

FALL RIVER COUNTY UNAPPROVED MINUTES OF SEPTEMBER 7, 2023

The Fall River Board of County Commissioners met in regular session on September 7, 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's website.

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

Motion made by Russell, seconded by Greenough, to approve the minutes of the County Commissioners for August 17, 2023.

Motion made by Russell, seconded by Greenough, to approve longevity pay for Lillian Heidebrink, Director of Equalization, \$25.00/month for 2 years of employment, per Union Contract, effective August 16, 2023.

Motion made by Russell, seconded by Allen, to approve pay raise, 1-year anniversary for Blaine Wilson, Sheriff Deputy, from \$24.00/hr to \$24.75/hr, per Union Contract, effective August 29, 2023.

Motion made by Greenough, seconded by Cope, to approve pay raise, 2-year anniversary for Jay Miles, Heavy Equipment Operator, from \$21.75/hr to \$23.00/hr plus longevity pay of \$25.00/month, per Union Contract, effective September 7, 2023.

Motion made by Russell, seconded by Allen, to rescind the motion regarding travel approval for Randy Seiler, Highway Superintendent, to attend the Local Road Advisory Conference on October 18 and 19, 2023 in Sioux Falls.

Motion made by Greenough, seconded by Russell, to approve travel for Randy Seiler, Highway Superintendent, to attend the Local Road Advisory Conference on October 23-25, 2023 in Sioux Falls.

Motion made by Russell, seconded by Greenough, to surplus to junk a Fedders Window Air Conditioner, asset tag #1532 located in the mail room, a Thermal Zone Air Conditioner, asset tag #1999 and a Frigidair Window Air Conditioner, no asset tag both located in the Treasurer's Office from Building Repair and Maintenance inventory.

Sue Ganje, Auditor, notified the Board that she received a petition to form Woodland Rd Road District. A date for the election will be brought back to the board.

Request for County assistance, Case #CP 2023-07, was presented to the Board in the amount of \$255.00 to pay for 3 nights of lodging at the Super 8 Motel. After discussion regarding the applicant already owing the County money, no action was taken.

Lyle Norton, Sheriff, met with the Board with updates including the following jail count. There are 20 inmates, 14 male and 6 females.

Motion made by Russell, seconded by Allen, to approve the purchase of a refurbished Hobart Model No. LXEH-2 Commercial Dishwasher, roll call was taken; Greenough, yes; Russell, yes; Cope, yes; Allen, yes; Falkenburg, yes; motion carried.

Motion made by Allen, seconded by Russell, to approve travel for Brandon Peterson, Deputy Sheriff, to attend Homicide Investigation & Crime Scene Management Training in Rapid City, September 12-14, 2023, plus per diem for meals. The Board requested that he report on the training at the next Commission meeting.

Cole, Tracey and Calvin Romey met with the Board regarding S Beef Creek Road. The Board received a copy of the proposed agreement and resolution at a prior meeting but did not have a copy at this meeting. The Romeys wanted to give an update and discuss the contract with the Board. After further discussion, the Board would like Lance Russell, State's Attorney, to go through it and make suggestions to the Board prior to inviting the Romeys to a future meeting.

Randy Seiler, Highway Superintendent, met with the Board to present the Fall River County Master Transportation 2024-2028 5-Year Highway and Bridge Improvement Plan for review.

Motion made by Cope, seconded by Russell, to approve setting a hearing for the 5-Year Plan on October 5, 2023 at 9:30 am during the regular Commission meeting.

Motion made by Cope, seconded by Greenough, to approve the Golden West Telecommunications Permit to Occupy highway right-of-way, GW Project Number: ID#T23278.

Seiler provided updates, noting that the Solar Farm gave the County approximately 50-80 Tons of gravel. There was a felt underlayment that was mixed in with the gravel. Seiler and his crew went through to get as much of it out of the gravel as they could. Commissioner Cope complimented Randy for doing a good job with it. Seiler then reported that the South Dakota Game, Fish & Parks agreed to pay for 50% of the mag water application on Shep's Canyon Road, up to \$20,000.00 for next year. The board asked for a higher percentage to be paid by the state, but Seiler was told that they will not go higher as there has been an increase of local traffic on Shep's Canyon road. The Highway Department has been mowing ditches at the present time.

Teresa Pullen, Treasurer, met with the Board to inform them that, due to lack of use/outdated product of the Coke and Pepsi vending machines, they are going to be removed from the meeting room in the basement of the Court House. Pullen also asked for hire approval for Janell Reitz and requested that she add a full-time position to the Treasurer's Office to assist with various tasks that need to be completed.

Motion made by Greenough, seconded by Allen, to approve hiring Janell Reitz as a full-time Administrative Assistant with a starting date to be September 25, 2023 at the rate of \$15.50/hr. as per Union Contract.

Motion made by Russell, seconded by Allen, to approve the hiring of a Temporary Part-time Administrative Assistant, roll call was taken; Greenough, no; Russell, yes; Cope, yes; Allen, yes; Falkenburg, yes; motion carried. Pullen will update the Board monthly of the accomplishments of the extra help.

Lily Heidebrink, Director of Equalization, met with the Board to present the decision of the State of South Dakota Office of the Hearing Examiners regarding the property tax appeal submitted from Vivos Xpoint Investment Group, LLC. The SDOHE sided with the County and believes that \$8,253,290.00 is

80% to 100% of the property's full and true market value and the County acted in accordance with the law in valuing the subject property.

Heidebrink also presented a quote to purchase extra training time from Vanguard, noting that the purchased training time does not expire.

Motion made by Russell, seconded by Cope, to purchase 32 hours of training time at a cost of \$4,320.00 if there is money within the Director of Equalization's budget.

Motion made by Allen, seconded by Russell, to approve promoting Sam Kipp to Deputy Director of Equalization, with a raise in pay of \$.35/hr as per Union Contract.

Stacey Martin, GIS Coordinator, met with the Board to request hiring someone to help with installing 911 address sign replacements.

Motion made by Russell, seconded by Allen, to approve hiring Jon Lovett to assist Martin with replacement 911 address sign installation at \$14.05/hr to work a maximum of 18 hours. With Greenough voting no, all others voting yes, motion carried.

Dustin Ross, Andersen Engineering, met with the Board to present 3 proposed plats.

Motion made by Allen, seconded by Russell, to approve the following plat, roll call was taken; Greenough, no; Russell, yes; Cope, no; Allen, yes; Falkenburg, yes; motion carried:

FALL RIVER COUNTY RESOLUTION #2023-32

**A PLAT OF DONNAFIELD TRACTS 1 THRU 4,
ALL LOCATED IN THE NE1/4NE1/4 OF SECTION 32, T7S, R6E, BHM, FALL RIVER COUNTY,
SOUTH DAKOTA
FORMERLY DONNAFIELD TRACT**

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 7th day of September, 2023.

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

ATTEST:

/S/ Sue Ganje
Sue Ganje, Auditor
Fall River County Auditor

Motion made Russell, seconded by Greenough, to approve the following plat:

FALL RIVER COUNTY RESOLUTION #2023-33

**A PLAT OF TISELL TRACT 1 & TISELL TRACT 2, BLACK HILLS FLYWAY
SUBDIVISION,
LOCATED IN THE S1/2NW1/4 AND THE N1/2SW1/4 OF SECTION 8, T8S, R5E, BHM, FALL
RIVER COUNTY, SOUTH DAKOTA
FORMERLY LOTS 45 THRU 48**

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 7th day of September, 2023.

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

ATTEST:

/S/ Sue Ganje
Sue Ganje, Auditor
Fall River County Auditor

Motion made by Greenough, seconded by Russell, to approve the following plat:

FALL RIVER COUNTY RESOLUTION #2023-34

**A PLAT OF LOT 34 OF SHEP'S CANYON ESTATES SUBDIVISION,
LOCATED IN THE W1/2SE1/4 OF SECTION 22, 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 7th day of September, 2023.

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

ATTEST:

/S/ Sue Ganje
Sue Ganje, Auditor
Fall River County Auditor

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

GENERAL FUND		
AFLAC	AMERICAN FAMILY ASSU	\$689.34
AMAZON CAPITAL SERVICES	SUPPLY	\$856.95
AUDRA HILL CONSULTING,INC	MI/CONSULTING	\$1,574.49
CURA HOSPITALITY	INMATE FOOD/SUPPLY	\$13,730.59
BAUMANN FAMILY DENTISTRY	MEDICAL/DENTIST	\$113.84
BLACK HILLS CHEMICAL	SUPPLY	\$372.24
BQ & ASSOCIATES,P.C.,LLO	GARNISHMENT	\$284.13
BILBRUCK, TYLER	BLOOD DRAW	\$375.00
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$4,404.61
BOMGAARS	SUPPLY	\$14.99
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CAMPBELL CO CIRCUIT COURT	CERTIFIED COPIES	\$10.00
CENTURY BUSINESS LEASING	COPIER LEASE AND USA	\$1,039.09
COLBATH & SPERLICH, PC	CAAF/MAG/JUV	\$2,575.50
CORELOGIC TAX SERVICE	REISSUE OUTSTANDING	\$11,014.40
CREDIT COLLECTION BUREAU	COLLECTIONS	\$1,119.25
CUSTER/FALL RIVER REGIONA	DISPOSAL	\$24.46
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,681.00
DIV OF CHILD SUPPORT	CHILD SUPPORT	\$437.50
EFTPS	EFTPS PAYROLL TAXES	\$45,757.99
EN-TECH LLC	FUMIGATION	\$125.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$52.75
FALL RIVER AUTO SUPPLY	SUPPLY	\$22.98
FALL RIVER HEALTH	PRE-EMPLOYMENT PHYSI	\$65.00
FALL RIVER COUNTY HERALD	PUBLICATION	\$1,310.60
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$14,549.88
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$600.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$389.91
HUSTEAD LAW OFFICE, P.C.	CAAF	\$12,738.91
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$27,396.50
JACQUELINE K PERLI	COURT REPORTER	\$19.60
LIUNA LABORERS LOCAL 620	UNION DUES	\$243.00
LINCOLN COUNTY TREASURER	MI	\$487.60
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$98.34

MARCO	COPIER LEASE	\$163.13
MARTY'S TIRE & AUTO BODY	SERVICE	\$3,362.80
MASTERCARD	COUNTY CREDIT CARD	\$1,841.79
MAVERICK TIRE & AUTO	SERVICE	\$1,260.18
MEDICAL WASTE TRANSPORT	UTILITY	\$189.30
MIDWEST RADAR & EQUIPMENT	SERVICE	\$246.00
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NORTON, TINA	CONTRACT NURSE INMAT	\$1,475.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$1,575.60
O'DAY, VALARIE	COURT REPORTER	\$58.80
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
US POSTAL SERVICE	STAMPS	\$198.00
RELIANCE STANDARD LIFE	VISION PLAN	\$355.68
RADIOLOGY ASSOCIATES	INMATE MEDICAL	\$209.87
CITY OF RAPID CITY	BLOOD ANALYSIS	\$880.00
RIES, ABBEY	REIMBURSEMENT	\$120.00
RUSSELL, LANCE	TRAVEL REIMBURSEMENT	\$13.44
SOUTH DAKOTA ST TREASURER	SALES TAX	\$40.79
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$23,748.84
SERVALL	RUG SERVICE	\$654.43
SONNY'S SUPER FOODS	SUPPLY	\$8.97
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$800.00
SOUTHERN HILLS LAW PLLC	CAAF	\$722.68
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$64.70
VANGUARD APPRAISALS INC	SERVICES	\$350.00
VANWAY TROPHY	SUPPLY	\$39.95
VERIZON WIRELESS	CELL PHONE PLAN	\$784.44
THOMSON REUTERS	ONLINE LAW SUBSCRIPT	\$148.00
THOMSON REUTERS	ONLINE LAW SUBSCRIPT	\$14.80
FEES, IRMA	BLOOD DRAW	\$150.00
YELLOW ROBE CONSULTING IN	EXPERT WITNESS	\$1,500.00
MILES, SASHA	BLOOD DRAW	\$150.00
SH E FREE CHURCH	PROPERTY TAX REFUND	\$238.87
COMMISSION	COMMISSION SALARIES	\$4,350.00
AUDITOR	AUDITOR SALARIES	\$20,818.44
TREASURER	TREASURER SALARIES	\$15,850.85
ST ATTY	STATE ATTORNEY SALARIES	\$17,553.30
MAINTENANCE	MAINTENANCE SALARIES	\$10,708.35
ASSESSOR	ASSESSOR SALARIES	\$15,643.17
REG/DEEDS	REGISTER OF DEEDS SALARIES	\$12,404.43
VETERAN SERVICE	VETERAN SERVICE SALARIES	\$4,540.03
GIS	GIS SALARIES	\$4,536.82
SHERIFF	SHERIFF SALARIES	\$49,550.45
JAIL	JAIL SALARIES	\$32,570.27
CORONER	CORONER SALARIES	\$600.00

NURSE	NURSE SALARIES	\$1,856.13
EXTENSION	EXTENSION SALARIES	\$2,702.81
WEED & PEST	WEED & PEST SALARIES	\$6,236.45
	TOTAL FOR GENERAL FUND	\$387,215.76
COUNTY ROAD & BRIDGE		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEA	\$388.70
AFLAC	AMERICAN FAMILY ASSU	\$365.50
AMAZON CAPITAL SERVICES	SUPPLY	\$44.22
BLACK HILLS ELECTRIC	UTILITY	\$35.00
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$350.37
BLESSING, BRETT	CLOTHING ALLOWANCE	\$300.00
BOMGAARS	SUPPLY	\$687.79
BUCHHOLZ, MARTIN	CLOTHING ALLOWANCE	\$300.00
BUTLER MACHINERY CO.	SERVICE/REPAIRS/NEW	\$65,712.70
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$591.98
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$271.31
EFTPS	EFTPS PAYROLL TAXES	\$12,699.63
EDGEMONT, CITY OF	WATER/UTILITY	\$87.40
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIR	\$252.00
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$46.40
GODFREY BRAKE SERVICE	PART	\$82.25
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$8.25
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$165.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$74.27
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$6,762.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$243.00
MG OIL	INVENTORY/SUPPLY	\$1,849.10
MASTERCARD	COUNTY CREDIT CARD	\$14.77
MAVERICK TIRE & AUTO	SERVICE	\$1,173.77
NEWMAN SIGNS INC.	SIGNAGE	\$914.59
POMP'S TIRE SERVICE INC.	PARTS	\$3,465.84
PORTFOLIO RECOVERY ASSOC.	GARNISHMENT	\$688.48
RELIANCE STANDARD LIFE	VISION PLAN	\$65.00
RAPID DELIVERY	DELIVERY	\$14.30
RDO EQUIPMENT CO	PARTS/SERVICE	\$3,291.21
ROSANE CONSTRUCTION LLC	DUST CONTROL	\$18,279.36
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$124.47
SD LTAP	SD LTAP CONFERENCE	\$125.00
SDPAA	INSURANCE	\$811.78
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$5,662.82
SEILER, RANDY	CELLPHONE REIMBURSEM	\$75.00
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$40.00
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$977.91
SUMMIT SIGNS & SUPPLY INC	SUPPLY	\$1,334.00
CRBR ADMIN	SALARIES	\$9,387.10

CRBR ADM	SALARIES	\$42,195.27
	TOTAL FOR COUNTY ROAD & BRIDGE	\$179,957.54
911 SURCHARGE REIMBURSEMENT		
AFLAC	AMERICAN FAMILY ASSU	\$67.21
CENTURY BUSINESS LEASING	COPIER LEASE AND USA	\$116.75
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$317.54
EFTPS	EFTPS PAYROLL TAXES	\$7,203.72
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$16.50
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$60.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,486.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$27.00
MASTERCARD	COUNTY CREDIT CARD	\$8.71
RELIANCE STANDARD LIFE	VISION PLAN	\$7.48
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$3,121.76
VERIZON WIRELESS	CELL PHONE PLAN	\$41.81
DISPATCH	DISPATCH SALARIES	\$28,047.29
	TOTAL 911 SURCHARGE REIMBURSEMENT	\$41,825.13
EMERGENCY MGT		
AMAZON CAPITAL SERVICES	SUPPLY	\$377.49
CONSOLIDATED ELECTRICAL	SERVICE	\$1,996.36
EFTPS	EFTPS PAYROLL TAXES	\$1,815.38
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$16.50
MARCO	COPIER LEASE	\$81.57
MASTERCARD	COUNTY CREDIT CARD	\$159.95
RAPID DELIVERY	DELIVERY	\$15.60
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$833.30
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$100.94
VERIZON WIRELESS	CELL PHONE PLAN	\$166.67
EMERGENCY MGT	EMERGENCY MGT SALARIES	\$7,147.22
	TOTAL EMERGENCY MGT	\$12,710.98
24/7 SOBRIETY FUND		
EFTPS	EFTPS PAYROLL TAXES	\$354.30
INTOXIMETERS	SUPPLY	\$1,600.00
	TOTAL FOR 24/7 SOBRIETY FUND	\$1,954.30
COURTHOUSE BUILDING FUND		
MASTERCARD	COUNTY CREDIT CARD	\$1,287.00
SH E FREE CHURCH	PROPERTY TAX REFUND	\$10.13
	TOTAL FOR COURTHOUSE BUILDING FUND	\$1,297.13
24/7 PARTICIPATION FEE		
SD ATTORNEY GENERAL	24/7 STATE DISBURSEM	\$119.00

SD ATTORNEY GENERAL	24/7 CAM DISBURSEMEN	\$190.00
		\$309.00
	TOTAL PAID BETWEEN 8/18 & 9/7/2023	\$625,269.84

Break was taken at 9:55 am.

The meeting resumed at 10:02 am.

Public comment was heard from Les Cope stating that he would like Trish Ladner to attend the first meeting in October to further discuss the draft Bill that she is supporting regarding owner occupied property taxes. Heath Greenough recommended asking Julie Frye-Mueller and Dennis Krull as well.

Joe Falkenburg spoke to the Board asking that they sign a letter to support the sheep industry.

Motion made by Cope, seconded by Allen to authorize the Board to sign the letter and send to our US Congressional Delegation supporting the sheep industry.

Discussion continued with an update that US Forest Service was putting a road across John Sides' property. The Code of the West is in place for items like this. Greenough wanted the Board to keep the potential jail project in mind while working on the 2024 Budget. It was noted that the Carbon Capture Pipeline in North Dakota was voted down. Allen stated that he would like to see the County draft a management plan for cell towers to possibly bring in other forms of revenue. Discussion continued briefly regarding the 2024 Budget.

Motion made by Russell, seconded by Allen, to enter into executive session to discuss personnel at 10:26 am as per SDCL 1- 25-2(4)) negotiations at 10:26 a.m.

The Board came out of executive session at 10:59 a.m.

The Chairman declared the board in recess until the 1:00 p.m. executive session for negotiations.

At 1:00 p.m. motion was made by Russell, seconded by Allen to enter executive session for negotiations. The Board came out of executive session at 1:49 p.m.

Motion made by Cope, seconded by Russell to adjourn at 1:49 p.m.

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

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