

FALL RIVER COUNTY APPROVED MINUTES OF DECEMBER 31, 2020

The Fall River Board of County Commissioners met in regular session on December 31, 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, none were 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>.

Motion made by Nabholz, seconded by Greenough, to approve the agenda, with the addition of changing the first meeting in January to January 7, 2021.

No minutes were available.

Motion made by Allen, seconded by Russell, to approve the Landowner Consent to Hazardous Fuels Reduction Grant and Prescribed Treatment on Lot 34R, Blk 4, Sec 16, Twp 7, Rg 5 (1.37 A +/-).

Motion made by Nabholz, seconded by Russell, to Amend November 17, 2020 minutes to reflect wage increase in the hiring box to base rate in the amount of \$1.00 per hour for all categories except for jailers & dispatchers at \$2.00 per hour, effective December 21, 2020. With Greenough voting no, all others voting yes, motion carried.

Bob Evans, Sheriff, met with the board. Motion made by Russell, seconded by Greenough, to approve hiring Jonathan Wishard, Jailer, \$16.50 per hour, part-time, effective December 23, 2020.

Motion made by Russell, seconded by Greenough, to approve the revised levy resolution as follows:

Tax Levy in COUNTY TAX LEVIES	Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
* General County Purposes (10-12-9)	2,899,653.00	3.953
Library	7,393.00	0.014

Resolution

ADOPTION OF ANNUAL BUDGET FOR FALL RIVER County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,
Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and
Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the

LIMITED LEVY (10-12-21) - SUB TOTAL		
OUTSIDE LIMITED LEVY:	2,907,046.00	3.967
County Snow Removal Fund (34-5-2)		
County Road and Bridge (10-12-13)		
Courthouse, Jail, etc., Bldg. (7-25-1)	126,609.00	0.173
Bond Interest Sinking (7-24-18)		
Ag Building (7-27-1)		
UNLIMITED LEVY - SUB TOTAL	126,609.00	0.173
LIMITED AND UNLIMITED LEVY - SUB-TOTAL	3,033,655.00	4.140
OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76) (31-12-27)	274,875.00	0.638
Fire Protection (34-31-3)	1,135.00	0.140
TOTAL TAXES LEVIED BY COUNTY	3,309,665.00	4.918

consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR FALL RIVER County, South Dakota and its institutions and agencies for calendar year beginning January 1, 2021 and ending December 31, 2021 and the same is hereby approved and adopted by the Board of County Commissioners of Fall River County, South Dakota, the 15th day of September, 2020. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Fall River, County, South Dakota. The accompanying taxes are levied by Fall River County for the year January 1, 2021 through December 31, 2021.

BOARD OF COUNTY COMMISSIONERS OF
Fall River County, South Dakota

/s/ Joe Falkenburg Chairman

/s/ Joe Allen Commissioner

/s/ Paul Nabholz Commissioner (voted no)

/s/ Heath Greenough Commissioner

/s/ Deborah Russell Commissioner

ATTEST /s/ Sue Ganje County Auditor

* These Amounts include the 25% to be distributed to cities.

As of 9/29/20, these levies are not approved by the Department of Revenue

There was no county assistance.

Evans also reported that there are 18 males and 4 females in the Fall River County Jail, with 3 males and 1 female in the Pennington County Jail, 1 on GPS monitor, for a total of 27 inmates. Discussion was held on the need for an additional deputy sheriff, item will be on next agenda.

Randy Seiler, Highway Superintendent, met with the board and presented fuel and propane quotes as follows:

12/21/2020 Fuel Quotes	5000 Gal NoLead(E-10)	5,000-Gal #2 Diesel
Hi-D-Way	No Bid	No Bid
MG Oil	No Bid	No Bid
Nelson's Oil and Gas	\$1.85/gallon	\$1.93 per gallon
12/21/2020 Propane Quotes	1,200 Gal Propane	
Hi-D-Way	No Bid	
McGas	\$1.49/gallon	
Nelson's Oil and Gas	\$1.40/gallon	

Motion made by Russell, seconded by Greenough, to approve the low bid from Nelson's Oil and Gas at \$1.85 per gallon for 5,000 gallons of unleaded gas (E-10), for a total amount of \$9,250.00; \$1.93 per gallon for 5,000 gallons of #2 diesel, for a total of \$9,650.00 and \$1.40 per gallon for \$1,200 gallons of propane, for a total of \$1,680.00.

Motion made by Greenough, seconded by Nabholz, to approve the December 2020 reimbursement to the highway department for fuel used or work performed as follows: Sheriff's Department for \$1,954.71; Weed and Pest Office for \$186.51; Building for \$32.24; Emergency Management for \$71.53; and Director of Equalization for \$40.34.

Motion made by Russell, seconded by Greenough, to surplus the used 2010 Walk 'n' Roll Packer WR75 Series 3 as trade-in for new WR75-3 Walk 'n' Roll Packer.

Motion made by Nabholz, seconded by Russell, to approve the quote by LyCox Enterprises, Inc. for 2020 WR75-3 Walk 'n' Roll packer/roller in the amount of \$16,985.00, reflecting total cost of \$19,950 plus quick attach \$1,000, freight \$825.00, less trade-in of \$4,790.00.

Motion made by Russell, seconded by Allen, to surplus the 2014 Road Grader, Model CAT 140M2AWDSD – sell or trade-in. With Greenough voting no, all others voting yes, motion carries.

Seiler presented estimated costs for the proposed improvements to Shep's Canyon Road from Brosz Engineering, Inc. Discussion was held on the high costs of the estimates and the possibility of the SD Game Fish and Parks covering a majority of the costs. Motion made by Allen, seconded by Russell, to approve sending a letter to Tim Goodwin, District 30 Representative, in regard to funding for Shep's Canyon Road improvements, and authorize the chairman to sign.

Debra Johnston met with the board to present a petition and request their signature. Motion made by Russell, seconded by Nabholz, to approve the county signing the petition to vacate alley – East/West Platted Alley in Block 17, Fargo and Prentice Addition, Hot Springs, Fall River

County, SD, as a landowner, and authorize the chairman to sign. With Greenough voting no, all others yes, by roll call vote, motion carries.

Motion made by Nabholz, seconded by Greenough, to table the 2021 Oglala Lakota and Fall River Contract until after the discussion on the state's attorney position for 2021.

A hearing was held as advertised for the vacation of part of a Highway, formerly known as County Road 9 and River Road, petitioned by Mark Tubbs, Tubbs Land and Cattle. Lance Russell, Attorney, was present. After discussion, and noting an objection filed by Uriah Luallin, motion made by Nabholz, seconded by Russell, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2020-57

WHEREAS, Mark Tubbs, Member of the Tubbs Land and Cattle, L.L.C., has presented to the Fall River County Commission a Petition that certain public roadways be vacated in Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, pursuant to SDCL 31-3-6 and SDCL 11-3-21.1 described as follows:

The Plat of the Public Highway in Section Twenty-seven (27), Twenty-eight (28) and Thirty-four (34) all in Township Seven (7) South, Range One (1) East of the Black Hills Meridian (B.H.M.), Fall River County, South Dakota, which said plat was filed in the office of the Register of Deeds of Fall River County on January 6, 1921, and recorded in Book 2 of Plats, Page 37.

WHEREAS, the following described public highways and roadways are located within the above-described real estate:

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of 1.7 acres, and located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Southeast terminus of Lot B that is located on the quarter section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B on the section line of the Southeast Quarter of the Northeast Quarter of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of .55 acres, and located in the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Northwest terminus of Lot C that is located in the Northwest corner of the Northeast Quarter of the Southwest

Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot A on the quarter section line located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot C, consisting of 2.34 acres, and located in the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot D that is located on the quarter section line in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B in the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of 2 acres, and located in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot A that is located on the section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot C on the quarter section line in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot C, consisting of .45 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot B that is located on the quarter section line in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the Southwest corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7)

South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37; and

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of .73 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the section line located between the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, and Northwest Quarter of the Northwest Quarter of Section Thirty-five (35), Township Seven (7), Range One (1) East, B.H.M., Fall River County, South Dakota, to the beginning of Lot F on the section line of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37.

WHEREAS, said petitioners seek to have vacated, pursuant to the provisions of SDCL 31-3-6 and SDCL 11-3-21.1, the following described public highways and roadways:

All of the East-West Public Highway, described as Lot C, formerly known as County Road 9 and River Road, consisting of .45 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot B that is located on the quarter section line in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the Southwest corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of .55 acres, and located in the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Northwest terminus of Lot C that is located in the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot A on the quarter section line located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats,

Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of 1.7 acres, and located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Southeast terminus of Lot B that is located on the quarter section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B on the section line of the Southeast Quarter of the Northeast Quarter of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of 2 acres, and located in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot A that is located on the section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot C on the quarter section line in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot C, consisting of 2.34 acres, and located in the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot D that is located on the quarter section line in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B in the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

WHEREAS, the petition certified that the petitioners represent all of the adjoining landowners of the above-described public highways and roadways, and further certified that the public highways and roadways to be vacated are of platted public highways and roadways that are impassable, and/or dangerous for vehicular travel; petitioners further certified in said petition that many of the public highways or roadways to be vacated have not been used in the past twenty-one years; and the petitioners assert that the vacation of the above-described public highways and roadways is in the public interest and public safety; and

WHEREAS, the Fall River County Commission at a meeting of said Commission held December 31, 2020, deemed it expedient that said matter should be proceeded with, ordered said petition filed with the Auditor of said County, fixed a time for hearing on the petition at the regular meeting of the Commission on Thursday, December 31, 2020, at 9:30 a.m. and directed that notice of said hearing be published once a week for two consecutive weeks in the Fall River County Herald-Star, the official newspapers of Fall River County, South Dakota; and

WHEREAS, due and legal notice of the hearing on said petition has been given and the Commission has investigated and considered the matter and it being established: that the petition contains the required number of signatures of registered voters; that all the adjoining landowners of the petitioned public highways and roadways to be vacated have signed the petition; that none of the portions of public highways and roadways exceed one mile in length; and that the public interest will be better served by the proposed vacations.

THEREFORE, BE IT RESOLVED AND ORDERED by the Fall River County Commission, that the public highways and roadways described as follows:

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of 1.7 acres, and located in the Southwest Quarter of the Northwest Quarter (SW1/4NW14) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Southeast terminus of Lot B that is located on the quarter section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B on the section line of the Southeast Quarter of the Northeast Quarter of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of .55 acres, and located in the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Northwest terminus of Lot C that is located in the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of

January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot A on the quarter section line located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

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All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot C, consisting of .45 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot B that is located on the quarter section line in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the Southwest corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37; and

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of .73 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the section line located between the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, and Northwest Quarter of the Northwest Quarter of Section Thirty-five (35), Township Seven (7), Range One (1) East, B.H.M., Fall River County, South Dakota, to the beginning of Lot F on the section line of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37.

be, and the same hereby are vacated, reserving, however, any easement and right-of-way presently existing for public utility or drainage purposes and that the public interest will be better served by said vacations.

Such vacations to take effect after the 30th day after the second publication of this Resolution unless the action has been appealed according to law.

Dated at Hot Springs, Fall River County, South Dakota, this 31st day of December, 2020.

APPROVED:

/s/Joe Falkenburg, Chairman

Fall River County Commission

ATTEST

/s/Sue Ganje, County Auditor

Discussion was held on whether an easement would be needed, John McBride and Dustin Ross, Andersen Engineering, Inc. spoke to encourage the board to not request an easement, or they would have to do one for every road that does not follow the section line. After discussion the board noted they would have an item on the next agenda to not require the easement.

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

FALL RIVER COUNTY RESOLUTION #2020-58

Supplemental Budget 2020, #5

Contingency Transfer 2020, #6

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 revenues and expenditures for December 31, 2020 be approved as follows: General Interest 10100R3610100, \$96,483.24; Federal PILT 10100R3330000, \$30,848.27; Cares Act 10100R3310400, \$882,073.52; General Goods & Services 10100R3410900, \$23,971.31; State

Grant 10100R3340100, \$32,969.35; Juvenile Rebate 10100R3420225, \$35,550.69; Surface Transportation 20100R3340200, \$33,477.97; 22.5% MV Fund 20100R3350220, \$13,389.72; 54.5% MV Fund 20100r3350250, \$19,063.95; PDM Grant 22600X4275222, \$7,500.00; LEPC Grant 23400X4260222, \$100.00; Dispatch Equipment 20700X4340225, \$7,215.13; Nurse Supplies 10100X4260421, \$55.53; Means of finance to be cash and cash for revenues received, 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: Election Supplies 10100X4260120, \$13,247.12; Treasurer Supplies 10100X4260142, \$2,001.52; States Attorney Equipment 10100X4340151, \$1,477.68; Court Appointed Attorney 10100X4260153, \$33,980.24; Building Salaries 10100X4110161, \$10,528.39; Director of Equalization Salaries 10100X4110162, \$7,520.67; Goldenwest Technologies 10100X4342171, \$22,888.99; 24/7 Salaries 24800X4110211, \$2,230.46; Cares Act 10100X4260222, \$3,213.17; Dispatch Equipment 20700X4340225, \$4,458.21

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget #5 and Contingency Transfer #6, and approve the cash transfer from the General fund to the Domestic Abuse fund in the amount of \$1,719.59 for 2020.

Dated at Fall River County, South Dakota this 31st day of December 2020.

/s/Joe Falkenburg

Fall River County Board of Commissioners

ATTEST:

/s/Sue Ganje

Fall River County Auditor's Office

Discussion was held on whether to keep the state's attorney's position full time or make it part time for 2021. Motion made by Nabholz, seconded by Russell, to approve making the Fall River State's Attorney position part time at the expiration of Brian Ahrendts's term as State's Attorney, at a salary of 90% of the current Fall River State's Attorney Salary, commencing with time he will be serving.

Motion made by Nabholz, seconded by Greenough, to table the 2021 Oglala Lakota - Fall River Counties Contract until the January 7, 2021 meeting.

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

GENERAL FUND

AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$549.16
BEESEY LAW OFFICE	CAAF	\$1,788.85
BEST WESTERN OF HURON	STATE FAIR HOTEL	\$300.00
BLACK HILLS CHEMICAL	SUPPLY	\$302.76
BRUMBAUGH & QUANDAHL,P.C.	GARNISHMENT	\$36.36
BOMGAARS SUPPLY	SUPPLY	\$135.96

BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CAMERON, GEORGE	COURT REPORTER	\$304.60
SEVENTH CIRCUIT CASA PRG	2020 BUDGET ALLOTMENT	\$1,585.00
CENTURY BUSINESS LEASING	COPIER LEASE & USAGE	\$1,116.80
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CREDIT COLLECTION BUREAU	COLLECTIONS	\$32.81
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,118.70
DEPT OF LEGISLATIVE AUDIT	FISCAL STATE AUDIT	\$20,914.20
EFTPS	PAYROLL TAXES	\$32,321.18
FALL RIVER HISTORICAL SOCIETY	2020 BUDGET ALLOTMENT	\$6,000.00
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$23,107.69
FARRELL,FARRELL &GINSBACH	CAAF	\$1,409.48
FITZGERALD LAW FIRM	CAAF	\$4,772.40
GOFF, GARLAND LEE	QMHP	\$702.30
GOLDEN WEST TECHNOLOGIES	DARK FIBER INSTALLATION	\$11,311.41
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$2,870.46
HARMELINK FOX LAW OFFICE	MI	\$170.75
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$540.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$262.79
CITY OF HOT SPRINGS	CITY WATER BILL	\$708.96
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$18,367.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$325.00
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$1,116.47
MASTEL, BRUCE	DATABASE SETUP & MONITORING	\$35.00
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$272.75
MEADE COUNTY AUDITOR	PRISONER BOARD	\$80.00
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$202.50
MID DAKOTA VEGETATION MGT	PRAIRIE DOG CONTROL	\$2,500.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$500.00
NELSONS OIL & GAS INC.	UTILITIES	\$351.85
QUADIENT FINANCE USA, INC	POSTAGE	\$851.80
NEW YORK LIFE INSURANCE	NEW YORK LIFE INSURANCE	\$65.00
NORTON,TINA	CONTRACT NURSE INMATE	\$1,000.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$5,683.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
O'NEILL, JUSTIN	CAAF	\$1,674.63
POWELL, DEBRA J	BLOOD DRAW	\$75.00
QUILL CORPORATION	SUPPLY	\$138.61
RELIANCE STANDARD LIFE	VISION PLAN	\$197.22
RAPID CITY FIRE DEPT	SERVICE	\$244.30
RUSHMORE OFFICE SUPPLY	SUPPLY	\$276.00
RUSSELL, LANCE	CONFLICT DEPUTY	\$1,000.00

SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$1,421.37
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$15,527.85
SERVALL	RUGS AND MATS SERVICE	\$400.78
SONNY'S SUPER FOODS	SUPPLY	\$160.09
SD SUPPLEMENT RETIREMENT	SDRS SUP RETIREMENT	\$600.00
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$54.99
VANWAY TROPHY	SUPPLY	\$33.15
VERIZON WIRELESS	CELL PHONE PLAN	\$746.89
WATCHGUARD VIDEO	SUPPLY	\$32.00
WESTERN FIRST AID & SAFETY	SUPPLY	\$298.76
MILES, SASHA	BLOOD DRAW	\$75.00
WITNESS	WITNESS FEE	\$145.84
COMMISSIONERS	DECEMBER SALARIES	\$15,136.03
AUDITOR'S OFFICE	DECEMBER SALARIES	\$15,136.03
AUDITOR'S OFFICE	OVERTIME	\$87.89
TREASURER'S OFFICE	DECEMBER SALARIES	\$10,906.43
TREASURER'S OFFICE	OVERTIME	\$88.26
STATE'S ATTORNEY'S OFFICE	DECEMBER SALARIES	\$11,321.54
STATE'S ATTORNEY'S OFFICE	OVERTIME	\$334.48
MAINTENANCE	DECEMBER SALARIES	\$7,468.29
MAINTENANCE	OVERTIME	\$6.17
ASSESSOR'S OFFICE	DECEMBER SALARIES	\$14,971.68
ASSESSOR'S OFFICE	OVERTIME	\$33.75
REGISTER OF DEEDS OFFICE	DECEMBER SALARIES	\$8,208.47
REGISTER OF DEEDS OFFICE	OVERTIME	\$4.50
VETERAN'S SERVICE OFFICE	DECEMBER SALARIES	\$3,616.69
GIS OFFICE	DECEMBER SALARIES	\$3,563.48
SHERIFF	DECEMBER SALARIES	\$21,026.22
SHERIFF	OVERTIME	\$3,622.97
JAIL	DECEMBER SALARIES	\$15,864.18
JAIL	OVERTIME	\$2,784.25
CORONER	DECEMBER SALARIES	\$300.00
NURSE'S OFFICE	DECEMBER SALARIES	\$3,274.54
EXTENSION'S OFFICE	DECEMBER SALARIES	\$2,073.50
EXTENSION'S OFFICE	OVERTIME	\$43.88
WEED & PEST OFFICE	DECEMBER SALARIES	\$3,676.77
	TOTAL FOR GENERAL FUND	\$312,648.96
COUNTY ROAD & BRIDGE		
A & B WELDING SUPPLY CO.	SUPPLY	\$101.23
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$350.88
B H ELECTRIC COOP INC.	UTILITY	\$14.14
BOMGAARS	SUPPLY	\$260.31
CHEYENNE SANITATION	SANTATION COLLECTION	\$74.00

CITY OF EDMONTON	CITY OF EDMONTON WATER	\$84.10
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$471.00
FLOYD'S TRUCK CENTER	SUPPLY	\$257.20
EFTPS	PAYROLL TAXES	\$7,746.85
FALL RIVER AUTO SUPPLY	SUPPLY	\$139.90
FORWARD DISTRIBUTING	SUPPLY	\$19.40
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$254.65
GRIMM'S PUMP SERVICE INC	SUPPLY	\$1,553.27
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$150.00
HILLYARD/SIOUX FALLS	SUPPLY	\$86.61
HOT SPRINGS ACE HARDWARE	SUPPLY	\$35.96
HOT SPRINGS AUTOMOTIVE	SUPPLY	\$89.75
CITY OF HOT SPRINGS	CITY WATER BILL	\$33.43
RICOH USA INC	PRINTER RENT	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$3,920.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$125.00
NELSONS OIL & GAS INC.	UTILITY	\$20,403.07
RELIANCE STANDARD LIFE	VISION PLAN	\$39.54
RUNNINGS FARM & FLEET	SUPPLY	\$1,181.16
SAFETY-KLEEN SYSTEMS, INC	SUPPLY	\$536.25
SCHUBBEL, FREDERICK JR	CLOTHING ALLOWANCE	\$150.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$4,083.68
SEILER, RANDY	CELL PHONE REIMBURSEMENT	\$75.00
SOUTHERN HILLS FIRE	ANNUAL INSPECTION	\$238.00
SUMMIT SIGNS & SUPPLY INC	SUPPLY	\$800.00
WALK-N-ROLL	EQUIPMENT	\$16,985.00
HIGHWAY DEPARTMENT	DECEMBER SALARIES	\$33,634.44
HIGHWAY DEPARTMENT	OVERTIME	\$351.40
	TOTAL COUNTY ROAD & BRIDGE	\$94,320.22

911 SURCHARGE REIMBURSEMENT

AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$67.21
CENTURY BUSINESS LEASING	COPIER LEASE	\$75.03
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$418.30
EFTPS	PAYROLL TAXES	\$4,922.72
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$852.94
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$90.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,693.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$100.00
PORTFOLIO RECOVERY ASSOC.	GARNISHMENT	\$202.41
RELIANCE STANDARD LIFE	VISION PLAN	\$6.33
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$2,736.07
VERIZON WIRELESS	CELL PHONE PLAN	\$42.00

DISPATCH	DECEMBER SALARIES	\$20,330.89
DISPATCH	OVERTIME	\$1,156.35
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$33,996.61
FIRE PROTECTION FUND		
BUFFALO GAP FIRE DEPT	BUDGET ALLOTTMENT	\$1,080.00
	TOTAL FOR FIRE PROTECTION FUND	\$1,080.00
EMERGENCY MANAGEMENT		
EFTPS	PAYROLL TAXES	\$1,336.22
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$164.33
QUADIENT FINANCE USA, INC	POSTAGE	\$2.60
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$569.22
VERIZON WIRELESS	CELL PHONE PLAN	\$84.00
FR EMERGENCY MANAGEMENT OFFICE	DECEMBER SALARIES	\$4,743.55
	TOTAL FOR EMERGENCY MANAGEMENT	\$6,899.92
DOMESTIC ABUSE FUND		
FALL RIVER HEALTH	MEDICAL	\$1,148.01
	TOTAL DOMESTIC ABUSE FUND	\$1,148.01
24/7 SOBRIETY FUND		
EFTPS	PAYROLL TAXES	\$296.80
SD DEPARTMENT OF HEALTH	24/7 LABS	\$100.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$32.76
24/7 OFFICE	DECEMBER SALARIES	\$1,950.00
	TOTAL FOR 24/7 SOBRIETY FUND	\$2,379.56
COURTHOUSE BUILDING FUND		
HOT SPRINGS ACE HARDWARE	SUPPLY	\$10.42
	TOTAL FOR COURTHOUSE BUILDING FUND	\$10.42
	TOTAL PAID BETWEEN 12/16/20 AND 12/31/20	\$448,956.10

Break was taken at 10:01 a.m. and meeting resumed at 10:08 a.m.

Public comment was heard from Susan Henderson about needing a 2-page plan to help people that are soon to become evicted; Commissioner Nabholz spoke of Covid-19 statistics and infusions that have helped individuals.

Motion made by Russell, seconded by Nabholz, to adjourn at 10:26 a.m.

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

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