

Unapproved
MARSHALL COUNTY COMMISSION MEETING
Britton, South Dakota

The Board of County Commissioners met in regular session at 9:00 a.m. on September 19, 2023 at the Marshall County Courthouse. Members present were Knebel, Schuller, Luttrell, Jones and Medhaug. Commissioner Schuller presided. The meeting was open to the public. The Pledge of Allegiance was recited by everyone in attendance.

AGENDA:

Joens moved, Medhaug seconded to approve the agenda for September 19, 2023 with the addition of the second reading of the Revised Zoning Regulations for Marshall County. All members voted aye.

MINUTES:

Knebel moved, Jones seconded to approve the minutes for September 5, 2023. All members voted aye.

CLAIMS:

Medhaug moved, Knebel seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: September 14, 2023: Commissioners 1645.20; Auditor 3826.04; Treasurer 4573.33; States Attorney 1819.24; Courthouse 2132.10; Director 5179.32; Register 3636.60; VSO 797.55; Community Building 450.00; Sheriff 17520.52; Welfare 549.27; Nurse 631.50; Extension 1052.50; Weed 1531.11; Zoning 2047.32; Highway 14217.20; E911 8686.15; Emergency Management 461.54;

EMPLOYER FICA & MEDICARE: First Savings Bank 5340.44

EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 4186.27

ADAM OKROI	274.89
AGTEGRA COOPERATIVE	76.52
ARAMARK	11.53
AVERA PATIENT FINANCIAL SE	91.00
AVERA ST LUKES HOSPITAL	112.10
AVERA ST. MARY'S CENTRAL S	200.00
BAUS REPAIR	30.00
BIEL, MEGAN	255.84
BOUND TREE MEDICAL LLC	169.92
BRITTON CITY WATER DEPT	278.59
BUTLER MACHINERY CO	100.90
CDJ ELECTRIC PLUMBING	1,084.50
CENTURY LINK	288.15
CERTIFIED LANGUAGES INTERN	16.50
CORNWELL DRUG	65.00
CREDIT COLLECTIONS BUREAU	30.00
DAKOTA AG SERVICE	11,174.00
DAMAR FARMERS ELEVATOR	2,282.15
DAVID HUNTER	107.42

DAY COUNTY SHERIFF'S OFFIC	3,825.00
DISCOUNTCELL, INC	634.00
DOLAN CONSULTING GROUP, LL	250.00
EXPETEC TECHNOLOGY SERVICE	269.00
FIRST NATIONAL BANK	382.19
FULL CIRCLE AG	590.42
GRAHAM TIRE CO INC	5,197.06
GROBES GROCERY & HARDWARE	15.73
HOLLAND BROS OIL COMPANY	4,317.69
HOLLAND NAPA AUTO PARTS	543.18
INTERSTATE BATTERY	425.90
JENNIFER RINGKOB	414.21
JOHN DEERE FINANCIAL	21.35
KALISSA STELZER	26.00
KRAUSE BROS CONSTRUCTION	1,782.25
LAKE REGION ELECTRIC	436.12
LANGFORD LUMBER CO	96.72
LARISSA HEITMANN	134.64
LEHR SANITATION SERVICE LL	450.00
MAC'S HARDWARE	329.99
MARC	403.00
MARCO INC	118.45
MARCO TECHNOLOGIES LLC	171.52
MARSHALL COUNTY HEALTHCARE	228.29
MARSHALL COUNTY JOURNAL	1,596.85
MENARDS/ ABERDEEN	99.94
MEYER HARDWARE HANK	147.18
MINN KOTA COMMUNICATIONS I	167.82
NORTHSIDE IMP LLC	860.39
OTTER TAIL POWER COMPANY	166.66
QUILL CORPORATION	205.05
RC TECHNOLOGIES	309.84
SAFETY SERVICE, INC	162.00
SANFORD HEALTH	1,306.21
SD PUBLIC HEALTH LABORATOR	455.00
SUNSET HUTTERIAN BRETHERN	225.00
THOMSON REUTERS - WEST	174.85
TRI STATE WATER, INC.	108.00
TRITECH SOFTWARE SYSTEMS	1,560.00
TSCHETTER & ADAMS LAW OFFI	865.44
TWO WAY SOLUTIONS, INC.	689.94
VENTURE COMMUNICATIONS	2,017.94
VERIZON WIRELESS	775.78

PUBLIC COMMENT:

No one was present to make public comment.

FIRST READING:

First Reading of the proposed change of the Zoning ordinance for the rezone of Proposed Lot 11 Westby Lakeside Addition in Gov't Lots 2 & 3, Section 19, T126N, R53W of the 5th P.M., Marshall County, South Dakota was held on the recommendation of the Planning and Zoning Commission. The regulations can be viewed in their entirety on the County website or in the Zoning office during regular business hours. The second reading will be held October 10, 2023.

TRAVEL:

Knebel moved, Jones seconded to authorize the following travel expenses: Karole Chapin to Pierre for Assessor Basics School October 1-6; Sam Sanderson to Pierre for 911 Basic School September 25-October 6; Linda Haaland to Pierre for the Welfare Fall Workshop October 11 & 12; Jennifer Ringkob to Huron for the State Fair August 31-September 4 and to Brookings for State Livestock Skillathon September 15-16. All members voted aye.

911 DISPATCHER:

Jones moved, Medhaug seconded to approve an employee status change for Joshua Zweber from Part-time over 20 hours/week to part-time under 20 hours/week effective August 27. All members voted aye.

SICK BANK:

Jones moved, Luttrell seconded to approve a sick bank request for a Marshall County employee effective September 6. All members voted aye.

HIGHWAY:

Dustin Hofland, Highway Superintendent was present to discuss highway business. Hofland mentioned that Hickman Township was the only Township to turn in a 5-year plan. He will check into whether those townships that turned in a 5-year plan last year are still eligible to apply for grant funds from the rural access infrastructure fund. Jerry Burger, Stena Township was present to ask questions of Hofland. Burger inquired about the bridge in 416th Avenue over the Upper Crow Creek. Hofland responded that the bridge inspection report has not been returned to the County yet, but he does not believe that bridge will be closed. Burger asked why the Highway Department was working on County Road 7AC/GS. Hofland responded that much of the work being done on County Road 7AC/GS is for FEMA from the past winter. Burger asked what will be happening to the mile past the Colony on County Road 11AN. Hofland responded that it will probably eventually need fabric.

The board reviewed the Highway Department August Budget report prepared by Secretary Sandy Dinger. Dinger also reported that the sidewalk around the Britton Highway Shop has been completed by Stenvold Construction.

COLONIAL LIFE:

Brenda Bosch, Colonial Life Representative met with the board to explain different insurance plans that Colonial Life could offer employees. Jones moved, Medhaug seconded to purchase

\$10,000 of life insurance for all full time County Employees at a rate of \$2/month effective January 1 and to allow employees to purchase other plans from Colonial Life and have them deducted from their payroll. All members voted aye.

CMAR CONTRACT:

Medhaug moved, Jones seconded to adopt the following procedures and standards: Pursuant to SDCL 5-18B-44, Marshall County, South Dakota has established the following Procedures and Standards for Selecting and Awarding a Construction Manager-At-Risk 2023

- Procedure and standards to be used to qualify construction managers
 - To be considered for the shortlist selection, the firm must demonstrate the ability to provide a performance and payment bond in the amount of not less than \$10 million. The evaluation will be conducted by the County Commission. Upon receipt of the proposals, the County will determine a shortlist of firms whose proposals are deemed to have met the following qualifications:
 - Company background
 - Applicable and relevant experience
 - Team/personnel experience working together and on similar projects
 - Project approach including working on CMAR projects for public sector clients
 - Demonstrated knowledge of the local and regional subcontract market
 - Any reasonable information the selection committee deems necessary

- Procedure for preparing and submitting proposals
 - To warrant evaluation of a submittal, the Construction-Manager-At-Risk (CMAR) firm must submit proof of the following requirements. If these minimum requirements are not met, the CMAR's statement of qualifications will not be evaluated.
 - Identify a minimum of two (2), but no more than five (5), projects that are most similar in size and scope that were constructed within the past seven (7) years. Indicate for each project the following minimum information:
 - Name of project, location, and construction date
 - Name of project manager and superintendent responsible for the project.
 - Initial Guaranteed Maximum Price (GMP) versus final project cost.
 - Type of service and contractual relationship (general contractor, design build, construction manager at risk, etc.).
 - Preconstruction services provided.
 - Client and architect/engineer contact information.

- Procedure for evaluating proposals

- The County will rely on the qualitative information contained and presented in the proposals, interviews, and reference checks in making the decision to select the most qualified firm to provide services for this project. Selection criteria will be based on the below criteria:
 - Experience, qualifications, and availability of proposed team leaders
 - Broader team structure
 - History of project team working together
 - Technical work process
 - Proposal, interview, and response
 - General conditions and fee
- Procedures for negotiations between the purchasing agency and those submitting proposals prior to the acceptance for proposals. The procedures shall contain safeguards to preserve the confidential information and proprietary information supplied by those submitting proposals
 - Upon completion of the interviews, the firms will be ranked. The County will start negotiations of the contract with the highest-ranking firm. If an agreement for services cannot be reached with the highest ranked firm, the County will move to the second ranked firm. The same process will be repeated with the other ranked firms. If no such agreement can be reached, the County reserves the right to not select a firm as part of this process.
 - The County will make every effort to maintain the confidentiality of information provided by Construction Managers. The County shall share information only with the review committee. Before sharing any information, the County shall review the procedures and confidentiality requirements with each member of the review committee. Committee members shall return their copy of construction managers' submissions to the County for safekeeping upon completion of review.
- The procedures for awarding construction management services contracts
 - Acceptance of a proposal shall be by written notice to the CMAR submitting the accepted proposal, and by simultaneously notifying the other CMAR firms that their proposals were not accepted.

All members voted aye.

COURT SECURITY GRANT:

The State Court Security Grant Program was discussed. Medhaug moved, Knebel seconded to appoint Megan Biel and Sam Swanson as Points of Contact for a Courthouse Assessment for this grant. All members voted aye.

ARPA FUNDS:

Medhaug moved, Luttrell seconded to moved \$958,566 in ARPA funds to the General Fund Fund Balance Account for the provision of Government Services. All members voted aye.

CASH ASSIGNMENT:

Knebel moved, Jones seconded to assign \$1 million of General fund surplus cash to Courthouse purposes. All members voted aye.

SECOND READING:

Knebel moved, Jones seconded to pass the following regulations at this, their first reading: REVISED ZONING REGULATIONS FOR MARSHALL COUNTY, SOUTH DAKOTA. The regulations can be viewed in their entirety on the County website or in the Zoning office during regular business hours. All members voted aye. The second reading will be held September 24, 2023.

NOTICE OF ADOPTION:

ORDINANCE NO.60 ESTABLISHING PERMANENT ZONING REGULATIONS FOR MARSHALL COUNTY SOUTH DAKOTA, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENTS THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Notice is hereby given that Ordinance No. 60 establishing permanent zoning regulations for Marshall County, South Dakota, with such regulations being set forth in the document titled Zoning Regulations; providing for restrictions, district boundaries, and providing for repeal of all ordinance or parts thereof in conflict therewith. Marshall County is adopting this ordinance in order to protect the public health, safety, and general welfare. This ordinance was duly adopted by the County Commission on the September 19, 2023, and will become effective on the 10th day of October, 2023.

First Reading:	September 5, 2023
Second Reading:	September 19, 2023
Publication Date:	September 20, 2023
(Notice of Adoption)	
Effective Date:	October 10, 2023
(20 days after Notice of Adoption)	

Dated this 20th day of September 2023.
Matthew Schuller, Marshall County Commission Chair

SURPLUS VEHICLE BIDS:

The following bids were opened and publicly read for the sale of the 1998 Ford F150 pickup: Ryan Biel \$200.00; Glenn Lehr \$750.00; Douglas Stolsmark \$500.00. Medhaug moved, Jones seconded to approve the sale of the pickup to Glenn Lehr for \$750.00. All members voted aye. The following bids were opened and publicly read for the sale of the 2013 Dodge Grand Caravan: Bill Deutsch \$1,360; Glenn Lehr \$1,300; Ryan Biel \$3,652; Danny Holey \$2,000; Rayburn Bauer \$3,150. Knebel moved, Jones seconded to approve the sale of the caravan to Ryan Biel for \$3,652. All members voted aye. The following bids were opened and publicly read for the sale of the 2004 Buick Rendezvous: Douglas Stolsmark \$1,600; Bill Deutsch \$555; Glenn Lehr \$750; Ryan Biel \$501. Medhaug moved, Luttrell seconded to approve the sale of the buick to Douglas Stolsmark for \$1,600. All members voted aye.

ANNUAL BUDGET:

Luttrell moved, Jones seconded to approve the annual budget resolution as follows with the following changes to the provisional budget:

Account	Provisional	Annual
General Fund Transfers Out	479,001	479,471
General Fund Cash Applied	11,195	12,885
Current Property Tax Levy (General Fund)	2,949,952	2,948,757
Current Property Tax Levy (Highway Fund)	1,090,975	1,090,505
Highway Fund Other Financing Sources	209,645	210,115

RESOLUTION:

ADOPTION OF ANNUAL BUDGET FOR Marshall County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR Marshall County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2024 and ending December 31, 2024 and the same is hereby approved and adopted by the Board of County Commissioners of Marshall County, South Dakota, this 19th day of September, 2023.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Marshall County, South Dakota. The accompanying taxes are levied by Marshall County for the year January 1, 2024 through December 31, 2024.

COUNTY TAX LEVIES	dollars	\$'s/1,000
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WITHIN LIMITED LEVY:

* General County Purposes (10-12-9)	2,773,757	2.245
Opt Out	175,000	.142
Highway Fund	1,090,505	.883

TOTAL TAXES LEVIED BY COUNTY	4,039,262	3.270
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*These amounts include the 25% to be distributed to cities.

As of September 19, 2023 these levies are not approved by the Department of Revenue.

All members voted aye. The resolution was declared duly adopted by the Chairman.

Board of County Commissioners of Marshall County, South Dakota

Matthew Schuller, Chairman

LeRon Knebel, Sr. Commissioner

Lynda Luttrell, Commissioner

Kevin Jones, Commissioner

Douglas Medhaug, Commissioner

ATTEST: Megan Biel, County Auditor

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_____.