

## **FALL RIVER COUNTY APPROVED MINUTES OF MAY 5, 2020**

The Fall River Board of County Commissioners met in regular session on May 5, 2020. Present: Joe Allen, Joe Falkenburg, Heath Greenough, 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. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED. The full context of the meeting can be found on the county website under Commissioners at <http://fallriver.sdcounties.org>, or under Fall River County Commission, SD at <http://www.YouTube.com>.

Motion made by Greenough, seconded by Nabholz to approve the agenda, with an addition by Nabholz to allow temporary help from Treasurer Kelli Rhoe for a 6-week maximum at the Treasurer's office. With Greenough approving the addition, all voting yes, the motion carried.

Motion made by Nabholz, seconded by Russell, to approve the April 21, 2020 minutes. The Board of Equalization minutes will be brought back.

Motion made by Russell, seconded by Greenough, to set a hearing for 2020-2021 Malt Beverage and SD Farm Wine License renewals on May 19, 2020 at 9:30 a.m.

Motion made by Greenough, seconded by Allen, to approve the Sub-Recipient agreement between the State of South Dakota, SD Department of Health, Division of Family and Community Health and Fall River County for Fiscal Year 21, WIC services.

Motion made by Greenough, seconded by Russell, to accept County Treasurer Kelli Rhoe's resignation, with great sadness and regret, and to authorize temporary help from Rhoe to the new Treasurer and office, for up to 6 weeks. The board thanked her for her service.

Motion made by Russell, seconded by Nabholz, to appoint Teresa Pullen as County Treasurer, with a starting salary of \$36,000.00 per year, with a review for appropriate adjustment in January 2021.

No applications for county assistance or death expenses were presented to the board.

Motion made by Russell, seconded by Allen, to approve the forms for Employee Request for Emergency Paid Sick Leave, & Employee Request for Expanded Family and Medical Leave.

Motion made by Greenough, seconded by Allen, to hire up to 2 additional greeters, as needed, at the auditor's discretion.

Frank Maynard, Emergency Management, met with the board to advise of the weekly meetings pertaining to COVID-19 within the state and local calls with Fall River Health, State Home and other agencies to share information and assessment of needs; Personal Protective Equipment he is continuing to order, including the ppe he has ordered and divided among the fire departments in the county. Maynard gave updates on the severe weather week webinar; training for BNSF and respirator fit testing; LEMPG for the first quarter in the amount of \$9,861.22; funding and that the SEAT (single engine air tanker) is in Rapid City. Maynard is also still getting quotes for a possible laptop purchase in the future. Falkenburg reiterated the need for the SEAT with Maynard agreeing due to the flash fuels.

Caitlin Turner (in person) and Susie Hayes (by phone), Director of Equalization, met with the board to present an abatement. Motion made by Russell, seconded by Allen, to approve the abatement for Betty J. Hunter, parcel #75480-00-100-01000, in the amount of \$174.89. Reason: Qualifies for the abatement, although received after the deadline.

Discussion was held to clarify action taken by the Consolidated Board of Equalization on April 21, 2020 for David Galdo. Motion made by Russell, seconded by Allen, to maintain consistency with prior actions, that as Mr. Galdo is currently in the process of re-platting his property, the property would be classified as agriculture for 2020 taxes payable 2021.

Motion made by Greenough, seconded by Allen, to approve the quotes for repair as follows: in the amount of \$1,367.90 for the 2007 white Durango, and for \$449.90 for the black Durango.

Julie Tomlinson, Accounts Payable, Auditor's Office, met with the board. Motion made by Greenough, seconded by Russell, to allow Risty to present VSP (Vision plan) & Life as a payroll deduction to employees, with no additional costs to the county.

Falkenburg asked Nabholz to speak with the Forest Service to clarify the intent of the sample Forest Service/County Road agreements they presented.

Melody Engebretson, Register of Deeds, met with the board. Motion made by Allen, seconded by Russell, to approve hiring Crispeen Stover, effective May 8, 2020, \$12.00 per hour, as per union contract.

Engebretson also personally thanked Vella Birkland for the extra help she had provided in the Register of Deeds office during the time the position was vacant, as well as thanking employee's and public's patience and understanding while the courthouse is currently closed.

Commissioner Nabholz met with the board to discuss State vs. local CD rates. Black Hills Community Banks was added as a depository for the county, Nabholz and Rhoe compared several things before selling most of the treasuries at Schwab before making a CD purchase at 1.45% interest rate at BHCBC for five years.

Motion made by Nabholz, seconded by Greenough, to table the forest service agreements until the next meeting.

Randy Seiler, Highway Superintendent, met with the board. The SD DOT has advised of available funds for bridge replacement, and Seiler gave a review of eligible bridges in the county. Motion made by Allen, seconded by Greenough, to approve the following bridge resolution:

**Federal Aid Bridge Replacement Program Resolution for County and Urban Projects**

WHEREAS, Fall River County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: 24-370-070  
2.7 Mi. W & 1.9 Mi. S of Oral, SD

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT (NAMES & ADDRESSES): Fall River Feedyard, 27962 Angostura Rd. P.O. Box 892 Hot Springs, S.D. 57747. Shangrila Ranch LLC. Oral S.D. 57766.

AND WHEREAS, Fall River County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Fall River is obligated and hereby agrees to reimburse the State for all cost not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

1. The condition rating is Substructure -3.
2. The bridge is not located on a County or Township designated No Maintenance or Minimum Maintenance Road.
3. The bridge is located on a field to farm to market route.
4. The load carrying capacity of the existing bridge can be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement project is at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews and construction administration.

Estimated Cost of Project Including Engineering: \$510,000  
Federal Share (81.95%): \$417,945  
Local Share (18.05): \$92,055

Vote of Commissioners/Council: Yes 5 No 0

Dated at Hot Springs, SD this 5<sup>th</sup> day of May, 2020.

ATTEST: /s/Sue Ganje  
Fall River County Auditor

/s/Joe Falkenburg  
Fall River County Board of Commissioners

Discussion was held on other repair work within the county. Nabholz requested a spreadsheet showing bridges that need repair and costs of repairs.

Motion made by Russell, seconded by Allen, to approve the approach permit for William Driskell, with the reservation that it is not a normal permit.

Fuel quotes were presented as follows:

4/27/2020 Fuel Quotes	8,000 Gal Red #2 Diesel
MG Oil	\$0.91442/gallon
Nelson's	\$1.03/gallon
Hi-D-Way	No Bid

Motion made by Greenough, seconded by Nabholz, to approve the low bid from MG Oil at \$0.91142 per gallon for 8,000 gallons of diesel, for a total amount of \$7,291.36.

Seiler updated the board that they are going to start blading again, roads are in fair shape for the most part, except for a few spots and still down 3 employees. More discussion will be held on starting wages at a later date. Discussion was also held on part exchange and gravel.

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

**FALL RIVER COUNTY RESOLUTION #2020-12**

**A plat of Solberg Tract in the E1/2 of Section 18 and the SW1/4 of Section 17, And a public access and utility easement in that part of F.H.T. tract lying in sections 17, 20 and 21, All in T10S, R2E, BHM, Fall River County, South Dakota**

**Formerly that part of F.H.T. tract in the E1/2 of Section 18 and a portion of that part of F.H.T. tract in Section 17**

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 5<sup>th</sup> day of May, 2020.

ATTEST:  
/s/Sue Ganje  
Fall River County Auditor

/s/Joe Falkenburg  
Fall River County Board of Commissioners

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

**GENERAL FUND**

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$157.24
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$590.66
AMERICAN STAMP & MARKING	NAME BADGE	\$20.14
BEESELEY LAW OFFICE	CAAF/MI	\$3,506.63
BLACK HILLS CHEMICAL	SUPPLY	\$168.62
BRUMBAUGH & QUANDAHL,P.C.	GARNISHMENT	\$36.36
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$3,422.30
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CLARK PRINTING	SUPPLY	\$275.55
CAMERON, GEORGE	COURT REPORTER	\$352.20
CARDMEMBER SERVICE	CARDMEMBER SERVICE	\$510.70
CENTURY BUSINESS LEASING	COPIER LEASE & USAGE	\$145.81
CONSTABLE MICHAEL OROZCO	PAPERS SERVED	\$80.00
CREDIT COLLECTION BUREAU	COLLECTIONS	\$32.81
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,551.15
EFTPS	PAYROLL TAXES	\$34,178.48
DUDE SOLUTIONS, INC.	GIS SUPPORT CONTRACT	\$265.98
FARRELL,FARRELL &GINSBACH	CAAF	\$1,701.17
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERVER	\$1,549.62
GOVERNMENT FORMS & SUPPLY	SUPPLY	\$265.00
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$600.00
HILLS EDGE AUTO SALES	MAINTENANCE	\$44.45
HOT SPRINGS ACE HARDWARE	SUPPLY	\$315.50
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$19,141.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$300.00
LOGUE, PATRICIA	RIDE-A-LONG	\$40.00
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$1,211.31
MURPHY LAW OFFICE PC	CAAF	\$552.20
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$500.00

NEW YORK LIFE INSURANCE	NEW YORK LIFE INSURANCE	\$65.00
NICHOLAS TOWING	INVESTIGATIONS	\$140.00
NORTON,TINA	CONTRACT NURSE INMATE	\$1,000.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$2,652.60
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
PENN CO STS ATTNY OFFICE	MI	\$215.00
QUILL CORPORATION	OFFICE SUPPLIES	\$605.77
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$16,701.77
SERVALL	RUG/UNIFORM SERVICE	\$389.79
SHRM	MEMBERSHIP	\$219.00
SKINNER, MATTHEW L. PC	CAAF	\$1,991.00
SOFTWARE SERVICES INC	SOFTWARE MAINTENACE	\$480.00
SONNY'S SUPER FOODS	SUPPLY	\$42.04
SD SUPPLEMENT RETIREMENT	SDRS SUPPLEMENT RETIREMENT	\$1,600.00
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$54.99
VAN DIEST SUPPLY	SUPPLY	\$1,372.20
VERIZON WIRELESS	CELL PHONE PLAN	\$812.10
WENDELL'S GARAGE	CAR MAINTENANCE	\$106.48
WINTER, PAUL R.	CAAF	\$2,453.80
BASTIAN, TRACY	PILOT	\$175.00
BEHRENS, DONNA	MILEAGE REIMBURSEMENT	\$76.86
JANIS, BOBBIE	REIMBURSEMENT SUPPLIES	\$24.76
COMMISSIONERS	APRIL SALARIES	\$4,100.00
AUDITOR'S OFFICE	APRIL SALARIES	\$15,674.38
AUDITOR'S OFFICE	OVERTIME	\$388.11
TREASURER'S OFFICE	APRIL SALARIES	\$13,153.49
TREASURER'S OFFICE	OVERTIME	\$5.37
STATE'S ATTORNEY'S OFFICE	APRIL SALARIES	\$11,527.22
STATE'S ATTORNEY'S OFFICE	OVERTIME	\$148.22
MAINTENANCE	APRIL SALARIES	\$9,086.51
MAINTENANCE	OVERTIME	\$445.50
ASSESSOR'S OFFICE	APRIL SALARIES	\$15,310.33
ASSESSOR'S OFFICE	OVERTIME	\$39.43
REGISTER OF DEED'S OFFICE	APRIL SALARIES	\$6,409.60
VETERAN'S SERVICE OFFICE	APRIL SALARIES	\$3,616.69
GIS	APRIL SALARIES	\$3,563.48
SHERIFF'S OFFICE	APRIL SALARIES	\$26,956.93
SHERIFF'S OFFICE	OVERTIME	\$3,258.04
JAIL	APRIL SALARIES	\$19,352.14
JAIL	OVERTIME	\$2,388.04
CORONER	APRIL SALARIES	\$750.00
NURSE'S OFFICE	APRIL SALARIES	\$3,449.05
EXTENSION OFFICE	APRIL SALARIES	\$2,080.00

WEED & PEST OFFICE	APRIL SALARIES	\$4,193.52
	TOTAL FOR GENERAL FUND	\$250,277.35

**COUNTY ROAD & BRIDGE**

A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$225.07
A1 AUTO RECYCLERS	PART	\$60.00
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$42.46
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$350.88
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$694.60
BOMGAARS	SUPPLY	\$733.82
BUILDER'S FIRST SOURCE	SUPPLY	\$3,193.49
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$2,506.85
DALE'S TIRE & RETREADING	TIRE PARTS/SUPPLY	\$340.06
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$431.70
DIESEL MACHINERY, INC	PART	\$44.28
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$209.53
EFTPS	PAYROLL TAXES	\$7,963.43
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIRS	\$535.56
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$26.80
GIBSON, CARLO	CLOTHING ALLOWANCE	\$150.00
GRIMM'S PUMP SERVICE INC	PART	\$168.97
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$120.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$70.60
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$213.11
RICOH USA INC	CONTRACT SERVICE	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,900.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$150.00
MG OIL	INVENTORY SUPPLY	\$14,974.90
PETE LIEN & SONS INC	GRAVEL	\$737.78
RAPID DELIVERY	DELIVERY	\$36.80
SAFETY KLEEN	SUPPLIES	\$660.72
SD DEPT OF TRANSPORTATION	ROAD PROJECT	\$6,074.78
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$4,001.44
SEILER, RANDY	CELL PHONE REIMBURSEMENT	\$75.00
TWILIGHT INC	FIRST AID SUPPLY	\$27.90
HIGHWAY DEPARTMENT	APRIL SALARIES	\$32,490.85
HIGHWAY DEPARTMENT	OVERTIME	\$1,448.23
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$81,734.61

**911 SURCHARGE REIMBURSEMENT**

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$29.24
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$67.21
CENTURY BUSINESS LEASING	COPIER LEASE & USAGE	\$72.90
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$405.20

EFTPS	PAYROLL TAXES	\$4,576.19
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$1,812.50
JARMAN, MARTHA	UNIFORM ALLOWANCE	\$103.84
LIUNA LABORERS LOCAL 620	UNION DUES	\$50.00
PORTFOLIO RECOVERY ASSOC.	GARNISHMENT	\$176.54
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$2,267.20
VERIZON WIRELESS	CELL PHONE PLAN	\$44.23
DISPATCH	APRIL SALARIES	\$14,981.54
DISPATCH	OVERTIME	\$3,911.69
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$28,876.14
<b>EMERGENCY MANAGEMENT</b>		
EFTPS	PAYROLL TAXES	\$1,354.60
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$569.22
VERIZON WIRELESS	CELL PHONE PLAN	\$88.46
FR EMERGENCY MANAGEMENT		
OFFICE	APRIL SALARIES	\$4,863.55
	TOTAL FOR EMERGENCY MANAGEMENT	\$6,875.83
<b>L.E.P.C. GRANT (FED/STATE GRANTS)</b>		
PUDWILL, NORMAN	LEPC	\$60.00
	TOTAL FOR L.E.P.C. GRANT	\$60.00
<b>24/7 SOBRIETY FUND</b>		
DRUG TESTS IN BULK	24/7 SUPPLY	\$1,500.00
EFTPS	PAYROLL TAXES	\$304.14
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$61.13
24/7 OFFICE	APRIL SALARIES	\$2,000.38
	TOTAL FOR 24/7 SOBRIETY FUND	\$3,865.65
<b>COURTHOUSE BUILDING FUND</b>		
FLINT ELECTRIC	SERVICE	\$3,185.18
HOT SPRINGS ACE HARDWARE	SUPPLY	\$67.83
	TOTAL FOR COURTHOUSE BUILDING	\$3,253.01
	TOTAL PAID BETWEEN 4/22/20 AND 5/5/20	\$374,942.60

Break was taken at 10:07 a.m. and meeting resumed at 10:12 a.m.

Public comment was heard from Sheriff Evans that we have 5 males and 4 females in the Fall River County Jail and 2 females in the Pennington County Jail, for a total of 11; Jeannine and Robin Lecy had concerns about Shep's Canyon Road and maintenance. Seiler added that he is touching base with Game, Fish & Parks to participate with mag water. Public comment was also heard from Falkenburg about the April 22 and April 29 conference calls with Governor Noem; comments on Chilson Bridge will be held until bids are approved and reviewed; Jim Angell expressed concerns about trust, times of crisis and misinformation on the Chilson Bridge.



Discussion was held on reopening the courthouse and the 2020-9 COVID-19 resolution. Motion made by Nabholz, seconded by Falkenburg, to open the courthouse with the doors open to the public, while adding tape marks to encourage 6-foot distancing on the first floor, with the addition of being checked at the door for temperature and washing hands, once protections are in place covering the interior office windows, possibly a week. Concerns were raised about whether to reopen or not. With Greenough and Allen voting no, all others voting yes, by roll call, motion carries.

Motion made by Russell, seconded by Nabholz, to enter executive session as per SDCL 1-25-2 (1) personnel, and SDCL 1-25-2 (3) for legal purposes with Sheriff Evans, at 11:06 a.m.

Meeting reconvened at 11:18 a.m.

Motion made by Allen, seconded by Nabholz, to adjourn at 11:18 a.m.

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

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor