

FALL RIVER COUNTY MINUTES OF DECEMBER 19, 2017

The Fall River Board of County Commissioners met in regular session on December 19, 2017. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Paul Nabholz, Deb Russell, and Sue Ganje, Auditor.

The Pledge of Allegiance was recited and the meeting was called to order at 9:00 a.m. by Chairman Falkenburg.

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

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

Motion made by Nabholz, seconded by Russell, to approve the minutes of November 21, 2017, with the following corrections: reflect Nabholz voting no on the elderly meals supplement and reflect mowers to be tractor mowers under Highway updates.

Motion made by Nabholz, seconded by Abbott to approve the December 5, 2017 minutes.

An applicant for rental assistance met with the Board. Motion made by Nabholz, seconded by Russell to deny the CP 2017-20, due to prior assistance given without full repayment.

Motion made by Nabholz, seconded by Abbott to approve setting a supplement, contingency and cash transfer hearing for December 26, 2017 at 9:05 a.m.

The board discussed the possibility of changing the dates of the January meetings.

Motion made by Russell, seconded by Nabholz, to approve the November 30th Auditor's Account with the Treasurer as follows:

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 30th day of November, 2017.

Total Amt of Deposit in First Interstate Bank:	<u>\$1,063,317.98</u>
Total Amt of Deposit in First National Bank of Lead:	<u>\$1,000.00</u>
Total Amount of Cash:	<u>\$1,808.16</u>

Total Amount of Treasurer's Change Fund: \$900.00

Total Amount of Checks in Treasurer's

Possession Not Exceeding Three Days: \$51,076.78

SAVINGS:

First Interstate Bank: \$206,538.05
First National Bank of Lead: \$2,005,208.64

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs: \$3,658,361.80
Black Hills Federal Credit Union: \$250,000.00
Bank of the West \$500,000.00

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:

Nichols, Sharyl – \$77.70, 11/17/2017

TOTAL \$7,738,644.11

Dated This 30th Day of November, 2017.

/s/Sue Ganje, County Auditor of Fall River County

County Monies: \$7,215,668.10
Held for other Entities: \$343,310.23
Held in Trust: \$179,665.78
TOTAL: \$7,738,644.11

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, AMBULANCE AND ROAD DISTRICTS, AND THE STATE.

Motion made by Abbott, seconded by Allen to surplus junk for Emergency Management (a list is on file at the auditor's office) and one commissioner chair, #1750.

Motion made by Nabholz, seconded by Russell, to require that petitioners requesting the vacation of a section line highway, street or alley, etc., provide the legal description to the Register of Deeds prior to commission action to ensure that the document can be properly recorded.

Motion made by Russell, seconded by Abbott, to approve ordering five commissioner chairs at \$149.99 per chair.

Dustin Ross and John McBride, Andersen Engineers, Stacey Martin, GIS, and Susie Simkins, Director of Equalization, met with the board. A proposed ordinance was presented that would set a standard practice including or excluding section line roads on plats. This would be for new plats that are filed and would include unimproved section lines, improved section lines where the thoroughfares are not maintained by a public entity or improved section lines where the thoroughfares are maintained by a public entity. Motion made by Nabholz, seconded by Abbott, to set the first reading of the ordinance at the second meeting in January.

Motion made by Russell, seconded by Allen to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2017-45

A Plat of Lot 31 of Cobblestone Mountain Estates Subdivision, Located in the SW1/4SW1/4 of Section 1 and 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 19th day of December, 2017.

ATTEST:

/s/Joe Falkenburg
Fall River County Board of Commissioners

/s/Sue Ganje, Fall River County Auditor

Motion made by Allen, seconded by Abbott to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2017-46

**A Plat of Miller Tract West and Miller Tract East in Sections 11 and 14, T7S, R3E, BHM, Fall River County, South Dakota
Containing the N1/2N1/2 of Section 14 (Less County Road), Also the S1/2SE1/4 (Less County Road), The S1/2SW1/4, The NW1/4SW1/4 (Less County Road), and the NE1/4SW1/4 lying S of County Road, All in Section 11**

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 19th day of December, 2017.

ATTEST:

/s/Sue Ganje, Fall River County Auditor

/s/Joe Falkenburg

Fall River County Board of Commissioners

Lyle Jensen, Building Supervisor, met with the board to report that the front portion of the old weed and pest building has termites. The area has been stripped and new sheet rock has been put up. Jensen will bring a quote back to the board for the eradication of the termites.

Frank Maynard, Emergency Management, met with the board to discuss the rental agreement that he had drafted for the South Annex at the last meeting. He advised of his reservations on renting the room to private individuals or groups, and noted competition with the Mueller Center. Discussion was held about who to rent to, etc. Maynard will revamp the policy to include use by governmental entities and non-profit organizations, and bring back to the board.

Maynard discussed that he had completed the Civil Disturbance Annex to the LEOP. Maynard noted the donation of a flag and stand for the South Annex Building and briefly spoke of the meeting with the DOT about the parking lot entrance and handicap parking by the courthouse. Additional meetings with the DOT will be held when the draft design is complete. Maynard also updated the board on his meeting with the SD State Veterans Home and Fall River Health Systems to complete the county portion of the Hazard and Vulnerability Assessment, as required by the SD Dept. of Health and Centers for Medicaid/Medicare. Maynard also updated the board on the Legion Lake Fire that was in Custer County. Trigger points were established in the event evacuation was needed.

Dustin Aldrich and Jerry Dibble, Edgemont Fire Department, met to request Title III funds to reimburse the cost for a truck that Edgemont has. Motion made by Allen, seconded by Abbott, to authorize use of Title III Funds, and board agreed to divide remaining funds to applicable departments.

Bob Evans, Sheriff, and Vince Logue, Deputy, met with the board to discuss two bills on animals. Motion made by Nabholz, seconded by Russell, to pay San Marie Higgs in the amount of \$430.00 for the boarding of a horse from Edgemont.

Motion made by Nabholz, seconded by Allen, to pay Fall River Vet Clinic, in the amount of \$510.46 for the boarding of a fox. Nabholz questioned if a lien could be filed on this expense.

Jerry Dibble, Edgemont Mayor, met with the board to discuss the proposed law enforcement contract with Edgemont for 2018. Discussion was held about changes to the existing contract that Edgemont proposed and concerns about money and hours spent. Motion made by Falkenburg, seconded by Allen to approve a 2018 Law Enforcement Agreement which is the same as the current contract, at \$115,000 for the year. With Nabholz voting no, all others voting yes, motion carries.

The supplement, contingency and cash transfer hearing was held as advertised. Motion made by Abbott, second by Russell to approve the supplement and contingency transfer and resolution #2017-44 as follows:

FALL RIVER COUNTY RESOLUTION #2017-44
Supplemental Budget 2017, #6
Contingency Transfers 2017, #3

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget and whereas, due and legal notice has been given, the following Supplemental Budget to the Calendar Year to the following General fund (expenses): Building Fund, 30100X4260161, \$30,000.00 and Weed & Pest, 10100X4341615, \$12,297.87, means of finance to be cash for the building and grant for weed, and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted as follows to the General Fund: Abuse and Neglect, 10100x4260154, \$3,000.00, Building Repair and Maintenance, 30100x4250161, \$26,600.00, Dispatch, 20700x4110225, \$10,000.00 and Mental Illness, 10100x4221445, \$1,900.00, CAAF, 10100X4260153, \$2,100.00;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #6 and Contingency Transfer #3 for 2017.

Dated at Fall River County, South Dakota this 19th day of December, 2017.

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

ATTEST:

/s/Sue Ganje, Fall River County Auditor

Motion made by Russell, seconded by Allen, to approve the budgeted cash transfer from the General fund to the Highway Fund in the amount of \$47,000.00.

A hearing was advertised for the appointment of one 5-year term to the Fall River Housing and Redevelopment Commission. A letter of recommendation and one of interest were reviewed. Motion made by Falkenburg, seconded by Nabholz to approve Mike McNeill for a five-year term as a commissioner on the Fall River Housing and Redevelopment Commission.

Randy Seiler, Highway Superintendent, met with the board. Motion by Russell, seconded by Abbott, to approve the annual load limit resolution as follows:

FALL RIVER COUNTY RESOLUTION #2017-47

WHEREAS, the Fall River County Board of Commissioners did adopt the following 2018 ANNUAL LOAD RESTRICTIONS:

Fall River County will impose load and speed limits as follows in coordination with the State Highway's Annual Load Restrictions:

All oil roads will be posted at 7 ton and 40 mph., with the exception of County Road 6N aka as Look Out Road to be posted at 10 ton. These are seasonal Spring Load Limits and the restrictions will take effect when the signs are in place.

NOW THEREFORE BE IT RESOLVED, this amendment was approved and passed on this 19th day of December, 2017.

ATTEST: /s/Sue Ganje, Fall River County Auditor
/s/Joe Falkenburg, Chair
Fall River County Board of Commissioner

With Falkenburg voting no, all others voting yes, motion carried.

Motion made by Allen, seconded by Russell, to approve the purchase of a water tanker from Kelly Simunek for \$7,500.00.

Seiler advised KD Construction will not finish gravel stock pile and will be a couple of days over the December 20, 2017 deadline, and will be assessed the \$500 per day until complete. Year to date gravel could be paid for at the December 26, 2017 meeting. Seiler questioned if the board wanted the measuring of gravel to be done by the belt scale or engineers, the board asked for the engineers to do it.

Seiler discussed that the bridge north of Edgemont, noting there could be possible cost savings by bidding local, rather than state wide. Seiler thought the rip rap could be done under the bridge now and the remainder could be done later. He is working on quotes for the rip rap.

Seiler also spoke of correspondence he has had with Doug Kinniburgh via e-mail on the Chilson Bridge. The Federal Highway system does not want to do the Chilson Bridge now. Murdock stated that the county didn't offer anything to him; however, the county had offered Murdock money before. An appraisal should be done before any offers are made for land. The SD DOT has offered to enter into negotiations for a new agreement with the county that will include (but not limited to) appraisal and negotiations for right of way to be done by the State. The board agreed to enter into negotiations and will draft a letter acknowledging this.

Seiler noted he is researching the purchase of overhead shop doors, ceiling fans and a door opener. Additional electric work will be needed for the project. Seiler will bring this back to the board.

Seiler stated that the Igloo Bridge will cost more than anticipated, and ownership of a bridge needs to be re-searched. Seiler will revisit the contract.

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

GENERAL FUND

AT&T TELECONFERENCE	AT&T CONFERENCE CALL	\$22.66
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$667.50

A-Z SHREDDING INC	SHREDDING	\$61.00
BLACK HILLS CHEMICAL	SUPPLY	\$290.17
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$1,573.04
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$769.83
CHEYENNE SANITATION	SANITATION COLLECTIONS	\$386.73
COLBATH, ANGELA M	CAAF	\$1,003.90
CONGER RANCH	GRANT REIMBURSEMENT	\$2,490.98
CORRECT RX PHARMACY SERV.	INMATE PHARMACY	\$2.55
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
CHAMBERLAIN MCCOLLEY'S	BURIAL ASSISTANCE	\$1,750.00
DEMERSSEMAN JENSEN	CAAF	\$117.50
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$44.10
EDGEMONT SENIOR MEALS	EXTRA ALLOTMENT 2017	\$600.00
EN-TECH LLC	FUMIGATION	\$225.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$128.75
DUDE SOLUTIONS	GIS SUPPORT	\$226.80
FARRELL,FARRELL &GINSBACH	CAAF	\$1,239.66
GEIB, ELSTON, FROST PA	INMATE MEDICAL	\$66.11
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$3,173.30
GOLDEN WEST	PHONE BILL/LONG DISTANCE/JAIL COMMISARY	\$1,615.15
HIGGS, SAN MARIE	ANIMAL	\$430.00
HILLS EDGE AUTO SALES	REPAIRS	\$89.52
HILLYARD/SIOUX FALLS	SUPPLY	\$123.37
HOBART SALES & SERVICE	SUPPLY	\$626.70
HOT SPRINGS ACE HARDWARE	SUPPLY	\$192.26
CITY OF HOT SPRINGS	CITY WATER BILL	\$300.22
HOT SPRINGS MEAL SITE	EXTRA ALLOTMENT 2017	\$1,475.00
JENSEN, LYLE	REIMBURSEMENT	\$26.80
JOHNSON, KIMBERLY K	COURT REPORTER	\$38.00
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$2,666.72
MANLOVE PSYCHIATRY GROUP	MI	\$59.90
MARCO	COPIER SERVICE	\$386.00
MASTEL, BRUCE	DATABASE SETUP & MON	\$35.00
MAMMOTH HANDCRAFTED SIGNS	SOUTH ANNEX SIGNAGE	\$1,184.00
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$185.00
NORTON'S SINCLAIR	REPAIR/MAINTENANCE	\$370.52
OELRICHS SENIOR CITIZENS	EXTRA ALLOTMENT 2017	\$425.00
O'NEILL, JUSTIN	CAAF	\$1,268.90
PENNINGTON COUNTY JAIL	INMATE HOUSING	\$6,225.00
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$976.00
QUILL CORPORATION	SUPPLIES	\$1,363.15
RADIOLOGY ASSOCIATES	INMATE MEDICAL	\$388.26
RAPID CITY JOURNAL (THE)	PUBLICATION	\$1,134.62
RAPID CITY MEDICAL CENTER	INMATE MEDICAL	\$317.30

RAPID CITY REGIONAL	INMATE MEDICAL	\$14,756.20
SD DEPARTMENT OF REVENUE	BLOOD DRAW	\$245.00
SD DEPT OF AG	PRAIRIE DOG CONTROL	\$1,270.00
SECURUS TECHNOLOGIES, INC	INMATE SUPPLY	\$924.08
SERVALL	RUGS/MATS/UNIFORMS	\$356.97
SHOPKO STORES OPERATING	INMATE PHARMACY/OFFICE	\$379.60
SOFTWARE SERVICES INC	DATA PROCESSING BOSA	\$1,720.00
SPITZER, KRISTI	REIMBURSEMENT	\$43.00
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$1,191.90
STEPHENS LAW OFFICE	CAAF	\$94.00
TAILORED SOLUTIONS CORP	ANNUAL SOFTWARE CONT	\$550.00
VERIZON WIRELESS	VERIZON WIRELESS	\$857.33
WARNE CHEMICAL & EQUIP.	SUPPLY	\$221.00
WATCHGUARD VIDEO	SHERIFF CAR EQUIPMENT	\$3,165.00
THOMSON REUTERS	LAW BOOKS	\$64.58
	TOTAL FOR GENERAL FUND	\$62,804.13

COUNTY ROAD & BRIDGE

B H ELECTRIC COOP INC.	UTILITY HIGHWAY ELECTRIC	\$19.69
CHEYENNE SANITATION	SANITATION COLLECTIONS	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$80.60
DALE'S REPAIR	CAR MAINTENANCE	\$43.85
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$35.00
FALL RIVER AUTO SUPPLY	SUPPLY	\$27.80
FALL RIVER HEALTH SERVICE	RANDOM DRUG TEST	\$38.00
FORWARD DISTRIBUTING	PARTS/SUPPLY	\$78.25
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$243.84
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$256.15
HOT SPRINGS ACE HARDWARE	SUPPLIES	\$246.32
HOT SPRINGS AUTOMOTIVE	SUPPLY	\$1,897.10
CITY OF HOT SPRINGS	CITY WATER BILL	\$21.47
KD CONTRACTORS INC	TRAILER	\$7,500.00
LYLE SIGNS	SUPPLY	\$164.09
PJ'S HI-D-WAY	PROPANE	\$1,280.00
SD DEPT OF TRANSPORTATION	STATE COST SHARE	\$1,002.43
SOUTHERN HILLS FIRE	ANNUAL INSPECTION	\$122.00
BUILDERS FIRST SOURCE	SUPPLY	\$45.35
	TOTAL FOR COUNTY ROAD & BRIDGE	\$13,175.94

911 SURCHARGE REIMB

GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$488.20
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$746.33
HOT SPRINGS ACE HARDWARE	SUPPLY	\$40.49
QUILL CORPORATION	SUPPLIES	\$18.99
CENTURY LINK	911 DISPATCH INCOMING	\$587.32
	TOTAL FOR 911 SURCHARGE REIMB	\$1,881.33

EMERGENCY MGT

CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$415.49
DALE'S REPAIR	CAR MAINTENANCE	\$438.32
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$244.10
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$105.06
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$4.00
QUILL CORPORATION	SUPPLIES	\$8.67
OGLALA LAKOTA COUNTY	SOUTHWEST DISTRICT	\$1,461.23
VERIZON WIRELESS	VERIZON WIRELESS	\$158.60
	TOTAL FOR EMERGENCY MGT	\$2,835.47

M&P RELIEF

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

COURTHOUSE BUILDING FUND

MENARDS	SUPPLY	\$3,162.55
BUILDERS FIRST SOURCE	SUPPLY	\$1,135.46
	TOTAL COURTHOUSE BUILDING FUND	\$4,298.01
	TOTAL PAID BETWEEN 12/06/17 AND 12/19/17	\$85,139.90

Break was taken at 10:34 a.m. Meeting resumed at 10:40 a.m.

Public comment was heard from Paul Nabholz, Ann Abbott and Casey Neugebauer. Nabholz discussed a letter the commissioners received from the Solar Farms on estimated revenues and that he would like to send a letter back to clarify wattage to get a better estimate. Abbott advised the board of a meeting in Lusk, Wyoming on January 23, 2018. This meeting will be hosted by Karen-Budd Falen, and the topic will be on land use plans, specifically for county government officials. Neugebauer questioned overtime that was paid to highway employees. The board said that highway overtime is normally on weekends when it storms, and it is rather unpredictable.

Joe Allen, Commissioner, presented more research on possible jail improvements. Allen has toured the Pennington and Meade County jails and has talked to Cherry County jail for a follow-up in Nebraska. Allen gave numbers for current inmate housing, and presented preliminary drawings of pod and linear options for Fall River County. Allen also presented the possibility of adding on to the current jail.

Susie Simkins, Director of Equalization, met with the board, seeking travel approval. Motion made by Russell, seconded by Abbott, to approve travel for two appraisers with Director of Equalization, on Vanguard, in Pierre, on January 3 and January 4, 2018.

Joe Falkenburg, Commissioner, discussed Prairie Hills Transit with the board. Falkenburg stated that services would be reduced at a time when the demand for these services is increasing each year. Both commissioners stressed the importance of this service in Edgemont and Hot Springs.

Sue Ganje, Auditor, discussed a new time clock system. Motion made by Nabholz, seconded by Russell to approve three new time clocks and system in the amount of \$10,373.47.

Motion made by Russell, seconded by Abbott, to table the county poor guideline discussion until the first meeting in January.

Motion made by Nabholz, seconded by Russell, to enter into executive session for personnel purposes as per SDCL 1-25-2 (1) at 11:41 a.m.

The board came out of executive session at 11:50 a.m.

Motion made by Allen, seconded by Nabholz to adjourn the meeting at 11:50 a.m.

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

ATTEST:

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