CLARK COUNTY COMMISSIONER PROCEEDINGS

February 21, 2023

The Clark County Commissioners met in regular session on Tuesday, February 21, 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.

**AGENDA:** Motion by Sass, second by Hass to approve the February 21, 2023 agenda. All voting aye. Motion carried.

**MINUTES**: Motion by Schlagel, second by Gjerde to approve the minutes of February 7, 2023 regular meeting. All voting aye. Motion carried.

**MINUTES**: Motion by Gjerde, second by Sass to approve addendum to January 17, 2023 minutes. All voting aye. Motion carried.

**EMERGENCY MANAGER:** Motion by Schlagel, second by Gjerde to allow EM Lewis to apply for grant dollars that would cover costs of a repeater for City of Clark. Estimated cost of this project is $30,402.74, also to apply for grant to purchase 6 radios, cost of $24,403.74. Six radios will provide one to each fire department within Clark County. All voting aye. Motion carried. EM Lewis also informed the board he will be presenting a Storm Spotter class on March 22, 2023 at the Ullyott Building, City Hall in Clark from 6:00 p.m. to 8:00 p.m. He stated he has had interest in a TIMS class and will inform the board when it is scheduled.

**SHOOTING RANGE**: Amon Kelley met with the board via a telephone call. He spoke to the board about establishing a shooting range in Clark County. He stated he has been in contact with Game Fish and Parks and they informed him they will finance the shooting range up to a certain percentage. He has established a 501C3 and other requirements of the Game Fish and Parks. He told the board he just needs County approval to pursue the issue. He will work to secure property for the range to be placed and report back to the board at an upcoming meeting. Ron Bursch was also present.

**BOARD OF ADJUSTMENT**: Motion by Haas, second by Sass 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 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 Gjerde, second by Schlagel to approve the Board of Adjustment Agenda. All voting aye. Motion carried.

The next agenda item includes a request by Kevin Koski on property owned by Steven Wendling described as: the North 556.5 feet of the East 724 Feet of the Northeast Quarter of Section 23 Township 113 North, Range 56 West of the 5th P.M. (Washington Township), Clark County, South Dakota. A Conditional Use permit and Variances to operate a seed sales business in a structure less than 100’ from the Highway 28 right of way. Motion by Sass, second by Schlagel to approve the conditional use request. Luke Muller with First District gave a report of the conditional use request, including location purpose and setbacks. He also pointed out that this conditional use request is limited to the specific use of Commercial Seed Sales and Storage and associated accessory uses. This vote will be for the Conditional Use permit only. Commissioner Knock opened the public hearing. There was no one present to comment on behalf of the applicant. Commissioner Knock opened the hearing for further public testimony. There was none. Luke informed the board he had a phone call from Roxy Kerkvliet with concerns about the use of the site. There was no other public input. Commissioner Knock closed the public hearing. Board discussion was held and questions were addressed. Luke presented the findings of fact and restated the motion. The motion is to approve the conditional use permit to operate a seed sales warehouse, a seed sales business on the above two acre property. There was no further board discussion. Voting aye: Sass, Hass, Gjerde, Schlagel and Knock. Motion passed.

**VARIANCE**: Motion by Gjerde, second by Schlagel to approve the front yard variance. There was no further discussion related to the front yard setbacks. Luke asked the questions for the findings of fact relating to the front yard variance. Luke restated the motion: The motion is to approve the front yard variance to allow construction to occur 60’ from the Highway 28 right-of-way. Voting nay: Sass, Hass, Gjerde, Schlagel and Knock. Motion failed. There was nothing for the open and no other business.

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

**SET DATE**: The board agreed to set April 4, 2023 at 9:00 a.m. to address March and April Board of Adjustment items.

**COUNTY ROAD 17**: Adam Polley with IMEG and Toby Morris met with the board to discuss County Road 17, Carpenter road. Also present Blair Arne, Alex Hohertz with Riverview and Ty Helkenn. Adam presented costs projections for the work. He explained how the price has increased significantly since August of last year. He also discussed other options to repair the road. Toby Morris explained the funding currently available. The board asked for additional cost estimates for repair of certain portions of the road. Adam will report back to the board at the next meeting.

**COURTHOUSE REPAIRS**: Representatives from JDH Tiffany Hannasch and Jack Hollinsworth met with the board to break down the costs for the repairs to third floor of the courthouse. They provided photos and detailed explanations of proposed improvements and costs. Work will be coordinated with third floor offices and dates will be determined. Proposed costs is $87,850, change orders will be presented if changes are required. Motion by Sass, second by Gjerde to accept the proposal. All voting aye. Motion carried.

**STATE AUDITOR**: Brandi Pitts, State Auditor rescheduled due to the weather.

**CONCERNED CITIZENS**: The board discussed the letter received from concerned citizens regarding reducing speed limit on County Highway No 41, county road leading to Black Claw. No action warranted.

**SUMMIT CARBON UTILITY PERMITS**: The board discussed the utility permits that have been presented by Summit Carbon Pipeline. The board requested additional information to discuss at a later date.

**ROAD BORING**: The board discussed fees for boring roads. SA Fjelland will create an ordinance to set fees that would include tiling. Discussion will continue at next meeting.

**AMBULANCE FEES**: Motion by Schlagel, second by Sass to increase all load fees by $100.00, ALS -emergent $750, ALS II-1100.00, BLS emergent $650.00, BLS non emergent 600.00, add oxygen use $30.00 and Starting IV $30.00 also increase mileage to $15.00 per mile with fees being effective March 1, 2023. All voting aye. Motion carried.

**SIOUX VALLEY MEETING**: The board was informed of the Sioux Valley meeting that will be hosted by Hamlin County on March 15, 2023 in Bryant, SD.

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

AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER  
 Cash on hand…………………….., ………………..… 56,236.34

Money Market…………………………..………………… 4,629,543.91

CD’s…………..…………………………………………… 800,000.00  
Checking Account....…….……………………………… 1,576,441.77 TOTAL:……………..……………… …..……………… 7,062,222.02

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

$3,833,690.06, Restricted Cash General fund: 1,302,278.00, Road & Bridge: $926,882.95,

911 Service Fund: 67,720.36, ED: 5601.28, Domestic Abuse: 55.00, 24/7 –18,553.44, ROD Mod/Pres: $11,507.93, Rural Access Infrastructure fund: 218,174.41. County TIF: 13,667.82, **Trust & Agency Funds $663,090.77 which are funds returned to schools, towns, townships and special districts.** TOTAL: $7,062,222.02.

**ROD Fees**: August recording fees 1835.00, Transfer fees: 1388.50, Births: 55.00, Deaths: 150.00, Marriages – 30.00, Copy money: 67.00, Misc, 183.00. TOTAL: 3708.50.

**Ambulance**: 12,325.02, **Sheriff**: Mileage 27.14 Civil fees $635.00.

**CLAIMS**: Motion by Gjerde, second by Sass to approve the following claims and allow the Auditor to issue payment. All voting aye. Motion carried. JUROR FEES: 893.56, GENERAL FUND: AT&T Communications – refund 2022 tax 22.60, JUDICIAL SYSTEM: Certified Languages International – interpreter 21.45, AUDITOR: Office Peeps-envelopes 96.18, Wageworks-cobra costs 12.90, TREASURER: Cardmember Service-supplies 1457.50, COURT: Bratland Law-court appt atty – 779.10, PUBLIC BUILDINGS: City of Clark -water 78.37, Cook’s Wastepaper – garbage fees 41.25, Northwestern Energy – utilities 3408.97, DIRECTOR OF EQUALIZATION: Cardmember Services-stamped envelopes 2269.00, Office Peeps – printer 1705.44, PRISONER CARE: Codington CO Auditor – prisoner care 3150.42, AIRPORT: Northwestern Energy – utilities 209.50, AMBULANCE: AAA collection – collection fees 36.25, Bound Tree Medical LLC supplies 456.45, Cardmember Services- fees 51.26, City of Clark -water 84.07, Commercial Lighting – lights 297.23, Northwestern Energy- utilities 723.40, Office Peeps – toner 190.78, EXTENSION: Office Peeps – copy machine rent 74.55, ROAD & BRIDGE: Aramark – towels 360.97, Avera Occupational Medicine – drug/alcohol testing 119.00, Cardmember Service – supplies/fuel 1094.69, City of Clark-water 133.94, Cook’s Wastepaper – garbage 109.00, IMEG – County road 33 Road haul analysis -3780.00, Menards – supplies 784.43, Northwestern Energy – utilities 3078.23, Sign Solutions – signs 285.92, Two Way Solutions -radio install 955.89, 911 SERVICE: City of Watertown – 911 surcharge 3186.30, CIVIL DEFENSE: Cagley Smith Legion Post-rent of Legion Hall 125.00, Office Peeps – supplies 12.12, REGISTER OF DEEDS: Microfilm Imaging Systems -software/scanner rent – 250.00. TOTAL: 30,335.72.

**PAYROLL**: AUDITOR: 5563.60, TREASURER 5,317.40, STATES ATTORNEY: 4647.77, COURTHOUSE: 2849.85, DIRECTOR OF EQUALIZATION: 5590.72, REGISTER OF DEEDS: 3901.45, VETERAN SERVICE OFFICE: 409.13, SHERIFF: 9161.57, NURSE: 977.66, AMBULANCE: 12,339.52, EXTENSION: 1653.35, WEED-1650.71, ROAD & BRIDGE: 44,072.77, EMERGENCY & DISASTER: 1068.13. TOTAL: 99,206.63.

**ADJOURN**:  Motion by Schlagel, second by Hass to adjourn at 2:15 p.m. until next regular meeting Tuesday, March 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

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