

FALL RIVER COUNTY APPROVED MINUTES OF MAY 19, 2022

The Fall River Board of County Commissioners met in regular session on May 19, 2022. 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 change of possible update to possible action during the Shep's Canyon discussion under Highway Superintendent Seiler.

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

FALL RIVER COUNTY RESOLUTION #2022-21

WHEREAS, to comply with the laws regarding Sales Ratio residential properties in the Hot Springs and Edgemont school districts saw market value increases of over 20% this year, and

WHEREAS, property taxes on residential real estates constitute over 50% of the taxes collected in Fall River County, and

WHEREAS, the portion of property taxes paid to the school is over 50% of the total tax bill for most residents of Fall River County outside city limits and 30-50% for residents living within city limits, and

WHEREAS, the school general mills and special education mill set by the State Legislature for 2022 pay 2023 have only decreased 3-4%, and

WHEREAS, the Hot Springs and Edgemont School Districts must take the maximum mill in order to demonstrate maximum local effort in order to qualify for State school funding, and

WHEREAS, this will constitute an increase in the school portion of the taxes of over 20% for these owners within a single year, and

THEREFORE, the Fall River County Board of Commissioners requests that the Governor consider the following solutions:

1. That 'maximum local effort' for the school funding be considered EITHER the mill levy set by the State Legislature OR the value of growth plus 5% of last year's taxes levied by the school. That whichever is lesser would be considered maximum local effort if:
 - a. The county was in compliance with State law regarding the median sales to assessment ratio as defined in 10-6-121 in the prior year.

- b. The school district was determined to provide ‘maximum local effort’ in the prior year.
- 2. That research into the assessment levels across the State be conducted by the Legislative Research Council using the following criteria: Have each Director report the equalized value of a house with specs provided by the legislative research council. By comparing the exact same structure’s assessment value across the State, it will be possible to see if sale ‘hot spots’ within the State are driving certain areas to pay a larger share towards their schools. If the purpose of the State set mill is to ensure that owners across the State are paying similar amounts towards their schools, then the family living in a thousand square foot house in Hot Springs should be paying a similar amount towards their school as the family living in that same thousand square foot house in Huron. The collection of this data will help either confirm or deny inconsistency across the State and could also be used in setting levels for school ‘maximum local effort’.
- 3. That the legislature considers extending the benefits of the owner-occupied mill levy to residential rentals where:
 - a. The dwelling is the primary residence of the lease.
 - b. The leasee has been in the residence 200 days.
 - c. The rent, minus utilities, is below the HUD Low Home Rent Limit for that county or area.
 - d. That the residence is maintained at a normal or better condition.
 - e. The landlord annually files a form showing they and their leasee meet these qualifications using the same deadlines as the owner-occupied program.

ATTEST:
/s/Sue Ganje
 Fall River County Auditor

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

Motion made by Russell, seconded by Allen, to approve the minutes from April 21, 2022 County Board of Commissioner’s meeting.

Motion made by Greenough, seconded by Russell, to approve the 2022 100% Federal Poverty Eligibility Chart.

Motion made by Russell, seconded by Allen, 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 30th day of April 2022.

Total Amount of Deposit in First Interstate Bank, HS: \$ 5,072,280.46

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:	\$	4,397.71
Total Amount of Treasurer's Change Fund:	\$	900.00
Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:	\$	250,380.13

SAVINGS:

First Interstate Bank, HS:	\$	636,094.77
First National Bank of Lead: ICS Acct	\$	1,048,188.22
First National Bank of Lead-ARP ICS Acct	\$	439,336.77
First National Bank of Lead-RAI MM Acct	\$	40,915.21

CERTIFICATES OF DEPOSIT:

First Interstate, HS:	\$	788,864.24
Black Hills Federal Credit Union, HS:	\$	250,000.00
Schwab Treasury:	\$	275,380.19
First National Bank, Lead:	\$	312,198.13
Black Hills Community, Rapid City:	\$	823,332.41
Liberty National, Sioux Falls:	\$	4,071,779.21

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 \$ 14,016,582.45

Dated This 30th Day of April 2022.

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

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

County Monies	\$	10,444,082.82
Held for other Entities	\$	3,342,058.42
Held in Trust	\$	230,441.21
TOTAL	\$	14,016,582.45

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 Russell, to surplus to junk, #01967, 2-drawer black file cabinet, Dispatch.

The following people presented their 2023 budgets:

Jackie Waldner, Community Health Nurse
Erin McGlumphy, Extension and 4-H

Frank Maynard, Emergency Management, reported to the Board that the Golden West Tower had not sold; Maynard asked for a signed lease agreement or if Golden West may be interested in selling the tower to Fall River County in the future. Maynard will also be attending a Planning P Workshop in Rapid City on May 31, 2022.

Motion made by Greenough, seconded by Allen, to approve the trailer deck replacement quote in the amount of \$2,498.31.

Maynard also reported on fires and incidents.

Motion made by Greenough, seconded by Russell, to surplus to junk the Verizon LG Phone, model LG-vs700, SN 203KPAE0457680; the acer laptop, #2071 and the Motorola 2 Channel Radio and Charger, model H05KDD9AA4B and surplus to sell the Brother Printer/Copier/Fax, model DCP 8085DN, all emergency management.

Lance Russell, State's Attorney, met with the Board. Motion made by Russell, seconded by Allen, to approve the purchase of Westlaw Edge Subscription, with Oglala Lakota County to pay half of the costs.

Russell also presented his 2023 budget.

The following people presented their 2023 budget requests:

Loren Seegrist and Pat Rowe, Springs Senior Center
Stacie Harter, Edgemont Public Library
Dawn Johnson, Pioneer Museum

Nina Steinmetz, Weed and Pest Office, presented her 2023 budget.

Donna Talley, W.E.A.V.E. presented her 2023 budget request.

Bob Evans, Sheriff, reported to the Board that there are 11 males and 6 females in the Fall River County Jail, with 1 male in the Pennington County Jail, for a total of 18 inmates. Evans also stated that they are putting the community gathering off a week in Edgemont, due to deaths in the community.

Julie Wheeler, District Ranger, Buffalo Gap National Grasslands, reported to the Board that there is a new application to drill 19 miles southwest of Edgemont and the permits for grazing will be flexible at this time. Discussion was held on the Pickerel Dam Road Project and fiscal issues.

Randy Seiler, Highway Superintendent, reported to the Board that the Argentine Bridge was done and that Tom Mertz, Loiseau, would be able to regrind Shep’s Canyon this year for around \$70,000.00. The project would take 70 tons and Mertz would like 2” of crusher fines that the County would do. It would need to be mag watered within 72 hours (for around \$33,000.00) and the project could be started near the end of June or first part of July. Further discussion was held about accidents that could happen, making sure the project was completed correctly, possibly using ARPA funds for the project, Game Fish and Parks helping with Mag Water and condition of other roads in the County.

Motion made by Russell, seconded by Allen, to finish the project with 70 tons of Base 1, with 2” of crusher fines, plus the cost of Mag Water. With Greenough voting no, all others voting yes, by roll call vote, motion carried.

Discussion was held on the Solar Farm putting up a sign by the highway; they will talk to the landowner and hopefully not block the view; 5 trucks are available for hauling gravel; and asphalt has been ground on the Chilson Bridge.

The hearing for sealed bids for Crushed Gravel or Stone Surfacing was held as advertised. Motion made by Russell, seconded by Allen, to reject bid due to improper bidding procedures set forth.

Motion made by Russell, seconded by Allen to advertise and rebid with the proper specs of 4 – 8 PI in the notice and to set the hearing for a special meeting on June 3, 2022 at 9 a.m.

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

GENERAL FUND

		\$12,499.9
CURA HOSPITALITY	INMATE MEALS	1
BLACK HILLS CHEMICAL	SUPPLY	\$66.33
BRIGHTLY SOFTWARE INC.	GIS SUPPORT CONTRACT	\$329.55
CENTURY BUSINESS LEASING	COPIER LEASE/USAGE/METER	\$1,387.71
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
CLINICAL LABORATORY	AUTOPSY	\$1,610.00
COLBATH & SPERLICH, PC	CAAF	\$1,262.50
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
CUSTER/FALL RIVER REGIONAL		
LANDFILL	LANDFILL	\$112.85
SD DEPARTMENT OF REVENUE	MALT BEVERAGE LICENSE	\$1,350.00
ELECTION SYSTEMS & SOFT	ELECTION BALLOTS & T	\$3,626.09
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$65.00
FALL RIVER AUTO SUPPLY	SUPPLY	\$21.88

FARRELL, FARRELL & GINSBACH	CAAF & MAG & JUV	\$5,577.07
FALL RIVER COUNTY HERALD	PUBLICATION	\$354.62
GANJE, SUE	TRAVEL	\$46.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$2,165.26
HEIDEBRINK, LILY	TRAVEL	\$100.00
HOLMES, CHAELA	TRAVEL	\$46.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$120.44
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$8.29
CITY OF HOT SPRINGS	CITY WATER BILL	\$776.35
LEWNO, LUCY	MI/QMHP	\$81.50
LYNN'S DAKOTAMART	SUPPLY	\$43.68
QUADIENT LEASING USA, INC	POSTAGE MACHINE LEAS	\$760.80
MANLOVE PSYCHIATRY GROUP	COURT ORDERED EVALUATION	\$4,125.00
MARCO	COPIER LEASE	\$176.20
MASTEL, BRUCE	DATABASE SETUP & MONITORING	\$35.00
MASTERCARD	COUNTY CREDIT CARD	\$1,623.20
MCLEODS OFFICE SUPPLY CO.	ELECTION SUPPLY	\$53.56
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$172.50
MONUMENT HEALTH	INMATE MEDICAL	\$156.99
MONUMENT HEALTH SERVICES	MORGUE FEE	\$461.00
NELSON'S OIL & GAS INC.	UTILITY	\$1,912.35
QUADIENT FINANCE USA, INC	POSTAGE	\$1,319.10
NICHOLAS TOWING	TOWING	\$140.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$6,544.60
O'NEILL, JUSTIN	CAAF	\$3,539.31
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON	\$4,165.00
PULLEN, TERESA	TRAVEL	\$94.08
RENSCH LAW OFFICE	CAAF	\$1,858.18
ROMEY, CODY	TRAVEL	\$100.00
RUSHMORE COMMUNICATIONS	RADIO REPAIR	\$440.00
SDACC	CATASTROPHIC LEGAL	\$390.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$2,150.93
SD FEDERAL PROPERTY AG	SUPPLY	\$10.00
SERVALL	RUGS AND MATS SERVICE	\$165.17
SONNY'S SUPER FOODS	SUPPLY	\$60.13
SOUTHERN HILLS LAW PLLC	CAAF	\$735.74
NORTON, MIKAYLA	BLOOD DRAW	\$825.00
WAHLSTROM FORD	SERVICE	\$122.14
WARNE CHEMICAL & EQUIP.	SUPPLY	\$1,013.00
KENT, WILLA & JIM	TAX REFUND	\$21.29
YELLOW ROBE, LUKE	EXPERT WITNESS	\$1,500.00
JANIS, BOBBIE	TRAVEL	\$46.00
MILES, SASHA	BLOOD DRAW	\$75.00
	TOTAL FOR GENERAL FUND	\$67,037.5

COUNTY ROAD & BRIDGE

BLACK HILLS ELECTRIC	UTILITY HWY ELECTRIC	\$47.73
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WATER	\$84.10
FALL RIVER COUNTY HERALD	PUBLICATION	\$53.71
GOLDEN WEST TECHNOLOGIES	SONIC WALL SECURITY	\$1,041.19
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$255.73
CITY OF HOT SPRINGS	CITY WATER BILL	\$37.70
MASTERCARD	COUNTY CREDIT CARD	\$229.35
RAPID DELIVERY	DELIVERY	\$32.50
KENT, WILLA & JIM	TAX REFUND	\$3.56
	TOTAL COUNTY ROAD & BRIDGE	\$1,859.57

911 SURCHARGE REIMBURSEMENT

CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$86.01
FALL RIVER HEALTH	PRE-EMPLOYMENT PHYSICAL	\$65.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$757.09
MASTERCARD	COUNTY CREDIT CARD	\$6.00
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$914.10

EMERGENCY MANAGEMENT

GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$158.40
MARCO	COPIER LEASE	\$38.90
MASTERCARD	COUNTY CREDIT CARD	\$6.00
ONSOLVE, LLC	CODE RED ANNUAL SUBS	\$3,131.10
	TOTAL FOR EMERGENCY MANAGEMENT	\$3,334.40

24/7 SOBRIETY FUND

SD DEPARTMENT OF HEALTH	24/7 LABS	\$200.00
	TOTAL FOR 24/7 SOBRIETY FUND	\$200.00

COURTHOUSE BUILDING FUND

HOT SPRINGS ACE HARDWARE	SUPPLY	\$37.98
WILSON ELECTRIC	SERVICE	\$146.37
KENT, WILLA & JIM	TAX REFUND	\$0.97
	TOTAL FOR COURTHOUSE BUILDING FUND	\$185.32
	TOTAL PAID BETWEEN 5/6/22 AND 5/19/22	\$73,530.90

Break was taken at 10:06 a.m. and the meeting reconvened at 10:15 a.m.

Public comment was heard from Jim Angell about how the Chilson Bridge should be put back in as a double lane bridge, rather than a single. Additional comments were heard from Sarah Peterson requesting a letter and a resolution pertaining to uranium mining in Fall River County; with no resolution, however the Auditor would try to find the letter that was referenced previously.

Malisa Niles, Soil Conservation, met with the Board to present her 2023 Budget.

Keith Neugebauer, Fall River Water Users District, reported to the Board that he would like to see the pipeline easement forms changed to streamline things, especially for the water district.

Neugebauer doesn't have a problem with the way they are now but doesn't feel that he should have to get landowner signatures or 2 – 3 weeks for turnover. Discussion was held on the pros and cons of leaving the application as it is or just having a special form for the Water Users District. Neugebauer will be in touch with the Auditor and the State's Attorney to discuss modifying the forms for the future.

Mary Kay Thompson, Trustee and Mary Terrones, Library Director, Hot Springs Library, to present their 2023 budget request.

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

FALL RIVER COUNTY RESOLUTION #2022-22

A Plat of Lot 24 of Sonrise North Subdivision, located in the SE1/4NW1/4 of Section 1, T7S, 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 19th day of May, 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 Russell, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2022-23

A Plat of Lots 55 thru 72, Well Lot 1, and well Lot 2, of Red Rock Ridge Subdivision located in 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.

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

ATTEST:

/s/Sue Ganje
Fall River County Auditor

Dan Cullen, Veteran's Service Officer, met with the board to present his 2023 budget. Cullen also spoke of working on a VA project for Veterans; he is hopeful to get a 24-hour urgent care back at the VA.

Dave Weishaupl, Building Supervisor, met with the board and presented propane quotes as follows:

05/16/22 Propane quotes	2,000 gallons
Nelson's	\$1.92/gallon
PJ's Hi-D-Way	\$2.30/gallon
McGas Propane	\$2.399/gallon

Motion made by Russell, seconded by Greenough, to approve the low bid from Nelson's for 2,000 gallons of propane at \$1.92 per gallon, for a total of \$3,840.00.

Motion made by Russell, seconded by Greenough, to approve the Golden West quote for the Genetec Advantage Renewal for cameras and security, in the amount of \$800.00.

Motion made by Russell, seconded by Cope, to approve the Golden West quotes for 2 HP ProDesk 600 G6 Desktop Minicomputers for the Treasurer and the Register of Deeds, in the amount of \$1,696.70 each, for a total amount of \$3,393.40.

Weishaupl presented a quote from Marty's Auto Body to provide paint and body work for a county vehicle in the amount of \$1,752.30. The Board decided to take no action at this time.

Teresa Pullen, Treasurer, reported to the board about the Spring Workshop that she and Chaela Holmes recently attended. They learned about tax deeds and a possible new computer system for motor vehicles that will be modified from other states. The Department of Motor Vehicles acknowledged Fall River County for recognizing and catching 5 fraudulent title applications. Discussion was held on changes, increases, and costs of the Postal System and banking and paying taxes online.

Lily Heidebrink, Director of Equalization, reported to the board about the USPAP training that she and Cody Romey recently attended. They learned about single and mass property appraisals, not taking information on personal property and to be careful on regarding information given, such as verbal appraisals.

Les Cope, Commissioner, went to Spearfish for a meeting that was cancelled. Discussion was held on Randy Diebert pushing for an alliance.

Joe Allen, Commissioner, discussed more on the purchase of 2 buildings and a brief follow up. Christine Heidebrink gave an estimate of \$330,500.00 for the two homes. Discussion was held on the possibility of trading the current storage building with Tanner for his property west of buildings to be purchased and needing something in the future. Motion made by Russell, seconded by Allen, to pursue the purchase of the 2 buildings for the future of facilities. Motion carried by roll call vote.

Sue Ganje, Auditor, met with the board. Motion made by Greenough, seconded by Russell, to approve re-setting the election date for July 12, 2022 for the formation of Angostura Land Estates Road District.

Ganje gave the board an annual report review, noting that there was a gain of \$267,000.00. Ganje also discussed attending the annual spring conference with Stacy Schmidt and Bobbie Janis. Discussion was held regarding annual reports, ARPA monies, social media policies, running impartial and unbiased elections, fraud potential using checks, postal procedures and a review of election laws.

Motion made by Russell, seconded by Allen, to adjourn at 11:37 a.m.

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

ATTEST:

/s/Sue Ganje, Auditor
Fall River County Auditor