

FALL RIVER COUNTY APPROVED MINUTES OF JUNE 18, 2019

The Fall River Board of County Commissioners met in regular session on June 18, 2019. 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 a.m.

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 Abbott, seconded by Allen, to approve the agenda, as written.

Motion made by Nabholz, seconded by Russell, to approve the June 4, 2019 minutes.

Motion made by Russell, seconded by Nabholz, to approve the 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 31st day of May, 2019.

Total Amt of Deposit in First Interstate Bank: \$1,416,344.83

Total Amt of Deposit in First National Bank of Lead: \$1,000.00

Total Amount of Cash: \$2,990.28

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

Total Amount of Checks in Treasurer's

Possession Not Exceeding Three Days: \$38,269.81

SAVINGS:

First Interstate Bank: \$208,213.63

First National Bank of Lead: \$1,027,116.74

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs: \$3,553,492.10

Black Hills Federal Credit Union: \$250,000.00

Bank of the West	<u>\$525,542.47</u>
Schwab Treasury	<u>\$1,300,000.00</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:

Bayan, Fritchie	\$957.52, Lic 08/24/2018
Hiermeier, Melvin	\$47.33, Lic 04/30/2019
Quinn, Terence	\$367.80, Lic 05/06/2019

TOTAL \$8,325,777.51

Dated This 31st Day of May, 2019.

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

County Monies: \$7,752,909.85
Held for other Entities: \$392,638.59
Held in Trust: \$180,229.07
TOTAL: \$8,325,777.51

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 Nabholz, seconded by Allen, to approve a pay raise for Carlo Gibson (Highway Department), effective, June 10, 2019 from \$15.05 to \$16.05 (2080 hours), as per union contract.

There were no county assistance or death expense applications.

Motion made by Russell, seconded by Abbott, to not surplus the Emergency Management laptop at this time.

Motion made by Russell, seconded by Nabholz, to approve the quote for a new Emergency Management laptop computer from Golden West Technologies, in the amount of \$741.11.

Motion made by Nabholz, seconded by Allen, to authorize the Auditor to send a letter to the Union to set up dates for negotiations.

There were no YouTube comments. The board requested that this only be on the agenda in the future when there were comments.

Frank Maynard, Emergency Management, met with the board. The PDM Pre-Disaster Mitigation) kickoff meeting was held on June 14; more meetings will follow. The recent round of rain and flooding has presented more issues on damages concerning the PDA (Preliminary Disaster Assessment). The 2019 full scale exercise was held at the Fall River Health Service complex as required by the SLA. Maynard also updated the board about applications for the temporary employee position in his office; approval request will be at the next meeting.

Motion made by Nabholz, seconded by Russell, to approve the purchase of a GPS unit for GIS from Frontier Precision, in the amount of \$1,349.00.

Maynard also updated the board on fires and incidents, the museum and the command trailer.

Susie Hayes, Director of Equalization, met with the board. Motion made by Allen, seconded by Abbott, to approve the abatement for Southern Hills Evangelical Free Church, parcel number 75500-03200-00400, in the amount of \$1,266.66, for pay 2019 taxes. With Nabholz abstaining, all others voting yes, motion carries.

Motion made by Allen, seconded by Russell, to approve the abatement for the Boys and Girls Club, parcel number 75410-00100-00700, in the amount of \$2,448.92 and parcel number 75410-00100-01294, in the amount of \$176.20, for a total of \$2,625.12, for pay 2019 taxes.

Paul Nabholz, Commissioner, met with the board. Motion made by Nabholz, seconded by Russell, to table the employee concealed carry item until later in the meeting.

Nabholz stated that at the last meeting he had misspoke about county costs of riot control. Russell was correct about riot suppression costs remaining at \$1,000,000, plus risk to Fall River for the costs of riot control.

Nabholz spoke of the Lookout Solar Project in Oglala Lakota County. Nabholz was elected chairman of the Local Review Committee for the project. This committee will review impacts to Custer, Fall River and Oglala Lakota Counties and submit reports to the PUC Commission. KLJ Engineering will help to provide the reports to the PUC. The project is in the early stages.

Melody Engebretson, met with the board, to present her 2020 requested budget.

Ali DeMersseman, Black Hills Council of Local Government, met with the board with discussion on the Bulldoze, Build and Beautify grant. The grant is a 50/50 grant for the site preparation to get it to build-ready state. The county would then have 3 years to build a house on the site. Questions were asked on costs if this does not happen, the county would repay the grant in its entirety. There would be some upfront costs. The board wanted more of a step by step layout of costs and a timeline to get things done before they proceeded, which DeMersseman will get to the board.

DeMersseman also presented her 2020 requested budget.

Motion made by Nabholz, seconded by Russell, to remove the employee concealed item off the table.

Seventh Judicial Circuit Presiding Judge Pfeifle met with board to discuss employees' carry of concealed weapons in the courthouse. Pfeifle noted appreciation that the county did the security analysis of our county facility, as he recommended, creating a first line of defense. At this time, and with the changes coming at the Capital of South Dakota and along with discussions within the court administrator's system, it makes sense to outline what the court system would be willing to accept. Judge Pfeifle's own opinion is to not expand access to weapons in this facility, as bigger risks and problems are then created. Regardless, with the request brought forth by Commissioner Nabholz to allow employees of the county to bring weapons into this facility, certain suggestions were made. This includes employees taking the enhanced carry class; for employees to inform the sheriff in writing of their intent to carry a weapon in their workplace on a daily basis so the Sheriff knows who is carrying on any given day; to keep weapons on themselves or locked in a drawer to avoid questions; to make it clear that this is for county employees only to carry and to not allow weapons in the courtroom, Clerk of Court's office, the Court Service's office or anywhere in the courthouse that there are court functions and ensure maintained or increased security on court days. He also suggested the county also have a discussion with the security team who previously analyzed the courthouse for any further suggestions and to contact our insurance carrier. With the above suggestions, Judge Pfeifle said they would be comfortable coming back and holding court. Questions were then asked and answered. Before leaving, the Judge noted that he would be in contact with the county if the Capital carry policies vastly change from this discussion.

Nabholz noted that the issue of employee gun carry is needed due to the size of our county and lack of law enforcement coverage every day in the courthouse. Nabholz read a statement, noting his belief that employees and the public should be able to carry in the courthouse.

Motion made by Nabholz that county employees, who are not otherwise barred, may carry guns and knives in the courthouse under the following conditions:

- 1) Employees shall provide the Sheriff in writing of their intent to carry while at the courthouse;
- 2) Employees shall keep their guns and knives on or within five feet of their persons;
- 3) Employees carrying guns in the courthouse shall possess a valid South Dakota Enhanced Concealed Carry Permit;
- 4) Employees shall not carry in the courtroom when court is in session;
- 5) The existing courthouse door signs citing SDCL 22-14-23 will be supplemented with, "Note: Qualified county employees may be armed."

Discussion was held on how to amend the motion on the daily intent to notify the sheriff. Nabholz retracted the original motion as there was no second. Motion made by Nabholz, seconded by Russell, that county employees, who are not otherwise barred, may carry guns and knives in the courthouse under the following conditions:

- 1) Employees shall provide the Sheriff in writing of their intent to carry at the courthouse routinely, or, those who occasionally carry will notify him each time they carry;
- 2) Employees shall keep their guns and knives on their persons or locked and unable to be used;

- 3) Employees carrying guns in the courthouse shall possess a valid South Dakota Enhanced Concealed Carry Permit;
- 4) Employees shall not carry in the courtroom when court is in session;
- 5) The existing courthouse door signs citing SDCL 22-14-23 will be supplemented with, "Note: Qualified county employees may be armed."

Discussion was held on pros and cons of employees carrying, suggestions made by Judge Pfeifle following the Judge's suggestions, insurance and liabilities. With a roll call vote, Abbott and Allen voting no, all others voting yes, motion carries.

Joan Howard, Southern Hills Economic Development President, met with the board to present her 2020 requested budget.

The board discussed the possible oil well to be drilled by T-C Oil Company and the use of county roads to do this project, and asked Seiler to do some follow up, and State's Attorney will review any documents needed to check damage assurance.

Joe Falkenburg, Commissioner, met with the board and gave a review of the county roads he toured on and gave updates on their conditions. While some need continued repairs, Falkenburg believes the roads are fair, considering damages.

Discussion was held on the condition of Old Highway 79 and the condition of the black top, along with the current speed limit. Motion made by Abbott, seconded by Allen, to set a hearing on July 2, 2019 at 10:25 a.m. to discuss this road.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Russell, seconded by Allen, to approve the May 2019 fuel used or work performed to reimburse the highway department as follows: Sheriff's Department, \$3,000.30; Weed, \$346.24; Emergency Management for \$91.32; Director of Equalization for \$59.35; State's Attorney for \$14.66; Auditor for \$3.29; Veteran's Service Officer for \$14.67, Register of Deeds for \$3.29; and Treasurer for \$3.29.

Fuel quotes were presented as follows:

6/3/2019 Fuel Quotes	8,000 Gal E-10 Unleaded	8,000 Gal #2 Dyed diesel
PJ'S Hide-Away	No Bid	No Bid
Nelson's Oil & Gas	\$2.44/gallon	\$2.15/gallon
MG Oil	No Bid	No Bid

Motion made by Russell, seconded by Abbott to accept the low and only bid from Nelson's Oil & Gas for 8,000 gallons of unleaded gas, at \$2.44 per gallon, for a total of \$19,200.00, and for 8,000 gallons of #2 diesel, at \$2.15 per gallons, for a total of \$17,200.00.

Motion made by Nabholz, seconded by Allen, to approve Golden West Telecommunication's application for Permit to Occupy County Highway Right-of-Way from East Southshore Road to the T-Mobile cell tower at 13226 E. Southshore Road.

Discussion was held on vacation carryover for Seiler. Motion made by Allen, seconded by Russell, to approve the carryover of 120 annual leave hours for Seiler, as per the Union Agreement.

Motion made by Russell, seconded by Allen, to declare a work emergency due to the recent road damages and allow Seiler to carryover an additional 15.5 annual leave days, as per Union Agreement. With Nabholz voting no, all others voting yes, motion carries.

Discussion was held on the road to the Custer/Fall River Landfill. Motion made by Nabholz, seconded by Allen, to move further discussion to the July 2 meeting and hold during the hearing with Old Highway 79.

Motion made by Nabholz, seconded by Allen, to approve the 2019 Highway Infrastructure Program Funding Allocation Agreement in the amount of \$222,319.78, and authorize the Chairman to sign the agreement.

Motion made by Nabholz, seconded by Allen, to leave a job opportunity open at the highway department for one additional full time employee.

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

GENERAL FUND

A & B WELDING SUPPLY CO.	SUPPLY	\$185.70
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$113.47
CURA HOSPITALITY	INMATE MEALS	\$8,881.76
A-Z SHREDDING INC	SHREDDING	\$56.20
BEESLEY LAW OFFICE	CAAF	\$429.50
BLACK HILLS CHEMICAL	SUPPLY	\$194.56
CENTURY BUSINESS LEASING	COPIER LEASE AND USAGE	\$145.31
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$262.50
DAKOTA PROPANE	UTILITY	\$545.00
EN-TECH LLC	FUMIGATION	\$110.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$128.75
FARRELL, FARRELL & GINSBACH	CAAF	\$3,023.22
FINK, TERESA L	COURT REPORTER	\$117.80
FITZGERALD LAW FIRM	CAAF	\$1,093.75
FALL RIVER COUNTY HERALD	PUBLICATION	\$1,089.52
FALL RIVER VET CLINIC	ANIMAL CARE	\$457.70
GOFF, GARLAND LEE	MENTAL ILLNESS	\$310.35
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$4,589.40
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$1,340.04
HOT SPRINGS ACE HARDWARE	SUPPLY	\$256.25
HORWATH LAUNDRY EQUIPMENT	PARTS	\$18.28
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$19.42
CITY OF HOT SPRINGS	CITY WATER BILL/2ND QTR. FIRE SPRINKLER	\$760.40
JAMISON, KAREN	REIMBURSEMENT/FLOWER	\$28.76
KENNEDY PIER & KNOFF LLP	MENTAL ILLNESS	\$306.50
LYNN'S DAKOTAMART	INMATE MEDICAL/INMATE PHARMACY	\$465.73

MANLOVE PSYCHIATRY GROUP	MI	\$59.90
MARCO	COPIER LEASE	\$165.00
MASTEL, BRUCE	DATABASE SETUP & MONITORING	\$35.00
MCGLUMPHY, ERIN	REIMBURSEMENT	\$195.70
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$202.50
NUTRIEN AG SOLUTIONS	SUPPLY	\$220.00
O'NEILL, JUSTIN	CAAF	\$3,007.34
PENNINGTON COUNTY	DETOX	\$678.00
QUILL CORPORATION	SUPPLIES	\$251.88
RAPID CITY JOURNAL (THE)	PUBLICATION	\$187.13
RAPID CITY POLICE DEPT	BLOOD DRAW	\$180.00
REGIONAL HEALTH	INMATE MEDICAL	\$22.80
SDACC	CATASTROPHIC LEGAL 2	\$1,848.00
SD DEPARTMENT OF HEALTH	BLOOD DRAW	\$420.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$1,271.63
SDPAA	LIABILITY INSURANCE	\$80,752.59
SERVALL	RUGS AND MATS SERVICE	\$377.31
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$1,180.00
SONNY'S SUPER FOODS	SUPPLY	\$73.81
SPLITZER, KRISTI	REIMBURSEMENT/FLOWER	\$27.69
WARNE CHEMICAL & EQUIP.	PARTS	\$52.21
WESTERN MAILERS	NEWSLETTER MAILINGS	\$1,080.81
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$6,240.00
	TOTAL FOR GENERAL FUND	\$123,830.90
COUNTY ROAD & BRIDGE		
B H ELECTRIC COOP INC.	UTILITY HIGHWAY ELECTRIC	\$35.00
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$80.60
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$254.41
CITY OF HOT SPRINGS	CITY WATER BILL	\$35.33
SDPAA	LIABILITY INSURANCE	\$15,146.88
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$15,626.22
911 SURCHARGE REIMBURSEMENT		
GALLS	UNIFORM ALLOWANCE	\$109.98
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$770.50
CENTURY LINK	911 DISPATCH LINES	\$590.40
SDPAA	LIABILITY INSURANCE	\$175.44
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$1,646.32
FIRE PROTECTION FUND		
SDPAA	LIABILITY INSURANCE	\$230.52
	TOTAL FOR FIRE PROTECTION FUND	\$230.52
EMERGENCY MANAGEMENT		
GLASS PRO +	REPAIRS	\$160.45
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$155.55

HOT SPRINGS ACE HARDWARE	SUPPLY	\$42.42
MARCO	COPIER LEASE	\$34.05
QUILL CORPORATION	SUPPLIES	\$17.98
SD FEDERAL PROPERTY AG	SUPPLY	\$85.00
SDPAA	LIABILITY INSURANCE	\$1,327.36
	TOTAL FOR EMERGENCY MANAGEMENT	\$1,822.81
24/7 SOBRIETY FUND		
QUILL CORPORATION	SUPPLIES	\$188.97
	TOTAL FOR 24/7 SOBRIETY FUND	\$188.97
	TOTAL PAID BETWEEN 6/5/19 AND 6/18/19	\$143,345.70

Break was taken at 10:46 a.m. and the meeting reconvened at 10:53 a.m.

Public comment was heard from Tom Cook, expressing appreciation for the work that Randy Seiler and his crew did on Cook's crossing with the recent storm, which included downstream dredging for additional water flow.

Discussion was held on county assistance protocol and possible changes that could be made. State's Attorney Ahrendt reviewed the statutes with the board. They will leave the procedure as is.

Bob Evans, Sheriff, met with the board. Motion made by Russell, seconded by Nabholz, to transfer the 2011 Chevrolet Tahoe to the Oglala Lakota County Sheriff (another governmental entity), and the other Tahoe to the Director of Equalization. A motion will be on the next agenda to surplus the Tahoe.

Evans also reported that there are 17 males and 6 females in jail. There is also 1 male and 2 females in Pennington County.

Motion made by Abbott, seconded by Nabholz to enter executive session, as per SDCL 1-25-2 (1) for personnel purposes, at 11:17 a.m. with the State's Attorney and Register of Deeds.

Meeting resumed at 11:27 a.m.

Motion made by Russell, seconded by Nabholz, to adjourn at 11:28 a.m.

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

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