CLARK COUNTY COMMISSIONER PROCEEDINGS
   January 4, 2022

 Auditor Tarbox called the regular meeting to order on January 4, 2022 at 8:00 a.m. in the Commissioners’ meeting room of the Clark County Courthouse. Commissioners present: Terry Schlagel, Richard Reints, Francis Hass, Chris Sass and Wallace Knock. 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 2022. Commissioner Sass nominated Commissioner Knock as Chairman, Commissioner Hass 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 Knock nominated Commissioner Sass, second by Schlagel. Commissioner Reints made motion nominations cease, second by Commissioner Hass. Voting aye: Knock, Reints, Schlagel, Hass and Sass. Motion carried.

**APPOINTMENTS**: Chairman made the following appointments for the year 2022. Mental Health: 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 Schlagel, second by Sass to approve agenda for January 4, 2022. All voting aye. Motion carried.

**MINUTES:**  Motion by Hass, second by Reints to approve the minutes of the regular meetings of December 29, 2021. All voting aye. Motion carried.

**HIGHWAY**: HS Eggleston met with the board to update them on road conditions and work being done. He also informed the board that the new blade will not be here until middle of April and discussed options to sell the blade that will be surplus.

**HIGHWAY**: Motion by Reints and second by Sass to approve HS Eggleston request to junk 2000 International Truck, Model 2554, VIN: 9183. There is no value and this vehicle will be used for parts. All voting aye. Motion carried.

**HIGHWAY:** Motion by Sass, second by Hass 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, 2022. The Auditor and Highway Superintendent will open the bids and read them aloud on January 26, 2022 at 10:05 a.m. The bids will be considered by the Board of Commissioners on February 1, 2022 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. AND - 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, 2022 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 6,500 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 30 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, 2022.

**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 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. All voting aye. Motion carried.

**FUEL QUOTES**: The following fuel quotes were presented to the board for January 2022. Diesel #1: Agwrx, No bid. Clark Community Oil- 2.929, Vollan Oil – 3.05, Diesel #2-70/30- Agwrx – No bid, Clark Community Oil- 2.756. Vollan Oil – 2.90. Gas E-10: Agwrx: no bid. Clark Community Oil-2.74, Vollan Oil 2.92. The County accepted the low bid and all bids are on file in the Auditor's office.

**RESOLUTION 7-21**: Motion by Reints, second by Sass to approve Resolution 7-21 which establishes load limits for 2022. Voting aye: Hass, Reints, Knock, Schlagel and Sass. Motion carried.

**RESOLUTION 7-21**

**LOAD LIMIT**

Commissioner Reints moved for the adoption of the following resolution, second by Commissioner Sass. 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, 2022.

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 ensure 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 around 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 2022. 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 4th day of January 2022.

 /s/ Wallace Knock\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Chairperson, Board of County

 Commissioners of Clark County

ATTEST:

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

**LAKE PARK DISTRICT:** Luke Muller with First District Association of Local Governments met with the board via zoom to discuss establishing a Lake Park District. He discussed the possible scenarios of establishing a Lake Park District or dealing with each request on a case by case basis. Discussion was held regarding maintaining roads, setbacks and lot size. No action taken.

**RESOLUTION 1-22**

**Designation of Official Newspaper**

It was moved by Commissioner Hass, seconded by Commissioner Schlagel, 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 2022.

Commissioners voting aye: Hass, Knock, Reints, Schlagel and Sass. Commissioners voting nay: None. Motion carried.

Dated at Clark, South Dakota this 4th day of January, 2022.

/s/ Christine Tarbox /s/ Wallace Knock\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Board of Clark County

 Commissioners

**RESOLUTION 2-22**

**DESIGNATION OF BANK DEPOSITORIES**

It was moved by Commissioner Reints, seconded by Commissioner Sass, that Dacotah Bank of Clark, Clark Branch within the County be designated as the official Clark County Bank Depository during 2022. Commissioners voting aye: Hass, Knock, Reints, Schlagel and Sass. Commissioners voting nay: None.

Dated at Clark, South Dakota this 4th day of January, 2022.

/s/ Christine Tarbox\_\_\_\_ /s/ Wallace Knock\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Clark County Board

 Of Commissioners

**RESOLUTION 03-22**

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 2022 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 Hass.

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 4th day of January, 2022.

 /s/ Wallace Knock\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 Chairman, Clark County Board of Commissioners

ATTEST

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

County Auditor

**RESOLUTION 4-22**

**Set Salary for Election Officials**

Moved by Commissioner Schlagel, 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 $160.00 per day for hours worked Election Day and $20.00 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 $50.00 per election for use of the facility.

Dated: January 4, 2022

ATTEST:

/s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_                               /s/ Wallace Knock\_\_\_\_\_\_\_\_
County Auditor                                                 Chairperson, Clark County
 Board of Commissioners

**RESOLUTION 5-22**

Commissioner Reints, moved for the adoption of the following resolution, second by Commissioner Schlagel. 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 4, 2022, 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 -$150.00.

 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 4th day of January, 2022.

ATTEST (SEAL)

/s/ Christine Tarbox /s/ Wallace Knock\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Clark County

 Board of Commissioners

**RESOLUTION 6-22:** Motion by Sass, second by Reints to approve Resolution 6-22 which appoints members of the Clark County Housing and Redevelopment Commission. All voting aye. Motion carried.

**CHAIRMAN’S CERTIFICATE OF APPOINTMENT OF COMMISSIONER 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 re-appoint Bonnie Graves to serve as a Commissioner of the Clark County Housing and Redevelopment Commission to serve for a five-year term from the date of this certificate.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SIGNED MY NAME AS Chairman of the Clark County Board of Commissioners, Clark, South Dakota this 4th day of January, 2022.

Motion by Sass, second by Reints to approve Chairman’s appointment.

Voting aye. Sass, Hass, Reints, Schlagel and Knock. Voting nay: None. Motion carried.

Dated: January 4, 2022.

/s/ Wallace Knock\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairman, Clark County Commissioners

ATTEST:

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

Clark County Auditor

CUSTODIAN: Custodian Marx met with the board to inform them that Midwest Boiler staff had been back to check the repairs that had been made to the boiler and suggested that a water softener be added to improve the efficiency of the boiler. Options to purchase or rent the equipment were discussed. Motion by Sass, second by Reints to approve renting the equipment at the cost of $35.00 per month with a $200.00 set up fee. All voting aye. Motion carried.

**CLAIMS**: Motion by Sass, second by Hass to approve the following claims and allow the auditor to issue payments for same. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier – proceedings – 231.94, SDML Workers Comp-WC Ins 81.69, AUDITOR: Connecting Point – monthly backup 112.00, Office Peeps – ink pad 13.00, SDML Workers Com-wc ins – 188.12, TREASURER: Clark Co Courier- delinquent tax notice 153.04, SDML Workers Comp – wc ins 173.15, STATES ATTORNEY: SDML Workers Comp – wc ins 201.36, PUBLIC BUILDINGS: Clark Ace Hardware – supplies 239.25, SDML Workers Comp – wc ins 1199.16, DIRECTOR OF EQUALIZATION: SDML Work Comp – wc ins – 822.09, REGISTER OF DEEDS SDML Workers Comp – wc ins 127.92, VETERANS OFFICER – SDML Workers Com – wc ins 18.34, SHERIFF: SDML Workers Comp – wc ins 2710.55, CORONER: SDML Workers Comp – wc ins 2.16, AIRPORT: Clark Rural Water -water 35.00, Helms & Associates – runway reconstruction 1148.37, POOR: SDML Workers Comp-wc ins 10.14, NURSE: SDML Workers Comp – wc ins 56.90, AMBULANCE: Clark Ace Hardware -supplies 14.99, SDML Workers Comp – wc ins 8309.15, PUBLIC LIBRARY FUND: City of Clark – county library access 500.00, EXTENSION: SDML Workers Comp – wc ins 40.95, WEED: Clark Ace Hardware – supplies 4.99, SDML Workers Comp -wc ins 1772.25, ROAD & BRIDGE: Clark Ace Hardware – supplies 307.93, Clark Co Courier- help wanted 300.00, Northwestern Energy- utilities 71.32, SDML Workers Comp – wc ins 26,676.91, Sioux Rural Water -water 50.00, Ted Warkenthien – gravel royalties 170,663.58, CIVIL DEFENSE: SDML Workers Comp – wc ins 49.16, M&P RELIEF FUND: SDACO - $2.00 fee- 154.00. TOTAL: 216,439.41.

**PAYROLL**: COMMISSIONERS: 6550.51, AUDITOR: 4058.98, TREASURER: 4423.55, STATES ATTORNEY: 3086.24, PUBLIC BUILDINGS: 2041.47, DIRECTOR OF EQUALIZATION: 4763.18, REGISTER OF DEEDS: 3581.41, VETERANS OFFICER: 389.65, SHERIFF: 7585.02, POOR: 484.96 NURSE: 2203.12, AMBULANCE: 16,135.33, EXTENSION: 937.70, WEED: 733.83, PLANNING & ZONING: 325.30, ROAD & BRIDGE: 35,855.01, EMERGENCY & DISASTER: 1368.20. TOTAL: 94,523.46.

**ADJOURN**:  Motion by Hass, second by Schlagel to adjourn at 11:30 a.m. until next regular meeting Tuesday, February 1, 2022 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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