

FALL RIVER COUNTY UNAPPROVED MINUTES OF MARCH 17, 2022

The Fall River Board of County Commissioners met in regular session on March 17, 2022. Present: Joe Allen, Les Cope, Joe Falkenburg, Heath Greenough, Deb Russell and Sue Ganje, Auditor.

The Chairman asked for a moment of silence for the citizens of Ukraine. 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 Allen, seconded by Russell, to approve the agenda as written.

Motion made by Russell, seconded by Allen, to approve the minutes of March 3, 2022.

Motion made by Greenough, seconded Allen, to approve the February 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 28th day of February 2022.

Total Amount of Deposit in First Interstate Bank, HS:	\$ 1,060,351.77
Total Amount of Deposit in First National Bank, Lead:	\$ 1,000.00
Total Amount of Deposit in First National Bank-ARP Checking, Lead:	\$ 1,000.00
Total Amount of Cash:	\$ 1,549.00
Total Amount of Treasurer's Change Fund:	\$ 900.00
Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:	\$ 43,000.62
SAVINGS:	
First Interstate Bank, HS:	\$ 630,624.69
First National Bank of Lead: ICS Acct	\$ 1,047,421.85
First National Bank of Lead-ARP ICS Acct	\$ 439,235.72
First National Bank of Lead-RAI MM Acct	\$ 40,911.90
CERTIFICATES OF DEPOSIT:	
First Interstate, HS:	\$ 788,864.24
Black Hills Federal Credit Union, HS:	\$ 250,000.00

Bank of the West, HS:	\$	545,832.30
Schwab Treasury:	\$	275,375.75
First National Bank, Lead:	\$	312,198.13
Black Hills Community, Rapid City:	\$	805,786.21
Liberty National, Sioux Falls:	\$	4,047,710.43

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:

TOTAL \$10,292,297.61

Dated This 28th Day of February 2022.

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

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

County Monies	\$	9,587,108.99
Held for other Entities	\$	524,429.66
Held in Trust	\$	180,758.96
TOTAL	\$	10,292,297.61

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 Greenough, seconded by Allen, to approve the pay raise for Paula Heimgartner, \$16.00 to \$16.50 per hour, certified dispatcher, effective March 11, 2022, as per union Contract.

The board discussed writing a resolution for our government to provide support for the Ukraine people, Falkenburg will sign.

The board received notification by the Empower Coalition of the Southern Hills, Inc. of a raffle to be held on March 26, 2022 at the American Legion. 50% of the sales will go to the Toys for Kids, and 50% to the Empower Coalition.

Motion made by Greenough, seconded by Allen, to deny CP 2022-01, due to the applicant not being on a repayment schedule for monies already owed.

Motion made by Russell, seconded by Greenough, to deny CP 2022-02, due to incomplete income information, unless more information is received.

Trish Ladner, SD House of Representatives, spoke to the Board on her draft of House Bill 7005 urging support for the people of Ukraine. Discussion was held on the defeat of HB 1039 and passage of HB 1325. More control will be at the local level in the Director of Equalization's hands, and data from the NRCS and USDA soils will be utilized. The elderly freeze was amended with the income limit being increased to \$35,000 for a single person, and \$45,000 for a family, and the property's maximum assessed value has increased to be \$299,000.00. Discussion was held on California's Proposition 15, workforce housing and how the house voted to repeal the 5 cent sales taxes and no taxes on groceries, but they didn't get through the senate. Ladner hopes to be the summer study on property taxes.

Adam Kulesa, Game, Fish and Parks, reported to the Board that there is a mutual benefit for them and the County to work together on Shep's Canyon Road, but right now the county's request to assist in the cost of chip sealing the road is not in their budget. Discussion was held on Shep's Canyon Road being the most traveled road in the county, concerns with a long-term commitment on maintenance, GFP's plans to downsize the number of camping sites.

The hearing for letters of interest for the vacant position on the Fall River Housing and Redevelopment Commission was held as advertised. Motion made by Allen, seconded by Cope to appoint Jessica Van Eaton to fill the vacancy, as recommend by the Fall River Housing and Redevelopment Commission.

Randy Seiler, Highway Superintendent, met with the Board. Motion made by Greenough, seconded by Allen, to approve hiring Brian Martin, heavy equipment operator, \$18.05 per hour, effective March 14, 2022, as per union contract and Larry Juhl, heavy equipment operator, \$18.05 per hour, effective April 11, 2022, as per union contract.

Motion made by Russell, seconded by Allen, to approve the application by Advanced Communications Technology, Inc. DBA Range, for permit to Occupy County Highway R-O-W from Edgemont, SD to the intersection of Hwy 18. This will be for the replacement of the Chilson Bridge on Old Hwy 18.

Motion made by Cope, seconded by Russell, to approve the February 2022 reimbursement to the highway department for fuel used or work performed as follows: Sheriff's Department for \$2,189.06; Weed and Pest Office for \$215.81; Building for \$100.98; Emergency Management for \$61.31; and Director of Equalization \$137.74.

Seiler notified the Board that they could do the road tour in conjunction with the next meeting and possible funding area chip seal projects. He advised that the contractors will be starting on the Chilson Bridge soon, and that the Highway Department will be moving the fencing. The Argentine Bridge is about 3 weeks away from being done.

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

GENERAL FUND

AUDRA HILL CONSULTING, INC	MI QMHP EVALUATION	\$491.00
CURA HOSPITALITY	INMATE MEALS	\$12,317.26
BANKS, BRIDGETTE	COURT REPORTER	\$68.40

BAUERKEMPERS INC	REPAIRS	\$472.73
BLACK HILLS CHEMICAL	SUPPLY	\$180.93
BLACK HILLS ENERGY	UTILITY	\$4,020.35
BLACK HILLS R M U C	2022 MEMBERSHIP DUES	\$100.00
BUSINESS MANAGEMENT DAILY	SUBSCRIPTION	\$199.00
CENTURY BUSINESS LEASING	COPIER LEASE/USAGE/METER	\$1,206.42
CHADRON MOTOR CO. INC,	REPAIRS	\$215.27
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CORRECT RX PHARMACY SERV.	INMATE PHARMACY	\$77.34
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DIAMOND AUTOMOTIVE	MAINTENANCE	\$91.51
EDGEMONT YMCA	2022 BUDGET ALLOTMENT	\$3,000.00
FALL RIVER HEALTH SERVICE	PRE-EMPLOYMENT PHYSICAL & INMATE MEDICAL	\$373.00
FARRELL, FARRELL & GINSBACH	CAAF/A&N	\$7,496.59
FOUSER ENVIRONMENTAL SER.	DRUG ANALYSIS	\$600.00
FREY, GREGORY	QMHP/MI	\$35.00
GALLS	SUPPLY	\$48.64
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$5,755.24
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$2,112.64
HIRST, VAL	TAX REFUND	\$1,140.72
HILPERT & HALE, PROF, LLC	QMHP/MI	\$201.08
HOPE COUNSELING CENTER	QMHP/MI	\$600.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$186.15
HOT SPRINGS AUTOMOTIVE	SUPPLY	\$13.49
CITY OF HOT SPRINGS	CITY WATER BILL	\$716.45
HUNT, KAREN PAIGE	QMHP/MI	\$474.70
LAKOTA CONTRACTING, INC.	UNIFORM ALLOWANCE	\$45.90
LEWIS & CLARK BEHAVIORAL	QMHP/MI	\$184.00
MARCO	COPIER LEASE	\$176.20
MASTEL, BRUCE	DATABASE SETUP & MONITORING	\$35.00
MAYER, DAN	QMHP/MI	\$35.00
MCGLUMPHY, ERIN	TRAVEL REIMBRUSEMENT	\$412.40
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$202.50
NELSON'S OIL & GAS INC.	UTILITY	\$1,384.20
QUADIENT FINANCE USA, INC	POSTAGE	\$3,585.57
NOVOTNY, ROBERT	TRAVEL REIMBURSEMENT	\$41.18
NUTRIEN AG SOLUTIONS	SUPPLY	\$1,620.00
O'NEILL, JUSTIN	CAAF/JUV	\$3,138.47
PENNINGTON COUNTY JAIL	INMATE HOUSING/TRANSPORT	\$6,397.04
POWELL, DEBRA J	BLOOD DRAW	\$75.00
CITY OF RAPID CITY	BLOOD ANALYSIS	\$80.00
ROSS JOHNSON DESIGN CO.	SUPPLY	\$306.00
SD DEPARTMENT OF HEALTH	BLOOD DRAWS	\$290.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$60.00
SERVALL	RUGS AND MATS SERVICE	\$678.52

SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$2,684.00
STEINMETZ, NINA	REIMBURSEMENT	\$49.98
STEVEN'S AUTOMOTIVE	SERVICE	\$44.89
TYLER TECHNOLOGIES, INC.	SOFTWARE LICENSE	\$449.00
WATCHGUARD VIDEO	SUPPLY	\$10.92
YANKTON CO TREASURER	QMHP/MI HEARING	\$127.50
MILES, SASHA	BLOOD DRAW	\$150.00
	TOTAL FOR GENERAL FUND	\$65,052.41
COUNTY ROAD & BRIDGE		
BLACK HILLS ENERGY	UTILITY	\$921.42
BOMGAARS	SUPPLY	\$307.51
BUTLER MACHINERY CO.	NEW GRADER	\$337,701.26
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$84.10
DIESEL MACHINERY, INC	PARTS	\$138.25
FLOYD'S TRUCK CENTER	SUPPLY	\$37.81
FALL RIVER AUTO SUPPLY	SUPPLY	\$10.89
FORWARD DISTRIBUTING	SUPPLY	\$62.75
FALL RIVER COUNTY HERALD	PUBLICATION	\$77.00
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$256.12
HOT SPRINGS ACE HARDWARE	SUPPLY	\$99.01
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$43.74
CITY OF HOT SPRINGS	CITY WATER BILL	\$34.70
MARTY'S TIRE & AUTO BODY	REPAIR/SERVICE	\$1,116.12
RDO EQUIPMENT CO	SUPPLY	\$6.18
SAFETY-KLEEN SYSTEMS, INC	SUPPLY	\$676.18
SDPAA	INSURANCE	\$187.85
	TOTAL COUNTY ROAD & BRIDGE	\$341,843.39
911 SURCHARGE REIMBURSEMENT		
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$73.16
FALL RIVER HEALTH	PRE-EMPLOYMENT PHYSICAL	\$65.00
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$25.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$771.86
HEIMGARTNER, PAULA	REIMBURSEMENT	\$91.50
POWERPHONE INC	TRAINING	\$258.00
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$1,285.02
EMERGENCY MANAGEMENT		
BOMGAARS SUPPLY	SUPPLY	\$59.98
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.50
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$151.71
MARCO	COPIER LEASE	\$38.90
	TOTAL FOR EMERGENCY MANAGEMENT	\$259.09
24/7 SOBRIETY FUND		
SD DEPARTMENT OF HEALTH	24/7 LABS	\$58.00

	TOTAL FOR 24/7 SOBRIETY FUND	\$58.00
M & P RELIEF		
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$165.00
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$528.00
	TOTAL FOR M & P RELIEF	\$693.00
COURTHOUSE BUILDING FUND		
HIRST, VAL	TAX REFUND	\$50.60
HOT SPRINGS ACE HARDWARE	SUPPLY	\$13.12
	TOTAL FOR COURTHOUSE BUILDING FUND	\$63.72
	TOTAL PAID BETWEEN 3/4/22 AND 3/17/22	\$409,254.60

Break was taken at 9:47 a.m. and the meeting reconvened at 9:59 a.m.

Public comment was heard from Sheriff Evans stating that there are 11 males and 4 females in the Fall River County Jail, with 2 males in the Pennington County Jail. Charity Mannis reported to the Board that their “Welcome Home Veteran’s” Proclamation was now a part of the US Congressional Record, and noted her appreciation for the county’s action. Comments were also heard from Braniff Smith, Irene Wells, Jeanine Lecy and Mike Duffy on concerns with the Cascade Fire District. Ted Wick spoke on the need for financial assistance to extend the Southern Black Hills Rural Water System down State Highway 71 (Cascade Road), and possibly down Shep’s Canyon Road.

Commissioner Greenough reported on conversations with 2 other insurance providers, noting available coverage in the Cascade Fire District. Braniff Smith could also provide insurance upon a signed agreement between Cascade Fire and Hot Springs Fire. Other possibilities were discussed, with Commissioner Falkenburg expressing support on what can be done, but to exhaust all efforts before county involvement. State’s Attorney Russell recommended that everyone get on the same page before coming back to the commission.

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

FALL RIVER COUNTY RESOLUTION #2022-13

A Plat of Lots 49 thru 54 of Red Rock Ridge Subdivision located in the NW1/4 of Section 15, 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 17th day of March, 2022.

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

ATTEST:
/s/Sue Ganje
Fall River County Auditor

Motion made by Allen, seconded by Greenough, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2022-14

**A Plat of Lot 3R and Lot 4R, located in Section 20, T8S, R5E, BHM, Fall River County, South
Dakota**

Formerly Lot 3 and Lot 4

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 17th day of March, 2022.

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

ATTEST:
/s/Sue Ganje
Fall River County Auditor

Motion made by Allen, seconded by Greenough, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2022-15

**A Plat of Alexander Tract 1 and Alexander Tract 2 in the S1/2S1/2 of Section 4 and the NW1/4 of
Section 9, all in T8S, R7E, BHM, Fall River County, South Dakota**

Formerly Bogner Tract East

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 17th day of March, 2022.

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

ATTEST:

/s/Sue Ganje
Fall River County Auditor

Motion made by Cope, seconded by Russell, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2022-12

WHEREAS, the Veterans Administration has recommended the closure of the VA Hospital and Domiciliary at Hot Springs, South Dakota and replacement with only a community-based outreach clinic; and

WHEREAS, South Dakotans have a long and honorable history of serving this nation in the military service; and

WHEREAS, the Hot Springs VA Hospital serves the veteran needs in rural America; and

WHEREAS, the Hot Springs VA Hospital also serves a large Native American veteran population; and

WHEREAS, our returning veterans for the past one hundred and twelve years have been able to receive their care at the Hot Springs VA hospital and have well earned the right to continue receiving that care at Hot Springs. Bigger is not always better and in many cases may well result in less effective care; and

WHEREAS, the Veterans Administration for more than the past twenty years has systematically and intentionally reduced more and more services to our veterans at the Hot Springs facilities; and

WHEREAS, closure of the VA hospital in Hot Springs would result in several extra hours of travel time and inconvenience for our veterans, all to make VA Administrators look like they are being more efficient while not providing any better care;

WHEREAS, our returning veterans for the past one hundred and twelve years have received their care at the Hot Springs VA hospital and have well earned the right to continue receiving that care at Hot Springs VA with sufficient services. In 1865 President Lincoln wrote the mission statements "To care for him who shall have borne the battle and for his widow, and his orphan." Today's VA has not shown that they are concerned with providing that care, only with the efficiencies that come with reduced services and centralized facilities.

NOW THEREFORE, BE IT RESOLVED, that the Fall River County Commissioners renew our objection in the strongest terms to the proposed closure of the Hot Springs VA facilities. We urge VA Secretary Denis McDonough to reject this proposed action and also urge the Congressional delegations of South Dakota, Nebraska and Wyoming to exert their best efforts to see that this proposal is rejected and instead that services and programs such as the outstanding PTSD and substance abuse programs be enhanced and expanded.

Dated this 17th day of March, 2022

/s/Joe Falkenburg, Chairman
Fall River County Commission

Attest:

/s/Sue Ganje, County Auditor
Fall River County

Quasi Al-Haj, West River Director for US Senator Thune, reported to the Board that in 2011 the Hot Springs VA became a campus, not a clinic. The VA system used inaccurate data before 2020 to recommend the closure of the Hot Springs VA. Since then the correct data has been rooted out to help defend the position that the Hot Springs VA is one of the best in the country. After 20 years of 2 wars, the commission believes the number of veterans needing care, especially with PTSD, will increase instead of decrease, as the Secretary of the VA has concluded. Current discussion is to build a domicile in Rapid City, which will cause the VA's to close in Hot Springs and Fort Meade. Now is the time to fight. Al-Haj feels it is better to have it here than in Rapid City. The Board supports having the VA here. There are good volunteer efforts in Fall River County and the Board is willing to help. Al-Haj noted Thune will be working with Senator Rounds and Representative Johnson; Representative Ladner will try to work with Red Dawn Foster to help fight for the VA. Dan Cullen, Veteran's Service Officer, spoke of requests that he has made for the Freedom of Information Act, PTSD issues that need to be addressed here, rather than in a larger city, the Native American population that uses the Hot Springs VA frequently and the increase of Veterans to the area (current and projected).

Lance Russell, State's Attorney, met with the Board. Motion made by Greenough, seconded by Allen, to approve travel for Russell, Carol Boche and Lynn Two Bear, to attend the 2022 State's Attorney Conference, at the Lodge in Deadwood, May 4 – May 6, 2022.

Discussion was held on the study compiled by Ron Haugen and Dwight Aare on the comparison of calculation of Ag Soil values in South Dakota and North Dakota. South Dakota's agriculture soil production model was originally designed using a template from North Dakota. Since it was adopted ND has revised their model to address inequities while SD has not. ND uses AUMs while SD uses cash rents. ND uses net revenue, taking into consideration input costs and SD uses gross revenue. ND allows for a county equalization office to determine crop acres from grassland acres, providing more local control. ND does include government payments in their model while SD does not. State's Attorney Russell has a few more questions that he would like answered; he will see if Mr. Haugen would be available to talk to the Board virtually to answer those questions, before a decision is made.

State's Attorney Russell also recognized the work that Dan Cullen, Veteran Service Officer provides with issues in the jail.

Motion made by Russell, seconded by Greenough, to enter into executive session as per SDCL 1-25-2 (1) for personal purposes at 11:07 a.m.

The Board came out of executive session at 11:17 a.m.

Motion made by Falkenburg, seconded by Russell, to adjourn at 11:18 a.m.

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

ATTEST:

/s/Sue Ganje, Auditor
Fall River County Auditor