

FALL RIVER COUNTY APPROVED MINUTES OF NOVEMBER 2, 2023

The Fall River Board of County Commissioners met in regular session on November 2, 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 was 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 on Facebook, on the Fall River County's website.

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

Motion made by Russell, seconded by Greenough, to approve the minutes of the County Commissioners for October 19, 2023.

Motion made by Greenough, seconded by Allen, to set the Hearing for 2024 Liquor and Wine License renewals for November 16, 2023, at 9:30 a.m.

Motion made by Allen, seconded by Russell to approve pay increases per Union Contract for Rachel Hosterman, Sherrif Department Office Manager from \$18.50/hr to \$19.25/hr, effective 10/26/2023; Isnalawica Belt, Lead Deputy Sheriff from \$26.00/hr to \$26.75/hr, effective 11/3/2023; and Sam Costa, Heavy Equipment Operator Highway Department from \$21.75/hr to \$23.00/hr plus \$25.00/month longevity, effective 11/8/2023.

Motion made by Greenough, seconded by Cope, to approve hiring Cassidy March as Administrative Assistant, 4H Youth and Extension Services at \$16.00/hr, effective 11/6/2023.

There were no County Assistance applications.

Sheriff Lyle Norton, met with the Board with updates including the following jail count: 14 inmates, 10 male and 3 females with 1 additional male being held in Pennington County. He provided a summary of action taken by the board prior to approving a Feasibility Study on the jail to be done by Elevatus and noting the upcoming time on the agenda to meet the Elevatus Architecture Chief Executive Officer, Project Executive of Justice and the Architectural Graduate. The Feasibility Study will be presented to the Commission at the December 7, 2023, commission meeting.

Randy Seiler, Highway Superintendent, met with the Board to present ROW permits and an approach permit along with a resignation letter from Crispeen Stover, Highway Department Office Manager, with discussion from the Board stating that action on the resignation letter and the possibility of a contract needing to be two separate motions.

Motion made by Russell, seconded by Allen, to approve the Permit to occupy County Highway Right-of-Way, GW Project Number ID# 25903-T23407 near the driveway at 11450 Plains Creek Rd to 11466 Plains Creek Rd from Golden West Telecommunications.

Motion made by Russell, seconded by Cope, to approve the Permit to occupy the County Highway Right-of-Way, GW Project Number ID# T23416-West side of Rathbun Rd from Golden West Telecommunications.

Motion made by Russell, seconded by Greenough, to approve the Approach Permit submitted by Mark Harned on WG Flats Rd.

Motion made by Greenough, seconded by Allen, to accept the resignation of Crispeen Stover, Highway Office Manager.

No motion was made at that time regarding a contract with Stover. The Board will revisit this after executive session.

Seiler gave updates regarding the Solar Farm. They are done with construction. Seiler estimated that they donated around \$40,000.00 worth of gravel along with numerous other construction related items to the County. The Board would like to have a letter drafted and sent to them in appreciation of all items received, Seiler will obtain a mailing address for them. Seiler then updated the Board regarding two culverts on Coal Creek Road that had been silted in and had been blocked by many downed trees. The Highway Department has removed some of them and will burn the remainder. He also reported that they are done mowing for the season and will start hauling gravel.

Dustin Ross of Andersen Engineering met with the Board to present 2 plats for their approval.

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

FALL RIVER COUNTY RESOLUTION #2023-42

**LOT 83 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 2nd day of November, 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 Russell, seconded by Greenough, to approve the following plat:

FALL RIVER COUNTY RESOLUTION #2023-43

LOT 34A AND LOT 37B OF SAND CREEK RESERVE SUBDIVISION, LOCATED IN E1/2 OF SECTION 6, T9S, R8E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA, FORMERLY LOT 37

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 November, 2023.

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

ATTEST:

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

Sue Ganje, Auditor met with the Board to present an agreement between Dakota State University and Fall River County to conduct another security assessment regarding cyber security (aka Project Boundary Fence).

Motion made by Russell, seconded by Allen, to approve the agreement with Dakota State University for cyber security assessment.

Ganje also presented the Sub-Recipient Agreement between Fall River County and the South Dakota Department of Health regarding nursing services and WIC services. The Board would like to visit with Jackie Waldner and Kristy Novotny, both contract nurses, at the next meeting to better understand the changes made to the contract.

Dave Weishaupl, Building Superintendent, met with the Board to present propane quotes, and a 3-year quote for the firewall from Golden West for a 3-year SonicWall NSa2700 3 and to provide updates.

Motion made by Greenough, seconded by Cope, to accept the low bid of \$1.50/gallon for 7,200 gallons of propane from Nelson's Oil and Gas.

Motion made by Russell, seconded by Greenough, to accept the quote and authorize payment in the amount of \$5,680.26 to Golden West Telecommunications for a SonicWall NSa2700 3 Essential Protection Security Suite for 3 years.

Discussion was held regarding the requested contribution of \$13,690.14 in support of the National Center for Public Lands from the Local Assistance and Tribal Consistency Fund (LATCF) money. The Board wants more information about the benefits of this contribution.

Motion made by Allen, seconded by Cope, to move the request from the National Center for Public Lands to the next meeting.

Commissioner Falkenburg spoke about an article that he had read in the Wyoming Livestock Roundup where Senator Cynthia Lummis (R-WY) joined Senator Mike Braun (R-IN) along with 19 others to introduce the Protecting the Right to Keep and Bear Arms Act to help protect the 2nd Amendment rights of the people.

Motion made by Russell, seconded by Cope, for Commissioner Falkenburg and Sue Ganje, Auditor, to draft a letter in support of the Protecting the Right to Keep and Bear Arms Act and send it to our State and National Federal delegation.

Motion made by Greenough, seconded by Cope to pay the following bills:

GENERAL FUND		
AFLAC	AMERICAN FAMILY ASSU	\$689.34
APPLIED CONCEPTS INC	NEW VEHICLE EQUIPMEN	\$3,330.00
BLACK HILLS CHEMICAL	SUPPLY	\$219.57
BQ & ASSOCIATES, P.C., LLO	GARNISHMENT	\$284.13
BILBRUCK, TYLER	BLOOD DRAW	\$375.00
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
BURNS, CYNTHIA	TRAVEL REIMBURSEMENT	\$66.00
CAMERON, GEORGE	COURT REPORTER	\$509.00
COLBATH & SPERLICH, PC	CAAF/MAG/JUV	\$6,376.35
CREDIT COLLECTION BUREAU	COLLECTIONS	\$1,119.25
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,719.22
DIV OF CHILD SUPPORT	CHILD SUPPORT	\$437.50
EFTPS	EFTPS PAYROLL TAXES	\$46,686.19
ELECTION SYSTEMS & SOFT	SOFTWARE MAINTENANCE	\$4,667.25
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$52.75
FALL RIVER AUTO SUPPLY	SUPPLY	\$111.34
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$1,023.40
SCHMIDT, STACY	TRAVEL REIMBURSEMENT	\$66.00
HARVEY'S LOCK & SECURITY	SERVICE	\$32.00
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$615.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$456.90
HUSTEAD LAW OFFICE, P.C.	CAAF	\$8,841.87
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$27,937.50
INTERSTATE BATTERY	PART	\$161.95
KIPP, SAM	TRAVEL REIMBURSEMENT	\$200.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$297.00
MILLER, WADE	REISSUE LOST CHECKS	\$500.00
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NORTON, TINA	CONTRACT NURSE INMAT	\$1,325.00
O'DAY, VALARIE	COURT REPORTER	\$225.60
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
O'NEILL, JUSTIN	CAAF	\$833.53

QUALITY INN PIERRE	HOTEL/ELECTION TRAIN	\$308.00
RELIANCE STANDARD LIFE	VISION PLAN	\$363.16
ADDICTION RECOVERY CENTER	2023 BUDGET ALLOTMEN	\$14,000.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$24,404.29
SERVALL	RUG SERVICE	\$390.67
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$800.00
SOUTHERN HILLS LAW PLLC	CAAF	\$1,325.10
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$8.29
VERIZON WIRELESS	CELL PHONE PLAN	\$785.97
FEES, IRMA	BLOOD DRAW	\$225.00
MILES, SASHA	BLOOD DRAW	\$75.00
COMMISSIONERS	OCTOBER SALARIES	\$4,350.00
AUDITOR	OCTOBER SALARIES	\$21,665.29
TREASURER	OCTOBER SALARIES	\$18,562.14
STATE'S ATTORNEY	OCTOBER SALARIES	\$17,382.16
MAINTENANCE	OCTOBER SALARIES	\$9,986.56
ASSESSOR	OCTOBER SALARIES	\$15,298.61
REGISTER OF DEEDS	OCTOBER SALARIES	\$12,830.65
VETERAN SERVICE OFFICE	OCTOBER SALARIES	\$4,540.03
GIS	OCTOBER SALARIES	\$4,536.82
SHERIFF'S DEPARTMENT	OCTOBER SALARIES	\$52,045.93
JAIL	OCTOBER SALARIES	\$33,639.86
CORONER	OCTOBER SALARIES	\$150.00
DISPATCH	OCTOBER SALARIES	\$23,505.78
NURSE	OCTOBER SALARIES	\$2,439.32
WEED & PEST	OCTOBER SALARIES	\$4,736.17
	TOTAL FOR GENERAL FUND	\$379,266.20
COUNTY ROAD & BRIDGE		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEA	\$118.30
AFLAC	AMERICAN FAMILY ASSU	\$365.50
BLACK HILLS ELECTRIC	UTILITY	\$35.00
BOMGAARS	SUPPLY	\$79.17
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$1,685.46
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$591.98
DIESEL MACHINERY, INC	PARTS	\$273.71
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$680.71
EFTPS	EFTPS PAYROLL TAXES	\$11,382.24
FALL RIVER AUTO SUPPLY	AUTO PARTS	\$1,037.36
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$165.00
SIMON CONTRACTORS OF SD	CHIPS & SALT MIXED	\$1,999.25
HOT SPRINGS ACE HARDWARE	SUPPLY	\$17.98
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$6,762.00
KD CONTRACTORS INC	GRAVEL	\$15,717.06
LIUNA LABORERS LOCAL 620	UNION DUES	\$243.00
MG OIL	INVENTORY/SUPPLY	\$1,839.75

MAVERICK TIRE & AUTO	SERVICE CALL	\$153.00
MCDANIEL	SERVICE	\$649.90
NSG LOGISTICS, LLC	SALT	\$2,846.95
NELSONS OIL & GAS INC.	FUEL	\$29,244.80
NEWMAN SIGNS INC.	SIGNAGE	\$917.91
POMP'S TIRE SERVICE INC.	PARTS	\$963.50
RELIANCE STANDARD LIFE	VISION PLAN	\$65.00
RAPID DELIVERY	DELIVERY	\$19.83
RUSHMORE COMMUNICATIONS	REPAIRS	\$1,881.58
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$124.47
SCHUBBEL, FREDERICK JR	CLOTHING ALLOWANCE	\$300.00
SD DEPT OF REV & REG.	TITLE NEW HIGHWAY TR	\$26.70
SD DEPT OF TRANSPORTATION	STATE COST SHARE ROA	\$45,533.70
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$5,644.40
SEILER, RANDY	CELLPHONE REIMBURSEM	\$163.00
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$40.00
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$26.40
TRUE NORTH STEEL INC.	CULVERT	\$12,114.60
CRBR ADMIN	OCTOBER SALARIES	\$9,651.24
CRBR ADM	OCTOBER SALARIES	\$37,413.62
	TOTAL FOR COUNTY ROAD & BRIDGE	\$190,774.07
911 SURCHARGE REIMBURSE		
AFLAC	AMERICAN FAMILY ASSU	\$67.21
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$317.54
EFTPS	EFTPS PAYROLL TAXES	\$5,792.83
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$60.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,486.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$27.00
RELIANCE STANDARD LIFE	VISION PLAN	\$7.48
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$2,801.61
VERIZON WIRELESS	CELL PHONE PLAN	\$41.92
	TOTAL FOR 911 SURCHARGE REIMB	\$11,904.95
EMERGENCY MGT		
EFTPS	EFTPS PAYROLL TAXES	\$1,887.06
GOVERNORS INN	HOTEL	\$301.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$883.22
VERIZON WIRELESS	CELL PHONE PLAN	\$125.76
BAKER, GARY	TRAVEL REIMBURSEMENT	\$134.00
EMERGENCY MANAGEMENT	OCTOBER SALARIES	\$7,360.22
	TOTAL FOR EMERGENCY MGT	\$10,691.26
24/7		

EFTPS	EFTPS PAYROLL TAXES	\$334.12
SD ATTORNEY GENERAL	24/7 STATE DISBURSEM	\$78.00
	TOTAL FOR 24/7	\$412.12
	TOTAL OF BILLS 10-20-2023 TO 11/02/2023	\$593,048.60

Break was taken at 9:47 am. The meeting resumed at 9:57 am.

Carol Foster and Barb Rosane, local residents of the County, engaged with the Board to seek advice in their ongoing discussions with the SD State Department of Transportation concerning the problematic intersection of US Hwy 18/385 and SD Hwy 79, known as Maverick Junction and Coffee Cup Travel Plaza. They've actively presented various recommendations to the DOT aimed at enhancing safety at the intersection due to a significant history of accidents. While the DOT has indicated their intention to conduct a traffic study in the area to address these issues. Foster and Rosane are still seeking the Board's support in advocating for further measures to ensure a safer intersection. The Board will draft a letter of support.

Dan Cullen, Veteran Service Office, met with the Board to present his Quarterly Report.

Michael Gouloff, CEO of Elevatus, along with Doug Dukes, Elevatus Project Executive of Justice, and Dillon Redding, an Architectural Graduate met with the Board for introductory purposes. They're in the final stages of concluding the Feasibility Study and will be meeting with the Board on December 7, 2023 to present the official findings of the study.

During public comment Sheriff Lyle Norton returned to address the issue of the US Hwy 18/385 and SD Hwy 79 intersection. He highlighted the most recent accident involving a motorhome and a semi-trailer. The semi driver had stated there were visibility issues due to the incline on SD Hwy 79, impeding sight to the north. Trish Ladner, District 30 Representative shared discussions that included Dennis Krull, District 30 Representative with the SD DOT, indicating that the DOT plans to assess whether the intersection should resemble either Hermosa or the Crazy Horse intersections. Julie Frye-Mueller, District 30 Senator spoke advocating for a different approach, suggesting a facility like the Star Academy near Custer instead of building more jails. Frye-Mueller emphasized the need for a more comprehensive plan for the US Hwy 18/385 and SD Hwy 79 intersection. Jim Bultsma, a local resident, inquired about the cost of the Feasibility Study. He was informed that it was \$6,000.00.

Motion made by Russell, seconded by Allen, to go into executive session at 10:20 am to discuss personnel as per SDCL 1-25-2 (1), legal (3) and Union Contract negotiations (4).

The Board came out of executive session at 11:48 am.

Motion made by Allen, seconded by Cope, to approve the contract between Crispeen Stover and the County. The County will pay Stover \$30.00/hour with a maximum of 20 hours to train the new Office Manager for the County Highway Department. With Greenough voting no, all others voting yes, motion carried.

Motion made by Allen, seconded by Greenough, to approve the CBA 2024 wage increase of \$.50/hour to employees beyond their 5-year anniversary, to include a minor adjustment to 1 employee's anniversary wage increase.

Motion made by Allen, seconded by Greenough, to adjourn at 11:51 am.

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

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