

FALL RIVER COUNTY APPROVED MINUTES OF SEPTEMBER 17, 2019

The Fall River Board of County Commissioners met in regular session on September 17, 2019. Present: Joe Allen, Joe Falkenburg, Paul Nabholz, and Sue Ganje, Auditor. Ann Abbott and Deb Russell were absent.

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

Motion made by Nabholz, seconded by Allen, to approve the minutes of September 3 and September 5, 2019, with a correction to the September 3 minutes to reflect that discussion on the Chilson bridge was about the width, not length of the bridge, and that during public comment Nabholz referred to a letter he received from county employees on employment issues and the inability of the commission to deal with those issues outside the employees' union.

Sue Ganje, Auditor advised the board of the outcome of the election to form the Sonrise North Road District. Motion made by Nabholz, seconded by Allen, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2019-30

**ORDER FOR ORGANIZATION AND INCORPORATION
OF THE SONRISE NORTH ROAD DISTRICT
FALL RIVER COUNTY, SOUTH DAKOTA**

WHEREAS, all voting property owners that are within the proposed district have agreed to and petitioned for the organization of the Sonrise North Road District, and

WHEREAS, an Election was held on September 10th, 2019 asking the voters to accept or reject the formation of the Sonrise North Road District, with 6 voters accepting and 0 voters rejecting the formation of the Sonrise North Road District, and

NOW, THEREFORE, BE IT ORDERED, that the Fall River County Commissioners shall declare the Sonrise North Road District to be organized and established as a governmental subdivision of the State of South Dakota and a public body, corporate and political, effective as of today's date, with taxing authority for the 2019 tax year payable in 2020 and after, and

BE IT FURTHER ORDERED, that the Sonrise North Road District be described as follows:

LOTS 1-23 OF SONRISE NORTH SUBDIVISION OF SE1/4NW1/4 AND LOT A OF LOT 2 OF WHOLE NOTE SUBDIVISION, ALL IN SECTION 1, T7S, R5E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA, ACCORDING TO THE PLAT THEREOF RECORDED IN

BOOK XXIV OF PLATS, PAGE 22 IN THE FALL RIVER COUNTY REGISTER OF DEEDS OFFICE

AND

LOT THREE (3) OF TRACT ONE (1) OF HALFNOTE SUBDIVISION LOCATED IN GOVERNMENT LOT THREE (3), SECTION ONE (1), TOWNSHIP SEVEN (7) SOUTH, RANGE FIVE (5) EAST OF THE BLACK HILLS MERIDIAN, FALL RIVER COUNTY, SOUTH DAKOTA

AND

TRACT AR1 AND AR2 OF HALFNOTE SUBDIVISION CONTAINING ALL OF TRACT A OF TRACT 1 AND A PORTION OF TRACT 1, ALL IN THE NW1/4 OF SECTION 1, T7S, R5E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA

Dated this 17th day of September, 2019

/s/Joe Falkenburg, Chairman
Fall River County Commissioner

ATTEST:

/s/Sue Ganje
Fall River County Auditor

Motion made by Nabholz, seconded by Allen, to approve pay raises for the following: Brandon Luther (Jailer), effective August 14, 2019, from \$12.50 to \$13.50 (2080 hours) and David Pokorski (Jailer), effective August 8, 2019, from \$12.50 to \$13.50 (2080 hours), as per union contract.

There were no county assistance or death expense applications.

Motion made by Nabholz, seconded by Allen, to accept 3 petitions and approve setting the hearings to Vacate a plat, and two Plats for partial vacation for Joseph Hilt, Chantel Holz (fka Chantel Edmonds) and Kendra Alexander on October 1, 2019 at 9:35 a.m.

Motion made by Nabholz, seconded by Allen, to approve travel for Frank Maynard and Lyle Jensen to attend the Annual Safety and Benefit Loss Control Training Conference, November 20 and November 21, 2019 in Mitchell, SD.

Motion made by Nabholz, seconded by Allen, to approve the commodity flow study and authorize the chairman to sign.

Erin McGlumphy, Extension and 4-H, met with the board. Motion made by Nabholz, seconded by Allen, to approve the purchase of a phone for McGlumphy for work related purposes.

Motion made by Allen, seconded by Nabholz, to approve the purchase of a computer in the amount of \$929.00. McGlumphy notified the board that she would be attending Extension Fall Conference, October 22, 2019 through October 24, 2019 in Brookings, SD.

Lyle Jensen, Building Supervisor, met with the board to present a quote for elevator repair.

The State's Attorney reviewed the quote and determined that the quote is exempt from public bid as per SDCL 5-18A-22 (4). Motion made by Nabholz, seconded by Allen, to approve the quote from Otis Elevator Company in the amount of \$68,800.00.

Ann Abbott entered the meeting at 9:09 a.m.

Two electric quotes were presented for wiring in the new dispatch area. These will be brought back to the next meeting, as only one was listed on the agenda for this meeting.

Motion made by Abbott, seconded by Nabholz, to approve the quote from Lowe's for a new Whirlpool 5.3-cu ft High Efficiency Top-Load washing machine for the jail, in the amount of \$1,139.00.

Motion made by Nabholz, seconded by Allen, to approve the surplus list presented by Jensen, for the online auction that will be held from September 25, 2019 through October 1, 2019, with the list kept on file at the auditor's office as well.

Susie Hayes, Director of Equalization, met with the board. Motion made by Abbott, seconded by Allen, to approve hiring Patty Caster, certified assessor, \$14.00 per hour, effective September 16, 2019, as per union contract. With Nabholz voting nay, all others voting yes, the motion carried.

Motion made by Allen, seconded by Abbott, to allow Hayes to advertise and select an individual for the administrative assistant position in the Director of Equalization's office, pending final approval at the next meeting.

Brian Ahrendt, State's Attorney, was unable to meet with the board. Nabholz recommended tabling the policy and noted some items including the need for policy to also address those exempt employees who can carry as per SDCL 22-14-24 in relation to insurance coverage, etc. Motion made by Nabholz, seconded by Abbott, to table the Fall River County Conceal Carry Policy including Waiver and Hold Harmless Agreement until the addressing of exempt individuals, times guns are allowed or prohibited on the second floor and the 14 day notification to the Sheriff process. This will brought back to the next meeting.

Paul Nabholz, Commissioner, met with the board. Discussion was held on the most recent Custer/Fall River landfill meeting. They will know about a possible grant on September 26, 2019 for the compactor. Due to lack of certain operators, the only business they were able to transact was paying the bills. Discussion was also held on waiting for a report on the economics of shredding for better compaction and not applying yet for a state grant on a shredder, and briefly spoke of the judge's letter.

Motion made by Nabholz, seconded by Abbott to table business with the sheriff until he is available.

Motion made by Nabholz, seconded by Abbott, to take the business with the sheriff off the table.

Bob Evans, Sheriff, met with the board to advise we have the billing for Zuercher software

and he is still working with the City of Hot Springs for the county and city breakdown. Evans advised there are 10 males and 6 females in the Fall River County Jail, with 1 male and 2 females in the Pennington County Jail.

Motion made by Nabholz, seconded by Abbott, to approve Brad Hansen as jail sergeant, effective April 30, 2018.

Motion made by Abbott, seconded by Allen, to approve the Management Control Agreement for the National Crime Information Center (NCIC).

Brief discussion was held on a deputy vehicle that was totaled.

Brett Blessing, Highway Department, met with the board. Motion made by Abbott, seconded by Allen, to approve Blessing as the highway foreman, effective June 21, 2019.

Fuel quotes were presented as follows:

9/11/2019 Fuel Quotes	8,000 Gal #2 Dyed Diesel
Nelson's	\$2.19/gallon
PJ's Hi-D-Way	No Bid
M & G Oil	No Bid

Motion made by Nabholz, seconded by Abbott to approve the low and only bid from Nelson's for in the amount of \$2.19 per gallon, for 8,000 gallons of #2 dyed diesel, for a total of \$17,520.00.

Motion made by Nabholz, seconded by Allen, to approve the August 2019 fuel used or work performed to reimburse the highway department as follows: Sheriff's Department for \$2,631.63; Weed and Pest for \$595.81; Emergency Management for \$88.06; Director of Equalization for \$18.05; State's Attorney for \$17.77; and VSO for \$11.74.

Motion made by Nabholz, seconded by Allen, to approve the change order for Project BRF 6463(00) 16-1 PCN 05QV (Burdock Bridge) to extend the deadline from September 1, 2019 to September 13, 2019.

Motion made by Nabholz, seconded by Allen, to approve a list presented by Blessing, to surplus for the online auction that will be held from September 25, 2019 through October 1, 2019, with the list kept on file at the auditor's office as well.

Motion made by Allen, seconded by Abbott, to approve setting a hearing for the 5- year plan on October 15, 2019 at 10:15 a.m.

Blessing updated the board that the culverts were in on County Road 4 and culverts have been ordered for the Ardmore Bridge. The 4 mile stretch project on old Hwy 79 was completed, noting it was slick after installation, until it cured. There was extra cost due to the additional milling.

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

GENERAL FUND

AHRENDT, BRIAN T	TRAVEL REIMBURSEMENT	\$47.88
ARROWWOOD RESORT & CONFERENCE	CONFERENCE HOTEL	\$203.90
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$344.85
CURA HOSPITALITY	INMATE MEALS	\$10,263.11
A-Z SHREDDING INC	SHREDDING	\$23.00
BEESEY LAW OFFICE	CAAF	\$1,760.50
BENNETT'S APPLIANCE SER.	REPAIR	\$78.64
BLACK HILLS CHEMICAL	SUPPLY	\$304.24
BUILDER'S FIRST SOURCE	SUPPLY	\$100.38
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$1,131.14
CLINICAL LABORATORY	AUTOPSY	\$1,935.00
COLBATH, ANGELA M	CAAF/ SPERLICH	\$2,926.00
CORRECT RX PHARMACY SERV.	INMATE PHARMACY	\$216.68
CPS TECHNOLOGY SOLUTIONS	IBM MAINTENANCE RENEWAL	\$3,764.21
CRAWFORD, BRIAN	COUNTY ASSISTANCE	\$240.00
CULLEN, DAN	TRAVEL REIMBURSEMENT	\$237.50
CUSTER COUNTY SHERIFF	ZUERCHER/NEW 911 SYSTEM	\$46,750.14
DAKOTA INN	HOTEL	\$390.00
EN-TECH LLC	FUMIGATION	\$110.00
ENVIRONMENTAL PRODUCTS	SUPPLY	\$221.16
DUDE SOLUTIONS	GIS SUPPORT CONTRACT	\$253.31
FARRELL,FARRELL &GINSBACH	CAAF	\$1,801.33
FALL RIVER COUNTY HERALD	PUBLICATION	\$1,251.82
GALLS	UNIFORM ALLOWANCE	\$208.06
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$4,655.90
HILLYARD/SIOUX FALLS	SUPPLY	\$116.74
HOT SPRINGS ACE HARDWARE	SUPPLY	\$527.32
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$162.77
IDEMIA IDENTITY&SECURITY	MAINTENANCE CONTRACT	\$2,189.00
LYNN'S DAKOTAMART	INMATE OVER-COUNTER	\$31.09
MARCO	COPIER LEASE	\$165.00
MCGLUMPHY, ERIN	TRAVEL REIMBURSEMENT	\$273.27
O'NEILL, JUSTIN	CAAF	\$795.25
PENN CO STS ATTNY OFFICE	MI	\$215.00
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON	\$3,662.80
PENNINGTON COUNTY	DETOX	\$226.00
PENN COUNTY SHERIFF	TAX DEED SERVED	\$51.72
PHOENIX INVESTIGATIONS	COURT ORDERED INVESTIGATION	\$445.36
QUILL CORPORATION	SUPPLIES	\$589.86
RAMKOTA HOTEL-PIERRE	HOTEL, CONFERENCES	\$216.00
RAPID CITY JOURNAL (THE)	PUBLICATION	\$696.25
RAPID FIRE PROTECTION INC	ANNUAL FIRE ALARM INSPECTION	\$385.00
SAFETY BENEFITS INC	SAFETY BENEFITS TRAINING	\$65.00

SD DEPARTMENT OF HEALTH	BLOOD DRAWS	\$525.00
SD FEDERAL PROPERTY AG	NEW/USED TRUCK	\$22,000.00
SERVALL	RUGS AND MATS SERVICE	\$377.31
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$400.00
SONNY'S SUPER FOODS	INMATE SUPPLIES	\$61.20
SD DEPT OF PUBLIC SAFETY	TELETYPE 2ND HALF	\$3,090.00
WESTERN SD JUV SERV CTR	JUVENILE CENTER	\$8,060.00
WINTER, PAUL R.	CAAF	\$3,670.25
	TOTAL FOR GENERAL FUND	\$128,215.94
COUNTY ROAD & BRIDGE		
B H ELECTRIC COOP INC.	UTILITY HIGHWAY ELECTRIC	\$35.00
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$17.01
POWERPLAIN OIB	PARTS	\$991.39
SD ASSN OF COUNTY COMM.	2019 CONVENTION REGISTRATION	\$185.00
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$1,228.40
911 SURCHARGE REIMBURSEMENT		
CUSTER COUNTY SHERIFF	ZUERCHER/NEW 911 SYS	\$23,375.07
CENTURY LINK	911 DISPATCH LINES	\$609.30
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$23,984.37
EMERGENCY MANAGEMENT		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$48.43
MARCO	COPIER LEASE	\$34.05
QUILL CORPORATION	SUPPLIES	\$89.99
RAMKOTA HOTEL-PIERRE	HOTEL, CONFERENCES	\$154.00
SAFETY BENEFITS INC	SAFETY BENEFITS TRAINING	\$65.00
UNITED STATES GEOLOGICAL	U.S. GEOLOGICAL SURVEY	\$4,370.00
	TOTAL FOR EMERGENCY MANAGEMENT	\$4,761.47
24/7 SOBRIETY FUND		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$73.49
ORIGIN DIAGNOSTICS LLC	SUPPLY	\$2,080.00
	TOTAL FOR 24/7 SOBRIETY FUND	\$2,153.49
COURTHOUSE BUILDING FUND		
CERTIFIED LABORATORIES	BOILER REPAIR/MAINTENANCE	\$2,511.00
NELSONS OIL & GAS INC.	SERVICE	\$5,466.59
	TOTAL FOR COURTHOUSE BUILDING FUND	\$7,977.59
	TOTAL PAID BETWEEN 9/4/19 AND 9/17/19	\$168,321.30

Break was taken at 9:50 a.m. and the meeting reconvened at 9:55 a.m.

Public comment was heard from Lyle Rudloff, Chuck Kelsey, and Jim Angell on the Chilson Bridge. A request to invite the SD DOT was made to confirm design, width, bid date, etc. Falkenburg noted that Seiler would be at the next meeting for those questions. Angell complemented the highway for mowing from his house to the river on Rocky Ford Road. Falkenburg noted the bad year the county has had from the flooding, with extra costs for all the road

work. He also received and read with regret a resignation letter from Commissioner Abbott, effective on November 4, 2019 at the end of the regular meeting that day.

Dustin Ross, Andersen Engineers, met with the board. Motion made by Allen, seconded by Nabholz, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2019-31

A plat of Stow Away Tract and Tract Seger 1 Revised, Located in the NW1/4 of Section 15, T8S, R6E, BHM, Fall River County, South Dakota

Formerly Tract Seger-1, Lot 1 revised, and Lot 13

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 17th day of September, 2019.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg

Fall River County Board of Commissioners

Sue Ganje, Auditor, presented Black Hills Power values for the discretionary formula. Motion made by Allen to approve the Black Hills Power Discretionary for pay 2020. After more discussion was held, Allen rescinded the motion, to allow Ganje to confirm some information and bring back.

Ganje also presented the amount of reimbursement to the county made in the 2019 Annual Distribution Report for Court Appointed Attorney and Public Defender Fund and the Abused and Neglected Child Defense Fund, which came to \$8,703.49 and \$1,824.33, respectively.

Discussion was held on getting a SEAT plane in Hot Springs; this may be unable to happen at this time.

Motion made by Nabholz, seconded by Allen, to table the 2020 Budget until after executive session.

Motion made by Nabholz, seconded by Abbott, to enter executive session as per SDCL 1-25-2 (1), SDCL 1-25-2 (3) and SDCL 1-25-2 (4) for personnel, legal and negotiation purposes at 10:17 a.m.

The board came out of executive session at 11:08 a.m.

Motion made by Abbott, seconded by Allen, to approve the 2020 Annual Budget with the following changes from the Provisional budget, and the following levy resolution:

General Fund:

Elections from \$61,570 to \$62,863; Auditor from \$232,385 to \$238,805; Treasurer from \$218,997 to \$225,277; States Attorney from \$185,000 to \$190,007; CASA from \$0.00 to \$1,585; General Governmental Building from \$272,065 to \$271,960; Director of Equalization from \$248,480 to \$257,455; Register of Deeds from \$127,670 to \$129,381; Veterans Service Officer from \$52,527 to \$53,482; GIS from \$64,029 to \$65,009; IT from \$80,225 to \$83,725; Total General Government from \$2,094,945 to \$2,131,546; Sheriff from \$667,495 to \$683,618; Jail from \$731,125 to \$750,155; Total Public Safety from \$1,464,165 to \$1,499,318; County Nurse from \$59,831 to \$60,806; Drug Abuse from \$0.00 to \$12,000; Total Health & Welfare from \$158,631 to \$171,606; County Extension from \$56,125 to \$56,840; Weed Control from \$145,165 to \$146,405; Total Conservation of Natural Resources from \$221,290 to \$223,245; 911 Transfers Out – Fire from \$2,324 to \$2,279; 911 Transfers Out – Dispatch from \$200,292 to \$198,497; 911 Transfers out – Library from \$16,973 to \$16,861; 911 Transfers Out – Emergency Management from \$65,685 to \$66,670; Total Other Uses from \$439,874 to \$438,907; Total Expenditure Appropriations from \$4,402,090 to \$4,487,807; Total Appropriations from \$4,402,090 to \$4,487,807; Cash Balance Applied from \$625,580 to \$664,650; Current Property Tax Levy from \$2,691,122 to \$2,742,280; Net Total Taxes from \$2,728,572 to \$2,779,730; Subtotal from \$4,633,779 to \$4,724,007; Less 5% from \$(231,689) to \$(236,200); Net Means of Finance from \$4,402,090 to \$4,487,807; Total Appropriations from \$4,402,090 to \$4,487,807

County Road and Bridge Fund:

Highways, Roads, & Bridges from \$2,446,469 to \$2,461,449; Total Expenditure Appropriations from \$2,446,469 to \$2,461,449; Total Appropriations from \$2,446,469 to \$2,461,449; Cash Balance Applied from \$521,223 to \$533,231; Current Property Tax Levy from \$263,710 to \$267,470; Net Total Taxes from \$372,170 to \$375,930; Subtotal from \$2,575,231 to \$2,590,999; Less 5% from \$(128,762) to \$(129,550); Net Means of Finance from \$2,446,469 to \$2,461,449; Total Appropriations from \$2,446,469 to \$2,461,449

Fire Fund:

Current Property Tax Levy from \$1,071 to \$1,116; Net Total Taxes from \$1,071 to \$1,116; Other Financing Sources from \$2,324 to \$2,279; Total Other Revenues from \$3,929 to \$3,884

Building Fund:

Cash Balance Applied from \$(71,898) to \$(74,189); Current Property Tax Levy from \$120,498 to \$122,789; Net Total Taxes from \$123,298 to \$125,589

911 Fund:

Communications Center (911) from \$330,292 to \$328,497; Total Expenditure Appropriations from \$330,292 to \$328,497; Total Appropriations from \$330,292 to \$328,497; Other Financing Sources from \$200,292 to \$198,497; Total Other Revenues from \$330,292 to \$328,497; Subtotal from \$330,292 to \$328,497; Net Means of Finance from \$330,292 to \$328,497; Total Appropriations from \$330,292 to \$328,497

UNLIMITED LEVY - SUB TOTAL		
LIMITED AND UNLIMITED LEVY - SUB-TOTAL		
OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76)		
(31-12-27)	\$261,067.00	0.719
Fire Protection (34-31-3)	\$1,060.00	0.147
TOTAL TAXES LEVIED BY COUNTY	\$3,052,538.00	5.362

Fall River, County, South Dakota. The accompanying taxes are levied by Fall River County for the year January 1, 2019 through December 31, 2019.

BOARD OF COUNTY COMMISSIONERS OF
Fall River County, South Dakota

/s/ Joe Falkenburg Chairman

/s/ Joe Allen Commissioner

/s/ Paul Nabholz Commissioner

/s/ Ann Abbott Commissioner

/s/ Deborah Russell Commissioner

ATTEST /s/ Sue Ganje County Auditor

* These Amounts include the 25% to be distributed to cities.

As of 9/17/19, these levies are not approved by the Department of Revenue

With Nabholz voting no, all others voting yes, motion carries.

Motion made by Allen, seconded by Nabholz, to adjourn at 11:13 a.m.

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

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