

FALL RIVER COUNTY APPROVED MINUTES OF APRIL 1, 2021

The Fall River Board of County Commissioners met in regular session on April 1, 2021. Present: Joe Allen, Les Cope, Joe Falkenburg, Heath Greenough, 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.sdcounties.org>, or, under Fall River County Commission, SD at <http://www.YouTube.com>.

Motion made by Russell, seconded by Allen, to approve the agenda with the addition of a plat from Andersen Engineers, and an agreement with Argentine Township.

Motion made by Cope, seconded by Russell, to approve longevity pay for Dave Weishaupl (Building Supervisor), \$25 per month, effective for March payroll; and Austin Zimiga (Jailer), \$25 per month, effective for March payroll, as per union contract.

Motion made by Cope, seconded by Greenough, to approve sending a letter to our SD Congressional Delegation, Governor, State Senator and Representatives concerning the closure of Nieman Sawmill, in Hill City, SD, and authorize all commissioners as signers.

Motion made by Greenough, seconded by Allen, to approve designating Fall River County as a militia county.

Motion made by Russell, seconded by Cope, to set a hearing for 2021-2022 retail (on-off sale) Malt Beverage and SD Farm Wine Licenses, May 6, 2021, at 9:30 a.m.

Motion made by Russell, seconded by Greenough, to approve surplus to junk a ball chair, #02248, from the treasurer's office.

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

FALL RIVER COUNTY RESOLUTION #2021-21

Disaster Declaration Resolution

WHEREAS, Fall River County, South Dakota on March 15, 2021 through still ongoing has suffered severe storm damage caused by a heavy wet snowstorm resulting in widespread flooding issues, and

WHEREAS, this severe storm caused road damage, property flooding and loss of access, loss of livestock, and

WHEREAS, the roads, bridge damage and culverts damaged, severe flooding has isolated some residents, and caused livestock losses, and

WHEREAS, Fall River County has incurred expenses as they endeavor to provide road repair and access to residents of the county, and

NOW IT BE RESOLVED THAT the Fall River County Commissioners do hereby declare a disaster for the population of the area impacted.

The Fall River County Commissioners respectfully request that any and all assistance that may be available from State and Federal agencies be provided to all local governments to include Fall River County and to the local businesses and the general population as we work to overcome this disaster.

BE IT ALSO RESOLVED THAT the Fall River County Commissioners do hereby declare a flooding and winter storm disaster and respectfully request the Governor of the State of South Dakota to declare a disaster area and to request a Presidential Declaration of Disaster to insure that the maximum amount of assistance is made available to local governments, business and residents affected.

Dated this 1st day of April, 2021.

ATTEST:
/s/Sue Ganje
Fall River County Auditor

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

**Fall River County Resolution 2021-22
Drought Disaster Resolution**

Whereas, Fall River County is suffering from widespread drought conditions, low humidity, high wind, and high temperatures that create serious peril for Fall River County; and,

Whereas, the entirety of Fall River County is suffering from abnormally dry, or moderate and severe drought conditions, with nearly all of Fall River County being in moderate and severe drought conditions; and,

Whereas, Drought conditions threaten life, livestock, property, and the livelihood of our citizens, and resultant fires, worsened by these conditions, cause significant damage to infrastructure and cause unexpected costs; and,

Whereas, Substantial state and local government resources may need to be committed to help alleviate the efforts of this severe weather and dangerous fire conditions, and local workforce and firefighting resources may be depleted for firefighting efforts; and,

Whereas, State, local and federal government activities and resources may be required to contain and control wildfire activity throughout Fall River County:

NOW, IT BE RESOLVED THAT the Fall River County Commissioners do hereby declare a state of emergency to exist in Fall River County during this fire incident and drought period.

BE IT ALSO RESOLVED THAT the Fall River County Commissioners do hereby commit all local, state and federal resources to provide assistance in preventing large wildfires and producer losses due to the existing drought conditions and assistance be made available to local governments, businesses and residents affected.

ATTEST:
/s/Sue Ganje
Fall River County Auditor

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

Frank Maynard, Emergency Management spoke briefly on SD Wildfires, and the resources that are very minimal.

Motion made by Allen, seconded by Greenough, to approve CP2021-01. With Russell and Falkenburg voting no as the income was above the county guidelines, and all others voting yes, motion carries.

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

FALL RIVER COUNTY RESOLUTION #2021-23

A Plat of Lot 13A 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 1st day of April, 2021.

ATTEST:

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

/s/Sue Ganje
Fall River County Auditor

Teresa Pullen, Treasurer, met with the board. Motion made by Russell, seconded by Allen, to approve the low bid from Sanders Sanitation, in the amount of \$434.00 for 30 days, for a roll off container for the cleanup of the storage unit.

Pullen gave an update on the clean-up progress at the storage building, and that when completed, a list will be compiled to surplus items. The remaining items will be put up for auction. Purplewave.com only wants big equipment; they are not interested in office equipment.

Pullen spoke of the non-sufficient funds checks process - after 30 days the Treasurer's office turns it over to the State's Attorney's office, where they have up to 6 months to collect. Discussion was also held on an upcoming tax deed sale, noting a few properties she needs advice on from State's Attorney Russell.

Stacey Martin, GIS, met with the board to present a power point on the Riparian Buffer Strip Tax Incentives. 2021 Legislature passed House Bill 1042, which amended SDCL 10-6-31.7 & 10-6-31.8. Martin noted qualifications – location, size, management and the October 16th deadline to submit their application to the Director of Equalization. If the application is approved, it is good for a 10-year period or until a change in use or ownership of land. The amendment included the increase to 10 years for the tax incentive, and the value reduction that will now be 50%. Martin provided a list of agriculture deedholders that could apply.

Agricultural soil tables were briefly discussed; this will also be addressed at the May 14, 2021 Black Hills Association of County Commissioners meeting at Prairie Wind Casino.

Joe Messino, Mayor of the Town of Oelrichs, met with the board to ask about plans for repairs to Oelrichs Main Street (Old HWY 79). Grant applications for repair have yet to be approved, patching problem areas do not seem to work, and there are issues during snowstorms. Bituminous Paving, Inc. has the bid for the Highway 385 project that will end at Oelrichs, so Seiler will meet with them and see if they will give a quote for asphalt paving. Messino will take that plan to his town board.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Greenough, seconded by Russell, to approve the Golden West Telecommunication's Application for Permit to Occupy County Highway Right-of-Way from an existing vault near 28558 Old HWY 18 to approximately 2.6 miles east to another existing vault to replace a section of bad cable.

Seiler updated the board on the Chilson Bridge, noting that the tribe wants to do another walk over, but bid letting is still set for May. It has not yet been found that the bridge at Igloo belongs to the county. A 404 Permit is still needed for the Argentine Bridge project, but it is also set to be bid in May. Seiler also advised that there will be LTAP training on road graders for employees, later in April, that commissioners can attend as well.

Seiler provided a map on county roads and spoke of snow removal after winter storms, noting that school bus routes in the Oral and lake area have priority. With the recent storm, although all roads were cleared for travel in two days, there were challenges that included the amount of snow, blading while no frost was in the ground, road graders getting stuck, a family emergency that took away one operator, and the white out they experienced. Employees worked fourteen-hour days after that storm. The highway department followed up on Wednesday and Thursday. Commissioners spoke of phone call complaints and the need for better planning. Russell and Allen noted the Code of the West previously adopted, and discussion was also on additional training for the newer operators. Falkenburg also was hopeful that additional training and the upcoming LTAP class would help.

Public comment was heard from Sheriff Evans reporting that there are 16 males and 3 females in the Fall River County Jail and 3 males and 1 female in the Pennington County Jail, with 1 inmate on work release, for a total of 24 inmates. Mike Ortner reported that prior county commissioner Anne Cassens is now a 4th grade teacher in Utah, and Charity Mantis would like the board to consider designating March 29, 2022 as Welcome Home Vietnam Veterans Day, Mantis will remind them in February of 2022. Falkenburg spoke about the 30X30 Federal Land Plan, registering firearms, wealth tax, and other current issues in the country. Russell encourages people to look beyond the titles of bills.

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

GENERAL FUND

| | | |
|-----------------------------|-----------------------------|-------------|
| AMERICAN FAMILY ASSURANCE | AMERICAN FAMILY ASSURANCE | \$549.16 |
| BRUMBAUGH & QUANDAHL, P.C. | GARNISHMENT | \$36.36 |
| BLACK HILLS ORTHO & SPINE | INMATE MEDICAL | \$74.30 |
| BOSTON MUTUAL LIFE INS CO | LIFE INSURANCE | \$32.76 |
| CENTURY BUSINESS LEASING | COPIER LEASE & USAGE | \$507.12 |
| CREDIT COLLECTION BUREAU | COLLECTIONS | \$32.81 |
| DELTA DENTAL PLAN OF SD | DELTA DENTAL | \$2,304.40 |
| EFTPS | EFTPS PAYROLL TAXES | \$36,933.70 |
| FARRELL, FARRELL & GINSBACH | CAAF | \$1,715.25 |
| GOFF, GARLAND LEE | QMHP/MI | \$1,864.60 |
| HEAVY HIGHWAY FRINGE | INSURANCE FEES | \$600.00 |
| HOT SPRINGS ACE HARDWARE | SUPPLY | \$90.92 |
| HOT SPRINGS AUTOMOTIVE | SUPPLY | \$11.98 |
| HOT SPRINGS MEAL SITE | 2021 BUDGET ALLOTTMENT | \$2,800.00 |
| IOWA LABORERS DISTRICT | HEALTH INSURANCE | \$20,327.50 |
| KATTERHAGEN, MARK | QMHP/MI | \$12.00 |
| LIUNA LABORERS LOCAL 620 | UNION DUES | \$350.00 |
| LEWNO, LUCY | QMHP/MI | \$155.01 |
| LOCKWOOD, DARCY | QMHP/MI | \$12.00 |
| MASTEL, BRUCE | DATABASE SETUP & MONITORING | \$35.00 |
| MCNEMAR, KIM | QMHP/MI | \$900.00 |

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| MENARD'S | SUPPLY | \$61.80 |
| NATIONWIDE RETIREMENT SOL | NATIONWIDE RETIREMENT | \$500.00 |
| NEW YORK LIFE INSURANCE | NEW YORK LIFE INSURANCE | \$65.00 |
| NORTON,TINA | CONTRACT NURSE INMATE | \$1,475.00 |
| OECHSLE, KEN | REIMBURSEMENT | \$175.73 |
| CHILD SUPPORT PAYMENT CNT | CHILD SUPPORT | \$655.00 |
| OLSON'S PEST TECHNICIANS | PEST CONTROL | \$350.00 |
| OTIS ELEVATOR COMPANY | SERVICE CONTRACT | \$437.04 |
| QUILL CORPORATION | OFFICE SUPPLIES | \$160.26 |
| RELIANCE STANDARD LIFE | VISION PLAN | \$196.73 |
| RAMKOTA HOTEL-PIERRE | HOTEL ROOMS CONFERENCE | \$808.00 |
| CITY OF RAPID CITY | RESULTS | \$80.00 |
| RUSSELL, DEBORAH | TRAVEL REIMBURSEMENT | \$160.08 |
| SDACO | 2021 SPRING WORKSHOP | \$370.00 |
| SDSU WEST RIVER AG CENTER | 1/2 MILEAGE REIMBURSEMENT | \$148.52 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$18,526.01 |
| SDAAO | ANNUAL CONFERENCE | \$600.00 |
| SERVALL | RUG/UNIFORM SERVICE | \$169.74 |
| SONNY'S SUPER FOODS | SUPPLY | \$96.87 |
| SD SUPPLEMENT RETIREMENT | SDRS SUP RETIREMENT | \$800.00 |
| SPITZER CONSTRUCTION INC | SNOW REMOVAL | \$1,750.00 |
| UNITED WAY BLACK HILLS | UNITED WAY DONATION | \$60.00 |
| VAN DIEST SUPPLY | SUPPLY | \$1,110.90 |
| VERIZON WIRELESS | CELL PHONE PLAN | \$418.83 |
| WENDELL'S GARAGE | MAINTENANCE | \$123.05 |
| BEHRENS, DONNA | MILEAGE REIMBURSEMENT | \$2.52 |
| MILES, SASHA | BLOOD DRAW | \$75.00 |
| | TOTAL FOR GENERAL FUND | \$98,720.95 |

COUNTY ROAD & BRIDGE

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|---------------------------|---------------------------|-------------|
| A & B WELDING SUPPLY CO. | WELDING SUPPLIES/LEASE | \$32.76 |
| ADVANCED DRUG TESTING | RANDOM DRUG TEST | \$26.00 |
| AMERICAN FAMILY ASSURANCE | AMERICAN FAMILY ASSURANCE | \$350.88 |
| BOMGAARS | SUPPLY | \$12.99 |
| BROSZ ENGINEERING, INC. | ENGINEERING | \$29,630.00 |
| BUILDER'S FIRST SOURCE | SUPPLY | \$48.18 |
| BUTLER MACHINERY CO. | SUPPLIES/REPAIRS | \$15,349.76 |
| DAKOTA FLUID POWER INC | SUPPLY | \$22.27 |
| DALE'S TIRE & RETREADING | TIRE PARTS/SUPPLY | \$206.03 |
| DELTA DENTAL PLAN OF SD | DELTA DENTAL | \$471.00 |
| DIESEL MACHINERY, INC | SUPPLY | \$169.33 |
| FLOYD'S TRUCK CENTER | REPAIRS/PARTS | \$269.42 |
| EFTPS | EFTPS PAYROLL TAXES | \$9,611.76 |
| FORWARD DISTRIBUTING | SUPPLIES/PARTS | \$38.35 |

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| HEISINGER, GERARD | CLOTHING ALLOWANCE | \$150.00 |
| HEAVY HIGHWAY FRINGE | INSURANCE FEES | \$150.00 |
| HOT SPRINGS ACE HARDWARE | SUPPLY | \$49.12 |
| HOT SPRINGS AUTOMOTIVE | AUTO SUPPLY PARTS | \$253.73 |
| RICOH USA INC | CONTRACT SERVICE | \$75.00 |
| IOWA LABORERS DISTRICT | HEALTH INSURANCE | \$3,920.00 |
| LIUNA LABORERS LOCAL 620 | UNION DUES | \$125.00 |
| NELSONS OIL & GAS INC. | UTILITES | \$20,490.24 |
| NEWMAN SIGNS INC. | SIGNAGE | \$414.20 |
| RELIANCE STANDARD LIFE | VISION PLAN | \$39.54 |
| RANCHERS FEED & SUPPLY | SUPPLY | \$20.39 |
| RAPID CITY JOURNAL (THE) | PUBLICATION | \$34.28 |
| RAPID DELIVERY | DELIVERY | \$14.38 |
| RDO EQUIPMENT CO | SUPPLY | \$132.68 |
| RUSHMORE COMMUNICATIONS | HWY RADIOS | \$1,028.11 |
| SAFETY-KLEEN SYSTEMS, INC | SUPPLIES | \$124.47 |
| SD DEPT OF TRANSPORTATION | STATE COST SHARE ROA | \$129.46 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$4,901.66 |
| SEILER, RANDY | CELLPHONE REIMBURSEMENT | \$129.00 |
| SHULL, ERIC | REIMBURSEMENT | \$18.30 |
| | TOTAL COUNTY ROAD & BRIDGE | \$88,438.29 |

911 SURCHARGE REIMBURSEMENT

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|---------------------------|---------------------------------------|-------------|
| AMERICAN FAMILY ASSURANCE | AMERICAN FAMILY ASSURANCE | \$67.21 |
| CREDIT COLLECTION BUREAU | COLLECTIONS | \$302.86 |
| DELTA DENTAL PLAN OF SD | DELTA DENTAL | \$418.30 |
| EFTPS | EFTPS PAYROLL TAXES | \$5,347.07 |
| HEAVY HIGHWAY FRINGE | INSURANCE FEES | \$90.00 |
| IOWA LABORERS DISTRICT | HEALTH INSURANCE | \$2,301.50 |
| LIUNA LABORERS LOCAL 620 | UNION DUES | \$75.00 |
| PORTFOLIO RECOVERY ASSOC. | GARNISHMENT | \$333.95 |
| RELIANCE STANDARD LIFE | VISION PLAN | \$6.33 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$2,707.80 |
| VERIZON WIRELESS | CELL PHONE PLAN | \$42.04 |
| | TOTAL FOR 911 SURCHARGE REIMBURSEMENT | \$11,692.06 |

EMERGENCY MANAGEMENT

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|----------------------|--------------------------------|------------|
| EFTPS | EFTPS PAYROLL TAXES | \$1,522.73 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$616.82 |
| VERIZON WIRELESS | CELL PHONE PLAN | \$84.08 |
| | TOTAL FOR EMERGENCY MANAGEMENT | \$2,223.63 |

DOMESTIC ABUSE FUND

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| W.E.A.V.E. | 2021 BUDGET ALLOTMENT | \$7,000.00 |
| | TOTAL FOR DOMESTIC ABUSE FUND | \$7,000.00 |

24/7 SOBRIETY FUND

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|--------------------------|---------------------------------------|--------------|
| EFTPS | EFTPS PAYROLL TAXES | \$261.50 |
| HOT SPRINGS ACE HARDWARE | SUPPLY | \$17.96 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$24.97 |
| | TOTAL FOR 24/7 SOBRIETY FUND | \$304.43 |
| | TOTAL PAID BETWEEN 3/26/21 AND 4/1/21 | \$208,379.40 |

Break was taken at 10:25 a.m. and the meeting reconvened at 10:30 a.m.

Motion made by Greenough, seconded by Cope, to enter executive session, as per SDCL 1-25-2 (1) - Annual Conference of Commissioners and Director of Equalization, as per SDCL 10-3-14 at 10:31 a.m.

The board came out of executive session at 11:06 a.m.

Motion made by Russell, seconded by Greenough, to adjourn at 11:07 a.m.

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

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