

FALL RIVER COUNTY MINUTES OF OCTOBER 17, 2017

The Fall River Board of County Commissioners met in regular session on October 17, 2017 at the South Annex building. 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.

The agenda was reviewed for conflicts; none were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE 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 October 10, 2017.

An applicant for electric assistance met with the board. Motion made by Allen, seconded by Abbott, to approve CP 2017-18, in the amount of \$754.85 with \$100 per month in repayment. With Nabholz and Falkenburg voting no, all others voting yes, motion carried.

Motion made by Nabholz, seconded by Abbott to set hearing for petition to vacate 2 section line right of ways for 174 Global Corp on November 7, 2017 at 10:25 a.m.

Motion made by Nabholz, seconded by Abbott to set a hearing for petition to vacate streets and alleys for Kindreds, Fleming, Fleming Estate, Andersons, Fleming and Olofsons, on November 7, 2017 at 10:40 a.m..

Dustin Ross, Andersen Engineers, presented a plat to the board. Motion made by Allen, seconded by Russell to approve the following plat:

FALL RIVER COUNTY RESOLUTION #2017-34

A Plat of Lot 21 of Tract Seger-1 located in the NW1/4 of Section 15, 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 17th day of October, 2017.

ATTEST:

/s/Joe Falkenburg
Fall River County Board of Commissioners

/s/Sue Ganje, Fall River County Auditor

Frank Maynard, Emergency Management, met with the board. Motion made by Abbott, seconded by Russell, to approve the 4th quarter SLA, authorizing the Chairman to sign.

Motion made by Russell, seconded by Abbott, to approve the Commodity Flow Study, authorizing the Chairman to sign.

Maynard advised the board on future travel for workshops, noting that previous workshops that had been held in Rapid City are now scheduled for Pierre, so travel costs may increase. Nabholz asked if there was a possibility of a video conference at the School of Mines and Technology for some of these meetings. Maynard will find out if video conferencing would be available, and keep the board posted.

Maynard told the board that there was still a high fire danger in Fall River County. Falkenburg was still hopeful for a drought resolution.

Darryl Crown, Black Hills Life Flight, met with the board to present additional information on Flight for Life insurance. Crown discussed that if between 250 to 500 people sign up the cost would be \$25 for individuals or \$60 for families per year. This is a “good faith” figure that they would honor the first year, after that they would recalculate rates depending on actual numbers. Crown also explained that individuals on Medicaid, Medicare (who have a supplement), VA or Indian Health Service benefits did not need to purchase this policy as there are negotiated contracts with providers. Eligible applicants include individuals with private insurance, individuals with no insurance and individuals with Medicare who do not have a supplement. All transports by any Air Methods program aircraft are covered, without regard to the destiny. Ambulance bills, hospital stays, and patient transports on aircraft other than Air Methods Aircraft are not covered.

Crown would like the commissioners to sign a contract, however the board would not be liable for any costs. An agreement will be sent to the county for a review by their State’s Attorney, with an estimated open enrollment in January of 2018. Information will be on the county website when the open enrollment starts.

Kelli Rhoe, Treasurer, met with the board to review the moratorium on the sale of tax certificates. Discussion was held about how it is appropriate now to keep the moratorium, but they may review again in the future. Motion made by Nabholz, seconded by Russell, to continue with the moratorium on the sale of tax certificates.

Lawrence Tesch met with the board to request a delinquent tax payment plan. Motion made by Allen, seconded by Nabholz to approve a delinquent tax agreement for Lawrence Tesch, parcel number 75410-00600-00400, with payments of \$150 per month.

The Board discussed two requests from Brad Humbracht – additional pavement and gravel on Hot Brook Road. A map was reviewed which showed where the pavement ended on the county portion of the road and where the road district began. A turnaround is being used by the road district, county, school and USPS. Motion made by Russell, seconded by Allen to follow the Highway Superintendents’ recommendation and authorize +/- 835 feet of additional pavement on

the county road beyond the rock wall with Hot Brook Estates sign. The board discussed the request for gravel and took no action as that location is in the Hot Brook Road District.

A hearing was held for Supplements, as advertised. Sue Ganje, Auditor, reviewed proposed supplements with the board. Motion by Abbott, seconded by Russell to approve the supplement resolution:

**FALL RIVER COUNTY RESOLUTION #2017-33
Supplemental Budget 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): Weed and Pest Salary 10100X4110615 \$1,320.00; Weed and Pest Social Security 10100X4120615 \$100.98, Weed and Pest Travel 10100X4270615 \$1,595.70, Weed and Pest Supplies 10100X4260615 \$1,001.50, Weed and Pest Grant Expense 10100X4341615 \$5,903.93, Sheriff Donations 10100X4266211 \$1,000.00, Payment to Local Agencies 10100X4260750 \$15,011.69, Payment to Local Agencies 10100X4260850 \$35,858.94, Payment to Local Agencies 20100X4260750 \$5,332.14 and

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

Dated at Fall River County, South Dakota this 17th day of October, 2017.

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

ATTEST:

/s/Sue Ganje, Fall River County Auditor

Randy Seiler, Highway Superintendent, met with the board to present fuel quotes as follows:

10-12-17	8000 Gallons #2 Diesel
Nelson's Oil & Gas	\$2.22/gallon
MG Oil Company	No Bid
Bill Tanner Fuel	No Bid

Motion made by Nabholz, seconded by Allen, to accept the low and only bid of \$2.22 per gallon for 8,000 gallons #2 diesel from Nelson's Oil & Gas, Inc.

Seiler gave road updates, noting that gravel crushing will be starting soon. Gravel is coming from the new pit and will be spot tested as done with all crushing projects. There have been no applications for a mechanic yet and discussion was held on having the highway department employees do more mechanic work or possibly hiring some outside help for bigger jobs.

Discussion was held on the Scenic Road Bridge, which is 120' x 24'. The engineers have recommended removing the decking to get an accurate assessment. Seiler believed that it would be no problem to remove the asphalt on the bridge, and re-cover with hot mix, and noted some counties are now using an epoxy covering. Jim Nesti spoke to the board that he feels this bridge has not been

maintained properly, and his belief it is the county's function to conduct continued maintenance on bridges and roads. He noted that Agriculture is still the number 1 industry in the state, and he established his bee business at its current location due to the double access and paved road. Discussion on recent bridge inspections, possible changes at west entrance to help Nesti's semi truck traffic, snow removal, etc. continued. Motion made by Nabholz, seconded by Abbott to table the discussion until later in the meeting when representatives from Brosz Engineers would be available to come to the meeting.

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

GENERAL FUND

AT&T TELECONFERENCE	AT&T CONFERENCE CALL	\$17.58
AUDRA HILL CONSULTING,INC	MI/CONSULTING	\$1,166.25
A'VIANDS LLC	INMATE FOOD/MEALS	\$9,325.00
BLACK HILLS CHEMICAL	SUPPLY	\$364.81
BLACK HILLS ENERGY	COUNTY ASSISTANCE	\$729.22
BLUE360 MEDIA	LAW BOOKS	\$74.25
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$1,969.06
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$734.84
CHEYENNE SANITATION	SANITATION COLLECTION	\$280.00
CHRISTENSEN ELECTRIC, LLC	ELECTRICAL WORK	\$127.50
CITY/CO ALCOHOL & DRUG	DETOX TREATMENT	\$2,360.00
COLBATH, ANGELA M	CAAF/A&N	\$962.20
CROP PRODUCTION SERVICES	SUPPLY	\$3,494.90
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DEAN SCHAEFER COURT REP	COURT REPORTER	\$54.00
DEMERSSEMAN JENSEN	CAAF	\$2,372.10
EN-TECH LLC	FUMIGATION	\$100.00
FARRELL,FARRELL &GINSBACH	CAAF	\$300.80
FINK, TERESA L	COURT REPORTER	\$152.00
FRITZ, JIM	AIRPLANE TRANSPORT	\$132.12
GOFF, GARLAND LEE	CAAF	\$1,895.88
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$3,321.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$1,395.49
HILLYARD/SIOUX FALLS	SUPPLY	\$212.99
HOT SPRINGS ACE HARDWARE	SUPPLY	\$372.86
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$13.98
CITY OF HOT SPRINGS	CITY WATER BILL	\$408.86
INVENTORY TRADING COMPANY	UNIFORM ALLOWANCE	\$477.00
JOHNSON, KIMBERLY K	COURT REPORTER	\$221.40
MASTEL, BRUCE	DATABASE SETUP & MON	\$35.00
MATTHEW BENDER & CO INC08	SD LAW BOOKS	\$98.08
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$185.00
NORTONS SINCLAIR	REPAIR/MAINTENANCE	\$192.00

PENNINGTON COUNTY JAIL	INMATE TRANSPORT	\$226.20
PIZZA HUT	JURY MEALS	\$79.92
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$629.50
POWERHOUSE	REPAIR	\$376.20
QUILL CORPORAION	SUPPLIES	\$748.35
RAPID CHEVROLET CADILLAC	CAR REPAIR	\$1,061.07
RUSHOMORE COMMUNICATIONS	EMERGENCY RADIO REPAIR	\$110.00
SD DEPARTMENT OF REVENUE	BLOOD DRAWS	\$175.00
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$26,333.66
SERVALL	RUGS/MATS/UNIFORMS	\$223.53
SOFTWARE SERVICES INC	DATA PROCESSING	\$1,280.00
SD CLE, INC	ANNUAL SUBSCRIPTION	\$500.00
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$4,893.49
STEVENS PLUMBING	SERVICE	\$320.92
TODD COUNTY TRIBUNE	PUBLICATION	\$65.10
VERIZON WIRELESS	VERIZON WIRELESSS	\$886.17
WARNE CHEMICAL & EQUIP.	SUPPLY	\$250.08
WESTERN SD JUV SERV CTR	JUVENILE CARE	\$1,120.00
WITNESS	WITNESS FEES & MILEAGE	\$283.64
WITNESS	EXPERT WITNESS	\$1,500.00
	TOTAL FOR GENERAL FUND	\$74,833.00

COUNTY ROAD & BRIDGE

B H ELECTRIC COOP INC.	UTILITY HWY ELECTRIC	\$35.00
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$311.08
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$80.60
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$254.91
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$263.67
CITY OF HOT SPRINGS	CITY WATER BILL	\$39.49
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$18,518.50
	TOTAL FOR COUNTY ROAD & BRIDGE	\$19,577.25

911 SURCHARGE REIMB

CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$43.50
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$511.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$781.90
INVENTORY TRADING COMPANY	UNIFORM ALLOWANCE	\$591.78
CENTURY LINK	911 DISPATCH INCOMING	\$586.41
RAPID CHEVROLET CADILLAC	CAR REPAIR	\$106.10
RUSHOMORE COMMUNICATIONS	EMERGENCY RADIO REPAIR	\$459.00
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$172.69
	TOTAL FOR 911 SURCHARGE REIMB	\$3,252.38

EMERGENCY MGT

CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$81.10
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$255.50

GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$104.14
HOT SPRINGS HARDWARE	SUPPLY	\$19.79
NEVE'S UNIFORM INC	UNIFORM ALLOWANCE	\$204.94
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$1.50
QUILL CORPORAION	SUPPLIES	\$79.98
SAFETY BENEFITS INC	SAFETY BENEFITS TRAINING	\$65.00
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$1,559.92
VERIZON WIRELESS	VERIZON WIRLESSS	\$159.25
WESTERN COMMUNICATION	RADIO REPAIR	\$90.00
	TOTAL FOR EMERGENCY MGT	\$2,621.12
L.E.P.C. GRANT (FED/STATE GRANTS)		
PUDWILL, NORMAN	LEPC	\$60.00
BASTIAN, TRACY	LEPC AIRPLANE PILOT	\$100.00
	TOTAL FOR L.E.P.C. GRANT (FED/STATE GRANTS)	\$160.00
24/7 SOBRIETY FUND		
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$207.23
	TOTAL FOR 24/7 SOBRIETY FUND	\$207.23
COURTHOUSE BUILDING FUND		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$436.50
HOT SPRINGS ACE HARDWARE	SUPPLY	\$774.61
MENARDS	SUPPLY	\$174.30
STEVENS PLUMBING	SERVICE	\$1,540.99
BUILDERS FIRST SOURCE	SUPPLIES	\$72.24
	TOTAL COURTHOUSE BUILDING FUND	\$2,998.64
	TOTAL PAID BETWEEN 10/11/17 AND 10/17/17	\$103,649.60

Break was taken at 10:30 a.m. Meeting resumed at 10:31 a.m.

During public comment, Dusty Pence noted the location of today's meeting (S. Annex building) an asked for reconsideration of the video recording of meetings as a different location other than the courtroom was available. This would avoid the recording prohibition noted in the courtroom.

Lyle Jensen, Building Supervisor, met with the board and presented a quote for the secure evidence storage room. Motion made by Russell, seconded by Abbott, to approve Jensen's recommendation of the quote from Golden West in the amount of \$8,044.83, which will include installation of the metal door, camera, software and licensing. Grant funds in the amount of \$15,000 were received by the Sheriff's Department from the Attorney General's office for this project.

Patrick Ginsbach, Attorney for Paha Sapa Foundation, met with the board to present a corrective deed. Motion by Russell, seconded by Abbott, to approve the corrective quit claim deed from Fall River County to Paha Sapa foundation and authorize the chairman to sign the deed and certificate of value. This corrective deed will reflect Paha Sapa Foundation owning 5 acres in the SW1/4SW1/4NE1/4 of Section 26, Township 7S, Range 5E, BHM, Fall River County, SD, not Fall River County.

Motion by Russell, seconded by Nabholz to enter executive session for legal purposes with the State's Attorney and the Sheriff at 10:46 a.m. as per SDCL 1-25-2 (2).

Motion by Russell, seconded by Nabholz, to table the executive session at 10:47, as per SDCL 1-25-2 (2).

Ross Eberle and Jason Hanson, Brosz Engineering, met with the board along with Randy Seiler, Hwy Supt. Further discussion was held on the Scenic Road Bridge. The board requested an explanation on the removal of the asphalt. Eberle reiterated that the asphalt needed to be removed so the decking can be analyzed, leaving the county with better information on the deck for options, or to leave as is. This will fully be a county cost, with no state assistance. Allen and Nabholz noted opposition to any large expenses for the bridge. Motion made by Russell, seconded by Abbott, to approve removing the asphalt and analyzing the bridge, as per the engineer's recommendation. Allen voting no, all others voting yes, the motion carried.

Motion made by Russell, seconded by Abbott to enter executive session for legal purposes with the state's attorney and the sheriff at 11:05 a.m. as per SDCL 1-25-2 (2).

The board came out of executive session at 11:29 a.m.

Motion made by Allen, seconded by Abbott to adjourn the meeting at 11:30 a.m.

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

ATTEST:

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