MARSHALL COUNTY PLANNING & ZONING COMMISSION
Proposed Agenda
Regular Scheduled Meeting
October 6, 2026 – 1:00 PM
Marshall County Courthouse, Commissioners Chambers

I. Call to Order

II. Roll Call

III. Approval of Agenda

IV. Review & Approval of Minutes from September 22, 2026

V. Matters for Board Discussion

VI. Open

VII. Disclosure of Conflicts/Ex Parte Communication

VIII. New Business:

A. **Variance – Brent & Jacalyn Wolfe**
   1) Staff report by E. Collins-Miles
   2) Open Public hearing
      a) Discuss new developments
      b) Testimony from applicant
      c) Testimony from proponents and opponents
      d) Applicant back up for questions (if needed)
   3) Close public hearing
   4) Boards Discussion
      a) Questions for audience (No new topics to be discussed)
      b) P & Z Boards motion and roll call for vote for recommendation to County Commission

B. Conditional Use – Sunset Hutterian Colony
   1) Staff report by E. Collins-Miles
   2) Open Public hearing
      a) Discuss new developments
      b) Testimony from applicant
      c) Testimony from proponents and opponents
      d) Applicant back up for questions (if needed)
   3) Close public hearing
   4) Boards Discussion
      a) Questions for audience (No new topics to be discussed)

b) P & Z Boards motion and roll call for vote for recommendation to County Commission

C. Drainage – Kurt Zuehlke

1) Reported by E. Collins-Miles
2) Open Public hearing
   a) Discuss new developments
   b) Testimony from applicant
   c) Testimony from proponents and opponents
   d) Applicant back up for questions (if needed)
3) Close public hearing
4) Boards Discussion
   a) Questions for audience (No new topics to be discussed)
5) Drainage Board motion and roll call for vote

D. Drainage – Linda Reisenweber

1) Reported by E. Collins-Miles
2) Open Public hearing
   a) Discuss new developments
   b) Testimony from applicant
   c) Testimony from proponents and opponents
   d) Applicant back up for questions (if needed)
3) Close public hearing
4) Boards Discussion
   a) Questions for audience (No new topics to be discussed)
5) Drainage Board motion and roll call for vote

E. Plats

a. Jensen Subdivision
   a) Plat of Jensen subdivision Located in the NE1/4 of Section 19, T128N, R56W of the 5th P.M., Marshall County, South Dakota

IX. **Building Permits**

X. **Other**

A. Permit extension deadline

XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
September 22, 2026

The Marshall County Planning & Zoning Board met at 9:00 AM, at the Marshall County Courthouse. Present at the hearing were the following Board members; Matthew Schuller, Doug Medhaug, Andrea Kilker, Jason Bender and Lynda Luttrell. Commissioner Schuller presided. Others present at the hearing were Erin Collins-Miles - Planning & Zoning, Megan Biel – Auditor, Holly Wismer, Drew Amacher, Jeff Amacher and Victor Rapkoch, Marshall County States Attorney.

AGENDA:
Kilker motioned; Luttrell seconded to approve the agenda. All members voted aye. Motion carried.

MINUTES:
Bender motioned; Kilker seconded to approve the minutes from September 1, 2026. All members voted aye. Motion carried.

Medhaug motioned; Kilker seconded to approve the minutes from September 11, 2026, via teleconference. All members voted aye. Motion carried.

VARIANCE:
Pertaining to an application for John Konstant; There were no proponents or opponents present to give testimony on behalf of this application. After Board discussion, Bender motioned; Kilker seconded to approve the requested 23ft variance at the Northwest corner, and the 12ft variance at the Northeast corner. This motion was made noting that there have been similar variances granted in the past. This motion allows for the garage to be constructed as requested; per the Marshall County Zoning Ordinance, and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller - Aye. Motion carried.

DRAINAGE:
Pertaining to a drainage application for Jeff Amacher; The applicant was present for the meeting. After Board discussion, Bender motioned; Medhaug seconded to approve an application to drain on the property described as the SE1/4 Exc. Lot H1 Hwy of Section 14, T128N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 1, 2031. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

Pertaining to a drainage application for Nathan Schultz; There were no opponents or proponents present at the meeting in relation to the project. After Board discussion, Medhaug motioned; Luttrell seconded to approve an application to drain on the property described as the NE1/4

Except Highway, and the E1/2SE1/4 of Section 12, T126N, R56W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 31, 2027. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

Pertaining to a second application for Nathan Schultz; The landowner the application was presented on behalf of, was present for discussion. After Board discussion, Kilker motioned; Bender seconded to postpone an application to drain on the property described as the NE1/4NE1/4 and the W1/2NE1/4 and the SE1/4NE1/4; all of Section 34, T127N, R56W. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

Pertaining to a drainage application for Brandon Peters; There were no opponents or proponents present at the meeting in relation to the project. After Board discussion, Kilker motioned; Bender seconded to approve an application to drain on the property described as the NE1/4 Except Highway, and the SE1/4, SE1/4NE1/4 and the W1/2NE1/4; All of Section 36, T127N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; October 1, 2030. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

Pertaining to a drainage application for Leona Chapin; There were no opponents or proponents present at the meeting in relation to the project. After Board discussion, Medhaug motioned; Bender seconded to approve an application to drain on the properties described as Lots 1, 2, 3 and 5 of the Plat of Chapin Subdivision of the NE ¼ and the NE ¼ NW ¼ of Section 14, T128N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 31, 2027. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

CONDITIONAL USE:

A motion and roll call vote were taken to approve an application for a Conditional Use from the Marshall County Zoning Ordinance for Middle Mile Infrastructure on the property described as the S1/2NW1/4, NW1/4NW1/4 and the SW1/4NE1/4 of Section 14, T127N, R57W of the 5th P.M., Marshall County, South Dakota. Bender motioned; Luttrell seconded to approve the permit. Roll call vote; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller - Aye. Motion carried.

A motion and roll call vote were taken to approve an application for a Conditional Use from the Marshall County Zoning Ordinance for Horton, Inc. on the property described as the N400’ of Outlot A in the NW1/4 and Lot 1 Britton Development Addition in the NW1/4 of Section 13, T127N, R58W of the 5th P.M., Marshall County, South Dakota. Kilker motioned; Medhaug seconded to approve the permit. Roll call vote; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller - Aye. Motion carried.

PLATS:
Bender motioned; Kilker seconded to approve the following plat; Lot D in Andrews Subdivision in Miller Township. All members voted aye. Motion carried;
Luttrell motioned; Medhaug seconded to approve the following plat conditionally upon completing research on road information and plat boundaries; Tory Addition in Nordland Township. All members voted aye. Motion carried;

BUILDING PERMITS:
Medhaug motioned; Kilker seconded to accept building permits for the following applicants: John Konstant (variance) - Dumarce township, Jerry Burger - Stena Township, Mark Hagen - Sisseton Township, East River Electric - Waverly Township, Middle Mile Infrastructure, LLC (Conditional use) - Pleasant Valley Township, Daron Steiner - Eden Township, Stein Sign Display (Conditional Use) - Pleasant Valley Township, Cody Schultz - Hamilton Township. All members voted aye.

Updates were made to the previously approved building permit number 37-26.

OTHER:
Zoning Director gave an update on communications received for an ongoing building permit and variance application. The Board instructed that further communication be completed and a letter be sent to the applicant.

ADJOURN:
Medhaug motioned; Kilker seconded to adjourn as Planning and Zoning Board and convened as Marshall County Commission at 10:09 AM. All members voted aye. Motion carried.

ATTEST:
Erin Collins-Miles
Marshall County Planning and Zoning Administrator
Marshall County, South Dakota
Published at the approximate cost of……