

COUNTY COMMISSION MEETING
Britton, South Dakota

The Board of County Commissioners met in regular session at 9:00 a.m. on September 10, 2024 at the Marshall County Courthouse. Members present were Schuller, Knebel, Luttrell and Medhaug. Commissioner Bender was present for portions of the meeting via conference call. Commissioner Schuller presided. The meeting was open to the public. The Pledge of Allegiance was recited by everyone in attendance.

AGENDA:

Bender moved, Medhaug seconded to approve the agenda for September 10, 2024. All members voted aye.

MINUTES:

Knebel moved, Medhaug seconded to approve the minutes for September 3, 2024. All members voted aye.

CLAIMS:

Medhaug moved, Bender seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: August 29, 2024: Commissioners 1759.25; Auditor 4502.95; Treasurer 4749.45; States Attorney 2237.54; Courthouse 2441.21; Director 5347.88; Register 3695.95; VSO 833.43; Community Building 470.25; Sheriff 17617.73; Coroner 225.00; Welfare 573.99; Nurse 660.00; Ambulance 9532.76; Extension 1100.00; Weed 1504.10; Zoning 2459.45; Highway 15312.80; E911 10368.22; Emergency Management 752.00; EMPLOYER FICA & MEDICARE: First Savings Bank 6590.05
EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 4393.10

ALEXANDRIA GRAVEL PRODUCTS	2,237.65
AUSTIN STEINER	51.18
AVERA OCCUPATIONAL MEDICIN	115.00
BRITTON CITY WATER DEPT	318.49
CDJ ELECTRIC PLUMBING	122.45
CENEX FLEETCARD	512.02
CENTURYLINK	102.00
CLIFF'S ONE STOP	6.79
COGLEY LAW OFFICE, PROF LL	2,291.50
COLE PAPERS INC	241.65
DAKOTA AG SERVICE	311.25
DAKOTA EMBALMING & TRANSP	380.00
DAVE HAhLER AUTOMOTIVE, IN	46,930.00
DAY COUNTY SHERIFF'S OFFIC	4,425.00
DELANEY NIELSEN SANNES PC	2,471.25
DOUG MEDHAUG	83.84
EDEN OIL	6,866.57
EXPETEC TECHNOLOGY SERVICE	281.11
FIRST NATIONAL BANK	491.50
FULL CIRCLE AG	3,611.65

HOFLAND ENGINEERING INC	10,193.49
HOLLAND BROS OIL COMPANY	435.44
HOLLAND NAPA AUTO PARTS	587.21
HSI EMERGENCY CARE SOLUTIO	750.68
I & S GROUP, INC.	98,120.00
KENS FOOD FAIR	449.21
KRAUSE BROS CONSTRUCTION	135.63
LAKE REGION ELECTRIC	431.66
LANGFORD TOWN	202.81
LEHR SANITATION SERVICE LL	450.00
LERON KNEBEL	72.05
LYNDA LUTTRELL	15.72
MARC	170.35
MARCO INC	361.77
MARCO TECHNOLOGIES LLC	35.00
MARCO TECHNOLOGIES LLC	174.48
MARSHALL COUNTY MEDICAL C	188.30
MARSHALL COUNTY JOURNAL	923.73
MEYER HARDWARE HANK	140.39
MICROFILM IMAGING SYSTEMS	2,080.00
NORTHSIDE IMP LLC	254.70
OTTER TAIL POWER COMPANY	1,557.35
PAUER SOUND, LLC	1,031.63
PITNEY BOWES	2,000.00
PITNEY BOWES GLOBAL	186.00
QUILL CORPORATION	703.80
RAPKOCH LAW, PROFF L.L.C.	4,395.00
RC TECHNOLOGIES	309.84
SAFETY SERVICE, INC	324.00
SD COUNTIES	496.00
SD DEPARTMENT OF PUBLIC SA	5,430.00
SD PUBLIC HEALTH LABORATOR	335.00
SUNSET HUTTERIAN BRETHREN	2,000.00
TRI STATE WATER, INC.	124.70
TRUENORTH STEEL	24,126.30
VANGUARD APPRAISALS, INC	12,119.00
VENTURE COMMUNICATIONS	208.80
VERIZON WIRELESS	1,073.24
VESTIS	67.78
WERNER AUTOMOTIVE	76.37

PUBLIC COMMENT:

Jerry Burger was present to make public comment requesting blueprints for the Courthouse project and to state that the Commissioners should have a compensation plan in place for workers that have had illnesses caused by working in a building that has asbestos. The board stated that the blueprints are proprietary information and the County has been advised by the engineers and architects for the project that they are not public record. They also stated that air quality tests done at the courthouse have shown that there are no contaminants in the air. Auditor Biel stated that a Brownsfield study was recently conducted at the Courthouse and the results of that should be back in the next month. This study is part of a grant received from the State and will show what contaminants are present within the building structure and also provides for the removal of the contaminants.

JUDGE SOMMERS:

Fifth Circuit Judge Rick Sommers met with the board asking about the timeline of the Courthouse project. The Board informed Judge Sommers that much will depend on the pending bid approval later in the meeting, but if bids are approved, the project is scheduled to start on October 1. While the work that will be starting is out side earthwork and the remodel inside the current structure is not planned to start until November, the parking lot and back door of the courthouse will not be accessible once outside work begins. There will also be a large amount of noise from heavy equipment. Judge Sommers stated that they will need a 2-week notice prior to construction beginning in order to move offices and court. During construction, court will be held in Day County and the Clerk of Courts office will be in the County Community building.

RECESS:

Luttrell moved, Medhaug seconded to recess out of regular session in order enter into Zoning at 9:05 am. All members voted aye. The board reconvened in regular session at 9:47 am.

HIGHWAY:

Dustin Hofland, Highway Superintendent met with the board to discuss highway business. Hofland informed the board that during bridge inspections, a critical finding was found on bridge 46-040-115 in Stena Township. This was turned into the State and the bridge was closed. Hofland stated that a H & H study for this bridge would cost approximately \$25,000, but a more definite price would be obtained by the next meeting. The County applied for a federal grant for this bridge last year but did not receive it. Hofland roughly estimated replacement of this bridge with a box culvert would cost around \$750,000. The County can apply for a BIG grant for this structure. The County is required to pay at least 20% of the cost, but can increase that amount in order to have a better chance at the grant being awarded. Hofland also stated that the Highway fund has \$104,000 that was received in 2019 for use on small structure repair and rehabilitation that needs to be used by 2025.

Hofland informed the board that Base 1 has been applied to County road 12A and County road 4AE. Ben Nelson has been hired as a highway laborer effective September 3 at \$22.00/hour. Aaron Wade have been hired as a Highway Laborer effective August 19 at \$22.00/hour. Highway budget reports for June-August prepared by Sandy Dinger were distributed to the board. The board set September 24 as the Bid Letting date for annual propane bids. Dinger provided an update on the storm damage to the fuel system at the highway shop.

FUEL QUOTES:

Sandy Dinger received the following quotes for #2 diesel for the Britton shop on August 20: DaMar Elevator \$2.80, Eden Oil \$2.78; Full Circle Ag \$2.85. Diesel fuel was delivered to the Britton shop by Eden Oil.

SECOND READING: Revised Zoning Ordinance

Medhaug moved, Luttrell seconded to approve the revised zoning Ordinance at this, its second reading. The full ordinance can be viewed in the Zoning office during regular business hours. All members voted aye.

FIRST READING:

Luttrell moved, Medhaug seconded to approve Ordinance 67 at this its first reading:
ORDINANCE NO. 68

AN ORDINANCE AMENDING TITLE 4, CHAPTER 4.2
AS AMENDED TO REZONE CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Board of County Commissioners of Marshall County, South Dakota: that Title 4 chapter 4.2 adopted by Ordinance No.32, September 28, 2021 as amended, of the Zoning Ordinance of Marshall County be amended to classify the following property:

Area of Rezone for a Portion of S1/2NW1/4 of Section 4, T125N, R53W of the 5th P.M., Marshall County, South Dakota For the Proposed Plat of Almos Northside Second Addition Located in Government Lot 7 and the SE1/4NW1/4 of Section 4, T125N, R53W of the 5th P.M., Marshall County, South Dakota

(Proposed rezone sketch available in the office of the Zoning Administrator. Shaded area approximately 0.36 acres to be rezoned.)

To “R-3” Lakefront Residential District from “AG” Agricultural District

BE IT FURTHER ORDAINED by the Marshall County Commission, Britton, South Dakota, that the zoning official for the County of Marshall is hereby authorized to change the official zoning map for the County of Marshall to reflect this Ordinance.

<u>Notice of Hearing</u>	<u>August 28, 2024</u>
<u>Passed First Reading</u>	<u>September 10, 2024</u>
<u>Passed Second Reading</u>	<u>September 24, 2024</u>
<u>Adopted</u>	<u>September 24, 2024</u>
<u>Published</u>	<u>September 25, 2024</u>
<u>Effective Date</u>	<u>October 15, 2024</u>

All members voted aye.

SHERIFF:

Sheriff Sam Swanson met with the board to inform them that he had received quotes for an antenna for the temporary 911 dispatch center at the Community Building. A removable antenna would be about \$1000 while a permanent antenna attached to the roof would be about \$407. The board approved a permanent antenna.

Per a 3 year anniversary, Ian MacDonald will receive a raise from \$27.21/hr to \$27.56/hr effective August 23.

Knebel moved, Medhaug seconded to declare 2 of the Sheriff Department SUVs surplus and to transfer one SUV to the Highway Department. All members voted aye. Once these vehicles are cleaned out, they will be offered for sale by sealed bid to the public.

RADIO TOWER:

Emergency Manager Logan Roehr met with the board via teleconference to inform them that the inspection report on the tower is available as well as coverage reports. We are still waiting for the insurance report and Roehr is looking into fair rates to pay the landowner where the tower sits.

EXECUTIVE SESSION:

Luttrell moved, Knebel seconded to enter into executive session at 10:55 to discuss contract negotiations. All members voted aye. Upon exiting executive session, the following action was taken:

COURTHOUSE PROJECT BIDS:

Medhaug moved, Knebel seconded to accept the following bids for Bid Package 1 for the Courthouse project: Building Concrete \$290,972-East River Contracting; Precast \$437,118-Collins Precast; Sump Pits \$19,150-Redlinger Bros.; Earthwork \$252,304-Lien Transportation; Site Concrete \$112,336-East River Contracting; Landscaping \$63,956-Parkview Nursery; Utilities \$60,975-Glacial Lakes Excavating. All members voted aye.

Knebel moved, Luttrell seconded to deny the bid for Asphalt and to re-bid this at a later date. All members voted aye.

ADJOURN:

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

ATTEST:

Matthew Schuller, Chairman

Megan Biel, Auditor

Published once at the total approximate cost of_____.