

FALL RIVER COUNTY MINUTES OF OCTOBER 2, 2018

The Fall River Board of County Commissioners met in regular session on October 2, 2018 in the courtroom on the second floor of the Courthouse. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Paul Nabholz, Deb Russell and Aaron Eberle, Administrative Assistant.

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

Motion made by Russell, seconded by Abbott, to approve the minutes of September 18, 2018.

Frank Maynard, Emergency Management, met with the board. Motion made by Russell, seconded by Abbott, to approve the SLA quarterly report and authorize the chairman to sign.

Motion made by Russell, seconded by Nabholz, to approve the Resolution - Appointment of Applicant Agent for the Hazard Mitigation Grant Program (HMGP) and authorize the chairman to sign.

Motion made by Abbott, seconded by Russell, to approve travel for Maynard to attend the Access and Functional Needs Preparedness Planning for Rural Communities in Pierre on October 16, 2018.

Motion made by Allen, seconded by Russell, to approve Maynard applying for a commodity flow grant, to be conducted at Edgemont (Hwy 18 and the BNSF railroad).

Maynard will be attending a pre-blizzard planning on October 18, 2018 in Rapid City.

Lyle Jensen, Building Supervisor, met with the board. Jensen did not receive a quote for duct cleaning, but updated the board on the bullet proofing that had been done in the courtroom.

Paul Nabholz, Commissioner, met with the board to discuss tax deeds and properties that have IRS liens on them, and he shared information he learned from a 2007 Tax Lien book by Larry Loftis. An IRS lien should not affect delinquent tax agreements.

Mike Ortner, Attorney, met with the board and presented a petition to vacate a R-O-W for Michael and Regina Eichenberger. A notice of hearing will be published two times. Motion made by Nabholz, seconded by Russell, to approve setting a hearing on Thursday, November 8, 2018 at 10 a.m.

Kelli Rhoe, Treasurer, and Kayla Larsen met with the board. Motion made by Nabholz, seconded by Allen, to not offer the delinquent tax agreement for Kayla Larsen as tax deed proceedings have been started.

John McBride, Andersen Engineers, met with the board. Motion made by Russell, seconded by Nabholz, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2018-21

A plat of Lot 3 of Green Valley Subdivision in part of the NE1/4NW1/4 of Section 20, T7S, R5E, 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 2nd day of October, 2018.

ATTEST:

/s/Aaron Eberle, Administrative Assistant
Fall River County Auditor's Office

/s/Joe Falkenburg

Fall River County Board of Commissioners

Motion made by Allen, seconded by Russell, to approve the following resolution, contingent upon obtaining the needed signature:

FALL RIVER COUNTY RESOLUTION #2018-22

A plat of Lot 22 and Lot 23 of Tract Seger-1, Locate 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 2nd day of October, 2018.

/s/Joe Falkenburg

Fall River County Board of Commissioners

ATTEST:

/s/Aaron Eberle, Administrative Assistant

Fall River County Auditor's Office

Discussion was held again on the survey required by state statute for the formation of a road district. John McBride is following the statute, Nabholz wants to wait to decide on responses that Ganje is getting from other counties that have road districts. Allen wants to accept Deputy State's Attorney Ahrendt's opinion, who again stated a survey must be done.

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

GENERAL FUND

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$88.23
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$511.95
BOB BARKER COMPANY INC	JAIL SUPPLIES	\$301.96
BEESLEY LAW OFFICE	CAAF	\$2,344.70
BRUMBAUGH & QUANDAHL,P.C.	GARNISHMENT	\$36.36
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$4,844.41
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CENTURY BUSINESS LEASING	COPIER LEASE & USAGE	\$201.95
CHRISTENSEN, SAMANTHA	MILEAGE REIMBURSEMENT	\$162.00
COLBATH, ANGELA M	CAAF	\$6,451.50
CULLEN, DAN	TRAVEL REIMBURSEMENT	\$182.50
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,375.40
DEMERSSEMAN JENSEN	CAAF	\$2,234.40
DS SOLUTIONS INC	ELECTION SUPPLY	\$175.00
EAGLE ENTERPRISES LLC	SUPPLY	\$290.39
EFTPS	PAYROLL TAXES	\$32,394.37
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$128.75
FARRELL,FARRELL &GINSBACH	CAAF	\$2,265.42
FR COUNTY TREASURER	SEPTEMBER SERVICE	\$37.05
SIMKINS, SUSIE	TRAVEL REIMBURSEMENT	\$368.42
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$570.00
HILLS EDGE AUTO SALES	CAR MAINTENANCE	\$1,886.20
CITY OF HOT SPRINGS	3RD QUARTER FIRE SPRINKLER	\$24.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$16,392.70
LIUNA LABORERS LOCAL 620	UNION DUES	\$225.00
LEWNO, LUCY	MI	\$81.50
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$401.47
MACNALLY LAW OFFICE	CAAF	\$3,342.00
MEDIBADGE, INC	SUPPLY	\$44.93

MANLOVE PSYCHIATRY GROUP	MI	\$59.90
MARCO	COPIER LEASE	\$155.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$29.42
NEW YORK LIFE INSURANCE	NEW YORK LIFE INSURANCE	\$65.00
NORTON'S SINCLAIR	AUTO REPAIR	\$521.98
NORTON, TINA	CONTRACT NURSE, INMATES	\$1,600.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$1,195.00
O'NEILL, JUSTIN	CAAF	\$4,792.48
OTIS ELEVATOR COMPANY	4TH QUARTER/SERVICE	\$396.69
PENNINGTON COUNTY JAIL	ANKLE MONITOR	\$705.00
QUILL CORPORATION	OFFICE SUPPLIES	\$1,067.90
RAPID CITY JOURNAL (THE)	ADVERTISING/PROCEEDINGS	\$1,180.86
SOUTH DAKOTA ST TREASURER	SALES TAX	\$66.20
SD DEPT OF REV & REG.	EXEMPT LICENSE PLATE	\$142.60
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$16,451.39
SERVALL	RUG/UNIFORM SERVICE	\$435.27
SD SUPPLEMENT RETIREMENT	SDRS SUP RETIREMENT	\$950.00
STATE SUPPLY	PARTS/REPAIRS	\$142.21
TRUGREEN COMMERCIAL	LAWN CARE SERVICE	\$39.06
TURNER, CAITLIN	TRAVEL REIMBURSEMENT	\$160.00
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$15.00
VANGUARD APPRAISALS INC	SOFTWARE LICENSE	\$1,950.00
VERIZON WIRELESS	CELL PHONE PLAN	\$1,006.26
BEHRENS, DONNA	MILEAGE REIMBURSEMENT	\$6.72
RHOE, KELLI	REIMBURSE TRAVEL	\$41.00
COMMISSIONER	SEPTEMBER SALARIES	\$4,100.00
AUDITOR'S OFFICE	SEPTEMBER SALARIES	\$14,468.67
AUDITOR'S OFFICE	OVERTIME	\$20.13
TREASURER'S OFFICE	SEPTEMBER SALARIES	\$11,939.39
TREASURER'S OFFICE	OVERTIME	\$17.27
STATE'S ATTORNEY'S OFFICE	SEPTEMBER SALARIES	\$8,763.48
STATE'S ATTORNEY'S OFFICE	OVERTIME	\$158.34
MAINTENANCE	SEPTEMBER SALARIES	\$9,433.44
MAINTENANCE	OVERTIME	\$121.50
ASSESSOR	SEPTEMBER SALARIES	\$13,263.71
REGISTER OF DEEDS' OFFICE	SEPTEMBER SALARIES	\$8,573.56
REGISTER OF DEEDS' OFFICE	OVERTIME	\$6.41
VETERAN'S SERVICE OFFICE	SEPTEMBER SALARIES	\$3,296.68
GIS OFFICE	SEPTEMBER SALARIES	\$3,243.47
SHERIFF'S OFFICE	SEPTEMBER SALARIES	\$30,750.63
SHERIFF'S OFFICE	OVERTIME	\$2,775.18
JAIL	SEPTEMBER SALARIES	\$17,440.09
JAIL	OVERTIME	\$2,710.18

CORONER	SEPTEMBER SALARIES	\$150.00
NURSE'S OFFICE	SEPTEMBER SALARIES	\$3,483.30
NURSE'S OFFICE	OVERTIME	\$7.03
EXTENSION OFFICE	SEPTEMBER SALARIES	\$3,419.75
WEED & PEST OFFICE	SEPTEMBER SALARIES	\$5,653.76
	TOTAL FOR GENERAL FUND	\$255,366.23

COUNTY ROAD & BRIDGE

A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$89.88
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$48.60
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$421.58
B H ELECTRIC COOP INC.	UTILITIES SMITHWICK	\$38.95
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$465.87
BUTLER MACHINERY CO	SUPPLIES/REPAIRS	\$9,223.73
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$444.95
EDDIES TRUCK SALES	REPAIRS/PARTS	\$33.76
EFTPS	PAYROLL TAXES	\$8,636.13
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIRS	\$15.42
FALL RIVER HEALTH SERVICE	RANDOM DRUG TEST	\$40.00
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$67.50
HEAVY HIGHWAY FRINGS	INSURANCE FEES	\$150.00
HILLYARD/SIOUX FALLS	SUPPLY	\$37.50
HOT SPRINGS ACE HARDWARE	SUPPLY	\$36.78
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$1,042.05
RICOH USA INC	HWY DEPT COPIER LEASE	\$75.00
INLAND TRUCK PARTS CO.	PARTS	\$46.30
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$3,415.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$125.00
MG OIL	INVENTORY/SUPPLY	\$1,504.72
NATIONWIDE RETIREMENT	NATIONWIDE RETIREMENT	\$50.00
NELSON'S OIL AND GAS INC	FUEL	\$20,180.16
NEWMAN TRAFFIC SIGNS	SIGNANGE	\$287.31
POWERPLAN OIB	REPAIRS/PARTS/LABOR	\$366.20
RAPID CITY JOURNAL (THE)	ADVERTISING PROCEEDINGS	\$17.73
RAPID DELIVERY	DELIVERY	\$28.18
RETRIEVER LLC	PARTS	\$115.00
SAFETY KLEEN	SUPPLIES	\$124.47
SD DEPT OF REV & REG.	EXEMPT LICENSE PLATE	\$156.45
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$4,485.16
SEILER, RANDY	CELLPHONE REIMBURSEMENT	\$90.00
HIGHWAY DEPARTMENT	SEPTEMBER SALARIES	\$37,309.51
HIGHWAY DEPARTMENT	OVERTIME	\$1,212.83
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$90,381.72

911 SURCHARGE REIMBURSEMENT

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$12.50
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$337.55
EFTPS	PAYROLL TAXES	\$3,676.52
HEAVY HIGHWAY FRINGS	INSURANCE FEES	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,011.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$50.00
PORTFOLIO RECOVERY ASSOC.	GARNISHMENT	\$73.76
CENTURY LINK	DISPATCH TRANSFER LICENSE	\$8.20
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$1,963.70
DISPATCH	SEPTEMBER SALARIES	\$16,153.17
DISPATCH	OVERTIME	\$211.04
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$24,875.80
FIRE PROTECTION FUND		
SD DEPT OF REV & REG.	EXEMPT LICENSE PLATE	\$6.20
	TOTAL FOR FIRE PROTECTION FUND	\$6.20
EMERGENCY MANAGEMENT		
EFTPS	PAYROLL TAXES	\$1,402.81
PUDWILL, NORMAN	HAZMAT SCANT	\$60.00
SD DEPT OF REV & REG.	EXEMPT LICENSE PLATE	\$37.20
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$596.47
VERIZON WIRELESS	CELLPHONE PLAN	\$169.94
BASTIAN, TRACY	PILOT	\$100.00
FR EMERGENCY MANAGEMENT OFFICE	SEPTEMBER SALARIES	\$5,517.38
	TOTAL FOR EMERGENCY MANAGEMENT	\$7,883.80
24/7 SOBRIETY FUND		
EFTPS	PAYROLL TAXES	\$77.08
24/7 SALARIES	SEPTEMBER SALARIES	\$503.75
	TOTAL FOR 24/7 SOBRIETY FUND	\$580.83
	TOTAL PAID BETWEEN 9/19/18 AND 10/02/18	\$379,094.60

Break was taken at 9:49 a.m. Meeting resumed at 9:55 a.m.

Joe Falkenburg and Deb Russell, Commissioners, spoke with the board about video recording. Discussion was held about a recent letter from the judge stating the recording could be done in the courtroom, but only for commissioner meetings and that mobile equipment is to be used. Russell also noted that SDCL 1-25-11 allows a person to record public meetings if the recording is reasonable, obvious and not disruptive. If the referendum on the ballot passes, the equipment will cost approximately \$10,000.00. Russell also addressed transparency of the board, noting that their meetings are covered by two newspapers, and that residents are always welcome to come to the meetings. Dusty Pence voiced comments and concerns about new information that had been brought to light

Cathy Sotherland, The Real Estate Group, and John Shelton, met with the board and

presented a plat. Motion made by Nabholz, seconded by Russell, to table the plat until the required signatures were obtained.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Russell, seconded by Abbott, to approve the application for permit to occupy the county highway right-of-way by Golden West Telecommunications to be located from 27155 Longhorn Rd – to bore across Longhorn Road and place telecommunication cable in the ROW.

Seiler presented propane bids as follows:

9-24-18

	8000 Gallons Propane
Dakota Propane	\$1.29/gallon
Hi-D-Way	\$1.35/gallon
Nelson's Oil & Gas	\$1.55/gallon

Motion made by Nabholz, seconded by Russell, to approve the low bid from Dakota Propane in the amount of \$1.29 per gallon for 8,000 gallons of propane for a total of \$10,320.00.

Motion made by Abbott, seconded by Allen, to approve the September 2018 fuel used or work performed to reimburse the highway department as follows: Weed & Pest for \$745.44; Sheriff's Department for \$2,604.43; Building for \$49.28; Emergency Management for \$106.91 (fuel and debris removal at the South Annex); Director of Equalization for \$82.31; Building for \$127.36; and Auditor for \$51.81.

Seiler spoke of last minute blading and mowing before the snow storm was supposed to hit. Phone calls that Nabholz received regarding county roads were discussed.

The hearing for the Highway Department 5 year plan was held as advertised. Concerns were raised about the rising costs of bridges. Motion made by Allen, seconded by Abbott, to approve the 2018 5 year plan as presented.

Public comment was heard from Lyle Rudloff, Dusty Pence and Paul Nabholz. Rudloff wanted a copy of the 5 year plan. Pence had more concerns about the video recording. Nabholz would like more information on the delinquent tax payment plans and noted that any motions that result in a tie, must be brought up at the next meeting. He also wants more traffic data on roads with bridges.

Motion made by Russell, seconded by Nabholz, to take the plat off the table.

Motion made by Allen, seconded by Nabholz, to approve the following resolution, contingent on signatures and authorize the chairman to sign:

FALL RIVER COUNTY RESOLUTION #2018-23

A plat of Cavern Wells Tract, Located in N1/2NW1/4 and NW1/4NE1/4 of Section 9, T8S, R5E, BHM, Fall River County, South Dakota

Containing Lot 1 east of Highway 71 and all lots 2, 3 & 4 of Morris Subdivision #2

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 2nd day of October, 2018.

ATTEST:
/s/Aaron Eberle, Administrative Assistant
Fall River County Auditor's Office

/s/Joe Falkenburg
Fall River County Board of Commissioners

Joe Falkenburg, Commissioner, again discussed the railroad crossing in Edgemont being blocked. Discussion was held on the proper phone number to call to keep it from being blocked, ways for emergency vehicles to get through, and the possibility of an Edgemont deputy having a key to let people around.

Motion made by Allen, seconded by Nabholz, to adjourn at 10:45 a.m.

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

ATTEST:
/s/ Aaron Eberle
Aaron Eberle, Administrative Assistant
Fall River County Auditor