CLARK COUNTY COMMISSIONER PROCEEDINGS

January 17, 2023

The Clark County Commissioners met in regular session on Tuesday, January 17, 2023 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: Chris Sass, Francis Hass, Terry Schlagel, Sara Gjerde and Wallace Knock. Also present Auditor Tarbox.

**COMMUNITY COMMENTS**: No one appeared.

**EXECUTIVE SESSION:** Motion by Gjerde, second by Sass to enter into executive session at 8:05 a.m. according to SDCL 1-25-2 (1) for personnel issues. All voting aye. Motion carried. Chairman declared out at 8:36 a.m.

**AGENDA:** Motion by Schlagel, second by Hass to approve the January 17, 2023 agenda. All voting aye. Motion carried.

**MINUTES**: Motion by Sass, second by Gjerde to approve the minutes of January 3, 2023 regular meeting. All voting aye. Motion carried.

**EMERGENCY MANAGER:** EM Lewis met with the board to discuss the cost of repairs to the repeater in Willow Lake. He informed the board that he plans on applying for the Homeland Security Grant to cover the cost. Motion by Gjerde, second by Schlagel to allow EM Lewis to apply for grant dollars to cover the cost. All voting aye. Motion carried.

**EMERGENCY MANAGER**: Motion by Hass, second by Sass to approve and allow Chairman to sign the 1st Quarter single signature sheet. All voting aye. Motion carried. He also informed the board that there will be a Pre Disaster Mitigation meeting on January 31, 2023 at 1:00 p.m. at the Legion Hall.

**BOARD OF ADJUSTMENT**: Motion by Gjerde, second by Hass to recess as County Commission and Convene as Board of Adjustment. All voting aye. 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. There were no items to be added to the Agenda by the Board members or staff. No other citizens requested 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, there were none and the board proceeded.

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

The next agenda item includes a request by Pleasant Dutch Dairy for a 300’ variance to construct components of a manure digester 30’ from the 432nd Ave right of way. This will be located on their property described as: the South Half of the Southwest Quarter of Section 28, Township 114 North, Range 56 (Pleasant Township), Clark County, South Dakota. Motion by Hass, second by Sass to approve the request. Luke Muller with First District gave a report of the variance request. He informed the Board Pleasant Dutch Dairy is seeking to construct a manure digester with facilities 30’ east of 432nd Avenue right-of-way. He gave history regarding the site and discussed the specifics of the request. He also discussed the Ordinance and comprehensive land use plan regarding this request. Chairman Knock opened the public hearing. Dick Reints, Elliot DeJongh, Nick Vande Weerd were present at the Courthouse, present on the zoom meeting were John Legge, Ian Olson, Andy Dvoracek with Amp Americas, Sam Bramfield and Jeff Bowman. Elliot Dejongh spoke explaining the set back adjustments and why they were asking for them. He added he felt it will have a positive environmental and economic impact. He also explained the main factor for placement in chosen spot is the functionality of how the system will operate. Andy Dvoracek with AMP Americas spoke regarding the project. Nick Vande Weerd, owner of Pleasant Dutch Dairy, informed the board that they have numerous limitations as this is an existing facility, the dairy has grown, and the proposed site is best for moving the manure. Dick Reints spoke with concerns about the close proximity to the road. There being no further testimony, Chairman Knock closed the public hearing. Board questions were answered. Luke presented the findings of fact. Luke restated the motion: The motion is to approve the variance to allow construction 30’ east of the 432nd Avenue right-of-way. There was no further board discussion. Voting nay: Sass, Hass, Gjerde, Schlagel and Knock. Motion failed. There was nothing for the open and no other business.

**ADJOURN**: Motion by Gjerde, second by Sass to adjourn the Board of Adjustment and continue our County Commission agenda. All voting aye. Motion carried.

**SHOOTING RANGE**: Amon Kelley was unable to meet and rescheduled for February 7, 2023.

**AMBULANCE STAFF**: Randy Angermeier, Drey Riehe, Robert Koistinen, John Birnell, Jeremy Wellnitz and Justin Bowers met with the board requesting an increase in pay. They requested a 17% increase for all ambulance staff including EVOC drivers. They also requested change in pay schedule for attending special events. Motion by Schlagel to pay EMT/Paramedic staff $125.00 per person and $10.00/ hour after 3 hours to attend Rodeo and football games. Commissioner Schlagel rescinded this motion. Motion by Schlagel to pay EMT/ Paramedic staff $125.00 per person and $10.00/hour after 3 hours pay to attend special events. Second by Sass. All voting aye. Motion carried. Motion by Sass, second by Gjerde to pay EVOC Drivers $90.00 per 24 hour shift and $60.00 per run and $10.00 per hour after 3 hours. All voting aye. Motion carried. Staff also requested again that vacation pay be paid out. The board again denied the request as handbook states if vacation leave is not taken within the maximum time stipulated, it shall be forfeited, and no financial compensation may be paid. No action taken on the request for increase in pay.

Hass absent.

**DIVE & RESCUE**: Motion by Schlagel, second by Gjerde to approve the Memorandum of Understanding between Clark County and Codington County Dive and Rescue. Cost will be $1500.00. Clark County will receive assistance from Codington County if necessary. All voting aye. Motion carried.

**JAIL CONTRACT**: Motion by Sass, second by Gjerde to approve jail contract between Clark County and Beadle County. Cost per day will be $95.00. All voting aye. Motion carried.

**RESOLUTION 8-23**: Motion by Schlagel, second by Sass to approve the Werdel Second Addition Plat. All voting aye. Motion carried.

**RESOLUTION 8-23**

“BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, that the plat entitled**: “WERDEL SECOND ADDITION IN THE COUNTY OF CLARK, SOUTH DAKOTA, Located in the Northwest Quarter (NW ¼) of Section 32,**

**T117N, R57W of the 5th P.M., Clark County, South Dakota**”, which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, that plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated this 17th day of January, 2023.

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

Chairman, Board of County Commissioners

Clark County, South Dakota

ATTEST:

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

Clark County, South Dakota

**RESOLUTION 9-23**: Motion by Gjerde, second by Schlagel to approve the Froke Plat. All voting aye. Motion carried.

**RESOLUTION 9-23**

“BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, that the plat entitled**: “Froke Addition Located in the Southeast Quarter of Section 22, Township 114 North, R57W of the 5th P.M., Clark County, South Dakota**”, which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, that plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated this 17th day of January, 2023.

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

Chairman, Board of County Commissioners

Clark County, South Dakota

ATTEST:

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

Clark County, South Dakota

**RESOLUTION 10-23**: This plat was not finished, no action taken.

**CORRECTIONS TO 2023 SALARY SCHEDULE:** Motion by Schlagel, second by Sass to approve corrections to the 2023 Salary Schedule. Corrections consist of change to Deputy Stiefel- correct salary is $3809.26, change to Custodian Marx, correct salary is $3605.42. All voting aye. Motion carried.

**CONCERNED CITIZENS**: The board members received a letter from “concerned citizens” regarding speed limit on County Road #41, that leads to Black Claw. They have concerns about the increased traffic. The county had done a traffic report and in the minutes dated September 5, 2022, the issue had been addressed. A copy of the minutes as well as the traffic report was sent to the address of the “concerned citizens”.

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

AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER  
 Cash on hand…………………….., ………………..… 38,342.20

Money Market…………………………..………………… 4,625,488.70

CD’s…………..…………………………………………… 800,000.00  
Checking Account....…….……………………………… 1,208,375.13 TOTAL:……………..……………… …..……………… 6,672,206.03

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

$3,836,073.58, Restricted Cash General fund: 1,302,278.00, Road & Bridge: $860,670.69, 911 Service Fund: 67,822.21, ED: 9434.07, Domestic Abuse: 55.00, 24/7 –18,553.44, ROD Mod/Pres: $12,684.93, Rural Access Infrastructure fund: 218,174.41. County TIF: 13,667.82, **Trust & Agency Funds $332,791.88 which are funds returned to schools, towns, townships and special districts.** TOTAL: $6,672,206.03.

**ROD Fees**: August recording fees 1365.00, Transfer fees: 4127.00, Births: 30.00, Deaths: 80.00, Marriages – 45.00, Copy money: 98.00, Misc, 135.00. TOTAL: 5880.00.

**Ambulance**: 3243.48, **Sheriff**: Mileage 10.62 Civil fees $305.00.

**CLAIMS**: Motion by Sass, second by Schlagel to approve the following claims and allow the auditor to issue payment. All voting aye. Motion carried. GENERAL FUND: Medica – overpayment – 157.53, Medica Ins Co -refund 48.72, Medicare -refund 254.58, COMMISSIONERS: Ken’s Fairway – supplies/open house – 165.38, SDACO-website hosting fee -150.00, US Bank Voyager-fuel 40.45, AUDITOR: Cole Paper-paper – 17.70, Connecting Point -backup tapes 172.00, ITC-service 119.90, Office Peeps-1099/envelopes 33.85, Wageworks-cobra costs -12.90, TREASURER: ITC-service 46.26, STATES ATTORNEY: Cole Paper – paper 264.80, ITC-service 48.65, Thomson Reuters – online/software fees 427.46, PUBLIC BUILDINGS: City of Clark -water 134.17, Clark Ace Hardware-supplies 132.71, Cole Paper-supplies 162.18, Cook’s Wastepaper – garbage 41.25, ITC-service 79.86, NorthWestern Energy-utilities 3969.66, Star Laundry – rugs 47.88, DIRECTOR OF EQUALIZATION: ITC-service 76.19, Office Peeps-toner 145.00, REGISTER OF DEEDS: ITC-service 91.56, VETERANS OFFICER: ITC-services 50.18, SHERIFF: Clark Ace Hardware -supplies 12.98, Clark Community Oil – gas 742.18, Dacotah Bank – sheriff funds 50.00, ITC-service – 190.45, JB’s Repair – 163.00, US Bank Voyager – fuel-29.06, PRISONER CARE: Codington Co Auditor-prisoner care 5057.36, TANGO: Tango – Tango-fees – 11,420.00, AIRPORT: Clark Community Oil – gas 194.82, Clark Rural Water -water 35.00, Northwestern Energy - utilities 279.84, AMBULANCE: AAA Collections – 23.75, Bound Tree -supplies 1077.36, City of Clark – water 78.37, Clark Ace Hardware-supplies 33.98, Clark Community Oil – fuel 450.26, Commercial Lighting – led lights 152.30, Colleen Hohm-CPR training – 500.00, ITC-service 192.89, Ken’s Fairway – supplies 74.68, Lewis Family Drug-supplies 608.48, Northwestern Energy – utilities 764.02, ReEmployment Assistance-unemployment 45.09, Star Laundry – rugs 15.36, US Bank Voyager -fuel 39.69, MENTAL HEALTH CENTER: Human Service Agency-1st qrt appropriations 4183.25, MENTAL ILLNESS BOARD: Midwest Wellness Institute-psychiatric evaluation 2645.00, PUBLIC LIBRARY FUND: City of Clark – co library access 500.00, CULTURE & RECREATION: Glacial Lakes 2023 contribution 425.00, EXTENSION: ITC-service 122.94, Office Peeps-paper 49.15, Reemployment Assistance Division-unemployment 30.05, Star Laundry -laundry 29.24, WEED: Clark Community Oil – propane/tank rent 522.29, ITC-service 106.98, SD Assn of Weed -2023 dues 75.00, Weed and Pest Conference-training 340.00, ROAD & BRIDGE: Aramark – towels 108.88, City of Clark -water 133.94, Clark Ace Hardware – supplies 593.77, Clark Building Center – supplies 18.61, Clark Rural Water -gravel royalties 278.40, Cook’s Wastepaper-garbage 109.00, IMEG Corp -engineering fees 2970.00, Interstate Batteries-batteries 286.25, ITC-service 114.17, Lamb Motor Company – pickup-45,446.00, Menards -supplies 631.68, Moeller Sheet Metal-shop maintenance 89.95, MR Tikka Construction-shop repairs 2859.43, Northwestern Energy-utilities 3274.57, Office Peeps-supplies 7.93, Oscar’s Machine Shop-parts 167.32, RDO Equipment-parts/filters 4422.89, Reemployment -unemployment -75.15, SD LTAP-registration 125.00, Shur-Co LLC – parts 382.14, Sioux Rural Water-water 54.00, Sturdevants Auto-filters/supplies – 2550.44, Ted Warkenthien – gravel royalties 4112.94, Westside Implement – parts 1346.46, 911 SERVICE: City of Watertown -3107.96, ITC-service 145.23, CIVIL DEFENSE: Codington Co Search and Rescue - yearly fee 1500.00, ITC-service 50.38, Office Peeps-supplies 2.34, US Bank Voyager -fuel 41.32, REGISTER OF DEEDS: Microfilm Imaging Systems – software fees 1390.00, SALES TAX: SD Dept of Revenue – sales tax 5.77. TOTAL: 114,552.56.

**PAYROLL**: AUDITOR: 5563.56, TREASURER 5,317.34, STATES ATTORNEY: 4647.74, COURTHOUSE: 2849.83, DIRECTOR OF EQUALIZATION: 5590.69, REGISTER OF DEEDS: 3662.46, VETERAN SERVICE OFFICE: 409.14, SHERIFF: 13,612.85, CORONER: 181.58, NURSE: 1257.65, AMBULANCE: 13,303.54, EXTENSION: 1094.86, WEED-118.36, ROAD & BRIDGE: 46,452.91, EMERGENCY & DISASTER: 1068.12. TOTAL: 105,130.63.

**EXECUTIVE SESSION:** Motion by Sass, second by Schlagel to enter into executive session according to SDCL 1-25-2 (1) at 2:06 p.m. All voting aye. Motion carried. Chairman declared out at 2:37 p.m.

**ADJOURN**:  Motion by Schlagel, second by Sass to adjourn at 2:38 p.m. until next regular meeting Tuesday, February 7, 2023. All voting aye. Motion carried.

ATTEST:

(SEAL)

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Christine Tarbox Wallace Knock, Chairman

Clark County Auditor Clark County Board of Commissioners

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