

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

The Board of County Commissioners met in regular session at 9:00 a.m. on August 11, 2020 at the Marshall County Courthouse. Members present were Medhaug, Jones and Luttrell. Commissioners Schuller and Knebel were absent. Commissioner Medhaug presided. The meeting was open to the public and was offered via Zoom on computer and conference call. Kalissa Stelzer, Sandy Dinger and Lori Amerman were present for portions of the meeting via zoom.

AGENDA:

Jones moved, Luttrell seconded to approve the agenda for August 11, 2020. All members voted aye.

MINUTES:

Medhaug moved, Jones seconded to approve the minutes for July 28, 2020. All members voted aye.

CLAIMS:

Luttrell moved, Jones seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: August 6, 2020: Commissioners 1043.90; Auditor 3264.28; Treasurer 3758.14; States Attorney 1459.68; Courthouse 1518.54; Director 4160.07; Register 3052.01; VSO 670.02; Community Building 582.02; Sheriff 32188.55; Jail 9448.21; Welfare 467.61; Nurse 240.00; Ambulance 8138.63; Extension 1095.00; Weed 421.36; Zoning 2200.15; Highway 15203.73; E911 5413.35; Emergency Management 567.33;

EMPLOYER FICA & MEDICARE: First Savings Bank 10471.45

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 5190.00

ADAM OKROI	67.85
ALL FLAGS, LLC	60.81
AMANDA STREIER	2,994.00
AMERIPRIDE SERVICES INC	47.43
AREA IV SENIOR NUTRITION	174.00
BIEL, MEGAN	50.40
BRITTON CITY WATER DEPT	286.54
BRITTON JOURNAL	552.95
CENEX	49.85
CENEX FLEETCARD	377.50
COGLEY LAW OFFICE, PROF LL	428.80
COLE PAPERS INC	65.89
CRAWFORD TRUCKS	241.22
DAMAR FARMERS ELEVATOR	429.75
DAVID BECK PLUMBING & SERV	127.55
DAVIDSON PLUMBING & HEATIN	2,500.00

DOUG MEDHAUG	140.30
ESLINGER, HEIDI	138.25
EXPETEC TECHNOLOGY SERVICE	269.00
FIRST NATIONAL BANK	651.98
FROHLING LAW OFFICE	3,680.67
GLACIAL LAKES AREA DEVELOP	23,500.00
GROTON FORD LLC	83.86
HALLEY BECKING	181.65
HOLLAND BROS OIL COMPANY	715.81
HOLLAND NAPA AUTO PARTS	759.36
JASON DEVINE	3,210.00
JOHN DEERE FINANCIAL	28.57
KENS FOOD FAIR	173.98
KEVIN JONES	34.50
KONICA MINOLTA PREMIER FIN	101.39
LAKE REGION ELECTRIC	414.40
LANGFORD BUGLE	13.13
LANGFORD TOWN	181.01
LERON KNEBEL	63.25
LYNDA LUTTRELL	34.50
MARCO TECHNOLOGIES LLC	17.01
MARQUETTE, MIKE	84.14
MARSHALL COUNTY HEALTHCARE	43.77
MCLEODS PRINTING	424.20
MEYER HARDWARE HANK	127.61
MICROFILM IMAGING SYSTEMS	40.00
MIKES HEATING & COOLING CO	3,806.43
MINN KOTA COMMUNICATIONS I	400.00
MONTE NIPP	19.55
OTTER TAIL POWER COMPANY	2,040.26
QUARVE DRUG	11.75
QUILL CORPORATION	495.36
RC TECHNOLOGIES	309.84
ROSE KRAFT	30.00
SAFETY SERVICE	501.90
SD COUNTIES	3,175.00
SD PUBLIC HEALTH LABORATOR	190.00
SD VSOA	100.00
SEROCKI EXCAVATING INC	3,283.15
SHANNON LEE	46.20
SUNSET HUTTERIAN BRETHREN	575.00

TARI HEITMANN	63.00
THOMSON REUTERS	585.56
TRI STATE WATER, INC.	193.10
VENTURE COMMUNICATIONS	219.16
VERIZON WIRELESS	797.16
WERNER AUTOMOTIVE	408.87

ZONING:

Erin Collins-Miles, Zoning Director met with the board to discuss Zoning business. Cynthia Bremmon met with the board to request a 2 foot variance to the 7 foot property line setback. Matt Kraft, adjoining land owner met with the board to object to the variance application. Medhaug moved, Jones seconded to deny the variance request. All members present voted aye.

Collins-Miles presented a variance request for Kari Nielsen. Nielsen is requesting a 18 foot variance to the high water mark setback. Jones moved, Luttrell seconded to approve the variance as requested. All members present voted aye.

Luttrell moved, Jones seconded to approve the following plat: Plat of Pine Grove Subdivision in the SW1/4NW1/4 of Section 24, T126N, R54W of the 5th P.M., Marshall County, South Dakota. All members present voted aye.

Jones moved, Medhaug seconded to approve the following plat: Plat of Lots 3B and 4B of Lot 3A of Lake Dumarce Seventh Subdivision in Section 24 T127N, R54W of the 5th P.M., Marshall County, South Dakota. All members present voted aye.

Medhaug moved, Luttrell seconded to approve building permits for the following applicants: Cynthia Bremmon, Kari Nielsen, Parham Carpentry, Steven Steiner, Ann Erickson, LeRon Knebel, Paul Siebels, and Jody Birchem. All members present voted aye.

HIGHWAY:

Dustin Hofland, Highway Superintendent met with the board and Sandy Dinger, Highway Secretary met via Zoom to discuss Highway department business. Joel Erickson, Roger Johnson and Jeff Roehr, Sisseton Township met with the board to request assistance with two 5-foot poly culverts to be installed in 426th Ave to replace an 8 foot culvert that is rusting out. Hofland estimated that the cost would be about \$37,600. The township’s responsibility would be \$500. The board asked that they get a new quote for installation costs and meet with the board again.

Erickson also presented an aerial view of the water flow at the intersection of 425th Ave and 120th St. This flow was altered a number of years ago to have the flow go under the Township road instead of the County road (14G). Erickson is asking that it go on record to state that this culvert is the County’s responsibility.

Hofland will get the GPS location and the size of the culvert for the board to formally make a motion on this.

Hofland informed the board that the engineers for the project on 438th Avenue (Township road used by the County) should have a profile for the road done this week and when that is completed, Hofland will set up a meeting with the adjoining landowners. Dinger will check if Larry Dean with SD DOT to talk with the board about the pros and cons and the requirements for resolutions to add or delete miles from the County road system.

Hofland informed the board that so far Marshall County has been approved to receive \$39,787.06 in FEMA funding (sites 1-21 with costs), but there are still some projects that have not been given final pricing.

Hofland discussed the different options for purchasing new blades at the end of the lease contract on the Cat Blades. The board will discuss again at the next meeting.

Auditor Biel presented the July budget distribution report for Dinger.

FUEL QUOTES:

Sandy Dinger received the following quotes for a split transport of gasoline and #2 dyed diesel for the Britton Shop; Eden Oil gasoline \$1.61, diesel \$1.47; Full Circle Ag gasoline \$1.6099, diesel \$1.4502. No other quotes were available at the time delivery was needed. Full Circle Ag delivered gasoline and diesel to the Britton Shop.

WELFARE:

Linda Haaland, Welfare Director met with the board to present a welfare claim. Luttrell moved, Medhaug seconded to pay a welfare claim to Avera St. Luke's for \$713.54. All members present voted aye.

PERSONNEL POLICY:

The personnel policy committee met on July 27 to discuss individual office plans regarding COVID-19 and other changes to the personnel policy. Those proposed changes were presented to the Commissioners. Luttrell moved, Jones seconded to approve the following changes to the personnel policy:

MAXIMUM PTO HOURS: Employees can accumulate a maximum of thirty-five (35) working days of annual leave which is 280 hours for the year from January 1 to December 31. This is the maximum amount of unused leave an employee will be compensated for at the time of his or her termination, regardless of the time of year. Upon separation in good standing and the proper written notice (see 2-7 Resignation) the employee will receive payment for PTO earned. Annual leave can be in excess of thirty-five days during the year, but cannot go over at the ~~last~~ first pay period end date in ~~June~~ July and the end of the year. All employees must watch their accrued leave and use it in a timely manner.

Addition to Longevity pay policy:

Retiring employees eligible to receive longevity pay will receive their longevity pay on their last paycheck, prorated to from their anniversary date to their retirement date.

All members present voted aye.

CORONAVIRUS RELIEF:

Jones moved, Luttrell seconded to pass the following resolution:

A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the “CARES Act”), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, Marshall County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, Marshall County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, Marshall County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, Marshall County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for Marshall County most recently approved as of March 27, 2020; and

WHEREAS, Marshall County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the County Commission of Marshall County that the chairman of the Marshall County Commission may execute any and all documents as required by the State in order to receive CARES Act funds.

It is further

RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further

RESOLVED that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.
Approved and adopted this 11 day of August, 2020.

Douglas Medhaug, Commission Chairman
Marshall County, South Dakota

All members present voted aye.

SALE OF COUNTY PROPERTY:

Medhaug moved, Jones seconded to accept sealed bids for the following properties until August 25, 2020 at 10:30 am, at which time they will be opened and publicly read for the sale of:

1. Lots One (1), Two (2), Three (3) & Four (4), Block One (1), Original Veblen, Marshall County, South Dakota. (minimum bid \$281)
2. Lots Five (5), six (6), and Seven (7), Block One (1), Original Veblen, Marshall County, South Dakota. (minimum bid \$245)

All members present voted aye.

SHERIFF DEPUTY PAY:

Damien Bahr, Sheriff, met with the board to present a salary step wage increase plan for Sheriff's Deputies. In order to bring deputies more in line regarding experience and to make a larger gap between starting wage and current employees, Bahr recommended the following pay rates for current deputies: Mike Marquette, Chief Deputy \$25.28; Aaron Lee \$23.03; Wayne Kleinsasser \$21.98; Brian Bard \$21.98; Scott Stiegelmeier \$21.98. Bahr also recommended the following step program for deputies to be paid on top of the annual COLA raise:

1. The first anniversary date of the deputy would be a 0.25 cent wage increase
2. The second anniversary would be a 0.30 cent wage increase.
3. The third anniversary date would be a 0.35 cent wage increase.
4. The fourth anniversary date would be a 0.40 cent wage increase.
5. The fifth anniversary date would be a 0.45 cent wage increase.
6. The sixth anniversary date would be a 0.50 cent wage increase.
7. The seventh anniversary date would be a 0.55 cent wage increase.
8. The eighth anniversary date would be a 0.60 cent wage increase.
9. The ninth anniversary date would be a 0.65 cent wage increase.
10. The tenth anniversary date would be a 0.70 cent wage increase.

The step-program would end after the tenth anniversary date of the deputy. The deputy would only receive a cost of living increase for years following the tenth year. The pay rates above would bring the current deputies to their appropriate current pay based on this step program.

Jones moved, Luttrell seconded to approve the pay raises and step plan as presented. All members present voted aye.

PAY RAISE:

Per a 6 month review, Luttrell moved, Jones seconded to authorize a pay raise for Richelle Bohlander, Deputy Treasurer, from \$15.00 to \$15.50 effective August 2, 2020. All members present voted aye.

EXECUTIVE SESSION:

Jones moved, Luttrell seconded to enter into executive session at 10:57 am to discuss personnel issues. Sheriff Damien Bahr and Deputy States Attorney Victor Rapkoch were present. All members present voted aye. The Chairman called the board out of executive session at 11:26 am. No action was taken.

ADJOURN:

Medhaug moved, Jones seconded to adjourn. All members present voted aye.

ATTEST:

Doug Medhaug, Chairman

Megan Biel, Auditor

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