

FALL RIVER COUNTY APPROVED MINUTES OF AUGUST 20, 2019

The Fall River Board of County Commissioners met in regular session on August 20, 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, seconded by Abbott, to approve the agenda, as written.

Motion made by Nabholz, seconded by Russell, to approve the minutes of August 6, 2019.

Motion made by Nabholz, seconded by Russell, to approve the Auditor's Account with the Treasurer 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 30th day of June, 2019.

Total Amt of Deposit in First Interstate Bank: \$182,289.60

Total Amt of Deposit in First National Bank of Lead: \$1,000.00

Total Amount of Cash: \$2,224.12

Total Amount of Treasurer's Change Fund: \$900.00

Total Amount of Checks in Treasurer's

Possession Not Exceeding Three Days: \$7,779.43

SAVINGS:

First Interstate Bank: \$910,476.51

First National Bank of Lead: \$1,029,376.80

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs: \$4,056,787.49

Black Hills Federal Credit Union: \$250,000.00

Bank of the West
Schwab Treasury

\$525,542.47
\$1,300,000.00

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:

Bayan, Fritchie \$957.52, Lic 08/24/2018

TOTAL \$8,267,868.94

Dated This 31st Day of July, 2019.

/s/ Sue Ganje, County Auditor of Fall River County

County Monies: \$7,984,530.84
Held for other Entities: \$96,569.17
Held in Trust: \$186,768.93
TOTAL: \$8,267,868.94

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, AMBULANCE AND ROAD DISTRICTS, AND THE STATE.

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

FALL RIVER COUNTY RESOLUTION #2019 - 25

WHEREAS, Fall River County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

Mileage: \$0.42 per mile; \$0.23 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

In-state meal rates of:

\$6.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;
\$14.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;
\$20.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;
\$40.00 Total

Out-of-state meal rates of:

\$10.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;
\$18.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;

\$28.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;
\$56.00 Total

Lodging In-state:

\$120.00 plus tax a day from check-in

Lodging Out-of-state:

\$175.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective August 20, 2019.

Passed and approved this 20th day of August, 2019.

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

ATTEST:

/s/Sue Ganje
Fall River County Auditor

The auditor presented a petition for formation of a new road district, which has been reviewed by the State's Attorney. Motion made by Abbott, seconded by Allen, to accept the petition and set election date for proposed Sunrise North Road District on September 10, 2019.

Brian Ahrendt, State's Attorney, met with the board. Nabholz stated that he had written a letter to the judge, but as of the meeting date had heard nothing back. Motion made by Nabholz, seconded by Russell, to table the conceal carry policy until a later date.

Frank Maynard, Emergency Management, met with the board. Motion made by Russell, seconded by Allen, to approve the Local Emergency Management Performance Grant (LEMPG).

Maynard informed the board that the CRMCS system has been updated with all the Fire and Ambulance equipment information, except for the City of Hot Springs. Personnel is now being worked on. Cards will be printed and here soon. There is a seat plane in Valentine, NE and Casper, WY. One could be moved closer if needed. The board encouraged Maynard to keep working on getting one at the Hot Springs Airport. Maynard also updated the board on 17 fires and incidents.

Bob Evans, Sheriff, was unable to meet with the board. Motion made by Nabholz, seconded by Allen, to approve hiring Kevin Jennison, jailer, \$12.50 per hour, effective August 13, 2019, as per union contract.

Patrick Ginsbach, Attorney, met with the board and presented a petition to vacate. Motion made by Russell, seconded by Abbott, to set a hearing on October 1, 2019, to vacate the section line right-of-way for Robert McCarthy.

Joe Messino, Town of Oelrichs, met with the board to discuss the commissioner's decision approving tax exempt status for the Bible Holiness Church. State's Attorney Ahrendt will send a letter to the Town that will include a timeline for the consolidated board of equalization, including approval of tax-exempt properties. The letter will also include the South Dakota Codified Laws that address qualifications for tax exempt organizations.

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

FALL RIVER COUNTY RESOLUTION #2019-26
Supplemental Budget 2019, #2
Contingency Transfers 2019, #2

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 for August 19, 2019 be approved as follows to the following departments: Payment to local agencies, (PILT monies), 10100X4260750, \$16,369.69; Payment to local agencies, (PILT Monies), 10100X4260850, \$36,927.80; Payment to local agencies, (Bankhead Jones monies), 20100X4260850, \$8,683.19; Sheriff, Donations from Coffee Cup Travel Plaza, 10100X4266211, \$3,845.50. Means of finance to be cash, 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 General fund departments: Juvenile Care, 10100X4272215, \$7,240.00, and Mental Illness Board, 10100X4221445, \$436.00, and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #2 and Contingency Transfer #2 for 2019.

Dated at Fall River County, South Dakota this 20th day of August 2019.

ATTEST:

/s/Sue Ganje

Fall River County Auditor's Office

/s/Joe Falkenburg

Fall River County Board of Commissioners

The first reading of a new ordinance prohibiting the use of dynamic brake devices was held which now addresses 'unmuffled' dynamic brake devices. Motion made by Russell, seconded by Allen, to approve the first reading of dynamic brake devices. Discussion was held including that this is a reasonable ordinance, while leaving the ability to explain the use of such brakes if needed and discussed the authority of the placement of signs (border of county or in specific locations). The second reading will be on the September 3rd agenda.

Jackie Waldner, Nurse, met with the board. Discussion was held on her quarterly report. Clientele has increased and the nurse's office is gearing up for school screenings and flu shots.

Donna Behrens, Coroner, met with the board. Motion made by Allen, seconded by Abbott,

to approve travel for Behrens and Elizabeth Rakness, Deputy Coroner, to attend the Annual Coroner training in Sioux Falls, October 7, 2019 and October 8, 2019 in Sioux Falls.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Nabholz, seconded by Russell, to approve hiring Jonathan Lovett, temporary mowing position, \$12.05 per hour, effective July 18, 2019.

Fuel quotes were presented as follows:

8/19/2019 Fuel Quotes	8,000 Gal E Unleaded
Tanner Fuel	No Bid
Nelson's Oil & Gas	\$2.1685/gallon
MG Oil	No Bid

Motion made by Russell, seconded by Abbott, to accept the low and only bid from Nelson's Oil & Gas for 8,000 gallons of unleaded, at \$2.1685 per gallons, for a total of \$17,348.00.

Motion made by Allen, seconded by Abbott, to approve the July 2019 fuel used or work performed to reimburse the highway department as follows: Sheriff's Department for \$2,711.93; Weed for \$656.01; Emergency Management for \$88.06; Director of Equalization for \$18.05; State's Attorney for \$17.77; and VSO for \$11.74.

Motion made by Russell, seconded by Nabholz, to correct Marleau Moran's hiring wage (August 6, 2019 meeting) from \$12.50 per hour to \$12.05 per hour, as per the union contract.

Seiler updated the board about replacing the bridge with an 8' culvert on the Edgemont Road. Brosz Engineering is working on a 404 permit for the Ardmore Bridge, along with work needed on the detour for that bridge. Discussion was held on the Dewey Bridge and that Tom Mertz, Louiseau, could be down after Labor Day to start work on OLD Hwy 79 to start on the 4 existing miles of asphalt. The board would like to see the Base One used within this project. More gravel is needed on that project. Seiler will continue to patch this year by Oral and in Oelrichs. Seiler also advised the state wanted to go with a 20 foot width on the Chilson Bridge, which he said no, to continue with 26 feet minimum, to allow for hay and cattle trucks.

Nabholz noted that he requested a presentation from LTAP (SD DOT) for guidance on graveling versus asphalt roads; and reported on calls he had received.

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

GENERAL FUND

A & B WELDING SUPPLY CO.	SUPPLY	\$94.34
AT&T TELECONFERENCE	CONFERENCE CALLS	\$46.95
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$387.41
BLACK HILLS CHEMICAL	SUPPLY	\$435.74
CARDMEMBER SERVICE	CARDMEMBER SERVICE	\$1,863.51
SEVENTH CIRCUIT CASA PRG	2019 ALLOTTED BUDGET	\$1,585.00
CENTURY BUSINESS LEASING	COPIER LEASE & USAGE & METER	\$1,033.72

CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CHRISTENSEN, SAMANTHA	REIMBURSEMENT/MILEAGE	\$508.20
CORRECT RX PHARMACY SERV.	INMATE PHARMACY	\$581.63
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$249.50
DAWES COUNTY SHERIFF	TAX DEED SERVED	\$18.50
EL PASO CO COMBINED COC	RECORDS	\$47.00
EN-TECH LLC	FUMIGATION	\$410.00
FALL RIVER CLINC	INMATE MEDICAL	\$184.00
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$1,749.70
FARRELL,FARRELL &GINSBACH	CAAF	\$1,663.61
FITZGERALD LAW FIRM	CAAF	\$2,722.50
GALLS	UNIFORM ALLOWANCE	\$195.56
GOLDEN WEST TECHNOLOGIES	COMPUTER	\$741.11
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$1,346.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$343.10
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$39.26
CITY OF HOT SPRINGS	CITY WATER BILL	\$772.98
LEWNO, LUCY	QMHP BOARD	\$81.50
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$77.02
MASSA DENTAL OFFICES PC	INMATE MEDICAL	\$29.00
MASTEL, BRUCE	DATABASE SETUP & MONITOR	\$35.00
MCGLUMPHY, ERIN	TRAVEL REIMBURSEMENT	\$247.38
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$202.50
NELSONS OIL & GAS INC.	UTILITY	\$705.55
NEOFUNDS	POSTAGE/POSTAGE SUPPLY	\$425.39
NICHOLAS TOWING	EVIDENCE/TOWING	\$112.67
NOHR, LINDA	BLOOD DRAW	\$200.00
NORTON'S SINCLAIR	REPAIR/MAINTENANCE	\$434.30
O'NEILL, JUSTIN	CAAF	\$2,030.35
PEDERSON LAW OFFICE, LLC	CAAF	\$1,151.90
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON	\$5,251.81
PENNINGTON COUNTY	DETOX	\$452.00
QUILL CORPORATION	SUPPLIES	\$86.75
RAPID CITY JOURNAL (THE)	PUBLICATION	\$314.03
RAPID CITY REGIONAL	MI MEDICAL	\$8,894.39
REGIONAL HEALTH	INMATE MEDICAL	\$236.10
ADDICTION RECOVERY CENTER	2019 BUDGET ALLOTMENT	\$12,000.00
SD COUNTIES	2019 COUNTY CONVENTION	\$925.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$671.63
SD NETWORK AGAINST FAMILY	MEMBERSHIP	\$200.00
SERVALL	RUGS AND MATS SERVICE	\$377.31
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$640.00
TESSIER'S INC	REPAIR	\$568.16
TRUGREEN COMMERCIAL	LAWNCARE SERVICE	\$40.23

THOMSON REUTERS	LAWBOOK SUBSCRIPTION	\$438.52
YANKTON CO. SHERIFF	CIVIL PAPERS	\$50.00
BASTIAN, TRACY	PILOT	\$50.00
	TOTAL FOR GENERAL FUND	\$54,319.54
COUNTY ROAD & BRIDGE		
B H ELECTRIC COOP INC.	UTILITY HWY ELECTRIC	\$38.87
CARDMEMBER SERVICE	CARDMEMBER SERVICE	\$22.21
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$80.60
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$253.00
CITY OF HOT SPRINGS	CITY WATER BILL	\$51.08
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$519.76
911 SURCHARGE REIMBURSMENT		
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$825.90
QUILL CORPORATION	SUPPLIES	\$68.98
CENTURY LINK	911 DISPATCH LINES	\$599.31
	TOTAL FOR 911 SURCHARGE REIMBURSMENT	\$1,494.19
EMERGENCY MANAGEMENT		
CARDMEMBER SERVICE	CARDMEMBER SERVICE	\$149.29
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$140.84
RUSHMORE COMMUNICATIONS	EMERGENCY RADIO REPAIR	\$450.00
TWILIGHT INC	FIRST AID SUPPLY	\$159.88
BASTIAN, TRACY	PILOT	\$100.00
	TOTAL FOR EMERGENCY MANAGEMENT	\$1,000.01
L.E.P.C. GRANT		
PUDWILL, NORMAN	SURVEYOR	\$60.00
	TOTAL FOR L.E.P.C. GRANT	\$60.00
24/7 SOBRIETY FUND		
CARDMEMBER SERVICE	CARDMEMBER SERVICE	\$254.04
INTOXIMETERS	24/7 SUPPLY	\$1,329.75
	TOTAL FOR 24/7 SOBRIETY FUND	\$1,583.79
M & P RELIEF		
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$165.00
	TOTAL FOR M & P RELIEF	\$165.00
COURTHOUSE BUILDING FUND		
CHRISTENSEN ELECTRIC, LLC	ELECTRICAL CONTRACT	\$299.72
	TOTAL FOR COURTHOUSE BUILDING FUND	\$299.72
	TOTAL PAID BETWEEN 8/7/19 AND 8/20/19	\$61,025.80

Break was taken at 10:07 a.m. and the meeting reconvened at 10:16 a.m.

Public comment was heard from Robin Lecy, Shep's Canyon road area, who presented a list of residents versus lake visitors on Shep's Canyon. The residents are interested in improvements being planned for OLD Highway 79; this may work in Shep's Canyon due to the amount of new

growth in the area.

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

FALL RIVER COUNTY RESOLUTION #2019-27

A plat of Meston Tract, Located in Section 16, T7S, R5E, BHM, Fall River County, South Dakota

Formerly Lot 4 revised, Block 1 of Hot Brook Canyon Subdivision, all of the vacated row that borders Lot 4 revised, and all of the vacated row between Lot 3 and Lot 4 revised, and Tracts V, X, Y and Z

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 20th day of August, 2019.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg

Fall River County Board of Commissioners

Dan Cullen, Veteran's Service Officer, met with the board to present his quarterly report. Discussion was held on trainings, claims (over \$393,000 disability or pension awards this quarter), and conferences and activities he attended.

Motion made by Abbott, seconded by Allen, to approve travel for Cullen, to attend the annual SDDVA workshop and training in Pierre, on August 26, 2019 through August 29, 2019.

The following people met with the board to make their 2020 Budget Requests:

Doug Austin, Addiction Recovery
Kehala Two Bulls, CASA

The 2020 PILT Hearing discussion was held, with Amy Ferley, Edgemont Schools, in attendance. Ferley explained why the Federal PILT monies would not affect school funding. Motion made by Abbott, seconded by Russell, to approve distributing 5% of PILT monies received in 2020 to the schools in the county. With Nabholz voting no, all others voting yes, motion carries.

Break was taken at 10:55 a.m.

Motion made by Russell, seconded by Abbott, to enter executive session, as per SDCL 1-25-2(1) for personnel purposes and SDCL 1-25-2 (4) for negotiation purposes, at 11:00 a.m.

The board came out of executive session and the board recessed for lunch at 11:58 a.m.

Meeting resumed in executive session at 1:15 p.m.

Regular meeting resumed at 3:00 p.m.

Motion made by Abbott, seconded by Nabholz, to adjourn at 3:01 p.m.

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

ATTEST:

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