

Unapproved
MARSHALL COUNTY COMMISSION MEETING
Britton, South Dakota

The Board of County Commissioners met in regular session at 9:00 p.m. on April 9, 2019 at the Marshall County Courthouse. Members present were Schuller, Luttrell, Jones, Knebel, and Medhaug.

AGENDA:

Schuller moved, Jones seconded to approve the agenda for April 9, 2019. All members voted aye.

MINUTES:

Schuller moved, Knebel seconded to approve the minutes for March 26 and April 1, 2019 and the following correction to the March 19, 2019 minutes: **PAY RAISES: RADIO**

DISPATCHERS/JAILERS: Debra Skonberg \$17.99, Arlie Siers \$17.99. Tarah Kroll ~~\$17.99~~ \$17.49, Tara Greseth 17.38, Logan Roehr ~~\$15.65~~ 15.97; \$200.00 clothing allowance for each dispatcher/jailer.

All members voted aye.

CLAIMS:

Luttrell moved, Jones seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: April 4, 2019: Commissioners 1375.70; Auditor 3054.49; Treasurer 3818.41; States Attorney 1425.47; Courthouse 678.93; Director 4466.89; Register 2872.09; VSO 654.42; Community Building 691.74; Welfare 518.52; Nurse 486.62; Extension 1382.40; Weed 435.12; Zoning 963.70; Highway 14842.87; Emergency Management 514.98; EMPLOYER FICA & MEDICARE: First Savings Bank 8496.97

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 3827.08

A & B BUSINESS INC SOLUTIO	257.24
AMERIPRIDE SERVICES INC	79.73
AREA IV SENIOR NUTRITION	336.00
ASSN. OF SD COUNTY	150.00
BAUS OIL CO	365.20
BOUND TREE MEDICAL LLC	149.98
BRITTON CITY WATER DEPT	328.82
BRITTON IND SCHOOL #45-4	2,684.58
BRITTON JOURNAL	928.17
BRITTON LUMBER & HOME CENT	49.46
BUTLER MACHINERY CO	1,065.35
CDJ ELECTRIC PLUMBING	204.76
CENEX	442.65
CENEX FLEETCARD	379.12
CLIFF'S ONE STOP	965.85
DAVID N NELSON	109.20
DEAN SCHAEFER COURT REPORT	30.00
DELANEY NIELSEN SANNES PC	282.00
DOUG MEDHAUG	97.01
FARM HOME PUBLISHERS	1,324.58

FASTENAL COMPANY	267.54
FEDEX	13.00
FIRST NATIONAL BANK	343.90
FROHLING LAW OFFICE	4,237.82
FULL CIRCLE AG	692.45
GROBES GROCERY & HARDWARE	77.11
HKG ARCHITECTS	20,000.00
HOFLAND, DUSTIN	448.00
HOLLAND BROS OIL COMPANY	401.50
HOLLAND NAPA AUTO PARTS	776.73
JENNIFER RINGKOB	46.01
KAREN MIKKELSON	8.50
KENS FOOD FAIR	186.59
KEVIN JONES	15.26
LAKE REGION ELECTRIC	702.00
LANGFORD BUGLE	760.82
LANGFORD LUMBER CO	26.49
LANGFORD TOWN	194.09
LEHR SANITATION SERVICE LL	180.00
LERON KNEBEL	73.58
LYNDA LUTTRELL	39.24
MAC'S HARDWARE	375.35
MARCO INC	112.57
MARSHALL COUNTY HEALTHCARE	14.59
MATTHEW BENDER & CO., INC.	110.88
MATTHEW SCHULLER	41.42
MCLEODS PRINTING	289.90
MENARDS/ ABERDEEN	55.94
MEYER HARDWARE HANK	912.75
MILBANK COMMUNICATIONS	374.86
MINN KOTA COMMUNICATIONS I	16.66
OTTER TAIL POWER COMPANY	2,602.97
QUARVE DRUG	28.79
QUILL CORPORATION	199.98
RC TECHNOLOGIES	309.84
REIN CONSTRUCTION INC	47,181.72
SD ASSOCIATION COUNTY OFFI	525.00
SD COUNTIES	2,419.00
SD PUBLIC ASSURANCE ALLIAN	73,162.88
SD PUBLIC HEALTH LABORATOR	120.00
SIEGEL BARNETT & SCHUTZ LL	1,297.77
THOMSON REUTERS	487.97
TRANSOURCE TRUCK & EQUIPME	37.49
TRI STATE WATER, INC.	74.30
VERIZON WIRELESS	663.75

PUBLIC COMMENT:

No one was present to make public comment.

SHERIFF DEPARTMENT:

Brian Bard, Deputy Sheriff met with the board to inform them that the following individuals have been hired as fill-in deputies at a rate of \$20.78/hour until more full-time deputies can be hired: Damian Bahr, Rick Olauson, Tanner Johndahl, Dave Hunter, Stacy Mayou. Jones moved, Schuller seconded to pay these fill-in deputies mileage to Britton and back home at a rate of \$0.545/mile since they are all out of county fill-in deputies. All members voted aye.

COURTHOUSE HEATING/COOLING SYSTEM:

The board discussed the pumps for the heating and cooling system at the courthouse. Both pumps are malfunctioning and not working correctly. In order to find out if the newer pump would be covered under warranty, Johnson Controls requires the County to pay someone to take it apart and transport it to the motor company to inspect. The board approved the purchase and installation of two new pumps from CDJ Electric for \$4,800.00.

ZONING:

Erin Collins-Miles, Zoning Director met with the board to discuss zoning business. Knebel moved, Jones seconded to approve building permits for the following applicants: Myron Johnson, Brandon Peters. All members voted aye.

ORDINANCE 46: SECOND READING:

The second reading of Ordinance 46 was completed:

ORDINANCE NO. 46

AN ORDINANCE AMENDING THE MARSHALL COUNTY ZONING ORDINANCE TO ADD
GEESE TO CONCENTRATED ANIMAL FEEDING OPERATIONS ORDINANCE.

BE IT ORDAINED by the Board of County Commissioners of Marshall County, South Dakota, as follows:

Section 1: That Section Appendix 707-1 to Section 707 of the Marshall County Zoning Ordinance relating to concentrated animal feeding operations be amended to add geese. The revised appendix would read as set forth in Exhibit A.

Section 2: That any and all ordinances in conflict herewith are hereby repealed.

EXHIBIT A

APPENDIX AG-707-1 ANIMAL UNIT EQUIVALENTS

ANIMAL SPECIES	300 AU	1,000 AU	2,000 AU	ANIMAL UNIT EQUIVALENT SPECIES/AU
Feeder or slaughter cattle	300 head	1,000 head	2,000 head	1.00
Mature dairy cattle	200 head	700 head	1,400 head	1.40
Finisher swine (over 55 lbs)	750 head	2,500 head	5,000 head	0.40
Nursery swine (less than 55 lbs)	3,000 head	10,000 head	20,000 head	0.10
Farrow-to-finish (sows)	80 head	270 head	540 head	3.70
Swine production unit (Sows: Breeding, Gestating & Farrowing)	640 head	2,130 head	4,260 head	0.47
Horses	150 head	500 head	1,000 head	2.00
Sheep	3,000 head	10,000 head	20,000 head	0.10
Turkeys	16,500 head	55,000 head	110,000 head	0.018
Geese and Ducks	1,500 head	5,000 head	10,000 head	0.20
Laying Hens and Broilers (liquid handling system in confinement facility)	9,000 head	30,000 head	60,000 head	0.033
Laying Hens and Broilers (continuous overflow watering in facility)	30,000 head	100,000 head	200,000 head	0.01

AU = animal units

Brian Donahoe, Donahoe Law Firm and Glen Waldner, Newport Colony met with the board to request that the board revise Exhibit A to follow DENR's table of animal units for ducks and geese which is 10,000 head for 300 AU, 30,000 head for 1,000 AU and 60,000 head for 2,000 AU and to strike the words "continuous overflow watering in facility" and replace them with "uses other than liquid manure handling system". State's Attorney Dana Frohling was present for discussion and informed the board that amendments may be made to the proposed ordinance at this time.

Jones moved, Knebel seconded to approve the proposed amendment so that Exhibit A reads as follows:

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Laying Hens and Broilers (liquid handling system in confinement facility)	9,000 head	30,000 head	60,000 head	0.033
Laying Hens and Broilers (Uses other than liquid manure handling system)	30,000 head	100,000 head	200,000 head	0.01

AU = animal units

Jones moved, Knebel seconded to approve the adoption of the proposed ordinance. All members voted aye.

HIGHWAY:

Dustin Hofland, Highway Superintendent and Sandy Dinger, Highway Secretary met with the board to discuss Highway department business. Hofland informed the board that there are a lot of roads under water in the County. The Hillhead road is very broke up. There are about 40 sites so far in the County that have sustained significant damage due to flooding. This includes both Off-system (FEMA eligible) roads and Federal Aid System roads. With the frost coming out, they are just starting to see some of the culvert damage. Hofland expects to see more sites added to this in the near future. Hofland also informed the board that the County did not receive any BIG grants this year for Bridges 46-141-000 or 46-130-109. The board discussed the area on the Roy lake road that Gary and Scott Gangle met with them about on March 26. The board agreed that Gangles must place their fence outside of the right-of-way which is 33 feet from the center of the road. The board also discussed County road 4 AW that Westwood Colony reps met with the board about on March 26. Marshall County does not have the budget to pave this road at this time, but it is in the plans to mill this road in the near future.

FUEL QUOTES:

Sandy Dinger received the following quotes for #2 diesel for the Veblen and Langford shops on March 28: Eden Oil-Veblen 2.38, Langford 2.37; DaMar Elevator-Veblen 2.50, Langford 2.36; Holland's Oil-Veblen 2.49, Langford 2.49. Diesel fuel was delivered to Veblen by Eden Oil and Langford by DaMar Elevator.

EQUALIZATION:

The County Board of Equalization met beginning at 10:00 AM to hold their annual equalization meeting. Present were Commissioners Medhaug, Knebel, Jones, Luttrell, Schuller and Director of Equalization Shannon Lee.

Chairman Medhaug called to order the County Board of Equalization and oaths of office were completed.

RENEWABLE ENERGY CREDITS:

Knebel moved, Schuller seconded to instruct the Director of Equalization to approve 1 new 2019 renewable energy credits for a total of \$50,239. All members voted aye.

DISABLED VETERAN EXEMPTION:

Schuller moved, Luttrell seconded to instruct the Director of Equalization to reduce values on all properties qualifying for Veteran exemption. One new exemption was given. All members voted aye.

ASSESSMENT FREEZE: Disabled and Senior Citizens

Jones moved, Schuller seconded to instruct the Director of Equalization to reduce values on all properties qualifying for assessment freeze for Elderly and Disabled. Total exemption is in the amount of \$610,426. Taxable base years are \$746,007. All members voted aye.

TAX EXEMPT PROPERTY:

Medhaug moved, Knebel seconded to approve the list of tax exempt property. All members voted aye. A complete list is on file at the office of the County Auditor and Director of Equalization and can be seen during regular office hours.

OWNER OCCUPIED STATUS:

Schuller moved, Jones seconded to approve changing status to owner occupied for 3 applications received after assessment notices were sent out. All members voted aye.

CORRECTION:

Luttrell moved, Schuller seconded to make the following correction to assessed value on a mobile home on parcel 25.55.37.F325: Assessed value \$40,253. Revised value \$29,674. Reason: incorrect MH file was sent from Brown County, so structure was assessed with wrong manufactured year. All members voted aye.

STIPULATION:

Jones moved, Schuller seconded to approve the following stipulation and change the value to the DOE recommendation on parcel 44.63.33.2000: Assessor's value \$396,367, DOE recommendation \$91,123. Reason: No longer an Ag pursuit, reclassified and revalued based on market per approval from the Department of Revenue. All members voted aye.

ADJOURNMENT:

Knebel moved, Schuller seconded to adjourn as County Board of Equalization and enter into regular session. All members voted aye.

CONSOLIDATED BOARD-BRITTON:

Matt Schuller, Lynda Luttrell and Kevin Jones were present as members of the Consolidated Board of Equalization of Marshall County, Britton City and Britton School. Josh Hawkinson and Bill Deutsch were absent. Jones moved, Schuller seconded to approve the Britton City assessment book. All members present voted aye. Jones moved, Schuller seconded to adjourn out of consolidated board. All members present voted aye.

CONSOLIDATED BOARD-LANGFORD:

Kevin Jones, Leron Knebel, Doug Medhaug and Orrie Jesz were present as members of the Consolidated Board of Equalization of Marshall County, Langford Town and Langford School. David Planteen was absent. Melody Swearingen, Langford town finance officer was also present. Jones moved, Knebel seconded to approve the Langford Town assessment book. All members present voted aye. Jones moved, Knebel seconded to adjourn out of consolidated board. All members present voted aye.

PERFORMANCE OF DUTIES:

The board met with Shannon Lee in reference to the performance of her duties as Director of Equalization pursuant to SDCL 10-3-14.

COURTHOUSE PROJECT:

Dean Marske and Scott Sikkink, HKG Architects met with the board to discuss the courthouse project. HKG is going to contact surrounding counties to see what their level of commitment would be for sending prisoners to be held in Marshall County at a new facility.

The following meetings have been set to inform the public about the project and answer any questions:

Marshall County Courthouse and Law Enforcement Center

Upcoming Informational Meeting Dates:

- Tuesday, April 16-Britton Community Building, 1:00 pm
- Tuesday, April 16-Lake City Community Building, 6:00 pm
- Monday, April 22-Britton Community Building, 6:00 pm
- Thursday, April 25-Veblen School Gym, 6:00 pm
- Monday, April 29-Langford School Gym, 6:00 pm
- Thursday, May 2- Eden Fire Hall, 6:00 pm

TRAVEL:

Luttrell moved, Jones seconded to authorize the following travel expenses: Leron Knebel, Lynda Luttrell, Kevin Jones, Matt Schuller, Ruby Hagen, Kalissa Stelzer and Shannon Lee to Webster for a Lake Region District meeting April 25; Ruby Hagen, Megan Biel and Kalissa Stelzer to Pierre for Spring Workshop May 14-15. All members voted aye.

NEW HIRE:

The board reviewed applications for the maintenance position at the Courthouse. Auditor Biel will contact the selected candidate to make a job offer.

PAY RAISES:

Schuller moved, Medhaug seconded to approve the following pay raises: David Nelson from \$18.13 to \$18.63/hour and Richard Benda from 17.01 to 17.51/hour effective March 31. All members voted aye.

FINANCIAL REPORT:

County Auditor Megan Biel presented the following report showing the financial condition of the County Treasurer's office as of the close of business January 31, 2019 FSB \$5,328,489.42. Certificates of Deposit \$1,061,513.04. Cash \$1,050.00. Total \$6,391,052.46. The amounts above include amounts held for others including schools, towns, townships, etc.

County Auditor Megan Biel presented the following report showing the financial condition of the County Treasurer's office as of the close of business February 28, 2019 FSB \$5,474,029.79. Certificates of Deposit \$1,061,513.04. Cash \$1,050.00. Total \$6,536,592.83. The amounts above include amounts held for others including schools, towns, townships, etc.

County Auditor Megan Biel presented the following report showing the financial condition of the County Treasurer's office as of the close of business March 31, 2019 FSB \$5,364,459.22. Certificates of Deposit \$1,061,513.04. Cash \$1,050.00. Total \$6,427,067.26. The amounts above include amounts held for others including schools, towns, townships, etc.

ADJOURN:

Knebel moved, Jones seconded to adjourn. All members voted aye.

ATTEST:

Doug Medhaug, Chairman

Megan Biel, Auditor

Published once at the total approximate cost of_____.