

Clark County Commissioners deny conditional use permits, increase sheriff dept. pay, hire ambulance employees

Clark County June 17, 2026 commissioner proceedings:

CLARK COUNTY
COMMISSIONER PROCEEDINGS
JUNE 17, 2026
APPROVED

The Clark County Commissioners met in regular session on Wednesday, June 17, 2026 in the Commissioner Room of the Clark County Courthouse. Chairman Gjerde called the meeting to order at 8:00 a.m. with the following Commissioners present at the Courthouse: Sara Gjerde, Chris Sass, Francis Hass, David Spieker and Terry Schlagel. Also present Auditor Tarbox.

COMMUNITY COMMENTS: None.

AGENDA: Motion by Spieker seconded by Hass to approve the June 17, 2026 agenda. All voting aye. Motion carried.

MINUTES: Motion by Schlagel seconded by Spieker to approve the minutes of June 4, 2026. All voting aye. Motion carried.

BOARD OF ADJUSTMENT: Motion by Sass second by Spieker to recess as the County Commission and Convene as the Board of Adjustment. All voting aye. Motion carried.

Chairman Gjerde called the Clark County Board of Adjustment meeting to order. Chairman announced for the record meeting via teleconference, and Luke Muller will be serving as staff and parliamentary support. He was only available until 10:00 a.m. that morning, so if meeting ran past that, they may postpone any remaining Board of Adjustment or Planning Commission items at that time and move to the rest of agenda. Chairman Gjerde also informed public that were present that there was a sign-in sheet. If a person requested to speak, they must be signed in.

The next item on the agenda was "Items to be added to the Agenda by the Board members of staff". There were none, and the meeting continued.

Next item was an invitation for citizens to schedule time on the Board of Adjustment agenda for an item not listed under the Board of Adjustment portion. There were none, and the meeting continued.

Chairman Gjerde asked if any board members have 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.

Motion by Spieker, second by Sass to approve the Board of Adjustment agenda. All voting aye. Motion carried.

Chairman Gjerde announced there are two requests on the agenda for Lamar Hutterian, LLC. The two requests will be addressed separately.

The first item of new business is a request for a conditional use permit to establish a wastewater treatment facility for a religious farming community on adjacent property.

Motion by Sass, second by Spieker to approve this conditional use permit subject to conditions as read by staff. Luke reminded the public present to sign in if they planned to address the board.

Luke then gave his report and explained that the request by Lamar

Hutterian to establish a wastewater treatment facility for up to 150 residents of the potential religious farming community. There will be two cell stabilization ponds, with gravity sewer network draining to a lift station. Sanitary line would cross under 170th Street from the religious farming community. This will be located in Southeast Quarter of Section 21, Township 117 North, Range 58 West of the 5th P.M. (Garfield Township), Clark County, S.D. He also discussed the comprehensive land use plan that specifies that the sewer lagoons should be subject to site plan review, public hearing, and environmental assessment. He also discussed the effective date and transferability, general requirements and expiration of permit and violations.

Chairman Gjerde then opened the public hearing on this application. Lamar and its representatives will describe the request for a wastewater treatment facility. After the applicant, testimony by each person is limited to three minutes. Staff will call up individuals that signed the sheets indicating they want to speak. We will be taking testimony on only the waste water facility at this time.

Kiera Leddy, Attorney representing Lamar Hutterian, LLC spoke first regarding the request. She informed the board that Lamar has made sure that they comply with the local ordinances and asked that the board distinguish fact from fear. She also informed the board that she hired a court reporter for the meeting.

Brian Friedrichsen, Engineer, with Vantage Point Solutions spoke as a neutral party. He discussed the ponds, provided information about soil samples and ground water studies. He discussed aquifers and borings.

Gary Glanzer stated they understand the concerns from the local folks, but the current location needs to be expanded. He stated they are willing to work with the neighbors to find a solution.

Rusty Antonen spoke in favor of the project stating that he has dealt with Fordham Colony personally and knows them to be honest and forthright.

Joe Waldner with Mayfield Colony, Willow Lake, addressed the subject for permitting. He does not see why the permit should not be approved for the building site only. He stated there is no livestock, they pay taxes and have the right to live in the County, and the wastewater facility is under the guidelines of the state and done according to the rules and regulations.

There being no one else to address the board, the hearing was opened to further public testimony. Chairman Gjerde asked if there was any additional proponent testimony prior to opening the hearing for opponent testimony. There were no further proponent testimony and hearing was opened for opponent testimony.

Jim Kopriva asked if the wastewater facility was designed that evaporation takes care of 100 percent of the wastewater, or does it need to be pumped?

Lee Kopriva spoke indicating he is an adjoining landowner and is concerned about the smell, aesthetics and it penetrating the clay and getting into the ground water.

Garrett Klatt stated he lives close and has well water also concerned about spillage.

Mitch Peterson, Attorney asked the board to keep in mind if specific use requirements are met, that does not mean it has to be approved. He felt some portions of the request are not met and provided a handout with his points.

Virginia Klatt also spoke against the facility and questioned why it needs to be there.

The questions regarding evaporation system and odor were addressed. Other board questions were answered. After opponent testimony, Chairman Gjerde asked one more time if there was anyone else that wanted to address the board. There were none, and the public hearing was closed.

Luke addressed questions that were asked during the discussion and board questions were addressed. Luke restated the motion: The motion is to approve the Conditional Use permit for a wastewater treatment facility (which would only be allowed if used by a religious farming community on the adjacent property), subject to the conditions as read. There was no further discussion. Voting nay: Sass, Hass, Spieker, Schlagel and Gjerde. Motion failed.

The second request is a conditional use permit to establish a religious farming community. Chairman Gjerde asked for a motion to approve this conditional use permit subject to conditions as read by staff. Motion by Spieker, second by Sass to approve the conditional use permit.

Luke gave report regarding this request. Lamar Hutterian, LLC is requesting a conditional use permit on the North Half of Section 28, Township 117 North, Range 58 West of the 5th P.M. (Garfield Township), Clark County, S.D. to establish a Religious Farming Community where multiple families will reside on site, on the north half of this section. There will be up to 150 residents, a school, a church, cemetery and accessory buildings. Luke also discussed the ordinance and comprehensive Land use plan regarding this request as well as effective date and transferability. He also discussed the general requirements and expiration of the permit and violations.

Chairman Gjerde opened the public hearing on this application.

Bill Glanzer, minister from Fordham Hutterian, explained that the church, cemetery, school and small barn requested are all for personal use.

Kiera Leddy, Attorney for Lamar Hutterian, LLC spoke in support of the request for the Religious Farming Community. She stated that the colony people are not employees, and there are no buildings on this application for commercial use. She also stated they do not have a say to make

rules in the county and seem to be subject to more rules and regulations than most. She asked that the decision be based on fact rather than fear and not confuse discretion with discrimination.

Brian Friedrichsen said that the site plans showed potential future growth, as they were advised to show everything that is planned.

Rusty Antonen spoke again supporting the colony request.

Chairman Gjerde asked once more if there were any more proponents that wished to speak. There were none, and the hearing was opened to opponents or neutral parties.

Laura Hoogheim spoke with concerns about the close proximity to her acreage. She is concerned about the increased traffic, noise and water flow and also has concerns about animal diseases. She discussed the petition that has been submitted by residents of Clark County opposing the build.

Jim Kopriva, Lee Kopriva, Garret Klatt and Sherry Swanson all spoke opposing the Religious Farming Community.

Mitch Peterson, Attorney stated there are issues with the request that will allow the board to deny the application. There was no further testimony and the public hearing was closed.

Luke asked the questions for the findings of fact relating to the conditional use permit. Luke then restated the motion. The motion is to approve the Conditional use permit for a Religious Farming Community subject to the conditions as read. Voting nay: Sass, Hass, Spieker, Schlagel and Gjerde. Motion failed.

Time restraints have left it that discussion on Ordinance 1-26, 2-26 and 3-26 will be moved to the July 7, 2026 meeting at 9:00 a.m.

ADJOURN: Motion by Schlagel, second by Sass to adjourn the Board of Adjustment and reconvene as Board of Commission. All voting aye. Motion carried.

CHOOSE CLARK COUNTY: Catie Noethlich met with the board and reviewed activities of Choose Clark County. She also asked for continued financial support from the County. The board will review the request at budget time.

FUEL QUOTES: The following fuel quotes for Diesel #2 were presented to the board. Agwrx - no bid; Clark Community Oil - No bid; Volland Oil - \$3.6264; Farstad Oil - no bid; Stern Oil - \$3.6546; Sioux Valley Coop - no bid - 3.63; Coles Petroleum - \$3.6350. The County accepted the low bid and all bids are on file in the Auditor's office.

POST AUDIT ELECTION: Auditor Tarbox reported results of the post-election audit for the June 2, 2026 Primary Election. The State Representative Race District 4, and the Governor race were counted from Precinct #10 and Precinct #11. After manually counting the ballots, the results of both races matched the election night tabulator count and County canvas with 100 percent accuracy. Results were reported to the Secretary of State.

SHERIFF: Motion by Sass, second

by Hass to approve \$500.00 pay to the one sheriff department employee who is on duty for the 24-hour shift of the holiday. All voting aye. Motion carried.

SHERIFF: Motion by Spieker, second by Sass to increase deputy sheriff salary by \$5,000.00 per year effective July 3, 2026. Increase will be granted to Deputy Sheriff Lindsey Stiefel and Deputy Sheriff Peyton Hoffer. All voting aye. Motion carried.

GRANT REQUEST: Jeremy Wellnitz was unable to attend meeting.

LOST CHECKS: Motion by Sass, second by Spieker to approve replacing checks for Eric Gregerson which were lost in the mail. All voting aye. Motion carried.

AMBULANCE: Motion by Schlagel, second by Hass to approve new hire, Taylor Irwin for shift staff for Clark County Ambulance, Station 1. All voting aye. Motion carried.

CLAIMS: Motion by Schlagel second by Spieker to approve the following claims, denied claim of Sarah McHenry and allow Auditor to issue payment. All voting aye. Motion carried. GENERAL FUND: Eric Gregerson, replace lost check, 514.42; ELECTIONS: Election Systems & Software, ballot creation, 1,295.60; Marsha Furness, post election audit 32.00; Ken's Fairway, cookies for election school, 30.45; Kimberly Nelson, post election audit, 62.50; Kimberly Seefeldt, 62.50; Wendy Zephier, post election audit, 58.15; Office Peeps, correction tape/scanner, 349.45; S.D. Federal Property, file folders, 10.00; TREASURER: Dacotah Bank, powered USB Hub, 45.98; COURT SYSTEM: Socia Law, court appt atty, 2,727.15; PUBLIC BUILDING: City of Clark, water, 407.10; Clark Community Oil, fuel/lawn mower, 18.57; Cook's Wastepaper, garbage 52.73; Dakota Data Shred, shredder fees, 97.16; Northwestern Energy, utilities, 1,214.43; Star Laundry, laundry, 74.36; SHERIFF: Clark Community Oil, fuel, 1,469.32; JB's Repair, change oil/filter/rear brakes, 759.50; WW Tire Service, oil change, 203.04; PRISONER CARE: Codington Co. Auditor, prisoner care, 7,329.52; AIRPORT: Northwestern Energy, utilities, 198.05; AMBULANCE: Bound Tree Medial, supplies, 339.43; City of Clark, water, 83.20; Clark Community Oil, fuel, 310.27; Dacotah Bank, tarps/ vests, 410.08; Mia Hall, supplies, 34.91; Northwestern Energy, utilities, 292.74; Stryker Sales; LLC, procare service contract, 3,710.70; SOCIAL SERVICES FOR AGED: Inter-Lakes Community Action, comm service/Feb, 2,222.00; EXTENSION: City of Clark, water, 376.70; Ken's Fairway, supplies 27.82; Office Peeps, supplies, 54.80; Star Laundry, rugs 50.44; WEED: City of Clark, water, 194.30; Clark Community Oil, pump and tank adaptor, 1,144.86; Cook's Wastepaper & Recycling, 69.93; Northwestern Energy, utilities 124.13; S.D. Federal Property, supplies, 86.00; Van Diest Supply Company, amine, 2,097.60; ROAD & BRIDGE: AFLAC, cobra coverage, 35.40; Banner Associates, engineer fees, CR 61, 14,583.00; City of Clark, water, 83.20;

Clark Community Oil, hose, 248.90; Cook's Wastepaper, garbage, 69.93; Grainger, supplies 97.92; Midway Service/Vollan Oil, fuel 34,450.80; Northwestern Energy, utilities, 861.25; Office Peeps, supplies, 23.78. Sanford Health Occupational, drug test, 64.00; Star Laundry, laundry, 58.75; TOTAL: \$79,218.82.

PAYROLL: AUDITOR: 6,330.16; TREASURER: 6,333.79; STATES ATTORNEY: 5,193.90; COURTHOUSE: 3,222.90; DIRECTOR OF EQUALIZATION: 6,307.59; REGISTER OF DEEDS: 4,085.51; VETERAN SERVICE OFFICE: 442.69; SHERIFF: 10,540.01; AMBULANCE: 7,664.32; EXTENSION: 71.58; WEED: 4,676.31; ROAD & BRIDGE: 45,147.43; EMERGENCY & DISASTER: 1,547.51. TOTAL: \$101,563.70.

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

AUDITOR MONTHLY SETTLEMENT WITH THE TREASURER

Cash on hand.....21,521.08
Money Market.....10,169,677.25
CD's.....800,000.00
Checking Account.....20,515.72
Securities.....3,029,995.32
TOTAL:.....14,041,709.37

These funds include all funds administered by the county including: General Fund \$7,935,665.04; Road & Bridge: \$1,666,135.11; 911 Service Fund: 63,217.70; ED: \$-7,420.19; Domestic Abuse: 85.00; 24/7 -- \$24,138.81; ROD Mod/Pres: 10,210.36; Opioid Settlement: 15,691.44; Rural Access Infrastructure fund: \$86,998.54. County TIF: 3,213,248.90, **Trust & Agency Funds, which are funds returned to schools, towns, townships and special districts - 1,033,738.66.** TOTAL: 14,041,709.37.

ROD Fees: May recording fees 2,060.00; Transfer fees: 2,497.50; Births: 40.00; Deaths - 45.00; Marriages - 75.00; Copy money: 67.00; Misc. - 199.00. TOTAL: 4,983.50. Sheriff fees: May 2026 - Mileage -\$32.45; Fees \$200.00. Ambulance - No report.

ADJOURN: Motion by Spieker, second by Sass to adjourn at 11:54 a.m. Next regular meeting Tuesday, July 7, 2026 at 8:00 a.m. All voting aye. Motion carried.

Sara Gjerde, Chairman
Clark County
Board of Commissioners

ATTEST:
(SEAL)

Christine Tarbox,
Clark County Auditor

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