

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

The Board of County Commissioners met in regular session at 9:00 a.m. on October 28, 2025 at the North Marshall Fire Hall. Members present were Schuller, Bender, Kilker, Luttrell and Medhaug. Commissioner Schuller presided. The meeting was open to the public. The Pledge of Allegiance was recited by everyone in attendance.

AGENDA:

Kilker moved, Luttrell seconded to approve the agenda for October 28, 2025. All members voted aye.

MINUTES:

Bender moved, Medhaug seconded to approve the minutes for October 14, 2025. All members voted aye.

CLAIMS:

Medhaug moved, Luttrell seconded to approve and pay the following claims. All members voted aye. PAYROLL by department: October 23, 2025: Commissioners 1805.20; Auditor 5635.77; Treasurer 4600.62; States Attorney 2059.62; Courthouse 2171.79; Director 5849.83; Register 3898.08; VSO 875.16; Community Building 467.13; Sheriff 20789.52; Coroner 225.00; Welfare 602.69; Nurse 444.68; Ambulance 9670.10; Extension 1403.33; Weed 1836.99; Zoning 2246.42; Highway 17350.05; E911 10157.12; Emergency Management 751.17; EMPLOYER FICA & MEDICARE: First Savings Bank 6754.78
EMPLOYER SOUTH DAKOTA RETIREMENT SYSTEM: 4805.75

ALEXANDRIA GRAVEL PRODUCTS	1,837.77
BITUMINOUS PAVING INC	45,880.64
BX CIVIL CONSTRUCTION	211,632.75
CDW GOVERNMENT	152.04
CENTURY LINK	272.20
CENTURYLINK	102.00
COMSTOCK CONSTRUCTION INC	733,528.45
DELANEY NIELSEN SANNES PC	941.01
DIRK W WEBER	644.25
DONALD SCHUMAKER	800.00
EDEN OIL	7,875.00
ELAN FINANCIAL SERVICES	2,142.18
FULL CIRCLE AG	15.07
HH DESIGN	282.00
HOLIDAY INN CITY CENTRE SI	1,390.00
IMEG CONSULTANTS CORP	13,494.51
MAHRER CONST INC, BERNARD	3,773.91
MARCO INC	240.49
MARCO TECHNOLOGIES, LLC	42.50

NORTHSIDE IMP LLC	282.52
OTTER TAIL POWER COMPANY	217.68
QUILL CORPORATION	393.53
SANFORD	4,513.00
SD DEPT OF AG & NATURAL RE	100.00
SD DEPT TRANSPORTATION	810.34
SOUTHSIDE EQUIPMENT	84.75
THOMSON REUTERS - WEST	192.77
VENTURE COMMUNICATIONS	2,273.39
VESTIS	40.00
WERNER AUTOMOTIVE	195.35
WILKIN COUNTY SHERIFF'S OF	50.00

PUBLIC COMMENT:

Luttrell and Bender mentioned various items they would like added to the next meeting agenda including a storage space for County Maintenance equipment and a 4H fundraising opportunity.

FIRST READING: Ordinance 73

Kilker moved, Luttrell seconded to approve Ordinance 73 at this, its first reading.

ORDINANCE NO. 73

AN ORDINANCE IMPOSING A COUNTY WHEEL TAX AND PROVIDING FOR THE ADMINISTRATION AND COLLECTION THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MARSHALL COUNTY, SOUTH DAKOTA, AS FOLLOWS:

WHEREAS, pursuant to SDCL, Chapter 32-5A, Marshall County has the authority to impose a wheel tax on all motor vehicles including trailers, as defined in SDCL 32-3-1, registered in the County; and

WHEREAS, the Board of County Commissioners of Marshall County, South Dakota deems it necessary for the purpose of promoting the health, safety, and general welfare of the County, to impose a wheel tax on all vehicles registered in the county;

WHEREAS, the Board of County Commissioners are responsible for establishing a means for distributing the revenue generated by this wheel tax;

NOW, THEREFORE BE IT ORDAINED, that a county wheel tax is hereby imposed upon all motor vehicles as defined by SDCL 32-3-1 registered in the County at the rate of Five and no/100 (\$5.00) Dollars per vehicle wheel. Such wheel tax shall be the same for all types of motor vehicles and the total wheel tax shall not exceed Sixty and no/100 (\$60.00) Dollars, per vehicle. Such wheel tax shall be administered and collected by the County, and 100% proceeds from such wheel tax shall be retained by the County, deposited in a special highway fund 201,

and the revenue shall be used only for highway and bridge maintenance and construction. If a motor vehicle is licensed for a period of time less than twelve (12) months, the wheel tax shall be prorated on a monthly basis.

This Ordinance shall become effective January 1, 2026. Once this ordinance takes full effect, Marshall County Ordinance Number 30 is hereby REVOKED.

All members voted aye. The second reading of Ordinance 73 will be held on November 4.

HIGHWAY:

Dustin Hofland, Highway Superintendent met with the board to discuss Highway Department business. Bender moved, Luttrell seconded to approve an extension to the construction time line for BX Civil & Construction for Bridge BRO 8046(00)24-1. All members voted aye. Hofland informed the board that the striping on County Road 5AC (Fort Road) should be completed this week.

FUEL QUOTES:

Shari Schock, Highway Secretary received the following quotes for gasoline for the Britton Shop on October 9: Eden Oil \$2.50; Holland Bros \$2.75; Baus Oil \$2.65; Farmer's Union \$2.81. Gasoline was delivered to the Britton Shop by Eden Oil. Shari Schock received the following quotes for #2 diesel for the Veblen shop on October 14: Eden Oil 2.65; Holland Bros. \$3.09; Baus Oil \$2.69; Farmer's Union \$3.66. Diesel fuel was delivered to the Veblen shop by Eden Oil. Shari Schock received the following quotes for #2 diesel for the Langford shop on October 24: DaMar Elevator \$2.59; Eden Oil \$2.65; Full Circle Ag \$2.84; Farmers Union \$2.87. Diesel fuel was delivered to the Langford Shop by DaMar Elevator.

PROPANE BIDS:

The following bids were opened and publicly read for an annual supply of propane for all County locations: Economy Propane \$1.49; Full Circle Ag \$1.40. Bender moved, Kilker seconded to accept the bid from Full Circle Ag. All members voted aye.

PLAT VACATION:

Bender moved, Kilker seconded to pass the following resolution to approve the vacation of a Plat: WHEREAS, a Petition for the Vacation of a Plat has been presented to the Marshall County Board of Commissioners. Said Plat petitioned for vacation is described as:

Plat of Gibson First Cottonwood Lake Addition in Government Lot 1 of Section 4 T126N, R54W of the 5th P.M., Marshall County, South Dakota; as filed in Plat Book 6 page 81 on the 20th day of December 2022.

WHEREAS, Tim D. Steiner and Sheila R. Steiner has signed the Petition for vacation of a Plat indicating that they have reviewed the Petition and consent to the vacation of the plat described in the petition.

WHEREAS, petitioners agree to dedicate an easement for the purpose of ingress/egress for maintenance of any public utilities which may occupy the existing right-of-way at the time of this action.

WHEREAS, pursuant to public notice, hearing was held before the Board of County Commissioners on the 28th day of October, 2025 at 9:30 am, at which time the Petition for vacation was submitted for examination and no protest having been made, motion was made and seconded that the following Resolution be adopted:

BE IT RESOLVED that the plat described above shall be and is hereby vacated, and the County Auditor is hereby authorized and directed to certify this Resolution as a matter of record.

All members voted aye.

ALCOHOLIC BEVERAGE LICENSE RENEWAL:

Kilker moved, Medhaug seconded to approve a Retail (on-sale) Liquor license renewal for Chinatown, LLC and a Retail (on-sale) and Package (off-sale) Liquor license renewal for Todd's Tavern. All members voted aye.

EMERGENCY MANAGEMENT:

Logan Roehr, Emergency Manager met with the board to give a quarterly update. Medhaug moved, Kilker seconded to authorize the chair to sign the Quarterly LEMPG report. All members voted aye.

COURTHOUSE PROJECT UPDATE:

Deb Skonberg, E911 Coordinator and Sam Swanson, Sheriff informed the board that the Dispatch desks have been installed and the switch over to the new building for dispatching is scheduled for the beginning of January.

The offices that are currently located in the former Schumaker building are scheduled to move to the Courthouse on November 10. Comstock Construction is going through the building and developing a punch list of required completions that must be done by this date.

VETERANS SERVICE OFFICER:

Dave Daberkow, VSO met with the board to give a quarterly update. Daberkow also presented various expenditure reports of VA benefits throughout the country and the state.

SURPLUS:

Kilker moved, Luttrell seconded to declare surplus the generator previously used at the Courthouse and to advertise it for sale by sealed bids with a minimum bid of \$4,000. All members voted aye.

EXECUTIVE SESSION:

Kilker moved, Bender seconded to enter into executive session at 11:45 am to discuss personnel matters pursuant to SDCL 1-25-2. All members voted aye. The chairman called the board out of executive session at 12:04 pm. No action was taken.

EMT IN TRAINING:

Bailee Yule and Charles Thames have started on the Ambulance Crew as EMTs in training at a rate of \$20.53/hour.

ADJOURN:

Luttrell moved, Kilker seconded to adjourn. All members voted aye.

ATTEST:

Matthew Schuller, Chairman

Megan Biel, Auditor

Published once at the total approximate cost of _____.