

## **FALL RIVER COUNTY MINUTES OF JULY 18, 2017**

The Fall River Board of County Commissioners met in regular session on July 18, 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 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 Russell, seconded by Abbott, to approve the agenda as written.

Motion made by Nabholz, seconded by Russell, to approve the minutes of July 6, 2017.

Motion made by Russell, seconded by Abbott, to designate Paul Nabholz as an alternate to the BH Council of Local Government board.

Ali DeMersseman, Executive Director of the Black Hills Council of Local Governments, met with the board. DeMersseman spoke of the budget, membership dues, Bulldoze, Build and Beautify grant and other projects they have been a part of. Falkenburg wants more information about a water district being started between Edgemont and Oelrichs. DeMersseman will have someone get in touch with him. Falkenburg gave kudos to the district.

Sue Ganje, Auditor, advised the board that counties with population of 10,000 or less are no longer required to follow any laws under Title 12-27 unless a county has an ordinance or resolution requiring the county to do so, effective 7-1-17. Nabholz wondered about the Statement of Financial Interest for commissioners, Ganje will check on that and get back with the board. All agreed to go by the state law.

Susie Simkins, Director of Equalization, met with the board to notify them that Ag land value increases for pay 2018 will be less than 5%, as Fall River County Ag values are now considered at full productivity by the SD Dept of Revenue. Simkins also discussed a new soil table which will be out in 2020 that may show changes to crop vs. grazing and may affect counties with rains, etc. from the previous soil table.

Simkins also noted a few other changes to the Ag law that passed this year - Ag status will be determined by use and either income or number of acres, and suggested that any change to the number of acres for Ag status should be done now. The board spoke briefly about this, and the issue will be on the next agenda. A new form will also be used for Ag status application, with the office retaining the right to request any information as needed, such as lease agreements, formal timber plans and income statements where necessary.

Frank Maynard, Emergency Management, met with the board to request the board surplus the search and rescue vehicle. It was questioned if it could be utilized by any other department.

Motion made by Russell, seconded by Abbott to approve the application in the amount of \$25,000 by Maynard for a PDM grant through the state, with a 15% to 25% cost to the county.

Maynard advised the SEAT (Single Engine Air Tanker) airplane was at the airport now, unless at a fire. Fires in the county are continuing.

Lyle Jensen, Building Supervisor, met with the board. Motion made by Abbott, seconded by Nabholz, to approve a quote for two handicap door openers at the South Annex building, in the amount of \$2,860.00.

Motion made by Nabholz, seconded by Russell, to approve the Golden West Quotes for the network at the South Annex in the total amount of \$3,758.33.

Jensen presented his 2018 budget. Jensen requested that the commissioners consider making Carl Neisner, a part time permanent employee in 2018.

Dan Cullen, Veteran's Service Officer, presented his quarterly report. Activities were noted, with \$188,745 disability or pension monthly awards this quarter, and filed 227 disability and/or pension claims with the SD Veteran Affairs. Client count is increasing.

Donna Behrens, Coroner, presented her 2018 budget and made a recommendation on a previous county burial request. Motion made by Russell, seconded by Abbott to pay CP 2017-09 in the amount of \$1,900.00 and try to recoup costs if possible.

Paul Nabholz, Commissioner, spoke on the advertised SD School and Public Land parcels for oil and gas leases, including the leases in the Black Hills Army Depot area. Cindy Brunson voiced concerns of the leases in the burning ground area at the last meeting. The leases at BHAD are currently under a five-year lease, and the bids will be for renewal of existing leases, or new leases. School and Public Lands is the leasing agency, SD DENR is the regulatory agency. There are restrictions on the BHAD 80 acres. Commissioner of SD School and Public Lands, Ryan Brunner advised in his email to Nabholz that if the county had concerns on the leases in the BHAD area, they could write a letter to the SD DENR. Nabholz briefly noted a possible discrepancy between the S&PL area leased in the burning grounds area compared to the county GIS map on the burning grounds at the BHAD. Follow up will be done.

Nabholz also discussed the 55 mile per hour speed limit on Memorial Road, proposing a 35 mph for safety purposes. Dean Cape was also present to voice concerns and supports a 35 mph speed limit. Discussion was held about changing the speed limit and the dangers of the higher speed on that road. Highway Supt, Randy Seiler, noted all curves were posted at 25 or 35 mph. Nabholz made a motion to set the speed limit on Memorial Road to 35 miles per hour. Motion died for lack of a second.

Nabholz reported he also spoke to Deputy Sheriff Lyle Norton about the unused four man jail cell, and it can be used for four men, although studies of the current jail show our 4 man cells should house two prisoners and our 2 man cells should house one prisoner. Nabholz wondered what South Dakota State Law is.

The supplement hearing was held as advertised. Motion made by Abbott, seconded by Russell to approve the Fall River Supplement Hearing #1 as follows:

**FALL RIVER COUNTY RESOLUTION #2017-21**  
**Supplemental Budget 2017, #1**

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) for salary reimbursements from Oglala Lakota County to Fall River County: Auditor Salary 10100X4110141, \$10,000.00; Auditor FICA 100100X4120141, \$765.00; Auditor Retire 10100X4130141, \$600.00; Treasurer Salary 10100X4110142, \$10,000.00; Treasurer FICA 10100X4120142, \$765.00; Treasurer Retire 10100X4130142, \$600.00; Register of Deeds Salary 10100X4110163, \$2,700.00; Register of Deeds FICA 10100X4120163, \$206.55; Register of Deeds Retire 10100X4130463, \$162.00; Director of Equalization Salary 10100X4110162, \$2,700.00; Director of Equalization FICA 10100X4120162, \$206.55; Director of Equalization Retire 10100X4130162, \$162.00; Emergency Management 23400X4260222, \$935.95, funds from LEPC Grants; Building Capitol Improvement 30100X4330911, \$331,000.00, funds from building cash; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #1 for 2017.

Dated at Fall River County, South Dakota this 18<sup>th</sup> day of July, 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 noting he had no fuel quotes now, just updates. Seiler stated that Mike Turner, Birdsall Sand and Gravel, has been helping with mag water on Buffalo Gap Road. The county will put in \$7,000.00 towards the cost. Seiler's crew worked with hot mix one day and will do more in the future. Seiler would like to purchase a new loader and 2 packers this year with his available funds. He reminded the board that they will be having one blade come up for sale each year for the next 7 years, according to the buyback program requirements.

Seiler advised the board we will have our 5-year plan hearing on September 19, 2017. Seiler also discussed the road between Provo and Igloo, where the agreement is that the state pays up to \$1.1 million, and the county pays expenses beyond that. The costs for the project are based on 2013 estimates. He would like to look at the agreement again, including the recent amendment. He noted that the project is still in place for 2018. Cindy Brunson asked the county to refer to the Engineer's report on recommendations for the Igloo Bridge and use gravel to stop the erosion on the end of the bridge.

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

**GENERAL FUND**

A & B WELDING SUPPLY CO.	SUPPLY	\$103.31
AUDRA HILL CONSULTING, INC	MI/CONSULTING	\$703.56

BLACK HILLS CHEMICAL	SUPPLY	\$285.57
BLACK HILLS ENERGY	COUNTY ASSISTANCE	\$96.38
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$1,293.17
CHEYENNE SANITATION	SANITATION COLLECTIO	\$430.00
CITY/CO ALCOHOL & DRUG	CA	\$2,260.50
COLBATH, ANGELA M	CAAF	\$460.60
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DAVIS, JEREMIAH	A/N	\$166.40
EN-TECH LLC	FUMIGATION	\$100.00
DEWEY J ERTZ, ED.D	CAAF, PSYCH. EVALUAT	\$489.90
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$140.00
DUDE SOLUTIONS	GIS SUPPORT	\$226.80
FALKENBURG, JOE	TRAVEL REIMBURSEMENT	\$174.72
FALL RIVER HEALTH	INMATE MEDICAL	\$456.16
FARRELL,FARRELL &GINSBACH	CAAF	\$2,536.73
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$3,201.91
GOLDEN WEST	PHONE BILL/LONG DIST	\$1,250.61
GREY &EISENBRAUN PROF.LLC	CAAF	\$1,350.80
HAPPE, SHELBY	REIMBURSEMENT MOSQUI	\$36.18
HILLYARD/SIOUX FALLS	SUPPLY	\$300.86
HOBART SALES & SERVICE	SUPPLY	\$309.58
HOT SPRINGS ACE HARDWARE	SUPPLY	\$632.33
HOT SPRINGS AMBULANCE	INMATE MEDICAL	\$204.36
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$240.04
CITY OF HOT SPRINGS	CITY WATER BILL	\$271.40
KEIZER, BRAD	TRAVEL REIMBURSEMENT	\$608.58
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$241.34
MASTEL, BRUCE	DATABASE SETUP & MON	\$35.00
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$185.00
MONROE, HEATHER	TRANSPORT	\$120.00
NELSONS OIL & GAS INC.	FUEL	\$1,056.95
NORTONS SINCLAIR	REPAIR/MAINTENANCE	\$120.00
O'DAY, VALARIE	COURT REPORTER	\$330.60
O'NEILL, JUSTIN	CAAF	\$4,103.47
PENN CO STS ATTNY OFFICE	MENTAL ILLNESS	\$215.00
PENNINGTON COUNTY AUDITOR	MENTAL ILLNESS	\$151.00
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNI	\$4,875.00
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$869.50
POWELL, DEBRA J	BLOOD DRAW	\$35.00
QUILL CORPORATION	SUPPLIES	\$68.22
RAMKOTA HOTEL-PIERRE	HOTEL BUDGET CONFERE	\$101.99
RANCHERS FEED & SUPPLY	GIFT CERTIFICATE	\$50.00
RAPID CITY JOURNAL (THE)	PUBLICATION	\$208.52
SCHAFFER, LISA	BLOOD DRAW	\$100.00

SDACC	CATASTROPHIC LEGAL 3	\$1,406.38
SD DEPARTMENT OF REVENUE	INMATE	\$210.00
SERVALL	RUGS/MATS/UNIFORMS	\$251.18
SHOPKO STORES OPERATING	INMATE PHARMACY/SUPP	\$65.17
SOFTWARE SERVICES INC	DATA PROCESSING BOSA	\$480.00
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$1,545.00
STATE SUPPLY	SUPPLY	\$220.25
STEVENS PLUMBING	SERVICE	\$154.08
VERIZON WIRELESS	VERIZON WIRELESS	\$842.54
	TOTAL FOR GENERAL FUND	\$36,595.14
<b>COUNTY ROAD &amp; BRIDGE</b>		
B H ELECTRIC COOP INC.	UTILITY HWY ELECTRIC	\$35.00
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$235.67
CHEYENNE SANITATION	SANITATION COLLECTIO	\$74.00
CITY OF EDMONT	CITY OF EDMONT WAT	\$80.60
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$135.00
GOLDEN WEST	PHONE BILL/LONG DIST	\$256.38
CITY OF HOT SPRINGS	CITY WATER BILL	\$101.09
	TOTAL FOR COUNTY ROAD & BRIDGE	\$917.74
<b>911 SURCHARGE REIMB</b>		
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$480.00
GOLDEN WEST	PHONE BILL/LONG DIST	\$726.53
CENTURY LINK	DISPATCH	\$593.49
	TOTAL FOR 911 SURCHARGE REIMB	\$1,800.02
<b>EMERGENCY MGT</b>		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$653.67
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$240.00
GOLDEN WEST	PHONE BILL/LONG DIST	\$108.10
HOT SPRINGS ACE HARDWARE	SUPPLY	\$5.37
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$1.50
VERIZON WIRELESS	VERIZON WIRELESS	\$204.11
	TOTAL FOR EMERGENCY MGT	\$1,212.75
<b>M &amp; P RELIEF</b>		
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$145.00
	TOTAL FOR M & P RELIEF	\$145.00
<b>COURTHOUSE BUILDING FUND</b>		
HOT SPRINGS ACE HARDWARE	SUPPLY	\$239.46
BUILDERS FIRST SOURCE	SOUTH ANNEX BUILDING	\$1,315.39
	TOTAL FOR COURTHOUSE BUILDING FUND	\$1,554.85
	TOTAL PAID BETWEEN 7/07/17 AND 7/18/17	\$42,225.50

Break was taken at 10:18 a.m., and the meeting resumed at 10:24 a.m.

Public comment - Cindy Brunson spoke of a Black Hills Army Depot Summary of Previous

Investigations document that was provided to the commissioners. Nabholz spoke of the First National Bank in Lead, and of a visit to the Battle Mountain Humane Society.

Falkenburg discussed Flight for Life Insurance and the cost of it for people if they have an accident. Falkenburg would like to pursue this insurance for individuals, with board approval. Abbott and Allen are both in support of this and would like to see more on the next agenda. John Taylor, Hot Springs Star, spoke of a North Dakota county that pays a certain dollar amount for its residents if they need the Flight for Life. Lane Ostenson, Edgemont, went through training with the Fire Department and thinks this is a tremendous resource.

The hearing for 2018 PILT funds was held. Lane Ostenson, Edgemont Schools; T'mara Twiss, Olerichs Schools; and Deb Ollerich, Hot Springs Schools, were in attendance. Nabholz says the county now keeps 94%; he believes the county should keep all of it. Falkenburg commented that only two counties in South Dakota apportion out PILT money to other entities.

Ostenson spoke of the increased funds received 10 years ago, but with appreciation of the current PILT monies. This would go in the general budget, funding  $\frac{1}{2}$  a teacher's salary, and he would hate to see that go away. Twiss agreed with Ostenson. Ollerich would like to be able to keep the money they have been getting as the change to the sales tax is not giving the needed help as intended, this could go to reading programs, etc. Susan Henderson questioned the number of acres and apportionment.

Motion made by Abbott, seconded by Allen, to approve 5% of total PILT funds, if received in 2018, is apportioned to schools, based upon their federal acres. With Nabholz voting no, all others voting yes, motion carried.

Ross Eberle, Brosz Engineers and Seiler met with the board to give updates. The Provo to Igloo road is moving forward for 2018, but the state still needs to do the R-O-W negotiations. Brief updates were given on the Argentine (Burdock), Chilson and Provo bridges, and discussion was held on preservation grants, which also uses the wheel tax point system. The Burdock Bridge received the 2016 preservation grant; the state is still requiring some additional information. A preservation grant can be applied for on the Cheyenne River Bridge north of Oral.

Mike McNeill, Forest Service, met with the board to give updates. He noted that they were still in the process of determining conditions for the oil drilling, and they still need the state archaeological and tribal input. The Corps of Engineers have concerns about the Igloo burning grounds, but determined that drilling could take place 2000 feet outside the existing fence. McNeill also stated that the following conditions have been set: road damage caused by the company will be restored to previous conditions; wildlife and livestock will not be disturbed; and they also will not go out after hard rains or during rain storms which causes ruts in the roads.

The oil and gas leasing by the SD School and Public Lands was also discussed with concerns voiced by the audience. Motion made by Russell, seconded by Allen to compose a letter to the SD DENR, as the permitting agency, on the concerns voiced by constituents on the issuance of drilling permits in the former Black Hills Army Depot burning grounds. With Nabholz voting no, all others voting yes, motion passed.

Brunson met with the board to discuss a locked gate. Sheriff Evans has been working on this

issue, and presented copies of easements. He advised the gate should be shut, but not locked.

Sheriff Evans met with the board. Motion made by Abbott, seconded by Russell, to hire DeAnn Arneson in 24/7 at \$13.00 per hour, effective July 11, 2017.

Evans read a letter of appreciation for Deputy Vince Logue from a tourist. Motion made by Abbott, seconded by Nabholz to give hire approval for Phil Shively (Certified HS City Reserve), \$14.50 per hour; Jeremy Herrberg (HS City Certified Law Enforcement Officer), \$16.50 per hour; and Ryan Walz (HS City Certified Reserve), at \$14.50 per hour, all as temporary for a prisoner in the Rapid City Hospital.

Motion made by Nabholz, seconded by Russell to recess for lunch at 12:01 p.m.

Meeting reconvened at 1:30 p.m. for 2018 budget work.

Board went to the South Annex Building at 3:27 p.m. to review space to designate for office usage.

Joe Allen excused the meeting at 3:45 p.m.

Motion made by Russell, seconded by Abbott, to allow Weed and Pest and Extension/4-H to share big room, Veteran's Service Officer to have small office; the commissioner's meeting room in the first bay and the nurse's office and sheriff's evidence storage in other portions of the building. With Nabholz voting no, all others voting yes, motion carried.

Motion made by Russell, seconded by Abbott to adjourn the meeting at 4:25 p.m.

/s/ Joe Falkenburg

Joe Falkenburg, Chair

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor