CLARK COUNTY COMMISSIONER PROCEEDINGS

May 17, 2022

The Clark County Commissioners met in regular session on Tuesday, May 17, 2022 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 Hass, second by Sass to approve the May 17, 2022 agenda. All voting aye. Motion carried.

**MINUTES**: Motion by Schlagel, second by Reints to approve the minutes of May 5, 2022 regular meeting. All voting aye. Motion carried.

**HIGHWAY:** HS Eggleston met with the board to discuss road conditions and work being done. He informed the board that load limits have been lifted as of May 17, 2022.

**FUEL QUOTE**: The board received fuel quotes for a one time delivery. Quotes were received on May 12, 2022. Diesel #2: Agwrx: 4.56, Clark Community Oil – 4.38, Vollan Oil – 4.46. The board accepted the low bid and all bids are on file in the Auditor’s office.

**CRP ACRES**: Motion by Hass, second by Sass to enroll the CRP contract for 30.8 acres in the SW ¼ 32-117-57 for ten years. All voting aye. Motion carried.

**COPY MACHINE LEASE**: Motion by Schlagel, second by Sass to approve copy machine lease with Office Peeps, Watertown SD, for a black and white copy machine. Lease price will be $80.62 per month and .0084 cents per copy with a minimum of 1500 copies per month. All voting aye. Motion carried.

**BOARD OF ADJUSTMENT**: Motion by Sass, second by Reints 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 and that Luke Muller from First District, will be serving as staff and parliamentarian support. Board member Schlagel asked that additional discussion on housing in an ag district be added to the agenda. No other 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 or Conflicts of Interest that the rest of the board needs to be aware of. Commissioner Hass excused himself from the Randall Hamann, Jr variance. The board then proceeded.

**APPROVE AGENDA**: Motion by Reints, second by Schlagel to approve the Board of Adjustment Agenda with the addition. All voting aye. Motion carried.

**CONDITIONAL USE**: The next agenda item is a variance request by Randall Hamann, Jr. for placement of a 1981 Type B Manufactured home on the property described as: The North 885 Feet of the West 505 Feet of the Northwest Quarter of Section 11, Township 116 North, Range 59 West of the 5th P.M. (Logan Township), Clark County, South Dakota. Motion by Schlagel, second by Sass to approve the request. Luke Muller gave report on this request. He discussed the age of the manufactured home, and number of residents per lot. He also informed the board the applicant has written approval from all neighbors. He also discussed the ordinance/variance regarding this request explaining current zoning ordinance establishes the maximum age of a manufacture home at the time it is moved in as 15 years from the date of manufacture. Commissioner Knock opened the public hearing. Present at the hearing: Gale Filipek and Wade McGraw at the Courthouse, Randy Hamann Jr. present via zoom. Gale Filipek spoke in favor of the variance. Randy Hamann, Jr spoke regarding the variance request with questions regarding the second dwelling on the property. Discussion was held with options that would be available.

Commissioner Knock asked for anyone wishing to speak as an opponent. Wade McGraw informed the board he was on the township board and had concerns about the age of the trailer. There being no further testimony Chairman Knock closed the public hearing. Board questions were addressed. Motion by Schlagel to request that the present dwelling be removed/destroyed and the hole filled in within one year of the manufactured home being placed on the property. Second by Sass. Voting aye: Schlagel, Sass, Reints and Knock. Abstain: Hass. Motion carried. Luke read the questions for the findings of fact relating to this request and restated the motion: The motion is to approve the variance to allow the proposed 41 year old manufactured home to be moved to the site with the amendment of present dwelling removed and hole filled within one year. Voting aye: Sass, Reints, Schlagel and Knock. Abstain: Hass. Motion carried.

The next item on the agenda is a request from Kingbrook Rural water System to operate a public utility and service structure, by conditional use, with variance to allow front yard setbacks of less than 100’ located on property, Bryant Booster Site Addition located in the Northeast Quarter of Section 20, Township 113 North, Range 56 West of the 5th P.M. Clark County, South Dakota (Washington Township.) Kingbrook is seeking to construct a pump station with structures 100’ from the centerlines of 193rd Street and 432nd Ave.

Motion by Schlagel, second by Reints to approve the conditional use. Luke discussed specifics of the request. The property will be used to construct a pump station with associated accessory structures, including two 31’ water tanks. He discussed minimum setbacks from the right of way. Commissioner Knock opened the public hearing. Reed Mahlke, Attorney appeared and spoke promoting the project. He addressed reasons for the variance. There was no further testimony and public hearing was closed. Board questions were addressed. Luke read the findings of fact relating to the conditional use permit. Luke then restated the motion: The motion is to approve the conditional use permit for a public utility structure subject to the conditions as read. Voting aye: Sass, Hass, Reints, Schlagel, Knock. Motion carried.

Motion by Reints, second by Sass to approve the front yard variances. There was no further discussion relating to the front yard variance. Luke read the findings of fact relating to the front yard variance. The board requested add to the findings that if the vote is yes the township has to approve the request as well. Voting aye: Reints. Voting nay: Sass, Hass, Schlagel and Knock. Motion failed.

**OPEN**: Discussion was held regarding housing an ag district. Luke discussed changing the ordinance to include different housing scenarios within the County.

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

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

AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER  
 Cash on hand…………………………………………..…… 638,440.86

Money Market…………………………..…………………4,516,669.57

CD’s…………..…………………………………………… 800,000.00  
Checking Account....…….……………………………… 5,076,965.37 TOTAL:……………..……………… …..……………… 11,032,075.80

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

$5,574,864.46, Road & Bridge: $1,737,893.08, 911 Service Fund: 72,664.43, ED: -2266.64, Domestic Abuse: 225.00, 24/7 –16,995.44, ROD Mod/Pres: $8305.44, American Rescue Plan Funds: 362,837.00, Rural Access Infrastructure fund: 57,878.26. County TIF: 21,684.18, **Trust & Agency Funds $3,180,995.15 which are funds returned to schools, towns, townships and special districts.** TOTAL: $11,032,075.80.

**ROD Fees**: April recording fees 2960.00, Transfer fees: 4167.50, Births: 15.00, Deaths: 85.00, Marriages – 0, Copy money: 67.00, Misc. 458.00. TOTAL: 7752.50.

**Ambulance**: 7,410.54, **Sheriff**: Mileage 109.00 Civil fees $400.00, Pistol permits $37.00.

**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: Cardmember Services – subscription fees 159.65, ELECTIONS: Cardmember Service- postage – 544.00, Election Systems and Software – thumb drives/ballots 2383.42, Office Peeps-supplies 24.85, JUDICIAL SYSTEM: Certified Languages – interpreter 49.50, AUDITOR: Cardmember Service-stamped envelopes 1049.60, Wageworks – cobra costs – 12.90, TREASURER: Cardmember Service – postage/envelopes 1965.60, STATES ATTORNEY: Prairie Lakes Healthcare – blood draw 85.00, Thomson Reuters-West Publishing – online/software subscription 415.01, PUBLIC BUILDINGS: City of Clark – water 98.05, Cook’s Wastepaper & Recycling – garbage 37.19, Northwestern Energy – utilities 2357.54, Quill Corporation – supplies 105.96, Star Laundry & Dry Cleaners – rugs – 47.88, DIRECTOR OF EQUALIZATION: Office Peeps- toner 127.50, REGISTER OF DEEDS: Toshiba Financial Services- copy machine rent 96.47, SHERIFF: Office Peeps-cartridges/supplies 70.73, PRISONER CARE: Codington Co Auditor - prisoner care 2950.00, Prairie Lakes Healthcare – prisoner ER treatment – 407.44, AIRPORT: Northwestern Energy – utilities 173.13, NURSE: Office Peeps – paper -54.60, AMBULANCE: AAA Collection – collection fees 16.15, Bound Tree Medical – supplies 250.52, City of Clark – water 72.45, Lewis Family Drug – supplies 62.00, Northwestern Energy - utilities 564.72, Star Laundry – laundry -15.36, EXTENSION: Cardmember Service – web cam/protection plan 69.97, Office Peeps – copier 124.72, Star Laundry – rugs 29.24, WEED: Agrasyst-herbicides 2187.20, City of Clark – water 56.85, Cook’s Wastepaper – garbage 49.44, LT’s Industrial Supply – surveyors vest 179.40, Midwest Service/Vollan Oil – fuel 2723.00, Northwestern Energy – utilities 245.15, Sturdevants – supplies 45.74, ROAD & BRIDGE: Aramark – towels 166.62, Avera Queen of Peace-drug testing 96.00, Bierschbach Equipment -parts 389.95, Brock White – mastic sealer/parts 30,032.64, City of Clark – water 72.45, Cook’s Wastepaper -garbage 49.44, Diesel Machinery - -parts 541.53, Fastenal Company-supplies 22.53, Gatehouse Media SD Holding – Farm Forum/ mower auction ads – 93.76, Northwestern Energy-utilities 1,429.18, Office Peeps-supplies 75.56, Pro Line Inc-parts 377.95, SDACC Office – registration 85.00, SDPAA- insurance for lease tractors 948.32, Sturdevant’s Auto Parts - supplies -1958.15. Westside Implement - 2 mowers 26,800.00, Wheelco – parts 458.93, 911 SERVICE: City of Watertown -911 surcharge 3112.37, REGISTER OF DEEDS: Microfilm Imaging Systems-software/scanner rent 250.00, MISC: Kenny Bell- overpaid on taxes 162.07. TOTAL: 87,414.57.

**PAYROLL**: AUDITOR: 5,674.10, TREASURER 5,129.60, STATES ATTORNEY: 5216.69, COURTHOUSE: 2752.27, DIRECTOR OF EQUALIZATION: 5402.89, REGISTER OF DEEDS: 3556.08, VETERAN SERVICE OFFICE: 389.65, SHERIFF: 8272.95, CORONER: 172.94, NURSE: 2132.98, AMBULANCE: 14,583.62, EXTENSION: 1492.85, WEED: 4268.90, ROAD & BRIDGE: 44,203.24, EMERGENCY & DISASTER: 1132.71. TOTAL: 104,384.47.

**ADJOURN**:  Motion by Schlagel, second by Hass to adjourn at 11:11 a.m. until next regular meeting Thursday, June 9, 2022. All voting aye. Motion carried.

ATTEST:

(SEAL)

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Christine Tarbox Wallace Knock, Chairman

Clark County Auditor Clark County Board of Commissioners

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