

Unapproved
MARSHALL COUNTY COMMISSION MEETING
Britton, South Dakota

The Board of County Commissioners met in regular session at 9:00 a.m. on April 14, 2020 at the Marshall County Courthouse. Members present were Schuller, Luttrell, and Jones. Present by conference call and Zoom were members Medhaug and Knebel. Commissioner Schuller presided. The meeting was open to the public and was offered via Zoom on computer and conference call. Kalissa Stelzer, Karen Mikkelson, Shelby Thompson, Lori Amerman, and Sandy Dinger were present for a majority of the meeting via Zoom.

AGENDA:

Schuller moved, Luttrell seconded to approve the agenda for April 14, 2020. All members voted aye.

MINUTES:

Jones moved, Knebel seconded to approve the minutes for March 24, 2020. All members voted aye.

CLAIMS:

Schuller moved, Luttrell seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: April 2, 2020: Commissioners 1523.90; Auditor 3174.67; Treasurer 3758.14; States Attorney 1459.68; Courthouse 1595.84; Director 4573.35; Register 3559.21; VSO 670.02 Community Building 641.06; Welfare 659.16; Nurse 618.48; Extension 1415.20; Zoning 2057.36; Highway 14738.20; Emergency Management 527.34;

EMPLOYER FICA & MEDICARE: First Savings Bank 4395.77

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 2071.55

A & B BUSINESS INC SOLUTIO	412.71
AGTEGRA COOPERATIVE	3,878.85
AMERIPRIDE SERVICES INC	47.43
AREA IV SENIOR NUTRITION	132.00
BRITTON CITY WATER DEPT	258.28
BRITTON INSURANCE CO	80.00
BRITTON JOURNAL	705.04
BUTLER MACHINERY CO	587.00
CDJ ELECTRIC PLUMBING	25.51
CENEX	259.29
CENEX FLEETCARD	415.23
CLIFF'S ONE STOP	271.70
COLE PAPERS INC	195.96
CRAWFORD TRUCKS	41.75
DAKOTA COUNSELING GROUP	900.00
DAMAR FARMERS ELEVATOR	254.42
DARCY LOCKWOOD	6.00
DEAN SCHAEFER COURT REPORT	42.00
DELANEY NIELSEN SANNES PC	1,523.75
DOUG MEDHAUG	73.60
EDEN LUMBER COMPANY	45.90

EDEN OIL	778.40
EXPETEC TECHNOLOGY SERVICE	269.00
FAULKTON DRUG	62.17
FIRST NATIONAL BANK	1,018.82
FROHLING LAW OFFICE	3,700.98
FULL CIRCLE AG	87.47
GRAHAM TIRE CO INC	1,738.08
HOLLAND BROS OIL COMPANY	550.51
HOLLAND NAPA AUTO PARTS	1,458.20
JASON DEVINE	1,815.00
JOHN DEERE FINANCIAL	205.61
KENS FOOD FAIR	135.83
KEVIN JONES	16.10
LAKE REGION ELECTRIC	465.62
LANGFORD BUGLE	566.79
LANGFORD TOWN	203.85
LEHR SANITATION SERVICE LL	180.00
LERON KNEBEL	94.88
LEWIS & CLARK BHS	178.00
LIGHT & SIREN	569.87
LINDA HAALAND	78.58
LUCY LEWNO	112.25
LYLE SIGNS INC	442.78
LYNDA LUTTRELL	27.60
MARC	1,344.15
MARK KATTERHAGEN	6.00
MATHESON TRI-GAS INC	47.20
MATTHEW BENDER & CO., INC.	175.32
MEYER HARDWARE HANK	188.58
MICROFILM IMAGING SYSTEMS	40.00
MILBANK COMMUNICATIONS	148.00
OTTER TAIL POWER COMPANY	2,319.80
PRICE FUNERAL CHAPEL	2,000.00
QUARVE DRUG	108.47
QUILL CORPORATION	439.16
RC TECHNOLOGIES	309.84
RIVERSIDE TECHNOLOGIES, IN	1,059.00
ROBERTS COUNTY DETENTION C	280.00
SANFORD HEALTH	198.50
SCOTT'S LUMBER	7.49
SD ASSOCIATION OF COUNTY O	158.00
SD COUNTIES	3,175.00
SD DEPT OF REVENUE	76,800.40
SD FEDERAL PROPERTY	124.10
SD PUBLIC HEALTH LABORATOR	200.00
SOUTHSIDE EQUIPMENT	232.30
THOMSON REUTERS	585.56
TRI STATE WATER, INC.	111.10
TRUENORTH STEEL	5,487.45
VERIZON WIRELESS	629.82
WEBERS BODY SHOP	67.46
ZAHN, SARAH	387.40

ZONING/DRAINAGE:

Erin Collins-Miles, Zoning and Drainage Director met with the board to discuss Zoning and Drainage business. Deputy States Attorney Victor Rapkoch was present. Tim Smith, Brandon Peters, Ryan Patterson, Steve McLaen, Alex Masteller, David Siebel, Kirk Rabenberg, Jan Vold, Matthew McLaen, Dustin Hofland, and Josh Kraft were present via Zoom.

Jones moved, Luttrell seconded to approve an application for Charles K Rabenberg & Son, Inc. to drain on the property described as the NW1/4 EXC N1/2NW1/4NW1/4NW1/4 of Section 22, T126N, R57W. Conditions to this permit are as follows; to make construction completion date as seen on permit application: September 1, 2025. Applicant must reapply after said date. All members voted aye.

Jones motioned; Knebel seconded to approve an application for Charles K Rabenberg & Son, Inc. to drain on the property described as the NW1/4 of Section 9, T126N, R57W. Conditions to this permit are as follows; to make construction completion date as seen on permit application: September 1, 2025. Applicant must reapply after said date. All members voted aye.

Jones moved, Medhaug seconded to approve an application for Charles K Rabenberg & Son, Inc. to drain on the properties described as the NE1/4 of Section 29, T126N, R57W and the NW1/4 of Section 29, T126N, R57W. Conditions to this permit are as follows; to make construction completion date as seen on permit application: September 1, 2025. Applicant must reapply after said date. All members voted aye.

Jones moved, Schuller seconded to approve an application for Charles K Rabenberg & Son, Inc. to drain on the property described as the SE1/4 of Section 29, T126N, R57W. Conditions to this permit are as follows; to make construction completion date as seen on permit application: September 1, 2025. Applicant must reapply after said date. All members voted aye.

Jones moved, Knebel seconded to approve an application for Brandon Peters to drain on the property described as the SW1/4NE1/4 EXC SE1/4SW1/4NE1/4 of Section 30, T127N, R56W. Conditions to this permit are as follows; to make construction completion date as seen on permit application: November 30, 2021. Applicant must reapply after said date. All members voted aye.

Collins-Miles presented a variance application for Joel Carlson. Carlson is requesting a 18 foot variance to the 30 foot right of way setback. Knebel moved, Medhaug seconded to approve the variance as requested. All members voted aye.

Collins-Miles presented a drainage permit application for Steve McLaen. Collins-Miles also read emails with questions regarding the project from DuWayne Bosse and Tim Smith. Commissioner Luttrell presented a letter from Doug Chapin with questions about the project. After much discussion, Jones moved, Luttrell seconded to approve an application for Steve McLaen to drain on the property described as the W1/2 of Section 9, T128N, R57W and the E1/2 of Section 8, T128N, R57W. Conditions to this permit are as follows; to make construction completion date as seen on permit application: August 2021. Applicant must reapply after said date. Applicant must follow all applicable laws. All members voted aye.

Luttrell moved, Jones seconded to approve a building permit for Joel Carlson. All members voted aye.

SURPLUS SEMI:

The following bid was received for the surplus semi previously used by the Highway Department: Kenneth Opitz \$250. Jones moved, Knebel seconded to accept the bid from Kenneth Opitz. All members voted aye.

FUEL QUOTES:

Sandy Dinger received the following quotes for #2 diesel for the Langford shop on March 30: DaMar Elevator \$1.43, Eden Oil \$1.40, Holland Bros Oil \$1.55. Diesel fuel was delivered to the Langford Shop by Eden Oil.

Sandy Dinger received the following quotes for #2 diesel for the Eden and Veblen shops on April 7: Damar Elevator: Eden \$1.45, Veblen \$1.58; Eden Oil; Eden \$1.36, Veblen \$1.36; Holland Bros Oil: Eden \$1.39, Veblen \$1.39. Diesel fuel was delivered to the Eden and Veblen shops by Eden Oil.

HIGHWAY:

March Highway Budget reports compiled by Dinger were distributed. The Bid letting for the Chip Seal and Asphalt Repair for County road 5A will be April 21. Hofland has signed the work order for consult service with Clark Engineering for Bridge inspection for bridge 46-098-130.

CONSOLIDATED BOARD-BRITTON:

Matt Schuller, Lynda Luttrell and Kevin Jones were present and Josh Hawkinson and Lindsey Kimber were present via Zoom as members of the Consolidated Board of Equalization of Marshall County, Britton City and Britton School. Schuller moved, Jones seconded to make the following correction to assessed value on parcel 01.11.01.0022: NADM1 from \$49,833 to \$38,472. Reason: deterioration to property. All members voted aye. Jones moved, Luttrell seconded to approve the Britton City assessment book. All members voted aye.

CONSOLIDATED BOARD-LANGFORD:

Kevin Jones, was present and Leron Knebel, Doug Medhaug, Amanda West and Orrie Jezz were present via Zoom as members of the Consolidated Board of Equalization of Marshall County, Langford Town and Langford School. Jones moved, Knebel seconded to approve the Langford Town assessment book. All members present voted aye.

EQUALIZATION:

The County Board of Equalization met to hold their annual equalization meeting. Present were Commissioners Jones, Luttrell, and Schuller and Director of Equalization Shannon Lee. Present via Zoom were Commissioners Knebel and Medhaug

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

RENEWABLE ENERGY CREDITS:

Luttrell moved, Jones seconded to instruct the Director of Equalization to approve 2 new 2020 renewable energy credits for a total of \$27,784. All members voted aye.

DISABLED VETERAN EXEMPTION:

Jones moved, Luttrell seconded to instruct the Director of Equalization to reduce values on all properties qualifying for Veteran exemption. No new exemptions were given. All members voted aye.

ASSESSMENT FREEZE: Disabled and Senior Citizens

Knebel moved, Luttrell 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 \$660,426. Taxable base years are \$898,331. All members voted aye.

TAX EXEMPT PROPERTY:

Jones moved, Medhaug 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 requested during regular office hours.

OWNER OCCUPIED STATUS:

Jones moved, Knebel seconded to approve changing status to owner occupied for 1 application received after assessment notices were sent out. All members voted aye.

CORRECTION:

Luttrell moved, Jones seconded to make the following correction to assessed value on parcel 44.63.29.1000: NAA1 from \$522 to \$0. Reason: structure removed. All members voted aye. Knebel moved, Medhaug seconded to make the following correction to classification and assessed value on parcel 35.57.22.2250: From NAC-S: \$49,350 to AGA:\$32,603 and to change the classification of structures to coincide with the land classification. Reason: land qualifies for ag status. All members voted aye.

ADJOURNMENT:

Jones moved, Knebel seconded to adjourn as County Board of Equalization and enter into regular session. All members 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 BOND ISSUE ELECTION:

The board discussed the bond issue election. Board members expressed concerns about voter turnout, economic factors, voter confusion and whether the question could be removed from the Primary Election ballot and instead placed on the General Election ballot in November. Auditor Biel stated that Absentee voting starts in just 3 days- April 17, though it is questionable whether ballots will be printed and in the Auditor's possession at that time as a number of factors have pushed the ballot printing back more than usual. As of Tuesday morning, correct ballot proofs have not been received in the Auditor's Office, so official printing has not started. Auditor Biel contacted the Secretary

of State's office to see if removing the ballot question and postponing it to the General Election would be permissible and they asked that the board consult with their State's Attorney as the Secretary of State had already certified the candidates to the Auditors and the ballot candidates and issues had been sent to the printing company. Deputy State's Attorney Victor Rapkoch stated the he would have to research the legality of removing the ballot question, but did not think that it would be permissible because the candidate deadline to withdraw had already passed. Auditor Biel tried to contact the ballot printing company to see if they would allow the question to be removed, but they did not answer at the time of the meeting. The board decided to proceed with placing the bond issue on the Primary Election ballot.

COURTHOUSE CLOSURE:

The board discussed the current Covid-19 situation. Luttrell moved, Jones seconded to extend the resolution passed on March 24 closing all County buildings to the public with the following revisions:

NOW THEREFORE, BE IT RESOLVED, by the Marshall County Commission that:

1. Effective immediately, all Marshall County Facilities are closed to the general public except for the parties of lawsuits in the courtroom on court days as scheduled by the Unified Judicial System. Marshall County will conduct business by mail, email, online, by phone or by arranging to work face-to-face/in person on a case-by-case basis. The Auditor's Office will allow voters in to vote absentee but would like to encourage individuals to fill out an absentee ballot application and vote by mail if at all possible. Individuals wishing to vote in the Auditor's office will need to call (605) 448-2401 to be let into the Courthouse. The Treasurer's office will allow individuals in to do title transfers by appointment only. Appointments may be requested by calling (605) 448-2451. All other business with the Treasurer's office must be done by phone, mail, or the drop box in the Courthouse entryway. The Register of Deeds office will allow individuals in to apply for a marriage license by appointment only. Appointments may be requested by calling (605) 448-2352. All other business with County offices must be done by phone, mail, or email. Items for offices located in the Courthouse may be left in the drop box in the Courthouse entryway.
2. Effective immediately, Marshall County Offices shall minimize staffing in each office and encourage those that do not need to work to stay home. Employees will be paid at their regular average rate and hours and are asked to work from home if able. Offices will still have one employee in each office to answer phones and handle daily business. Rotating schedules will be set at the discretion of the department head. This section of the resolution does not apply to the County Highway Department and Sheriff's Office. Employees displaying possible symptoms of Covid-19 will be handled at the discretion of the department head.

3. Effective immediately, in cases when a member(s) of the public displays symptoms of COVID-19, as specified by the South Dakota Department of Health, the County offices are directed to refuse face-to-face/in person service and encourage the individual(s) to seek medical attention as specified by public health authorities.
4. Effective immediately, Marshall County businesses should take precautions as advised by the federal and state government to reduce the spread of COVID-19.
5. This Resolution shall remain in effect until April ~~14~~21, at which time the Commissioners will review and may extend the Resolution.
6. Any violation of this Resolution is subject to the general penalty provision in SDCL 7-18A-32. Each day a violation of this Resolution is allowed to occur is considered a separate offense.

BE IT FURTHER RESOLVED, that this Resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of Marshall County and shall become effective immediately upon passage.

Dated this 14th day of April, 2020.

All members voted aye.

POLLING PLACES:

The board approved polling places in Britton City for the Primary Election to be combined as follows: Precincts A1, A8, and A9 will be combined at the Britton Event Center. Precincts A2 and A3 will be combined at the County Community Building. Polling locations for precincts A3, A4, A5 and A6 will remain the same.

COURT COSTS:

Victor Rapkoch, Deputy State's Attorney met with the board to inform them of a court case for an individual who was facing the same charges in Marshall County and Day County. Day County tried the court case successfully, and is requesting that the court costs be split evenly with Marshall County. Jones moved, Medhaug seconded to approve the split of these court costs with Day County. All members voted aye.

PAY CORRECTION:

Lori Amerman, Ambulance Primary Advisor met with the board via Zoom to explain that Cody Schuelke had received a pay raise in the past for EMR status and they had thought that he had met all of the requirements but they have since learned that there is class that was required that he did not take, so he is not certified. Amerman requested that his pay be corrected from \$9.54/hour to \$8.54/hour-the rate of an EVOC driver. Jones moved, Medhaug seconded to make the pay adjustment as requested. All members voted aye.

MITIGATION:

Luttrell moved, Jones seconded to pass the following resolution:

RESOLUTION TO ADOPT THE MARSHALL COUNTY NATURAL HAZARD
MITIGATION PLAN

WHEREAS Marshall County has experienced severe damage from strong winds, flooding, hail, heavy snow, heavy rain, and tornadoes on many occasions in the past century, resulting in property loss, loss of life, economic hardship, and threats to public health and safety;

WHEREAS a Hazard Mitigation Plan has been developed after more than one year of research and work by Marshall County Emergency Management, NECOG, and the Natural Hazard Mitigation Committee;

WHEREAS the Plan recommends hazard mitigation actions that will protect the people and property affected by the natural hazards that face the County;

WHEREAS a public meeting was held to review the Plan as required by law;

NOW THEREFORE BE IT RESLOVED by the Chairman and the Marshall County Commission that:

1. The Hazard Mitigation Plan is hereby adopted as an official plan of Marshall County,
2. The respective County official identified in the strategy of the Plan is hereby directed to implement the recommended action assigned to them. This official will report annually on the activities, accomplishments, and progress to Marshall County Commission, and
3. The Marshall County Emergency Manager will provide annual progress reports on the status of implementation of the plan to the County Commission. This report shall be submitted to the Commission by November 1st of each year.

PASSED by the Marshall County Commission this 14th day of April, 2020.

All members voted aye.

PAY RAISE:

Per a 6 month review, Luttrell moved, Jones seconded to authorize a pay raise for Sheriff's Deputy Scott Stiegelmeier from \$21.23 to \$21.73/hour effective March 22. All members voted aye.

Per completion of Law Enforcement Standards and Training and upon becoming a certified officer, Jones moved, Knebel seconded to authorize a pay raise for Sheriff's Deputy Wayne Kleinsasser from \$20.38 to \$20.88/hour effective March 22. All members voted aye.

WIC:

Medhaug moved, Knebel seconded to authorize the chair to sign the sub-recipient agreement between Marshall County and the State of South Dakota Department of Health for WIC services. All members voted aye.

WELFARE:

Luttrell moved, Jones seconded approve a welfare claim to Price Funeral Chapel for \$2,000.00. All members voted aye.

EXECUTIVE SESSION:

Luttrell moved, Knebel seconded to enter into executive session at 1:03 pm to discuss personnel issues. The Chairman called the board out of executive session at 1:09 pm. No action was taken.

ADJOURN:

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

ATTEST:

Doug Medhaug, Chairman

Megan Biel, Auditor

Published once at the total approximate cost of_____.