

FALL RIVER COUNTY APPROVED MINUTES OF AUGUST 19, 2021

The Fall River Board of County Commissioners met in regular session on August 19, 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 Greenough, seconded by Russell, to approve the agenda as written.

Motion made by Russell, seconded by Cope, to approve the minutes for August 5, 2021.

Motion made by Russell, seconded by Greenough, to surplus to sell a green file cabinet, #01839, Treasurer's Office.

Motion made by Russell, seconded by Greenough, to approve the Auditor's Account with the Treasurer as follows:

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

TO THE HONORABLE BOARD OF FALL RIVER COUNTY COMMISSIONERS:
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 31st day of July 2021.

Total Amount of Deposit in First Interstate Bank, HS:	\$ 2,208,706.04
Total Amount of Deposit in First National Bank, Lead:	\$ 1,000.00
Total Amount of Cash:	\$ 1,523.51
Total Amount of Treasurer's Change Fund:	\$ 900.00
Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:	\$ 40,049.02
SAVINGS:	
First Interstate Bank, HS:	\$ 1,105,607.89
First National Bank of Lead: ICS Acct	\$ 1,045,839.25
CERTIFICATES OF DEPOSIT:	
First Interstate, HS:	\$ 788,864.24
Black Hills Federal Credit Union, HS:	\$ 250,000.00
Bank of the West, HS:	\$ 541,560.86

Schwab Treasury:	\$	274,327.74
First National Bank, Lead:	\$	309,081.91
Black Hills Community, Rapid City:	\$	805,786.21
Liberty National, Sioux Falls:	\$	4,023,703.80

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	9/2/2020	\$	806.60
Caveye, Russell	10/26/2020	\$	64.77

TOTAL \$11,398,356.84

Dated This 31st Day of July 2021.

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

/s/Teresa Pullen, County Treasurer of Fall River County

County Monies	\$ 11,078,742.68
Held for other Entities	\$ 125,728.63
Held in Trust	\$ 193,885.53
TOTAL	\$ 1,398,356.84

The Above Balance Reflects County Monies, Monies Held in Trust, and Monies Collected for and to be remitted to Other ENTITIES: SCHOOLS, TOWNS, AND STATE.

The board received notification from the Empower Coalition on a raffle to raise funds for the Toys for Kids program by Poker Run on 8-21-21.

Frank Maynard met with the board to report that the Rapid City National Weather Service's radar has been damaged and will be down for approximately two weeks. The 2022 L.E.M.P.G. agreement has been sent out and will need to be signed and returned to South Dakota OEM by September 30, 2021 if the county agrees to participate.

Maynard informed the Board that applications have been completed for the annual awards for Safety Benefits conference in November, and the preliminary paperwork is being worked on for the Fall River County Annual Exercise. He also spoke on the challenges facing fire departments as more people are building homes in rural Fall River County. Maynard reported on receiving \$16,849.35 for the L.E.M.P.G. reimbursement, and fires and incidents.

Susie Hayes, Director of Equalization, met with the board. Motion made by Allen, seconded by Russell, to approve hiring for James 'Cody' Johnson, administrative assistant, \$13.00

per hour; Cody Romey, administrative assistant (uncertified assessor) \$13.00 per hour; and Lillian Heidebrink, administrative assistant (uncertified assessor), \$13.00 per hour, all effective August 9, 2021, as per union contract.

Discussion was held on continued sales and tax increases.

Commissioner Cope updated the board about the first Ag Land Value Committee meeting on August 30, 2021 at 3:00 p.m. and presented that agenda.

Lance Russell, State's Attorney, met with the Board to review the revised Ordinance 2021-01, and the Board's responsibilities. This includes determining the number of cannabis dispensary establishments, the fee (recommended by the State to set fee at \$5,000.00), the hours of operation for the dispensary, and the setback/separation distances from specific uses. The board agreed to authorize 1 dispensary, set the fee at \$5,000.00, set hours of operation from 10:00 a.m. to 6:00 p.m., Monday through Saturday, and for a 1,000-foot setback/separation from specific uses.

Russell discussed the Application for isolated tract easement by Debra Irene Alexiou-Fleming and Harry Fleming, as per SDCL 31-22-3. He asked Greg Erlandson (the attorney representing the petitioners) to visit the location with himself and Highway Superintendent Seiler before any action is taken.

State's Attorney Russell updated the board on the issue of the tax deed properties that were deeded to the City of Edgemont, noting that an Attorney General opinion issued in 1985 requires that those properties be for public use. The City has asked Russell to request an AG opinion to determine if private ownership is described as public use. The issue will be put on hold until the AG opinion is received.

Motion made by Russell, seconded by Allen, to approve setting a special meeting on August 31, 2021 at 9 a.m. for the first reading of the revised Ordinance 2021 – 01, with a special meeting on September 7, 2021 at 9:00 for the second reading, both on medical cannabis.

The Hearing for Off-Sale Liquor License, Forney's Standard Service, Oelrichs, SD, was held as advertised. Motion made by Cope, seconded by Allen, to approve the application for the Off-Sale Liquor License, Forney's Standard Service, in Oelrichs, SD. With Russell abstaining, all others voting yes, motion carries.

The Hearing for 2022 PILT Distribution was held as advertised. Representatives from the Edgemont School were present. Commissioner Russell spoke of the money needed to balance the budget, if changes were made to the revenues the county receives, it would result in increased taxes.

Motion made by Greenough to approve giving 75% of PILT monies received to the schools, fire districts and ambulance. Motion dies for lack of a second.

Motion made by Cope, seconded by Greenough, to approve giving 50% of PILT monies received to the schools, fire districts and ambulance. With Cope and Greenough voting yes, all

others voting no, motion failed. The auditor requested distribution scenarios they would like to see, which will be brought back to the next meeting.

Motion made by Russell, seconded by Allen, to approve tabling a decision on how to distribute the PILT monies until the September 2, 2021 meeting.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Russell, seconded by Cope, to approve the July 2021 reimbursement to the highway department for fuel used or work performed as follows: Sheriff's Department for \$2,744.21; Weed and Pest Office for \$1,201.85; Building for \$92.18; Emergency Management for \$161.54; DOE for \$47.15; and Extension for \$22.50 and maintenance for building vehicles in the amount of \$76.44 and Fire for water tanker repairs in the amount of \$904.41. With Greenough voting no, all others voting yes, motion carries.

Motion made by Greenough, seconded by Russell, to approve the application for permit to occupy county highway right-of-way from an existing vault near 13321 N Angostura Rd. to the property line between 27901 Pillar Rock Circle and 27900 Twin Rock Bend Rd.

Seiler presented the board with a quote from Nelson's Oil and Gas, Inc. to remove and dispose of the oil furnace from the Ardmere shop; the board requested Seiler bring more quotes.

Seiler spoke of KD Construction getting a contract for 25,000 tons of gravel; the bid was supposed to be for 45,000 tons. The difference will need to be rebid. Motion made by Allen, seconded by Russell, to approve requesting sealed bids for 20,000 tons of gravel for Shep's Canyon Road. With Greenough voting no, all others voting yes, by roll call vote, motion carries.

Seiler updated the board that there is a road grader that will need to be replaced in the upcoming year, a full-time person will be hired with a CDL after Labor Day and that mowing will happen after the project at Shep's Canyon Road is done. Discussion was held on Jake brake signs and whether to amend the ordinance. The Chairman asked that the road grader purchase be put on the next agenda.

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

GENERAL FUND

AMAZON CAPITAL SERVICES	SUPPLY	\$253.84
CURA HOSPITALITY	INMATE MEALS	\$12,373.21
BANKS, BRIDGETTE	COURT REPORTER	\$30.40
BOB BARKER COMPANY INC	SUPPLY	\$571.02
BLACK HILLS CHEMICAL	SUPPLY	\$155.16
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$5,146.51
CENTRAL BODY SHOP	HAIL REPAIR	\$5,578.00
CENTURY BUSINESS LEASING	COPIER LEASE/USAGE/METER	\$816.96
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
COLBATH, ANGELA M	CAAF	\$316.90

CULLEN, DAN	REIMBURSEMENT	\$217.50
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
FARRELL, FARRELL & GINSBACH	CAAF	\$3,004.65
FR CO REGISTER OF DEEDS	SUPPLY	\$20.00
FALL RIVER COUNTY HERALD	PUBLICATION	\$168.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$2,292.49
HAMILTON COUNTY SHERIFF	TAX DEED SERVED	\$37.00
HOBART SALES & SERVICE	SERVICE/REPAIR	\$1,019.50
HOT SPRINGS ACE HARDWARE	SUPPLY	\$90.41
CITY OF HOT SPRINGS	CITY WATER BILL	\$1,190.17
LYNN'S DAKOTAMART	SUPPLY	\$17.37
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$4,194.24
MARICOPA COUNTY	TAX DEED SERVED	\$80.00
MARCO	COPIER LEASE	\$165.00
MASTEL, BRUCE	DATABASE SETUP & MON	\$35.00
MEDICAL WASTE TRANSPORT	MEDICAL WASTE TRANSPORTS	\$178.71
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$202.50
MONUMENT HEALTH	MORGUE FEE	\$461.00
QUADIENT FINANCE USA, INC	POSTAGE	\$1,142.48
NUTRIEN AG SOLUTIONS	SUPPLY	\$3,445.50
OKANOGAN COUNTY SHERIFF	TAX DEED SERVED	\$81.00
O'NEILL, JUSTIN	CAAF	\$4,921.46
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON/TRANSPORT	\$5,315.52
PRYOR LEARNING SOLUTIONS	SUBSCRIPTION	\$299.00
QUILL CORPORATION	SUPPLIES	\$177.53
CITY OF RAPID CITY	BLOOD DRAW ANALYSIS	\$440.00
RIES, ABBEY	REIMBURSEMENT	\$100.00
RUSSELL, LANCE	REIMBURSEMENT	\$60.60
SD DEPARTMENT OF HEALTH	BLOOD DRAW ANALYSIS	\$120.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITTANCE	\$1,271.63
SDPAA	LIABILITY INSURANCE	\$84,391.67
SERVALL	RUGS AND MATS SERVICE	\$429.15
SOFTWARE SERVICES INC	SOFTWARE SUPPORT	\$1,298.00
STEVEN'S AUTOMOTIVE	REPAIR	\$4,277.98
WENDELL'S GARAGE	SERVICE	\$445.99
WESTERN FIRST AID & SAFETY	SUPPLY	\$294.89
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$6,760.00
NORTON, LYLE	UNIFORM ALLOWANCE	\$50.00
	TOTAL FOR GENERAL FUND	\$154,533.17
COUNTY ROAD & BRIDGE		
B H ELECTRIC COOP INC.	UTILITY HIGHWAY ELECTRIC	\$35.15
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$392.67
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00

CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$84.10
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$255.73
CITY OF HOT SPRINGS	CITY WATER BILL	\$39.29
SDPAA	LIABILITY INSURANCE	\$17,398.18
	TOTAL COUNTY ROAD & BRIDGE	\$18,279.12
911 SURCHARGE REIMBURSEMENT		
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$82.34
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$804.65
SDPAA	LIABILITY INSURANCE	\$220.50
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$1,107.49
FIRE PROTECTION FUND		
ARDMORE FIRE DISTRICT	2021 FIRE INSURANCE	\$1,352.02
EDGEMONT FIRE DEPT	2021 FIRE INSURANCE	\$4,470.53
HOT SPRINGS FIRE DEPT	2021 FIRE INSURANCE	\$17,447.00
MINNEKAHTA FIRE	2021 FIRE INSURANCE	\$1,386.88
OELRICHS VOL FIRE DEPT	2021 FIRE INSURANCE	\$1,792.95
ORAL FIRE DEPT	2021 FIRE INSURANCE	\$919.09
SDPAA	LIABILITY INSURANCE	\$231.65
SMITHWICK FIRE DEPARTMENT	2021 FIRE INSURANCE	\$466.03
	TOTAL FOR FIRE PROTECTION FUND	\$28,066.15
EMERGENCY MANAGEMENT		
AMAZON CAPITAL SERVICES	SUPPLY	\$35.98
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$156.42
MARCO	COPIER LEASE	\$38.90
QUADIENT FINANCE USA, INC	POSTAGE	\$0.51
SDPAA	LIABILITY INSURANCE	\$1,433.78
	TOTAL FOR EMERGENCY MANAGEMENT	\$1,665.59
M & P RELIEF		
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$165.00
	TOTAL M & P RELIEF	\$165.00
COURTHOUSE BUILDING FUND		
HOT SPRINGS ACE HARDWARE	SUPPLY	\$16.19
	TOTAL FOR COURTHOUSE BUILDING FUND	\$16.19
	TOTAL PAID BETWEEN 8/6/21 AND 8/19/21	\$203,832.70

Break was taken at 10:17 a.m. and the meeting reconvened at 10:25 a.m.

Public comment was heard from Sheriff Evans, noting 20 males and 3 females in the Fall River County Jail, with 1 male and 2 females in the Pennington County Jail, for a total of 27 inmates. Additional comments were heard from Andrea Powers about possible stipulations for the tax deed sale, and Jeff Kauffman spoke on the need to audit election machines due to the small margin in votes in Amendment A results.

Dustin Ross, Andersen Engineers, met with the board. Motion made by Russell, seconded

by Cope, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2021-46

A Plat of Juhl Acres Tract, located in Section 1, T7S, R5E, BHM, Fall River County, South Dakota

Formerly Lot B of Lot 2 of Whole Note Subdivision

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 19th day of August, 2021.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg, Chairman

Fall River County Board of Commissioners

Budget requests were heard from the following people:

Kelsey Trotter, Edgemont YMCA

Bob Nelson and Mary Kay Thompson, Hot Springs Library

Bob Nelson, Mayor of the City of Hot Springs, met with the board to present documents on library costs and revenues, membership numbers and charges for rural card holders. Commissioner Russell spoke of a prior agreement on sharing dispatch salary costs, which has not been increased in years.

Sue Ganje, Auditor, met with the board and presented information on the American Rescue Plan, Coronavirus State and Local Fiscal Recovery Funds, specifically on Premium Pay allowed for work performed since the start of COVID-19.

The board and auditor reviewed discussed the approved 2022 Provisional budget.

Motion made by Russell, seconded by Cope, to enter executive session, as per SDCL 1-25-2(1) for personnel purposes and as per SDCL 1-25-2 (4) for negotiations at 11:30 a.m.

The Board came out of executive session at 11:50 a.m. and recessed until 2:00 p.m. for the tax deed auction.

The tax deed auction began at 2:00 p.m.

Motion made by Russell, seconded by Greenough, to adjourn at 2:31 p.m.

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

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