**FALL RIVER COUNTY MINUTES OF SEPTEMBER 6, 2016**

 The Fall River Board of County Commissioners met in regular session at Canyon Cottage at the State Veteran’s Home on September 6, 2016. Present: Michael Ortner, Joe Falkenburg, Joe Allen, Ann Abbott, Deb Russell and Sue Ganje, County Auditor.

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

 The agenda was reviewed for conflicts; no conflicts were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

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

 Motion by Russell, seconded by Falkeburg to approve the minutes for August 2, 2016 and August 16, 2016.

 Motion by Falkenburg, seconded by Abbott to approve the July Treasurer’s Account with the Auditor 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 July, 2016.

Total Amt of Deposit in First Interstate Bank: $1,208,940.22

Total Amount of Cash: $ 2,532.01

Total Amount of Treasurer’s Change Fund: $ 900.00

# Total Amount of Checks in Treasurer’s

# Possession Not Exceeding Three Days: $9,570.65

 SAVINGS:

 First Interstate Bank : $1,396,571.98

CERTIFICATES OF DEPOSIT:

 First Interstate-Hot Springs: $4,279,498.79

 Black Hills Federal Credit Union: $ 250,000.00

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:

Schmit, Troy - $235.93, Lic (06/08/2016)

 TOTAL $7,148,784.58

Dated This 31st Day of July, 2016.

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Sue Ganje, County Auditor of Fall River County.

County Monies: $6,887,874.24

Held for other Entities: $111,115.67

Held in Trust: $149,794.67

 TOTAL: $7,148,784.58

 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.

 The Board was advised that through the Affordable Care Act any employee that works thirty hours or more is considered full time and need to be covered under County health insurance.

 Motion by Russell, seconded by Abbott to approve Black Hills Power Discretionary formula. Falkenburg abstained due to family member working for BHP and all others voting yes the motion passed.

 An extra meeting for budget work was discussed and postponed to the meeting on the 20th of September, 2016.

 Dan Cullen met with the Board and Chairman Ortner presented a Certificate of Recognition on behalf of the Board to recognize Cullen for being designated the Veteran’s Service Officer of the Year from the South Dakota Veteran’s Affairs Association.

 Lyle Jensen, Building Maintenance met with the Board to propose increasing the internet bandwidth through Golden West Telecommunications. Jensen suggested the County move from 10 Mbps to 15 Mbps and the increase will add an additional $400.00 to the bill. Motion by Russell, seconded by Abbott to increase the Courthouse internet bandwidth from 10 Mbps to 15 Mbps for an approximate monthly cost of from the current amount to $1277.00.

 Kelli Rhoe, Treasurer spoke to the Board requesting permission to collect $40.00 for insufficient fund checks. Motion by Falkenburg, seconded by Allen to approve a $40.00 insufficient fund fee for all County Offices that collect monies on behalf of the County.

 Motion by Falkenburg, seconded by Russell to change status of Chelsea Christopherson to full time permanent effective immediately.

 Frank Maynard, Emergency Management met with the Board advising that $39,138.67 was received for the 1st and 3rd quarters for the Southwest District. Maynard also requested that the Board approve a letter to the Governor requesting red zone fire designation. The Board authorized the chairman to sign a red zone request prepared by Maynard. Maynard updated the Board on Fall hunting dangers.

 Ortner spoke on negotiations he had been conducting with the State Veteran’s Home regarding Building 1, floor 1 and possibly floor 2. The State is interested in selling while the Commission feels that rental is a better option for the County. A lease would run around $4.30 per square foot plus utilities. Jensen is to measure the non-communal square footage for a more accurate idea of what the county would pay. Discussion of renting versus building a new building for the County’s exclusive use followed.

 Susie Simkins, Director of Equalization met with the Board to request travel approval. Motion by Russell, seconded by Abbott to approve travel for Simkins and Mardoqueo Harrington to Sioux Falls for Assessor’s School on September 25 through 30, 2016.

 Simkins presented an abatement for the Nature Conservancy.

Motion by Abbott, seconded by Russell to approve refund for The Nature Conservancy for parcel #20000-00805-19110 in the amount of $1,737.16 and for Pay15, and abate $1,623.35 for Pay16. Falkenburg questioned Simkins regarding Nature Conservancy being all ag status. Reason: An error in data entry caused the building to be graded wrong. There will be an abatement for Pay17 but it is corrected for Pay18.

 Simkins addressed the issue of fire damage due to the Edgemont fire this year. The Department of Revenue does not recommend any tax relief at this time as taxes currently being paid are for 2015.

 Discussion on PILT money was held. Kevin Cole, Superintendant of the Hot Springs School District spoke to the Board that they appreciate the PILT money they receive. Dave Courtney, Superintendent for the Edgemont School also noted their district’s appreciation of PILT monies. Courtney noted that the PILT money is receipted into their general funds as they have had to tap into their reserve fund for 3 years. Allen feels PILT funds could be used for a school resource officer. Discussion was held with Cole volunteering to spearhead a task force on the issue with the Schools, City, HS Police and Joe Allen as the County liaison. Ortner asked that the three schools come up with a cost share for 1/3 funding, with the City of HS and County each footing 1/3 of cost. The Board has designated that 5% of the total 2017 PILT monies, if received, would go to the schools, which could be used for their cost share amount. There will be a follow up at their next meeting.

 Jim Sword, State’s Attorney presented information on the SD Experience Works program and requested the hire of Patricia Shiery for the office. Motion by Falkenburg, seconded by Allen to allow Patricia Shiery to work for the State’s Attorney under the Experience Work program with the State paying the wages and the Workers Compensation insurance.

 Donna Behrens, County Coroner met with the Board to request travel approval. Motion by Falkenburg, seconded by Russell to approve Behrens and Jennifer Mraz, Deputy Coroner to travel to Sioux Fall to attend Coroner training on October 17 and 18, 2016.

 Randy Seiler, Highway Superintendent met with Board and presented an approach permit request. Motion by Falkenburg, seconded by Russell to approve an approach permit for Jim Watkins.

 Motion by Falkenburg, seconded by Abbott to approve permit for Jim Watkins to occupy right of way for electric purposes.

 Motion by Falkenburg, seconded by Abbott to approve fuel transfers to reimburse the highway department for fuel used or work as follows: Department of Equalization, $115.03; Emergency Management, $150.09; Extension, $26.05; Building Maintenance, $61.80; Community Health Nurse $8.62; State’s Attorney, $28.66; Elections, $60.9; work for Emergency Management, $234.83; Weed and Pest, $688.08 and Sheriff’s Department, $2,220.78.

 Motion by Falkenburg, seconded by Russell to approve the work order from Brosz Engineering for the Chilson Bridge project, with the State paying 80% of the estimated $70,000 engineering cost.

 Seiler requested approval for travel overnight to Local Road Conference in Rapid City, SD on October 18, 19 and 20, 2016. Seven states will be coming to the conference. The Board will reconsider this request at the September 20, 2016 meeting.

 Seiler advised that the annual 5 year plan must be turned into the State by October 15, 2016. Discuss was held, and a date will be set at the next meeting.

 Seiler updated the Board on the progress of Oral Road and Quivey Road. Residents have reported being happy with the asphalt job. The Highway Department also plans some drain work on the Scenic Road. Falkenburg questioned when mowing would begin and requested it begin as soon as possible. Seiler would like to do a road tour with the Commissioners on September 27, 2016 in the afternoon.

 Motion by Falkenburg, seconded by Abbott to approve bills as follows;

|  |  |  |  |
| --- | --- | --- | --- |
| **GENERAL FUND** |  |  |  |
|  |  FIDELITY SEC. LIFE INS CO | EYE INSURANCE |  $ 146.34  |  |
|  |  AMERICAN FAMILY  | AMERICAN FAMILY ASSU |  $ 225.04  |  |
|  |  APPLIED CONCEPTS INC | ANTENNA CABLE |  $ 115.00  |  |
|  |  BOB BARKER COMPANY INC | INMATE SUPPLY |  $ 64.46  |  |
|  |  BAUERKEMPERS INC | PARTS |  $ 35.48  |  |
|  |  BENINATI, LILLIAN | MI TRANSPORT |  $ 80.00  |  |
|  |  BLACK HILLS CHEMICAL | SUPPLY |  $ 253.76  |  |
|  |  BOSTON MUTUAL LIFE INS CO | LIFE INSURANCE |  $ 32.76  |  |
|  |  CAMPBELL, APRIL | INMATE TRANSPORT |  $ 66.85  |  |
|  |  CARDMEMBER SERVICE | CARDMEMBER SERVICES |  $ 1,642.34  |  |
|  |  CENTURY BUSINESS LEASING | COPIER LEASE & METER |  $ 1,019.03  |  |
|  |  CHEYENNE SANITATION | SANITATION COLLECTIO |  $ 280.00  |  |
|  |  CULLIGAN SOFT WATER | RENTAL/SUPPLY |  $ 105.75  |  |
|  |  DALE'S REPAIR | OIL CHANGE |  $ 54.50  |  |
|  |  DELTA DENTAL PLAN OF SD | DELTA DENTAL |  $ 2,589.16  |  |
|  |  DEMERSSEMAN JENSEN | CAAF/JUV |  $ 9,435.80  |  |
|  |  EFTPS |  EFTPS TAXES |  $ 34,884.55  |  |
|  |  EDGEMONT HERALD TRIBUNE |  PUBLICATION |  $ 592.33  |  |
|  |  EN-TECH LLC |  FUMIGATION |  $ 225.00  |  |
|  |  FACILITYDUDE.COM |  GIS SUPPORT |  $ 226.80  |  |
|  |  FALKENBURG, JOE |  MILEAGE |  $ 174.72  |  |
|  |  FR COUNTY TREASURER |  AUGUST SERVICE CHARG |  $ 36.85  |  |
|  |  FR COUNTY TREASURER |  FR COUNTY TREASURER |  $ 35.50  |  |
|  |  GLASS PRO + |  REPAIR |  $ 409.95  |  |
|  |  GOFF, GARLAND LEE |  MI/CAA |  $ 1,244.93  |  |
|  |  GOLDEN WEST TECHNOLOGIES |  TECHNOLOGY/SERVER/MA |  $ 2,584.44  |  |
|  |  GOLDEN WEST |  PHONE BILL/LONG DIST |  $ 1,140.26  |  |
|  |  GRAHAM TIRE PIERRE |  NEW TIRES COUNTY VEH |  $ 432.52  |  |
|  |  GRIMM'S PUMP SERVICE INC |  PARTS |  $ 7.64  |  |
|  |  HARRIS, BETSEY |  CAAF |  $ 312.40  |  |
|  |  HEAVY HIGHWAY FRINGE |  INSURANCE FEES |  $ 645.00  |  |
|  |  HIGH PLAINS GRAPHICS |  SUPPLY |  $ 15.00  |  |
|  |  HILLS EDGE AUTO SALES |  COUNTY VEHICLE REPAI |  $ 1,829.26  |  |
|  |  HILLYARD FLOOR CARE SUPP |  SUPPLY |  $ 268.46  |  |
|  |  HOT SPRINGS ACE HARDWARE |  ACE HARDWARE SUPPLY |  $ 425.56  |  |
|  | HOT SPRINGS AUTOMOTIVE | AUTO SUPPLY PARTS |  $ 186.85  |  |
|  | CITY OF HOT SPRINGS | CITY WATER BILL |  $ 398.38  |  |
|  | HSR FUELING LLC | AIR PLANE FUEL |  $ 224.22  |  |
|  | IOWA LABORERS DISTRICT | HEALTH INSURANCE |  $ 17,116.50  |  |
|  | LIUNA LABORERS LOCAL 620 | UNION DUES |  $ 275.00  |  |
|  | LONE STAR HEATING & AIR | FREON SUPPLY |  $ 290.70  |  |
|  | MASTEL, BRUCE | DATABASE SETUP & MON |  $ 35.00  |  |
|  | MCLEODS OFFICE SUPPLY CO. | SUPPLY |  $ 59.80  |  |
|  | MEDICAL WASTE TRANSPORT | MEDICAL WASTE |  $ 140.61  |  |
|  | MIKELSON LAW OFFICE | MI |  $ 488.70  |  |
|  | MOTOROLA SOLUTIONS INC | EQUIPMENT |  $ 2,832.25  |  |
|  | NATIONWIDE RETIREMENT SOL | NATIONWIDE RETIREMEN |  $ 88.25  |  |
|  | NEW YORK LIFE INSURANCE | NEW YORK LIFE INS |  $ 25.00  |  |
|  | NORTONS SINCLAIR | SUPPLY |  $ 36.00  |  |
|  | NORTON,TINA | CONTRACT NURSE INMAT |  $ 1,175.00  |  |
|  | CHILD SUPPORT PAYMENT CNT | CHILD SUPPORT |  $ 604.00  |  |
|  | O'NEILL, JUSTIN | CAAF/JUV |  $ 3,947.13  |  |
|  | ORTNER, MICHAEL P. | GAS REIMBURSEMENT |  $ 12.11  |  |
|  | PENNINGTON COUNTY JAIL | INMATE HOUSING PENNI |  $ 12,450.00  |  |
|  | PHOENIX INVESTIGATIONS | BACKGROUND CHECKS |  $ 736.00  |  |
|  | PITNEY BOWES | POSTAGE MACHINE LEAS |  $ 1,110.08  |  |
|  | RESERVE ACCOUNT | POSTAGE PITNEY BOWES |  $ 987.00  |  |
|  | QUILL CORPORATION | OFFICE SUPPLIES |  $ 119.28  |  |
|  | RANCHERS FEED & SUPPLY | SUPPLY |  $ 50.00  |  |
|  | RENSCH LAW OFFICE | CAA |  $ 542.22  |  |
|  | RUSHMORE COMMUNICATIONS | REPAIR EMERGENCY RAD |  $ 165.50  |  |
|  | SAFELITE FULTILLMENT, INC | REPAIR |  $ 688.96  |  |
|  | SOUTH DAKOTA ST TREASURER | SOUTH DAKOTA STATE T |  $ 200.73  |  |
|  | SOUTH DAKOTA ST TREASURER | SALES TAX LATE FEE |  $ 5.00  |  |
|  | SD COUNTIES | 2016 COUNTY CONVENTI |  $ 700.00  |  |
|  | SDSU WEST RIVER AG CENTER | MILEAGE REIMBURSEMEN |  $ 98.60  |  |
|  | SD RETIREMENT SYSTEM | SDRS CONTRIBUTION |  $ 15,697.72  |  |
|  | SDVSA | SDVSO MEMBERSHIP/CON |  $ 85.00  |  |
|  | SERVALL | SUPPLY/MATS/RUGS/UNI |  $ 161.02  |  |
|  | OGLALA SIOUX TRIBE | TAX ADJUSTMENT |  $ 1,217.16  |  |
|  | SHOPKO STORES OPERATING | INMATE PHARMACY/SUPP |  $ 243.68  |  |
|  | SKINNER, MATTHEW L. PC | CAAF/JUV |  $ 1,716.00  |  |
|  | SOFTWARE SERVICES INC | DATA PROCESSING BOSA |  $ 1,260.00  |  |
|  | SD SUPPLEMENT RETIREMENT | SDRS SUP RETIREMENT |  $ 500.00  |  |
|  | STATE REMITTANCE CENTER | AUTO/MI STATE REMITT |  $ 611.63  |  |
|  | THOMSON REUTERS | CRIMINAL LAW BOOKS |  $ 190.00  |  |
|  | PRO BUILD | SUPPLY |  $ 29.20  |  |
|  | UNITED WAY BLACK HILLS | UNITED WAY DONATION |  $ 20.00  |  |
|  | VAN DIEST SUPPLY | SUPPLY |  $ 2,071.00  |  |
|  | VERIZON WIRELESS | VERIZON WIRELESS |  $ 787.55  |  |
|  | WARNE CHEMICAL & EQUIP. | SUPPLY |  $ 485.44  |  |
|  | WOODY'S WORK SHOP | COUNTY POOR |  $ 60.00  |  |
|  |  |  |  **$ 132,561.71**  |  **$ 132,561.71**  |
| **COUNTY ROAD & BRIDGE** |  |  |  |
|  | FIDELITY SEC. LIFE INS CO |  EYE INSURANCE |  $ 80.66  |  |
|  | AMERICAN FAMILY ASSURANCE |  AMERICAN FAMILY ASSU |  $ 448.60  |  |
|  | CARDMEMBER SERVICE |  CARDMEMBER SERVICES |  $ 59.64  |  |
|  | CHEYENNE SANITATION |  SANITATION COLLECTIO |  $ 74.00  |  |
|  | CITY OF EDGEMONT |  CITY OF EDGEMONT WAT |  $ 80.60  |  |
|  |  DELTA DENTAL PLAN OF SD |  DELTA DENTAL |  $ 444.95  |  |
|  |  EFTPS |  EFTPS TAXES |  $ 8,164.71  |  |
|  |  GOLDEN WEST |  PHONE BILL/LONG DIST |  $ 267.36  |  |
|  |  HEAVY HIGHWAY FRINGE |  INSURANCE FEES |  $ 150.00  |  |
|  |  CITY OF HOT SPRINGS |  CITY WATER BILL |  $ 33.03  |  |
|  |  RICOH USA INC |  HWY DEPT COPIER LEAS |  $ 75.00  |  |
|  |  IOWA LABORERS DISTRICT |  HEALTH INSURANCE |  $ 3,285.00  |  |
|  |  JENNIGES, EDITH |  REIMBURSE GAS RECIEP |  $ 30.00  |  |
|  |  LIUNA LABORERS LOCAL 620 |  UNION DUES |  $ 150.00  |  |
|  |  NATIONWIDE RETIREMENT SOL |  NATIONWIDE RETIREMEN |  $ 73.53  |  |
|  |  SD COUNTIES |  2016 COUNTY CONVENTI |  $ 175.00  |  |
|  |  SD RETIREMENT SYSTEM |  SDRS CONTRIBUTION |  $ 3,989.16  |  |
|  |  SD WILDLAND FIRE |  FLAME RESISTANT CLOT |  $ 1,536.44  |  |
|  | OGLALA SIOUX TRIBE | TAX ADJUSTMENT |  $ 203.39  |  |
|  |  |  |  **$ 19,321.07**  |  **$ 19,321.07**  |
| **911 SURCHARGE REIMB** |  |  |  |
|  |  GOLDEN WEST TECHNOLOGIES |  TECHNOLOGY/SERVER/MA |  $ 397.60  |  |
|  |  GOLDEN WEST |  PHONE BILL/LONG DIST |  $ 589.63  |  |
|  |  CENTURY LINK |  911 DISPATCH LINE TR |  $ 8.84  |  |
|  |  CENTURY LINK |  911 DISPATCH INCOMIN |  $ 632.38  |  |
|  |  RUSHMORE COMMUNICATIONS |  REPAIR EMERGENCY RAD |  $ 294.00  |  |
|  |  |  |  **$ 1,922.45**  |  **$ 1,922.45**  |
| **FIRE PROTECTION FUND** |  |  |  |
|  |  HOT SPRINGS AUTOMOTIVE |  AUTO SUPPLY PARTS |  $ 186.06  |  |
|  |  |  |  **$ 186.06**  |  **$ 186.06**  |
|  **EMERGENCY MGT** |  |  |  |
|  |  CARDMEMBER SERVICE | CARDMEMBER SERVICES |  $ 164.42  |  |
|  |  DELTA DENTAL PLAN OF SD | DELTA DENTAL |  $ 15.69  |  |
|  |  EFTPS | EFTPS TAXES |  $ 1,640.94  |  |
|  |  GOLDEN WEST TECHNOLOGIES | TECHNOLOGY/SERVER/MA |  $ 198.80  |  |
|  |  GOLDEN WEST | PHONE BILL/LONG DIST |  $ 124.29  |  |
|  |  GRAHAM TIRE PIERRE | NEW TIRES COUNTY VEH |  $ 30.00  |  |
|  |  HILLS EDGE AUTO SALES | COUNTY VEHICLE REPAI |  $ 95.00  |  |
|  |  HOT SPRINGS AUTOMOTIVE | AUTO SUPPLY PARTS |  $ 503.22  |  |
|  |  PITNEY BOWES | POSTAGE MACHINE LEAS |  $ 22.66  |  |
|  | RESERVE ACCOUNT | RESERVE ACCOUNT |  $ 2.00  |  |
|  | SD RETIREMENT SYSTEM | SD RETIREMENT SYSTEM |  $ 568.74  |  |
|  | VERIZON WIRELESS | VERIZON WIRELESS |  $ 252.90  |  |
|  |  RESERVE ACCOUNT |  POSTAGE PITNEY BOWES |  $ 2.00  |  |
|  |  SD RETIREMENT SYSTEM |  SDRS CONTRIBUTION |  $ 568.74  |  |
|  |  VERIZON WIRELESS |  VERIZON WIRELESS |  $ 252.90  |  |
|  |  |  |  **$ 4,442.30**  |  **$ 4,442.30**  |
|  **L.E.P.C. GRANT (FED/STATE GRANTS)** |  |  |  |
|  | A & B WELDING SUPPLY CO. | SUPPLY |  $ 324.38  |  |
|  | EFTPS | EFTPS TAXES |  $ 72.28  |  |
|  | HAPPE, SHELBY | REIMBURSEMENT SUPPLY |  $ 95.82  |  |
|  | HAPPE, SHELBY | MILEAGE REIMBURSEMEN |  $ 746.82  |  |
|  |  |  |  **$ 1,239.30**  |  **$ 1,239.30**  |
| **24/7 SOBRIETY FUND** |  |  |  |
|  |  EFTPS | EFTPS TAXES |  $ 322.78  |  |
|  |  |  |  **$ 322.78**  |  **$ 322.78**  |
| **COURTHOUSE BUILDING FUND** |  |  |  |
|  |  HOT SPRINGS ACE HARDWARE |  ACE HARDWARE SUPPLY |  $ 359.85  |  |
|  |  OGLALA SIOUX TRIBE |  TAX ADJUSTMENT |  $ 54.25  |  |
|  |  |  |  **$ 414.10**  |  **$ 414.10**  |
|  |  |  |  |  **$ 160,409.77**  |

 Break was held at 10:26 am and resumed at 10:36 am.

 Budget work began at 10:36 am with commissioners reviewing budget requests and budget needs. Certain recommendations were also reviewed which included changing the department classification of Elderly Meals be Care of Aged, and changing Dispatch (Communications) from the General Fund to the 911 fund.

 Motion by Russell, seconded by Falkenburg to move to executive session for personnel and Union negotiations, as per SDCL 1-25-2 (1) at 11:18 am. Exited session at 11:48.

 Motion by Falkenburg, seconded by Russell to approve union step raises for LaVella Birkland to $11.81 effective August 3, 2016 and for Jamie Padgett to $10.75 per hour effective August 5, 2016.

 The meeting continued with Denise Mesteth, Director of Oglala Sioux Land Office and the Oglala Sioux Tribe’s request for exempt status on their tribal land in Fall River County. The land in question was acquired from Honeywell, Inc. Present were the Mark Van Orman, Special Council for the OST; Michael Her Many Horses, Tribal Council; David Pourier, Chairman of the Land Committee, Karla LaRive from the Wild Horse Sanctuary and Jim Sword, State’s Attorney. Resolution #16-109 from the Oglala Sioux Tribe was presented to the Board. Sword gave history of their tax exemption request that was previously made, noting an objection by the Attorney General. The Board, referring to action taken at a previous meeting granting abatement and refunds for the Wild Horse Sanctuary, requested a copy of the lease between the OST and the Wild Horse Sanctuary. Mesteth states that the contract is drafted and signed but they have yet to receive a copy from the Wild Horse Sanctuary.

 The Oglala Sioux Tribe would like to work with Fall River County in reclaiming the 1,227 acres in Flint Hills as it was historically Native American land. Discussion was held on law enforcement, fencing, fire protection and agricultural status for properties. The State’s Attorney, Emergency Management and the Sheriff will review the proposed agreement. Ortner is willing to review a letter from the BIA regarding fire funds. Motion by Russell, seconded by Allen to support willingness to enter into discussions with the Oglala Sioux Tribe Land Office regarding tribal land. With Falkenburg voting no and the rest voting yes the motion passed.

 Motion by Falkenburg, seconded by Russell to recess for lunch at 12:19 pm.

 Meeting called back to order at 1:19 pm.

 Motion by Abbott, seconded by Russell to move to executive session for personnel matters to conduct employee grievance hearing as per SDCL 1-25-2 (1) at 1:20 pm. Board came out of executive session at 3:07 pm.

 Motion by Allen, seconded by Falkenburg to that the employee grievance filed by Jacki Miller be denied and that her termination of employment was justified.

Motion by Russell, seconded by Abbott to adjourn as Board of Commissioners at 3:07 pm.

 /s/ Michael P Ortner

 Michael P Ortner, Chairman

 Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor