CLARK COUNTY COMMISSIONER PROCEEDINGS
December 5, 2023

The Clark County Commissioners met in regular session on Tuesday, December 5, 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. Also present Auditor Tarbox.

**COMMUNITY COMMENTS**: Russ Hurlbert attended with questions regarding the Solar Farm Ordinance. Chairman Knock explained the board is in initial stages of adding Solar Farm regulations to Planning and Zoning.

**AGENDA**: Motion by Hass, second by Gjerde to approve agenda for December 5, 2023. All voting aye. Motion carried.

**MINUTES:**  Motion by Schlagel, second by Sass to approve the minutes of the regular meeting November 21, 2023. Addition to the minutes clarifying salary. Ambulance staff salaries were addressed at meeting on November 9, 2023. All voting aye. Motion carried.

**HIGHWAY**: At 8:10 a.m. sale of 2005 Ford Crown Vic was conducted on the Courthouse first floor. The 2005 Crown Vic was sold for $450.00.

**TAX DEED SALE**: Tax Deed Sale was conducted on the First Floor of the Clark County Courthouse. Parcels sold include: Lots 5 & 12 Block 1 Eggens Addition to the Town of Vienna, Clark County, South Dakota. Purchased by Bison Farms, purchase price $2100.00, Lots 4 & 5 Block 21 Original to the City of Willow Lake, Clark County, South Dakota. Purchased by Jack Schmidt, purchase price $4800.00, W ½ of Lot 5 and All of Lot 6, Block 3 Harts Addition to the Town of Bradley, Clark County, South Dakota. Purchased by Jerry Caulfield, purchase price $300.00. S1/2 of Lot 3 and All of Lot 4 Block 1 Bailey Addition to the Town of Garden City, Clark County, South Dakota. Purchased by Michael Deaner, purchase price was $300.00. Lots 1-3 Phillips Subdiv of Outlots E & F to the Town of Raymond, Clark County, South Dakota. Purchased by Gene Bethke, purchase price was $9,000.00. Lot 15 Block 18 Original to the City of Willow Lake, Clark County, South Dakota. Purchased by Cory Bratland, purchase price $200.00. W 80’ of N 130’ of Lot 5 Subdiv of OL 55 to the City of Willow Lake, Clark County, South Dakota. Purchased by Charles and Marlene Schuelke, purchase price $400.00. Except N 42’ of Lots 10-14 Block 5 Haywards Addition to the Town of Garden City, Clark County, South Dakota. Purchased by Jay Foster, purchase price was $900.00.

**VETERAN SERVICE OFFICER**: VSO Lewis met with the board requesting purchase of a new computer. Motion by Schlagel, second by Hass to approve the purchase. Total cost for equipment and set up will be $2,240.60 and will be purchased from Connecting Point. All voting aye. Motion carried.

**EXECUTIVE SESSION**: Motion by Schlagel, second by Sass to enter into executive session at 9:04 a.m. according to SDCL 1-25-2 (1) to discuss personnel issues. Also present SA Fjelland, and Auditor Tarbox. Chairman declared out of executive session at 9:35 a.m.

**HEARING**: At 9:35 a.m. Hearing to vacate portion of County Road 55 was held. Others present SA Fjelland, Richard Anderson and Doug Paulson. Chairman Knock opened the public hearing. There were no proponent speakers. Opponent: Doug Paulson informed the board he was against vacating the road as he feels the road is in the best location and highest ground and has been there for 28 years. No other public comments and Chairman Knock closed the public hearing. Commissioner questions were addressed. Motion by Sass, second by Schlagel to approve Resolution 26-23 and approve vacation of portion of County Road 55 described. All voting aye. Motion carried.

  RESOLUTION 26-23

 WHEREAS, a petition having been received asking for the vacation of the following described County highway, described as follows, to-wit:

 **That portion of County Road 55 that the Commission voted to extend to its**

 **Inventory during its May 7, 2019, meeting, described in those meeting minutes**

 **As, “1800 feet (of) County Road 55 to the south/southeast on existing**

 **Gravel road. This addition is in Section 13, Woodland Township.”**

 **This road is located in the Northwest Quarter (NW ¼) of Section Thirteen**

 **(13), Township One Hundred Eighteen (118) North, Range Fifty-**

 **Eight (58) West of the 5th P.M., Clark County, South Dakota;**

And further, said petition being in proper form and executed by the required number of voters of Clark County, South Dakota; and further, it having been determined that the vacation of said highway will better serve the public convenience and interest; and further that this hearing having come on at a regular meeting of the Clark County Commission, and said Board of Commissioners having considered the matter and being fully advised in the premises and considering it expeditiously advisable to do so;

 NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY ORDERED:

 **That the County highway described as:**

 **That portion of County Road 55 that the Commission voted to extend**

 **To its inventory during its May 7, 2019, meeting, described**

**in those meeting minutes as, “1800 feet (of) County Road 55 to the**

 **south/southeast on existing gravel road. This addition is in Section 13,**

 **Woodland Township.”**

 **This road is located in the Northwest Quarter (NW ¼ ) of Section**

 **Thirteen (13), Township One Hundred Eighteen (118) North, Range**

 **Fifty-Eight (58) West of the 5th P.M., Clark County, South Dakota;**

Be, and the same is hereby declared to be vacated; and further that a copy of this Resolution and Order be spread in the minutes of Clark County, South Dakota.

 IT IS FURTHER ORDERED that said Resolution shall be published in the Clark County Courier once each week for two (2) consecutive weeks, and that after such publication, such highway shall be, after a lapse of thirty (30) days, vacated without further proceedings unless appealed; and that the County Auditor is further ordered and directed to cause to be recorded a true and correct copy of this Resolution and Order in the office of the Register of Deeds in and for Clark County, South Dakota.

Adopted this 5th day of December, 2023.

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

 Chairman, Board of County Commissioners

 Clark County, South Dakota

ATTEST:

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

County Auditor

Clark County, South Dakota

**HIGHWAY**: Adam Polley with IMEG Corp presented the bids for County Road #38. The following:

Contractor – Base Bid + Alternate A Base bid + Alternate B

Halme, Inc $1,211,038.82 No bid

Basin Construction $1,221,814.03 $1,667,026.71

Midland Contracting $1,264,361.46 No bid

J & J Earthworks $1,460,685.50 $1,860,490.63

Duininck, Inc $1,538,505.73 $2,069,141.61

Motion by Sass, second by Hass to accept low bid of Halme, Inc for Base Bid + Alternate A in the amount of $1,211,038.82. All voting aye. Motion carried.

**HIGHWAY**: Motion by Schlagel, second by Hass to call for bids for County Road #17 (Carpenter Road). Bids shall be prepared and submitted in accordance with the Bidding Documents. The bids will be opened on Wednesday the 10th of January, 2024 and presented at a subsequent Clark County Commissioner meeting. All voting aye. Motion carried.

**AIRPORT**: Cory Helms with Helms Engineering met with the board to discuss requests for projects at the airport. The fueling station was not on Clark County Airport Layout Plan, therefore; the County has to advertise for professional services. Motion by Hass, second by Gjerde to allow staff to advertise for professional services with regards to the project specific for the fueling station at Clark County Airport. All voting aye. Motion carried.

**AIRPORT**: Motion by Gjerde, second by Schlagel to increase Airport Hangar rent to $0.12 per square foot of building size with a 2% per year escalator on a five year lease. Airport leases expire February 2024 and will renew at that time. Staff will inform lease holders of the change in terms. All voting aye. Motion carried.

**LIQUOR LICENSE**: Motion by Gjerde, second by Schlagel to approve liquor license for 2024 for Crocker Hills Bar and Grill. Owner is Melissa Lehna. All voting aye. Motion carried.

**SOLAR FARM ORDINANCE**: The board discussed the proposed Solar Farm Ordinance for Clark County.

**FLOOD PLANE ORDINANCE 3-23:** Motion by Sass, second by Hass to approve Clark County Flood Plan Ordinance 3-23. Chairman Knock performed the second reading. The complete Ordinance is on file in the Auditor’s office for public inspection. All voting aye. Motion carried.

**NOTIFICATIONS**: WD Tarbox presented notification of hospitalization.

**AMBULANCE**: Motion by Schlagel, second by Sass to approve EMT Brogan Dehne for Clark County Ambulance staff. All voting aye. Motion carried.

**CLAIMS**: Motion by Schlagel, second by Gjerde to approve the following claims and allow Auditor to issue payments. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier –proceedings 390.38, Kim McGraw – wash van – 14.84, AUDITOR: Department of the Treasury - IRS fees 678.26, ITC-service 134.70, Office Peeps – legal pads/ correction tape/cartridge – 254.86, TREASURER: Clark Co Courier – sale of surplus property ad – 38.84, ITC – service 55.98, McLeods – checks 119.90, Office Peeps – ink refill 18.21, STATES ATTORNEY: ITC-service 52.84, Thomson Reuters -West Publishing – online/software 540.28, COURT SYSTEM: Green, Roby, Oviatt, Cummings – court appt atty – 1054.50, PUBLIC BUILDINGS: Clark Ace Hardware -supplies – 379.65, Culligan – water 150.50, ITC-service 80.32, DIRECTOR OF EQUALIZATION: ITC-service 67.82, REGISTER OF DEEDS: Great America Financial Service -copy machine rent 94.48, ITC-service 92.77, Office Peeps – supplies 340.72, Quill – paper /supplies 99.91, VETERANS OFFICER: ITC-service 42.98, PREDATORY ANIMAL: Foxton Township – gopher rebate reimbursement –742.00, Pleasant Township – gopher rebate reimbursement -218.00, SHERIFF: AT&T Mobility – service 256.94, Clark Ace Hardware -supplies 26.99, Cross Country Vet – boarding fees – 1265.75, FEDEX – services 18.08, ITC-service 197.88, JB’s Repair – 2023 Tahoe oil change/filter – 96.50, SD Sheriff’s Assn – annual dues 615.11, WW Tire – oil change 101.60, AIRPORT: Clark Rural Water System – water 35.00, AMBULANCE: 212 Truck and Trailer Repairs – check unit/all fluid levels 71.95, A-Ox Welding - oxygen 24.12, AT&T Mobility – service – 225.60, Best Western Ramkota Hotel – lodging 273.00, Clark Ace Hardware -supplies 202.66, Clark Co Courier- EMT ad 224.30, Inovalon Provider – platform/claims management –82.46, ITC-service 139.91, JB’s Repair – change oil /supplies 390.95, Office Peeps – folders 105.97, EXTENSION: ITC- service 126.82, Kimberly McGraw -supplies – 22.79, Kim McGraw – lodging/meal mtg registration – 193.00, Office Peeps – desk pad -217.75, SDAE4-HP – membership – 20.00, SDSU Dept of Animal Sciences – 2023 redbooks 21.75, WEED: ITC-service 107.21, SD Assn of Co Weed & Pest – membership dues– 75.00, ROAD & BRIDGE: Agwrx Coop-parts 85.00, AT&T Mobility -service 53.57, Clark Ace Hardware supplies 141.54, Clark Co Courier – advertising-390.57, IMEG Corp – engineering costs – 38,502.93, ITC-service 117.33, Matheson – welding supplies 124.50, North Western Energy – utilities 33.55, Oscar’s Machine Shop – parts 60.00, RD Offutt Company – outside repair/parts-4,272.06 – RD Offutt Co – 2024 Little Falls machine V Plow 14,541.29, SD Dept of Transportation – pavement markings – 73,243.87, Sioux Rural Water -water 55.00, Sturdevant’s Auto Value – filters 310.71, Sturdevant’s Auto Value – parts 1183.52, Transource – parts 80.39, WW Tire Service- tires 684.00, Westside Implement – parts 878.47, Wheelco – parts 100.91, 911 SERVICE: ESRI – ARC-GIS desktop maintenance – 880.00, ITC-service 145.23, CIVIL DEFENSE: AT&T Mobility – service 45.40, ITC-service 50.61, Mack’s -repairs 130.50, REGISTER OF DEEDS: Microfilm Imaging – software/scanner rent - 250.00, M&P RELIEF FLOW THRU: SDACO – fee 132.00. TOTAL: 147,295.78.

**PAYROLL**: COMMISSIONERS: 8372.40, AUDITOR: 8173.66 TREASURER: 7050.91, STATES ATTORNEY: 4727.68, PUBLIC BUILDINGS: 2127.53, DIRECTOR OF EQUALIZATION: 6178.76, REGISTER OF DEEDS: 4534.79, VETERANS OFFICER: 409.14, SHERIFF: 9514.47, POOR: 508.56 AMBULANCE: 18,069.83, PLANNING & ZONING: 342.25, ROAD & BRIDGE: 45,820.35, EMERGENCY & DISASTER: 1,144.18. TOTAL: 116,974.51.

**EXECUTIVE SESSION**: Motion by Sass, second by Gjerde to enter into executive session at 11:38 a.m. according to SDCL 1-25-2 (1) to discuss personnel issue. All voting aye. Motion carried. Chairman declared out of executive at 12:49 p.m.

**AMBULANCE**: Motion by Sass, second by Knock to offer position of Ambulance Administrator to Cassidy Sivertson. Starting pay $62,500.00, plus full benefits. There will be a six month probation period and pay will increase to $65,000 following a satisfactory probation period. He will be responsible to work 15 -24 hour shifts per month and teach classes as needed and obtain South Dakota Certification. All voting aye. Motion carried.

**ADJOURN**:  Motion by Hass, second by Schlagel to adjourn at 1:14 p.m. until next regular meeting Tuesday, December 19, 2023 at 8:00 a.m. All voting aye. Motion carried.

 ATTEST:

 (SEAL)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Christine Tarbox Wallace Knock, Chairman

Clark County Auditor Clark County Board of Commissioners

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