**Unapproved**

**MARSHALL COUNTY COMMISSION MEETING**

**Britton, South Dakota**

The Board of County Commissioners met in regular session at 9:00 a.m. on April 11, 2023 at the Marshall County Courthouse. Members present were Jones, Knebel, Schuller, Luttrell and Medhaug. Commissioner Schuller presided. The meeting was open to the public and was offered via Zoom on computer and conference call. The Pledge of Allegiance was recited by everyone in attendance. Sandy Dinger, Lori Amerman, Jessica Sattler, Deb Skonberg, Kalissa Stelzer and Shelby Thompson was present for portions of the meeting via zoom.

**AGENDA:**

Knebel moved, Medhaug seconded to approve the agenda for April 11, 2023. All members voted aye.

**MINUTES:**

Luttrell moved, Jones seconded to approve the minutes for March 21, 2023. All members voted aye.

**CLAIMS:**

Medhaug moved, Knebel seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: March 16, 2023: Commissioners 1645.20; Auditor 3736.58; Treasurer 4789.09; States Attorney 1819.24; Courthouse 2315.55; Director 4935.17; Register 3983.96; VSO 797.55; Community Building 400.00; Sheriff 10252.31; Coroner 225.00; Welfare 549.27; Nurse 794.64; Ambulance 10149.37; Extension 889.37; Weed 39.99; Zoning 2047.32; Highway 23501.46; E911 7783.01; Emergency Management 461.54;

EMPLOYER FICA & MEDICARE: First Savings Bank 5973.59

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 4061.51

PAYROLL by department: March 30, 2023: Commissioners 1645.20; Auditor 3878.68; Treasurer 4220.74; States Attorney 1819.24; Courthouse 1796.20; Director 4935.18; Register 3583.98; VSO 797.55; Community Building 400.00; Sheriff 12385.28; Welfare 549.27; Nurse 673.60; Extension 1010.40; Weed 55.48; Zoning 2061.32; Highway 25243.90; E911 8321.90; Emergency Management 461.54;

EMPLOYER FICA & MEDICARE: First Savings Bank 5648.70

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 4177.36

|  |  |
| --- | --- |
| ADAM OKROI | 206.55 |
| ALL FLAGS, LLC | 147.19 |
| ARAMARK | 20.04 |
| BANTZ, GOSCH & CREMER, LLC | 122.90 |
| BRITTON CITY WATER DEPT | 243.32 |
| BROWN COUNTY JAIL | 2,890.00 |
| BURGER, JERRY | 2,974.00 |
| CENEX FLEETCARD | 610.26 |
| CENTURYLINK | 108.63 |
| COTEAU DES PRAIRIE HEALTH | 3,500.00 |
| DAKOTA ELECTRONICS | 63.75 |
| DAVID HUNTER | 107.42 |
| DOUG MEDHAUG | 41.92 |
| EDEN OIL | 6,829.80 |
| FIRST NATIONAL BANK | 2,080.85 |
| GRAHAM TIRE CO INC | 5,634.38 |
| HOFLAND, DUSTIN | 137.29 |
| HOLLAND BROS OIL COMPANY | 115.40 |
| KELLI LARDY | 170.75 |
| KEVIN JONES | 9.17 |
| LAKE REGION ELECTRIC | 112.72 |
| LANGFORD TOWN | 231.45 |
| LANGUAGE LINE SERVICES | 6.08 |
| LERON KNEBEL | 36.03 |
| LITTLE FALLS MACHINE INC | 4,856.72 |
| LYNDA LUTTRELL | 31.44 |
| MARC | 422.74 |
| MARCO INC | 207.51 |
| MARCO TECHNOLOGIES LLC | 171.52 |
| MARSHALL CO TREASURER | 458.58 |
| MATTHEW BENDER & CO., INC. | 172.16 |
| MEYER HARDWARE HANK | 93.92 |
| MICROFILM IMAGING SYSTEMS | 80.00 |
| OTTER TAIL POWER COMPANY | 136.35 |
| PCC INC | 1,809.55 |
| QUILL CORPORATION | 830.87 |
| RAPKOCH LAW, PROFF L.L.C. | 4,267.08 |
| RC TECHNOLOGIES | 309.84 |
| ROBERTS COUNTY SHERIFF'S O | 270.00 |
| SANFORD | 137.91 |
| SARA ZAHN | 470.00 |
| SD ASSN COUNTY COMMRS | 380.00 |
| SD COUNTIES | 502.00 |
| SD DEPT TRANSPORTATION | 2,040.77 |
| SOUTHSIDE EQUIPMENT | 38.00 |
| STREICHER'S-MINNEAPOLIS | 564.96 |
| TANNER SCHIFERL | 174.97 |
| VENTURE COMMUNICATIONS | 128.38 |
| VERIZON WIRELESS | 1,026.43 |
| WERNER AUTOMOTIVE | 455.99 |

**PUBLIC COMMENT:**

Multiple individuals were present to make public comment objecting to an upcoming applications from Schmieg Management, LLC. Opponents stated that they are against the proposed structure that is planned to be built as they feel it would cause increased traffic and should not be in a residential area.

**RESIGNATIONS:**

Medhaug moved, Luttrell seconded to accept the resignation of Tanner Schiferl, Sheriff Deputy, effective May 11, 2023. All members voted aye

Knebel moved, Jones seconded to accept the resignation of Jerry Burger, Highway Laborer, effective April 4, 2023. 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, 2023 FSB $9,078,206.49. Certificates of Deposit $1,061,513.04. Cash $1,050.00. Total $10,140,769.53. 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, 2023 FSB $8,888,641.54. Certificates of Deposit $1,061,513.04. Cash $1,050.00. Total $9,951,204.58. The amounts above include amounts held for others including schools, towns, townships, etc.

**HIGHWAY:**

Dustin Hofland, Highway Superintendent met with the board and Sandy Dinger, Highway Secretary met via zoom to discuss Highway Department business. Larry Heitmann met with the board to express his thanks for the improvements made to 118th Street last year.

Highway department employees Barry Braaten, Kevin Kraft, Adam Okroi, Monte Hoglund, and Duane Kronbach met with the board to discuss Highway employee hiring and retention. Logan Roehr and Jerry Burger were also present. The employees expressed concern that starting pay must be raised in order to hire more employees. They also discussed holiday pay, overtime pay, and benefits. The board advised that they will take all discussion into consideration.

The bid letting for the Chip Seal project for 2023 - [16AC-11 mi/16AE-12.5 mi/01AS-2 mi] was set for April 25. Hofland informed the board that the county was not awarded additional grant monies for the BIG Grant for bridge 46-141-000.

Medhaug moved, Knebel seconded to authorize Hofland to proceed with the purchase of a Motor Grader. Hofland will report back to the board on financing and final cost at the next meeting. All members voted aye.

**FUEL QUOTES:**

Sandy Dinger received the following quotes for #1 diesel for the Veblen shop on March 31: Eden Oil $4.00. Eden Oil was the only vendor that still had #1 diesel, so no other quotes were received. Diesel fuel was delivered to the Veblen shop by Eden Oil.

Sandy Dinger received the following quotes for #2 diesel for the Langford and Eden shops on April 3: DaMar Elevator $3.39-all locations; Eden Oil $3.40-Langford, $3.38-Eden. Diesel fuel was delivered to the Langford shop by DaMar Elevator and the Eden shop by Eden Oil.

**NEW HIRES:**

David Anderson was hired as a part-time, seasonal highway laborer at $22.52/hr effective March 13. Terry Nelson was hired as a part-time, seasonal highway laborer at $21.05/hr effective March 15. Austin Steiner was hired as a Deputy Sheriff at $25.74/hr effective April 1. Drew Freeman was hired as Deputy Sheriff at $20.00/hr effective April 1. Josh Zweber was hired as part-time Deputy Sheriff at $24.00/hr effective March 30. Samual Sanderson was hired as Dispatcher at $16.00/hr effective April 3.

**TRAVEL:**

Jones moved, Luttrell seconded to authorize the following travel expenses: Logan Roehr to Milbank April 11 & 12 for an Emergency Operation Center Exercise and to Madison May 2 for a Salamander Class; Matt Schuller, Doug Medhaug and Leron Knebel to Pierre for a County Commissioners Spring Workshop April 19-20; Dustin Hofland to Orange Beach, AL for a NACE Conference April 16-22. All members voted aye.

**RECESS:**

Jones moved, Luttrell seconded to recess out of regular session in order to enter into Board of Equalization. All members voted aye.

**EQUALIZATION:**

The County Board of Equalization met to hold their annual equalization meeting. Present were Commissioners Medhaug, Knebel, Jones, Luttrell, and Schuller and Director of Equalization Kassi Jones. Chairman Schuller called to order the County Board of Equalization and oaths of office were completed.

**RENEWABLE ENERGY CREDITS:**

Schuller moved, Luttrell seconded to instruct the Director of Equalization to approve 2 new 2023 renewable energy credit for a total of $99,410. All members voted aye.

**DISABLED VETERAN EXEMPTION:**

Jones moved, Knebel seconded to instruct the Director of Equalization to reduce values on all properties qualifying for Veteran exemption. Three new exemptions were given. All members voted aye.

**ASSESSMENT FREEZE: Disabled and Senior Citizens**

Luttrell 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 $1,563,175. Taxable base years are $1,447,438. All members voted aye.

**TAX EXEMPT PROPERTY:**

Knebel moved, Jones 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:**

Medhaug moved, Jones seconded to approve changing status to owner occupied for 5 applications received after assessment notices were sent out. 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.

**CONSOLIDATED BOARD-LANGFORD:**

Kevin Jones, Leron Knebel, Doug Medhaug, and Krissa Samson were present as members of the Consolidated Board of Equalization of Marshall County, Langford Town and Langford School. Member Orrie Jesz was absent. Oaths were taken by members present. Jones moved, Medhaug seconded to approve the Langford Town assessment book. All members present voted aye. Knebel moved, Jones seconded to adjourn the meeting of the Consolidated Board of Marshall County, Langford Town and Langford School. All members present voted aye.

**CONSOLIDATED BOARD-BRITTON:**

Matt Schuller, Lynda Luttrell, Kevin Jones, Josh Hawkinson and Lindsey Kimber were present as members of the Consolidated Board of Equalization of Marshall County, Britton City and Britton School. Oaths were taken by members present. Jones moved, Luttrell seconded to make the following correction to assessed value on parcel 01.01.23.0009: NAD-S No Change, NAD1-S $54,965 to $48,081 Reason: deterioration of property. All members voted aye. Luttrell moved, Kimber seconded to make the following correction to assessed value on parcel 01.01.23.0001: NAD-S $16,105 to NAD-S $8,053 and NAD1-S $1,839 Reason: Property is unbuildable due to former building’s concrete and rebar being buried a few feet under the surface. All members voted aye. Jones moved Luttrell seconded to make the following correction to assessed value on parcel 01.02.24.0011: NAD-S No change, NAD1-S $166,770 to $154,142 Reason: basement foundation issues and lowered quality after reinspection. All members voted aye. Luttrell moved, Kimber seconded to approve the Britton City assessment book. All members voted aye. Medhaug moved, Jones seconded to adjourn the meeting of the Consolidated Board of Marshall County, Britton City and Britton School. All members voted aye.

**COURTHOUSE PROJECT:**

Knebel moved, Medhaug seconded to pass the following resolution:

**RESOLUTION DECLARING NECESSITY AND EXPEDIENCY FOR ISSUANCE OF GENERAL OBLIGATION BONDS AND CALLING AN ELECTION**

WHEREAS, Marshall County (the “County”) hereby finds it necessary to provide funds for financing County Facilities including (1) repairs and renovations to existing Courthouse, (2) construct a building addition to the Courthouse for Sheriff’s Department and 911 Dispatch Offices (3) parking and site improvements, (4) infrastructure costs of utilities servicing the buildings, (5) the furnishing and equipping of the same, (the “Improvements or Construction”), and (6) the costs of issuing the bonds, if so approved by the voters; and

WHEREAS, the County is authorized to issue bonds pursuant to SDCL Chapter 7-24 to finance the Improvements and Construction, if so approved by the voters; and

WHEREAS, pursuant to SDCL 6-8B-3 no bonds may be issued unless authorized by a vote of the people.

BE IT RESOLVED by the Commission of Marshall County, South Dakota, as follows:

1. Declaration of Necessity. It is hereby found, determined and declared that it is necessary and expedient for this County to borrow money by issuing its General Obligation Bonds in an amount not exceeding $5,000,000 payable from 1 and not to exceed 20 years from year of issuance, bearing interest payable at such times and at such rate or rates as may be determined by the Commission, for the purpose of constructing a new county Public Safety Center (jail) and renovations, improvements, demolition and reconstruction to the existing county courthouse (the “Improvements or Construction”), if so approved by the voters.
2. Election. The question of authorizing the issuance of such bonds shall be submitted to the qualified electors of the County at a bond election which is to be held on the June 6, 2023 between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m. The question shall be in substantially the following form:

SHALL MARSHALL COUNTY, SOUTH DAKOTA, ISSUE AND SELL ITS NEGOTIABLE GENERAL OBLIGATION BONDS IN A PRINCIPAL AMOUNT NOT EXCEEDING $5,000,000, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING COUNTY FACILITIES INCLUDING (1) REPAIRS AND RENOVATIONS TO EXISTING COURTHOUSE, (2) CONSTRUCT A BUILDING ADDITION TO THE COURTHOUSE FOR SHERIFF’S DEPARTMENT AND 911 DISPATCH OFFICES (3) PARKING AND SITE IMPROVEMENTS, (4) INFRASTRUCTURE COSTS OF UTILITIES SERVICING THE BUILDINGS, (5) THE FURNISHING AND EQUIPPING OF THE SAME, AND (6) THE COSTS OF ISSUING THE BONDS.

 SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?

1. Polling places and Judges. Polling places and judges and clerks for said election shall be selected according to South Dakota Law.
2. Voter Registration Deadline. The County Auditor is hereby authorized and directed to give notice of voter registration and deadline therefore, as required by law. The deadline for voter registration shall not be less than fifteen (15) days prior to the election. The County Auditor shall give notice of the availability of registration officials and state when registration will be terminated and the effect of a failure to have registered. Such notice shall be published in official newspapers of the County at least once each week for (2) two consecutive weeks, the last publication to be not less than (10) ten nor more than (15) fifteen days before the deadline for registration.
3. Notice of Election. The County Auditor is hereby authorized and directed to give notice of bond election, said notice to be published in the official newspaper for the County once each week for two (2) successive weeks before said date of election. The second notice shall be published not less than four (4) days nor more than ten (10) days before the election.
4. Ballots. The County Auditor is authorized and directed to cause printed ballots to be prepared for use at said election in substantially the form on file with the County Auditor and to publish with the second notice of election.
5. Canvass. Said election shall be held and conducted and the votes cast thereat shall be counted, certified and canvassed according to law, and this Board shall meet at the regular meeting room in Marshall , South Dakota, in the County for the purpose of canvassing the results within six (6) days of the election.

All members voted aye.

**ADMISSION OF SERVICE:**

Jones moved, Medhaug seconded to authorize the chair to sign an admission of service for a legal matter in which Marshall County has a taxing interest. All members voted aye.

**EXECUTIVE SESSION:**

Medhaug moved, Knebel seconded to enter into executive session to discuss legal matters at 11:45 am. All members voted aye. The chairman called the board out of executive session at 12:15 am. No action was taken.

**ADJOURN:**

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

**ATTEST:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Matthew Schuller, Chairman

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Megan Biel, Auditor

Published once at the total approximate cost of\_\_\_\_\_\_\_\_\_.