.m. until next regular meeting Tuesday, February 1, 2022 at 8:00 a.m. All 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 $\_\_\_\_\_\_\_\_\_\_\_\_.