

## **FALL RIVER COUNTY APPROVED MINUTES OF OCTOBER 16, 2018**

The Fall River Board of County Commissioners met in regular session on October 16, 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 Allen, to table the county poor assistance as the applicants did not appear on time. With Nabholz voting yes, all others voting no, motion fails.

Motion made by Russell, seconded by Nabholz, to consider approving the county poor application. Brief discussion was held and the motion was then retracted by Russell and Nabholz.

Motion made by Allen, seconded by Russell, to deny CP 2018-6.

Motion made by Nabholz, seconded by Russell, to approve the minutes of October 2, 2018.

Motion made by Nabholz, seconded by Russell, to approve the notice advertising for bids for a 3-year land lease on 240 acres in SE1/4, Section 19, W1/2SW1/4, Section 20, all in Township 8 South of Range 3 East. Hearing for sealed bids will be on November 8, 2018 at 9:30 a.m., with the effective date of December 1, 2018.

Motion made by Abbott, seconded by Nabholz, to approve setting a hearing for 2019 Liquor and Wine License Renewals on November 20, 2018 at 9:30 a.m.

Donna Behrens, Coroner, met with the board. Behrens updated the board on a recent training she attended in Sioux Falls, noting that the training was good for law enforcement officials and coroners.

Lyle Jensen, Building Supervisor, met with the board. Motion made by Abbott, seconded by Russell to approve a quote from Duct Cleaning Service for duct cleaning in the jail and law enforcement offices in the amount of \$2,300.00.

Motion made by Russell, seconded by Nabholz, to approve a quote from Audio Video Solutions for acoustic control at the south annex in the amount of \$4,351.00. With Nabholz and Allen voting no, all others voting yes, motion carries.

The board reviewed a quote for duct cleaning at the South Annex and agreed to wait to

do that.

Bob Evans, Sheriff, met with the board, noting that Deputy Steve Yenulonis has resigned. Motion made by Allen, seconded by Nabholz, to approve hiring Elizabeth Rakness to fill the vacancy as a certified Deputy Sheriff, at \$18.50 per hour, effective October 24, 2018, as per union contract.

Motion made by Abbott, seconded by Allen, to approve the copier lease for the jail in the amount of \$82.89 per month, 60 months, for a Kyocera TasKalfa 307ci color copier.

Evans advised the board on the number of inmates they had and the number of hours that have been spent in Edgemont the last few weeks.

Motion made by Nabholz, seconded by Allen, to table the Rockyford Road agenda item with Jim Ball until later in the meeting.

Suzanne Starr, State Court Administration, Director of Policy and Resources, met with the board. Starr updated the board on the importance of the Rural Recruitment Program for lawyers in small communities. The state judicial system provides 50% of the costs, while the county would provide 35% and the state bar would provide 15%. The county's dollar amount share would be \$4,479.00 per year for a total of 5 years. Revenues would be brought into the county in other forms by having the lawyer here. Discussion was held on the pros and cons of the program. Motion made by Russell, seconded by Allen to have someone from an entity that is using the program to come speak to commissioners.

John McBride and Dustin Ross, Andersen Engineers, met with the board. It was noted there was no plat for Bennett Subdivision at this time. Motion made by Russell, seconded by Allen, to approve the following resolution:

#### **FALL RIVER COUNTY RESOLUTION #2018-24**

**A plat of Lot 24 of Shep's Canyon Estates Subdivision, containing a portion of the W1/2SE1/4 of Section 22 and a portion of the NE1/4 of Section 27, T8S, 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 16<sup>th</sup> day of October, 2018.

/s/Joe Falkenburg

ATTEST:  
/s/Sue Ganje  
Fall River County Auditor's Office

Fall River County Board of Commissioners

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

**FALL RIVER COUNTY RESOLUTION #2018-25**

**Amended plat of Miller Tract West and Miller Tract East in Sections 11 and 14, T7S, R3E, BHM,  
Fall River County, South Dakota**

**Containing the N1/2N1/2 of Section 14, also the S1/2SE1/4, the S1/2SW1/4, the NW1/4SW1/4, and  
the NE1/4SW1/4 lying S of County Road, All in Section 11**

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 16<sup>th</sup> day of October, 2018.

ATTEST:  
/s/Sue Ganje  
Fall River County Auditor's Office

/s/Joe Falkenburg  
Fall River County Board of Commissioners

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

**FALL RIVER COUNTY RESOLUTION #2018-26**

**A plat of Bogner Tract East in the S1/2S1/2 of Section 4 and the NW1/4 of Section 9, all in T8S,  
R7E, BHM, Fall River County, South Dakota**

**Containing all of Tract Z, that portion of Farm Unit No. 18 S. and E. of the Main Angostura  
Channel, and the NW1/4 of Section 9 Lying W. and N. of the Main Angostura Channel (Less Tract  
A of Lot B)**

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 16<sup>th</sup> day of October, 2018.

ATTEST: /s/Sue Ganje  
Fall River County Auditor's Office

/s/Joe Falkenburg  
Fall River County Board of Commissioners

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

**FALL RIVER COUNTY RESOLUTION #2018-27**

**A plat of Provorse Tract North and Provorse Tract South of Country View DB Subdivision, located in the NW1/4NE1/4 Section 34, 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 16<sup>th</sup> day of October, 2018.

ATTEST: /s/Sue Ganje  
Fall River County Auditor's Office

/s/Joe Falkenburg  
Fall River County Board of Commissioners

Kelli Rhoe, Treasurer, met with the board. Discussion was held on continuing the moratorium on the sale of tax certificates, and pros and cons were noted. Motion made by Russell, seconded by Allen, to leave the moratorium on.

Randy Seiler, Highway Superintendent, met with the board. Seiler updated the board that they had been blading where they could. Seiler also stated that Nabholz had gone on a ride-along with him to check some roads out. Concerns were heard from Wes Davidson, Kim Allen, Dan Healy and Dave Tyson about the conditions of the county roads after the recent rain/snow received on the weekend of October 7, 2018.

Doug Kinniburgh, SD DOT Local Government Assistance, met with the board to introduce Tammy Williams, the new Program Manager. Accompanying Kinniburgh was Noel Clocksin, Programming and Funding Engineer. Kinniburgh also updated the board about the Igloo Project, noting that a proposed Mitigation Plan is being reviewed, which will then be turned over to the Corps of Engineers, and then to the R-O-W office.

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

**GENERAL FUND**

A & B WELDING SUPPLY CO.	WELDING SUPPLY	\$81.20
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$216.09
A'VIANDS LLC	INMATE FOOD	\$8,674.11
A-Z SHREDDING INC	SHREDDING	\$29.40
BLACK HILLS CHEMICAL	SUPPLY	\$233.40
CERTIFIED LABORATORIES	PARTS	\$2,556.00
DEAN SCHAEFER COURT REP	COURT REPORTER/MI	\$90.00
DEMERSSEMAN JENSEN	CAAF	\$2,105.60
ELECTION SYSTEMS & SOFT	ELECTION SUPPLIES	\$2,284.12
EVANS, ROBERT	UNIFORM ALLOWANCE	\$139.99
FALL RIVER SHERIFF TRUST	TAX DEED SERVICE	\$162.70
FARRELL,FARRELL &GINSBACH	CAAF	\$3,580.77
FALL RIVER COUNTY HERALD	PUBLICATION	\$1,198.13
FOSTER, CAROL	REIMBURSE POSTAGE	\$155.13
GOFF, GARLAND LEE	CAAF	\$4,089.10
HENNEPIN COUNTY SHERIFF	TAX DEED SERVED	\$80.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$608.75
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$37.30
JOHNSON, KIMBERLY K	COURT REPORTER	\$285.00
LAUBACH LAW OFFICE, PROF.	CAAF	\$914.80
MACNALLY LAW OFFICE	CAAF	\$0632.60
MARTY'S AUTO BODY	REPAIR	\$616.00
MCLEODS OFFICE SUPPLY CO.	ELECTION SUPPLY	\$1,001.02
NICHOLAS TOWING	TOWING	\$146.43
O'NEILL, JUSTIN	CAAF	\$822.30
PENN CO STS ATTN Y OFFICE	MENTAL ILLNESS	\$215.00
PENNINGTON COUNTY SHERIFF	TAX DEED SERVED	\$53.44
PHOENIX INVESTIGATIONS	COURT ORDERED INVESTIGATION	\$748.24
PIZZA HUT	JURY DINNER	\$80.93
QUILL CORPORATION	OFFICE SUPPLIES	\$203.93
RAPID FIRE PROTECTION INC	ANNUAL ALARM INSPECTION	\$2,165.62
ROCK COUNTY SHERIFF	TAX DEED SERVED	\$35.23
STATE SUPPLY	PARTS/REPAIRS	\$261.38
STEVENS AUTOMOTIVE	CAR MAINTENANCE	\$604.78
STEVEN'S PLUMBING	REPAIR	\$486.96
TRUGREEN COMMERCIAL	LAWN CARE SERVICE	\$39.06
BUILDER'S FIRST SOURCE	SUPPLY	\$14.17
YANKTON CO TREASURER	MENTAL ILLNESS	\$118.75
BEHRENS, DONNA	CORONER TRAINING SIOUX FALLS	\$437.12
JURY	JURY FEES	\$1,507.72
WITNESS	WITNESS FEE	\$150.82
	TOTAL FOR GENERAL FUND	\$37,863.09

**COUNTY ROAD & BRIDGE**

FALL RIVER COUNTY HERALD	PUBLICATION	\$40.92
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$40.92

**911 SURCHARGE REIMBURSEMENT**

POWERPHONE INC	DISPATCH TRAINING	\$129.00
QUILL CORPORATION	SUPPLIES	\$72.99
CENTURY LINK	DISPATCH TRANSFER LICENSE	\$591.09
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$793.08

**FIRE PROTECTION FUND**

PUDWILL, NORMAN	SPOTTER	\$45.00
BASTIAN, TRACY	FIRE SURVEILLANCE	\$75.00
	TOTAL FOR FIRE PROTECTION FUND	\$120.00

**EMERGENCY MANAGEMENT**

BAUERKEMPERS INC	TRACK SYSTEM	\$5,000.00
THE BLUE CELL, LLC	HAZMAT AWARENESS TRAINING	\$750.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$37.79
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$5.97
QUILL CORPORATION	SUPPLIES	\$463.92
	TOTAL FOR EMERGENCY MANAGEMENT	\$6,257.68

**24/7 SOBRIETY FUND**

GEN DIAGNOSTICS INC	24/7 SUPPLIES	\$2,076.50
	TOTAL FOR 24/7 SOBRIETY FUND	\$2,076.50

**COURTHOUSE BUILDING FUND**

CHRISTENSEN ELECTRIC, LLC	SERVICE	\$573.98
SPOT WRANGLERS	INSTALLATION	\$2,733.68
	TOTAL FOR COURTHOUSE BUILDING FUND	\$3,307.66
	TOTAL PAID BETWEEN 10/03/18 AND 10/16/18	\$50,458.90

Break was taken at 10:25 a.m. Meeting resumed at 10:30 a.m.

Public comment was heard from Joe Falkenburg and Jim Angell. Falkenburg noted that if all public comments were on roads, they will set a different time at a future meeting. Angell requested the tabled item from earlier in the meeting be moved to the next meeting.

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

Motion made by Nabholz, seconded by Abbott to move the Rockyford discussion to the November 8, 2018 meeting.

Susie Simkins, Director of Equalization, met with the board. Discussion was held on Great Western Properties Inc. and the possibility of changing to ag status. The board discussed the need to vacate lots in that subdivision and change covenants. Simkins will let the owner know the boards' thoughts and concerns.

Motion made by Allen, seconded by Russell, to enter into executive session to discuss legal and personnel purposes at 10:48 a.m. with deputy state's attorney, as per SDCL 1-25-2 (1) and (3).

Meeting reconvened at 11:07 a.m.

Motion made by Allen, seconded by Abbott, to adjourn at 11:08 a.m.

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

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