

FALL RIVER COUNTY MINUTES OF MARCH 7, 2017

The Fall River Board of County Commissioners met in regular session on March 7, 2017. 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 AM.

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

Motion made by Nabholz, seconded by Russell, to approve the minutes from the February 21, 2017 meeting.

Motion made by Russell, seconded by Nabholz to deny a medical assistance application, CP#2017-003.

Motion made by Russell, seconded by Abbott, to approve the auditor's account with the county treasurer as follows:

Motion made by Russell, seconded by Abbott, to approve the auditors account with the county treasurer as follows:

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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 28th day of February, 2017.

Total Amt of Deposit in First Interstate Bank:	<u>\$288,795.70</u>
Total Amount of Cash:	<u>\$1,800.90</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>\$42,053.58</u>
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SAVINGS:	
First Interstate Bank :	<u>\$3,193,196.38</u>

CERTIFICATES OF DEPOSIT:

WHEREAS, the county must notify the State Records Destruction Board of any records destroyed, and authorization for electronic records storage is permissible, and

Be it resolved, by the Fall River County Board of Commissioners, the adoption of the County Emergency Management Records Retention and Destruction Schedule dates December 22, 2016, be adopted and will remain in effect until repealed or replaced.

Dated this 7 day of March, 2017.

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

ATTEST:

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

Maynard advised of the start of rally planning and addressed extreme fire danger. Maynard also provided two training certificates.

Dustin Ross, Andersen Engineers, met to present a plat for review and approval. Motion made by Abbott, seconded by Russell to approve the following Resolution for Schroth **FALL**

RIVER COUNTY RESOLUTION #2016-07

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, Schroth Tract in Section 14, T7S, R5E, BHM, Fall River County South Dakota, containing the SW ¼ NW ¼ Lying South of Rimrock and less Tract I of Section 14.

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 the 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 provision of the county subdivision regulation 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 at Fall River County, South Dakota this 7th day of March 2017.

ATTEST: /s/ Joe Falkenburg
Fall River County Board of Commissioners
/s/ Sue Ganje
Fall River County Auditor

Paul Nabholz spoke of the passage of Senate Bill 86 which, in part, will now allow for county investments to be made outside of individual counties, and advised that he will also search for more information on rural taxing (service) districts at the spring workshop in Pierre, and on how to resolve the issue.

Also discussed were tax certificates, and the processing procedures. Discussion was held

about getting policies from other counties to assist with this process and the possibility of hiring a title company. The board also discussed the waiving limitations on carrying guns in the courthouse.

Vince Logue, Deputy Sherriff, presented the Forest Service Agreement. Motion by Russell, seconded by Abbott to approve the 2017 Forest Service Agreement 14-LE-11020700-002 in the amount of \$7,200, and authorized the chairman to sign.

Logue spoke of the civil transport position and that the department would like to fill the position with a certified law enforcement deputy. This would create the need to hire an additional law enforcement officer. Discussion was held about this position, as well as an animal control position and body cameras. Motion made by Russell, seconded by Abbott to authorize advertising to hire a law enforcement deputy sheriff.

Todd Givler, KOA Campground was requesting a noise ordinance for Jake and engine brakes. They have had negative comments, verbal and written, about the noise from highway 79. SD DOT requires a county to have a noise ordinance prior to installing a sign with restrictions to Jake brakes. Nabholz voiced safety concerns of removing Jake brakes at the Coffee Cup-Hwy 18 intersection due to the high number of accidents. An ordinance will be prepared for action.

Susie Simkins, Director of Equalization, met with the board to discuss a Vanguard Service agreement that attaches an information card to each parcel in the GIS maps, which is currently being done by hand. Motion made by Nabholz, seconded by Allen to approve the Agreement between Vanguard Appraisals and the County for PRC (parcel recreate) Online services in the amount of \$1,200 per year, and authorize the Chairman to sign.

Randy Seiler, Highway Superintendent, met with the Board. Motion by Russell, seconded by Allen to approve transfers to reimburse the highway department for fuel used for work as follows: Weed & Pest for \$43.82; Sheriff's Department for \$1,471.27; Emergency Management \$57.47.

Discussion was held on selling two belly dump trailers. Motion made by Russell, seconded by Abbott to surplus and sell the 1988 Rancho and the 1985 Load King trailers. Seiler informed the Board that he has received appraisals from 3 landowners. Sealed bids will be opened on April 4, 2017 at 10:15 a.m.

Seiler spoke of applicants for the truck driver/heavy equipment operator. Motion by Abbott, seconded by Allen to approve hire of Josh Wiedow, \$14.05/ hour, effective 3-13-17, for the position of truck driver/heavy equipment operator.

Motion made by Russell, seconded by Allen to approve travel to Pierre for Seiler on April 5 and April 6, 2017 to attend the asphalt conference.

Seiler updated the board on other highway department activities including that gravel is now being hauled.

Motion made by Russell, seconded by Nabholz to approve the private road work contracts as follows: Lloyd and Kay Flock, \$95.00 and Charles and Sonja Wilcox, \$83.00.

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

GENERAL FUND		
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$122.54
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSU	\$225.04
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CREDIT COLLECTION BUREAU	GARNISHMENT	\$443.73
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,467.96
EFTPS	PAYROLL TAXES	\$35,183.34
FR COUNTY TREASURER	FIRST INTERSTATE	\$36.85
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$600.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$16,091.50
LIUNA LABORERS	LOCAL UNION DUES	\$275.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMEN	\$88.25
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NORTON, TINA	CONTRACT NURSE INMAT	\$1,105.00
CHILD SUPPORT PAYMENT	CNT CHILD SUPPORT	\$604.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$17,214.15
SD RETIREMENT SYSTEM	SPECIAL PAY PLAN SDR	\$3,209.77
SD SUPPLEMENT RETIREMENT	SDRS SUP RETIREMENT	\$750.00
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$38.00
BEHRENS, DONNA	MILEAGE REIMBURSEMEN	\$5.88
COMMISSION	JANUARY SALARY	\$4,100.00
AUDITOR	JANUARY SALARY	\$14,934.81
OVERTIME	JANUARY	\$113.42
TREASURER	JANUARY SALARY	\$10,820.62
OVERTIME	JANUARY	\$35.04
STATE'S ATTORNEY	JANUARY SALARY	\$8,090.93
OVERTIME	JANUARY	\$301.82
MAINTENANCE	JANUARY SALARY	\$7,576.91
DIRECTORY OF EQUALIZATION	JANUARY SALARY	\$11,781.63
OVERTIME	JANUARY	\$301.05
REGISTER OF DEEDS	JANUARY SALARY	\$8,009.42
VETERAN'S SERVICE OFFICE	JANUARY SALARY	\$3,193.34
GIS	JANUARY SALARY	\$2,906.80
JAIL	JANUARY SALARY	\$15,634.54
OVERTIME	JANUARY	\$5,066.00
CORONER	JANUARY SALARY	\$750.00
NURSE	JANUARY SALARY	\$3,352.49
OVERTIME	JANUARY	\$41.00
EXTENSION	FEBRUARY SALARIES	\$3,242.08
WEED	FEBRUARY SALARIES	\$3,253.42
COMMISSION	FEBRUARY SALARIES	\$4,100.00
AUDITOR	FEBRUARY SALARIES	\$12,500.02

OVERTIME	FEBRUARY	\$81.98
TREASURER	FEBRUARY SALARIES	\$10,415.24
OVERTIME	FEBRUARY	\$25.03
STATE'S ATTORNEY	FEBRUARY SALARIES	\$7,858.56
OVERTIME	FEBRUARY	\$450.18
MAINTENANCE HOURS	FEBRUARY SALARIES	\$7,195.49
OVERTIME	FEBRUARY	\$88.95
DIRECTOR OF EQUALIZATION	FEBRUARY SALARIES	\$11,709.05
OVERTIME	FEBRUARY	\$375.60
REGISTER OF DEEDS	FEBRUARY SALARIES	\$7,838.94
VETERAN'S SERVICE OFFICER	FEBRUARY SALARY	\$3,193.34
GIS	FEBRUARY SALARIES	\$3,279.96
JAIL	FEBRUARY SALARIES	\$17,566.27
OVERTIME	FEBRUARY	\$2,031.58
CORONER	FEBRUARY SALARY	\$450.00
NURSE	FEBRUARY SALARIES	\$3,060.97
EXTENSION	FEBRUARY SALARIES	\$2,960.16
OVERTIME	FEBRUARY	\$6.61
WEED	FEBRUARY SALARIES	\$3,469.42
	TOTAL GENERAL FUND	\$274,387.97
COUNTY ROAD & BRIDGE		
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$80.66
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSU	\$448.60
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$444.95
EFTPS	PAYROLL TAXES	\$10,553.11
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$150.00
RICOH USA INC	HWY DEPT COPIER LEAS	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$3,350.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$150.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMEN	\$73.53
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$4,853.90
HIGHWAY DEPARTMENT	JANUARY SALARIES	\$7,282.93
HIGHWAY DEPARTMENT	JANUARY SALARIES	\$28,114.11
OVERTIME HOURS	JANUARY	\$4,008.42
HIGHWAY DEPARTMENT	FEBRUARY SALARIES	\$7,069.33
OVERTIME	FEBRUARY	\$20.03
HIGHWAY DEPARTMENT	FEBRAURY SALARIES	\$27,854.00
OVERTIME	FEBRUARY	\$5,505.82
	TOTAL COUNTY ROAD & BRIDGE	\$100,034.39
911 SURCHARGE REIMB		
EFTPS	PAYROLL TAXES	\$1,602.16
	TOTAL 911 SURCHARGE REIMB	\$1,602.16
EMERGENCY MGT		
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$15.54

EFTPS	PAYROLL TAXES	\$1,789.41
SDRS	CONTRIBUTION	\$576.77
FALL RIVER EMERGENCY MANAGEMENT	JANUARY SALARIES	\$6,569.75
OVERTIME	JANUARY	\$40.11
FALL RIVER EMERGENCY MANAGEMENT	FEBRUARY SALARIES	\$6,546.67
OVERTIME	FEBRUARY	\$80.22
	TOTAL EMERGENCY MGT	\$15,618.47
24/7 SOBRIETY FUND		
EFTPS	PAYROLL TAXES	\$252.60
SHERIFF	JANUARY SALARY	\$29,270.16
OVERTIME	JANUARY	\$6,094.51
SHERIFF	FEBRUARY SALARY	\$32,933.52
OVERTIME	FEBRUARY	\$3,417.16
	TOTAL 24/7 SOBRIETY FUND	\$71,967.95
DISPATCH		
DISPATCH	JANUARY SALARIES	\$14,025.85
OVERTIME	JANUARY	\$2,676.45
DISPATCH	FEBRUARY SALARIES	\$13,417.22
OVERTIME	FEBRUARY	\$1,276.19
	TOTAL DISPATCH	\$31,395.71
TOTAL PAID BETWEEN 2/22/17 AND 3/06/17		\$495,006.65

Break was taken at 10:15 am, and there was no public comment. Robert Chubb, along with Susie Simkins, met with the board to request abatement. Motion made by Russell, seconded by Allen, to approve abatement for Chubb, parcel number 04120-00000-00400, pay '17 taxes in the amount of \$394.10. Reason: to reflect a Veterans exemption. With Nabholz voting no, all others voting yes, the motion carried.

Simkins presented additional abatements for the board's consideration. Motion made by Russell, seconded by Allen to approve the abatement status for 2017 for Tonya Jensen, parcel number 65080-00100-00350, pay '17 taxes in the amount of \$423.84. Reason: approve owner occupied status as applicant thought mortgage company filed document. With Nabholz voting no, all others voting yes, the motion carried.

Motion made by Russell, seconded by Nabholz to approve the abatement for Marc and Cindy Lamphere, parcel number 20000-00805-20230, pay '17 taxes in the amount of \$51.86. Reason: value does not reflect lowered value from 2015 appeal.

Motion made by Allen, seconded by Abbott, to approve the abatement for Quality Real Estate, parcel number 65120-00800-01400, pay '17 taxes prorated in the amount of \$1,274.26. Reason: building burned in February, 2016. With Nabholz and Falkenburg voting no, all others voting yes, the motion carried.

Motion made by Russell, seconded by Allen to approve the prorated abatements for Shawn and Tanna White, all for pay '17, as follows: parcel number 06-000-01008-27310 in the amount of \$114.43; parcel number 06000-01008-36120 in the amount of \$25.67; parcel number 06000-01108-01100 in the amount of \$274.37; parcel number 06000-01108-10110 in the amount of \$433.25; parcel number 06000-01108-11400 in the amount of \$68.47; parcel number 06000-01108-11410 in the amount of \$66.79; parcel number 06000-01108-13100 in the amount of \$276.11 and parcel number 06000-01108-14100 in the amount of \$284.08. Reason: land exchange between White's and the US Government, Buffalo Gap National Grasslands, taxable land to non-taxable.

Motion made by Nabholz, seconded by Abbott to approve the abatement for Fall River County (Rod and Melanie Reynolds), parcel number 65100-00100-00500, pay '17 taxes in the amount of \$4.73. Reason: County purchase of land, exempt, prorated amount.

Motion made by Nabholz, seconded by Allen to approve the prorated abatement for Paul Grieder, parcel number 75410-02300-00700, pay '17 taxes in the amount of \$312.95. Reason: purchase from an exempt entity in January 2016.

Motion made by Russell, seconded by Abbott to approve sending notification of add-ons for pro-rated taxes to Shawn and Tanna White in the total amount of \$1,251.45, and to the White Ranch in the amount of \$287.16, all due to the land exchange with the US Government, Buffalo Gap National Grasslands.

Simkins gave an assessment for the year 2017. The official report will be given after the abstract in May. The board set April 11, 2017 at 1 p.m. for appeals. They will consider additional dates as needed.

Simkins presented an exempt list for review. The change this year will be that fire departments and Angostura Irrigation District are now on the permanent exempt list. They will no longer require yearly paperwork.

Michelle Brock, Battle Mountain Humane Society, met with the board to bring statistics and request more money, going from \$500 to \$800 per month, for 2017 Animal Control. Discussion was held on purpose of ordinance versus services provided. Tonia Wagner from BMHS also provided history, costs and services from the shelter. Motion was made by Nabholz, seconded by Russell to stop paying Battle Mountain mid month for animal control, and leave animal control to Fall River County Deputies. Use of guns was discussed, Brock suggested changes to the ordinance to fit the shelter. The Board wanted monthly reports, and spoke of vicious dogs, cattle and noise, the original purpose of the ordinance. After continued discussion, Falkenburg made a substitute motion to give the BMHS \$2,500 for 2017, with no second. Russell called for the vote on the original motion, with Nabholz, Allen and Falkenburg voting yes, Russell and Abbott voting no. Motion carried. Falkenburg then made a motion, seconded by Russell to allot a lump sum total of \$2,500 for the Battle Mountain Humane Society for 2017 rather than a prorated amount. Motion carried.

Discussion was held on the purchase of the ambulance building. Concerns were presented about it being across town from other county buildings. Brian Spitzer and Flint Jeschke, Flint Electric spoke of being interested in purchasing the building, and Spitzer speaking of the hopes to put the building into a taxpaying status, and the positive effect to the economy. Discussion was held about moving Deputy Sheriffs into the old ambulance building and the need for a criminal justice

center out by the highway department. Spitzer spoke of the Shedco partnership with Dakota Resources, and that the county could always receive assistance from them on any projects. Motion made by Allen, seconded by Falkenburg to not pursue bid on ambulance building. Motion failed. More discussion was held about the ambulance building, and county needs. Discussion was also held about pushing business out of town when they could get taxes. Motion made by Nabholz, seconded by Abbott to put a bid on ambulance building. With Allen and Falkenburg voting no, all others voting yes, the motion carried. Falkenburg left the meeting at 11:35 a.m.

Motion made by Russell, seconded by Nabholz to enter into executive session for legal as per SDCL 1-25-2 (3) at 11:37 a.m. Meeting resumed at 11:55 a.m.

Motion made by Nabholz, seconded by Abbott to submit a sealed bid as per the agreed amount in executive session with State’s Attorney, Jim Sword. With Allen voting no, all others voting yes, the motion carried.

Motion made by Russell, seconded by Nabholz to enter into legal executive session at 11:59 a.m. as per SDCL 1-25-2 (3) with State’s Attorney, Jim Sword. Meeting resumed at 12:04 p.m.

Motion made by Abbott, seconded by Nabholz to enter executive session for personnel, as per SDCL 1-25-2 (1) to discuss the union contract at 12:07 p.m. Meeting resumed at 12:40 p.m.

Motion made by Abbott, seconded by Nabholz to approve the Collective Bargaining Agreement for December 21, 2016 to December 26, 2019. With Nabholz voting no, all others voting yes, the motion carried.

Brian Spitzer and Kimberley Barberrri, HS City Planner, met to discuss the building across the street that has been said to be in the flood plain. Barberrri explained what would happen if there was a catastrophic flood.

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

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BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
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IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$16,091.50
LIUNA LABORERS	LOCAL UNION DUES	\$275.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMEN	\$88.25
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SD RETIREMENT SYSTEM	SPECIAL PAY PLAN SDR	\$3,209.77
SD SUPPLEMENT RETIREMENT	SDRS SUP RETIREMENT	\$750.00
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	TOTAL 911 SURCHARGE REIMB	\$1,602.16
EMERGENCY MGT		
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SDRS	CONTRIBUTION	\$576.77
FALL RIVER EMERGENCY MANAGEMENT	JANUARY SALARIES	\$6,569.75
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FALL RIVER EMERGENCY MANAGEMENT	FEBRUARY SALARIES	\$6,546.67
OVERTIME	FEBRUARY	\$80.22
	TOTAL EMERGENCY MGT	\$15,618.47
24/7 SOBRIETY FUND		
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SHERIFF	JANUARY SALARY	\$29,270.16
OVERTIME	JANUARY	\$6,094.51
SHERIFF	FEBRUARY SALARY	\$32,933.52
OVERTIME	FEBRUARY	\$3,417.16
	TOTAL 24/7 SOBRIETY FUND	\$71,967.95
DISPATCH		
DISPATCH	JANUARY SALARIES	\$14,025.85
OVERTIME	JANUARY	\$2,676.45

DISPATCH	FEBRUARY SALARIES	\$13,417.22
OVERTIME	FEBRUARY	\$1,276.19
	TOTAL DISPATCH	\$31,395.71
TOTAL PAID BETWEEN 2/22/17 AND 3/06/17		\$495,006.65

Motion made by Nabholz, seconded by Abbott to adjourn the meeting at 12:53 p.m.

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

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