

FALL RIVER COUNTY APPROVED MINUTES OF NOVEMBER 16, 2023

The Fall River Board of County Commissioners met in regular session on November 16, 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.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 Allen, to approve the minutes of the County Commissioners for November 2, 2023.

Motion made by Russell, seconded by Allen, to approve the Auditor's Account with the Treasurer for October 2023 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 31st day of October 2023.

Total Amount of Deposit in First Interstate Bank, HS:

\$ 3,928,582.57

Total Amount of Cash:

\$ 713.90

Total Amount of Treasurer's Change Fund:

\$ 900.00

Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:

\$ 94,699.83

SAVINGS:

#4) First Interstate Bank, HS:

\$ 1,244,609.60

CERTIFICATES OF DEPOSIT:

#8) Black Hills Federal Credit Union, HS:

\$ 250,000.00

#14) Schwab Treasury:

\$ 95,801.18

#15) First National Bank, Lead:

\$ 321,631.87

#21) Schwab Treasury 2 Yr:

\$ 270,355.00

#22) Schwab Treasury 2 Yr:

\$ 980,817.19

#23) Schwab Treasury 2 Yr:

\$ 982,968.75

#24) Schwab Treasury 2 Yr:

\$ 2,065,679.69

#25) Schwab Treasury 3 Yr:

\$ 1,931,562.50

#26) Schwab Treasury 4 Yr:

\$ 1,012,995.94

#27) Schwab Treasury 2 Yr:

\$ 978,047.66

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:		
Hannah Thomas	\$	426.01
Lewis, Harold/ Carole	\$	557.77
TOTAL	\$	14,160,884.46

Dated This 31st Day of October 2023.

/S/ Sue Ganje

/S/ Teresa Pullen

Sue Ganje, County Auditor of
of Fall River County

Teresa Pullen, County
Treasurer
of Fall River County

County Monies	\$	11,452,244.98
Held for other Entities	\$	2,385,663.19
Held in Trust	\$	322,976.29
TOTAL	\$	14,160,884.46

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 set a Supplement and Contingency Hearing for December 7, 2023 at 9:30 a.m.

Motion made by Russell, seconded by Greenough, to set the year end Commissioner meeting for December 28, 2023 at 9:00 a.m.

Motion made by Greenough, seconded by Allen, to approve the removal of a deceased individual with a County lien, 4th batch, as follows:

RECEIPT	DOD	BALANCE	ST
Badger, Charles Jr	6/25/2020	\$2,991.44	SD
Total		\$2,991.44	
RELEASED PER COMMISSIONERS MEETING MINUTES OF <u>11/16/2023</u>			
<u>/S/ Sue Ganje</u>			
SUE GANJE, FALL RIVER COUNTY AUDITOR			

Sheriff Lyle Norton, met with the Board to provide the following jail count: 11 inmates, 8 male and 3 females. Falkenburg noted that he would like to see more State Highway Patrol on the State Highways and have the County patrolling more of the County Roads. He asked that Norton request more State Highway Patrol support in our area.

Frank Maynard, Emergency Manager, met with the Board.

Motion made by Allen, seconded by Russell, to approve travel for Gary Baker, Assistant Emergency Manager, to attend the Bovine Emergency Response Plan & Training.

Maynard gave a report from the Safety Benefits Conference held in Pierre that he attended and provided updates on fires and incidents. Maynard also noted that the UPS Battery Back-up System was in Rapid City and ready to be installed. The installation will need to be coordinated. Greenough asked if Maynard had received a better map of the repeater towers coverage areas.

The Commissioners discussed the requested contribution of \$13,690.14 in support of the National Center for Public Lands. State’s Attorney Russell was asked to explain the functions of the requester. He explained that they lobby for PILT monies for counties, etc.

Motion made by Greenough, seconded by Allen to bring back the request mentioned above at a future meeting after more information has been obtained.

Motion made by Greenough, seconded by Allen, to approve, sign and send the letter of support for the Right to Keep and Bear Arms as a Constitutional Amendment.

Motion to made by Russell, seconded by Allen to approve, sign and send the letter of support for the State DOT to take action to make the US Highway 18/385 and SD Highway 79 intersection safer. After some discussion regarding some of the wording, all voted no.

Motion made by Cope, seconded by Greenough to table the signing of a letter of support for the State DOT to take action to make the US Highway 18/385 and SD Highway 79 intersection. to include wording that the Board would like correspondence with the SD DOT prior to final approval of any action at the intersection.

Sue Ganje, Auditor, met with the Board. Lastly, she presented the Sub-Recipient Agreement between FR County and SD Dept of Health-WIC services.

Motion made by Russell, seconded by Allen, to approve and sign the revised Pay 2024 Tax Levies Resolution. With Allen, Falkenburg and Russell voting yes, Cope and Greenough voting no, motion carried as follows:

Appendix D4: Adopted Budget Levies & Resolution

ANNUAL BUDGET FOR FALL RIVER COUNTY, SD
For the Year January 1, 2024 to December 31, 2024

COUNTY TAX LEVIES	Tax Levy in	
	Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
* General County Purposes (10-12-9)	3,394,669.00	3.027
Library	8,693.00	0.011
LIMITED LEVY (10-12-21) - SUB TOTAL		
OUTSIDE LIMITED LEVY:	3,403,362.00	3.038
County Snow Removal Fund (34-5-2)		
County Road and Bridge (10-12-13)		
Courthouse, Jail, etc., Bldg. (7-25-1)	143,951.00	0.128
Bond Interest Sinking (7-24-18)		

RESOLUTION

ADOPTION OF ANNUAL BUDGET FOR FALL RIVER County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE

Ag Building (7-27-1)		
UNLIMITED LEVY - SUB TOTAL	143,951.00	0.128
LIMITED AND UNLIMITED LEVY - SUB-TOTAL	3,547,313.00	3.166
OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76) (31-12-27)	324,339.00	0.571
Fire Protection (34-31-3)	1,256.00	0.139
TOTAL TAXES LEVIED BY COUNTY	3,872,908.00	3.876

APPROPRIATION AND EXPENDITURES FOR FALL RIVER County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2024 and ending December 31, 2024 and the same is hereby approved and adopted by the Board of County Commissioners of Fall River County, South Dakota, this 21st day of September, 2023. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Fall River, County, South Dakota. The accompanying taxes are levied by Fall River County for the year January 1, 2024 through December 31, 2024.

BOARD OF COUNTY COMMISSIONERS OF Fall River County, South Dakota

/s/ Joe Falkenburg Chairman

/s/ Deborah Russell Commissioner

/s/ Joe Allen Commissioner

/s/ Les Cope Commissioner

/s/ Attest Sue Ganje County Auditor

* These Amounts include the 25% to be distributed to cities. As of 09/21/2023 these levies are not approved by the Department of Revenue

Motion made by Allen, seconded by Cope, to transfer \$46,277.74 from the General Fund to the 911 Fund for the purchase of the UPS Battery Back-up System.

Motion made by Allen, seconded by Cope, to postpone any action on the Sub-Recipient Agreement between FR County and SD Dept of Health-WIC Services until someone from the State of SD comes to a meeting to better explain the changes within the Dept. of Health and the agreement.

Greenough also noted that the county should look at increasing the liquor license fee of \$1,400.00 and wine license of \$500.00, and to send a letter to license holders that the costs may increase. The auditor will send a statewide email to see the fees other counties require.

The 2024 Liquor and Wine License renewals hearing took place at 9:30 a.m. Motion made by Greenough, seconded by Allen, to approve the following license renewals:

All 5 Gears LLC	Retail (On Sale)
Stateline Casino	Liquor
30387 Hwy 385	LIC# RL-6193
Oelrichs, SD 57763	
Billie J Besco	Retail (On Sale)
Angostura Den	Liquor

28041 Hwy 385	LIC #RL-6369
Hot Springs, SD 57747	
Billie J Besco	Retail (Off Sale)
Angostura Den	Package – Liquor
28041 Hwy 385	LIC #PL-27818
Hot Springs, SD 57747	
Angostura Resort Management, Inc	Retail (On Sale)
Inferno On the Beach	Liquor - Restaurant
2504 W Main St.	LIC #RR-21197
Rapid City, SD 57702-2424	
Larry Forney	Retail (Off Sale)
Forney's Standard Service	Package – Liquor
PO Box 153	LIC #PL-27777
Oelrichs, SD 57763	
H & H Enterprises	Retail (On-Off Sale)
Coffee Cop Fuel Stop #9	Wine and Cider
27638 US Hwy 385	LIC #RW-19689
Hot Springs, SD 57747	
H&H Enterprises	Retail (On Sale)
Coffee Cup Fuel Stop #9	Liquor
27638 US HWY 385	LIC #RL-6192
Hot Springs SD 57747	
H&H Enterprises	Retail (Off Sale)
Coffee Cup Fuel Stop #9	Package – Liquor
2508 S Carolyn Ave	LIC #PL-27716
Sioux Falls, SD 57106	
TTT Taverns LLC	Retail (On Sale)
Pirates Pub	Liquor
27679 Hwy 385	LIC #RL-5711
Hot Springs, SD 57747-9701	
TTT Taverns LLC	Retail (Off Sale)
Pirates Pub	Liquor
27679 Hwy 385	LIC #PL-2788
Hot Springs, SD 57747-9701	
Rodeo Grounds LLC	Retail (Off Sale)
Rodeo Grounds	Wine & Cider
27631 Hwy 79	LIC #RW-29507
Hot Springs, SD 57747	

Randy Seiler, Highway Superintendent, met with the Board.

Motion made by Greenough, seconded by Allen, to approve the pipeline easement for Dustin and Lindsay Luper under a section line highway (aka Horse Creek Rd) adjacent to the NE1/4SE1/4 of Section 16 in Twp 10S Rng 4E and the NW1/4SW1/4 of Section 15 Twp 10S Rng 4E, BHM, Fall River County, South Dakota.

Motion made by Greenough, seconded by Russell, to deny the approach permit submitted by Joseph A Astin on North Butte Rd, 2/5 mile north of Dead Tree Rd. The motion also addressed removal of illegally

installed approaches (driving through ditches) and to say that the Board will not entertain any future approach permit applications on North Butte Rd.

Motion made by Cope, seconded by Allen, to approve allowing Seiler to donate 140 hours of his Sick Leave to Jay Miles, Heavy Equipment Operator.

Motion made by Russell, seconded by Allen, to approve the hire of Anna Maciejewski as Highway Department Office Manager, starting wage of \$20.00/hr effective November 20, 2023. With Greenough voting no, all others voting yes, motion carried.

Seiler's updates included notifying the Board that the Igloo Project is now signed by landowners and the bid letting will begin in April or May. The Board would like Seiler to draft a letter of appreciation to be sent to Doug Kinniburgh, Local Government Assistance Coordinator for the South Dakota Department of Transportation.

Motion made by Allen, seconded by Russell to pay the following bills:

GENERAL FUND		
AMAZON CAPITAL SERVICES	SUPPLY	\$1,173.97
AUDRA HILL CONSULTING, INC	MI QMHP EVALUATION	\$536.58
CURA HOSPITALITY	INMATE MEALS	\$14,115.27
BAYMONT INN&SUITES PIERRE	HOTEL/4H	\$38.50
BLACK HILLS CHEMICAL	SUPPLY	\$376.97
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$3,805.56
HUB INTERNATIONAL	AIRPLANE INSURANCE	\$990.00
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$592.83
CENTURY BUSINESS LEASING	COPIER LEASE & USAGE	\$305.76
CHEYENNE SANITATION	SANITATION COLLECTION	\$376.73
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
DIAMOND AUTOMOTIVE	SERVICE	\$1,763.27
ELEVATUS ARCHITECTURE	JUSTICE STUDY	\$4,200.00
EN-TECH LLC	FUMIGATION	\$450.00
ENVIRONMENTAL PRODUCTS	AIR FILTERS	\$248.16
FALL RIVER COUNTY HERALD	PUBLICATION	\$489.43
GALLS	SUPPLY	\$136.98
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$6,376.68
GOLDEN WEST	PHONE BILL/INTERNET/	\$2,189.45
HOPE COUNSELING CENTER	MI/QMHP	\$300.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$7.19
CITY OF HOT SPRINGS	CITY WATER BILL	\$783.34
HUNT, KAREN PAIGE	MI/HEARING	\$128.40
HUSTEAD LAW OFFICE, P.C.	CAAF	\$1,273.69
LYNNS DAKOTAMART	SUPPLY	\$71.72
QUADIENT LEASING USA, INC	POSTAGE MACHINE LEASE	\$760.80
MARTIN, STACEY	FUEL REIMBURSEMENT	\$15.01
MARCO	COPIER LEASE	\$163.14
MARKETLAB INC	SUPPLY	\$158.41

MARTY'S TIRE & AUTO BODY	REPAIR/SERVICE	\$170.00
MASTEL, BRUCE	DATABASE SETUP & MON	\$35.00
MASTERCARD	COUNTY CREDIT CARD	\$3,974.68
MCGLUMPHY, ERIN	TRAVEL REIMBURSEMENT	\$735.34
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP LEASE	\$140.00
NELSONS OIL & GAS INC.	UTILITY	\$10,800.00
QUADIENT FINANCE USA, INC	POSTAGE	\$1,680.30
QUADIENT FINANCE USA, INC	POSTAGE MACHINE SUPP	\$219.45
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNI	\$4,750.00
SOUTHERN HILLS TITLE, INC	TITLE SEARCH REPORTS	\$2,343.00
DEPT OF AG & NATURAL RES.	PRAIRIE DOG CONTROL	\$1,920.00
SD DEPARTMENT OF HEALTH	BLOOD DRAW ANALYSIS	\$5,090.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$60.00
STATE 4-H OFFICE	STATE FAIR ADMISSION	\$35.00
SERVALL	RUGS AND MATS SERVIC	\$388.15
SKINNER, MATTHEW L. PC	CAAF	\$1,345.55
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$750.00
SOUTHERN HILLS LAW PLLC	CAAF	\$1,656.25
STEVENS AUTOMOTIVE	SERVICE	\$541.99
ULINE	EVIDENCE STORAGE	\$651.82
THOMSON REUTERS	SUBSCRIPTION	\$155.40
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$7,200.00
MILES, SASHA	BLOOD DRAW	\$75.00
	TOTAL FOR GENERAL FUND	\$86,768.27
COUNTY ROAD & BRIDGE		
AMAZON CAPITAL SERVICES	SUPPLY	\$199.96
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$371.63
CHEYENNE SANITATION	SANITATION COLLECTIO	\$79.00
CITY OF EDGEMONT	CITY OF EDGEMONT WAT	\$87.40
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$8.25
GOLDEN WEST	PHONE BILL/INTERNET/	\$257.05
CITY OF HOT SPRINGS	CITY WATER BILL	\$182.47
MASTERCARD	COUNTY CREDIT CARD	\$151.83
SEILER, RANDY	CLOTHING ALLOWANCE	\$300.00
	TOTAL FOR COUNTY ROAD & BRIDGE FUND	\$1,637.59
911 SURCHARGE REIMBURSEMENT		
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$74.22
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$16.50
GOLDEN WEST	PHONE BILL/INTERNET/	\$810.51
MASTERCARD	COUNTY CREDIT CARD	\$207.40
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$1,108.63
EMERGENCY MGT		
AMAZON CAPITAL SERVICES	SUPPLY	\$296.40

GLASS PRO +	SERVICE	\$182.99
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$16.50
GOLDEN WEST	PHONE BILL/INTERNET/	\$156.72
MARCO	COPIER LEASE	\$81.56
MASTERCARD	COUNTY CREDIT CARD	\$372.00
MAYNARD, FRANK	REIMBURSEMENT	\$68.00
RAMKOTA HOTEL-PIERRE	HOTEL/SAFETY BENEFIT	\$204.00
	TOTAL FOR EMERGENCY MGT	\$1,378.17
24/7 SOBRIETY FUND		
AMAZON CAPITAL SERVICES	SUPPLY	\$142.25
SD DEPARTMENT OF HEALTH	24/7 LABS	\$250.00
	TOTAL FOR 24/7 SOBRIETY FUND	\$392.25
COURTHOUSE BUILDING FUND		
HARVEY'S LOCK & SECURITY	SERVICE	\$553.00
SD DEPT OF PUBLIC SAFETY	BOILER INSPECTION	\$80.00
	TOTAL FOR COURTHOUSE BUILDING FUND	\$633.00
	TOTAL BILLS PAID BETWEEN 11/3 AND 11/16/2023	\$91,917.91

Break was taken at 9:48 am. The meeting resumed at 9:56 am.

Motion made by Cope, seconded by Russell, to take the letter of support off of the table to support the SDDOT taking action at the intersection of US Hwy 18/385 and SD Hwy 79 for a safer intersection, and to include that the Board would like correspondence with the SD DOT prior to final approval of any action.

Tanna White, Hot Springs FFA Advisor and the High School FFA met with the Board to give a presentation regarding the Carbon Credits Program. The Board noted that the group did a great job on the presentation and thanked them for coming.

Julie Wheeler, USDA, Forest Service, met with the Board to discuss the proposed agreement between Fall River County and the USDA, Forest Service for a Cooperative Forest Road Agreement and to give a presentation of the Crowe Dam Habitat Improvement Scoping Letter regarding a proposed prescribed burn.

Motion made by Cope, seconded by Greenough, to approve writing a letter opposing the proposed agreement between Fall River County and the USDA, Forest Service for a Cooperative Forest Road Agreement that is near John Sides' land.

Motion made by Cope, seconded by Greenough, to approve writing a letter opposing the Crowe Dam Habitat Improvement Scoping Letter regarding a proposed prescribed burn.

Motion made by Russell, seconded by Allen, to go into executive session at 10:52 am to discuss personnel as per SDCL 1-25-2 (1) and legal (3).

The Board came out of executive session at 11:21 am.

Motion made by Allen, seconded by Russell, to approve changing the 4-H Youth Advisor position classification from Part-time to Full-time for Fall River County, effective 11/20/23 with Cope and Greenough voting no, all others voting yes, motion carried.

Motion made by Russell, seconded by Allen, to adjourn at 11:23 am.

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

ATTEST:

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