CLARK COUNTY COMMISSIONER PROCEEDINGS
   January 2, 2024
Commissioner Knock called the regular meeting to order on January 2, 2024 at 8:00 a.m. in the Commissioners’ meeting room of the Clark County Courthouse. Commissioners present: Wallace Knock, Chris Sass, Francis Hass, Sara Gjerde and Terry Schlagel. Also present Auditor Tarbox.

**COMMUNITY COMMENTS**: None.

**ORGANIZATION OF THE BOARD**: Auditor Tarbox called for nominations for Chairman of the Clark County Board of Commissioners for the year 2024. Commissioner Knock nominated Commissioner Sass as Chairman, Commissioner Hass second. Commissioner Schlagel made motion nominations cease second by Hass. All voting aye. Motion carried. Auditor Tarbox called for nominations for Vice Chairman. Commissioner Sass nominated Commissioner Knock, second by Hass. Commissioner Gjerde made motion nominations cease, second by Commissioner Schlagel. All voting aye. Motion carried.

**APPOINTMENTS**: Chairman made the following appointments for the year 2024. Mental Health: Gjerde, Extension: Sass and Schlagel, Weed & Pest: Knock, Airport: Schlagel, Gjerde and Hass, I-Cap: Hass, First District: Gjerde, Glacial Lakes: Schlagel, Legislative Contact: Knock and Gjerde.

**AGENDA**: Motion by Hass, second by Gjerde to add to the agenda of January 2, 2024, discussion of interest funds from the tax rebate CD. All voting aye. Motion carried.

**MINUTES:**  Motion by Knock, second by Schlagel to approve the minutes of the regular meeting December 28, 2023. All voting aye. Motion carried.

**HIGHWAY**: HS Eggleston met with the board to update them on road conditions and work being done.

**HIGHWAY:** Motion by Hass, second by Schlagel to allow HS Eggleston to receive bids for

**“Cutback Asphalt, Emulsion Asphalt, Hot & Cold Mix, Plant Mix, Crack Sealant – Boxless, Mastic Sealant – Boxless, Pea Rock, Contracted Construction Equipment, 7/16 Quartzite.”** for any job site in Clark County for the Highway Department. Clark County guarantees no maximum or minimum quantities. Bids must be filed at the Clark County Auditor’s Office, PO Box 294, 200 North Commercial Street, Clark SD 57225, on or before 10:00 a.m. CST, on January 31, 2024. The Auditor and Highway Superintendent will open the bids and read them aloud on January 31, 2024, at 10:05 a.m. The bids will be considered by the Board of Commissioners on February 6, 2024, at 8:00 a.m. All bids must be submitted on the county issued bid forms. Envelopes or containers containing bids must be clearly marked **Cutback Asphalt, Emulsion Asphalt, Hot & Cold Mix, Plant Mix, Crack Sealant – Boxless, Mastic Sealant – Boxless, Pea Rock, Contracted Construction Equipment, 7/16 quartzite.**

Specifications may be obtained from the Clark County Highway Department at Clark, South Dakota, upon request. All sealed bids must comply with South Dakota Senate Bill 189 and proper certification must be submitted to Clark County prior to delivery. Failure to do so or falsifying certification will constitute grounds for the County to reject the quote submitted by the bidder on this project and terminate any contract awarded based on the quote. Certification form provided must be submitted for bids to be considered.

The Board reserves the right to reject any or all bids and to waive defects or informalities deemed in the best interest of Clark County to do so. By order of the Clark County Commissioners of Clark, South Dakota. All voting aye. Motion carried.

**RESOLUTION 7-24**: Motion by Knock, second by Sass to allow HS Eggleston authority to other exempt roads and adding one mile of County Road 38, and approve Resolution 7-24 which establishes load limits for 2024. All voting aye. Motion carried.

**RESOLUTION 7-24**

**LOAD LIMIT**

Commissioner Knock moved for the adoption of the following resolution, second by Commissioner Sass. All voting aye. Voting nay: None. Motion carried.

WHEREAS the County of Clark, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction,

WHEREAS it appears that said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restrictions as to the weight of vehicles are imposed, and

WHEREAS the County of Clark lacks the scale equipment with which to enforce road weight limits

NOW, THEREFORE, pursuant to SDCL 32-14-16, and any laws amendatory thereto, be it resolved that the load limit on Clark County roads with the County of Clark, South Dakota, shall be seven ton per axle for a full 75 day period from or after March 01, 2024.

IT IS FURTHER RESOLVED that there shall be erected and maintained signs designating the provisions of this Resolution as provided by State Law and that this Resolution shall not be effective until or unless such signs are erected and maintained.

IT IS FURTHER RESOLVED that the County of Clark shall request the South Dakota Highway Patrol Motor Carrier Enforcement Officer to enter the County of Clark with scales adequate to weigh motor vehicles to ensure compliance with State Laws pertaining to vehicle weight, and with the weight laws established by this Resolution.

NOW, THEREFORE, BE IT RESOLVED that all asphalt roads will be posted at 7 ton per axles and 45 mph for trucks. Trucks 45 mph year around on all asphalt roads. Gravel will be posted as needed. Paved County Roads within the County of Clark, South Dakota, shall be 45 Miles Per Hour from January 1, to December 31 of each year, commencing with the year 2024. Refer to Resolution 98-23. Clark County request the South Dakota Highway Patrol Motor Carrier Enforcement Officer to enter the County of Clark to enforce the speed limit on all Clark County Roads.

 IT IS FURTHER RESOLVED that this Resolution be effective each and every year hereafter unless repealed or modified by duly enacted Resolution.

Dated at Clark, South Dakota, this 2nd day of January 2024.

 /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_

 Chairman, Board of County

 Commissioners of Clark County

ATTEST:

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

**RESOLUTION 1-24**

**Designation of Official Newspaper**

It was moved by Commissioner Schlagel, seconded by Commissioner Gjerde, that the Clark County Courier, being the only legal newspaper within the County as defined in Chapter 7-18, Sec 3 SDCL of 1967, be designated as the official Clark County Newspaper for publishing all matters pertaining to government of Clark County for or during 2024.

Commissioners all voting aye. Commissioners voting nay: None. Motion carried.

Dated at Clark, South Dakota this 2nd day of January, 2024.

/s/ Christine Tarbox /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Board of Clark County

 Commissioners

**RESOLUTION 2-24**

**DESIGNATION OF BANK DEPOSITORIES**

It was moved by Commissioner Hass, seconded by Commissioner Knock, that Dacotah Bank of Clark, Clark Branch within the County be designated as the official Clark County Bank Depository during 2024. All Commissioners voting aye: Sass, Hass, Gjerde, Schlagel and Knock. Commissioners voting nay: None. Motion carried.

Dated at Clark, South Dakota this 2nd day of January, 2024.

/s/ Christine Tarbox\_\_\_\_ /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Clark County Board

 Of Commissioners

 **RESOLUTION 03-24**

A RESOLUTION SETTING FORTH POLICY, PROCEDURES AND PAYMENT RELATED TO INDIGENT BURIAL WITHIN CLARK COUNTY, SOUTH DAKOTA.

WHEREAS, SDCL 28-17-4 provides that Board of County Commissioners shall adopt a Resolution establishing a sum to be paid by the County for County burial of its indigent residents: and,

WHEREAS, The Board of County Commissioners has consulted with interested parties;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clark County,

South Dakota, for the 2024 calendar year, that the policy and payment schedule, which is on file in the Auditors office as Appendix A be adopted with respect to indigent burial within Clark County, South Dakota.

The foregoing resolution was moved for adoption by Commissioner Schlagel, seconded by Commissioner Gjerde.

All commissioners voted aye. Commissioners voting nay: None.

Whereupon the chairman of the Clark County Board of Commissioners declared the resolution to be duly passed and adopted.

Dated at Clark, Clark County, South Dakota, this 2nd day of January, 2024.

 /s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 Chairman, Clark County Board of Commissioners

ATTEST

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

County Auditor

**RESOLUTION 4-24**

**Set Salary for Election Officials**

Moved by Commissioner Knock, and seconded by Commissioner Gjerde, that the following resolution be adopted.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clark County, South Dakota, that the fee to be established pursuant to SDCL 12-15-11 for compensation of election superintendents and deputies shall be computed at the rate of $15.00 per hour for hours worked Election Day and $25.00 to attend training session. The superintendents and judges shall be paid for each hour they are required to be present to perform their respective duties as specified by law. The person delivering the poll books and ballot boxes to the proper authority at the county seat shall receive the county rate for mileage as established pursuant to Sec. 7-7-24 SDCL, for miles necessarily traveled in going to and returning from making the delivery.

BE IT FURTHER RESOLVED that the polling place shall receive $50.00 per election for use of the facility.

BE IT FURTHER RESOLVED that the Auditing Board personnel deemed necessary by the County Auditor for conducting the Post-election Audit be allowed $15.00 per hour.

All members voting aye. Members voting nay: None. Motion carried.

Dated: January 2, 2024

ATTEST:

/s/ Christine Tarbox\_\_\_\_\_\_\_\_\_\_                              \_/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_
County Auditor                                                 Chairman, Clark County
 Board of Commissioners

**RESOLUTION 5-24**

Commissioner Knock moved for the adoption of the following resolution, second by Commissioner. Gjerde. All Voting aye. Motion carried.

WHEREAS, the Board of Clark County Commissioners deem it necessary to set fees;

NOW, THEREFORE, BE IT RESOLVED by the Clark County Commissioners at a regular meeting held January 2, 2024, the following fees shall be charged.

 Copy - $.25 per page.

Fax charge - $2.00 for the first two (2) pages incoming and outgoing and $.50 each additional page.

 Highway maps - $2.00.

 Voter registration list – as per Secretary of State Office fee schedule

 Voting precinct maps - $2.00.

 Commissioner District map - $2.00.

Building permits – $100.00 plus $1.00/thousand of valuation of the project, additional fee of $50.00 if property is in flood plain. Fee doubles if late.

Variance $400.00 -fee doubles if late.

Conditional Use Permit applications - $200.00 – fee doubles if late.

 Rezoning -$200.00 – fee doubles if late.

Overweight- $200.00 year or $100.00 one time. Fee doubles if permit not acquired prior.

Over width permits - $1,000 for any load over 20 feet wide per trip, fine doubles if permit not required prior. Less than 20 feet wide $200.00 yearly or $100.00 one time- fee doubles if permit not acquired prior.

 Director of Equalization –fee for parcel data - $5000.00

 Director of Equalization – Obtaining GIS Information $5000.00

 Director of Equalization – Web hosting information $350.00

Register of Deed-fee per email of documents $2.00

 Boring under county roads for non utility purpose - $200.00

 ROD Fees for monthly reports to Clark Abstract $67.00 for copies of pages and

 $8.00 per printing of the report.

 ROD Fees: Reports to financial institutions: Financial Statement and Lien

 Report $2.00, Mortgage fee $4.00, Deed fee $4.00.

 Weed – Chemical rate and labor schedule-on file in Auditor’s office

 Ambulance CPR training - $50.00 per person

 Liquor/malt beverage fee -$100.00 per day

 Furness Funeral Home- $150.00 for removal of body, $95.00 for body bag, Prep room

 Use for blood draw $100.00, Mileage for autopsy $2.50/mile door to door. Cooler $50.00

 -per day.

Dated at Clark County, South Dakota this 2nd day of January, 2024.

ATTEST (SEAL)

/s/ Christine Tarbox /s/ Chris Sass\_\_\_\_\_\_\_\_\_

County Auditor Chairman, Clark County

 Board of Commissioners

**RESOLUTION 6-24:** Motion by Schlagel, second by Hass to approve Resolution 6-24 which appoints members of the Clark County Housing and Redevelopment Commission. All voting aye. Motion carried.

 **RESOLUTION 6-24**

**CHAIRMAN’S CERTIFICATE OF APPOINTMENT OF COMMISSIONER OF THE CLARK COUNTY HOUSING AND REDEVELOPMENT COMMISSION**

Pursuant to South Dakota Codified Law 11-7-12 and by virtue of my office as Chairman, I hereby re-appoint Char Peterson to serve as a Commissioner of the Clark County Housing and Redevelopment Commission to serve for a five-year term from the date of this certificate.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SIGNED MY NAME AS Chairman of the Clark County Board of Commissioners, Clark, South Dakota this 2nd day of January, 2024.

Motion by Schlagel, second by Hass to approve Chairman’s appointment.

All voting aye. Motion carried.

Dated: January 2, 2024

/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairman, Clark County Commissioners

ATTEST:

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

Clark County Auditor

**ICAP**: Eric Kunzweiler representing ICAP met with the board to update them on ICAP services provided in 2023 and available within Clark County. He also discussed the thrift stores within the ICAP system and informed the board that volunteers are short so it is hard to have the stores open.

**EXECUTIVE SESSION:** Motion by Knock, second by Schlagel to enter into executive session at 9:44 a.m. according to SDCL 25-5-2 (1) to discuss personnel issues. Also Present AA Sivertson. All voting aye. Chairman declared out at 11:11 a.m.

**AIPPORT**: One proposal was received from Helms and Associates for the fueling system for Clark County Airport. Motion by Gjerde, second by Schlagel to approve Helms and Associate proposal for the project. All voting aye. Motion carried.

**RESOLUTION 8-24**: Motion by Hass, second by Knock to approve Resolution 8-24 Patterson Second Addition plat. All voting aye. Motion carried.

**RESOLUTION 8-24**

I hereby certify that the following is a correct copy of the Resolution duly passed by the County Planning Commission of Clark County, South Dakota at a meeting held on the 2nd day of January 2024.

“BE IT RESOLVED by the County Planning Commission of Clark County, South Dakota, that the plat showing Patterson second addition in the NE ¼ of Section 21-T119N-R59W of the 5th P.M., Clark County, South Dakota having been examined, is hereby approved in accordinace with the provisions of SDCL 11-2-2, and any amendments thereof.”

Dated this 2nd day of January, 2024.

/s/ Chris Sass\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairman, Board of County Commissioners

Clark County, South Dakota

ATTEST:

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

Clark County, South Dakota

**LAND LEASE/AIRPORT LEASE**: Motion by Gjerde, second by Knock to set date for Airport lease land and County owned farm land for February 6, 2024. The auction will take place on the first floor of the Courthouse at 9:00 a.m. Proper notices will be posted within the Clark County Courier. All voting aye. Motion carried.

**OPERATING TRANSFER**: Motion by Schlagel, second by Gjerde to approve operating transfer from County General to the Road and Bridge fund in the amount of $1,000,000.00 from 2023 budget. All voting aye. Motion carried.

**JAIL CONTRACT**: Motion by Gjerde, second by Sass to approve and allow Chairman to sign the Beadle County jail contract. The per day fee will remain the same at $95.00. All voting aye. Motion carried.

**FLOOD PLAIN MANAGER**: Motion by Schlagel, second by Gjerde to appoint Jarvis Reidburn as the flood plain manager effective immediately. All voting aye. Motion carried.

**INTEREST**: Motion by Gjerde, second by Knock to apply interest earned from the Tax rebate CD to remain within the general fund. All voting aye. Motion carried.

**CLAIMS**: Motion by Knock, second by Hass to approve the following claims and allow the auditor to issue payments for same. All voting aye. Motion carried. COMMISSIONERS: Clark Co Courier – publication – 315.27, SDML Workers Comp fund – wc ins 120.00, AUDITOR: ITC-service 120.98, SDML Workers Com-wc ins – 260.00, TREASURER: Clark Co Courier- delinquent tax notice 142.86, ITC -service 59.81, SDML Workers Comp – wc ins 255.00, STATES ATTORNEY: ITC – service 48.26, SDML Workers Comp – wc ins 159.00, PUBLIC BUILDINGS: Cole Paper – supplies -194.89, ITC – service 80.34, SDML Workers Comp – wc ins 1670.00, DIRECTOR OF EQUALIZATION: ITC-service – 59.19, SDML Workers Comp - wc ins – 1157.00, REGISTER OF DEEDS: ITC-service 94.91, SDML Workers Comp – wc ins 188.00, VETERANS OFFICER – ITC-service – 49.27, SDML Workers Com – wc ins 27.00, SHERIFF: A&T Mobility - -service 256.94, C&R Fire Suppression – 4 fire extinguishers 359.80, ITC-service 200.43, SDML Workers Comp – wc ins 4020.00, CORONER: SDML Workers Comp – wc ins 3.00, 911 Tango Tango -annual radio integration 4490.00, AIRPORT: Clark Co Courier – engineering service ad – 21.20, NURSE: SDML Workers Comp – WC ins 79.00, AMBULANCE: AT&T Mobility – service 225.62, Clark Co Courier -EMT ad – 70.80, ITC-service – 132.01, SDML Workers Comp – wc ins 12,312.00, EXTENSION: ITC-service – 123.49, SDML Workers Comp – wc ins 56.00, WEED: ITC-service – 107.22, SDML Workers Comp -wc ins 2374.00, PLANNING & ZONING: Clark Co Courier – variance/CU 114.12, ROAD & BRIDGE: AT&T Mobility – service 53.57, Clark Co Courier – ad/Hwy 17 bids – 277.49, Dakota Electronics – new radio-install antenna -1024.00, ITC-service – 123.93, Northwestern Energy- utilities 119.23, R.D. Offutt Company-John Deere motor grader – 475, 686.09, SDML Workers Comp – wc ins 38,535.00, Sioux Rural Water – water -55.00, 911 SERVICE: ITC-service 145.23, CIVIL DEFENSE: AT&T Mobility -service 45.40, ITC-service – 50.62, SDML Workers Comp – wc ins 76.00, M&P RELIEF FUND: SDACO - $2.00 fee- 208.00. TOTAL: 546,346.97.

**PAYROLL**: COMMISSIONERS: 8248.30, AUDITOR: 4441.18, TREASURER: 5605.18, STATES ATTORNEY: 4110.17, PUBLIC BUILDINGS: 2226.02, DIRECTOR OF EQUALIZATION: 5146.32, REGISTER OF DEEDS: 3748.38, VETERANS OFFICER: 425.51, SHERIFF: 10,137.46, POOR: 527.76, AMBULANCE: 30,304.96, WEED: 389.93, PLANNING & ZONING: 355.56, ROAD & BRIDGE: 42,453.21, EMERGENCY & DISASTER: 1194.17. TOTAL: 119,314.11.

**ADJOURN**:  Motion by Schlagel, second by Knock to adjourn at 1:42 p.m. until next regular meeting Tuesday, January 16, 2024 at 8:00 a.m. All voting aye. Motion carried.

 ATTEST:

 (SEAL)

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Christine Tarbox Chris Sass, Chairman

Clark County Auditor Clark County Board of Commissioners

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