FALL RIVER COUNTY APPROVED MINUTES OF DECEMBER 15, 2020

The Fall River Board of County Commissioners met in regular session on December 15, 2020. Present: Joe Allen, Joe Falkenburg, Heath Greenough, Paul Nabholz, Deb Russell and Sue Ganje, Auditor. Falkenburg asked for a moment of silence.

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

The agenda was reviewed for conflicts, Allen has a conflict on a plat. 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 <u>http://fallriver.sdcounties.org</u>, or under Fall River County Commission, SD at <u>http://www.YouTube.com</u>.

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

Motion made by Nabholz, seconded by Russell, to approve the minutes of November 17, 2020.

The 2021 Oglala Lakota - Fall River County Contract and Oglala Lakota Contract was reviewed. This will be on the yearend meeting agenda.

Lance Russell, Attorney, met with the board. Motion made by Nabholz, seconded by Russell, to approve the County Quit Claim Deed to Tubbs Land and Cattle, LLC. A written easement will be provided if requested. With all voting yes, by roll call vote, motion carries.

The Board discussed the returned checks on the following report with Treasurer Pullen, who advised on what has been turned over to the state's attorney. 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 November 2020.

Total Amt of Deposit in First Interstate Bank:	\$ <u>1,026,212.61</u>
Total Amt of Deposit in First National Bank of Lead:	\$ <u>1,000.00</u>
Total Amount of Cash:	\$ <u>5,939.98</u>
Total Amount of Treasurer's Change Fund:	\$ <u>900.00</u>

Total Amount of Checks in Treasurer's	
Possession Not Exceeding Three Days:	\$ <u>65,827.38</u>
SAVINGS:	
First Interstate Bank:	\$ <u>309,893.26</u>
First National Bank of Lead:	\$ <u>1,043,292.50</u>
CERTIFICATES OF DEPOSIT:	
First Interstate – Hot Springs:	\$ <u>772,669.12</u>
Black Hills Federal Credit Union – Hot Springs:	\$250,000.00
Bank of the West – Hot Springs:	\$ <u>534,022.08</u>
Schwab Treasury:	\$ <u>258,023.28</u>
First National Bank – Lead:	\$ <u>306,046.60</u>
Black Hills Community – Rapid City:	\$805,786.21
Liberty National Bank - Sioux Falls:	<u>\$4,000,000.00</u>

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 Wendt, Greg \$1,397.70, 10/14/2020 Schmit, Troy \$85.60, 10/20/2020 Caveye, Russell \$64.77, 10/26/2020 Trave, Celeste \$355.08, 11/18/2020

Dated This 30th Day of November 2020.

TOTAL \$9,383,134.57

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

County Monies: \$8,571,324.69 Held for other Entities: \$637,353.59 Held in Trust: \$174,456.29 TOTAL: <u>\$9,383,134.57</u>

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.

Frank Maynard, Emergency Management, met with the board and noted receipt of

\$8,086.56 for the 4th quarter LEMP reimbursement; presented a copy of a landowner consent form (county lot in Hot Brook Estates Subdivision) for hazardous fuels reduction treatment; and of attending an ASFPM Webinar, and of fires and incidents. The consent form will be on next agenda.

Teresa Pullen, Treasurer, met with the board. Motion made by Russell, seconded by Nabholz, to enter into a 60-month lease agreement with Century Business, for 3 printers, \$64.58 per month, to be split between Fall River and Oglala Lakota Counties.

Dave Weishaupl, Building Supervisor, met with the board. Motion made by Nabholz, seconded by Russell, to approve the quote from Golden West, for SonicWALL Advanced Gateway Security Suite Bundle for NSA 2600, 1 year, in the amount of \$1,682.72.

Motion made by Greenough, seconded by Allen, to approve hiring Wesley Wood, \$14.00 per hour, effective December 21, 2020, as per union contract.

Erin McGlumphy, Extension, met with the board. Motion made by Allen, seconded by Greenough, to approve the Agreement to Share the Extension Secretary Position with Custer County, for a one year period, starting January 1, 2021, ending December 31, 2021.

Motion made by Nabholz, seconded by Greenough, to approve additional hours for Karen Jamison, for up to 40 hours.

Allen Schaefer, SD Department of Legislative Audit, met with the board, via phone, to give the closing conference for 2018 - 2019 audit. Motion made by Allen, seconded by Greenough, to authorize the chairman and the auditor to sign the representations letter.

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

FALL RIVER COUNTY RESOLUTION #2020-48

A Plat of Lots 1 of Block J of Country Club Estates Subdivision and Alexander Tract, located in the N1/2NE1/4 of Section 27, T7S, R5E, BHM, Fall River County, South Dakota

Formerly the balance of the N1/2NE1/4

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 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST: <u>/s/Sue Ganje</u> Fall River County Auditor

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

FALL RIVER COUNTY RESOLUTION #2020-49

A Plat of Harry Tract, Irene Tract, and County Line Tract, all located in the NW1/4 of Section 1, T7S, R3E, 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 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST: <u>/s/Sue Ganje</u> Fall River County Auditor

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

FALL RIVER COUNTY RESOLUTION #2020-50

A Plat of Solberg Tract 2 in Section 17, the W1/2 of Section 16, the N1/2N1/2 of Section 20, the W1/2 and the SE1/4 of Section 21, the S1/2 of Section 22, the N1/2 of Section 27 and the N1/2 of Section 28, all in T10S, R2E, BHM, Fall River County, South Dakota

Formerly the balance of that part of F.H.T Tract in Section 17, that part of F.H.T. Tract in the N1/2N1/2 of Section 20 and that part of FHT Tract in Sections 16, 21, 22, 27, and 28

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 15th day of December, 2020.

ATTEST: <u>/s/Sue Ganje</u> Fall River County Auditor <u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

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

FALL RIVER COUNTY RESOLUTION #2020-51

A Plat of Jessica Tract of Section 30, T7S, R6E, BHM, Fall River County, South Dakota

Formerly Allen Tract 4, Allen Tract 4A, Allen Tract 4B and portions of the NE1/4NW1/4, and the SE1/4NW1/4 lying S. of HWY. ROW of Section 30

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.

With Allen abstaining, all others voting yes, the motion carried. Dated this 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST: <u>/s/Sue Ganje</u> Fall River County Auditor

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

FALL RIVER COUNTY RESOLUTION #2020-52

A Plat of Murray Tract 1A and Murray Tract 2R of Hoffner Subdivision, and a Private Access Easement, all located in the E1/2SE1/4 of Section 17, T8S, R5E, BHM, Fall River County, South Dakota

Formerly Murray Tract 1R and Murray Tract 2

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 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST: <u>/s/Sue Ganje</u> Fall River County Auditor

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

FALL RIVER COUNTY RESOLUTION #2020-53

A Plat of Jenniges Tract, located in N1/2NE1/4NE1/4 Section 15, T7S, R5E, BHM, Fall River County, South Dakota

Formerly the north 120' of Tract G-2

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 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST:

<u>/s/Sue Ganje</u> Fall River County Auditor

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

FALL RIVER COUNTY RESOLUTION #2020-54

A Plat of Weiker Tract and Kester Tract, located in the SW1/4SW1/4 of Section 35, T8S, R2E, and in Govt. Lot 4 of Section 2, T9S, R2E, BHM, Fall River County, South Dakota

Formerly the balance of Tract A, the balance of Tract 3 of Tract A, and Lots 1, 2 and 3 of Tract 3 of Tract A

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 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST: <u>/s/Sue Ganje</u> Fall River County Auditor

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

FALL RIVER COUNTY RESOLUTION #2020-55

A Plat of Lot 13B of Shep's Canyon Estates Subdivision, located in the W1/2SE1/4, Section 22, 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 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST: /<u>s/Sue Ganje</u> Fall River County Auditor

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

FALL RIVER COUNTY RESOLUTION #2020-56

A Plat of Ollie Oaks Mountain Tract, of Paha Sapa Subdivision, located in the W1/2SE1/4 Section 26, T7S, R5E, BHM, Fall River County, South Dakota

Formerly Lot 11 and Lot 14

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 15th day of December, 2020.

<u>/s/Joe Falkenburg</u> Fall River County Board of Commissioners

ATTEST: /s/Sue Ganje Fall River County Auditor

The 2020-09 Covid-19 resolution was reviewed. Motion made by Greenough, seconded by Allen, to leave the courthouse as it is until the 1st meeting in February. Nabholz presented statistics, noting those of high risk to remain on guard. With Nabholz voting no, all others voting yes, by roll call vote, motion carries.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Greenough, seconded by Russell, to approve the November 2020 reimbursement to the highway department for fuel used or work performed as follows: Sheriff's Department for \$1,634.79; Weed and Pest Office for \$211.54; Building for \$57.91; Emergency Management for \$60.09; Director of Equalization for \$144.87; and Election \$26.87.

Motion made by Russell, seconded by Allen, to purchase a packer in the amount of

\$16,985.00.

Seiler updated the board that Smithwick Road is done, working on County Road 14, will blade when there is moisture. Brosz Engineering, Inc. will come to the yearend meeting on costs for proposed road improvement. Discussion was held on paved roads, and potential paved roads, and receiving a list of other roads, and to utilize road counts for planning for 5-year plans. Also, the Chilson Bridge is scheduled for bid in February or March of 2021, and that the SD DOT has not started on R-O-W acquisition at Igloo.

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

GENERAL FUND		
ACCOUTER RENTAL AND SALES	RENTAL	\$231.00
AT&T TELECONFERENCE	CONFERENCE CALLING	\$42.58
AUDRA HILL CONSULTING, INC	MI QMHP EVALUATION	\$873.36
A-Z SHREDDING INC	SHREDDING	\$90.34
BEESLEY LAW OFFICE	CAAF	\$11,119.18
BLACK HILLS CHEMICAL	SUPPLY	\$248.32
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$3,979.62
BOMGAARS SUPPLY	SUPPLY	\$135.96
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$7,501.39
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$511.03
COLBATH, ANGELA M	CAAF	\$1,720.40
CORRECT RX PHARMACY SERV.	INMATE PHARMACY	\$29.38
EN-TECH LLC	FUMIGATION	\$110.00
DUDE SOLUTIONS, INC.	GIS SUPPORT CONTRACT	\$265.98
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$11,776.53
FARRELL, FARRELL & GINSBACH	CAAF	\$22,775.91
4-H MEMBERS ASSEMBLY	REIMBURSEMENT	\$31.25
FALL RIVER COUNTY HERALD	PUBLICATION	\$880.92
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$5,151.80
HILLS EDGE AUTO SALES	REPAIRS	\$384.80
HOT SPRINGS ACE HARDWARE	SUPPLY	\$52.00
HOT SPRINGS AUTOMOTIVE	SUPPLY	\$17.65
CITY OF HOT SPRINGS	4TH QUARTER FIRE SPRINKLER	\$24.00
LINCOLN COUNTY TREASURER	MENTAL ILLNESS	\$430.85
MARCO	COPIER LEASE	\$170.33
MICRO SOLUTIONS	COMPUTER	\$1,009.95
NEWMAN TRAFFIC SIGNS	SIGNAGE & SUPPLY	\$1,108.26
O'NEILL, JUSTIN	CAAF	\$6,080.74
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON/TRANSPORT	\$9,301.29
PENNINGTON COUNTY	MENTAL ILLNESS	\$170.00
QUILL CORPORATION	SUPPLIES	\$65.12
RAPID FIRE PROTECTION INC	ANNUAL SPRINKLER INSPECTION	\$300.00

RUSHMORE OFFICE SUPPLY	SUPPLY	\$148.80
SD DEPARTMENT OF HEALTH	BLOOD DRAWS	\$500.00
SERVALL	RUGS AND MATS SERVICE	\$400.78
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$1,740.00
NORTON, MIKAYLA	BLOOD DRAWS	\$225.00
VANWAY TROPHY	SUPPLY	\$9.00
YELLOW ROBE, LUKE	INVESTIGATION	\$3,000.00
MILES, SASHA	BLOOD DRAWS	\$75.00
RASKIEWICZ, CASEY ROY	MILEAGE	\$33.60
	TOTAL FOR GENERAL FUND	\$92,722.12
COUNTY ROAD & BRIDGE		<i>\$32,722122</i>
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$616.00
BUTLER MACHINERY CO.	PARTS	\$327.54
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$27.95
FALL RIVER COUNTY HERALD	PUBLICATION	\$19.98
GRIMM'S PUMP SERVICE INC	PARTS	\$610.82
HOT SPRINGS ACE HARDWARE	SUPPLY	\$9.29
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$76.34
KD CONTRACTORS INC	RIP RAP	\$340.00
LAWSON PRODUCTS	SUPPLY	\$129.68
NELSONS OIL & GAS INC.	UTILITY	\$14,485.03
NEWMAN TRAFFIC SIGNS	SIGNAGE & SUPPLY	\$359.14
SEILER, RANDY	CLOTHING ALLOWANCE	\$150.00
	TOTAL COUNTY ROAD & BRIDGE	\$17,151.77
911 SURCHARGE REIMBURSMENT		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$140.94
JARMAN, MARTHA	UNIFORM ALLOWANCE	\$52.24
CENTURY LINK	911 DISPATCH LINES	\$496.03
FLEMING, MELISSA	REIMBURSEMENT	\$34.99
	TOTAL FOR 911 SURCHARGE REIMBURSMENT	\$724.20
FIRE PROTECTION FUND		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$558.65
	TOTAL FOR FIRE PROTECTION FUND	\$558.65
EMERGENCY MANAGEMENT		
ATLAS OUTFITTERS	FIRE DEPARTMENT SUPPLIES	\$11,310.00
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$358.00
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
HOT SPRINGS AUTOMOTIVE	SUPPLY	\$11.86
MARCO	COPIER LEASE	\$38.90
	TOTAL FOR EMERGENCY MANAGEMENT	\$11,727.26
COURTHOUSE BUILDING FUND		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$332.45
ELECTRICAL ENGINEERING	SERVICE	\$606.02

Break was taken at 10:02 a.m. and meeting resumed at 10:07 a.m.

Public comment was heard from Susan Henderson, on the state's attorney position, Powertech injection well permits, moratorium on evictions, and money to food banks; Sheriff Evans reported that there are 3 males in the Pennington County Jail, 14 males, 3 females and 1 work release in the Fall River County Jail, for a total of 21 inmates.

Susie Hayes, Director of Equalization, met with the board via phone. Motion made by Allen, seconded by Greenough to approve the purchase for a Lenovo Idea Pad 17" Intel i5, in the amount of \$1,009.95 (excluding tax), and to pay for it by credit card.

Conrad Cutchin met with the board to discuss pay '20 mobile home valuation (40 years old and uninsurable), and to request abatement for pay '20 taxes. Patty Caster and Caitlin Turner, Appraisers, were also present. Discussion was held on state guidelines for valuations, sales that create market values, national appraisal guide, and the appeal process. Caster noted their visit to the property and a few adjustments can be made, but also that Cutchin's valuation included other structures on the property. The land development cost of \$10,000 was not included in the mobile home value. Cutchin thanked the appraisers and thanked the board for their time.

Robert Edgar met with the board via phone to request abatement due to errors with the Title Company, incorrect mailing address and incorrect payment of taxes. Appraiser Turner was present to explain items. Discussion was held on tax years and addresses. The board asked for Edgar to meet with the Director of Equalization, if issue is not resolved, then get a representative and get on the next agenda.

Discussion was held on potential property valuation increases due to increased prices paid for properties, with Susie Hayes, Director of Equalization, present, via phone. Russell noted she would speak about this issue with Bob Wilcox, Director of the SD Association of County Commissioners, and the board should send a letter to our District 30 Senator and Representatives.

Discussion was also held with State's Attorney Ahrendt on whether to get an easement from Attorney Russell and the Tubbs Land and Cattle Co. Russell will be asked for an easement.

Motion made by Allen, seconded by Nabholz, to enter into executive session as per SDCL1-25-2 (1), for personnel purposes at 11:12 a.m.

The board came out of executive session at 11:22 a.m.

Motion made by Greenough, seconded by Nabholz, to adjourn at 11:23 a.m.

<u>/s/Joe Falkenburg</u> Joe Falkenburg, Chairman Board of Fall River County Commissioners ATTEST: <u>/s/ Sue Ganje</u> Sue Ganje, Fall River County Auditor