CLARK COUNTY COMMISSIONER PROCEEDINGS

The Clark County Commissioners met in regular session on Tuesday, November 19, 2024 in the Commissioner Room of the Clark County Courthouse. Chairman Sass called the meeting to order at 8:00 a.m. with the following Commissioners present at the Courthouse: Chris Sass, Wallace Knock, Francis Hass, Sara Gjerde and Terry Schlagel. Auditor Tarbox also present.

**COMMUNITY COMMENTS**: None.

**AGENDA:** Motion by Hass, second by Gjerde to approve the November 19, 2024 agenda. All voting aye. Motion carried.

**MINUTES**: Motion by Knock, second by Schlagel to amend the November 7, 2024 minutes to read, CORRECTION: CLAIMS: Motion by Knock, second by Hass to approve the claims. Voting aye: Knock, Hass, Schlagel and Sass. Voting nay: Gjerde. Motion carried. Minutes approved with the change. All voting aye. Motion carried.

**HIGHWAY**: **CALL FOR BIDS:** Motion by Gjerde, second by Schlagel to allow HS Eggleston to call for bids for culvert replacement on County Road #46. (1 mile south of Clark). Bids will be accepted until Wednesday, December 18, 2024 at 10:00 a.m.

**CROSSING PERMIT**: Motion by Knock, second by Sass to approve crossing permit for Mayfield Colony to bore under a county road for water pipe and phone wire. Voting aye. Knock, Hass, Gjerde and Sass. Voting nay: Schlagel. Motion carried.

**RURAL INFRASTRUCTURE**: Motion by Gjerde second by Knock to approve Lake Township small structure request. Total Cost: $26,412.80, Township must pay: $7923.84, Amount awarded: $18,488.96. All voting aye. Motion carried.

**RURAL INFRATRUCTURE**: Motion by Schlagel, second by Hass to approve Garfield Township small structure request. Total Cost: $153,005.18. Township must pay: $45,901.56. Amount Awarded: $107,103.62. All voting aye. Motion carried.

**TRANSPORT FUEL QUOTES**: The following transport fuel quotes were presented to the board. Blended Diesel: Agwrx – No bid. Clark Community Oil – 2.56. Vollan Oil – 2.47, Farstad Oil - $2.43. The board accepted the low quote and all quotes are on file in the Auditor’s office at the Courthouse.

**FUEL QUOTES**: The following fuel quotes were presented to the board. Blended Diesel: Agwrx – No bid. Clark Community Oil – 2.73, Vollan Oil – 2.605, The board accepted the low quote and all quotes are on file in the Auditor’s office at the Courthouse.

**EXECUTIVE SESSION**: Motion by Knock, second by Schlagel to enter into executive session according to SDCL 1-25-2 (1) at 8:15 a.m. for personnel issue. All voting aye. Motion carried. Chairman declared out at 8:47 a.m.

**BOARD OF ADJUSTMENT**: Motion by Gjerde second by Schlagel to recess as the County Commission and convene as the Board of Adjustment. All voting aye. Motion carried.

Chairman Sass called the Board of Adjustment meeting to order. He informed the public that Luke Muller is present at the Courthouse and serving as staff and parliamentarian support.

Next item on the agenda is items to be added to the Agenda by Board members or staff. No additional items to add. Chairman Sass then extended an invitation to citizens to schedule time on the Board of Adjustment agenda. There were none. Chairman Sass then asked if any board members had any Ex parte Communications or potential conflicts of interest that the rest of the Board or public may want to be aware of. There were none.

**AGENDA**: Motion by Gjerde, second by Knock to approve the Board of Adjustment agenda. All voting aye. Motion carried.

**CONDITIONAL USE**: The first item of new business is a request by Michael Flora for a 3’ front yard variance to construct an addition on the back side of his house. Motion by Hass, second by Schlagel to approve this request with any conditions recommended by staff. Luke Muller gave report regarding this request. Property description: The West 182 Feet of the East 1634 Feet of the North 272 Feet of the Northwest Quarter, of Section 34, Township 117 North, Range 57 West of the 5th P.M. (Mount Pleasant Township), Clark County, South Dakota. Luke

informed the board of location, specifics of size of addition and discussed the comprehensive land use plan regarding this request. Chairman Sass opened the public hearing on the application. Michael Flora spoke on his behalf explaining location of the addition. Chairman Sass asked for additional public testimony. No one present. No further testimony and the public hearing was closed. Board discussion was held. Luke read the findings of fact relating to the variance and restated the motion which was to approve the 3’ front yard variance to construct addition 97’ from the right of way on the back side of the house. Voting aye: Knock, Hass, Gjerde, Schlagel and Sass. All voting aye. Motion carried. There was nothing for the open.

**ADJOURN**: Motion by Schlagel, second by Gjerde to adjourn from Board of Adjustment and convene jointly as a Planning Commission and County Commission. All voting aye. Motion carried. Chairman Sass called the meeting of the Joint Planning Commission and County Commission portion of the meeting to order. Note was made for the benefit of the public that the County Commission serves as the Planning Commission as well. There are two items to discuss jointly as the Planning Commission and County Commission. At the October 1, 2024 meeting a request by Mayfield Colony to rezone a portion of its property to commercial was postponed. The request was postponed and the applicant amended the area and requested a plat of the proposed area. The plat will be discussed first as the Planning Commission which allows the board to discuss conditions of approval.

**PLAT:** Motion by Knock, second by Sass to recommend approval of the Plat subject to conditions recommended by staff. There is no public hearing on this item board discussion continued. Luke gave report on the request. The property description is Mayfield Manufacturing Materials Addition in the South Half of Section 4, Township 114 North, Range 56 West of the 5th P.M., Clark County, South Dakota. The request is to plat a portion of the South Half of Section 4-T114N-R56W which would be suitable for rezoning from Ag to CI. The applicant has prepared a plat of a 17.17 acre lot intended to accommodate a manufacturing business. The applicant does not have to plat this property because the County may give recommendation on conditions to this plat. Luke recommended subject to a development plan and #1: Vote to reconsider 50’ setback on North side, #2: Recommendation for what the County wants for the road to the facility. Motion by Schlagel, second by Gjerde to recommend a 50’ setback on the north. All voting aye. Motion carried.

Motion by Knock that the road be paved according to standards acceptable to the Highway Superintendent, and to pave this road to the west edge of the property back to Highway 25, **(in addition to the following conditions recommended by staff); that future snow removal of that portion of road be maintained by the County to the same standard as other county roads; and that the owner of Mayfield Manufacturing Materials Addition be financially responsible for ensuring that the pavement on 185th Street from Highway 25 to the west end of Mayfield Manufacturing Materials Addition be maintained in a condition similar to 185th Street as it continues east of Highway 25.**Second by Gjerde. All voting aye. Motion carried.

Motion by Schlagel, second by Knock to recommend the rezoning ordinance be amended from referencing the E650’ of  S850’ of the plat, to a legal description be described as Mayfield Manufacturing Materials Addition upon plat approval.  Luke restated the motion: The motion is to recommend approval of the ordinance amending the zoning map by rezoning the Mayfield Manufacturing Materials Addition from Ag to Commercial/Industrial with the amendments. **Therefore, if the conditions recommended by the Planning Commission are not agreed to, and/or the Plat of Mayfield Manufacturing Materials Addition is not approved or recorded any action to rezone the property will be null and void since Mayfield Manufacturing Materials Addition would not exist.**  Voting aye: Knock, Hass, Gjerde Schlagel and Sass. Motion carried.

**Having held a public hearing and received a recommendation from** the Planning Commission **the County Commission held**First Reading of Ordinance 1-24 with the recommendations was performed by Luke. The second reading and voting on that Ordinance will be at the next meeting.

**ADJOURN**: Motion by Gjerde, second by Hass to adjourn from Planning Commission and continue as County Commission. All voting aye. Motion carried.

**HIGHWAY**: Adam Polley with IMEG met with the board to update on County Road #17. He reported the work is complete and presented final pay application #7 and change order #3.

**HIGHWAY**: Motion by Gjerde, second by Schlagel to approve change order #3 for County Road #17, in the amount of $517,134.17 for contractor Asphalt Paving & Materials. All voting aye. Motion carried.

**HIGHWAY:** Motion by Hass, second by Knock to approve final pay order #7 for County Road #17 in the amount of $2,231,724.90. This is final payment to Asphalt Paving & Materials. All voting aye. Motion carried.

**RESOLUTION 23-24**: Motion by Schlagel, second by Hass to approve Resolution 23-24 to approve the Pre Disaster Mitigation Plan. All voting aye. Motion carried.

**RESOLUTION #23-24**

**Clark County Commission**

**Resolution Adopting the Clark County Pre-Disaster Mitigation Plan 2024 – 2029**

WHEREAS, Clark County received assistance in the preparation of the Clark County Pre-Disaster Mitigation Plan 2024-2029 from representatives of Clark County and received funding from the South Dakota Office of Emergency Management / FEMA; and

WHEREAS, several public planning meetings were held between January 2023 and June of 2024 regarding the development and review of the Clark County Pre-Disaster Mitigation Plan 2024-2029; and

WHEREAS, the Clark County Pre-Disaster Mitigation Plan 2024-2029 contains several potential future projects to mitigate hazard damage in Clark County; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has rendered its approval of the Clark County Pre-Disaster Mitigation Plan on October 18th, 2024; and

WHEREAS, a duly-noticed public hearing was held by the Clark County Pre-Disaster Mitigation Team on June 5, 2024 to solicit public comment on the Clark County Pre-Disaster Mitigation Plan 2024-2029; and

WHEREAS, a duly-noticed public meeting was held by the Clark County Commission on November 19, 2024 to formally approve and adopt the final Clark County Pre-Disaster Mitigation Plan 2024-2029.

NOW, THEREFORE BE IT RESOLVED that the Clark County Commission adopts the Clark County Pre-Disaster Mitigation Plan 2024-2029.

ADOPTED AND SIGNED this 19th day of November, 2024.

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

Commission Chairperson

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

ATTEST:     Auditor

**2025 WAGES**: Action on wages moved to December 17, 2024.

**EMPLOYEE INSURANCE BENEFITS**: Motion by Gjerde, second by Knock to approve Wellmark Blue Cross/Blue Shield as the Health insurance coverage for Clark County. Optilegra, Delta Dental and Principal Life Insurance are approved as continuing coverage. Coverage date has been changed from December 1 to January 1 of each calendar year for all coverages effective January 1, 2025. All voting aye. Motion carried.

**SHERIFF**: Sheriff Heaton unavailable.

**AMBULANCE**: Motion by Schlagel, second by Knock to approve new hire Wade Hoefert as ambulance administrator effective January 1, 2025. Salary will be based on EMT wage for 15 shifts per month and $10,000.00 additional pay as Ambulance Administrator pay with a six month probation period. Job offer contingent upon meeting hiring criteria. No increase as of January 1, salary increase possible at the end of six month probation period. All voting aye. Motion carried.

**CUSTODIAN**: Custodian Marx was in to request permission to surplus the John Deer lawn mower and snow blower. It no longer serves as a purpose with purchase of new lawn/snow removal equipment. Motion by Knock, second by Gjerde to approve request and declare item surplus and sell on auction at a later date. All voting aye. Motion carried.

**AIRPORT**: Motion by Gjerde, second by Hass to approve and allow Chairman to sign the notice to proceed and the Safety Plan Compliance document for the Airport Project – Fuel System Upgrade. All voting aye. Motion carried.

**CLAIMS**: Motion by Schlagel, second by Gjerde to approve the following claims and allow Auditor to issue payment. All voting aye. Motion carried. GENERAL FUND: Wellmark Blue Cross – refund – 107.30, COMMISSIONERS: SD Association of Co Officials – 2025 SDACO membership dues 849.15, SDACC-2025 Co Dues – 1594.00, ELECTIONS: Connecting Point – support work/election 46.25, AUDTITOR: Office Peeps – scissors/supplies 223.18, TREASURER: Office Peeps -stamp-31.30, COURT: Austin, Strait, Benson & Thole- crt appt atty – 230.00, Blackburn & Stevens – court appt atty – 161.73, Socia Law – crt appt atty – 515.17, PUBLIC BUILDINGS: City of Clark – water 133.50, Northwestern Energy – utilities 1010.46, Schumacher Elevator CO – elevator maintenance 3432.52, Star Laundry – rugs 49.96, DIRECTOR OF EQUALIZATION: Arrowwood Resort- lodging – 571.60, REGISTER OF DEEDS: Office Peeps – scissors 12.53, PRISONER CARE: Codington Co Auditor- prisoner care 8580.00, AIRPORT: Northwestern Energy – utilities -174.28, Grant Van Gilder – pump septic tank 160.00, AMBULANCE: 212 Truck and Trailer Repair – parts/tire hose kit 81.42, AAA Collections – collection fees – 8.84, AFLAC- ins -2.65, John Birnell – landfill fees 20.00, Bound Tree – supplies 1384.09, City of Clark – water – 89.30, Delta Dental – ins- 84.62, Northwestern Energy – utilities 252.83, Office Peeps-lanyard 32.51, PCC Ambulance billing fees 1952.66, Premier Specialty Vehicles – parts 571.64, Principal Mutual – ins 4.66, Watertown Wholesale –sanitizer – 36.25, MENTAL ILLNESS BOARD: Dept of Revenue-involuntary service 600.00, Lewis & Clark BHS-services-213.00, Lincoln Co Auditor – services 64.00, EXTENSION: SDAE4-HP-dues/spring conference registration 60.00, SDSU- 2024 IRM Redbooks 30.00, Star Laundry -rugs 30.40, WEED: Watertown Lawn & Garden – blades 78.00, ROAD & BRIDGE: Asphalt Paving Materials – crushed asphalt 35,000.00, Asphalt Paving – road repair CR 17-2,231,724.90, City of Clark – water 203.00, Dakota Fluid and Power -parts 47.63, Northwestern Energy – utilities 945.27, Office Peeps – batteries – 75.21, Parkland USA Corp – blended fuel 20,258.46, Star Laundry – laundry 52.42, 911 SERVICE: City of Watertown – 911 Emer surcharge – 5033.35, CIVIL DEFENSE: ITC-utilities – 54.35, PRISONER CARE: Intoximeters – 24/7 supplies- 147.00, TOTAL: 2,317,021.39.

**PAYROLL**: AUDITOR: 5785.67, TREASURER 5581.60, STATES ATTORNEY: 4928.93, COURTHOUSE: 2973.32, DIRECTOR OF EQUALIZATION: 5835.95, REGISTER OF DEEDS: 3707.21, VETERAN SERVICE OFFICE: 425.51, SHERIFF: 6940.11, AMBULANCE: 12,153.35, WEED: 30.00, ROAD & BRIDGE: 41,712.46, EMERGENCY & DISASTER: 1118.12. TOTAL: 91,192.23.

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

 AUDITOR’S MONTHLY SETTLEMENT WITH THE TREASURER
Cash on hand……….………………….., ……………….. 2,080,527.36

Money Market…………………………..………………… 8,649,128.37

CD’s…………..…………………………………………… 800,000.00
Checking Account…………….………………………… 77,606.81 TOTAL:……………..……………… …..……………… 11,607,262.54

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

$10,291,200.68, Road & Bridge: $1,347,059.08, 911 Service Fund: 65,467.74, ED:6,747.28, Domestic Abuse: 702.50, 24/7 -- $19,124.44, ROD Mod/Pres: $11,139.79, Rural Access Infrastructure fund: 361,569.07. County TIF: 482,796.90, **Trust & Agency Funds $2,698,642.82 which are funds returned to schools, towns, townships and special districts.** TOTAL: $15,284,450.30.

**ROD Fees**: October recording fees 2030.00, Transfer fees: 3122.00, Births: 50.00, Deaths-65.00, Marriages – 45.00, Copy money:-67.00, Misc,- 411.00. TOTAL: 5790.00. Sheriff: Mileage- $27.73, Civil fees $450.00.

**ADJOURN**:  Motion by Knock second by Hass to adjourn at 11:50 a.m. until next regular meeting Tuesday, December 3, 2024 at 8:00 a.m. All voting aye. Motion carried.

ATTEST:

(SEAL)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Christine Tarbox Chris Sass, Chairman

Clark County Auditor Clark County Board of Commissioners

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