

FALL RIVER COUNTY MINUTES OF MAY 2, 2017

The Fall River Board of County Commissioners met in regular session on May 2, 2017. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Paul Nabholz, Deb Russell and Sue Ganje, Auditor. Absent none.

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 18, 2017.

Motion made by Nabholz, seconded by Russell, to table the April 11 and April 18, 2017 equalization minutes.

Motion made by Russell, seconded by Abbott to deny the county burial, 2017-05, as assets were available to sell which could reimburse burial costs.

Motion made by Nabholz, seconded by Abbott to surplus to junk items from the Register of Deeds and Auditor's Offices, list on file in the Auditor's office.

Motion made by Russell, seconded by Abbott to set the 2017-2018 Malt Beverage License hearing for renewals on May 16 at 10:50 a.m.

Dustin Ross, Andersen Engineers, presented a plat. Motion made by Abbott, seconded by Allen to approve the plat for Lot 43 and 44, Cobblestone Mt. Estates.

FALL RIVER COUNTY RESOLUTION #2017-14

A Plat of Lots 43 and 44 of Cobblestone Mountain Estates Subdivision, Located in the SE1/4SE1/4 of Section 2, T7S, 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 2nd day of May, 2017.

ATTEST:

/s/Joe Falkenburg
Fall River County Board of Commissioners

/s/Sue Ganje
Fall River County Auditor

Kelli Rhoe, Treasurer, met to present an agreement for consideration. Motion made by Allen, seconded by Russell to approve the delinquent tax agreement plan for Linda Valandra, parcel number 75410-01500-0070, \$100 per month. Nabholz questioned if the plan was really needed. With Nabholz voting no, all others voting yes, motion carried.

Rhoe also stated that Joyce Farrell's last day was to be May 3rd with a retirement party from 1 p.m. to 4 p.m. Rhoe also stated that Anna Maciejewski had started on May 1st. Rhoe needed additional hire approval to replace another employee who is leaving. Motion made by Abbott, seconded by Nabholz, to hire Nikki Shaw at \$10 per hour, with a start date of May 15, 2017, as per union contract.

Lyle Jensen, Building Supervisor, stated that Fall River County will have a 911 upgrade in June of 2017. Jensen spoke of a project management workshop in Rapid City. Motion made by Russell, seconded by Abbott, to approve Jensen to attend the Project Management Workshop in Rapid City, 6-9-17, for \$199.

Jensen also spoke of need for a cross walk sign. Motion made by Allen, seconded by Nabholz to authorize Jensen to order a cross walk sign.

Joe Allen stated that Jensen and Frank Maynard's information was invaluable during the security assessment. There will be recommendations in two weeks, and the deadline for the statewide security grant is June 1, 2017.

Frank Maynard, Emergency Management, met with the board. It would cost \$1,368.90 to deliver gravel to the parking lot. There will be no leveling or spreading of the gravel in that cost, but would have a 4" base. Maynard and Jensen will do some more research and bring back.

Maynard advised of a civil disturbance appendix to LEOP; weather spotting – 19 spotters showed; tornado drill – Edgemont Fire department was not receiving texts, the issue is fixed now. There was a structure fire on April 27, 2017.

The public hearing was held for Chops and Hops as advertised. Motion made by Nabholz, seconded by Russell, to approve the name change from Chops and Hops, Inc to Hwy 79 Scratch Kitchen, Inc.

Falkenburg initiated conversation on the need for the US Government to notify the county when they are aware of activities they are involved in that may affect the county. Wes Davidson and Orval Frahm met with the board to give suggestions to update the April 5, 2011 Land Use Policy. Discussion was held on current activities by USFS National Grasslands. It should be made mandatory that Fall River County be notified. Motion made by Allen, seconded by Nabholz to approve revisions to Land Use Policy, with suggested changes.

Nabholz spoke of the Code of the West approved in 2006. Nabholz will bring it to the next meeting with suggested changes.

Charla Reynolds met with the board to request burial assistance for a relative. Reynolds provided \$1,000.00. The county will pay for the rest. Motion made by Russell, seconded by Allen to approve burial assistance for CP 2017-04, with the \$1,000.00 to be considered reimbursement from applicant in full.

Randy Seiler, Highway Department, presented fuel transfers to the board. Motion by Russell, seconded by Abbott, to approve April 2017 fuel transfers to reimburse the highway department for fuel used or work performed as follows: Weed & Pest for \$97.28; Sheriff's Department for \$1,767.72; Emergency Management for \$41.78; and State's Attorney \$55.22.

Motion made by Abbott, seconded by Russell to enter into agreement with Game, Fish and Parks, #2017-27-1, for \$18,000, a cost share on Mag Water for Shep's Canyon Road.

Motion made by Russell, seconded by Nabholz to approve the application for permit to occupy county highway by Golden West from the existing vault along Pilger Mt. Road between Calamity Rd. and Hickock Rd. to the driveway at 11599 Pilger Mt. Road.

A pipeline easement was presented. Motion made by Nabholz, seconded by Russell to approve a pipeline easement for Arnoldy Grain Inc., Michael Arnoldy and Ann M. Arnoldy, easement to be in that area adjacent to the NE Quarter of Section 1 in Township 11S, Range 6E, and the NW Quarter of Section 6 in Township 11S, Range 7E, of the Black Hills Meridian, Fall River County, South Dakota and the pipeline to run from the SE of the NE Quarter of Section 1 in Township 11S, Range 6E, to Lots 4 and 5, Section 6, in Township 11S, Range 7E, of the Black Hills Meridian, Fall River County, South Dakota.

Seiler requested a Gravel Retriever and presented pictures and quotes. Motion made by Allen, seconded by Russell to purchase the Gravel Retriever for \$16,500.

Motion made by Russell, seconded by Abbott, to rescind the previous motion and put on the May 16, 2017 meeting agenda.

Seiler gave the board an update on activities. A short break was taken at 10:00 a.m. and meeting resumed at 10:04 a.m.

Mike McNeill and Kelly Stover, US Forest Service, met with the board to discuss seismic drilling. Falkenburg referred to the Land Use Policy where government entities were to meet and advise the board of current activities. McNeill noted they just got all the information put together to come to the county. McNeill presented a map, noting that all the needed internal comments and concerns have been received. All seismic agreements will include damage to roads to be repaid. Falkenburg asked that notification be made to ranchers so they could know when they are coming and make plans, and noted concerns about the heavy trucks driving over pipelines. Agreements will have restrictions that there will be no animal harassment. Contractors will also be responsible for fires. Discussion was held that they would be just west of the burning grounds of the Army Depot and be in a chemical area. McNeill stated that they had been cleared by Corps of Engineers and only working in cleared area. Russell questioned if there will be pictures taken of roads prior to work. Seiler will assess damages.

Susan Henderson served on the advisory board for Black Hills Army Depot and gave a

history of the clean up there, noting that she feels there are chemicals underground and it would be wrong to proceed. Cindy Brunson also spoke of concerns, noting unexplained animal deaths, advising no one be in the area. McNeill will research and take all things into consideration for where survey work will be done.

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

GENERAL FUND

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$91.02
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSU	\$755.70
AUDRA HILL CONSULTING,INC	MI/CONSULTING	\$591.97
A-Z SHREDDING INC	SHREDDING	\$100.64
BEESLEY LAW OFFICE	CAAF	\$1,593.80
BLACK HILLS CHEMICAL	SUPPLY	\$295.56
BLACK HILLS WEEKLY GROUP	YEARLY SUBSCRIPTION	\$62.95
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
HUB INTERNATIONAL	SURETY BOND NOTARY P	\$50.00
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$674.06
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$751.19
CHEYENNE SANITATION	SANITATION COLLECTIO	\$280.00
CHRIS SUPPLY	JAIL SUPPLY	\$45.37
COLBATH, ANGELA M	CAAF	\$2,770.20
CREDIT COLLECTION BUREAU	COLLECTIONS	\$140.87
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DAVIS, JEREMIAH	CAAF	\$251.00
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,210.98
DEMERSSEMAN JENSEN	CAAF	\$2,645.20
SD DEPT OF LABOR & REG	UNEMPLOYMENT INSURAN	\$1,360.00
EAGLE ENTERPRISES LLC	SUPPLY	\$84.64
EFTPS	PAYROLL TAX	\$31,568.60
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$23.94
EDGEMONT SENIOR MEALS	EDGEMONT MEALS PROGR	\$1,500.00
EDGEMONT SENIOR CITIZENS	EDGEMONT SENIOR CENT	\$3,000.00
EN-TECH LLC	FUMIGATION	\$100.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$140.00
DUDE SOLUTIONS	GIS SUPPORT	\$226.80
FALL RIVER HEALTH	INMATE MEDICAL	\$2,063.60
FARRELL,FARRELL & GINSBACH	CAAF	\$1,552.89
FR COUNTY TREASURER	FIRST INTERSTATE	\$36.70
GOFF, GARLAND LEE	CAAF	\$2,842.90
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$3,201.91
GOLDEN WEST TECHNOLOGIES	SERVER UPGRADE	\$954.25
GOLDEN WEST	PHONE BILL/LONG DIST	\$1,241.79
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$555.00

HILLYARD/SIOUX FALLS	SUPPLY	\$140.93
HOBART SALES & SERVICE	REPAIR/SERVICE	\$447.82
HOT SPRINGS ACE HARDWARE	SUPPLY	\$305.65
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$286.89
CITY OF HOT SPRINGS	CITY WATER BILL	\$259.46
HSR FUELING LLC	AIRPLANE FUEL	\$62.38
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$14,788.50
INVENTORY TRADING COMPANY	UNIFORM ALLOWANCE	\$535.56
LIUNA LABORERS LOCAL 620	UNION DUES	\$325.00
LEXIS NEXIS/MATTHEW BENDE	SD COURT RULES 2017	\$49.44
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$329.42
MASTEL, BRUCE	1 DATABASE SETUP & MON	\$35.00
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$185.00
MORPHOTRAK, LLC	CONTRACT SERVICE 'FI	\$5,940.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMEN	\$88.25
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NORTONS SINCLAIR	REPAIR/MAINTENANCE	\$65.00
NORTON, TINA	CONTRACT NURSE INMAT	\$1,000.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$1,259.00
O'NEILL, JUSTIN	CAAF	\$1,692.85
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$746.00
PRINT MARK-ET	NOTARY SEAL	\$37.45
QUILL CORPORATION	SUPPLY	\$546.96
RAPID CITY JOURNAL (THE)	PUBLICATION	\$210.55
SAFRAN	CONTRACT	\$5,940.00-
SDACC	CATASTROPHIC COUNTY	\$460.00
SD DEPARTMENT OF REVENUE	BLOOD DRAW	\$480.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$14,933.74
SHOPKO STORES OPERATIN	INMATE PHARMACY/SUPP	\$125.80
SOFTWARE SERVICES INC	MU DATA PROCESSING BOSA	\$1,380.00
SD SUPPLEMENT RETIREMENT	SDRS SUP RETIREMENT	\$750.00
SPITZER, KRISTI	REIMBURSEMENT	\$11.00
STATE REMITTANCE CENTER 101	AUTO/MI STATE REMITT	\$1,545.00
STEVENS, MIKAYLA	BLOOD DRAWS	\$35.00
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$38.00
VERIZON WIRELESS	VERIZON WIRELESS	\$740.52
BEHRENS, DONNA	MILEAGE REIMBURSEMENT	\$45.78
WITNESS FEES	PLUS MILEAGE	\$303.06
COMMISSION	APRIL SALARIES	\$4,100.00
AUDITOR	APRIL SALARIES	\$14,852.99
OVERTIME	APRIL	\$51.14
TREASURER	APRIL SALARY	\$11,247.29
OVERTIME	APRIL	\$45.06
ST. ATTORNEY	APRIL SALARY	\$8,240.65

OVERTIME	APRIL	\$289.20
MAINTENEACE	APRIL SALARY	\$7,411.03
OVERTIME	APRIL	\$18.28
ASSESSOR	APRIL SALARY	\$12,154.12
OVERTIME	APRIL	\$3.75
REGISTER OF DEEDS	APRIL SALARY	\$8,281.05
VETERAN'S SERVICE OFFICER	APRIL SALARY	\$2,309.18
GIS	APRIL SALARY	\$3,079.60
OVERTIME	APRIL	\$77.20
CORONER	APRIL SALARY	\$750.00
NURSE	APRIL SALARY	\$3,352.48
OVERTIME	APRIL	\$47.83
EXTENSION	APRIL SALARY	\$3,246.49
OVERTIME	APRIL	\$19.82
WEED	APRIL SALARY	\$1,008.00
	TOTAL FOR GENERAL FUND	\$192,168.38

COUNTY ROAD & BRIDGE

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$80.66
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSU	\$448.60
B H ELECTRIC COOP INC.	UTILITY HWY ELECTRIC	\$36.57
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$809.24
CHEYENNE SANITATION	SANITATION COLLECTIO	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WAT	\$80.60
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$444.95
EFTPS	PAYROLL TAX	\$9,190.81
GOLDEN WEST	PHONE BILL/LONG DIST	\$255.24
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$150.00
CITY OF HOT SPRINGS	CITY WATER BILL	\$24.42
RICOH USA INC	HWY DEPT COPIER LEAS	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$3,648.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$150.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMEN	\$73.53
NELSONS OIL & GAS INC.	PROPANE	\$560.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$4,463.86
SEILER, RANDY	CELLPHONE/TRAVEL REI	\$176.00
SIOUX CITY FOUNDRY	SUPPLY	\$1,400.00
HIGHWAY DEPARTMENT	APRIL SALARY	\$7,363.03
HIGHWAY DEPARTMENT	APRIL SALARY	\$30,133.69
OVERTIME	APRIL	\$72.23
	TOTAL FOR COUNTY ROAD & BRIDGE	\$58,131.43

911 SURCHARGE REIMB

AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSU	\$112.06
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$43.50
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$297.10

EFTPS	PAYROLL TAX	\$3,410.69
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$480.00
GOLDEN WEST TECHNOLOGIES	SERVER UPGRADE	\$146.50
GOLDEN WEST	PHONE BILL/LONG DIST	\$697.24
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$60.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$1,638.00
MESSERLI & KRAMER	COLLECTIONS	\$117.24
CENTURY LINK	911 DISPATCH INCOMIN	\$584.61
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$1,705.60
	TOTAL FOR 911 SURCHARGE REIMB	\$9,595.40

EMERGENCY MGT

CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$389.54
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$15.87
EFTPS	PAYROLL TAX	\$1,698.16
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$240.00
GOLDEN WEST TECHNOLOGIES	SERVER UPGRADE	\$73.25
GOLDEN WEST	PHONE BILL/LONG DIST	\$105.45
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$2.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$579.98
VERIZON WIRELESS	VERIZON WIRELESS	\$185.40
FALL RIVER EMERGENCY MANAGEMENT	APRIL SALARY	\$6,235.90
OVERTIME	APRIL	\$60.17
	TOTAL FOR EMERGENCY MGT	\$9,585.72

DOMESTIC ABUSE FUND

W.E.A.V.E.	2017BUDGETED ALLOTM	\$7,000.00
	TOTAL FOR DOMESTIC ABUSE FUND	\$7,000.00

L.E.P.C. GRANT (FED/STATE GRANTS)

PUDWILL, NORMAN	LEPC	\$60.00
PUDWILL, NORMAN	LEPC	\$60.00
BASTIAN, TRACY	LEPC	\$100.00
	TOTAL FOR L.E.P.C. GRANT (FED/STATE GRANTS)	\$220.00

24/7 SOBRIETY FUND

EFTPS	PAYROLL TAX	\$251.14
SHERIFF	APRIL SALARY	\$26,242.81
OVERTIME	APRIL	\$1,939.68
JAIL	APRIL SALARY	\$15,248.97
OVERTIME	APRIL	\$3,021.08
DISPATCH	APRIL SALARY	\$11,916.15
OVERTIME	APRIL	\$1,050.47
	TOTAL FOR 24/7 SOBRIETY FUND	\$59,670.30

M & P RELIEF

MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$145.00
	TOTAL FOR M & P RELIEF	\$145.00

TOTAL PAID BETWEEN 4/18/17 AND
5/01/17

\$336,516.23

Public Comment was heard from Paul Nabholz and Cindy Brunson. Nabholz presented a copy of a Grant of ROW Easement filed in 1958 between F.O. Butler Ranch and the City of Hot Springs for maintenance on the Battle Mtn road. Nabholz has discussed this with emergency management.

Brunson wanted updates on Igloo Road, questioning if more gravel was provided and the pot holes fixed. Brunson also stated that there would be an open house at the bunkers near Igloo on May 19, 2017. Sheriff Evans stated that 500 people are expected for this. Falkenburg suggested that Susie Simkins will have to assess the leased ones as homes; people will only be buying bunkers, not land. Bunkers will be buildings on leased site.

Jim Ball met with the board to request road work and gravel on County Road 11 (Rocky Ford Road). Seiler drove it the week before; thought it was too soft right now to haul gravel. Seiler also wanted to pull shoulders before spreading gravel. Falkenburg stated they would work on it when the road dries up.

The first reading was held on a revised Ordinance providing for the regulation of engine or exhaust noise within Fall River County, with Allen reviewing changes from the last ordinance. Ben Tubbs gave input from his spending an hour at Maverick Jct, noting he feels that truck drivers will continue to use Jake brakes. Discussion was held on the location of signs, with Seiler noting the state will not post a sign on Hwy 18 coming from the west. Otherwise signs could be posted north of Maverick Jct (Coffee Cup) and heading west from Hot Springs on Hwy 385. Russell still felt that enforcement was sketchy, but they needed ordinance for a sign. The goal was to remind everyone to be considerate, but to still use brakes for safety. More discussion was held on the pros and cons of the ordinance and safety. Motion made by Allen, seconded by Russell to approve the first reading of the Ordinance providing for the regulation of engine or exhaust noise within Fall River County. By a roll call vote, and Allen voting yes, all others no, motion failed. The ordinance will be brought back at a later date.

Brian Ahrendt, Deputy State's Attorney, presented a Real Estate Sales Contract for the 709 Jensen Hwy property, with June 19 as the proposed closing date. An inspection is recommended, and discussion was held on problems if found. It was noted that the inspection would be an opportunity to have the seller fix, or term the contract. Motion made by Russell, seconded by Nabholz to approve the Real Estate Sales Contract.

Motion made by Nabholz, seconded by Abbott, to have the building inspected, with an inspector of Jensen's choice.

Paul Nabholz spoke of a CD comparison between one owned by the county and one owned personally, and provided a chart. Nabholz also spoke of meetings he has attended - the SHEDCO meeting at Sunrise Ranch, an Ag land workshop and a RC&D meeting. Nabholz also asked for identifying information be removed on assistance application.

Nabholz also spoke of his campaign promise to remove or reduce the Wheel tax and spoke

of raising the wheel tax on vehicles that weigh 6,000 pounds or more to \$5 per wheel, and zero for all weights below. Nabholz stated that a higher cost for the 6,000 plus pounds give Fall River County higher odds to qualify the bridge funding. Nabholz has contacted ranchers about the increase; most feel it would be a wash for them. Concerns were noted by fellow commissioners on increased taxes for vehicles over 6000 pounds and if the loss of revenue would require more funds to be spent out of the general fund. Discussion continued on the subject.

Joe Allen, commissioner, discussed the county plan of action with the board. Discussion was held on possible changes needed at the Jensen Hwy property to comply with the SD Dept of Health requirements. Allen believes they need to start talking about the jail before moving offices. Falkenburg stated the need to wait for security assessment.

Motion made by Russell, seconded by Nabholz to adjourn as the Board of County Commissioners at 11:25 a.m.

Motion made by Abbott, seconded by Russell to reconvene as a 2017 Consolidated Board of Equalization to address final stipulations.

Motion made by Allen, seconded by Abbott, to approve stipulation for James and Peggy Woehl to reflect the discretionary value for agriculture buildings. Motion made by Nabholz, seconded by Russell to approve change to remove Owner Occupied status from Ruth E. Olson.

Motion made by Russell, seconded by Nabholz to approve the final 2017 Exempt and Owner Occupied stipulation list.

Motion made by Allen, seconded by Abbott to adjourn as a consolidated board of Equalization at 11:55 a.m.

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

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