CLARK COUNTY COMMISSIONER PROCEEDINGS

July 18, 2023

The Clark County Commissioners met in regular session on Tuesday, July 18, 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, Sara Gjerde, Terry Schlagel and Wallace Knock. Auditor Tarbox also present.

**COMMUNITY COMMENTS**: No one appeared.

**AGENDA:** Motion by Gjerde, second by Sass to approve the July 18, 2023 agenda. All voting aye. Motion carried.

**MINUTES**: Motion by Hass, second by Schlagel to approve the minutes of the regular meeting of July 6, 2023. All voting aye. Motion carried.

**COUNTY ROAD #:** Richard Anderson and Marty Mack with Mack Land Surveying, met with the board to discuss rebuilding County Road #55. Also present Doug Paulson and HS Eggleston. SA Fjelland also present via zoom. Mr. Anderson requests permission to rebuild County Road #55 which will create more shoreline property south of his residence. SA Fjelland discussed the process to complete the project. Mr. Anderson and Mr. Mack will return with the requested paperwork.

**TILING**: Jim Orris met with the board requesting permission to cut into County road #61 to place tile. He explained cutting is quicker and cleaner than boring and also discussed the cost difference. The board discussed concerns of road conditions afterwards if a cut is completed versus a bore under the road. The board requested a bore rather than a cut.

**COUNTY COMMISSION AND PLANNING COMMISSION JOINTLY**: Motion by Gjerde, second by Sass to recess as County Commission and Convene as County Commission and Planning Commission. All voting aye. Motion carried.

Commissioner Knock called the meeting of the Clark County Planning Commission and Board of Commissioners 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. Luke Muller present via zoom. There are no items to be added to the Agenda by the Board members or staff. Chairman Knock extended an invitation for citizens to schedule time on the Planning Commission and Commissioners to schedule time on the agenda for an item not listed under the Planning Commission portion. There were none. Chairman Knock asked Board members if there were any Ex parte Communications or potential 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 Planning Commission and County Commission Agenda. All voting aye. Motion carried.

The next agenda item is a public hearing on proposed ordinance 01-23. This is an amendment to remove the Natural Resources District. Motion by Schlagel, second by Sass acting as the Planning Commission to recommend approval of Ordinance 01-23 to the Clark County Board of County Commissioners. Luke gave report as to the purpose of the Ordinance. An Ordinance amending Article II District Regulations by removing Chapter 2.06 “NR” Natural Resources District. Chairman Knock opened the public hearing on this item. There was no one present and public hearing was closed. Board members questions were answered. Luke restated the motion: The motion is to recommend approval, with members acting as the Planning Commission, of Ordinance 01-23 eliminating the Natural Resources District. Voting aye: Sass, Hass, Gjerde, Schlagel and Knock. Motion carried.

Luke performed the first reading of Ordinance 01-23. This is the first reading of ORDINANCE 01-23, AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND ARTICLE II (DISTRICT REGULATIONS) OF THE ZONING ORDINANCE OF CLARK COUNTY ADOPTED BY ORDINANCE 01-14, AS AMENDED. That concludes the first reading of Ordinance 01-23. Second reading will be held on August 1, 2023.

**ORDINANCE 02-23:** The next agenda item is a public hearing on proposed ordinance 02-23. This is an amendment to replace our current zoning map and rezone a few properties to “Ag” so those properties can continue to get building permits or continue farming. Motion by Sass, second by Schlagel acting as the Planning Commission to recommend approve of Ordinance 02-23 to the Clark County Board of County Commissioners. Luke presented a brief overview of the map, listing of properties to be rezoned and why they are being rezoned. Ordinance 2-23 will amend Section 1.03.01 Official Zoning Map, or Ordinance 1-14, an ordinance amending Ordinance 03-03, an ordinance establishing zoning regulations for Clark County, South Dakota, as amended by replacing the Official Zoning map and rezoning certain real property. Chairman Knock opened the public hearing. No one was present to speak and the public hearing was closed. The board discussed the issue and Chairman Knock asked Luke to restate the motion. The motion is to recommend approval of the ordinance replacing the zoning map and rezoning certain property that we referenced from CI to Ag. Board discussion was held. Voting aye: Sass, Hass, Gjerde, Schlagel, Knock. Motion carried.

With recommendation from the Planning Commission Luke proceeded with the First Reading of Ordinance 02-23 by title. This is the First Reading of ORDINANCE 02-23, AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND AND REPLACE THE OFFICIAL ZONING MAP OF THE ZONING ORDINANCE OF CLARK COUNTY ADOPTED BY ORDINANCE 01-14, AS AMENDED. The second reading and action on this will occur at the August 1, 2023 meeting.

**OTHER DISCUSSION**: DOE Reidburn discussed the section of the Ordinance dealing with only one structure permitted per parcel. Question of removing that requirement needs to be addressed. Further discussion will follow at the August 15, 2023 meeting.

**ADJOURN**: Motion by Schlagel, second by Gjerde to adjourn as the Planning Commission and continue our County Commission agenda. All voting aye. Motion carried.

**VACATE ROADWAY:** Motion by Schlagel, second by Gjerde to approve and allow Chairman to sign request to vacate an alley within the City of Willow Lake. Clark County shares adjoining land to this property. Property is the alley adjacent to Lots 1-2 and Lots 13-14, Block 19 of the Original Plat of the City of Willow Lake. All voting aye. Motion carried.

**AMBULANCE**: Motion by Gjerde, second by Hass to add Tanner Angermeier as an EVOC driver. All voting aye. Motion carried. Ambulance Administrator Angermeier also informed the board that he will be keeping the third life pak as a backup for Clark County. Prior discussion was too surplus and sell the device.

**AMBULANCE:** Motion by Gjerde, second by Knock to charge the High School 4-H rodeo the labor expense incurred for ambulance staff to be physically present at the rodeo. Voting aye: Gjerde, Sass, Knock and Sass. Voting nay: Schlagel. Motion carried.

**AIRPORT LEASE:** Motion by Schlagel, second by Sass to approve airport lease, for Hangars 5 and 10, between Clark County and Agtegra Cooperative. All voting aye. Motion carried.

**EXECUTIVE SESSION**: Motion by Schlagel, second by Sass to enter into executive session, according to SDCL 1-25-2 (1), at 11:08 a.m. to discuss personnel issue. Also present Tracy Aguayo and States Attorney Fjelland. Chairman declared out at 12:21 p.m.

**CLAIMS**: Motion by Sass, second by Schlagel to approve the following claims and allow the Auditor to issue payment. All voting aye. Motion carried. AUDITOR: Connecting Point – trend micro backup 272.00, ITC -service 132.67, Thomson Reuters-West Publishing-codified law books/court rules 278.99, Wageworks-cobra costs 12.90, TREASURER: Cardmember Service -supplies 11.48, ITC-service 52.48, STATES ATTORNEY: Department of Health – blood draw-40.00, ITC-service 49.99, Thomson Reuters-West Publishing codified laws/court rules 1055.98, COURT: Socia Law -court appointed attorney 844.04, PUBLIC BUILDINGS: City of Clark – water 162.97, Clark Community Oil – gas 6.55, Cook’s Wastepaper – garbage 40.75, ITC-service 79.02, Northwestern Energy – utilities 1389.79, Star Laundry – rugs 49.96, DIRECTOR OF EQUALIZATION: ITC-service – 60.93, Thomson Reuters SD Codified laws 49.98, REGISTER OF DEEDS: ITC-service 99.18, VETERANS OFFICER: ITC-service 44.15, SHERIFF: Cardmember Service – thermal paper 165.60, Clark Community Oil – fuel 1012.23, ITC-service 189.29, CORONER: Sanford Health Network – autopsy 2475.00, AIRPORT: Northwestern Energy – utilities 189.01, NURSE: Cardmember service – baby gates 106.30, AMBULANCE: AAA Collections – collection fees 25.00, Bound Tree Medical-supplies 362.16, City of Clark – water 84.07, Clark Community Oil – fuel 326.81, ITC-service 84.83, Ken’s Fairway – supplies 73.35, Lake Grocery -supplies 13.98, Northwestern Energy – utilities 294.65, Reemployment Assistance Division -2nd quarter unemployment – 131.21, Star Laundry – rugs 15.98, SOC SERV FOR AGED: Inter-Lakes Comm Action – comm service worker/July – 1603.42, MENTAL ILLNESS BOARD: Dean Schaefer Court Reporting-services 36.00, EXTENSION: City of Clark – water bill 378.97, ITC-service 130.15, Office Peeps – copy machine rent/paper – 180.28, Star Laundry – rugs 30.40, WEED: City of Clark – water 66.97, Cook’s Wastepaper -garbage 54.75, ITC-service 107.48, Menards – supplies 26.48, Northwestern Energy – utilities 124.89, Reemployment Assistance Division – 2nd qtr unemployment 87.48, Van Diest Supply -herbicides – 2497.50, PLANNING & ZONING: First District Assn of Local Gov – 2nd quarter fees – 1893.78, ROAD & BRIDGE: 212 Truck and Trailer Repair -outside repair – 573.20, Asphalt Paving & Materials – hot mix/paver patching 643,988.65, Banner Associates – box culvert 1410.00, Cardmember Service-office supplies 26.77, City of Clark -water 66.97, Clark Community Oil – propane-72.00, Cook’s Wastepaper -garbage 54.75, Foerster Testing Limited – bridge #13-020-230--$3312.50, IMEG Consultants Corp-CR 38 design 4000.00, ITC-service 124.48, Menards – janitorial supplies 49.47, Northwestern Energy – utilities 940.17, Office Peeps-office supplies 25.51, Oscar’s Machine Shop – parts 17.68, Reemployment Assistance Division – 2nd qtr unemployment 218.70, Star Laundry – towels 37.50, 911 SERVICE – City of Watertown – 911 surcharge 3109.51, ITC-service 145.23, CIVIL DEFENSE: ITC-service 49.96. TOTAL: 675,724.88.

**PAYROLL**: AUDITOR: 5564.44, TREASURER 5242.08, STATES ATTORNEY: 4648.60, COURTHOUSE: 2850.27, DIRECTOR OF EQUALIZATION: 5591.56, REGISTER OF DEEDS: 3557.72, VETERAN SERVICE OFFICE: 409.13, SHERIFF: 9283.37, NURSE: 1063.26, AMBULANCE: 11,482.06, EXTENSION: 1157.10, WEED: 3723.97, ROAD & BRIDGE: 43,151.48, EMERGENCY & DISASTER: 1068.13. TOTAL: 98,793.17.

Sass absent.

**EMERGENCY MANAGEMENT**: Motion by Gjerde, second by Schlagel to approve and allow Chairman to sign the single signature report for 3rd quarter 2023. All voting aye. Motion carried.

**RESOLUTION 20-23**: Motion by Hass, second by Gjerde to approve Resolution 20-23 to continue support for First District Association of Local Government for Fiscal Year 2024. All voting aye. Motion carried.

RESOLUTION 20-23

RESOLUTION TO CONTINUE SUPPORT FOR THE  
FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS  
DURING FISCAL YEAR 2024

(October 1, 2023 – September 30, 2024)

The Clark County Board of County Commissioners, having adopted and signed a Joint Cooperative Agreement on the 8th day of June, 1972, creating the First Planning and Development District, Model Rural Development Program, do hereby agree to renew their participation in the Joint Cooperative Agreement for FISCAL YEAR 2024 (October 1, 2023 -September 30, 2024). To support the Joint Cooperative Agreement and the activities of the District staff, the Clark County Board of County Commissioners will provide $11,767.75 to the First District Association of Local Governments during the aforementioned FISCAL YEAR 2024 period.

ADOPTION:  
 Adopted this 18th day of July, 2023

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

Chairman

Clark County Commission

ATTEST:   
/s/ Christine Tarbox\_\_\_\_\_

Clark County Auditor

/s/ Todd Kays\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

First District Association of Local Governments.

**JUNK:** Motion by Gjerde, second by Schlagel to junk multiple computer towers, monitors, keyboards, calculators and scanners as equipment no longer functional. Equipment is from Sheriff, States Attorney, Auditor and Treasurer offices. List of equipment is on file in the Auditor’s office. All voting aye. Motion carried.

**BUDGET:** The board spent time discussing the 2024 provisional budget.

**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…………………….., ………………..… 1,314,592.92

Money Market…………………………..………………… 5,347,680.64

CD’s…………..…………………………………………… 800,000.00  
Checking Account…………….………………………… 947,983.61 TOTAL:……………..……………… …..……………… 8,410,257.17

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

$5,202,216.68, Restricted Cash General fund: 1,302,278.00, Road & Bridge: $913,671.51,

911 Service Fund: 67,183.87, ED: **-**15,851.75, Domestic Abuse: 255.00, 24/7 –$19,443.94, ROD Mod/Pres: $6053.93, Rural Access Infrastructure fund: 218,174.41. County TIF: 262,535.10. **Trust & Agency Funds $434,296.48 which are funds returned to schools, towns, townships and special districts.** TOTAL: $8,410,257.17.

**ROD Fees**: May recording fees 2360.00, Transfer fees: 3742.00, Births: 40.00, Deaths: 150.00, Marriages – 45.00, Copy money: 67.00, Misc, 205.00. TOTAL: 6609.00.

**Ambulance**: 14,165.07, **Sheriff**: Mileage- $65.07, Civil fees $300.00.

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**ADJOURN**:  Motion by Schlagel, second by Gjerde to adjourn at 12:36 p.m. until next regular meeting Tuesday, August 1, 2023. All voting aye. Motion carried.

ATTEST:

(SEAL)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                              
Christine Tarbox Wallace Knock, Chairman

Clark County Auditor Clark County Board of Commissioners

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