

**Unapproved**  
**MARSHALL COUNTY COMMISSION MEETING**  
**Britton, South Dakota**

The Board of County Commissioners met in regular session at 9:00 a.m. on November 21, 2017 at Marshall County Courthouse. Members present were Medhaug, Knebel, Symens, Luttrell, and Schuller. Commissioner Medhaug presided.

**AGENDA:**

Symens moved, Schuller seconded to approve the agenda for November 21, 2017. All members voted aye.

**MINUTES:**

Symens moved, Knebel seconded to approve the minutes for November 7, 2017. All members voted aye.

**CLAIMS:**

Luttrell moved, Knebel seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: November 16, 2017: Commissioners 1305.80; Auditor 3104.65; Treasurer 3386.85; States Attorney 1348.94; Courthouse 1733.79; Director 4038.45; Register 2512.87; VSO 600.99; Community Building 668.62; Welfare 437.09; Nurse 397.98; Weed 2078.08; Zoning 349.62; Highway 17779.18; Emergency Management 473.14;

EMPLOYER FICA & MEDICARE: First Savings Bank 10145.05

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 3512.28

A & B BUSINESS INC SOLUTIO	906.36
ABERDEEN AREA RADIATOR, LL	150.00
AMERIPRIDE SERVICES INC	182.84
AREA IV SENIOR NUTRITION	282.00
BARD, BRIAN	131.49
BIEL, MEGAN	316.48
BRITTON LUMBER COMPANY	33.44
CENEX	18.00
CENTURY LINK	327.83
DELANEY NIELSEN SANNES PC	1,591.00
DIANE LENTSCH	41.12
EDEN OIL	6,776.00
FULL CIRCLE AG	902.52
GIS WORKSHOP	1,440.00
HEPPERS SPORTS CENTER	453.63
HOLLAND BROS OIL COMPANY	1,494.19
HOLLAND NAPA AUTO PARTS	287.49
HOUSE OF GLASS INC	336.63
JOHN DEERE FINANCIAL	6,231.14
KENS FOOD FAIR	174.71

KRAUSE BROS CONSTRUCTION	4,604.07
LACROIX LAW OFFICE	218.43
LAKE REGION ELECTRIC	234.62
LEHR SANITATION SERVICE	200.00
LEWIS & CLARK BHS	160.00
LINDA HAALAND	30.24
MARC	256.41
MARCO INC	20.49
MARSHALL CO TREASURER	190.86
MARSHALL COUNTY HEALTHCARE	43.77
MCLEODS PRINTING	248.36
MEYER HARDWARE HANK	76.35
MILBANK COMMUNICATIONS	1,293.00
NATIONAL 4H COUNCIL/ SUPPL	9.35
OTTER TAIL POWER COMPANY	126.86
QUARVE DRUG	389.02
QUILL CORPORATION	899.16
R & D WELDING & REPAIR SE	120.34
RAMKOTA INN	342.00
ROSS ALDENTALER	781.80
SAFETY SERVICE	265.00
SD ASSOCIATION OF	350.00
SD DEPT TRANSPORTATION	9,805.14
SD WHEAT GROWERS	19.76
SHELBY BECK	24.45
SIEGEL BARNETT & SCHUTZ LL	674.22
SMILE MAKERS	72.90
SOUTH DAKOTA LTAP	125.00
SUNTRUST	35,666.36
THOMSON REUTERS	338.87
VENTURE COMMUNICATIONS	2,323.79
VERIZON WIRELESS	160.04
WEBERS BODY SHOP	198.00
YANKTON COUNTY TREASURER	118.75

**ZONING:**

The Board met to review sample special event and temporary campground ordinances provided by SD Emergency Management, to apply towards the TransCanada Pipeline man camps and protesters. States Attorney, Dana Frohling, reviewed the sample ordinances finding inconsistencies, missing words, etc., and urged the board to not adopt the ordinances as is. He presented statute which would speed up the ordinance adoption process. Frohling will work with Shannon Lee, Todd Landmark, and Dale Elsen to draft potential ordinances.

Medhaug moved, Knebel seconded to approve building permits for the following applicants: Dale Pitzl, Hilary Krista, Westwood Colony, Dale Hagen, and Fred Halverson. All members voted aye.

### **HIGHWAY:**

Dustin Hofland and Sandy Dinger met with the board to discuss Highway Department business. TransCanada Keystone sent Hofland a Haul Road Agreement to sign and return. Dinger and Hofland amended the agreement from stating that TransCanada is not responsible for anything to stating that TransCanada Keystone not hold the County responsible against claims arising from their actions or inactions relating to Road Use Agreement. Symens motioned, Schuller seconded to sign the agreement with the amendment. All members voted aye.

The Highway Department has set the haul road from Langford to Amherst as 16AW, 11AS, and 12A. The department has recorded roads and taken measurements on gravel and width and crown of the haul and roads at 6 site mapped locations. The County roads surrounding the Designated haul roads have been recorded as well; LTAP did the same on the haul road.

County bridge inspections came back, with a new posting requirement for 11AC bridge 46-030-114 to be downgraded to 18 ton single unit, 30 ton combination. The County has this bridge 46-030-114 (11AC) on the list for replacement in 2018.

The department's 5 Year Plan was approved by the South Dakota Department of Transportation for 2018; Sandy has emailed a copy to the board. Dinger reported that an employee had filed an unemployment insurance claim. The employee advised Dinger and Hofland he was leaving Oct 26<sup>th</sup>, but claimed to unemployment that he was laid off. D-Ware Inc. Software License Agreement was authorized for signature. Dinger and Hofland are putting together Winter Survival kits for the Department's trucks. September and October distribution reports were provided to the board.

### **FUEL QUOTES:**

Sandy Dinger reported the Highway Department received the following quotes for gasoline with 10% Ethanol for the Britton Shop: DaMar Elevator for \$2.50 and Eden Oil for \$2.42. Gasoline was delivered to the Britton Shop by Eden Oil.

### **SURPLUS CAR BID:**

The following bid was opened and publicly read for a surplus car Dodge Avenger: Bob Schuster \$1.00. Symens moved, Luttrell motioned to reject the bid from Schuster. All members voted aye.

### **COUNTY HEALTH NURSE QUARTERLY REPORT:**

Linda Haaland, County Health Nurse Secretary, met with the board to present the County Health Nurse's third quarter report for 2017.

**TRANSCANADA KEYSTONE PIPELINE:**

Elsen met with the board to inform that landowners can sign a complaint and give Elsen authority to remove people from their land. Right now, all media agents are located at the North end at Station 1; protesters are located on the South end.

The following TransCanada Pipeline representatives met with the board to discuss the Amherst pipeline leak, provide updates, and answer questions: Robert Latimer, Senior Advisor of Community Relations; Erik Tatarчук, VP of Operations; Mark Yellmans, Chief Engineer; Shelly-Ann Fredric, Senior Advisor of Community Relations; and Jacque Benson, Public Information Officer.

Erik Tatarчук provided the following details about the pipeline: operators discovered the leak Thursday morning via computer system in the centralized control room in Fort McMurray in Canada at which point they immediately shut down the line. Once they verified the leak and oil on the ground, they initiated their Emergency Management protocols and have worked to make the site safe. First, they upgraded and built up the road to handle heavy trucks and built in rig mats (blocks of wood that heavy equipment can drive on to the site to avoid damaging land). They are currently vacuuming the oil, and, once complete, will excavate to find the failure cause of the pipe. The section of pipe where the leak occurred will be cut out and sent to Washington for inspection. In the meantime, they will install new pipe. They are expecting to excavate Wednesday, November 22 or Thursday, November 23. Best estimate for restart, assuming approval of restart plan from Washington, is Wednesday, November 29. They met with BDM to address water concerns. The state is also involved, issuing a statement that there is no concern for the water.

Dave Flute, Chairman of Sisseton Wahpeton Oyate Tribe, was present for the meeting addressing concerns about the actual quantity that leaked. Dianne Desrosiers, tribal historic preservation officer was present for the meeting with concerns about length of time for cleanup.

PHMSA (Pipeline and Hazardous Materials Safety Administration) currently has 2 accident investigators and 1 inspector on site as well as Dave Mulligan, Community Liaison in the Office of Pipeline Safety and Drue Pearce, Deputy Administrator for PHMSA. They will keep at least 1 accident investigator and 1 inspector on site at all times.

Shannon Marvel with the Aberdeen American News was present.

**TRAVEL:**

Schuller motioned, Medhaug seconded to authorize the following travel expenses: Linda Haaland to Huron for Welfare Meeting December 6 and to Aberdeen for County Health Nurse inservice December 14. All members voted aye.

Medhaug motioned, Knebel seconded to authorize the following travel expenses: half of the Highway Department to Aberdeen for MSHA refresher class January 24; half of the Highway Department to Aberdeen for MSHA refresher class January 25. All members voted aye.

**OTHER:**

Luttrell was elected on to the Food Pantry Board.

**ADJOURN:**

Schuller motioned, Medhaug seconded to adjourn. All members voted aye.

**ATTEST:**

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Doug Medhaug, Chairman

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Megan Biel, Auditor

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