

FALL RIVER COUNTY APPROVED MINUTES OF OCTOBER 20, 2020

The Fall River Board of County Commissioners met in regular session on October 20, 2020. Present: Joe Falkenburg, Heath Greenough, Paul Nabholz, Deb Russell and Sue Ganje, Auditor. Joe Allen was absent. Falkenburg asked for a prayer for our country during this time.

The Pledge of Allegiance was given, and the meeting called to order at 9:00 a.m.

The agenda was reviewed for conflicts, none noted. 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.sdcountries.org>, or under Fall River County Commission, SD at <http://www.YouTube.com>.

Allen joined the meeting at 9:01 a.m.

Motion made by Nabholz, seconded by Russell, to approve the agenda as written.

Motion made by Nabholz, seconded by Greenough, to approve the minutes of September 16 and September 29, 2020.

Motion made by Russell, seconded by Nabholz, 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 September 2020.

Total Amt of Deposit in First Interstate Bank: \$321,229.69

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

Total Amount of Cash: \$1,036.89

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

Total Amount of Checks in Treasurer's

Possession Not Exceeding Three Days: \$29,383.25

SAVINGS:

First Interstate Bank: \$4,307,907.61
First National Bank of Lead: \$1,042,581.12

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs: \$772,669.12
Black Hills Federal Credit Union: \$250,000.00
Bank of the West: \$532,351.99
Schwab Treasury: \$258,023.28
First National Bank – Lead: \$303,008.22
Black Hills Community: \$802,872.11

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:

Brun, Cyril \$806.60, 09/02/2020
Rhew, Todd & Janet \$276.80, 09/09/20

Dated This 30th Day of September 2020.
/s/Sue Ganje, County Auditor of Fall River County.

TOTAL \$8,624,581.68

County Monies: \$8,017,217.27
Held for other Entities: \$432,183.98
Held in Trust: \$175,180.43
TOTAL: \$8,624,581.68

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 AND AMBULANCE DISTRICTS, AND STATE.

Motion made by Greenough, seconded by Nabholz, to approve setting a liquor license hearing for November 17, 2020 at 9:30 a.m.

Motion made by Russell, seconded by Greenough, to set a supplement and contingency hearing for November 5, 2020 at 9:30 a.m.

No county assistance or death expense applications were brought before the board.

Frank Maynard, Emergency Management, met with the board. Motion made by Greenough, seconded by Russell, to approve L.E.M.P.G. for the 4th quarter and authorize the chairman to sign.

Maynard reported that repairs to Battle Mountain road were done, that the annual Region 4 Blizzard Meeting has been cancelled this year and on fires and incidents.

Melody Engebretson, Register of Deeds, met with the board. Motion made by Nabholz, seconded by Greenough, to approve reclassifying LaVella Birkland to full time, effective immediately.

Dustin Luper met with the board to talk about the plans for a packing plant in Fall River County, with an ideal location near the Feedlot. Cody Pekron, Black Hills Meat Company was also present. Discussion was held on a grant for infrastructure, hiring workers and housing, rules and regulations, forming a cooperative, the job market and job training. Falkenburg noted support for both businesses.

Robin Wynia, Andersen Engineers, met with the board. Motion made by Allen, seconded by Russell, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2020-37

A Plat of Feedlot Tract of Section 23, 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 20th day of October, 2020.

ATTEST:
/s/Sue Ganje
Fall River County Auditor

/s/Joe Falkenburg
Fall River County Board of Commissioners

No Compound Tract Plat was presented.

Patty Schultz, Heartland Real Estate, and Lyle Edmonds met with the board to request the county approve a quit claim deed back to owner Gayle Marriott to allow for a real estate agreement to be completed and taxes paid. State's Attorney Ahrendt recommended a resolution which will be brought back to the board.

Jeannine and Robin Lecy met with the board to express concerns on Shep's Canyon Road, and of their correspondence with SD Game Fish and Parks, and also with Rich Zacher of the SD

Department of Transportation. Possible cost shares, recommendations for safety hazards, speed limit signs and enforcement were discussed. Randy Seiler, Hwy Supt. will contact Cliff Reuer, LTAP (SD Local Technical Assistance Program) for recommendations, and bring the report back to the board.

The hearing for the 2nd reading on Ordinance 2020-01 was held as advertised. Motion made by Allen, seconded by Russell, to approve the second reading of the bond ordinance as follows:

ORDINANCE 2020-01

ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS, TO PROVIDE FUNDS FOR THE REFINANCING OF AN ECONOMIC DEVELOPMENT PROJECT ON BEHALF OF FALL RIVER HEALTH SERVICES, A SOUTH DAKOTA NONPROFIT CORPORATION

BE IT ORDAINED by the County Commission of Fall River County, South Dakota (the “County” or the “Issuer”), as follows:

1. Legal Authority. The County is, by the Constitution and laws of the State of South Dakota, including South Dakota Codified Laws, Chapter 9-54, as amended, and Chapter 6-8B, as amended (collectively referred to as the “Act”), authorized to issue and sell its revenue bonds for the purpose of financing or refinancing the cost of economic development projects and to enter into agreements necessary or convenient in the exercise of the powers granted by the Act.

2. Authorization of Refunding. Fall River Health Services, a South Dakota nonprofit corporation (the “Borrower”), has proposed that the County issue its Economic Development Refunding Revenue Bonds, Series 2020 (the “Bonds”) and loan the proceeds thereof to the Borrower to be used to pay the principal of and interest on certain outstanding indebtedness of the Borrower (the “Existing Indebtedness”), the proceeds of which were used to acquire and construct certain health service facilities of the Borrower, located at 1201 Highway 71 South in the County (the “Project”), to fund any reserve funds and to pay costs related to the issuance of the Bonds.

In order to provide for the refunding in full of the Existing Indebtedness (the “Refunding”), the Borrower has proposed that the County issue and sell its Economic Development Refunding Revenue Bonds (Fall River Health Services Project), Series 2020 (the “Bonds”), pursuant to the Act, and loan the proceeds thereof to the Borrower pursuant to a loan agreement under terms and conditions requiring the Borrower to undertake and complete the Refunding, fund any necessary reserves and pay certain costs of issuance of the Bonds and to make loan repayments at times and in amounts sufficient to provide for payment of the Bonds in full, when due.

The County hereby determines to proceed with the Refunding, and the issuance of the Bonds, as proposed by the Borrower, in accordance with the terms and provisions hereof.

3. Public Hearing. After publication of the notice of public hearing attached hereto as Exhibit A, which notice has been published on the County’s website and at the County Courthouse,

on the 20th day of October, 2020, the County held a hearing as required by all in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and all comments made at such public hearing will have been recorded in the minutes of the meeting of the County, and the County deems it necessary and advisable to proceed with the issuance of the Bonds and the loan of the proceeds of the Bonds to the Borrower.

4. Documents Presented. Forms of the following documents relating to the Bonds have been submitted to the County and are now on file in the office of the Finance Officer:

(a) Loan Agreement between the County and the Borrower (the “Loan Agreement”), whereby the County agrees to make a loan to the Borrower of the gross proceeds of sale of the Bonds and the Borrower agrees to complete the Refunding and to pay amounts in repayment of the loan sufficient to provide for the full and prompt payment of the principal of, premium, if any, and interest on the Bonds when due; and

(b) Trust Indenture (the “Indenture”), between the County and UMB Bank, N.A., as trustee (the “Trustee”), authorizing the issuance of and pledging certain revenues, including those to be derived from the Loan Agreement, as security for, the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto; and

(c) Bond Purchase Agreement (the “Bond Purchase Agreement”), by and between UMB Bank, N.A. (the “Underwriter”), the Borrower and the County, providing for the purchase of the Bonds from the County by the Underwriter and setting the terms and conditions of purchase.

5. Findings. It is hereby found, determined and declared that:

(a) The Refunding is authorized by the Act.

(b) The issuance of the Bonds will carry out a public purpose and benefit to and promotes the welfare of the citizens of the County and further the purposes of the Act.

(c) There is no litigation pending or, to the best of its knowledge, threatened against the County relating to the Bonds, the Loan Agreement, the Bond Purchase Agreement or the Indenture or questioning the due organization of the County, or the powers or authority of the County to issue the Bonds and undertake the transactions contemplated hereby.

(d) The execution, delivery and performance of the County’s obligations under the Bonds, the Indenture, the Bond Purchase Agreement and the Loan Agreement do not and will not violate any order of any court or other agency of government or in which the County is a party, or any indenture, agreement or other instrument to which the County is a party or by which it or any of its property is bound, or be in conflict with, result in a breach of, or constitute (with due notice or lapse of time or both) a default under any such indenture, agreement or other instrument.

(e) It is desirable that the Bonds be issued by the County upon the terms set forth in the Indenture, under the provisions of which the County’s interest in the Loan Agreement will be pledged to the Trustee as security for the payment of principal of, premium, if any, and interest on the Bonds.

(f) The Loan Agreement provides for payments by the Borrower to the Trustee for the account of the County of such amounts as will be sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. The Loan Agreement obligates the Borrower to pay or cause to be paid all costs of operation and maintenance of the Project Facilities, including adequate insurance, taxes and special assessments.

(g) Under the provisions of the Act, and as provided in the Loan Agreement and Indenture, the Bonds are not to be payable from nor charged upon any funds other than amounts payable pursuant to the Loan Agreement and moneys in the funds and accounts held by the Trustee which are pledged to the payment thereof; no owners of the Bonds shall ever have the right to compel the exercise of the taxing power of the County to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the County; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the County (other than the interest of the County in the Loan Repayments to be made by the Borrower under the Loan Agreement); and each Bond issued under the Indenture shall recite that such Bond is issued pursuant to the Act and that such Bond, including interest thereon, is payable solely from the sources described therein and shall not constitute or give rise to a charge against the general credit or taxing powers of the County.

6. Approval and Execution of Documents. The forms of Loan Agreement, Indenture and Bond Purchase Agreement, referred to in paragraph 2, are approved. The Loan Agreement and Indenture shall be executed in the name and on behalf of the County by the Mayor and the Finance Officer, or executed by other officers of the County, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof, and then shall be delivered to the Trustee. The Bond Purchase Agreement shall be executed by one or more officers of the County, as provided therein. The County hereby appoints UMB Bank, N.A. as trustee under the Indenture.

7. Approval, Execution and Delivery of Bonds. The County shall proceed forthwith to issue the Bonds in an aggregate principal amount of not to exceed \$10,000,000, and to be in the forms and upon the terms set forth in the Indenture, which terms are for this purpose incorporated in this Ordinance and made a part hereof; provided, however, that the maturities of the Bonds, the interest rates thereon, and any provisions for the optional or mandatory redemption thereof shall all be as set forth in the final form of the Indenture to be approved, executed and delivered by the officers of the County authorized to do so by the provisions of this Ordinance, which approval shall be conclusively evidenced by such execution and delivery; but provided further that, in no event, shall such rates of interest on the Bonds produce a net interest cost in excess of 5.00% per annum. The Underwriter has agreed pursuant to the provisions of the Bond Purchase Agreement, and subject to the conditions therein set forth, to purchase the Bonds at the purchase price set forth in the Bond Purchase Agreement, and said purchase price is hereby found to be favorable and is hereby accepted. The Chair, County Auditor and other County officers are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee, together with a certified copy of this Ordinance and the other documents required by Section 2.08 of the Indenture, for authentication, registration and delivery to the Underwriter. As provided in the Indenture, each Bond shall contain a recital that it is issued pursuant to the Act, and such recital

shall, to the full extent permitted by law, be conclusive evidence of the validity and regularity of the issuance thereof.

8. Consent to the Use of Preliminary Official Statement and Official Statement. The County hereby consents to the use and distribution of the Preliminary Official Statement and the Official Statement relating to the Bonds in connection with the offering and sale of the Bonds by the Underwriter. Notwithstanding the foregoing, the County has not prepared or assisted in the preparation of the Preliminary Official Statement or the Official Statement and, except for the information contained under the captions “THE COUNTY” and “LITIGATION - The County,” the County disclaims any responsibility for the disclosures set forth in the Preliminary Official Statement or the Official Statement or otherwise made in connection with the offer, sale and distribution of the Bonds. For purposes of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the County deems the information in the Preliminary Official Statement under the captions “THE COUNTY” and “LITIGATION – The County” to be final as of its date.

9. Certificates, etc. The Chair, County Auditor and other officers of the County are authorized and directed to prepare and furnish to bond counsel and the purchaser of the Bonds, when issued, certified copies of all proceedings and records of the County relating to the Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers’ custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the County as to the truth of all statements contained therein.

10. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as “qualified tax exempt obligations” within the meaning of Section 265(b)(3) of the Code, and the County hereby makes the following factual statements and representations:

(A) The County hereby designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;

(B) The reasonably anticipated amount of tax-exempt obligations (other than obligations described in clause (ii) of Section 265(b)(3)(c) of the Code) which will be issued by the County (and all entities whose obligations will be aggregated with those of the County) during this calendar year 2020 will not exceed \$10,000,000; and

(C) Not more than \$10,000,000 of obligations issued by the County during this calendar year 2020 (including the Bonds) have been designated for purposes of Section 265(b)(3) of the Code.

11. Effective Date; Repeals. This Ordinance shall become effective twenty days following publication and all provisions of ordinances, resolutions and other actions and proceedings of the County which are in any way inconsistent with the terms and provisions of this Ordinance are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Ordinance.

/s/Joe Falkenburg

Chair

Attest:

/s/Sue Ganje

County Auditor

First Reading: October 6, 2020.
Second Reading and Adoption: October 20, 2020
Published: October 22, 2020
Effective Date: November 11, 2020

EXHIBIT A

NOTICE OF INTENTION TO ISSUE REVENUE BONDS OR NOTES (FALL RIVER HEALTH SERVICES PROJECT)

The County Commission of Fall River County, South Dakota, (the “County”) will meet on the 20th day of October, 2020, at 9:45 am., at the County Courthouse, 906 North River Street, Hot Springs, South Dakota, for the purpose of conducting a public hearing on the proposal to issue revenue refunding bonds or notes, in one or more series, of the County, in an aggregate principal amount not to exceed \$10,000,000 in one or more series (the “Bonds”), and to loan said amount to Fall River Health Services, a South Dakota nonprofit corporation (the “Borrower”), for the purpose of providing funds to the Borrower to (a) refinance certain outstanding indebtedness of the Borrower, the proceeds of which were used to acquire, construction, furnish and equip a new 25- bed hospital facility and ancillary services, a 48-bed new nursing facility attached to the hospital, a physician’s outpatient clinic, and site and other improvements, all located at 1201 Highway 71 South, Hot Springs, South Dakota 57747 (the “Project”) (b) to fund any necessary reserve funds, and (c) to pay certain costs of issuance and certain other costs associated with the issuance of the Bonds. The Project and the facilities refinanced by the Bonds will be owned and operated by the Borrower.

The Bonds, when issued, will not constitute general obligations of the County nor will they be payable in any manner by taxation, but the Bonds will be payable solely and only from amounts received by the County under a Loan Agreement between the County and the Borrower, the obligations of which will be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds as and when the same shall become due.

At the time and place stated above, oral or written objections from any resident or property owner of the County may be presented. At such meeting or any adjournment thereof, the County shall adopt an ordinance determining whether or not to proceed with the issuance of the Bonds. Written comments may also be submitted to the County Commissioners at the Fall River County Courthouse, 906 North River Street, Hot Springs, South Dakota 57747. Comments may also be emailed to the County Auditor at Sue.ganje@state.sd.us. Written or emailed comments must be received by the above hearing date.

By order of the County Commission of Fall River County, South Dakota.

/Joe Falkenburg/
Chairman Joe Falkenburg

With Nabholz voting no, all others voting yes, motion carries.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Nabholz, seconded by Greenough to approve the application for road approach permit for Donald Grant on the west side of N. Angostura Rd. 1A approximately opposite of 13297 N. Angostura Rd. approach, to serve a residence.

Motion made by Russell, seconded by Greenough, to approve the application for road approach permit for Darwin James on the north side of Pilger Mountain Road #12, approximately across from JP Watkins driveway, to serve a residence.

Fuel quotes were presented as follows:

10-5-2020 Fuel Quotes	8,000 Gal Unleaded Gasoline
Nelson's	\$2.049/gallon
Hi-D-Way	No Bid
MG Oil	\$2.1543/gallon

Motion made by Russell, seconded by Greenough, to approve the low bid from Nelson's for 8,000 gallons of unleaded gasoline in the amount of \$2.049 per gallon, for a total amount of \$16,392.00.

Motion made by Russell, seconded by Nabholz, to authorize Seiler to advertise for hire approval.

Seiler updated the board on the Oral Bridge, black top and mowing. Discussion was held on doing additional work on secondary roads and see if any other road would qualify to be reclassified as secondary. Seiler spoke of the bridge on Scenic Road.

Motions made by Greenough, seconded by Falkenburg, to approve asphaltting the Scenic Road Bridge, #79F, and have Seiler try to get it done in 2020 to keep it from breaking down further.

Discussion was also held on a hole in the bridge 1 mile south of Oelrichs on Old Highway 79.

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

GENERAL FUND

AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$773.86
CURA HOSPITALITY	INMATE MEALS	\$9,856.68

A-Z SHREDDING INC	SHREDDING	\$76.72
BEESELEY LAW OFFICE	CAAF	\$3,237.70
BLACK HILLS CHEMICAL	SUPPLY	\$686.86
BREVIK LAW OFFICE	MENTAL ILLNESS	\$218.85
BUILDER'S FIRST SOURCE	ELECTION SUPPLY	\$131.36
BUSINESS MANAGEMENT DAILY	SUBSCRIPTION	\$97.00
HUB INTERNATIONAL	AIRPLANE INSURANCE	\$516.00
CLARK PRINTING	ELECTION SUPPLY	\$551.05
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$1,379.15
CENTURY BUSINESS LEASING	COPIER LEASE/USAGE/METER	\$925.12
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CHRISTENSEN ELECTRIC, LLC	ELECTRICAL CONTRACT	\$1,445.68
CLINICAL LABORATORY OF	AUTOPSY	\$2,076.40
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DEAN SCHAEFER COURT REP	COURT REPORTER	\$90.00
SD DEPT OF LABOR & REG	UNEMPLOYMENT	\$1,344.06
ELECTION SYSTEMS & SOFT	ELECTION SUPPLY	\$2,235.50
EN-TECH LLC	FUMIGATION	\$110.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$152.50
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$226.80
FARRELL, FARRELL & GINSBACH	CAAF	\$5,246.12
FALL RIVER COUNTY HERALD	PUBLICATION	\$671.72
GOFF, GARLAND LEE	MENTAL ILLNESS	\$2,376.25
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$6,136.77
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$1,314.75
HOBART SALES & SERVICE	SERVICE/REPAIR	\$44.70
HOPE COUNSELING CENTER	QMHP	\$300.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$104.24
CITY OF HOT SPRINGS	CITY WATER BILL	\$985.31
KATTERHAGEN, MARK	MENTAL ILLNESS	\$33.00
LAKOTA TIMES	PUBLISHING	\$60.20
LEWIS & CLARK BEHAVIORAL	MENTAL ILLNESS	\$184.00
LEWNO, LUCY	MENTAL ILLNESS	\$340.00
LINCOLN COUNTY TREASURER	MENTAL ILLNESS	\$157.50
LOCKWOOD, DARCY	MENTAL ILLNESS	\$33.00
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$153.88
MARCO	COPIER LEASE	\$165.00
MASTEL, BRUCE	DATABASE SETUP & MONITORING	\$35.00
MCGLUMPHY, ERIN	TRAVEL REIMBURSEMENT	\$1,001.32
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$77.57
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$220.00
MONUMENT HEALTH	MORGUE FEE	\$461.00
QUADIENT FINANCE USA, INC	POSTAGE	\$1,641.70

O'NEILL, JUSTIN	CAAF	\$4,060.89
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON/TRANSPORT	\$9,204.21
POWELL, DEBRA J	BLOOD DRAW	\$75.00
QUILL CORPORATION	SUPPLY	\$790.11
QUALITY REAL ESTATE INC	BATTLE MOUNTAIN GRAVEL	\$10,800.00
RADIOLOGY ASSOCIATES	MEDICAL CLAIMS	\$103.35
RAMKOTA HOTEL-PIERRE	CONFERENCE HOTEL	\$234.90
SDACC	4TH QTR CATASTROPHIC	\$2,939.00
SD DEPARTMENT OF HEALTH	BLOOD DRAW	\$565.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$1,843.80
SD OFFICE OF CHILD & FAMILY	QUARTERLY PUBLIC HEARING	\$1,602.64
SERVALL	RUGS AND MATS SERVICES	\$400.78
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$800.00
STEVENS AUTOMOTIVE	MAINTENANCE	\$86.27
STEVENS PLUMBING	REPAIRS	\$258.09
TWILIGHT INC	FIRST AID SUPPLY	\$306.20
YANKTON CO TREASURER	MI	\$132.20
	TOTAL FOR GENERAL FUND	\$82,671.99
COUNTY ROAD & BRIDGE		
B H ELECTRIC -COOP INC.	UTILITY HIGHWAY ELECTRIC	\$35.07
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$-254.37
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$93.10
FALL RIVER COUNTY HERALD	PUBLICATION	\$43.40
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$253.82
CITY OF HOT SPRINGS	CITY WATER BILL	\$39.53
TWILIGHT INC	FIRST AID SUPPLY	\$53.89
	TOTAL COUNTY ROAD & BRIDGE	\$338.44
911 SURCHARGE REIMBURSMENT		
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$1,135.21
CENTURY LINK	911 DISPATCH LINES	\$496.03
TWILIGHT INC	FIRST AID SUPPLY	\$19.60
	TOTAL FOR 911 SURCHARGE REIMBURSMENT	\$1,650.84
EMERGENCY MANAGEMENT		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$34.13
FALL RIVER COUNTY HERALD	PUBLICATION	\$56.00
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$140.15
MARCO	COPIER LEASE	\$38.90
	TOTAL FOR EMERGENCY MANAGEMENT	\$277.68
M & P RELIEF		
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$165.00
	TOTAL FOR M & P RELIEF	\$165.00

COURTHOUSE BUILDING FUND

NELSONS OIL & GAS INC.	SERVICE	\$68.28
OTIS ELEVATOR COMPANY	NEW ELEVATOR/CONTRACT	\$17,551.05
POWER HOUSE	SERVICE	\$157.77
	TOTAL FOR COURTHOUSE BUILDING FUND	\$17,777.10
	TOTAL PAID BETWEEN 9/17/20 AND 10/6/20	\$102,881.10

With Nabholz voting no, all others voting yes, motion carries.

Break was taken at 10:37 a.m. and meeting resumed at 10:44 a.m.

Public comment was heard from Jim Angell about statistics being deceiving.

The 2020-09 Covid-19 resolution was reviewed. Motion made by Allen, seconded by Greenough, to leave the courthouse as it is. With Nabholz voting no, all others voting yes, by roll call vote, motion carries.

Bob Evans, Sheriff, met with the board. Motion made by Nabholz, seconded by Greenough to approve hiring Isnalawica Belt, deputy, certified, 2 years' experience, \$18.50 per hour, effective October 31, 2020 as per union contract.

Motion made by Nabholz, seconded by Russell, to approve reclassifying Sydney Belt, dispatcher, from part-time to full-time, \$14.50 per hour, effective October 22, 2020, as per union contract.

Evans reported that there are 12 males and 4 females in the Fall River County Jail, with 4 males in the Pennington County Jail, for a total of 20 inmates. The murder trial is dismissed for now. Jim Angell questioned the Sheriff on fences that were cut by Provo, and of 7 deceased cattle that were locked in a bunker. Evans noted that the cut fences were isolated incidents, and a door was shut accidentally on the cattle.

Motion made by Greenough, seconded by Nabholz, to enter executive session as per SDCL 1-25-2 (1), Personnel; SDCL 1-25-2 (3), Legal and SDCL 1-25-4, Negotiations at 10:56 a.m.

The Board came out of executive session at 11:59 a.m.

Motion made by Russell, seconded by Allen, to deny grievance #2020-02 and encourage employee to pursue issue to the SD Dept of Labor in order to get an objective view of the situation. With Falkenburg, Greenough and Nabholz voting no, by roll call vote, motion fails.

Motion made by Nabholz to pay what is thought to be due, because of the ambiguity of the contract. Auditor noted that the employee has been compensated for the hours worked, as they interpret the contract. State's Attorney Ahrendt spoke on the wording and complexity of the motion. Nabholz recapped, to have the motion to read that provided someone works on a holiday, that those hours worked count toward the 40 hours for the Sheriff, Dispatch and Deputies. Ahrendt said the contract already addresses working on a holiday. Falkenburg noted this item needs another

look, from an outside source.

Motion dies for a lack of a second.

Motion made by Russell, seconded by Allen, to deny grievance 2020-02, but to encourage the employee to take it to the next level for clarification. Greenough thinks the employee is looking for back pay, and if paid there is no need for clarification. Allen noted continued issues. Russell noted that it has been an issue for a long time and needs clarification. Ahrendt also encouraged the employee to file with the Department of Labor, and to ask for back pay. With Nabholz voting no, all others voting yes, by roll call vote, motion carries.

Motion made by Nabholz, seconded by Greenough, to enter executive session as per SDCL 1-25-4 for negotiation purposes at 12:22 p.m.

The Board came out of executive at 12:35.

Motion made by Nabholz, seconded by Greenough, to adjourn at 12:35 p.m.

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

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