

Unapproved
MARSHALL COUNTY COMMISSION MEETING
Britton, South Dakota

The Board of County Commissioners met in regular session at 9:00 p.m. on May 7, 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 May 7, 2019. All members voted aye.

MINUTES:

Schuller moved, Knebel seconded to approve the minutes for April 23, 2019. All members voted aye.

CLAIMS:

Luttrell moved, Jones seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: May 2, 2019: Commissioners 1415.70; Auditor 3061.99; Treasurer 3940.73; States Attorney 1425.47; Courthouse 678.93; Director 4466.89; Register 2864.59; VSO 654.42; Community Building 662.92; Welfare 460.41; Nurse 456.24; Extension 1382.40; Zoning 1265.70; Highway 13330.61; Emergency Management 524.13;

EMPLOYER FICA & MEDICARE: First Savings Bank 8085.28

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 3667.42

A & B BUSINESS INC SOLUTIO	27.81
ABERDEEN CHRYSER CENTER	164.70
AMERIPRIDE SERVICES INC	58.70
APEX SOFTWARE	235.00
AREA IV SENIOR NUTRITION	372.00
ASHI & 24-7 EMS REMITTANCE	380.19
BRITTON CITY WATER DEPT	310.30
BRITTON JOURNAL	963.81
BRITTON LUMBER & HOME CENT	119.17
CARLSON CRUSHING & EXCAVAT	7,485.21
CENEX	135.46
CENEX FLEETCARD	336.98
CHIEF LAW ENFORCEMENT SUPP	1,927.18
CLARK ENGINEERING CORP	918.99
CLIFF'S ONE STOP	801.45
COGLEY LAW OFFICE, PROF LL	1,489.30
COLE PAPERS INC	159.80
CRAWFORD TRUCKS	115.82
DACOTAH PAPER COMPANY	32.32
DAVID BECK PLUMBING & SERV	73.47
DAVID HUNTER	223.45
DMC WEAR PARTS LLC	4,285.00

DOWNIE PIANO TUNING	100.00
ELECTRO WATCHMAN INC	424.09
FIRST NATIONAL BANK	210.51
FOREMAX INCORPORATED	283.39
FOX & YOUNGBERG, P.C.	197.32
FROHLING LAW OFFICE	3,605.00
FULL CIRCLE AG	658.98
GROTON FORD LLC	280.54
HEPPERS SPORTS CENTER	211.95
HH DESIGN	46.00
HOLLAND BROS OIL COMPANY	27.01
JENNIFER RINGKOB	461.11
KENS FOOD FAIR	211.76
KEVIN JONES	30.52
KONICA MINOLTA PREMIER FIN	96.56
LAKE REGION ELECTRIC	147.05
LANDMARK, TODD	100.80
LANGFORD BUGLE	588.91
LANGFORD TOWN	250.48
LERON KNEBEL	130.80
LINDA HAALAND	50.40
LYNDA LUTTRELL	99.19
MAC'S HARDWARE	479.97
MARC	527.79
MARCO INC	100.52
MARCO TECHNOLOGIES LLC	27.51
MARSHALL COUNTY HEALTHCARE	3,688.00
MATTHEW SCHULLER	20.71
MCLEODS PRINTING	661.56
MEYER HARDWARE HANK	228.05
MINN KOTA COMMUNICATIONS I	12,225.90
NORTH STAR ENERGY LLC	98.89
OAKES AMBULANCE	174.70
OFFICE OF CHILD & FAMILY S	1,042.50
OTTER TAIL POWER COMPANY	1,921.96
PREMIER SPECIALTY VEHICLIE	1,706.81
QUARVE DRUG	85.52
QUILL CORPORATION	1,119.82
RC TECHNOLOGIES	309.84
SANDERS SEW N VAC INC	62.97
SD ASSN COUNTY COMMRS	75.00
SD ASSOCIATION OF	150.00
SUNSET HUTTERIAN BRETHREN	645.00

SUNTRUST	35,666.36
TANNER JONDAHL	179.85
TITAN MACHINERY	6,234.61
TRI STATE WATER, INC.	74.30
TYLER TECHNOLOGIES	4,678.00
VENTURE COMMUNICATIONS	245.15
VERIZON WIRELESS	582.41
WEBERS BODY SHOP	55.00
WERNER AUTOMOTIVE	139.14

ZONING:

Erin Collins-Miles, Zoning Director met with the board to discuss Zoning business. Korey Freudenthal was present update his variance request to a 2.5 foot variance to place a garage 4.5 feet from the property line instead of the required 7 feet. His request for the 20 foot variance from the 30 foot setback requirement from the right-of-way line and 28 foot variance from the 50 foot setback requirement from the high water mark remained the same. Collins-Miles stated that she had spoken with Jeannine Swanson about the change to the original request and Swanson did not have any objections to the new variance request. Schuller moved, Luttrell seconded to approve the variances as requested. All members voted aye.

Luttrell moved, Knebel seconded to approve building permits for the following applicants: Keith Holland, Ann Erickson, Don Cusick, Bob & Sandy Hastings, Dana & Monica McFarlane, Travis & Nicole Stiegelmeier, Gerald & Mary Specht, BDM Rural Water. All members voted aye.

Jones moved, Knebel seconded to approve the following plat: Plat of Lot 1 of Reservoir 5A Addition Being Part of the Southwest Quarter (SW 1/4) of Section 10, Township 125 North, Range 57 West of the 5th Principal Meridian, Marshall County, South Dakota. All members voted aye.

Knebel moved, Luttrell seconded to approve the following plat: Stiegelmeier Outlot A located in the Northeast quarter of section 26, TWP. 127 North, Rge 57 West of the 5th P.M., Marshall County, South Dakota. All members voted aye.

Luttrell moved, Jones seconded to approve the following plat: Plat of Lot 3 Cottonwood Lake Subdivision in Gov't Lot 5, Section 16, T126N, R55W of the 5th P.M., Marshall County, South Dakota. All members voted aye.

HIGHWAY:

Dustin Hofland, Highway Superintendent and Sandy Dinger, Highway secretary met with the board to discuss Highway Department business. Russell Wurst was present to discuss township flooding and culverts in township roads. The board advised Wurst that they do not have any authority over Township roads and asked that he work with the Township board and the State Regulatory Office. Thomas Kavan was present to discuss an issue between Eden and Buffalo Townships. Kavan's house is in Buffalo Township but the road leading to his property is an Eden Township road. There is a disagreement about who should maintain the road leading to Kavan's property. The board informed Kavan that they do not have any authority over the Townships and that he should work with the Township boards to resolve the issue.

Hofland discussed the warranty available for purchase on the new highway department tractor. Hofland will get more information and report back to the board. There are still road restrictions

on County roads. Hofland hopes to be able to remove those restrictions in the next couple weeks. Hofland reported that Curtis Foster asked if the County will repair the township road to his gravel pit. The board stated that it is not the County's responsibility to repair this road. Hofland will be taking samples of gravel from area gravel pits soon to ensure that the gravel meets specifications. The board agreed to donate the sand that was used to fill sandbags in the Langford area and will not be sending a bill for the hauling of the sand in March when the town experienced flooding. There are 48 sites total (30 sites on off-system roads that are FEMA eligible and 18 sites on FAS roads that are ER eligible) on Marshall County roads that have flooding issues. The board approved purchasing coated culverts for the sites that are under major highways or are located deep below the road surface.

Knebel moved, Jones seconded to authorize the Chair to sign the Award, Agreement and Notice to Proceed for Bituminous Paving, the successful bidder to the Surface Repair and Asphalt Surface Treatment on County roads 5A (11.7 miles) and the Roy Lake road (3.6 miles.) All members voted aye.

Knebel moved Luttrell seconded to authorize the chairman to sign the Agreement #2020-48-01 with SDGFP for the Roy Lake road. Marshall County will pay 25% of the cost (\$35,496.26) and SDGFP will pay 75 % of the cost (\$106,488.78.) All members voted aye.

Schuller moved, Jones seconded to approve approach permit applications for BDM Rural Water and Truss Pros. All members voted aye.

FUTURE MEETINGS:

The board set the following dates for future Commission Meetings: June 4 & 18, July 9 & 23.

WELFARE:

Linda Haaland, Welfare Director met with the board to present the following Welfare claims.

Jones moved, Knebel seconded to deny a welfare claim to Avera Heart Hospital for \$22,097.10.

Reason: The appointments were scheduled and were not pre-approved. All members voted aye.

Schuller moved Jones seconded to approve a welfare claim to Avera St. Luke's for \$703.00. All members voted aye.

Schuller moved, Luttrell seconded to approve a welfare claim to Mount Hope Cemetery for \$325.00. All members voted aye.

COUNTY HEALTH NURSE:

Linda Haaland, County Health Nurse Secretary met with the board to present the County Health Nurse's Quarterly Report. The County Health Nurse's office completed 41 immunizations and 16 WIC certifications in the 1st quarter of 2019 along with many other duties.

WEED CHEMICAL BIDS:

The following bids were opened and publicly read for an annual supply of weed chemicals:

Muskrat Farm Supply: Tordon 22K \$62.00/gal, Auqua-Star (Rodeo) \$30/gal, Generic Round Up \$13.00/gal, NI Surfactant \$15.20/gal. Dakota Ag Service: 2-4D Amine \$13.30/gal, Outpost 22K \$51.00/gal, Rodeo \$21.62/gal, Round Up \$21.95/gal, Activator 90 \$22.00/gal. Jones moved, Knebel seconded to accept the bid for Non-Ionic Surfactant and Round Up from Muskrat Farm Supply and for all other chemicals from Dakota Ag Service. All members voted aye.

GROW, SD:

Mark Nelson, Grow, SD met with the board to present an annual report of Grow, SD's work in Marshall County. In 2018, Grow assisted with over \$3 million invested in Marshall County through housing & business lending, Governor's Houses, Emergency Assistance, etc. Grow, SD thanks the Marshall County Commissioners for their annual contribution and requests the same contribution for 2020.

EXECUTIVE SESSION:

Knebel moved, Jones seconded to enter into executive session at 11:34 am to discuss legal matters. Deputy State's Attorney Victor Rapkoch was present. All members voted aye. The Chairman called the board out of executive session at 12:12 pm.

STATE'S ATTORNEY:

Deputy State's Attorney Victor Rapkoch met with the board to inform them that he has not found any statute that states the counties are responsible for removal of trees in county right-of-ways. The board discussed the current drainage ordinance. The Ordinance passed in 1986 is what is currently in the Ordinance records in both the State's Attorney's office and the Auditor's office. It was recently brought to the board's attention that a different ordinance was published in 2007. This ordinance would change what jurisdiction the board has. The board will discuss possible changes to the drainage ordinance to clarify this discrepancy at a future meeting.

DISPATCHER TRAINING:

Schuller moved, Jones seconded to authorize the chair to sign dispatcher training applications for Chris Cease and Shari Schock to send them to the necessary schooling in Pierre. All members voted aye.

RESIGNATION:

The board accepted the resignation of Tara Greseth, E911 Dispatcher/Jailer effective June 1, 2019.

ALCOHOLIC BEVERAGE LICENSES:

Knebel moved, Jones seconded to approve the following alcoholic beverage license renewals: Roy View Golf Course-retail (on-off sale) malt beverage & SD farm wine, China Town-retail (on-off sale) malt beverage & SD farm wine. All members voted aye.

TRAVEL:

Luttrell moved, Knebel seconded to authorize the following travel expenses: Ruby Hagen, Megan Biel and Kalissa Stelzer to Pierre May 14-15 for Spring Workshop. 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 April 30, 2019 FSB \$8,589,659.84. Certificates of Deposit \$1,061,513.04. Cash \$1,050.00. Total \$9,652,222.88. The amounts above include amounts held for others including schools, towns, townships, etc.

ADJOURN:

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

ATTEST:

Doug Medhaug, Chairman

Megan Biel, Auditor

Published once at the total approximate cost of_____.