

FALL RIVER COUNTY MINUTES OF APRIL 18, 2017

The Fall River Board of County Commissioners met in regular session on April 18, 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 Nabholz, seconded by Russell, to approve the minutes of April 4, 2017.

Motion made by Russell, seconded by Abbott, to approve the March 31, 2017 Auditor's 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 31st day of March, 2017.

Total Amt of Deposit in First Interstate Bank:	<u>\$440,971.37</u>
Total Amount of Cash:	<u>\$5,636.52</u>
Total Amount of Treasurer's Change Fund:	<u>\$900.00</u>
Total Amount of Checks in Treasurer's	
Possession Not Exceeding Three Days:	<u>\$29,328.08</u>
SAVINGS:	
First Interstate Bank :	<u>\$1,724,126.59</u>
CERTIFICATES OF DEPOSIT:	
First Interstate-Hot Springs:	<u>\$3,656,247.76</u>
Black Hills Federal Credit Union:	<u>\$250,000.00</u>
Bank of the West	<u>\$500,000.00</u>

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:

Cox, Erica - \$82.00, Lic (2017)

TOTAL \$6,607,827.32

Dated This 31st Day of March, 2017.

Sue Ganje, County Auditor of Fall River County.

County Monies: \$6,282,704.42
Held for other Entities: \$339,953.86
Held in Trust: \$151,266.87
TOTAL: \$6,607,827.32

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.

Motion made by Russell, seconded by Nabholz to approve travel to SDACO Workshop on May 17 and May 18 in Pierre for the auditor, treasurer and register of deeds.

Discussion was held on the furnishing of an evidence storage unit. Sword spoke of criminal evidence software. Motion made by Russell, seconded by Abbott to approve the Auditor, with assistance from the State's Attorney, to write a letter to the Attorney General for evidence storage monies and authorize the chairman to sign.

Motion made by Nabholz, seconded by Abbott to have the County Auditor advertise a notice of interest for the notice of vacancy on the WSD Community Action as the commissioner's representative.

Motion made by Russell, seconded by Allen to surplus computer tower #01758, from the Register of Deed's office, as junk.

Motion made by Nabholz, seconded by Russell to approve setting the transfer hearing for Chops and Hops, May 2, 2017 at 9:30 a.m.

Dustin Ross, Andersen Engineers, presented two plats. Motion made Allen, seconded by Nabholz, to approve the plat for Lot 8, KSK properties Subdivision, Tract 2.

FALL RIVER COUNTY RESOLUTION #2017-12

**Lot 8 REVISED AND A PRIVATE ACCESS EASEMENT OF KSK Properties Subdivision – Tract 2,
Containing all of lot 8 of KSK properties subdivision – Tract 2 and a portion of the balance of the
NW1/4NE1/4 and S1/2NE1/4, All in section 26, T8S, R5E, BHM, Fall River County, South Dakota**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of the above described lands, and it appearing to this Board that the system of streets conforms to the system of streets of existing plats and section lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the county subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed; now and therefore,

BE IT RESOLVED that said plat is hereby approved in all respects.

Dated this 18th day of April 2017.

ATTEST:

/s/Joe Falkenburg
Fall River County Board of Commissioners

/s/Sue Ganje
Fall River County Auditor

Motion made by Russell, seconded by Abbott, to approve Lot 20, Shep's Canyon Estate Subdivision.

FALL RIVER COUNTY RESOLUTION #2017-13

**Lot 20 of Shep's Canyon Estates Subdivision, containing a portion of the W1/2SE/14 of Section 22,
T8S, R5E, BHM, Fall River County South Dakota**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of the above described lands, and it appearing to this Board that the system of streets conforms to the system of streets of existing plats and section lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the county subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed; now and therefore,

BE IT RESOLVED that said plat is hereby approved in all respects.

Dated this 18th day of April 2017.

ATTEST:

/s/Joe Falkenburg
Fall River County Board of Commissioners

/s/Sue Ganje
Fall River County Auditor

Sue Ganje, Auditor, notified the board of juvenile justice detention monies in the amount of \$6,815.80 that were received and of the authorized agent training (SDRS) that Schmidt and Tomlinson from her office will be attending. Ganje also presented the ES&S three year election agreement. Motion made by Nabholz, seconded by Russell, to approve the ES&S three agreement

and authorized the auditor to sign.

Melody Engebretson, Register of Deeds, met to request renewal the copier lease in her office. The lease is with Century Business. Motion made by Abbott, seconded by Nabholz to renew the copier lease with Century business at \$121.93 per month, plus copies.

Kelli Rhoe, Treasurer, met for hire approval. Motion made by Russell, seconded by Nabholz, to approve hiring of Anna Maciejewski at \$10 per hour, effective May 1, 2017, as per union contract.

Frank Maynard, Emergency Management spoke of ALICE (Alert-Lockdown-Inform-Counter-Evacuate) Training and asked for approval for two county law enforcement officers. Motion made by Russell, seconded by Abbott to approve securing two seats (sheriff and deputy) for the ALICE training on August 17, 2017 at the Hot Springs school. Discussion was held on employee training, effectiveness and time utilized and use of a taser. Falkenburg would like a report back. Motion carried.

Maynard also advised that Community Drill will be on May 10, 2017, Weather Spotting Training by NWS will be on April 18, 2017 at the HS Fire Department and a state wide tornado drill will be on April 26, 2017. Severe Weather Preparedness Week is April 24-28, 2017. No fires or incidents reported.

Joe Falkenburg, Commissioner, brought up the issue of how full the parking lot becomes on court days. Discussion was held on the possibility of leveling and graveling with base course across the street rather than asphalt. Falkenburg asked the board to look at and think about it and it will be brought back to the board. Allen asked about drainage (i.e. culvert).

Susie Simkins, Director of Equalization, presented abatement and travel request. Motion made by Russell, seconded by Nabholz to approve the prorated tax abatement for Selah Mission, parcel #752200040000100, pay '17 in the amount of \$1,258.06.

Simkins brought up options for 2017 educational schooling. The Annual Conference will be held in May in Brookings, range camp in June in Sturgis, and Vanguard Training will be held in July in Chamberlain. Simkins recommends the Range Camp. Motion made by Nabholz, seconded by Allen for the Director and appraisers to attend the Range Camp that will be held Sturgis in June.

The chairman received a letter from the Oglala Sioux Tribe asking for withdrawal of the county's opposition to putting their Flint Hills property in trust. Falkenburg spoke briefly with Sword on the issue, and Sword gave the history of action taken by County when the BIA sent the original request and the county filed an objection. The board asked if a response was in order. Sword thought that the window of opportunity had been missed on January 20, 2017, noting the Tribe's position with the BIA now is not as good as before.

Randy Seiler, Highway Superintendent met with the Board to present fuel bids.

	8000 Gallons #2 Red Diesel	8000 Gallons E1087
Nelson's	\$1.9875/gallon	\$2.0485/gallon
MG Oil Company	\$2.016/gallon	\$2.02486/gallon
Bill Tanner Fuel	No Bid	No Bid

Motion made by Russell, seconded by Nabholz to accept the low bid of \$1.9875 per gallon from Nelson's Oil and Gas for 8000 gallons #2 Diesel.

Motion made by Abbott, seconded by Nabholz to accept the low bid of \$2.02486 per gallon from MG Oil Company for 8000 gallons E1087.

Seiler presented an approach permit. Motion made by Russell, seconded by Nabholz to approve an approach permit for Game, Fish and Parks on the west side of Sand Creek Road #2 at approximately 200 yards north of the bridge. Seiler also advised that the SD GFP will contribute \$18,000 towards the Mag water on the Shep's Canyon road. Motion carried.

Seiler is starting to haul gravel to county roads. He also questioned continued work on Battle Mountain Road. No action has been taken yet, it is owned by various other entities. The county will be hesitant on putting future money on Battle Mountain Road.

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

GENERAL FUND

AUDRA HILL CONSULTING,INC	MI/CONSULTING	\$732.50
A'VIANDS LLC	INMATE FOOD/SUPPLY	\$7,690.10
BATTLE MTN HUMANE SOCIETY	2017 ALLOTTMENT	\$2,500.00
BLACK HILLS CHEMICAL	SUPPLY	\$178.81
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$3,563.71
CENTURY BUSINESS LEASING	COPIER LEASE	\$14.42
CLINICAL LABORATORY OF	AUTOPSY	\$234.00
DAKOTA LEASING COMPANY	LEASE	\$155.00
DALE'S REPAIR	7 REPAIR/MAINT.	\$75.00
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$1,021.40
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$140.00
GOVERNORS INN	HOTEL COMMISSIONER C	\$174.00
HILLYARD/SIOUX FALLS	SUPPLY	\$217.22
HOT SPRINGS ACE HARDWARE	SUPPLY	\$374.03
JENSEN, LYLE	REIMBURSEMENT SUPPLY	\$30.00
MEDICAL WASTE TRANSPORT	UTILITY	\$158.60
OLSON TOWING	INVESTIGATION	\$370.00
OTIS ELEVATOR COMPANY	QUARTERLY SERVICE CO	\$384.09
QUILL CORPORATION	OFFICE SUPPLIES	\$569.34
RAMKOTA HOTEL-PIERRE	HOTEL COMMISSIONER C	\$197.98
RANCHERS FEED AND SEED	SUPPLY	\$164.90
RAPID CITY JOURNAL (THE)	ADVERTISING/PROCEEDI	\$694.75
RAPID FIRE PROTECTION INC	BLDG SPRINKLER INSPE	\$275.00
REGIONAL PHARMACY	PRISONER MEDICATION	\$363.12
RUSHMORE COMMUNICATIONS	EMERGENCY RADIO	\$110.00
SAFRAN	SOFTWARE/MAINTENACE	\$5,940.00

SECRETARY OF STATE	NOTARY PUBLIC SEAL	\$30.00
SERVALL	RUG/UNIFORM SERVICE	\$375.13
STATE SUPPLY	SUPPLY	\$126.78
TWILIGHT INC	FIRST AID SUPPLY	\$149.20
	TOTAL FOR GENERAL FUND	\$27,009.08

COUNTY ROAD & BRIDGE

ADVANCED DRUG TESTING	NEW HIRE DRUG TEST	\$26.00
B H ELECTRIC COOP INC.	UTILITIES SMITHWICK	\$48.75
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$686.76
BLESSING, BRETT	UNIFORM ALLOWANCE	\$150.00
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$3,370.20
DEBOER AG SERVICE	ELECTRIC USAGE	\$21.42
EDDIES TRUCK SALES	REPAIRS/PARTS	\$138.33
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$68.00
FLINT ELECTRIC	SERVICE	\$122.45
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$56.85
HEISINGER, GERARD	UNIFORM ALLOWANCE	\$150.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$51.25
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$773.10
INTERSTATE ENGINEERING	ROAD PROJECT	\$4,000.00
K & M TIRE	SUPPLY/REPAIR	\$199.65
LYLE SIGNS	SIGNAGE	\$69.96
MG OIL	INVENTORY/SUPPLY	\$679.80
MCCLUNG, BRUCE	UNIFORM ALLOWANCE	\$150.00
NELSONS OIL & GAS INC.	FUEL	\$16,960.00
POWERPLAN BF	REPAIR/PARTS/LABOR	\$100.00
RAPID CITY JOURNAL (THE)	ADVERTISING/PROCEEDI	\$167.00
RAPID DELIVERY	DELIVERY	\$77.04
RUSHMORE COMMUNICATIONS	EMERGENCY RADIO	\$110.00
SAFETY KLEEN	SUPPLIES	\$124.47
SEILER, RANDY	CELLPHONE REIMBURSEM	\$35.00
TWILIGHT INC	FIRST AID SUPPLY	\$15.95
	TOTAL FOR COUNTY ROAD & BRIDGE	\$28,351.98

911 SURCHARGE REIMB

CENTURY LINK	911 DISPATCH LINE TR	\$10.09
RUSHMORE COMMUNICATIONS	EMERGENCY RADIO	\$817.00
	TOTAL FOR 911 SURCHARGE REIMB	\$827.09

EMERGENCY MGT

RUSHMORE COMMUNICATIONS	EMERGENCY RADIO	\$165.00
	TOTAL FOR EMERGENCY MGT	\$165.00
	TOTAL PAID BETWEEN 4/04/17 AND 4/17/17	\$56,353.15

Break was taken at 10:05 a.m. and meeting resumed at 10:15 a.m.

Public Comment was heard from Casey Neugebauer, who invited the commissioners to use the Fall River Waters Meeting building if Commissioners are interested in having meetings in other areas of the county.

Nabholz spoke of the Hydrology Conference in Rapid City, noting that there were no presenters present who wrote letters opposing uranium.

Kelly Cape, SHEDCO President of Board of Directors, met to give an update. He would like to come to the meetings every two or three months to give updates. SHEDCO is also veering into tourism, along with Economic Development, and noted they are working on a grant for HWY 71 South with the State of Nebraska. Andrea Powers is working with county GIS for a geothermal grant, which would be through rural development (USDA). Powers is also working with SDSM and SDSU to create a recap on the process needed for a project, beginning to end. Discussion was also held on an industrial park, Dakota Resources and Dakota Rising. They are looking for what is right for the community, and may be back for property or infrastructure.

Wes Davidson and Orval Frahm met with the board to discuss a Karen Budd-Falen newspaper article on upcoming federal procedures and how to request county involvement through a land use policy. They presented Policy 2011-01 (Land Use Policy) for Fall River County for review. Frahm also thinks that the Code of the West should be given out to realtors for new buyers in the County. Falkenburg requested they come back with suggestions to the existing Land Use policy or Code of the West.

Joe Allen, Commissioner, presented an Ordinance for regulation of engine or exhaust noise. Allen conducted a decibel study; he believes 75 decibels should be the maximum. Motion made by Allen, seconded by Russell to approve the first reading of the Ordinance for regulation of engine or exhaust noise within Fall River County. Discussion was held, with safety and enforcement the largest issue. Comments were also held on the effect to local businesses, where signs would be located, and a possible reduction of speed limit before the Coffee Cup junction. Todd Givler, KOA campground, spoke that he just wanted a sign put up addressing jake brakes, but the state will not put one up without an ordinance. The board asked that an ordinance addressing un-muffled engine brakes be brought to the next meeting. With everybody voting no, motion failed.

Supervisors gave a written recommendation on reorganization of offices with the purchase of the old ambulance building. Joe Allen referred to a reorganization plan he presented. At this time a security assessment is planned to be done, and the board will address this issue after the security recommendations are received.

Sheriff Bob Evans met with the board to discuss a letter of resignation at the jail from Jennifer Winscot. Evans has two openings in dispatch, two openings in jail and one deputy opening. Motion made by Russell, seconded by Nabholz to hire Conrad Cuchin as a jailer, \$12.50/hour, effective immediately, as per the Union Contract.

Motion made by Falkenburg, seconded by Russell to have the sheriff work on filling all positions.

Motion made by Falkenburg, seconded by Abbott, to adjourn as a board of County

Commissioners at 11:40 a.m.

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

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