

FALL RIVER COUNTY APPROVED MINUTES OF SEPTEMBER 16, 2020

The Fall River Board of County Commissioners met in regular session on September 16, 2020. Present: Joe Allen, Joe Falkenburg, Heath Greenough, Paul Nabholz, Deb Russell and Sue Ganje, Auditor. Falkenburg asked for a prayer for our country during this time.

The Pledge of Allegiance was given, and the meeting called to order at 9:00 a.m.

The agenda was reviewed for conflicts, Allen had a conflict with a plat on the agenda. 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 under Fall River County Commission, SD at <http://www.YouTube.com>.

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

Motion made by Nabholz, seconded by Russell, to table the September 1, 2020 minutes until the next meeting.

Motion made by Nabholz, seconded by Russell, to approve changing the November 3, 2020 meeting to November 5, 2020 to allow for the Official Canvass of the 2020 General Election.

Motion made by Greenough, 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 31st day of August 2020.

Total Amt of Deposit in First Interstate Bank:	<u>\$111,636.97</u>
Total Amt of Deposit in First National Bank of Lead:	<u>\$1,000.00</u>
Total Amount of Cash:	<u>\$1,788.47</u>
Total Amount of Treasurer's Change Fund:	<u>\$900.00</u>
Total Amount of Checks in Treasurer's	
Possession Not Exceeding Three Days:	<u>\$36,294.08</u>

SAVINGS:

First Interstate Bank:	<u>\$938,409.09</u>
First National Bank of Lead:	<u>\$1,042,152.78</u>

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs:	<u>\$4,072,669.12</u>
Black Hills Federal Credit Union:	<u>\$250,000.00</u>
Bank of the West:	<u>\$532,351.99</u>
Schwab Treasury:	<u>\$258,023.28</u>
First National Bank – Lead:	<u>\$300,000.00</u>
Black Hills Community:	<u>\$802,872.11</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:

MRW Inspection \$532.65, 07/07/2020
Reitenbaugh, Roy \$1,196.57, 08/26/2020
Redday, Marsha \$146.00, 08/26/2020

Dated This 31st Day of August 2020.

TOTAL \$8,350,508.11

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

County Monies: \$8,038,531.02
Held for other Entities: \$140,664.70
Held in Trust: \$171,312.39
TOTAL: \$8,350,508.11

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 AND AMBULANCE DISTRICTS, AND STATE.

Falkenburg noted the returned checks on the report.

Motion made by Nabholz, seconded by Greenough, to surplus to junk a Canon Maxify Printer, #02193, Auditor’s Office.

Motion made by Greenough, seconded by Russell, to set a supplement and contingency hearing for October 6, 2020 at 9:30 a.m.

Motion made by Falkenburg, seconded by Nabholz, to acknowledge that they received notification of two fundraising events for the Edgemont Masons.

No county assistance or death expense applications were brought before the board.

Frank Maynard, Emergency Management, met with the board to advise that Blue Cell conducted the Emergency Operations Center (EOC) training for counties in the state, with Maynard and Greenough attended. Greenough noted items he learned plus possible actions the county could take. Maynard also stated that the LEMPG 3rd Quarter reimbursement has been received and is in the amount of \$8,086.56.

Maynard updated the board on the location of SEAT, (Rapid City, Pierre and Chadron); that the 2020 Homeland Security Grant has been approved for ice/water rescue equipment in the total amount of \$11,310.00, and he reported on fires and incidents.

Teresa Pullen, Treasurer, met with the board to update them on CD renewals. After discussion, Russell made a motion and Nabholz seconded that as a matter of policy the Fall River County Commission would approve new banking institutions at the meeting following the Treasurer's choosing those institutions in accordance with Fall River Investment Policy requirements. The Treasurer is to keep the commission informed as to how the choices were determined.

Motion made by Nabholz, seconded by Greenough, to make an exemption to the current investment policy to allow Pullen to report at market value versus investment value.

Frances Denison, Deputy Director of Equalization, met with the board. Motion made by Russell, seconded by Allen, to approve hiring Tamra Dee, effective September 15, 2020 at \$13.00 per hour, as per union contract, to replace Megan Premer.

Motion made by Russell, seconded by Greenough, to approve hiring Lacie Grapentine, part-time temporary, \$11.00 per hour, effective September 10, 2020.

Lyle Jensen, Building Supervisor, met with the board. Motion made by Russell, seconded by Greenough, to approve the quote from Global Plasma Solutions Systems for air purification devices for the air handlers, in the amount of \$12,848.00. With Nabholz voting no, all others voting yes, motion carries.

The hearing for the Malt Beverage and Liquor License Transfers was held as advertised. Motion made by Greenough, seconded by Allen, to approve the malt beverage and liquor license transfer from TTT Taverns LLC to Pirate's Pub and Convenience Store (previously Pirates Inc.).

Randy Seiler, Highway Superintendent met with the Board. The 5-year plan hearing was held as advertised. Discussion was held by Seiler and the Commissioners about items on the plan. Shep's Canyon Road was added for 2021 due to increasing danger with the heavy traffic. Seiler wants to use the asphalt millings for that road. Nabholz spoke of the need to for that road to be aligned. Bridges under 20 feet long and the need for them to be inspected, along with proper load limits was also discussed. There were no comments from the audience.

Motion made by Allen, seconded by Russell, to approve the 5-year plan. With Greenough and Nabholz voting no, all others voting yes, motion carries.

Fuel quotes were presented as follows:

9/2/2020 Fuel Quotes	8,000 Gal Red #2 Diesel
Nelson's	\$1.53/gallon
Hi-D-Way	No Bid
MG Oil	No Bid

Motion made by Nabholz, seconded by Russell, to approve the low and only bid from Nelson's for 8,000 gallons of Red #2 Diesel in the amount of \$1.53 per gallon, for a total amount of \$12,240.00.

Motion made by Russell, seconded by Nabholz, to approve the August 2020 fuel used or work performed to reimburse the highway department as follows: Sheriff's Department for \$1,724.68; Weed and Pest Office for \$435.86; Building for \$37.94; Emergency Management for \$88.00; and Director of Equalization for \$40.73.

Motion made by Russell, seconded by Nabholz, to approve the Golden West Telecommunication's application for permit to occupy county highway right-of-way from: existing Vault on the Northside of Argyle Rd, To: Existing vault on the Eastside of Sapphire Lane.

Motion made by Russell, seconded by Greenough, to approve the approach permit to connect the South side of W Southshore Road, County road #60, approximately at 28494 W Southshore Rd to serve a residence.

Motion made by Greenough, seconded by Russell, to approve advertising for sealed bids for 14,000 tons of asphalt millings. Bids are to be opened on 10-6-20. With Nabholz voting no, all others voting yes, motion carries.

Motion made by Russell, seconded by Allen, to approve travel for Seiler, Greenough and Allen, and any other commissioners or highway employees who wants to attend LTAP conference in Rapid City, October 21 and October 22, 2020.

Seiler advised the board that the total FEMA reimbursements for 2019 will be \$135,000.00, which includes \$85,000.00 for the Ardmore Bridge. There are no updates on the Oelrichs Grant yet, and the department employees have been blading, mowing and hauling gravel. Discussion was held on how to improve Oral Road.

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

GENERAL FUND

AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$222.72
CURA HOSPITALITY	INMATE MEALS	\$11,136.66

A-Z SHREDDING INC	SHREDDING	\$39.48
BOB BARKER COMPANY INC	SUPPLY	\$1,345.50
BEESEY LAW OFFICE	CAAF	\$937.10
BEST WESTERN OF HURON	STATE FAIR HOTEL	\$300.00
BLACK HILLS CHEMICAL	SUPPLY	\$296.34
BPRO, INC.	SECURITY KEY	\$45.00
CENTURY BUSINESS LEASING	COPIER LEASE/USAGE/METER	\$420.27
CERTIFIED LABORATORIES	SUPPLY	\$2,439.60
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CULLEN, DAN	TRAVEL REIMBURSEMENT	\$237.50
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$290.00
EN-TECH LLC	FUMIGATION	\$110.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$125.00
FARRELL,FARRELL &GINSBACH	CAAF	\$650.36
FALL RIVER COUNTY HERALD	PUBLICAITON	\$893.52
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$5,472.34
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$1,401.96
HOPE COUNSELING CENTER	MI	\$300.00
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$9.39
CITY OF HOT SPRINGS	CITY WATER BILL	\$912.64
KATTERHAGEN, MARK	MI	\$12.00
LONE STAR HEATING & AIR	REPAIR	\$102.00
LEWIS & CLARK BEHAVIORAL	MI	\$184.00
LOCKWOOD, DARCY	MI	\$12.00
LUCY LEWNO	MI	\$155.00
MARCO	COPIER LEASE	\$165.00
MASTEL, BRUCE	DATABASE SETUP & MONITORING	\$35.00
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$133.30
MEADE COUNTY AUDITOR	PRISONER BOARD	\$160.00
MEDICAL WASTE TRANSPORT	MEDICAL WASTE TRANSPORT	\$169.39
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$202.50
NELSONS OIL & GAS INC.	PROPANE	\$155.90
QUADIENT FINANCE USA, INC	POSTAGE	\$729.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$6,178.50
PENNINGTON COUNTY JAIL	INMATE HOUSING/TRANSPORT	\$6,368.87
QUILL CORPORATION	SUPPLIES	\$744.02
RANCHERS FEED AND SEED	SUPPLY	\$340.00
SD DEPARTMENT OF HEALTH	BLOOD DRAWS	\$760.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$849.20
SERVALL	RUGS AND MATS SERVICE	\$631.82
SHERIDAN COUNTY	SERVICE	\$38.75
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$1,835.00
NORTON, MIKAYLA	BLOOD DRAWS	\$75.00

WATCHGUARD VIDEO	SUPPLY	\$36.58
WENDELL'S GARAGE	SERVICE	\$40.00
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$520.00
YANKTON CO TREASURER	MI	\$112.80
	TOTAL FOR GENERAL FUND	\$48,702.74
COUNTY ROAD & BRIDGE		
B H ELECTRIC COOP INC.	UTILITY HWY ELECTRIC	\$45.02
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$84.10
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$254.03
CITY OF HOT SPRINGS	CITY WATER BILL	\$52.69
	TOTAL COUNTY ROAD & BRIDGE	\$509.84
911 SURCHARGE REIMBURSEMENT		
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$809.71
POWERPHONE INC	TRAINING	\$387.00
CENTURY LINK	911 DISPTACH LINES	\$496.03
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$1,692.74
FIRE PROTECTION FUND		
ARDMORE FIRE DISTRICT	2020 FIRE INSURANCE	\$1,216.69
EDGEMONT FIRE DEPT	2020 FIRE INSURANCE	\$4,255.31
HOT SPRINGS FIRE DEPT	2020 FIRE INSURANCE	\$16,630.86
MINNEKAHTA FIRE	2020 FIRE INSURANCE	\$1,299.25
OELRICHS VOL FIRE DEPT	2020 FIRE INSURANCE	\$1,686.99
ORAL FIRE DEPT	2020 FIRE INSURANCE	\$887.56
SMITHWICK FIRE DEPARTMENT	2020 FIRE INSURANCE	\$439.99
	TOTAL FOR FIRE PROTECTION FUND	\$26,416.65
EMERGENCY MANAGEMENT		
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$165.28
MARCO	COPIER LEASE	\$38.90
QUADIENT FINANCE USA, INC	POSTAGE	\$0.65
RUSHMORE COMMUNICATIONS	RADIO REPAIR	\$1,577.40
	TOTAL FOR EMERGENCY MANAGEMENT	\$1,790.73
COURTHOUSE BUILDING FUND		
HEARTLAND PAPER COMPANY	EQUIPMENT	\$3,448.96
	TOTAL FOR COURTHOUSE BUILDING FUND	\$3,448.96
	TOTAL PAID BETWEEN 9/2/20 AND 9/16/20	\$82,561.70

Break was taken at 9:48 a.m. and meeting resumed at 9:55 a.m.

Public comment was heard from Sheriff Evans noting 16 males and 5 females in Fall River County and 3 males in Pennington County, for a total of 24 inmates. Public comment was also heard from Commissioner Nabholz about Fall River Health Services approaching Hot

Springs and Fall River County to act as a pass-through to allow \$17 million in debt be converted to tax-free status. Nabholz noted a loan pay off by the County Commissioners for Greater Fall River Health Services in 2000 in the amount of \$115,000 and asked for re-payment. A comment was also heard from Commissioner Greenough who wished to thank the local volunteer firefighters for quick responses in preventing fires.

Discussion was held on county owned lots in Hot Brook Road District. Motion made by Allen, seconded by Russell, to approve the state's attorney to draft an agreement to allow the road district to stockpile gravel on a county owned lot, with the understanding that the lots could be sold. With Nabholz voting no, all others voting yes, motion carries.

Commissioner Nabholz updated the board about the Custer-Fall River Landfill receiving a letter from DENR, noting that the landfill was being operated in an unacceptable manner with 7 specific requirements being highlighted following an inspection. They have transferred a CD to DENR joint control to meet financial assurance requirements for closure. The other 6 deficits will be addressed. Management contract negotiations will start at the November meeting.

Sue Ganje, Auditor, met with the board. Motion made by Russell, seconded by Allen, to approve hiring Tiffany Brophy at \$13.00 per hour and Brenda Cullen and Lacie Grapentine at \$11.00 per hour, effective September 18, 2020 for early voting. 80% of cost will be reimbursed by the HAVA Cares Act. With Nabholz voting no, all others voting yes, motion carries.

John McBride, Andersen Engineers, met with the board. Motion made by Russell, seconded by Nabholz, to approve Resolution #2020-27. With Allen abstaining, all others voting yes, the motion carried:

FALL RIVER COUNTY RESOLUTION #2020-27

**A plat of Martin Tract of Section 30, T7S, R6E, BHM, Fall River County, South Dakota,
Formerly a portion of Allen Tract No. 1 Lying S. of HWY., A portion of the SW1/4NE1/4
lying S of HWY., and a portion of the balance of the NW1/4SE1/4.**

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 16th day of September 2020.

/s/Joe Falkenburg

ATTEST:
/s/Sue Ganje
Fall River County Auditor

Fall River County Board of Commissioners

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

FALL RIVER COUNTY RESOLUTION #2020-28

A plat of Lot 4R and Meyers Tract of Eagle Valley Subdivision, Located in the SW1/4 of Section 29 and the SE1/4 of Section 30, T7S, R6E, BHM, Fall River County, South Dakota

Formerly Lots 4, 5 and 6

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 16th day of September, 2020.

ATTEST:
/s/Sue Ganje
Fall River County Auditor

/s/Joe Falkenburg
Fall River County Board of Commissioners

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

FALL RIVER COUNTY RESOLUTION #2020-29

A plat of Lots 1 thru 4, Lots 6 thru 8, Lots 14 thru 16, and Lots 18 thru 24 of Block 3, Lots 43 and 44 of Block 1, Tract B, and Road Tract, All in Angostura Land Estates

Located in the W1/2 of Section 29, T8S, R6E, 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 16th day of September, 2020.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg

Fall River County Board of Commissioners

The 2020-09 Covid-19 resolution was reviewed. Motion made by Greenough, seconded by Allen, to leave the courthouse as it is. With Nabholz voting no, all others voting yes, by roll call vote, motion carries.

Erin McGlumphy, Extension, met with the board. Motion made by Allen, seconded by Russell, to approve hiring Amy Rhoads, \$13.00 per hour, effective October 5, 2020, as per union contract.

The auditor reviewed the 2021 provisional budget with the board.

Motion made by Nabholz, seconded by Greenough, to set an additional meeting for more budget work on September 29, at 9:00 a.m.

Break was taken at 10:30 a.m.

Motion made by Russell, seconded by Nabholz, to enter executive session as per SDCL 1-25-2 (1) Personnel, Employee Grievance; SDCL 1-25-2 (3) Legal, and SDCL 1-25-4 for negotiation purposes at 10:37 a.m.

The Board came out of executive session at 11:40 a.m.

Motion made by Nabholz, seconded by Greenough, to reject Employee Grievance #2020-1, because Bargaining Agreement does not allow for request without a change in the agreement.

Motion made by Allen, seconded by Greenough, to adjourn at 11:41 a.m.

/s/Joe Falkenburg

Joe Falkenburg, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor