

FALL RIVER COUNTY APPROVED MINUTES OF JULY 16, 2019

The Fall River Board of County Commissioners met in regular session on July 16, 2019. 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 PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by Nabholz, to approve the agenda with the addition of a Letter to GF&P asking for permission to raise the Michelson-Chilson Bridge. Motion dies for lack of a second.

Motion made by Russell, seconded by Abbott, to approve the agenda, as written. With Nabholz voting no, all others voting yes, motion carries.

The minutes for July 2, 2019 were unavailable and there were no county assistance applications.

Motion made by Nabholz, seconded by Russell, to surplus to junk a Canon Maxify Printer, #02129, and Power Supply, #02065, both from the Auditor's office; Brother Printer, Nurse's office, #01852; Office Star Mesh Chair, #01686 and Canon Calculator, #1734 both from the Treasurer's office.

Motion made by Nabholz, seconded by Russell, to approve a pay raise for Teresa Pullen, (Treasurer), effective, July 9, 2019 from \$12.75 to \$12.81 (4160 hours), as per union contract.

Motion made by Abbott, seconded by Allen, to set a hearing for the distribution of 2020 PILT funds on August 6, 2019 at 9:50 a.m.

Jackie Waldner, Nurse, met with the board and thanked them for allowing them to go to the OCRS 2019 Conference Planning from July 9, 2019 – July 11, 2019.

Frank Maynard, Emergency Management, met with the board. Motion made by Russell, seconded by Allen, to approve the 3rd Quarter SLA report and authorize the chairman to sign.

Maynard updated the board about the next PDM meeting; the 2019 SD National Guard Exercise; Credentialing of responders; Battle Mountain Road, the Custer County Pre-Rally Meeting and of fires and incidents.

Kelli Rhoe, Treasurer, met with the board for a delinquent tax agreement. Discussion was held on the payments per month and approximate payoff date. Motion made by Allen, seconded by Abbott, to approve the delinquent tax payment plan for Tina Post, daughter of Catherine Tornquist, parcel number's 65190-00300-01500 and 65190-00300-01600, in the amount of \$100.00 per month. With Nabholz and Falkenburg voting no by roll call vote, all others voting yes, motion carries.

Erin McGlumphy, Extension and 4-H, met with the board and gave a quarterly update on the 4-H program, of which 115 youth are enrolled. Recent activities included were shooting sports; horse safety training; county horse show; 4-H Rodeo; YQCA; Camps; Fitting and Showmanship clinics; project areas; community service; cloverbuds program and the Cheyenne Rangers. Upcoming events were noted and McGlumphy will be working with schools to see what she can assist with in helping the youth.

Joe Messinio, Mayor of the Town of Oelrichs, met with the board. Discussion was held on the Bible Holiness church and the tax exempt status, as well as discussion on an invitation to the equalization board meeting.

The supplement and contingency hearing was held as advertised. Motion made by Nabholz, seconded by Russell, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2019-24
Supplemental Budget 2019, #1
Contingency Transfers 2019, #1

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget, and whereas, as due and legal notice has been given, the following Supplements to expenses be approved as follows to the following departments: Building Fund, Repair/Maintenance 30100X4250161, \$5,365.00 - UJS Security Grant; LEPC Fund, 23400X4260222, \$961.73 -LEPC Grant; General Fund - Sheriff Car Maintenance 10100X4272211, \$405.00 - Insurance Reimbursement; Weed Grant Expense 10100X4341615, \$15,000.00 - Weed Grant. Means of finance to be grant funds as noted, and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted to the following Departments: Juvenile Care 10100X4272215, \$5,000.00; Mental Illness Board 10100X4221445, \$5,200.00

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #1 and Contingency Transfer #1 for 2019.

Dated at Fall River County, South Dakota this 16th day of July 2019.

ATTEST:

/s/Sue Ganje

Fall River County Auditor's Office

/s/Joe Falkenburg

Fall River County Board of Commissioners

Lyle Jensen, Building Supervisor, met with the board and advised that he was unable to get any local quotes. Motion made by Nabholz, seconded by Allen, to approve the quote from Garon Products, Inc for non-slip treads for the courthouse steps, in the amount of \$6,932.91.

Motion made by Abbott, seconded by Russell, to allow dispatch to move to the jail garage and approve the quote from Nelson's Oil and Gas Inc. to install a Fujitsu 15 ½ SEER, 26,000 Btuh mini split heat pump, a/c and heating unit, in the amount of \$5,200.00. This does not include

electrical work. A quote will be coming for that.

Joe Allen introduced the first reading of Fall River County Ordinance #2019-01 as follows:

FALL RIVER COUNTY ORDINANCE #2019-01

AN ORDINANCE PROHIBITING THE USE OF DYNAMIC BRAKE DEVICES IN SPECIFIED LOCATIONS WITHIN FALL RIVER COUNTY

A dynamic braking device is a device used primarily on trucks which convert the engine from an internal combustion engine to an air compressor for the purpose braking without the use of wheel brakes. These devices are commonly referred to as “air brakes,” “Jacob’s Brakes” or “Jake Brakes.” The use or operation of a dynamic braking device is hereby prohibited in specified, identified areas, within Fall River County, unless:

- (a) Use of the dynamic braking device is necessary to avert imminent danger; or
- (b) Use by emergency vehicles.

Comments were heard from individuals and commissioners, with discussion on changing the ordinance to address un-muffled dynamic brake devices and changing to county wide and not just specified locations. Allen noted that adding un-muffled to the ordinance would be cumbersome and difficult to enforce. Newer vehicles come muffled, and older vehicles could be modified. All agreed that usage of ‘Jake Brakes’ are for safety purposes. Noise for those living near highways is a huge concern. Motion made by Allen, seconded by Abbott, to approve the first reading of the ordinance as is. With Nabholz voting no, all others voting yes, motion carries.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Russell, seconded by Nabholz, to approve the following transfers for June 2019 fuel used or work performed to reimburse the highway department as follows: Sheriff’s Department for \$3,010.35; Weed for \$744.01; Building for \$48.79; Emergency Management for \$118.94; Director of Equalization for \$67.35; and GIS for \$28.80.

Seiler advised that he had applicants for his open position and would hopefully bring hire approval back to the next meeting.

Motion made by Allen, seconded by Abbott, to take no action on selling the Cheyenne River Bridge.

Seiler updated the board that they have started mowing and that according to Game, Fish and Parks has done traffic counts on Sheps Canyon Road, with only three months of the year being heavily traveled. The Highway Department has been busy catching up.

Tom Mertz, Loiseau Construction and Gary Syverson, Team Lab, met with the board. A presentation was made on Base One, an aggregate base stabilizer. When a county road has failed by

30% or more, it is usually the base that has failed. Base One can correct the profile of the road and increase load bearing capacity. If Base One were to be used, it would be the responsibility of the County to haul in gravel and level. The company would process new gravel and asphalt, as well as make a crown and add water and additive. They will then process with an injection, do a final finish and reset crown, flood road with water and seal up with a fine finish. There has been good feedback from other companies and counties that have used this. There is not 100% dust control but better than gravel. Any kind of sealant that the county wants to add later, such as chip seal, may be added later, but they advise to not use the mag water in the initial process, if a seal is added later.

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

GENERAL FUND

A & B WELDING SUPPLY CO.	SUPPLY	\$44.16
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$1,053.20
A-Z SHREDDING INC	SHREDDING	\$42.80
BOB BARKER COMPANY INC	INMATE SUPPLY	\$131.12
BEESELEY LAW OFFICE	CAAF	\$3,864.90
BLACK HILLS CHEMICAL	SUPPLY	\$322.76
CMI SOFTWARE CORP.	ANNUAL SOFTWARE LICENSE	\$17,720.00
DEAN SCHAEFER COURT REPORTER	COURT REPORTER	\$42.00
DEMERSSEMAN JENSEN	CAAF	\$4,689.20
EAGLE ENTERPRISES LLC	PARTS	\$217.52
EN-TECH LLC	FUMIGATION	\$110.00
DUDE SOLUTIONS	GIS SUPPORT CONTRACT	\$253.31
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$3,032.43
FARRELL, FARRELL & GINSBACH	CAAF	\$1,612.25
FALL RIVER COUNTY HERALD	PUBLICATION	\$45.00
GALLS	UNIFORM ALLOWANCE	\$121.97
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$4,727.87
HAYES, SUSIE	TRAVEL REIMBURSEMENT	\$174.90
HILLYARD/SIOUX FALLS	SUPPLY	\$219.94
HOT SPRINGS ACE HARDWARE	SUPPLY	\$306.36
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$5.11
JOHNSON, KIMBERLY K	COURT REPORTER	\$1,630.00
LEBAR, JUSTINE	TRAVEL REIMBURSEMENT	\$53.00
LEWIS & CLARK BEHAVIORAL	QMHP/MI	\$178.00
LIGHT & SIREN	SHERIFF VEHICLES EQUIPMENT	\$5,614.00
LYNN'S DAKOTAMART	SUPPLY	\$33.12
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$166.93
MANLOVE PSYCHIATRY GROUP	MI	\$59.90
MARCO	COPIER LEASE	\$165.00
MCGLUMPHY, ERIN	SUPPLIES REIMBURSEMENT	\$376.32
MEDICAL WASTE TRANSPORT	MEDICAL WASTE TRANSPORT	\$172.49
MISSOULA COUNTY SHERIFF	TAX DEED SERVED	\$100.00
NELSONS OIL & GAS INC.	UTILITY	\$110.67

NORTON'S SINCLAIR	REPAIR/MAINTENANCE	\$109.00
O'NEILL, JUSTIN	CAAF	\$1,025.05
PENN CO STS ATTNY OFFICE	MI	\$215.00
PENNINGTON COUNTY JAIL	INMATE MEDICAL	\$39.61
PENNINGTON COUNTY	DETOX	\$226.00
PHOENIX INVESTIGATIONS	CAAF	\$1,011.48
QUILL CORPORATION	SUPPLIES	\$1,058.42
RAMSEY COUNTY SHERIFF	TAX DEED SERVED	\$70.00
RAPID CITY JOURNAL (THE)	PUBLICATION	\$12.36
RAPID CITY POLICE DEPT	BLOOD DRAW	\$135.00
RAPID CITY REGIONAL	MI	\$157.96
REGIONAL HEALTH	INMATE MEDICAL	\$236.10
SD DEPARTMENT OF HEALTH	BLOOD DRAW	\$480.00
SERVAL	RUGS & MATS SERVICE	\$377.31
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$520.00
THE LITTLE PRINT SHOP	PUBLISHING	\$2,009.57
TRUGREEN COMMERCIAL	LAWNCARE SERVICE	\$100.57
TURNER, CAITLIN	TRAVEL REIMBURSEMENT	\$53.00
TWO BEAR, LYNN	POSTAGE REIMBURSEMENT	\$2.85
ELECTRICAL ENGINEERING	SEMI ANNUAL INSPECTIONS	\$550.50
VANGUARD APPRAISALS INC	SOFTWARE LICENSE	\$650.00
WARNE CHEMICAL & EQUIP.	SUPPLY	\$10.61
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$3,900.00
YANKTON CO. TREASURERE	MI/QHMP	\$139.00
WITNESS	WITNESS FEES	\$104.20
	TOTAL FOR GENERAL FUND	\$60,589.82
COUNTY ROAD & BRIDGE		
QUILL CORPORATION	SUPPLIES	\$5.96
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$5.96
911 SURCHARGE REIMBURSMENT		
CENTURY LINK	911 DISPATCH LINES	\$590.40
	TOTAL FOR 911 SURCHARGE REIMBURSMENT	\$590.40
EMERGENCY MANAGEMENT		
MARCO	COPIER LEASE	\$34.05
QUILL CORPORATION	SUPPLIES	\$45.46
BASTIAN, TRACY	PILOT	\$100.00
	TOTAL FOR EMERGENCY MANAGEMENT	\$179.51
L.E.P.C. GRANT		
PUDWILL, NORMAN	SURVEYOR	\$60.00
	TOTAL FOR L.E.P.C. GRANT	\$60.00
	TOTAL PAID BETWEEN 7/3/19 AND 7/16/19	\$61,425.70

Break was taken at 10:21 a.m. and the meeting reconvened at 10:25 a.m.

Public Comment tied in with continued discussion on county roads including Old Highway 79 and County Road 6E (road to Custer/Fall River Landfill near Edgemont). Concerns were again raised about the condition of Old Highway 79, as well as costs to fix and the need for continued maintenance. Those living near existing asphalt were firmly against gravel. Nabholz stated that the 5-year plan that had been approved has the Highway Department grinding up the black top on the 4 miles west of Oelrichs. The availability of Loiseau Construction, utilizing Base One, would not be until sometime next year. Bidding may be required. For the time being, the board will have the Highway Department fill the potholes in with gravel, until a decision could be made in the future. Concerns were also raised about Old Highway 18 and Rocky Ford Road. Residents in that area asked that the roads be maintained and fixed when they can. The Ft. Igloo Road was also discussed, and the Highway Department will be out to maintain that road within the week. Nabholz also stated that on behalf of the Custer/Fall River Landfill, graveling the ½ mile on County Road 6E was fine. Nabholz asked for Seiler or Brosz to provide costs for surfacing costs.

Paul Nabholz, Commissioner, met with the board to speak on a few items, including notification that the Gun Vault in Edgemont will be offering another concealed carry enhanced class on Saturday, August 17; a meeting was held with the county's insurance company concerning employee carry in the courthouse; Code Red and telephone alerts; Custer/Fall River Landfill and their newly elected board members.

Rachel and Laura Shull, H & S Environmental Services, met with the board. They are looking into putting a Medical Waste Treatment and Transfer facility in Edgemont. The board referred them to meet with the State's Attorney to discuss the steps needed before it could be brought to the board.

Sue Ganje, Auditor, met with the board. Motion made by Abbott, seconded by Russell, to approve the agreement with Time Clock Plus for a 2-year license and maintenance contract for a total of \$5,894.74, saving \$1,028.30.

Ganje also presented her 2020 requested budget amounts for the Auditor's Office and Elections.

The board did work on the 2020 budget.

Motion made by Russell, seconded by Abbott, to enter executive session, as per SDCL 1-25-2 (4) for negotiation purposes, at 11:53 a.m.

Meeting resumed at 12:48 p.m.

Motion made by Abbott, seconded by Allen, to adjourn at 12:49 p.m.

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

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