

**FALL RIVER COUNTY APPROVED MINUTES OF MAY 4, 2023**

The Fall River Board of County Commissioners met in regular session on May 4, 2023. 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.sdcountries.org>, or on Facebook, on the Fall River County page.

Motion made by Russell, seconded by Allen, to approve the agenda with the addition of discussion and possible action on replacement of the motor in the Emergency Management pickup.

Motion made by Russell, seconded by Greenough, to approve the minutes of County Commissioners and Equalization for April 25, 2023.

Motion made by Cope, seconded by Russell, to approve pay raises for Crissy Stover (Highway Department), \$18.50 to \$19.25 per hour, effective April 24, 2023, Charles Dobbs (Deputy) \$24.00 to \$24.75 per hour, effective April 21, 2023, Anthony Otteson (Jailer) \$22.25 to \$23.00 per hour, effective April 22, 2023, and Longevity pay for Melissa Fleming (Dispatch), \$75.00 per month, effective April 2023, Lynn Two Bear (State’s Attorney), \$25.00 per month, effective April 2023, and Frances Denison (Director of Equalization), \$75.00 per month, effective May 2023, as per union contract.

Motion made by Russell, seconded by Cope, to approve Long’s Lakeview Road District Order of Incorporation as follows:

**FALL RIVER COUNTY RESOLUTION #2023-18**

ORDER FOR ORGANIZATION AND INCORPORATION  
OF THE LONG’S LAKEVIEW ROAD DISTRICT  
FALL RIVER COUNTY, SOUTH DAKOTA

WHEREAS, all voting property owners that are within the proposed district have agreed to and petitioned for the organization of the Long’s Lakeview Road District, and

WHEREAS, an Election was held on May 2, 2023 asking the voters to accept or reject the formation of the Long’s Lakeview Road District, with 18 voters accepting and 1 voter rejecting the formation of the Long’s Lakeview Road District, and

NOW, THEREFORE, BE IT ORDERED, that the Fall River County Commissioners shall declare the Long’s Lakeview Road District to be organized and established as a governmental subdivision of the State of South Dakota and a public body, corporate and political, effective as of today’s date, with taxing authority for the 2023 tax year payable in 2024 and after, and

BE IT FURTHER ORDERED, that the Long’s Lakeview Road District be described as follows:

Lots 1-33 of Block 1 of Long’s Resort Lakeview Acres Subdivision Located in the W1/2NW1/4, Section 2, T9S, R6E, BHM, Fall River County, South Dakota; Lot J, Lot K, Lot L and Lot M of Block 3 of

Angostura Heights Subdivision, and Dedicated Right-of-Way, Located in the SE1/4 Section 34, Township 8 South Range 6 East of the Black Hills Meridian, Fall River County, South Dakota; Lots 17 Through 28 of Block 3 of Long's Resort Lakeview Estates, Located in the N1/2SE1/4NE1/4 and SE1/4SE1/4NE1/4 of Section 3 T9S, R6E, BHM, Fall River County, South Dakota; Lot 6 of Block 4, Long's Resort Lakeview Estates Subdivision Located in Gov't Lot 1 of Sec3, T9S, R6E, BHM, Fall River County, SD; Lot 4 of Block 4, Long's Resort Lakeview Estates Subdivision Located in Gov't Lot 1 of Section 3, T9S, R6E, BHM, Fall River County, SD; Lots 5, 9, 12 & 13 of Block 4, Long's Resort Lakeview Estates Subdivision Located in Gov't Lot 1 of Section 3, T9S, R6E, BHM, Fall River County, SD; Lots 3, 8, 10 & 11 of Block 4, Long's Resort Lakeview Estates Subdivision, Located in Gov't Lot 1 of Section 3, T9S, R6E, BHM, Fall River County, SD; Lots 1, 14, 15 & 16 of Block 4 of Long's Resort Lakeview Estates Subdivision Located in Gov't Lot 1 of Section 3, T9S, R6E, BHM, Fall River County, SD; Lot 2 of Block 4 of Long's Resort Lakeview Estates Subdivision Located in Gov't Lot 1 of Section 3, T9S, R6E, BHM, Fall River County, SD; Lot 7 of Block 4 Long's Resort Lakeview Estates Subdivision Located in Gov't Lot 1 of Section 3, T9S, R6E, BHM, Fall River County, SD; Lot A of Block 1 of Angostura Heights Subdivision and Dedicated Section Line Right of Way, Located in SE1/4 Section 34, Township 8 South, Range 6 East of the Black Hills Meridian, Fall River Co., SD; N1/2NW1/4SW1/4, SE1/4NW1/4SW1/4, E1/2SW1/4NW1/4SW1/4, Less Lot H1, all of Section 2, T9S, R6E, BHM, Fall River County, South Dakota

Dated this 4th day of May, 2023

/s/Joe Falkenburg, Chairman  
Fall River County Commissioner

ATTEST:

/s/Sue Ganje  
Fall River County Auditor

There were no county assistance or death applications.

Lyle Norton, Sheriff, reported to the Board that there are 16 males and 3 females in the Fall River County Jail, with 1 male in the Pennington County Jail, for a total of 20 inmates.

Motion made by Greenough, seconded by Russell, to approve hiring Tanner Schiferl, Deputy, \$24.50 per hour, effective May 19, 2023, as per union contract.

Motion made by Greenough, seconded by Allen, to approve travel for Rachel Hosterman to attend the Grant Writing Training, on May 18 and May 19, 2023, Pierre, in the amount of \$495.00.

Motion made by Greenough, seconded by Allen, to approve up to 3 more people to attend the Grant Writing Training, on May 18 and May 19, 2023, Pierre, in the amount of \$495.00 per person.

Motion made by Russell, seconded by Greenough, to approve travel and accommodations for Deputy Sheriff Blaine Wilson to attend the FLETC Basic Tactical Medical Instructor Training, May 8 through 10, 2023, Bismarck, ND.

The Board reviewed purchases that were made for the Sheriff's Department to fit within the new clothing and equipment policy. Norton is hopeful that there will be a possibility of grant supplements for these purchases. Discussion was also held on the cross-deputization of 4 officers from the City of Hot Springs. Norton also presented the current agreement between Dispatch and the City of Hot Springs; he would like to update the agreement and get feedback from the Commissioners in the near future.

Frank Maynard, Emergency Management, reported to the Board, about the possible purchase of the Marty Property on Evans Street. Maynard recommends that the County purchase the property for \$5,000.00, as it is in the flood plain. Melody Engebretson, Register of Deeds, shared concerns about purchasing property of this nature. The parcels the county currently owns in that area were acquired by a tax deed. There are currently more properties privately owned in the area and Engebreston is concerned that this may set a precedence. The Board decided to take no action.

Maynard will meet with State's Attorney Russell to get an agreement drawn up for the SCBA air compressor between Fall River County and the Hot Springs Fire Department. Discussion was held on the Region 4 and 2023 Wildfire Coordination Meeting held in Sturgis on May 3, 2023. Update on upcoming trainings that Gary Baker will be attending in July and mention of C planes being in the area for fire season.

Motion made by Greenough, seconded by Allen, to approve the quote from Maverick Tire & Auto, in the amount of \$11,005.32, to repair the motor in the Emergency Management's 2014 Chevrolet Silverado 1500 LT.

Maynard also stated that he will need to replace an office computer soon due to unable to connect to the internet.

Lily Heidebrink, Director of Equalization, met with the Board. Motion made by Greenough, seconded by Russell, to approve the following city abatements for Edgemont and Hot Springs:

Frank Gregg, parcel #72150-05100-01000, First Addn: W1/2 of lots 9, 10, 11, Blk 51, pay 2023, \$536.24, pay 2022, \$395.86, for a total of 932.10. Re: Error in data entry for reduction program.

Frank and Peggy Gregg, parcel #72150-05100-00900, First Addn: E1/2 Lots 9, 10 & 11, Blk 51, pay 2023, \$315.19, pay 2022, \$594.70, for a total of \$909.89. Re: Data entry error for reduction program.

Val Hirst, parcel 75112-00000-02010, Back Nine Addn: Lot B9-20B, Sec 23, Twp 7, Rg 5 (0.42A), pay 2023, \$2,169.49. Re: Data entry error for reduction program.

City of Hot Springs, parcel 75220-00200-01500, Cold Springs Addn: Lot H, Blk 2 (FKA-PT of Lots 15 & 16, Blk 2), pay 2023, \$262.30. Re: Removal of value from exempt entity was missed.

Marg Vandeberg and Rose Nash, parcel 75290-01500-01800, Fargo-Prentice Addn: Lots 18, 19 & 20 & ½ vacated Detroit Ave, pay 2023, \$1,176.43. Re: Late application to tax reduction program.

Motion made by Russell, seconded by Greenough, to approve the following abatements for rural properties:

Valarie Graf and Anita Cope, parcel 11000-00705-12309, Outlot E of Tract M, Platted into Lots E thru W less H-3 (.69A), Sec 12, Twp 7, Rg 5 (21.08 Acres), pay 2023, \$156.14, pay 2022, \$66.96, pay 2021, \$91.84, pay 2020, \$102.48, for a total of \$417.42. RE: Land data entry error.

Rebecca Dee Swain Grant, Et-Al, parcel 11000-00705-04110, Pt of NE1/4, lying N & E of Argyle Rd Sec 4, Twp 7, Rg 5, pay 2023, \$576.28. RE: Land data entry error.

Harry and Patricia Mitchell, parcel 20000-00805-03107, W1/2NW1/4SW1/4NE1/4, Sec 3, Twp 8, Rg 5 (5.00 Acres), pay 2023, \$242.62. RE: Data entry error for reduction program.

Dustin Ross and Erica Koller-Ross, parcel 26000-00903-03110, Paradise Tract, Sec 3, Twp 9, Rg 3 (24 acres), pay 2023, \$717.13. RE: Missed Owner Occupied data entry.

Lola Weinreis, Brittany Heyn and Celest Weinreis, parcel 34000-01004-22210, NE1/4NW1/4, Sec 22, Twp 10, Rg 4, pay 2023, \$636.46. RE: Ag status data entry error.

Heidebrink spoke of an upcoming vacancy in her office; she would like to start advertising and hopefully get it filled soon. Discussion was also held on two individuals switching positions within the office.

Motion made by Russell, seconded by Greenough, to approve changing Jonathan Harris to an Assessor-in-Training, with a pay raise, \$15.00 to \$15.50 per hour and change classification of Carlee Weishaupl – Freitag from Assessor-in-Training to Administrative Assistant and remain at \$15.50 per hour.

Motion made by Greenough, seconded by Russell, to approve Harris starting the Assessor program, effective May 1, 2023.

The 2023 – 2024 Malt Beverage and SD Wine License Hearing was held as advertised. Motion made by Cope, seconded by Allen, to approve the 2023 – 2024 Malt Beverage and SD Wine License renewals, contingent on the Stateline Casino and The Lodge at Angostura paying the first half of their taxes and authorize the Chairman to sign. Renewals were approved for the following businesses: Angostura Den Inc.; Coffee Cup Fuel Stop #9; Common Cents Food Store; Forney’s Standard Service; Hidden Lake Campground and Resort LLC; Hot Springs, SD KOA; Inferno on the Beach; Pirates; The Lodge at Angostura and the Stateline Casino.

Teresa Pullen, Treasurer, met with the Board. Motion made by Greenough, seconded by Russell to approve hiring Kendra Hylle, as Administrative Assistant at \$15.50 per hour, effective May 8, 2023, as per union contract.

Dan Cullen, Veteran’s Service Officer, reported to the Board that the Honoring Our PACT Act became law on the first of January. The act expands disability benefits for veterans exposed to burn pits during the Gulf, Iraq and Afghanistan wars. Discussion was also held on filing of claims, additional benefits and answering questions to more than 80 veterans. Cullen also filed for burial benefits and headstones for five veterans and filed 172 disability and/or pension claims with the South Dakota State of Veterans Affairs. There was over \$239,000.00 of disability or pension awarded this quarter.

Randy Seiler, Highway Superintendent, met with the Board. Motion made by Greenough, seconded by Allen, to approve the Right of way Agreement for Igloo Road Project, P 0043(00), PCNS 049U, Parcel 9.

Motion made by Russell, seconded by Allen, to approve the Joint Powers Agreement with the State of South Dakota to provide for the Striping of County Roads within Fall River County.

Motion made by Russell, seconded by Greenough, to approve travel for Seiler to attend the SDACHS Summer Meeting, June 7 and June 8, 2023, in Pierre.

Motion made by Greenough, seconded by Russell, to approval travel for Seiler and Crissy Stover to attend the 2023 SDACHS Highway Department Workshop, Pierre, June 13, 2023, in the amount of \$200.00.

The Board requested that Seiler provide them with a report as a follow up.

Seiler updated the Board that the original estimate for the Igloo project was estimated at \$1,000,000; but is now up to \$5,000,000; the State will be responsible for covering the cost.

Motion made by Allen, seconded by Russell, to allow Seiler to donate his sick leave to compensate an employee who was injured on the job for use for future doctor appointments.

Seiler advised the Board that in the future there will be no need to present fuel transfers to the Board to take action on; the State Auditor advised that it was just an accounting matter that didn't need action at a commissioner meeting. The Board had no objection.

Discussion was held on pulling the shoulders of the roads up for surface gravel. Seiler will also be looking ahead for possible projects since it is budgeting time.

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

**GENERAL FUND**

AMAZON CAPITAL SERVICES	SUPPLY	\$704.19
BOYS & GIRLS CLUBS OF BH	2023 BUDGET ALLOTMENT	\$10,000.00
CENTURY BUSINESS LEASING	COPIER LEASE AND USAGE	\$740.59
CLINICAL LABORATORY OF	AUTOPSY	\$3,762.00
COLBATH & SPERLICH, PC	CAAF/MAG/JUV	\$1,029.80
CUSTER/FALL RIVER REGIONA	RUBBLE	\$28.84
EDGEMONT PUBLIC LIBRARY	2023 BUDGETED ALLOTMENT	\$4,000.00
ELECTION SYSTEMS & SOFT	ELECTION SOFTWARE	\$2,590.39
EN-TECH LLC	FUMIGATION	\$450.00
ENVIRONMENTAL PRODUCTS	SUPPLY	\$194.76
FALL RIVER HISTORICAL SOCIETY	2023 BUDGETED ALLOTMENT	\$6,000.00
FR CONSERVATION DISTRICT	2023 BUDGETED ALLOTMENT	\$20,000.00
FALL RIVER COUNTY HERALD	PUBLICATION	\$654.84
FR COUNTY TREASURER	TREASURERS OFFICE	\$62.95
GALLS	UNIFORMS/SHERIFF SUPPLY	\$401.83
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERVER	\$6,277.68
GREENOUGH, HEATH	TRAVEL REIMBURSEMENT	\$304.92
HOT SPRINGS ACE HARDWARE	SUPPLY	\$79.47
HOT SPRINGS PUBLIC LIBRARY	2023 BUDGETED ALLOTM	\$25,000.00
HOT SPRINGS MEAL SITE	2023 BUDGETED ALLOTM	\$3,800.00
HUSTEAD LAW OFFICE, P.C.	CAAF/JUV/MI	\$3,031.23
LYLE'S LOCK SERVICE	SERVICE	\$153.00
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$697.70
MCGLUMPHY, ERIN	REIMBURSEMENT TRAVEL	\$1,774.42
MID DAKOTA VEGETATION MGT	SUPPLY	\$12,508.74
NUTRIEN AG SOLUTIONS	SUPPLY	\$6,747.74
QUILL CORPORATION	OFFICE SUPPLIES	\$144.47
RUSSELL, DEBORAH	TRAVEL REIMBURSEMENT	\$277.50
SONNY'S SUPER FOODS	SUPPLY	\$4.30

SOUTHERN HILLS LAW PLLC	CAAF	\$4,193.94
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$30.98
VERIZON WIRELESS	CELL PHONE PLAN	\$783.83
YANKTON CO. SHERIFF	CIVIL PAPERS SERVED	\$50.00
MILES, SASHA	BLOOD DRAW	\$150.00
	TOTAL FOR GENERAL FUND	\$116,630.11
<b>COUNTY ROAD &amp; BRIDGE</b>		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEA	\$87.48
ADVANCED DRUG TESTING	RANDOM EMPLOYMEE DRU	\$52.00
AMAZON CAPITAL SERVICES	SUPPLY	\$34.98
BUILDERS FIRST SOURCE	SUPPLY	\$23.09
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$2,067.97
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$13,776.41
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIR	\$6.58
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$22.85
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERVER	\$8.25
GRIMM'S PUMP SERVICE INC	REPAIR	\$2,133.85
HOT SPRINGS ACE HARDWARE	SUPPLY	\$108.89
LOAD KING	PART	\$1,834.03
MG OIL	INVENTORY/SUPPLY	\$636.90
NEWMAN SIGNS INC.	SIGNAGE	\$169.72
POMP'S TIRE SERVICE INC.	PARTS	\$110.86
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$124.47
SCHUBBEL, FREDERICK JR	REIMBURSEMENT	\$67.89
SDACC	2023 SDACHS HWY DEPT.	\$200.00
SEILER, RANDY	CELLPHONE REIMBURSEMENT	\$75.00
SINGH CONTRACTING INC.	ROOF REPAIR/HIGHWAY	\$20,778.95
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$701.40
HANSEN, JACKIE	MAILBOX	\$59.63
	TOTAL COUNTY ROAD & BRIDGE	\$43,081.20
<b>911 SURCHARGE REIMBURSEMENT</b>		
CENTURY BUSINESS LEASING	COPIER LEASE AND USAGE	\$94.81
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERVER	\$24.75
VERIZON WIRELESS	CELL PHONE PLAN	\$41.80
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$161.36
<b>EMERGENCY MANAGEMENT</b>		
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERVER	\$16.50
ONSOLVE, LLC	CODE-RED PROGRAM	\$3,287.66
VERIZON WIRELESS	CELL PHONE PLAN	\$125.40
	TOTAL FOR EMERGENCY MANAGEMENT	\$3,429.56
	TOTAL PAID BETWEEN 4/28/23 AND 5/4/23	\$163,302.20

Break was taken at 9:52 a.m. and the meeting reconvened at 10:03 a.m.

Public comment was heard from Commissioner Falkenburg about the businesses being destroyed by the current road construction in Hot Springs and would welcome ideas about possible assistance the

County could provide. Commissioner Allen has spoken with South Dakota DOT Custer Engineer Rich Zacher to see if there would be any assistance through the state; Zacher will get back to Allen. Additional comments were heard from Eburn Adelona about complaints from her and other neighbors about the condition of another property. The Board requested that they join forces and work with the State's Attorney to file a proper complaint. Ganje shared appreciation from Jim Angell to the Highway Department for the road work that they had done in the area.

The following people met with the Board to present their 2024 budget requests:

Carol Sides, Fall River County Historical Museum  
Don Kellogg, Edgemont and Hot Springs Meals and Edgemont Senior Center  
Barb Cline, Prairie Hills Transit  
Melanie Abcock for Lisa Sagdalen , Boys and Girls Club of the Black Hills  
Julie Birner, Addiction Recovery Centers of the Black Hills

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

#### **FALL RIVER COUNTY RESOLUTION #2023-19**

**A Plat of Pearson Tract of Country View Subdivision, located in the N1/2NE1/4, Section 34, 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 4<sup>th</sup> day of May, 2023.

/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 #2023-20**

**A Plat of Lots 1 thru 11 and Well Tract of River Crossing Subdivision, located in the SW1/4 of Section 32, T7S, R6E, 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 4<sup>th</sup> day of May, 2023.

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

ATTEST:

/s/Sue Ganje  
Fall River County Auditor

Commissioners Greenough and Russell reported on a workshop they recently attended. Discussion was held on a property tax transparency portal that would be helpful to County residents, the shortage of rural attorneys, alternate avenues for juveniles when facing the court system, the Department of Transportation infrastructure with the local government and parliamentary procedure. Greenough and Russell were both excited about the speakers, they were enthusiastic and knowledgeable. They wished that each session could have lasted longer.

Motion made by Russell, seconded by Greenough to recess the meeting until the afternoon tax deed sale at 10:54 a.m.

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

Motion made by Russell, seconded by Cope, to adjourn at 2:45 p.m.

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

ATTEST:

/s/Sue Ganje, Auditor  
Fall River County Auditor's Office