

FALL RIVER COUNTY MINUTES OF FEBRUARY 27, 2018

The Fall River Board of County Commissioners met in regular session on February 27, 2018 in the courtroom on the second floor of the Courthouse. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Paul Nabholz, Deb Russell and Sue Ganje, Auditor.

The Pledge of Allegiance was stated 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 PASSED 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 February 6, 2018.

Motion made by Nabholz, seconded by Abbott, to approve the 2018 100% Federal Poverty Eligibility Chart.

Sue Ganje, Auditor, brought the FRC Welfare draft policy back to the board. Motion made by Russell, seconded by Allen to approve the Fall River County Welfare Policy, with the change to gas portion of the policy.

Motion made by Russell, seconded by Abbott, to approve the 2018 Combined Election Agreement between the County, Hot Springs City and School and Oelrichs Town and School.

Bob Evans, Sheriff, met with the board. Motion made by Allen, seconded by Nabholz, to approve the sheriff to purchase a 2018 Dodge Durango off state bids in the amount of \$30,428.00.

Motion made by Nabholz, seconded by Russell to approve the first reading of the Ordinance Establishing How Section Lines Roads Are Depicted On Plats.

Nina Steinmetz, Weed Supervisor, met with the board to report on the Annual Conference. Steinmetz stated that the county will be receiving four out of five grants that she has applied for thus far, which include a Baby's Breath Grant, Indian and Hat Creek Drainage Grant, Salt Cedar Grant and the annual Non-Competitive Grant. The above grants may have different cost share, reimbursement requirements. Discussion was held on contractors, right of way spraying, calibration of equipment, spraying calibrations, etc. It was a very informational presentation.

Lyle Jensen, Building Supervisor, met with the board. Motion made by Russell, seconded by Abbott, to approve the quote from Golden West Technologies for 25 hours of prepaid support in the amount of \$2,500.00.

Frank Maynard, Emergency Management, met with the board. Maynard applied for one mobile and three portable radios with the Homeland Security Grant, and advised that the SD DOT sent a letter regarding the need to move the flag pole out of the road right of way at the South Annex; it will be moved by May 31, 2018. Eligible Fire departments for Title III funds have been notified to submit records for reimbursement from the fund, with final disbursements in March,

which will clear out the fund. Motor vehicle accidents were reported. Maynard also advised that he approved BH Energy replacing lines in their existing path.

Paul Nabholz, Commissioner, spoke of the 2-6-18 meeting where the county accepted gravel from KD Construction when sample testing showed the failing of the P.I. (Plasticity Index) portion of the specifications. He had questions on acceptance for Randy Seiler, Highway Superintendent. Deputy State's Attorney Brian Ahrendt requested they discuss this in executive session for personnel.

Nabholz continued discussion on the gravel, and that more time/money will be spent mixing loads taken from the pit, also noting of conversations he had with Cliff Reuer from LTAP (SD Local Transportation Assistance Program) on the testing that failed the P.I., noting the first response he received was that the gravel should not be purchased; days later Reuer called back and said the gravel may be ok using an average of samples. Motion made by Nabholz to request the State's Attorney's office confirm open meeting laws had not been violated by acting to waive penalties, without being on agenda. Motion dies for a lack of a second. Ahrendt advised that their office only submits opinions when formal complaints had been filed, and unless a motion was made to reconsider action it was a done deal.

Nabholz discussed that video recording of meetings would be great to have and re-play. Motion made by Nabholz to video tape commissioner meetings in the future. Falkenburg advised Allen had information to share that may provide input on this. Motion dies for a lack of a second.

Motion made by Nabholz, seconded by Falkenburg to table the idea of video recording until later in the meeting.

Falkenburg invited Randy Seiler to the table, with more discussion about the gravel from KD Construction. Greg Vavra, Program Manager for LTAP, SD Local Transportation Assistance Program from SDSU gave a power point on the proper way to test gravel and the optimum way to get results. Vavra had looked at the gravel pit owned by KD Construction and believed that it was safe. Vavra stated it was illegal for Nabholz to be at the gravel pit. Samples that are taken were usually figured on an aggregate basis and were within the guidelines. Vavra had also discussed fracturing, safety, winds, blending, plasticity and the importance of a good road grader. Seiler had shown Vavra sections of the Smithwick Road where the gravel had been put down to test. Vavra believes that this gravel will reduce wash boarding, this is great gravel. Further discussion was held about the testing and what roads this gravel would work the best on, and future specs for gravel crushing. Nabholz would still like the other commissioners to think about rescinding paying KD Construction. None of the other commissioners were willing to do so.

Randy Seiler, Highway Superintendent, presented business for the board. Propane bids to fill the Edgemont tank were received on 2-5-18 from Hi-D-Way, \$1.50/gal; Nelson's Oil & Gas, \$1.59/gal and CBH Co-op for \$1.88/gal. Motion made by Russell, seconded by Abbott, to approve the propane quote of \$1.50 per gallon from Hi-D-Way Oil and Gas.

Motion made by Russell, seconded by Allen to allow Seiler to purchase culverts off the Beadle County bids, as per state law.

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

FALL RIVER COUNTY RESOLUTION #2018-04

WHEREAS, Title 23, Section 151, Unites States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and reinspection at intervals not exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

Therefore, Fall River County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Brosz Engineers (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, makes payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The county will be responsible for the required 20% matching funds.

Dated this 27th day of February, 2018, at Hot Springs, SD.

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

ATTEST:

/s/Sue Ganje, County Auditor
Fall River County

Results of the Sealed bids for Asphalt Surface Treatment (Chip Seal), 2018, were presented to the Board, as reviewed for compliance by Brosz Engineering and the Hwy Supt. Bids were received from Simon Contractors of SD, Inc. in the amount of \$563,420.20 and Bituminous Paving, Inc. in the amount of \$541,893.00. Motion made by Allen, seconded by Abbott, to approve the bid from Bituminous Paving, Inc. in the amount of \$541,893.00.

Seiler advised he had no new information on the Chilson Bridge at this time. Discussion was held on possibilities and solutions that could be done with the Chilson Bridge. Chairman Falkenburg asked that all questions and concerns be held until they hear from the SDDOT on ownership of the Mickelson Trail.

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

GENERAL FUND

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$121.33
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$624.01
ASSN OF SD COUNTY W&P BDS	SUPPLY	\$49.50
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$96.06
A-Z SHREDDING INC	SHREDDING	\$51.40
BEHAVIOR MANAGEMENT SYS	2018 ANNUAL ALLOCATION	\$7,500.00
BH COUNCIL OF LOCAL GOV	2018 MEMBERSHIP DUES	\$3,685.00
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$2,886.31

CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$1,212.31
CHEYENNE SANITATION	SANITATION COLLECTION	\$401.73
CITY/CO ALCOHOL & DRUG	DETOX TREATMENT	\$1,388.50
COLBATH, ANGELA M	CAAF	\$2,883.90
CREDIT COLLECTION BUREAU	COLLECTIONS	\$107.71
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DATA MANAGEMENT, INC	SOFTWARE SUPPORT	\$1,592.00
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,443.05
DEMERSSEMAN JENSEN	CAAF	\$498.20
DENISON, FRANCES	REIMBURSEMENT	\$50.40
EN-TECH LLC	FUMICATION	\$410.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$128.75
DUDE SOLUTIONS	GIS SUPPORT	\$226.80
FALKENBURG, JOE	MILEAGE REIMBURSEMENT	\$312.48
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$592.42
FARRELL,FARRELL &GINSBACH	CAAF	\$3,008.52
4-H LEADERS ASSOCIATION	SUPPLIES	\$67.72
FALL RIVER COUNTY HERALD	PUBLICATION	\$23.94
GALLS	UNIFORM ALLOWANCE	\$222.58
GOFF, GARLAND LEE	CAAF/MIL	\$3,275.05
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$3,310.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$1,265.54
HARRINGTON, MARDOQUEO	REIMBURSEMENT	\$278.06
SIMKINS, SUSIE	TRAVEL REIMBURSEMENT	\$79.00
HEARTLAND REAL ESTATE	GARNISHMENT	\$100.00
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$555.00
HOBART SALES & SERVICE	JAIL REPAIR/SERVICE	\$431.67
HOT SPRINGS ACE HARDWARE	SUPPLY	\$1,581.00
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$31.63
CITY OF HOT SPRINGS	CITY WATER BILL	\$305.93
HOT SPRINGS HOUSING	COUNTY ASSISTANCE	\$351.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$16,051.20
JENSEN, LYLE	REIMBURSEMENT	\$8.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$250.00
LARIMER COUNTY SHERIFF	CIVIL SERVE	\$17.00
MARCO	COPIER LEASE	\$155.00
MASTEL, BRUCE	DATABASE SETUP & MON	\$35.00
MCLEODS OFFICE SUPPLY CO.	SUPPLIES	\$225.00
MEDICAL WASTE TRANSPORT	UTILITY	\$137.09
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$185.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$29.42
NELSONS OIL & GAS INC.	FUEL	\$1,088.80
NEW YORK LIFE INSURANCE	NEW YORK LIFE INSURANCE	\$65.00
NORTON'S SINCLAIR	CAR MAINTENANCE	\$387.07

NORTON, TINA	CONTRACT NURSE INMATE	\$1,225.00
O'DAY, VALARIE	COURT REPORTER	\$229.80
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$1,259.00
O'NEILL, JUSTIN	CAAF	\$2,835.21
PENNINGTON COUNTY AUDITOR	MI	\$47.00
PENNINGTON COUNTY JAIL	INMATE HOUSING/INMATE TRANSPORTATION	\$4,062.80
PITNEY BOWES	POSTAGE MACHINE LEASE	\$1,110.08
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$854.00
QUILL CORPORATION	SUPPLIES	\$914.44
RADIOLOGY ASSOCIATES	INMATE MEDICAL	\$23.80
RAPID CITY JOURNAL (THE)	PUBLICATION	\$29.34
RAPID CITY REGIONAL	MORGUE FEE	\$443.00
SEWARD COUNTY COURT	COURT COPIES	\$5.75
SDACC	WELFARE & COMMISSION	\$200.00
SD DEPARTMENT OF REVENUE	BLOOD DRAW	\$45.00
SDSU EXTENSION	4-H ADVISORY SALARY	\$9,718.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$16,498.50
SHOPKO STORES OPERATING	INMATE PHARMACY/SUPPLY	\$62.47
SKINNER, MATTHEW L. PC	CAAF	\$2,177.65
SOFTWARE SERVICES INC	DATA PROCESSING BOSA	\$1,020.00
SD SUPPLEMENT RETIREMENT	SDRS SUP RETIREMENT	\$850.00
SPITZER CONSTRUCTION INC	SNOW REMOVAL	\$1,750.00
SPOT WRANGLERS	CONTRACT SERVICES	\$450.00
SPRINGS SENIOR CITIZENS	2018 BUDGETED ALLOTMENT	\$4,100.00
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$1,271.63
STATE SUPPLY	BOILER PART	\$142.16
STEVENS, MIKAYLA	BLOOD DRAW	\$75.00
TODD COUNTY TRIBUNE	PUBLICATION	\$53.94
BUILDERS FIRST SOURCE	SUPPLY	\$525.01
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$15.00
VERIZON WIRELESS	VERIZON WIRELESS	\$781.00
WINTER, PAUL R.	CAAF	\$5,290.80
BEHRENS, DONNA	MILEAGE REIMBURSEMENT	\$42.00
COMMISSIONERS	FEBRUARY SALARY	\$4,100.00
AUDITOR OFC	FEBRUARY SALARY	\$13,898.55
AUDITOR OFC	OVERTIME	\$88.45
TREASURER OFC	FEBRUARY SALARY	\$10,772.54
TREASURER OFC	OVERTIME	\$23.29
STATE'S ATTORNEY OFC	FEBRUARY SALARY	\$8,407.82
STATE'S ATTORNEY OFC	OVERTIME	\$332.57
MAINTENANCE DEPT	FEBRUARY SALARY	\$9,190.61
ASSESSOR OFC	FEBRUARY SALARY	\$11,843.77
ASSESSOR OFC	OVERTIME	\$73.01
REGISTER OF DEEDS OFC	FEBRUARY SALARY	\$8,418.17

REGISTER OF DEEDS OFC	OVERTIME	\$4.69
VETERAN'S SERVICE OFFICER	FEBRUARY SALARY	\$3,296.68
GIS DEPT	FEBRUARY SALARY	\$3,243.47
CORONER	FEBRUARY SALARY	\$150.00
NURSE OFC	FEBRUARY SALARY	\$3,298.25
EXTENSION OFC	FEBRUARY SALARY	\$3,192.65
EXTENSION OFC	OVERTIME	\$61.22
WEED DEPT	FEBRUARY SALARY	\$3,578.76
SHERIFF DEPT	FEBRUARY SALARY	\$30,920.48
SHERIFF DEPT	OVERTIME	\$4,509.70
JAIL DEPT	FEBRUARY SALARY	\$17,220.18
JAIL DEPT	OVERTIME	\$3,138.56
	TOTAL FOR GENERAL FUND	\$259,209.14

COUNTY ROAD & BRIDGE

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$48.60
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$421.58
B H ELECTRIC COOP INC.	UTILITY HIGHWAY ELECTRIC	\$95.38
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$106.49
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$80.60
DEBOER AG SERVICE	REIMBURSEMENT	\$73.32
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$404.50
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$229.44
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$256.53
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$135.00
CITY OF HOT SPRINGS	CITY WATER BILL	\$18.51
RICOH USA INC	HWY DEPT COPIER LEASE	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$3,377.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$125.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$50.00
PJ'S HI-D-WAY	UTILITY	\$562.50
QUILL CORPORATION	SUPPLIES	\$13.99
RAPID CITY JOURNAL (THE)	PUBLICATION	\$25.23
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$4,923.90
HIGHWAY DEPARTMENT	FEBRUARY SALARY	\$37,042.81
HIGHWAY DEPARTMENT	OVERTIME	\$3,989.63
	TOTAL FOR COUNTY ROAD & BRIDGE	\$52,129.51

911 SURCHARGE REIMBURSMENT

CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$337.55
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$490.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$804.64
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,011.50

LIUNA LABORERS LOCAL 620	UNION DUES	\$50.00
MESSERLI & KRAMER	COLLECTIONS	\$117.24
PORTFOLIO RECOVERY ASSOC.	GARNISHMENT	\$95.76
CENTURY LINK	DISPATCH TRANSFER/911 DISPATCH INCOMING	\$595.91
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$2,124.86
DISPATCH DEPT	FEBRUARY SALARY	\$16,820.39
DISPATCH DEPT	OVERTIME	\$886.74
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$29,712.45

EMERGENCY MANAGEMENT

CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$158.92
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$245.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$105.19
HOT SPRINGS ACE HARDWARE	SUPPLY	\$30.57
NASASP	NASASP	\$39.00
PITNEY BOWES	POSTAGE MACHINE LEASE	\$22.66
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$1.00
QUILL CORPORATION	SUPPLIES	\$149.98
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$545.84
VERIZON WIRELESS	VERIZON WIRELESS	\$158.76
FALL RIVER EMERGENCY MANAGEMENT	FEBRUARY SALARY	\$4,673.56
	TOTALS FOR EMERGENCY MANAGEMENT	\$6,130.48

M & P RELIEF

MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$145.00
	TOTAL FOR M & P RELIEF	\$145.00

COURTHOUSE BUILDING FUND

CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$232.50
HOT SPRINGS ACE HARDWARE	SUPPLY	\$197.64
	TOTAL FOR COURTHOUSE BUILDING FUND	\$430.14
	TOTAL PAID BETWEEN 2/7/18 AND 2/27/18	\$342,482.90

Break was taken at 10:51 a.m. and meeting resumed at 11:00 a.m.

Public comment was heard from Don Ackerman who voiced concerns about the school in Hot Springs and proposed budget cuts, without notifying the public of what their plans are. Ackerman asked if commissioners could work with the city and school to attempt to solve the issue. Russell spoke of the possibility of an opt-out, for additional funds, noting how school funding is tied to the state and how drops in population decreases funding.

Dar Coy and Les Madsen from the Hot Springs and Minnekahta Fire Departments met briefly with the board on dispersing Title III funds, and presented their department's information.

The agenda policy was addressed. Allen spoke of how Pennington County conducted their meetings. Agenda items must be to the clerk's office 2-3 days in advance; items are reviewed by the chairman of the board for final approval. Pennington County videos their meetings; Allen is still

not in favor of this, suggesting audio recording. Commissioners also had some questions on how items were listed on agendas, Deputy State's Attorney will review and bring back to the board.

Motion made by Nabholz, to approve video recording the meetings and make available to the public. Motion dies for lack of a second.

Keith Fisk, Game Fish and Parks Wildlife Damage Program Administrator, met with the board. Discussion was held on the dollar amount the county is assessed per state law, \$5,513.18 for 2018, which reflects \$.06 per head of livestock and \$.25 per sheep. This is according to the latest US Dept of Commerce Census of Agriculture. Cost for services spent in Fall River county in 2017 was approximately \$56,000. Fisk reported statistics on work done in the county, and fielded additional questions by the board.

Carl Shaw, Edgemont City Council, met with the board. Motion made by Falkenburg, seconded by Nabholz, to approve the continuation of annexing the Airport into the City boundaries, as required by SDCL for un-platted Agricultural land.

Motion made by Nabholz, seconded by Allen to enter executive session as per SDCL 1-25-2 for legal purposes at 11:50 a.m. It was determined the discussion was not a proper executive session issue. The chairman declared the board out of executive session at 11:52 a.m.

Nabholz requested an executive session for personnel. Motion made by Allen, seconded by Nabholz to enter executive session as per SDCL 1-25-2 for personnel purposes at 11:55 a.m. With Russell and Falkenburg voting no and Allen then asking to be excused, motion fails.

Motion made by Russell, seconded by Abbott, to adjourn the meeting at 11:58 a.m.

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

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor