

## **FALL RIVER COUNTY MINUTES OF FEBRAURY 7, 2017**

The Fall River Board of County Commissioners met in regular session on February 7, 2017. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Paul Nabholz, Deb Russell and Sue Ganje, Auditor.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM.

The agenda was reviewed for conflicts; none were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by Russell, seconded by Abbott, to approve the agenda as written.

Motion made by Russell, seconded by Abbott to approve the minutes of January 17, 2017.

Motion made by Russell, seconded by Abbott, to approve the minutes for January 3, 2017 with the following corrections:

Reflect Joe Allen as also being sworn in by the Clerk of Courts

Correct motion on appointment to BH Council of Local Government board to be Russell not Nabholz; motion by Abbott and Allen

Reflect Joe Falkenburg as chairing the meeting, not Michael P. Ortner

Correct 2017 wage for Ashley Madrid, Dispatch, to \$12.50/hr, rather than \$13.56/hr

Correct 2017 wage for Anthony Monroe, Jailer, to \$15.02/hr, rather than \$15.52/hr

Correct 2017 salary for Stacey Martin, GIS, to \$37,882, rather than \$34,882

Rescind Reso #2017-02, approve #2017-02A to reflect correct codified laws on Officials

Correct motion designating official banks to be for 2017, rather than 201.

An applicant for electrical assistance met with the Board. Motion made by Russell, seconded by Allen to approve CP2017-02 in the amount of \$455.05, with repayments as scheduled. With Nabholz voting no, all others voting yes, the motion carried.

Motion by Nabholz, seconded by Russell to authorize publication of November 30, 2016 Auditors Account with the County Treasurer as the report was approved but full content not published.

Motion made by Russell, seconded by Allen to set the Flyway Road District Election date for March 21, 2017 at 5:00 p.m. Patricia and Michael Duffy expressed concerns for the landowners who do not live in the district, individuals signing the petitions, the stated need on the petition for the district, and cited road district codified laws. The Duffys requested no action at this time. Auditor Ganje did note that SDCL 31-12A-1.2 was amended to allow only landowners to sign petitions and vote, rather than registered voters in the proposed district. Richard Kaan, petitioner, spoke of the need for the district and advised that the State's Attorney had reviewed and approved the petition. Substitute motion was made by Nabholz to table the issue until the next meeting on February 21, 2017. No second was made and discussion continued until Chairman Falkenburg called for a roll call vote to set the election: Russell, yes; Allen, yes; Abbott, yes; Nabholz, no and Falkenburg, no. Motion carried.

Motion made by Russell, seconded by Abbott to approve the December 31, 2016 auditors account with the county treasurer.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF FALL RIVER COUNTY:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 31<sup>st</sup> day of December, 2016.

Total Amt of Deposit in First Interstate Bank:        \$134,715.48  
Total Amount of Cash:                                         \$ 9,653.32  
Total Amount of Treasurer's Change Fund:             \$ 900.00

Total Amount of Checks in Treasurer's  
Possession Not Exceeding Three Days:                 \$59,153.47

SAVINGS:

    First Interstate Bank     :                                 \$3,185,145.24

CERTIFICATES OF DEPOSIT:

    First Interstate-Hot Springs:                             \$2,684,371.64  
    Black Hills Federal Credit Union:                         \$ 250,000.00

Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:

    Register of Deeds Change Fund: \$500.00  
    Highway Petty Cash: \$20.00  
    Election Petty Cash: \$15.00

RETURNED CHECKS:

Schoenberger, Chelsey – \$65.80, LIC (09/27/2016)  
Hagen, Kara - \$5,856.66, Tax (11/23/2016)  
Aldrich, Dustin - \$1,518.28, Tax (12/12/2016)

TOTAL \$6,331,914.89

Dated This 31<sup>st</sup> Day of December, 2016.

\_\_\_\_\_  
Sue Ganje, County Auditor of Fall River County.

County Monies: \$6,128,976.72  
Held for other Entities: \$82,961.89  
Held in Trust: \$119,976.28  
TOTAL: \$6,331,914.89

The Above Balance Reflects County Monies, Monies Held in Trust, and Monies Collected for and to be remitted to Other ENTITIES: SCHOOLS, TOWNS, TOWNSHIPS, FIRE AND AMBULANCE DISTRICTS, AND STATE.

The Board reviewed a request for a letter of support. Richard Kaan, President of the Black Hills Western Arts Council, spoke of the need for the letter in their grant applications. Motion made by Allen, seconded by Abbott to approve a letter of support for the BH Western Art Council in their applications for funds to be used for local Cultural Folk Art and Western oriented events.

Kellie Raby of the Boys and Girls Club of Hot Springs met with the board to present them a Certificate of Recognition, noting that Fall River County is the only county in the Black Hills providing funds to their local club. Falkenburg noted the partial use of PILT funds for the club which is an investment to local children.

Dustin Ross and John McBride from Andersen Engineers, met with the commission on three plats, two for Steve Simunek, (Clear Water Lake Estates and Clearwater tract, Lot 1), and one for Allen Rogers. Motion by Allen, seconded by Abbott to approve the Rogers Tract 1, Tract 2 and a Private Access and Utility Easement plat. Motion made by Russell, seconded by Allen on the Lot 1 of Clearwater Tract plat. Motion made by Allen, seconded by Abbott to approve the Clear Water Lake Estates plat.

Frank Maynard, Emergency Management, met with the board to give updates on the Emergency Disaster Declaration, signed by President Trump. Maynard also updated the board on the 2017 LEPC and Homeland Security grants. Fires and incidents were reported.

Lyle Jensen, Building Supervisor, presented quotes for 9600 gallons of propane as follows:

Dakota Propane	\$1.20
Nelson's Oil & Gas	\$1.34
PJ's	\$1.59
CBH	Declined

Motion made by Russell, seconded by Nabholz to accept the low quote from Dakota Propane at \$1.20 per gallon.

Jensen noted a NACO program on providing a box for used flags. He would like to put a box on the first floor, the board had no objections. Jensen also spoke of the need for quotes from an engineer to write bid specs. Motion made by Nabholz, seconded by Abbott to authorize Jensen to get quotes from engineers to write bid specifications for the jail air handler, and to bring quotes to the next meeting.

Stacey Martin, GIS, presented a map of agricultural value shifts from 2014 compared to 2017. A report was also presented on Taxable Value by classification compared to Taxes by classification, both for the period of 2010 thru 2017. Classifications for this report include Agriculture, Agriculture dwelling, Agriculture commercial, Residential, Commercial, Centrally assessed utilities and Mixed (properties with commercial and residential). A further report was also presented on Mill levies by taxing districts, class and year. This was presented to show value and tax shifts since the reappraisals have begun. These documents are on the county website.

Joe Logue met with the board to discuss snow removal on the road he lives on, south and west of Oelrichs. Randy Seiler was present to answer Logue's questions. Logue stated he went 33 days without the county removing snow on the road where he lives, and will be sending a bill for

his snow removal work as he is not happy.

Randy Seiler, Highway Superintendent, presented fuel quotes for 8000 gallons of Red Diesel as follows:

Nelson's Oil & Gas – 4000 gallons #1 Red Diesel and 4000 gallons #2 Red Diesel - \$1.975/gallon

MG Oil – No quote

Bill Tanner, PJ's – No quote

Motion made by Russell, seconded by Nabholz to accept the low quote of Nelson's Oil and Gas, \$1.975/gal for 8000 gallons of Red Diesel.

Quotes for 250 gallons of propane in Edgemont:

Nelson's Oil and Gas - \$1.60/gal

Bill Tanner, PJ's – No quote

Dakota Propane – No quote

Motion made by Nabholz, seconded by Abbott, to accept the low and only quote of Nelson's Oil and Gas of \$1.60/gal for 250 gallons of propane.

Motion made by Allen, seconded by Russell, to purchase off of the 2017 Beadle County bids for metal culverts.

The Hearing for Private Road work was held as advertised. Motion made by Abbott, seconded by Allen, to approve the continuation of private road work as per SDCL 31-11-41 – 31-11-45.

No sealed annual bids were received for 2017. Motion was made by Abbott, seconded by Russell to accept fuel transfers as follows: Maintenance for \$83.64; Weed & Pest for \$14.01; Sheriff's Department for \$1,610.62; Director of Equalization for \$35.56 and Emergency Management for \$73.64, Building \$35.55.

Sealed bids for wing plows were opened, with 2 bids in the amount of \$3,000 each received. Motion made by Russell, seconded by Nabholz to accept two bids of \$3,000 each from Penny Gunderson.

Motion made by Allen, seconded by Russell to approve county highway employees to attend Msha (safety training) in Hot Springs on February 15, contingent on weather.

Motion made by Allen, seconded by Russell to approve travel for Seiler to attend the Short Course workshop, March 28 – 30, 2017, in Deadwood.

Seiler updated the board on the number of hours on a couple pieces of equipment, and discussion was held on the schedule for snow removal. Seiler advised it takes three days to clear all of the roads and it was questioned if a staggering procedure would work best. Seiler said he has been going by calls. Steve Simunek stated that a lot of snow had blown back and shut down roads after being cleared this year and wondered if private citizens can blade on County roads. Russell stated that there is an element of responsibility if you live in the county and the board was okay with

a certain amount of emergency snow removal from the private citizens.

Motion made by Russell, seconded by Abbott to approve bills as follows:

GENERAL FUND		
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$122.54
AMERICAN FAMILY		
ASSURANCE	AMERICAN FAMILY ASSU	\$225.04
A'VIANDS LLC	INMATE FOOD/SUPPLY	\$13,567.50
A-Z SHREDDING INC	SHREDDING	\$48.79
BEESELEY LAW OFFICE	CAAF	\$985.80
BEHAVIOR MANAGEMENT SYS	2017 BUDGETED ALLOTM	\$7,500.00
BLACK HILLS CHEMICAL	SUPPLY	\$279.69
BH COUNCIL OF LOCAL GOV	2017 BH COUCIL OF LO	\$ 3,685.00
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$3,877.29
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CENTURY BUSINESS LEASING	COPIER LEASE	\$967.49
CHRIS SUPPLY	SUPPLY	\$22.99
COLBATH, ANGELA M	CAAF	\$2,180.40
CREDIT COLLECTION BUREAU	GARNISHMENT	\$443.73
DAKOTA LEASING COMPANY	LEASE	\$155.00
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,591.95
EFTPS	PAYROLL TAXES	\$39,346.28
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$1,184.10
EN-TECH LLC	FUMIGATION	\$225.00
DEWEY J ERTZ, ED.D	CAAF	\$975.00-
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$108.00
FARRELL,FARRELL &GINSBACH	CAAF	\$1,367.70
FR COUNTY TREASURER	FIRST INTERSTATE	\$36.70
GLASS PRO +	REPAIR	\$45.00
GOLDEN WEST TECHNOLOGIES	SECURITY MONITORING	\$77.44
HARRIS, BETSEY	A & N	\$4,247.76
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$645.00
HILLYARD FLOOR CARE SUPP	SUPPLY	\$41.04
HSR FUELING LLC	AIRPLANE FUEL	\$65.42
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$17,456.00
J & J ATTORNEY SERVICE	SUBPOENA	\$ 56.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$275.00
LYNNS DAKOTA MART	COUNTY POOR MEDICAL	\$ 43.13
MANLOVE PSYCHIATRY GROUP	COURT ORDERED EVAULA	\$2,600.00
MCGAS LLC	PROPANE	\$11,563.16
MOCIC	2017 MEMBERSHIP	\$100.00
NATIONWIDE RETIREMENT		
SOL	NATIONWIDE RETIREMEN	\$ 88.25

NELSONS OIL & GAS INC.	UTILITIES	\$213.60
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NORTONS SINCLAIR	AUTO REPAIR	\$20.00
NORTON,TINA	CONTRACT NURSE INMAT	\$ 1,035.00
O'DAY, VALARIE	COURT REPORTER	\$279.40
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$604.00
O'NEILL, JUSTIN	CAAF	\$1,640.18
PASQUALUCCI, ROBERT D.	CAAF	\$1,115.20
PHOENIX INVESTIGATIONS	INVESTIGATION	\$501.06
QUILL CORPORATION	OFFICE SUPPLIES	\$851.69
QUALIFIED PRESORT SERVICE	SERVICE	\$2,787.85
RAPID CITY JOURNAL (THE)	ADVERTISING/PROCEEDI	\$908.33
RAPID CITY REGIONAL	INMATE MEDICAL	\$1,704.33
SANICHEM	SUPPLY	\$416.00
SOUTH DAKOTA ST		
TREASURER	SALES TAX	\$ 179.19
SD DEPARTMENT OF REVENUE	BLOOD DRAW	\$ 70.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$18,326.80
SD SHERIFF'S ASSN	2017 SD SHERIFFS AS	\$ 562.82
SDAAO	TUITION/ASSESSOR SCH	\$300.00
SERVALL	RUG/UNIFORM SERVICE	\$528.78
SKINNER, MATTHEW L. PC	CAAF	\$ 2,877.40
SD SUPPLEMENT RETIREMENT	SDRS SUP RETIREMENT	\$750.00
SPRINGS SENIOR CITIZENS	2017 BUDGETED ALLOTM	\$4,100.00
STEPHENS LAW OFFICE	CAAF	\$100.00
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$68.00
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$2,800.00
BEHRENS, DONNA	MILEAGE REIMBURSEMEN	\$102.06
		\$ 158,188.64
COUNTY ROAD & BRIDGE		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEA	\$615.12
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$80.66
AMERICAN FAMILY		
ASSURANCE	AMERICAN FAMILY ASSU	\$448.60
B H ELECTRIC COOP INC.	UTILITIES SMITHWICK	\$38.46
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$957.13
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$3,826.33
DALE'S TIRE	TIRE PARTS/SUPPLY	\$ 551.73
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$444.95
EDDIES TRUCK SALES	REPAIRS/PARTS	\$414.25
EFTPS	PAYROLL TAXES	\$10,184.69
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIR	\$26.66
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$ 58.25
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$150.00

HOT SPRINGS ACE HARDWARE	SUPPLY	\$104.22
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$850.26
RICOH USA INC	HWY DEPT COPIER LEAS	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$ 3,350.00
KIMBALL MIDWEST	SUPPLIES	\$306.75
LIUNA LABORERS LOCAL 620	UNION DUES	\$150.00
LYLE SIGNS	SIGNAGE	\$50.80
MG OIL	INVENTORY/SUPPLY	\$1,127.50
MIDCONTINENT TESTING	LAB TESTING	\$402.00
NATIONWIDE RETIREMENT		
SOL	NATIONWIDE RETIREMEN	\$73.53
POWERPLAN BF	REPAIR/PARTS/LABOR	\$12,150.00
QUILL CORPORATION	OFFICE SUPPLIES	\$ 64.58
RAPID DELIVERY	DELIVERY	\$102.92
SAFETY KLEEN	SUPPLIES	\$124.47
SD DEPT OF TRANSPORTATION	ROAD PROJECTS	\$1,415.61
SDACHS/DJ BUTHE	2017 MEMBERSHIP DUES	\$275.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$ 4,728.62
SEILER, RANDY	CELLPHONE REIMBURSEM	\$35.00
SHEEHAN EQUIPMENT, INC.	PARTS	\$181.13
SOUTHERN HILLS FIRE	SERVICE	\$75.00
PRO BUILD	SUPPLY	\$99.64
		\$ 43,138.86
911 SURCHARGE REIMB		
CENTURY LINK	911 DISPATCH LINE TR	\$7.93
		\$7.93
FIRE PROTECTION FUND		
BUFFALO GAP FIRE DEPT	2017 FIRE PAYMENT	\$1,050.00
		\$1,050.00
EMERGENCY MGT		
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$12.90
EFTPS	PAYROLL TAXES	\$1,798.78
QUILL CORPORATION	OFFICE SUPPLIES	\$30.49
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$570.96
	\$ 2,413.13 \$ 2,413.13	
L.E.P.C. GRANT (FED/STATE GRANTS)		
PUDWILL, NORMAN	LEPC	\$60.00
BASTIAN, TRACY	LEPC	\$100.00
		\$160.00
24/7 SOBRIETY FUND		
EFTPS	PAYROLL TAXES	\$249.12
		\$249.12
COURTHOUSE BUILDING FUND		
TEM-TECH	SERVICE	\$817.03

			\$817.03
24/7 PARTICIPATION FEE			
SD ATTORNEY GENERAL	24/7 STATE ACCT. DIS		\$45.00
SD ATTORNEY GENERAL	24/7 SCREAM DISBURSE		\$930.00
			\$975.00
TOTAL PAID BETWEEN 1/18/17 AND 2/07/17		\$ 206,999.71	\$ 206,999.71

Break from meeting at 10:31 am, meeting resumed at 10:37 am.

Public comment was held. Hal Wick was concerned about inaccurate and negative information being published in the paper, and how all of the lawsuits and media coverage through the years has driven the values down in the golf course. Brian and Val Crawford had concerns about assessment values continually increasing and that there are struggling businesses in town, and asked that there be an equitable solution for extreme increases. Falkenburg encouraged them to make an appointment for the upcoming equalization board. Nabholz apologized to John Taylor, Hot Springs Star, indicating his article was only for the unsold lots in the golf course.

Susie Simkins, Director of Equalization, met with the board to present abatements.

Motion made by Nabholz, seconded by Abbott to approve a partial abatement for Mary Bledsoe, pay 2017 taxes, parcel number 13000-00707-34110, in the amount of \$190.75. Reason: Elderly freeze entry error.

Motion made by Russell, seconded by Abbott to approve a partial abatement for Mary Holloway, pay 2017 taxes, parcel number 65254-00000-02110, in the amount of \$80.99. Reason: Elderly freeze entry error.

Motion made by Abbott, seconded by Russell to approve a partial abatement for Joyce Farrell, pay 2017 taxes, parcel number 75530-04500-02000, in the amount of \$95.63. Reason: Land entry error.

Motion made by Allen, seconded by Nabholz to approve a partial abatement for Norman Pudwill, pay 2017 taxes, parcel number 75510-00500-01400, in the amount of \$501.52. Reason: MAP AREA assessment error.

Motion made by Abbott, seconded by Allen to approve partial refund to Dallas Wilkinson, pay 2016 taxes, parcel number 75430-01800-01200, in the amount of \$200.04. Reason: Property sold to SD DOT (exempt entity).

Motion made by Nabholz, seconded by Russell to approve full abatement for SD DOT, pay 2017 taxes, parcel number 75430-01800-01200, in the amount of \$321.24. Reason: Property should be exempt.

Motion made by Nabholz, seconded by Abbott to approve partial refund for Stu Marty, pay 2016, parcel number 65100-00100-00400, in the amount of \$40.74. Reason: property should be obsolete.



Donald Tillotson, along with Susie Simkins, met with the board to request a partial abatement. Medical reasons prevent use of his fireplace and he asked that the fireplace value be removed. Motion made by Allen, seconded by Russell, to approve a partial abatement for Donald Tillotson, pay 2017, parcel number 75500-02800-00100, in the amount of \$54.48. Reason: Medical reasons to prohibit use of fireplace, removal of fireplace value.

The Board reviewed the timeline for Equalization meetings; this will be back on the next meeting. Nabholz questioned if the local boards that do not currently consolidate with the county should consolidate. This would be Argentine and Provo Townships and the Town of Oelrichs. The Auditor will bring information to the next meeting on this procedure.

Simkins gave an update on commercial reappraisal. 30 people have been in the office so far, and Simkins noted that there are limited sales for comparisons. With limited sales, an economic factor is needed. Simkins needs input from community property owners.

Nabholz presented the Investment Policy, asking for approval. He testified in Pierre on SB 86, a bill on the revision of certain provisions regarding the deposit of county funds. The policy was created using a boilerplate form from the Municipal League. Nabholz asked for questions by the commission. Changes to Diversification (8) were requested as follows: A change to the 1<sup>st</sup> bullet point by adding CD (Certificate of Deposit) between 'best' and 'interest rates', and to add a line to say 'Treasurer to notify Commissioners if new institute is used'. Motion was made by Allen, seconded by Abbott to continue banking locally as usual and get cds at the highest rate. Nabholz spoke of the need for latitude to get the best interest rates, noting Bank of the West's current cd rates, which would be the best for the taxpayers, and again noting the advantage of Treasury bills. Russell called for the question. A roll call vote was taken. Allen: yes; Abbott: yes; Falkenburg: yes; Russell: yes; Nabholz: no. Motion carried.

Motion made by Russell, seconded by Nabholz to approve the Investment Policy.

Nabholz presented the issue of valuation of the Rural Service District properties, and his understanding of the laws addressing this. He noted county responsibility to have Director of Equalization apply values fairly, but still the allowing taxpayers the opportunity to appeal values with the local board, and State Board if needed. He asked board to give the Director of Equalization direction today. State's Attorney, Jim Sword gave history of Boulder Falls and golf course development. Statue says no change from rural to urban until the city takes action. Hot Springs Mayor Donnell was also present at the meeting, noting the ordinance that was just approved moving 2016 sales out of the rural service district to urban. Sword stated that the City knows the problem and wants commissioners to trust the city government to address issue. Allen made a motion, seconded by Russell to keep rural district value the same. A roll call vote was taken. Allen: yes; Abbott: yes; Falkenburg: yes; Russell: yes; Nabholz: no. Motion carried.

Auditor Sue Ganje approached the board for hire approval. Motion was made by Russell, seconded by Allen to hire Aaron Eberle as the auditor's administrative assistant at \$12 per hour, full time effective date of February 16, 2017.

Motion made by Russell, seconded by Abbott to authorize the Auditor and Treasurer to process the in between bills, with bills brought to the next meeting.

Motion made by Allen, seconded by Abbott to go into executive session as per SDCL-1-25-2(1) and (3) to discuss personnel, union negotiations and legal matters. Meeting resumed at 12:07 p.m.

Discussion was held on the Commissioner Workshop. Russell, Nabholz, and the possibility of Abbott, are interested in the workshop.

Motion was made by Nabholz, seconded by Russell to add the Bank of the West and Wells Fargo to the official Banks used in Fall River County.

Motion was made by Allen, seconded by Abbott to adjourn at 12:12 p.m.

/s/ Joe Falkenburg  
Joe Falkenburg, Chair  
Board of Fall River County Commissioners

ATTEST:  
/s/ Sue Ganje  
Sue Ganje, Fall River County Auditor