

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

The Board of County Commissioners met in regular session at 9:00 a.m. on June 30, 2020 at the Marshall County Courthouse. Members present were Medhaug, Knebel, Schuller, Jones and Luttrell. Commissioner Medhaug presided. The meeting was open to the public and was offered via Zoom on computer and conference call. Lori Amerman was present for a majority of the public portion of the meeting via Zoom.

**AGENDA:**

Knebel moved, Schuller seconded to approve the agenda for June 30, 2020. All members voted aye.

**MINUTES:**

Schuller moved, Knebel seconded to approve the minutes for June 16, 2020. All members voted aye.

**CLAIMS:**

Luttrell moved, Jones seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: June 25, 2020: Commissioners 1403.90; Auditor 3379.27; Treasurer 3758.14; States Attorney 1459.68; Courthouse 1638.48; Director 4573.35; Register 2972.40; VSO 670.02 Community Building 573.58; Welfare 467.61; Nurse 360.00; Extension 600.00; Zoning 1457.36; Highway 15022.30; Emergency Management 527.34;

EMPLOYER FICA & MEDICARE: First Savings Bank 4167.56

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 2062.10

A & B BUSINESS INC SOLUTIO	30.59
ALL FLAGS, LLC	65.86
AMERIPRIDE SERVICES INC	47.43
ANDERSON TRUCKING	150.00
AVERA PATIENT FINANCIAL SE	2,886.97
AVERA SPECIALTY CLINICS	16.00
AVERA ST LUKES	97.03
BAUS REPAIR	110.95
BEHNKE SAND & GRAVEL	718.40
BRITTON JOURNAL	89.94
BUHLS VALET DRYCLEANERS	26.00
BUTLER MACHINERY CO	359.80
CARLSON CRUSHING & EXCAVAT	30,573.70
CENEX FLEETCARD	119.04
CHRISTOPHER CEASE	30.00
DELANEY NIELSEN SANNES PC	956.75
DOODY LAW OFFICE LLC	213.00
DS SOLUTIONS, INC	472.50
EXPETEC TECHNOLOGY SERVICE	4,159.92

GROBES GROCERY & HARDWARE	233.95
HOLLAND BROS OIL COMPANY	2,017.18
JOHNSON CONTROLS	296.00
KONICA MINOLTA PREMIER FIN	101.39
LANGFORD BUGLE	89.94
LANGFORD TOWN	181.94
MARC	288.88
MARCO INC	113.81
MARCO TECHNOLOGIES LLC	21.60
MATHESON TRI-GAS INC	95.81
MAXWELL ELECTRIC LLC	198.98
MCLEODS PRINTING	848.60
NE COUNCIL OF GOVTS	11,250.00
OFFICE OF CHILD & FAMILY S	1,068.43
OTTER TAIL POWER COMPANY	1,558.89
PRIORITY DISPATCH CORP	1,407.50
QUILL CORPORATION	1,003.40
SD EMERGENCY MANAGEMENT AS	30.00
SDSU STATE 4-H OFFICE	10.00
SHANNON LEE	58.88
SOUTHSIDE EQUIPMENT	26.00
TOUGH RUGGED LAPTOPS	764.98
TYLER TECHNOLOGIES	900.00
VENTURE COMMUNICATIONS	338.27
WERNER AUTOMOTIVE	1,512.05

**PUBLIC COMMENT:**

No one was present to make public comment.

**ZONING:**

Erin Collins-Miles, Zoning Director met with the board to discuss zoning business. Knebel moved, Luttrell seconded to approve a 15-foot variance to the normal 50-foot-high water setback for applicants Gregory and Suzanne Benidt. All members voted aye. Tim Tracy was present via zoom to request a 40-foot variance to the normal 60 foot right of way line setback. Knebel moved, Schuller seconded to approve the variance as requested. All members voted aye.

Schuller moved, Luttrell seconded to approve the following Plat: Plat of Buhl's North Subdivision in the SW1/4 of Section 34, T127N, R56W of the 5<sup>th</sup> P.M., Marshall County, South Dakota. All members voted aye.

Schuller moved, Jones seconded to approve building permits for the following applicants: Gregory and Suzanne Benidt, Tim and Kathleen Tracy, Corey and Jennifer Keintz. All members voted aye.

**HIGHWAY:**

Dustin Hofland, Highway Superintendent met with the board to discuss highway department business. Hofland informed the board that the highway department has been working on patching, blading, hauling gravel and replacing culverts. Hofland discussed sections of County road 12G and 438<sup>th</sup> Ave that are very soft and need repairs. Two miles of this is Township Road that the County has been maintaining due to the county road being under water. This is the only farm to market road in the area. While the area is several miles, Hofland estimated that there is about 1-mile total of area that needs repairs. This would involve having Webster Scale dig out the areas, install fabric and pit run and then re-cover the areas with gravel. Hofland estimated the total cost of the project to be about \$250,000. This would be a one-time repair to the township road. Luttrell moved, Knebel seconded to proceeds with these repairs. All members voted aye.

**PAY RAISE:**

Per a 6-month review, Jones moved, Schuller seconded to approve a pay raise for Adam Okroi, Highway Laborer from \$15.00 to \$15.50 effective July 5. Jones, Schuller, Luttrell and Medhaug voted aye. Knebel abstained. Motion Carried.

**FUEL QUOTES:**

Sandy Dinger received the following quotes for #2 diesel for the Langford, Eden and Veblen shops on June 24: Eden Oil \$1.57-all locations; Holland's Oil \$1.59-all locations. Diesel fuel was delivered to the Langford, Eden and Veblen shops by Eden Oil.

**DISCRETIONARY FORMULA:**

Shannon Lee, Director of Equalization and Victor Rapkoch, Deputy State's Attorney met with the board to present the updated Discretionary Formula Resolution. Jones moved, Schuller seconded to pass the following resolution:

**Marshall County Resolution  
Discretionary Formula SDCL 10-6-35.2**

WHEREAS, the County of Marshall, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-35.2.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-35.2:

\_\_\_ Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(2));

\_\_\_ Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in

SDCL § 10-6-35.2(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(4));

\_\_\_Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(5));

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 20 % of the Pre-Adjustment Value;
- b. For the second tax year the following construction, 40 % of the Pre-Adjustment Value;
- c. For the third tax year following construction, 60 % of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 80 % of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 100 % of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FUTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 30 day of June, 2020, Marshall County Commission  
All members voted aye.

**STATE'S ATTORNEY:**

Deputy State's Attorney Victor Rapkoch met with the board to discuss the 2021 State's Attorney budgeted salary. The board will consider the information presented by Rapkoch and budget a 2021 salary accordingly.

**PAY RAISE:**

Chris Cease has completed all of the training requirements to be an E911 Dispatcher. Knebel moved, Jones seconded to approve a pay raise for Chris Cease from \$16.39 to \$16.89/hour effective June 21. All members voted aye.

**SHERIFF:**

Sheriff Damien Bahr was sworn in and took the oath of office in front of Judge Richard Sommers in Aberdeen.

**CHECKING ACCOUNT:**

Schuller moved, Knebel seconded Authorize Brian Bard to be removed from the Sheriff checking account and Damien Bahr to be added. 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 May 30, 2020 FSB \$7,289,004.13. Certificates of Deposit \$1,061,513.04. Cash \$1,050.00. Total \$8,351,567.17. The amounts above include amounts held for others including schools, towns, townships, etc.

**TRAVEL:**

Schuller moved, Jones seconded to authorize the following travel expenses: Shannon Lee to Pierre July 29 for an SDAAO Executive Board meeting and education. All members voted aye.

**ADJOURN:**

Schuller moved, Jones 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\_\_\_\_\_.