

**FALL RIVER COUNTY UNAPPROVED MINUTES OF OCTOBER 15, 2019**

The Fall River Board of County Commissioners met in regular session on October 15, 2019. Present: Joe Falkenburg, Paul Nabholz, Deb Russell and Sue Ganje, Auditor. Ann Abbott and Joe Allen 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. The full context of the meeting can be found on the county website under Commissioners at <http://fallriver.sdcounties.org>, or, You Tube under Fall River County Commission SD.

Motion made by Russell approve the agenda, as written. Nabholz asked to add to the agenda a motion to rescind the \$1,500.00 action on October 1, 2019 to fix Battle Mountain Road. Russell approved the amended agenda, Nabholz seconded, motion carried.

Motion made by Nabholz, seconded by Russell, to approve the minutes of October 1, 2019.

Motion made by Nabholz, seconded by Russell, 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 30<sup>th</sup> day of September 2019.

Total Amt of Deposit in First Interstate Bank: \$434,281.00

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

Total Amount of Cash: \$1,618.97

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

Total Amount of Checks in Treasurer's

Possession Not Exceeding Three Days: \$33,492.78

**SAVINGS:**

First Interstate Bank: \$461,532.04

First National Bank of Lead: \$1,031,960.42

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs:	<u>\$4,056,787.49</u>
Black Hills Federal Credit Union:	<u>\$250,000.00</u>
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  
Richardson, Brent \$356.80, Lic 09/13/2019

TOTAL \$8,098,964.49

Dated This 30<sup>th</sup> Day of September 2019.

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

County Monies: \$7,619,713.35  
Held for other Entities: \$310,124.50  
Held in Trust: \$169,126.64  
TOTAL: \$8,098,964.49

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.

The board reviewed a letter from US Board on Geographic Names in response to the request to change the name of Larvie Lake to Hidden Lake; this was not an approved change.

There were no county assistance or death expense applications.

Motion made by Nabholz, seconded by Russell, to rescind the motion to pay \$1,500 for the county share of maintenance on Battle Mountain Road as it was not on the October 1, 2019 agenda. This will be on the November 5, 2019 agenda.

Frank Maynard, Emergency Management, met with the board. Motion made by Russell, seconded by Nabholz, to approve the 4<sup>th</sup> quarter SLA agreement and authorize the chairman to sign.

Discussion was held on emergency closings of the courthouse; trainings Maynard attended, and certificates received; quarterly LEPC meeting and grant application, and fires and incidents.

Bob Evans, Sheriff, met with the board. Russell moved to approve the prisoner housing

agreement with Pennington County, and then amended the motion to be contingent on the state's attorney's review. Nabholz seconded the amended motion.

Motion made by Nabholz, seconded by Russell, to approve the pay raise for Sydney Belt, Dispatcher, from \$12.00 per hour to \$12.50 per hour to reflect becoming certified. This to be effective October 4, 2019, as per union contract.

Evans updated the board that there are 15 male and 6 female inmates in Fall River County, with 1 male and 1 female being housed in Pennington County.

Lyle Jensen, Building Supervisor, met with the board. Propane quotes were presented as follows:

9/30/2019 Propane Quotes	10,000-Gal Propane
Nelson's Oil & Gas	\$1.09/gallon
PJ's Hi-D-Way	\$0.80/gallon
Dakota Propane	\$0.899/gallon
CBH Coop	No Bid

Motion made by Russell, seconded by Nabholz, to accept the low bid from PJ's Hi-D-Way in the amount of \$0.80 per gallon, for 10,000 gallons of propane, for a total amount of \$8,000.00.

Motion made by Nabholz, seconded by Russell, to approve four 10-hour days for Dave Weishaupl.

Motion made by Russell, seconded by Nabholz, to allow flex time for Jensen for emergency callouts.

Melody Engebretson, Register of Deeds, met with the board. Motion made by Nabholz, seconded by Russell, to approve hiring Lori Lunzman at \$12.00 per hour as administrative assistant. Effective October 15, 2019, as per union contract, to replace Becky Wendland.

A 5-minute break was taken at 9:25 a.m.

The supplement and contingency hearings were held as advertised. Motion made by Russell, seconded by Nabholz, to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION #2019-36**  
**Supplemental Budget 2019, #3**  
**Contingency Transfers 2019, #3**

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget, and whereas, as due and legal notice has been given, the following Supplements to expenses for October 15, 2019 be approved as follows to the following departments: Weed Fund 10100X4260615 Weed Supplies, \$9,000.00, Means of finance to be cash from chemical sales, 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 to the following Departments: Juvenile Care 10100X4272215, \$8,060.00; Mental Illness Board 10100X4221445, \$1,325.00

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #3 and Contingency Transfer #3 for 2019.

Dated at Fall River County, South Dakota this 15<sup>th</sup> day of October 2019.

ATTEST:  
/s/Sue Ganje  
Fall River County Auditor's Office

/s/Joe Falkenburg  
Fall River County Board of Commissioners

The hearing for the Malt Beverage & SD Wine and Wine & Cider licenses was held as advertised. Motion made by Russell, seconded by Nabholz, to approve the 2019 – 2020 malt beverage & SD wine and 2019 Wine & Cider licenses for Dollar General in Edgemont.

Doug Kinniburgh, Engineering Supervisor, SD DOT met with the board to give updates on State road projects in Fall River County. Falkenburg asked the audience to be respectful and allow others to speak. Discussion began with Murdock's request for a copy of the agreements when Old HWY 79 and Old HWY 18 were transferred to the county; the tentative bid letting on March 18, 2020 for the Chilson bridge, and that there should be no hold up on the project due to the possible historical site.

Discussion was also held on a portion of the road from Gull Hill where there is no shoulder, the county will be using rock and rip rap to build it back up this week. Discussion was also held on the jake brake ordinance.

Discussion was held on the Igloo/Provo project. The final plans are in review and will be released for right-of-way negotiations this winter. This project is scheduled for bid in the fall of 2020. Ownership of the bridge was discussed. The Burdock Bridge was also discussed with a 2020 bid letting with completion in 2021. Rough figures for costs were given for each project.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Nabholz, seconded by Russell, to approve the September 2019 fuel used or work performed to reimburse the highway department as follows: Sheriff's Department for \$2,892.75; Weed and Pest Office for \$156.50; Building for \$61.70; Emergency Management for \$112.83; Director of Equalization for \$177.23; Auditor for \$5.51; VSO for \$10.35; and Treasurer for \$5.51.

Seiler discussed the possible purchase of a new v-plow when they purchase the new road grader and is looking at a skid loader. Seiler will bring back more costs for this. The highway department will be pouring concrete under the Ardmore Bridge. When the culverts get here, it will take two days to complete the project. Discussion was also held on gravel, minimum maintenance roads, the west four miles out of Oelrichs on Old Hwy 79 and ownership of the bridge by Igloo.

Motion made by Nabholz, seconded by Russell, to move the approval for bills, break and

public comment to after the 5-year plan hearing.

The 5-year plan hearing was held as advertised. Seiler explained the projects on the plan. Challenges were faced this year with unusual wet weather. Seiler will find out if the Community grant was approved for the streets in Oelrichs. Because of the damage and reconstruction of the Ardmore Bridge with culverts, it is no longer considered a bridge; Seiler is hopeful that FEMA will assist with some of the costs. Discussion was also held on the Bridge Improvement Grants, and how larger counties are increasing their share to qualify for bridges. \$200,000 - \$300,000 is the estimated cost of the Ardmore Bridge. Nabholz noted dislike of the plan as incorrect numbers are used for costs, etc. The 5-year plan is a work in progress. The road to the lake was briefly discussed, Seiler noted it is in for a future year to be chip sealed. Questions were asked about Old Hwy 18 not being included on the plan; this will be maintained as needed by the county and is in the normal rotations for road work.

Motion made by Russell, seconded by Nabholz to approve the 5-year plan.

Break was taken at 10:39 a.m. and the meeting reconvened at 10:47 a.m.

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

**GENERAL FUND**

AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$2,081.39
A-Z SHREDDING INC	SHREDDING	\$83.20
BEESLEY LAW OFFICE	MI	\$312.00
BEHAVIOR MANAGEMENT	MI	\$400.00
BLACK HILLS CHEMICAL	SUPPLY	\$278.72
BLACK HILLS POWERSPORTS	SERVICE	\$477.72
BUILDER'S FIRST SOURCE	SUPPLY	\$42.98
CASS COUNTY SHERIFF	TAX DEED SERVED	\$57.00
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$216.80
CLINICAL LABORATORY OF	AUTOPSY	\$417.00
DAKOTA COUNTY SHERIFF	TAX DEED SERVED	\$70.00
EN-TECH LLC	FUMIGATION	\$110.00
DUDE SOLUTIONS	GIS SUPPORT CONTRACT	\$253.31
FALKENBURG, JOE	MILEAGE REIMBURSEMENT	\$174.72
FARRELL,FARRELL &GINSBACH	CAAF	\$3,508.72
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$6,456.12
GOVERNOR'S INN	HOTEL FOR CONFERENCE	\$426.00
HILLS EDGE AUTO SALES	SERVICE	\$66.90
HOT SPRINGS ACE HARDWARE	SUPPLY	\$407.20
LYNN'S DAKOTAMART	SUPPLY	\$75.56
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$359.29
MARCO	COPIER LEASE	\$165.00
MCGLUMPHY, ERIN	TRAVEL REIMBURSEMENT	\$224.19
O'NEILL, JUSTIN	CAAF	\$296.78

PENN CO STS ATTNY OFFICE	MI	\$215.00
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON	\$4,640.00
PENNINGTON COUNTY SHERIFF	TAX DEED SERVED	\$55.16
PENNINGTON COUNTY	DETOX	\$226.00
POLK COUNTY SHERIFF	TAX DEED SERVED	\$40.00
QUILL CORPORATION	SUPPLIES	\$237.51
RAKNESS, ELIZABETH	TRAVEL REIMBURSEMENT	\$125.00
RAPID CITY JOURNAL (THE)	PUBLICATION	\$797.60
RUSHMORE COMMUNICATIONS	EMERGENCY RADIO REPAIR	\$294.00
SD DEPARTMENT OF HEALTH	BLOOD DRAWS	\$120.00
SERVALL	RUGS AND MATS SERVICE	\$377.31
SHERIDAN COUNTY	TAX DEED SERVED	\$50.00
SONNY'S SUPER FOODS	INMATE SUPPLY	\$47.52
STEVEN'S AUTOMOTIVE	NEW TIRES	\$768.80
TULSA COUNTY SHERIFF	TAX DEED SERVED	\$100.00
WESTERN SD JUV SERV CTR	JUVENILE CENTER	\$6,760.00
BEHRENS, DONNA	TRAVEL REIMBURSEMENT	\$807.03
WITNESS	WITNESS FEE & MILEAGE	\$1,934.28
	TOTAL FOR GENERAL FUND	\$34,555.81
<b>COUNTY ROAD &amp; BRIDGE</b>		
BARKER CONCRETE & CONST	RIP RAP	\$17,121.40
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$1,159.76
NELSONS OIL & GAS INC.	FUEL	\$17,530.96
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$35,812.12
<b>911 SURCHARGE REIMBURSEMENT</b>		
CENTURY LINK	911 DISTPATCH LINES	\$602.80
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$602.80
<b>EMERGENCY MANAGEMENT</b>		
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
MARCO	COPIER LEASE	\$34.05
	TOTAL FOR EMERGENCY MANAGEMENT	\$42.55
	TOTAL PAID BETWEEN 10/2/19 AND 10/15/19	\$71,013.30

Public comment was heard from Paul Nabholz, Joe Falkenburg, and Brian Ahrendt. Nabholz had concerns about not being put on the agenda to discuss the conceal carry policy and discuss the state's attorney's determination of that policy. Discussion was held between Nabholz, Falkenburg and Ahrendt on proper procedures and moving forward. Other discussion was held on costs at area landfills.

Stacey Martin, GIS, met with the board. Motion made by Russell, seconded by Nabholz, to authorize the purchase of additional road address markers in the estimated amount of \$1,800.00, but stay within the remaining budget.

Brian Ahrendt, State's Attorney, met with the board to advise on codified laws on a full-time state's attorney, and discussion was held.

Motion made by Nabholz, seconded by Russell, to enter executive session as per SDCL 1-25-2 (1) and SDCL 1-25-2 (3) for personnel and legal purposes at 11:15 a.m. There are no action items when the board comes out of executive session other than to adjourn.

The board came out of executive session at 11:23 a.m.

Motion made by Russell, seconded by Nabholz, to adjourn at 11:24 a.m.

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

ATTEST:

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