

FALL RIVER COUNTY APPROVED MINUTES OF SEPTEMBER 2, 2021

The Fall River Board of County Commissioners met in regular session on September 2, 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 following: table the August 19, 2021 minutes and the Wynia petition to vacate a portion of section line until the next meeting, and to add an executive session as per SDCL 1-25-2 (4) for negotiations at 1:00 p.m.

Motion made by Russell, seconded by Allen, to approve Black Hills Power – Request for Discretionary reduction for pay '22 in the amount of \$212,707.00 for the Edgemont City Sub-Station #112.

Motion made by Cope, seconded by Russell, to set a hearing for an off-sale liquor license for Angostura Den Inc, on September 16, 2021 at 9:30 a.m.

Motion made by Cope, seconded by Allen, to approve an amendment to the health care facility for jail – Monument Health as facility, with Dr. Avery Sides providing supervision of care for inmates, and supervision of Tina Norton, Inmate Contract Nurse; Fall River Health Care Clinic as secondary.

Motion made by Greenough, seconded by Allen, to approve the Tax Deeds and authorize the chairman to sign.

The board recognized Dan Cullen for having been named the 2021 SD Department of Veterans Affairs “Outstanding Veterans Service Officer of the Year”. Cullen was acknowledged for his success in winning appeals for veterans, his advocacy for veterans, and his ability to build relationships with partners within the veteran network and willingness to mentor new members of the team. Cullen spoke of the rewards that the position has brought him during his service for the county, the state and the veterans.

Cullen advised the board that FEMA is helping with burial assistance for any individuals that passed away from COVID-19. This assistance can be retroactive back to May of 2020, and information is posted on the county website.

Motion made by Greenough, seconded by Cope, to deny CP 2021 – 04, as the applicant is above the income limit.

Bob Evans, Sheriff, met with the board and reported that there are 11 males and 2 females in the Fall River County Jail, with 1 male in the Pennington County Jail, for a total of 14 inmates.

Motion made by Allen, seconded by Russell, to approve the Sheriff entering into the Memorandum of Understanding between Fall River County Sheriff's Office and the Pennington County Sheriff's Office. This agreement is in regard to Detox Services at Care Campus.

Motion made by Greenough, seconded by Russell, to approve the Alco-Sensor, FST, Intoximeter quote, in the amount of \$325.00.

Motion made by Greenough, seconded by Allen, to approve the Lakota Contracting, Inc. Quote for three new vests for Deputies Allen, Logue and Norton, in the amount of \$705.78 per vest, for a total of \$2,117.34.

Evans updated the board about the new vehicle that was ordered in February. It is still not available, due to issues at the dealership. Soon it will be time to order a new vehicle for 2022; the auditor confirmed that if the vehicle is not available until 2022, a supplement can then be made.

Frank Maynard, Emergency Management, met with the board. Motion made by Greenough, seconded by Allen, to approve the 2022 Local Emergency Management Performance Grant, authorize the chairman to sign.

Maynard updated the board that applications have been completed for the annual Safety Benefits awards; the conference will be in Pierre on November 3 and 4, 2021 at the Ramkota Inn. Discussion was also held on preparation for the Fall River County Annual Exercise, the county receiving a check for \$16,849.35 for the 3rd quarter of the L.E.M.P.G., and \$570.00 for a tablet. Maynard reported on fires and incidents.

Brett Sebastian, SD State Director of GoRail, a freight rail advocacy organization, met with the board to request their opposition of the INVEST in America Act. Sebastian spoke of portions of the proposed infrastructure legislation, with focus on one of the main issues – decreasing the transport of items by rail and pipeline, and more by trucks. This would greatly impact Fall River County's roads and increase safety hazards. Sebastian will keep the board updated and will send a draft letter opposing the legislation for the board to consider at their next meeting to send to the congressional delegation.

A follow-up hearing for the distribution of PILT monies in 2022 was held. Amy Ferley and Shane Miller of the Edgemont School were present, noting a change to the state funding formula, the board also reviewed a letter from the Oelrichs Fire Department. Four funding scenarios, as asked by the board, were presented by the auditor. Motion made by Russell, seconded by Falkenburg, to approve scenario #2, and allow 10% of the total amount of PILT monies received to be apportioned to the schools, apportioned to them by the number of federal acres in each school

district; and allow 50% of the township, ambulance and fire department's apportionment. Motion passed unanimously by roll call vote.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Greenough, seconded by Cope, to table the Fall River County Highway Department Safety Manual, until it can be further reviewed by the State's Attorney.

Fuel quotes were presented as follows:

8/17/2021 Fuel Quotes	8,000 Gal #2 Diesel
Nelson's Oil & Gas	\$2.52/gallon
MG Oil	No Bid
Hi-D-Way	No Bid

Motion made by Greenough, seconded by Russell, to approve the low and only bid from Nelson's Oil and Gas for \$2.52 per gallon, for 8,000 gallons of #2 diesel, for a total amount of \$20,160.00.

Motion made by Russell, seconded by Greenough, to approve the Golden West Application for Permit to Occupy County Highway Right-of-Way from GPS location 43.277621N-103.445651W (approximate) W Southshore Rd. to GPS location 43.2774970N-103.446814W (approximate).

Discussion was held on gravel crushing. Motion made by Russell, seconded by Allen, to approve advertising for 30,000 tons of gravel at the Shep's Canyon Pit and open the bids at the October 7, 2021 meeting. Motion carried by unanimous roll call vote.

Discussion continued on the distance from Shep's Canyon Road to the gravel pit. Motion by Russell, seconded by Allen, to add that the crushing should be within five miles of Shep's Canyon Road. All voting yes, the motion carried.

Motion made by Russell, seconded by Cope, to approve setting the hearing for the 5-year road plan on October 7, 2021 at 9:30 a.m.

Motion made by Greenough, seconded by Allen, to approve two applications by Weinreis Brothers for road approach permits, 1), an approach road connection to the north side of Horse Creek Loop Road #71A to serve a business and 2), an approach road connection to the north side of Horse Creek Loop Road #71A to serve a residence.

Seiler presented quotes from Nelson's Oil and Gas Inc. and Tanner Enterprises LLC for removal and disposal of the oil furnace and installation of a new propane heater at the Ardmore shop. Motion made by Allen, seconded by Russell, to allow Hi-D-Way to remove the heater at the Ardmore Shop, in the amount of \$4,138.26.

Discussion was held on the purchase of a propane tank. Motion made by Russell, seconded by Greenough, to table the quotes from Nelson's and Hi-D-Way for the purchase of a new tank or rental of a tank for the Ardmore Shop, until further research can be done.

Motion made by Greenough, seconded by Russell, to approve hiring Jay Miles, \$17.05 per hour, effective September 7, 2021, as per union contract.

Motion made by Russell, seconded by Allen, to approve, for budget purposes, a new 2022 Motor Grader next year. With Cope and Greenough voting no, all others voting yes by roll call vote, motion carries.

Seiler advised of the upcoming retirement of Ken Martin, Admin Assistant. Motion made by Allen, seconded by Russell, to authorize advertising for a part-time person to train with Martin, and then move into full time position when training is complete.

Seiler updated the board that bids for the Chilson Bridge will be opened on October 21, 2021. The state is hoping that the bid letting for the Igloo Bridge will be done by June of 2022.

The hearing for sealed bids on a new 2023 Freightliner 114SD Tractor was held as advertised. Motion made by Russell, seconded by Cope, to approve the low and only bid from Floyd's Truck Center, Rapid City, SD, in the amount of \$114,965, contingent on review from the Highway Superintendent and the State's Attorney.

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

GENERAL FUND

AMAZON CAPITAL SERVICES	SUPPLY	\$1,336.67
A-Z SHREDDING INC	SHREDDING	\$78.68
BOB BARKER COMPANY INC	SUPPLY	\$63.36
BLACK HILLS AMMUNITION	SUPPLY	\$512.48
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$5,942.62
BOMGAARS SUPPLY	SUPPLY	\$169.89
CAMERON, GEORGE	COURT REPORTER	\$294.00
CORRECT RX PHARMACY SERV.	INMATE PHARMACY	\$53.97
DAKOTA SUPPLY GROUP	SUPPLY	\$151.45
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$73.25
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$276.50
FARRELL, FARRELL & GINSBACH	CAAF	\$4,313.04
FOUSER ENVIRONMENTAL SER.	DRUG ANALYSIS	\$320.00
FALL RIVER COUNTY HERALD	PUBLICATION	\$771.41
HANSEN, BRADLEY	PAYCHECK	\$3,807.78
HOT SPRINGS ACE HARDWARE	SUPPLY	\$242.82
CITY OF HOT SPRINGS	3RD QTR FIRE SPRINKLER	\$24.00
LYNN, JACKSON, SHULTZ	ABUSE & NEGLECT	\$19.80
MARTY'S TIRE & AUTO BODY	SERVICE	\$1,408.00

O'NEILL, JUSTIN	CAAF	\$4,063.33
QUILL CORPORATION	OFFICE SUPPLIES	\$243.65
RAMKOTA HOTEL-PIERRE	HOTEL CONFERENCE	\$154.00
SERVALL	RUG/UNIFORM SERVICE	\$429.15
SONNY'S SUPER FOODS	SUPPLY	\$79.90
VERIZON WIRELESS	CELL PHONE PLAN	\$505.31
WENDELL'S GARAGE	MAINTENANCE	\$20.00
WITNESS	EXPERT WITNESS SERVICE	\$1,500.00
	TOTAL FOR GENERAL FUND	\$26,855.06

COUNTY ROAD & BRIDGE

A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$71.37
ADVANCED DRUG TESTING	RANDOM EMPLOYMEE DRUG TEST	\$52.00
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$424.14
BOMGAARS	SUPPLY	\$201.22
BUILDER'S FIRST SOURCE	SUPPLY	\$29.97
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$254.58
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$235.44
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIRS	\$327.70
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$25.75
FALL RIVER COUNTY HERALD	PUBLICATION	\$204.72
GRIMM'S PUMP SERVICE INC	SUPPLY	\$1,667.08
SIMON MATERIALS	HAULING	\$91,000.00
HILT CONSTRUCTION, INC.	REPAIR	\$10,097.31
HOT SPRINGS ACE HARDWARE	SUPPLY	\$48.57
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$878.87
RICOH USA INC	CONTRACT SERVICE	\$75.00
MG OIL	INVENTORY/SUPPLY	\$802.45
NELSONS OIL & GAS INC.	UTILITIES	\$18,900.00
RDO EQUIPMENT CO	SUPPLY	\$1,684.86
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$700.72
SEILER, RANDY	CELLPHONE REIMBURSEMENT	\$75.00
TEAM LABORATORY CHEMICAL	BASE ONE	\$56,925.00
	TOTAL COUNTY ROAD & BRIDGE	\$184,681.75

911 SURCHARGE REIMBURSEMENT

TRITECH SOFTWARE SYSTEMS	ANNUAL MAINTENANCE FEE	\$2,149.88
VERIZON WIRELESS	CELL PHONE PLAN	\$42.04
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$2,191.92

EMERGENCY MANAGEMENT

JENSEN, ED	SPOTTER	\$60.00
VERIZON WIRELESS	CELL PHONE PLAN	\$84.08
	TOTAL FOR EMERGENCY MANAGEMENT	\$144.08

24/7 SOBRIETY FUND

BASTIAN, TRACY	PILOT	\$100.00
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TOTAL 24/7 SOBRIETY FUND	\$100.00
TOTAL PAID BETWEEN 9/1/21 AND 9/2/21	\$213,972.80

Break was taken at 10:10 a.m. and the meeting reconvened at 10:20 a.m.

Public comment was heard from Jim Angell, who expressed appreciation for the newly installed 911 signs. Susie Hayes, Director of Equalization, noted 183 applications received for the Agriculture Soil Adjustment and the November 1, 2021 deadline for the Agriculture Status application. Hayes also noted that the new soil table may be out by next June or July. Additional comments were heard from Susan Henderson about the Ag soil adjustments and the Igloo Bridge. Cindy Brunson spoke of the Vivo's project expanding in Igloo, with approximately 200 bunkers leased and children getting into the school system. M. Diane Newham presented pictures of the Igloo road and the 2 bridges, with questions on the weight limit on the bridges and liability. Newham also asked for contact information if the road and bridge become impassable. Seiler presented a recap of the Highway Department cash balance, revenues and budget, and an example of costs of a purchase of a new motor grader with a repurchase agreement after 7 years.

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

FALL RIVER COUNTY RESOLUTION #2021-48

A Plat of Twin Rock Bend Tract 2, Twin Rock Bend Tract 3, and Leftover Tract 1 Revised, located in the NW1/4 of Section 15, T8S, R6E, BHM, Fall River County, South Dakota

Formerly Leftover Tract 1

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 2nd day of September, 2021.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg, Chairman

Fall River County Board of Commissioners

Cindy Brunson met with the board to give a brief history of the Igloo area and tax deed sale in 1996; the poor condition of the road and bridge entering the Igloo area and an alternate

route that was proposed in 2014. Brunson requested repairs on the bridge approaches and the road until implementation of an alternate route.

Commissioner Cope updated the board on the first Agriculture Land Value Committee and provided minutes from the meeting. Non-Ag taxes were also discussed, along with loss of local control. Cope hopes to have a letter or resolution drafted to send to Governor Noem by the September 16, 2021 commissioner meeting.

Dave Weishaupl, Building Supervisor, met with the board. Motion made by Allen, seconded by Greenough, to approve the Time Equipment Rental & Sales, Inc. purchase order, for a snowplow mount on GM 1500, for a total of \$5,711.95.

Sue Ganje, Auditor, met with the board for the 2022 Provisional Budget hearing. Greenough questioned State's Attorney Russell on Court Attorney costs; Bob Nelson, Mayor of the City of Hot Springs presented the Library's COVID-19 costs and reimbursements and a brief discussion was held on the County airplane.

Motion made by Russell, seconded by Greenough, to enter executive session, as per SDCL 1-25-2 (1) for personnel purposes, as per SDCL 1-25-2 (3) for legal purposes and as per SDCL 1-25-2 (4) for negotiations at 11:16 a.m.

The board recessed for lunch.

The board reconvened at 1:00 p.m.

Motion made by Russell, 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 1:01 p.m.

The board came out of executive session at 2:28 p.m.

Motion made by Cope, seconded by Allen, to adjourn at 2:29 p.m.

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

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