

FALL RIVER COUNTY APPROVED MINUTES OF FEBRUARY 1, 2024

The Fall River Board of County Commissioners met in regular session on February 1, 2024. 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; Greenough noted that he would be abstaining regarding the pay raise for Malachiah Fleming. 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 Cope, to approve the agenda as written with the addition of adding approval to write a letter opposing the EID tags for cattle in the US and authorize the Board to sign.

Motion made by Russell, seconded by Greenough, to approve the meeting minutes from January 18, 2024.

Motion made by Cope, seconded by Greenough, to approve the amendment to the 2024 list of wages that were included in the January 4, 2024 minutes for Jay Miles, listed at \$23.75/hr corrected to \$23.00/hr; Chrissy Porter, listed at \$16.50/hr corrected to \$15.50/hr; Gary Baker, listed at \$16.75/hr corrected to \$16.00/hr.

Motion made by Allen, seconded by Russell, to approve the following pay increases; Malachiah Fleming, Sheriff's Office Jailer from \$21.50/hr to \$22.25/hr, effective 02/22/2024; Sam Kipp, Treasurer Administrative Assistant from \$15.85/hr to \$16.60/hr, effective 02/21/2024; and Lyle Norton, Sheriff from \$50.00/mo to \$75.00/mo longevity, effective 02/21/2024 all as per Union Contract. With Greenough abstaining, all others voting yes, motion carried.

Motion made by Russell, seconded by Allen, to set a hearing for a vacation of Public Right-of-Way in South Shore Yacht Club Estates Subdivision at 9:45 a.m. on March 7, 2024 during the Fall River County Commissioner Meeting, located on the 2nd floor, Courtroom, 906 N River St, Hot Springs.

Motion made by Greenough, seconded by Allen, to set a hearing for Retail (on-off sale) Malt Beverage & SD Wine License for Sandy Bottom Campground, Inc at 9:25 a.m. on February 15, 2024 during the Fall River County Commissioner Meeting, located on the 2nd Floor, Courtroom, 906 N River St, Hot Springs, SD.

Motion made by Greenough, seconded by Allen to deny providing County Assistance for CP 2024-01 due to the applicant owing the County a previous amount and for not meeting the residency criteria.

Lyle Norton, Sheriff met with the Board to provide updates, answer questions and request travel for Sheriff Deputies.

Motion made by Russell, seconded by Allen to approve travel for Chief Deputy Belt and Deputy Petersen to attend the LET-sponsored Basic Crime Scene Operations Training at the Sturgis Police Department 04/22 through 04/23/2024.

Norton reported that Rachel Hosterman, Sheriff's Office Manager had applied for a \$7,000.00 24/7 Grant which the County received. The jail census was given, with 6 males and 3 females held in Fall River County and 1 female being held in Pennington County for a total of 10 inmates. Falkenburg asked Norton

if Fall River County was able to house Federal inmates to which Norton replied that we could not because the jail is not up to Federal ACA standards. Allen will submit the findings of a past inspection. Allen also stated that security funds are available.

Frank Maynard, Emergency Manager, met with the Board. He presented estimates of the cost of car fire blankets of \$1,650.00 and recommended that Oelrichs, Hot Springs, and Edgemont each have one. This would be a cost for each department. He presented a written report regarding the repair of the water leak at the South Annex. He then notified the Board that the Western Distribution Center of SD Federal Surplus property will be closing, however the Huron site will still be open.

Dave Weishaupl, Maintenance Supervisor, met with the Board to present propane quotes for 7,200 gallons for the Courthouse as follows; McGas Propane-\$1.699/gallon, Nelson's Oil & Gas-\$1.80/gallon, Hi-D-Way-\$1.85/gallon.

Motion made by Russell, seconded by Allen to accept the low bid of \$1.699/gallon from McGas Propane.

Teresa Pullen, Treasurer, met with the Board to provide updates. She reported that they have 52 Tax Deeds to work on. There have been 56 Distress Warrants issued. Pullen is working with individuals to receive Quit Claim Deeds instead of taking property on tax deeds. She presented an abatement for delinquent mobile home taxes and asked to raise the credit limit on one of the County credit cards. She then provided staffing updates.

Motion made by Russell, seconded by Allen to approve the abatement of delinquent mobile home taxes for parcel #819000197400030 according to SDCL 21-54-19, AY 2021 in the amount of \$107.67. Re: The owner had the mobile home destroyed.

Motion made by Greenough, seconded by Russell, to approve raising the credit card limit from \$1,500.00 to \$2,500.00 for the card issued to Rachel Hosterman, Sheriff's Department Office Manager.

Motion made by Greenough, seconded by Russell, to approve paying Kathy Timmins 23 hours of annual leave in lieu of vacation due to staffing issues.

Motion made by Greenough, seconded by Russell, to approve having Chaela Holmes, Deputy Treasurer, to continue to work on Fridays, not to exceed 48 hours to assist with training of new staff due to her resignation. With Cope voting no, all others voting yes, motion carried.

The time being 9:30 a.m., a hearing to determine if Fall River County shall continue contracting with owners of private roads within Fall River County for emergency maintenance per SDCL 31-11-41 through 31-11-45.

Motion made by Allen, seconded by Russell to approve Fall River County continuing to contract with owners of private roads within the County for emergency maintenance at a rate of \$150.00/hr per SDCL 31-11-41 through 31-11-45.

Motion made by Allen, seconded by Russell to approve the abatements as follows:
Lewis C Bradshaw, parcel #781000280000400, legal description of Lot 4 Block 28, Town of Oelrichs, AY2023, pay 2024 in the amount of \$252.82, Re: Late applicant for tax reduction program;
Marvin W Underwood and Connie R Ulmer, parcel #755000240001000, legal description of S75' Lots 10, 11 & 12 Block 24, Stewart's Addn to Hot Springs, AY2023, pay 2024 in the amount of \$2,151.69, Re: Late applicant for tax reduction program;

David G Brandt, parcel #752900180001000, legal description of Lots 10-14, Block 18, Fargo & Prentice's Addn to Hot Springs, AY2023, pay 2024 in the amount of \$1,023.22, Re: Late applicant for tax reduction program;

Sandra J Gordon, parcel #752900230002800, legal description of Lots 28, 29 & 30, Block 23, Fargo & Prentice's Addn to Hot Springs, AY2023, pay 2024 in the amount of \$1,385.69, Re: Late applicant for tax reduction program;

Ross A and Mikayla L Norton, parcel #753800210001800, legal description of Lots 18, 19 & 20, Block 21, Minnekahta Addn to Hot Springs, AY2023, pay 2024 in the amount of \$923.59, Re: Should have been classified as owner-occupied;

Claudia C Ogilvie, Skye M Ogilvie and Blue Borton, parcel #755000100000400, legal description of Lots 4 & 5, Block 10, Stewart's Addn to Hot Springs, AY2023, pay 2024 in the amount of \$648.57, Re: Late applicant for tax reduction program;

Arnold D and Patricia A Phipps, parcel #755000090001200, legal description of Lot 12, Block 9, Stewart's Addn to Hot Springs, AY2023, pay 2024 in the amount of \$654.63, Re: Late applicant for tax reduction program;

Thomas Salverson, parcel #751400130000100, legal description of Lots 1 & 2 & Vacated pt of Houston Ave, Block 13, Catholican Addn to Hot Springs, AY2023, pay 2024 in the amount of \$400.61, Re: Should have been owner-occupied;

Southern Hills Evangelical Free Church, parcel #755000320000400, legal description of Lots 4, 5 & 6, Block 32, Stewart's Addn to Hot Springs, AY2023, pay 2024 in the amount of \$4,174.62, Re: Tax exempt entity;

Donald Earl and Teresa L Matt, parcel #722200150000700, legal description of Lot 7, Block 15, Original Town of Edgemont, AY2023, pay 2024 in the amount of \$502.16, Re: Late applicant for tax reduction program;

Carol A Webb, parcel #721500300000200, legal description of Lot 2, Block 30, First Addn to Edgemont, AY2023, pay 2024 in the amount of \$1,073.10, Re: Late applicant for tax reduction program;

Jason W and Kandy L Albers, parcel #120000070632340, legal description of Tract A1 in SW1/4SW1/4, Sec 32, Twp 7S, R6E, AY2023, pay 2024 in the amount of \$945.10, Re: Late applicant for tax reduction program;

Debra Irene Alexiou and Harry C Fleming, parcel #090000070301200, legal description of Gov't Lots 3 & 4 & S1/2NW1/4, Sec 1, T7S, R3E, AY2023 pay 2024 in the amount of \$709.53, Re: Late applicant for tax reduction program;

Wilma M De Boer, parcel #590000000005120, legal description of Tract A of Farm Unit #51, located in SW1/4SW1/4, Sec 20, T7S, R8E AY2023, pay 2024 in the amount of \$1,132.06, Re: Late applicant for tax reduction program;

Todd J and Linda S Schuler, parcel #650950000004300, legal description of Lot 43, Cobblestone Mountain Estates Sub, Sec 2, T7S, R5E, AY2023, pay 2024 in the amount of \$306.33, Re: Should have been owner-occupied.

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

GENERAL FUND		
ACTION MECHANICAL INC	BUILDING REPAIRS	\$997.25
AFLAC	AMERICAN FAMILY ASSU	\$897.75
AUDRA HILL CONSULTING,INC	MI/CONSULTING	\$2,128.50
BOB BARKER COMPANY INC	INMATE SUPPLIES	\$2,100.00
BLACK HILLS CHEMICAL	SUPPLY	\$1,265.20
BQ & ASSOCIATES,P.C.,LLO	GARNISHMENT	\$284.13
BILBRUCK, TYLER	BLOOD DRAW	\$150.00
BOMGAARS	SUPPLY	\$120.98

BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CREDIT COLLECTION BUREAU	COLLECTIONS	\$1,119.25
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,839.28
DIAMOND AUTOMOTIVE	REPAIR/MAINTENANCE	\$289.98
DIV OF CHILD SUPPORT	CHILD SUPPORT	\$437.50
EFTPS	EFTPS PAYROLL TAXES	\$51,544.48
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$69.25
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$645.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$239.20
HUSTEAD LAW OFFICE, P.C.	CAAF	\$4,843.71
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$31,064.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$297.00
LIGHTING MAINTENANCE CO.	SUPPLY	\$142.20
MARTY'S TIRE & AUTO BODY	SERVICE	\$18.83
MCGAS PROPANE	UTILITY	\$11,736.70
MCLEODS OFFICE SUPPLY CO.	SUPPLIES	\$329.90
MOCIC	MEMBERSHIP 24'	\$100.00
MUELLER CIVIC CENTER	SUPPLY	\$100.00
NELSONS OIL & GAS INC.	FUEL	\$1,082.13
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NORTON, TINA	CONTRACT NURSE INMAT	\$1,475.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
O'NEILL, JUSTIN	CAAF	\$1,583.22
RELIANCE STANDARD LIFE	VISION PLAN	\$711.36
CITY OF RAPID CITY	BLOOD ANALYSIS	\$240.00
SD ASSOC.OF CO. OFFICIALS	SDACO MEMBERSHIP 24'	\$769.94
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$26,768.58
SERVALL	RUG SERVICE	\$388.15
SKINNER, MATTHEW L. PC	CAAF/A&N	\$1,392.60
SKINNER, MATTHEW L. PC	CUT BY MISTAKE	\$0.00
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$1,000.00
HASKVITZ, LAREE	BLOOD DRAWS	\$825.00
STURGIS RESPONDER SUPPLY	SUPPLY	\$640.93
ULINE	EVIDENCE STORAGE	\$770.82
VERIZON WIRELESS	CELL PHONE PLAN	\$786.02
WEICHMANN, CYNTHIA	COURT REPORTER	\$73.50
YANKTON CO TREASURER	MI HEARING	\$156.40
MILES, SASHA	BLOOD DRAW	\$300.00
ECKHOLT, BECKY L	JUROR FEES	\$11.02
ANDERSEN, H MARIE	JUROR FEE	\$52.84
BEDNAR, KELLY	JUROR FEE	\$15.10
BLEW, GARRY	JUROR FEES	\$51.02
CARTER, LYNETTE	JUROR FEES	\$11.02
HARPER, SARA	JUROR FEES	\$75.50
HEWITT, JOHANNA	JUROR FEES	\$30.40

IMBERY, CASEY	JUROR FEES	\$11.02
KINDRED, KENNETH	JUROR FEES	\$31.42
HAFERKAMP, JOHANNA	JUROR FEES	\$37.54
LOOY, BETHANY	JUROR FEES	\$53.06
MARCHANT, LAURA	JUROR FEES	\$10.00
MAUCK, MARGARET	JUROR FEES	\$10.00
MAUCK, MARGARET	WRONG AMOUNT/JUROR F	\$0.00
MCCLUNG, TARI	JUROR FEES	\$51.02
MESTON, KAREN	JUROR FEES	\$54.08
MORAN, JANET	JUROR FEES	\$13.06
O'NEILL, LICIA	JUROR FEES	\$52.04
STEVENS, DARLA	JUROR FEES	\$51.02
SWENSON, DEBORAH	JUROR FEES	\$51.02
THIES, BRIAN	JUROR FEES	\$11.02
THOMPSON, MARY	JUROR FEES	\$51.02
TOMLINSON, RHONDA	JUROR FEES	\$53.06
WENDLAND, MATTHEW	JUROR FEES	\$11.02
COMMISSION	JANUARY SALARIES	\$4,350.00
AUDITOR OFFICE	JANUARY SALARIES	\$26,519.58
TREASURER'S OFFICE	JANUARY SALARIES	\$18,732.85
STATE'S ATTY OFFICE	JANUARY SALARIES	\$17,612.73
MAINTENANCE	JANUARY SALARIES	\$10,990.87
DOE OFFICE	JANUARY SALARIES	\$14,638.91
REGISTER OF DEED'S OFFICE	JANUARY SALARIES	\$13,052.52
VSO	JANUARY SALARIES	\$4,626.70
GIS	JANUARY SALARIES	\$4,623.49
SHERIFF	JANUARY SALARIES	\$58,455.37
JAIL	JANUARY SALARIES	\$39,191.85
CORONER	JANUARY SALARIES	\$450.00
NURSE	JANUARY SALARIES	\$2,751.25
EXTENSION	JANUARY SALARIES	\$2,762.00
WEED & PEST	JANUARY SALARIES	\$4,775.03
	TOTAL FOR GENERAL FUND	\$377,808.45
COUNTY ROAD & BRIDGE		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEA	\$37.51
ADAMS ISC	REPAIR/MAINTENANCE	\$73.58
ADVANCED DRUG TESTING	RANDOM EMPLOYMEE DRU	\$93.60
AFLAC	AMERICAN FAMILY ASSU	\$269.56
BLACK HILLS ELECTRIC	UTILITY	\$98.71
BOMGAARS	SUPPLY	\$87.45
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$4,716.81
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$663.80
DIESEL MACHINERY, INC	REPAIR/MAINTENANCE	\$1,008.92
EFTPS	EFTPS PAYROLL TAXES	\$11,599.91
GLASS PRO +	REPAIR/MAINTENANCE	\$82.00

GRIMM'S PUMP SERVICE INC	REPAIR/MAINTENANCE	\$424.37
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$165.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$12.99
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$7,237.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$243.00
NELSONS OIL & GAS INC.	FUEL	\$666.00
RELIANCE STANDARD LIFE	VISION PLAN	\$121.40
SAFETY-KLEEN SYSTEMS, INC	PARTS WASHER LEASE	\$124.47
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$5,965.06
SEILER, RANDY	CELLPHONE REIMBURSEM	\$75.00
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$40.00
STOVER, CRISPEEN	CONTRACT TRAINING HO	\$142.50
CRBR ADMIN	JANUARY SALARIES	\$10,284.85
CRBR ADM	JANUARY SALARIES	\$39,424.01
	TOTAL FOR COUNTY ROAD & BRIDGE	\$83,657.50
911 SURCHARGE REIMB		
AFLAC	AMERICAN FAMILY ASSU	\$67.21
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$372.44
EFTPS	EFTPS PAYROLL TAXES	\$7,550.59
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$60.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,661.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$54.00
RELIANCE STANDARD LIFE	VISION PLAN	\$14.96
RUSHMORE COMMUNICATIONS	UPS BATTERY BACKUP S	\$3,676.25
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$3,460.20
VERIZON WIRELESS	CELL PHONE PLAN	\$41.93
DISPATCH	JANUARY SALARIES	\$30,976.42
	TOTAL FOR 911 SURCHARGE REIMB	\$49,237.86
EMERGENCY MGT		
EFTPS	EFTPS PAYROLL TAXES	\$1,870.10
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$890.26
VERIZON WIRELESS	CELL PHONE PLAN	\$125.79
EMERGENCY MGT	JANUARY SALARIES	\$7,418.89
	TOTAL FOR EMERGENCY MGT	\$10,305.04
24/7 SOBRIETY FUND		
EFTPS	EFTPS PAYROLL TAXES	\$353.14
	TOTAL FOR 24/7 SOBRIETY FUND	\$353.14
COURTHOUSE BUILDING FUND		
DRM INC.	REPAIR/MAINTENANCE	\$5,041.00
	TOTAL FOR COURTHOUSE BUILDING FUND	\$5,041.00

	TOTAL BILLS PD BETWEEN 01/19 & 02/01/2024	\$526,402.99
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Break was taken at 9:35 a.m. The meeting resumed at 9:45 a.m.

Joe Falkenburg, Commissioner presented a resolution supporting healthy forests. He also asked the Board to support a letter to be written opposing legislation that would require EID tags for cattle.

Motion made by Allen, seconded by Russell to approve and authorize the Chairman to sign the following resolution:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-17

**FALL RIVER COUNTY RESOLUTION IN SUPPORT OF SB134
An Act to make an appropriation to create the healthy forest critical infrastructure relief and grant program;**

WHEREAS, the Commissioners of Fall River County are charged with protecting the public health and safety of the citizens of Fall River County, including all property situated therein; and

WHEREAS, the Commissioners of Fall River County have determined that in the interest of public health and safety, a healthy and resilient forest is critical as it provides clean air and water, carbon storage, wildlife habitat, recreation, economic benefits, reduces wildfire risk, etc.; and

WHEREAS, the Black Hills National Forest and the forest industry is critical to South Dakota and it is estimated the forest product industry employs more than 1,000 people and has a \$100,000,000.00 economic impact annually to the Black Hills region; and

WHEREAS, Fall River County Officials have been actively working with Officials from the Black Hills National Forest to ensure a sustainable forest for the future. This includes working with other local communities, tribal governments, and local industry, in addition to state and federal counterparts; and

WHEREAS, Senate Bill 134 will make an appropriation of \$20,000,000.00 to create the healthy forest critical infrastructure relief and grant program to be used to grant relief from financial losses for an entity completing treatment on private, state, or federal lands within the Black Hills to mitigate the risk from insect epidemics and wildfire; and

WHEREAS, the funding proposed in Senate Bill 134 is critical to continuing the activities and reaching the goal of achieving a healthy and resilient forest for future generations; and

NOW, THEREFORE, BE IT RESOLVED, the Fall River County Board of Commissioners do hereby support Senate Bill 134 and request the Honorable 99th Legislature of South Dakota support and approve the bill as presented in order to protect a critical resource that benefits all South Dakotans.

Dated this 1st day of February, 2024.

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

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

(SEAL)

Randy Seiler, Highway Superintendent met with the Board to present propane bids for 500 gallons to be delivered to the Ardmore Highway Shop building as follows: Nelson's - \$1.80/gallon; Hi-D-Way - \$1.89/gallon; Dakota Propane – no bid. He also presented #1 and #2 diesel blend bids for 8,000 gallons as follows: Nelson's - \$2.775/gallon; MG Oil – declined to bid; Vollan Oil – no bid. He then provided updates which included providing any interested Board members with the 2023 year-end cost reconciliation.

Motion made by Russell, seconded by Allen, to accept the low bid from Nelson's of \$1.80/gallon for 500 gallons of propane, delivered to the Ardmore Highway Shop.

Motion made by Allen, seconded by Russell, to accept the low and only bid from Nelson's of \$2.775/gallon for 8,000 gallons of #1 and #2 diesel blend.

Motion made by Allen, seconded by Russell, to set the Minimum Maintenance Road hearing for the NW area of Fall River County at 9:30 a.m. on February 15, 2024 during the Regular meeting of County Commissioners, 2nd-floor courtroom, 906 N River St, Hot Springs, SD.

Motion made by Russell, seconded by Allen, to set the No Maintenance Road hearing for the SE area of Fall River County at 9:30 a.m. on March 7, 2024 during the Regular meeting of County Commissioners, 2nd-floor courtroom, 906 N River St, Hot Springs, SD.

Joe Allen, Commissioner, presented a quote from FMG Engineering for borehole testing on the North parking lot of the Courthouse/Jail of \$5,650.00 and \$3,500.00 for the County's Hwy 71 location. After discussion, no action was taken.

Public comment was heard from Heath Greenough, Commissioner asking the Auditor to bring a 2023 Annual Report to a meeting in March and requesting that the Maintenance Supervisor get an estimated amount to replumb the current jail and bring it to the next meeting. There was also discussion regarding the proposed Justice Center.

Motion made by Russell, seconded by Allen, to enter into executive session as per SDCL 1-25-2 (1) personnel and (2) legal at 10:39 a.m.

The Board was declared out of executive session at 10:53 a.m.

More discussion was heard regarding the proposed Justice Center. There will be a Townhall Meeting hosted by the Fall River County Sheriff's Office to discuss it with the public on February 22, 2024 at 6:30 p.m. to be held at the Mueller Center Theater. Joe Allen will provide the Board the Geotechnical study that was completed in 2010.

Joe Falkenburg, Chairman declared the meeting adjourned at 11:04 a.m.

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

ATTEST:

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