

FALL RIVER COUNTY APPROVED MINUTES OF SEPTEMBER 16, 2021

The Fall River Board of County Commissioners met in regular session on September 16, 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>.

Chairman Falkenburg recognized Commissioner Russell as the outgoing president for the South Dakota Association of County Commissioners for the last year.

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

Motion made by Russell, seconded by Greenough, to approve the minutes for August 19, 2021.

Motion made by Cope, seconded by Greenough, to approve sending letters to Representative Johnson, Senator Rounds and Senator Thune opposing a portion of the House Infrastructure Bill related to the freight rail system.

Motion made by Greenough, seconded by Russell, to approve surplus to junk an Intoximeter, #01864, Sheriff's Office.

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

Total Amount of Deposit in First Interstate Bank, HS:	\$ 1,655,737.89
Total Amount of Deposit in First National Bank, Lead:	\$ 1,000.00
Total Amount of Cash:	\$ 4,395.66
Total Amount of Treasurer's Change Fund:	\$ 900.00

Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:

\$ 17,446.49

SAVINGS:

First Interstate Bank, HS: \$ 1,125,132.86
First National Bank of Lead: ICS Acct \$ 1,046,105.73

CERTIFICATES OF DEPOSIT:

First Interstate, HS: \$ 788,864.24
Black Hills Federal Credit Union, HS: \$ 250,000.00
Bank of the West, HS: \$ 542,423.60
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 \$ 10,846,312.50

Dated This 31st Day of August 2021.

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

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

County Monies \$ 10,568,913.91
Held for other Entities \$ 85,276.73
Held in Trust \$ 192,121.86
TOTAL \$10,846,312.50

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.

Motion made by Cope, seconded by Greenough, to accept notification by Empower Coalition of the Southern Hills, of a raffle and a sale to raise funds for the Toys for Kids program.

Motion made by Russell, to approve CP 2021 – 05. After further discussion, Russell withdrew her motion.

Motion made by Cope, seconded by Greenough, to table CP 2021 – 05, for advice from the State's Attorney.

Frank Maynard, Emergency Management, met with the board, to report that he had attended an Edgemont City Council Meeting and Oelrichs Town Board meeting to provide updates to the county Pre-Disaster Mitigation Plan (PDM) and the Local Emergency Operations Plan (LEOP). Maynard will attend the Hot Springs City Council meeting on September 20, 2021 to do the required updates. Maynard also stated that the Fall River County annual exercise was held on September 15, 2021 and he will be completing the paperwork for full credit.

Motion made by Greenough, seconded by Allen, to approve the Lexipol virtual training modules for jailers, dispatch and law enforcement personnel training, along with office personnel in the amount of \$3,264.00 per year for 51 employees, to satisfy training compliance with safety benefits.

Maynard noted approval of the Homeland Security Grant in the approximate amount of \$68,000.00 for in-vehicle computers for Law Enforcement. Discussion was held on number of COVID-19 cases rising and precautions that could be put back in place for employees. The board agreed to putting the plexiglass back up but wearing masks should be up to the individuals. Maynard also reported fires and incidents.

The county received Gold and Platinum awards at the 2021 Safety Awards luncheon during the SD Counties Fall Convention and Commissioner Russell recognized Maynard for his completion of applications annually for the awards and initiating training for employees.

Bob Evans, Sheriff, met with the board and reported that there are 12 males and 2 females in the Fall River County Jail and 1 male in the Pennington County Jail, for a total of 15 inmates.

Evans spoke again of not receiving the LE vehicle ordered for the year and discussed options. Motion made by Russell, seconded by Allen, to approve allowing the sheriff to order a vehicle off state bid for 2022 now, to help alleviate vehicle wait time. With Cope voting no, all others voting yes, motion carries.

Stacey Martin, FR County GIS, met with the board. Motion made by Allen, seconded by Greenough, to approve the ESRI Quote for ArcGIS Primary Maintenance, in the amount of \$3,900.00.

Martin also updated the board that there are 101 new address requests, 64 address installations, and 11 new road names.

Susie Hayes, Director of Equalization, met with the board. Motion made by Greenough, seconded by Cope, to approve setting a hearing on October 7, 2021 at 9:35 a.m. for tax deed properties and properties going from exempt to taxable add-on for pay 2022.

Hayes updated the board that the upcoming Director of Equalization training. It will have some live and some virtual training, due to Covid and lack of staff at the Ramkota. DOE has done some bunker inspections at Igloo; and Hayes and Martin got to speak at the Stockgrowers's Convention, but not at the SD Counties Fall Convention.

Pat Ginsbach, Attorney for Todd Wynia and siblings, met with the board. Motion made by Russell, seconded by Greenough, to approve setting a hearing for vacating a portion of a section line adjacent to the Wynia property, on October 21, 2021 at 9:35 a.m.

The hearing for an Off-Sale Liquor License at Angostura Den, Inc. was held as advertised. Motion made by Cope, seconded by Russell, to approve the Off-Sale Liquor License at Angostura Den, Inc.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Russell, to approve the Highway Department Safety Manual. Russell withdrew her motion to allow State's Attorney Russell a chance to review the manual.

Motion made by Russell, seconded by Allen, to approve the August 2021 reimbursement to the highway department for fuel used or work performed as follows: Sheriff's Department for \$2,929.61; Weed and Pest Office for \$760.64; Building for \$46.08; Emergency Management for \$105.82; GIS for \$101.80; and DOE for \$39.92; and maintenance for Weed and Pest Office vehicles, in the amount of \$1,086.62.

Motion made by Allen, seconded by Russell, to approve purchasing a used 500-gallon propane tank from Hi-D-Way Oil and Gas, for the Ardmore Shop, in the amount of \$1,500.00.

The board reviewed the requested functional classification, and the letter of support from the City of Hot Springs for the revision. Motion made by Allen, seconded by Russell, to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION 2021-49
APPROVING THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
PROPOSED FUNCTIONAL CLASSIFICATION**

WHEREAS, there are identified specific types of roads and corresponding functions of those roads, some of which have not been updated for several years; and

WHEREAS, the Federal Highway Administration (FHWA), has prescribed rules governing the functional classification of roadways within Fall River County; and

WHEREAS, the South Dakota Department of Transportation (SDDOT) has verified all roadway mileage for Fall River County; and

WHEREAS, SDDOT has recommended that changes be made to specific roadways based upon functional classification standards as prescribed by FHWA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby approve changing the following functional classifications in Fall River County:

Rural Minor Arterial to a Rural Major Collector

University Ave: From the intersection of US 18 east approximately 1.013 miles to the intersection of US 385/N. Chicago St.

Adopted this 16th Day of September, 2021.

FALL RIVER COUNTY COMMISSION:
/s/Joe Falkenburg, Chairman

ATTEST:
/s/Sue Ganje, Auditor

Seiler updated the board that the Freightliner bid was reviewed by the State's Attorney with no issues.

Motion made by Greenough, seconded by Allen, to approve the pipeline easement between Fall River County and Timothy Allen and Lori Allen, 11086 Burlington Dam Road, Edgemont, SD, contingent on Timothy Allen's signature.

Motion made by Russell, seconded by Allen, to approve travel for Seiler to attend the Region 8 LTAP Conference in Sioux Falls, October 19 through October 21, 2021. The board asked that Seiler follow up with a report after the conference.

Seiler updated the board on the Rural Access Infrastructure Inventory to be done by May 2022, with the state providing \$40,000.00 for the project, to be used on secondary or township roads. Brosz can do the inventory for around \$38,000.00. The board asked that Seiler bring it back to the next meeting, with the possibility of getting more than one bid or quote.

Seiler stated that the company will be out to start grinding the road surface at Shep's Canyon averaging a mile per day and should take around 6 days. The board discussed the width of the road, agreeing on 23' wide; this should support the amount of traffic and keep the speed limits down. Seiler also stated that they are about halfway done with the mowing project.

Jerry Heiser and David Pabst, Butler Cat Machinery, met with the board, for the possibility of purchasing a new 2022 Butler Cat Road Grader next year. Butler will help with training on machinery. Motion made by Russell, seconded by Allen, to purchase a 2022 150-15AWD Motor

Grader, stock number M030588, in the amount of \$337,161.00, with a 7 year or 7,000-hour buyback/trade value. With Cope and Greenough voting no, all others voting yes, by roll call vote, motion carries.

The board will surplus an older grader at the next meeting.

Discussion was held on possibly more work done on the road to Igloo and putting more gravel down where needed; the board also discussed working overtime on getting roads graded when there was moisture.

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

GENERAL FUND

A & B WELDING SUPPLY CO.	SUPPLY	\$46.18
AUDRA HILL CONSULTING, INC	MI QMHP EVALUATION	\$324.17
CURA HOSPITALITY	INMATE MEALS	\$14,410.80
BOB BARKER COMPANY INC	SUPPLY	\$63.36
BEESEY LAW OFFICE	CAAF	\$573.60
BLACK HILLS CHEMICAL	SUPPLY	\$635.79
CENTURY BUSINESS LEASING	COPIER LEASE & USAGE	\$394.63
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
EN-TECH LLC	FUMIGATION	\$110.00
DUDE SOLUTIONS, INC.	GIS SUPPORT CONTRACT	\$313.85
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$632.10
FARRELL, FARRELL & GINSBACH	CAAF	\$2,838.10
FR CO REGISTER OF DEEDS	TAX DEEDS	\$390.00
GOFF, GARLAND LEE	CAAF	\$366.85
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$5,178.04
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$2,130.51
HARVEY'S LOCK & SECURITY	SERVICE	\$151.00
HAYES, SUSIE	TRAVEL REIMBURSEMENT	\$67.84
HILLS EDGE AUTO SALES	SERVICE	\$56.15
HOLIDAY INN	HOTEL STOCKGROWERS CONVENTION	\$100.09
HOT SPRINGS ACE HARDWARE	SUPPLY	\$50.76
HOT SPRINGS AUTOMOTIVE	SUPPLY	\$13.25
CITY OF HOT SPRINGS	CITY WATER BILL	\$1,033.04
LYNN'S DAKOTAMART	SUPPLY	\$9.46
MARCO	COPIER LEASE	\$175.66
MASSA DENTAL OFFICES PC	INMATE MEDICAL	\$31.00
MASTEL, BRUCE	DATABASE SETUP & MONITORING	\$35.00
MATTHEW BENDER & CO INC	SUPPLY	\$132.43
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$202.50
MIDWEST RADAR & EQUIPMENT	EQUIPMENT	\$200.00

MONUMENT HEALTH	INMATE MEDICAL	\$42.99
QUADIENT FINANCE USA, INC	POSTAGE	\$770.08
O'NEILL, JUSTIN	CAAF	\$2,070.49
PENNINGTON COUNTY JAIL	INMATE HOUSING/TRANSPORT	\$5,277.24
QUILL CORPORATION	SUPPLIES	\$217.67
CITY OF RAPID CITY	BLOOD DRAW	\$40.00
RAPID FIRE PROTECTION INC	ANNUAL SPRINKLER INSURANCE	\$685.00
SANDER SANITATION	SERVICE	\$475.48
SD ASSN OF COUNTY COMM.	2021 COUNTY CONVENTION	\$225.00
SD DEPARTMENT OF HEALTH	BLOOD DRAW	\$635.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$809.74
SD NETWORK AGAINST FAMILY	ANNUAL MEMBERSHIP	\$200.00
SERVALL	RUGS AND MATS SERVICE	\$429.15
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$1,099.00
STEVENS AUTOMOTIVE	SERVICE	\$797.35
NORTON, MIKAYLA	BLOOD DRAW	\$1,200.00
TIME EQUIPMENT RENTALS	EQUIPMENT	\$5,711.95
TRUGREEN COMMERCIAL	SERVICE	\$42.24
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$5,980.00
MILES, SASHA	BLOOD DRAW	\$75.00
	TOTAL FOR GENERAL FUND	\$58,044.77

COUNTY ROAD & BRIDGE

BITUMINOUS PAVING INC	HOT MIX	\$316.00
BUTLER MACHINERY CO.	SERVICE	\$105.41
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$84.10
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$214.12
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$736.36
CITY OF HOT SPRINGS	CITY WATER BILL	\$44.52
	TOTAL COUNTY ROAD & BRIDGE	\$1,583.01

911 SURCHARGE REIMBURSEMENT

GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$828.03
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$836.53

EMERGENCY MANAGEMENT

GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$125.37
MARCO	COPIER LEASE	\$38.90
QUADIENT FINANCE USA, INC	POSTAGE	\$0.53
QUILL CORPORATION	SUPPLIES	\$34.02
US GEOLOGICAL SURVEY	US GEOLOGICAL SURVEY	\$4,435.00
	TOTAL FOR EMERGENCY MANAGEMENT	\$4,642.32

24/7 SOBRIETY FUND

INTOXIMETERS	SUPPLY	\$325.00
SD DEPARTMENT OF HEALTH	24/7 LABS	\$70.00
	TOTAL 24/7 SOBRIETY FUND	\$395.00

M & P RELIEF

MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$165.00
TRIMIN SYSTEM, INC.	SOFTWARE SYSTEM	\$26,500.00
	TOTAL FOR M & P RELIEF	\$26,665.00
	TOTAL PAID BETWEEN 9/3/21 AND 9/16/21	\$92,166.60

Break was taken at 10:18 a.m. and the meeting reconvened at 10:26 a.m.

The meeting was turned over to Vice-Chairwoman Russell.

Public comment was heard from Commissioner Falkenburg about the Biden administration proposing that community banks and other financial institutions be required to report to the IRS on deposits and withdrawals worth more than \$600.00, regardless of tax liability. This will create and unacceptable invasion of privacy for customers; it was encouraged to talk to Representatives and governmental figures, if they can. Additional comments were addressed to State's Attorney Russell for guidance on CP 2021 – 05; he will look further into it and inform the board of his findings.

Sue Ganje, Auditor, met with the board. Motion made by Allen, seconded by Greenough, to approve the Cybersecurity Assessment with funding provided by the Division of Consumer Protection and the SD Attorney General's office.

Motion made by Falkenburg, seconded by Allen, to approve the 2022 annual budget and levy resolution as follows:

General Fund:

Treasurer from \$286,647 to \$277,547; General Government Building from \$309,677 to \$267,188; Director of Equalization from \$448,017 to \$321,789; Information Technology from \$150,000 to \$140,650; Total General Government from \$2,620,149 to \$2,432,982; Other from \$15,500 to \$14,500; Total Health and Welfare from \$179,320 to \$178,320; County Extension from \$65,235 to \$54,661; Weed Control from \$151,006 to \$151,001; Total Conservation of Natural Resources from \$236,241 to \$225,662; Tourism, Ind & Rec Development from \$0.00 to \$10,000; Total Expenditure Appropriations from \$5,233,332 to \$5,044,586; Total Appropriations from \$5,233,332 to \$5,044,586; Cash Balance Applied from \$816,348 to \$645,417; Intergovernmental Revenue from \$804,250 to \$736,250; Charges for Goods & Services from \$687,113 to \$727,364; Total Other Revenues from \$1,636,163 to \$1,608,414; Subtotal from \$5,508,771 to \$5,310,091; Less 5% from \$(275,439) to \$(265,505); Net Means of Finance from \$5,233,332 to \$5,044,586; Total Appropriations from \$5,233,332 to \$5,044,586

County Road and Bridge Fund:

Highways, Roads, & Bridges from \$3,079,781 to \$3,077,903; Total Expenditure Appropriations from \$3,079,781 to \$3,077,903; Total Appropriations from \$3,079,781 to \$3,077,903; Cash

Balance Applied from \$484,537 to \$352,560; Other Financing Sources from \$0.00 to \$130,000; Total Other Revenues from \$2,347,988 to \$2,477,988; Subtotal from \$3,241,875 to \$3,239,898; Less 5% from \$(162,094) to \$(161,995); Net Means of Finance from \$3,079,781 to \$3,077,903; Total Appropriations from \$3,079,781 to \$3,077,903

**Appendix D4: Adopted Budget Levies & Resolution
ANNUAL BUDGET FOR FALL RIVER COUNTY, SD
For the Year January 1, 2022 to December 31, 2022**

COUNTY TAX LEVIES	Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
* General County Purposes (10-12-9)	3,004,330.00	3.779
Library	7,658.00	0.014
LIMITED LEVY (10-12-21) -		
SUB TOTAL		
OUTSIDE LIMITED LEVY:	3,011,988.00	3.793
County Snow Removal Fund (34-5-2)		
County Road and Bridge (10-12-13)		
Courthouse, Jail, etc., Bldg. (7-25-1)	131,180.00	0.165
Bond Interest Sinking (7-24-18)		
Ag Building (7-27-1)		
UNLIMITED LEVY - SUB TOTAL	131,180.00	0.165
LIMITED AND UNLIMITED LEVY - SUB-TOTAL	3,143,168.00	3.958
OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76) (31-12-27)	284,000.00	0.619
Fire Protection (34-31-3)	1,160.00	0.138

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 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 all its institutions and agencies for calendar year beginning January 1, 2022 and ending December 31, 2022 and the same is hereby approved and adopted by the Board of County Commissioners of Fall River County, South Dakota, the 16th day of September, 2021.

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, 2022 through December 31, 2022.

BOARD OF COUNTY COMMISSIONERS OF Fall River County, South Dakota

/s/ Joe Falkenburg Chairman

/s/ Joe Allen Commissioner

/s/ Les Cope Commissioner

TOTAL TAXES LEVIED BY COUNTY	3,428,328.00	4.715

/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 9/16/21, these levies are not approved by the Department of Revenue

With Greenough voting no, all others voting yes, by roll call vote, motion carries.

Commissioner Falkenburg started discussion on medical marijuana and changes. State’s Attorney Russell commented that the State has been working on more proposed changes. Also, Counties and Cities may have to amend their ordinances again but should wait for the State to provide more guidance before doing so. State’s Attorney Russell also advised that if someone asks to apply, please advise them to the apply at the State first.

Motion made by Falkenburg, seconded by Greenough, to enter into executive session as per SDCL 1-25-2 (1) for personnel purposes and as per SDCL 1-25-2 (4) for negotiations at 11:00 a.m.

The board came out of executive session at 11:15 a.m.

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

FALL RIVER COUNTY RESOLUTION #2021-50

A Plat of Lot 89 Revised of Sand Creek Reserve Subdivision, and Allen Tract, located in the N1/2 of Section 6, T9S, R8E, BHM, Fall River County, South Dakota

Formerly Outlot 53 of Smithwick, and Lot 89 of Sand Creek Reserve 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 16th day of September, 2021.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg, Chairman

Fall River County Board of Commissioners

Motion made by Greenough, seconded by Allen, to adjourn at 11:21 a.m.

/s/Joe Falkenburg

Joe Falkenburg, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor