

FALL RIVER COUNTY APPROVED MINUTES OF FEBRUARY 15, 2024

The Fall River Board of County Commissioners met in regular session on February 15, 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; 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 Russell seconded by Allen, to approve the agenda as written.

Motion made by Russell, seconded by Greenough, to approve the meeting minutes from February 1, 2024.

Motion made by Russell, seconded by Allen, to approve the Auditor's account with the Treasurer for January, 2024.

Motion made by Greenough, seconded by Russell, to approve the following pay increase: Veronica Quintana, Dispatcher from \$22.50/hr to \$23.50/hr, effective 03/01/2024 as per Union Contract.

Motion made by Russell, seconded by Allen, to approve the hiring of Vickie King as an Administrative Assistant in the Treasurer's Office, effective 02/21/2024.

Motion made by Allen, seconded by Cope, to approve travel for Stacy Schmidt, Deputy Auditor, to attend the Mock Election training in Pierre on February 28 & 29, 2024 to include 1 night accommodation and per diem.

Motion by Greenough, seconded by Russell, to surplus the following items to junk: Nexus Tablet, SN CAOKBC234448, asset tag #01871 (will not turn on); LP Laser Jet CP1025nwcolor printer, asset tag #02132 (will not print); LG Cell phone SN 304KZP019859 (gets hot when turned on); LG Cell phone, Stylo 5, model #LM-Z720VS, SN 003VTSM0105 (will not hold charge).

There were no County Assistance applications.

Lyle Norton, Sheriff, met with the Board. He reported the jail census, 7 males and 2 females for a total of 9 in house. Norton also reported that he had attended the City of Edgemont and the Town of Oelrichs Board meetings.

Motion made by Allen, seconded by Russell, to approve the hiring of Bob Evans as a part-time Court Security Officer at \$19.75/hr, effective 03/06/2024.

Frank Maynard, Emergency Manager, met with the Board to provide updates. He reported that the Oelrichs siren activated for unknown reasons. He had Dispatch cancel the siren, but it started back up a few minutes later. At this time, the power was turned off and Rushmore Communications was contacted to check into the issue. He reported that the Silver Jacket mapping project had a kickoff meeting on February 12, 2024. The project will define the floodplain through Hot Springs to include the Cottonwood stream. He will provide updates when they become available. Maynard then reported on fires and incidents.

The Retail (on-off sale) Malt Beverage & SD Farm Wine license hearing took place at 9:25 a.m. as

advertised. No objections were noted.

Motion made by Greenough, seconded by Allen, to approve the Retail (on-off sale) Malt Beverage & SD Farm Wine license for Sandy Bottom Campground, Inc. located at 13316 N Angostura Rd, Hot Springs, SD owned by Nick and Trina Simunek.

The Minimum Maintenance Road hearing took place at 9:30 a.m. as advertised.

Motion made by Russell, seconded by Allen, to approve Fall River County Resolution #2024-18 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-18

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Pine Hills Road (County Road 6E) in Township Nine (9) South, Range Three (3) East of the Black Hills Meridian beginning one half (1/2) mile east of the township line between Range Two (2) East & Range Three (3) East and continuing east for a distance of one and a half (1 ½) miles along the section line between Section Six (6) and Section Seven (7) and Section Five (5) and Section Eight (8) to end of the road in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

ATTEST:

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

Roll call was taken; Greenough, no, Cope, no, Allen, yes, Russell, yes, Falkenburg, yes; motion carried.

Motion made by Allen, seconded by Russell, to approve Fall River County Resolution #2024-19 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-19

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only

occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Coal Creek Road (County Road 8S) in Township Nine (9) South, Range Two (2) East of the Black Hills Meridian beginning at the intersection with Fiddle Creek Road (County Road 8) then south for a distance of three-fourths (¾) of a mile along the section line between Section Twenty-one (21) and Section Twenty-two (22) in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

ATTEST:

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

Motion made by Allen, seconded by Cope, to approve Fall River County Resolution 2024-20 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-20

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Unnamed Road (County Road 6W) in Township Nine (9) South, Range Four (4) East of the Black Hills Meridian beginning at the intersection with SD Highway 71 South then north along the quarter line in Section Twenty-five (25) to north section line of Section Twenty-five (25) in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

ATTEST:

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

Motion made by Allen, seconded by Cope to approve Fall River County Resolution #2024-21 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-21

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Rocky Ford Road (County Road 11S) in Township Nine (9) South, Range Five (5) East and Township Nine (9) South, Range Four (4) East of the Black Hills Meridian starting at the intersection of Highland Road then meandering south and west for an approximate distance of two and one-half (2 ½) miles, then across the Cheyenne River, then south on the section line between Section Eleven (11) and Section Twelve (12) for an approximate distance of three-quarters (3/4) of a mile, then west for approximately three-eighths (3/8) of a mile on the section line between Section Eleven (11) and Section Fourteen (14) in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

ATTEST:

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

Randy Seiler, Highway Superintendent, met with the Board.

Motion made by Russell, seconded by Allen, to approve the Approach Permit to include 2 approaches for Kirk Rausch on the South side of Lone Tree Rd for 500' West of 13664 Lone Tree Rd and 700' East of 13664 Lone Tree Rd.

Motion made by Russell, seconded by Allen, to approve hiring Bruce Harris, Heavy Equipment Operator, Highway Department, starting wage of \$22.00/hr, effective 02/26/2024.

Motion made by Allen, seconded by Russell, to approve Fall River County Resolution #2024-22 as follows:

FALL RIVER COUNTY RESOLUTION #2024-22

BRIDGE REINSPECTION

PROGRAM RESOLUTION

FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Fall River County is desirous of participating in the Bridge Inspection Program.

The county requests SDDOT to hire Brosz Engineering, Inc (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 15th day of February, 2024, at Hot Springs, South Dakota.

Board of County Commissioners

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

/S/ Joe Falkenburg
 Chairman of the Board
 Of Fall River County

Motion made by Russell, seconded by Allen, to approve the proposed contract with the SD Game, Fish & Parks to pay 50% of two (2) dust applications of MAG water on Shep’s Canyon Rd during the year of 2024, not to exceed \$22,000.00.

Seiler submitted his letter of retirement, effective March 28, 2024. Susan Henderson, County resident, thanked Seiler for his years of service.

Motion made Cope, seconded by Greenough, to accept Seiler’s letter of retirement.

Motion made by Greenough, seconded by Cope, to review the job description and approve advertising for a County Highway Superintendent.

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

| GENERAL FUND | | |
|--------------------------|------------------------|-------------|
| AMAZON CAPITAL SERVICES | SUPPLY | \$1,782.62 |
| CURA HOSPITALITY | INMATE MEALS | \$9,612.75 |
| A-Z SHREDDING INC | SHREDDING | \$89.44 |
| BOB BARKER COMPANY INC | SUPPLY | \$468.06 |
| BEHAVIOR MANAGEMENT SYS | 2024 BUDGET ALLOTMENT | \$7,500.00 |
| BH COUNCIL OF LOCAL GOV | 2024 ASSESSMENT DUES | \$3,495.00 |
| BOYS & GIRLS CLUBS OF BH | 2024 BUDGET ALLOTMENT | \$10,000.00 |
| CENTURY BUSINESS LEASING | COPIER LEASE & METER | \$213.84 |
| DEPT OF ANIMAL SCIENCES | SUPPLY | \$58.00 |
| SD DEPARTMENT OF REVENUE | MALT BEVERAGE/WINE LIC | \$150.00 |
| EN-TECH LLC | FUMIGATION | \$450.00 |
| FALL RIVER COUNTY HERALD | PUBLICATION | \$778.74 |
| FARMAKES, JASMIN | JURY TRIAL TESTIMONY | \$1,844.64 |
| HOT SPRINGS ACE HARDWARE | SUPPLY | \$109.32 |
| HUSTEAD LAW OFFICE, P.C. | CAAF | \$3,125.91 |
| IDEMIA IDENTITY&SECURITY | SOFTWARE MAINTENANCE | \$2,415.00 |
| KULM, ARICA | MILEAGE REIMBURSEMENT | \$408.00 |
| LYNNS DAKOTAMART | SUPPLY | \$101.00 |

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|------------------------------------|---|--------------------|
| QUADIENT LEASING USA, INC | POSTAGE MACHINE LEASE | \$760.80 |
| MARCO | COPIER LEASE | \$163.14 |
| MASTERCARD | COUNTY CREDIT CARD | \$859.56 |
| MCNEMAR, KIM | MI/QMHP | \$300.00 |
| MCLEODS OFFICE SUPPLY CO. | SUPPLY | \$6.88 |
| OECHSLE, KEN | JUROR FEES | \$30.40 |
| ONSITE FIRST AID, LLC | FIRST AID | \$148.16 |
| PENNINGTON COUNTY JAIL | INMATE HOUSING PENNI | \$570.00 |
| PENNINGTON COUNTY JAIL | TRANSPORT | \$402.43 |
| CITY OF RAPID CITY | BLOOD ANALYSIS | \$520.00 |
| RUSHMORE COMMUNICATIONS | SUPPLY | \$632.50 |
| DEPT OF AG & NATURAL RES. | PRAIRIE DOG CONTROL | \$800.00 |
| SERVALL | RUGS AND MATS SERVICE | \$426.22 |
| SOUTHERN HILLS LAW PLLC | CAAF | \$4,467.75 |
| STEINMETZ, NINA | REIMBURSEMENT | \$480.81 |
| STEVENS AUTOMOTIVE | SERVICE | \$181.92 |
| VANGUARD APPRAISALS INC | SERVICES | \$937.50 |
| WESTERN SD JUV SERV CTR | JUVENILE SERVICES | \$300.00 |
| HEWITT, LAWRENCE | JUROR FEES | \$15.10 |
| BELL, CARSON | JUROR FEES | \$26.32 |
| MILES, SASHA | BLOOD DRAW | \$75.00 |
| HOBBS, BEN PAUL | JUROR FEES | \$35.50 |
| HUBER, TRENT COREY | JUROR FEES | \$25.30 |
| HALL, CARL | JUROR FEES | \$11.02 |
| MAUCK, MARGARET | JUROR FEES | \$11.02 |
| KELLOGG, JERRY | JUROR FEES | \$38.56 |
| MURPHY, RICHARD | JUROR FEES | \$35.50 |
| | TOTAL FOR GENERAL FUND | \$54,863.71 |
| COUNTY ROAD & BRIDGE | | |
| AMAZON CAPITAL SERVICES | SUPPLY | \$91.04 |
| BUTLER MACHINERY CO. | SUPPLY | \$85.52 |
| CARQUEST AUTO PARTS #3951 | REPAIR/MAINTENANCE | \$5.96 |
| FLOYD'S TRUCK CENTER | SERVICE/REPAIR | \$4,704.03 |
| FORWARD DISTRIBUTING | SUPPLY | \$18.10 |
| FALL RIVER COUNTY HERALD | PUBLICATION | \$369.42 |
| HOT SPRINGS ACE HARDWARE | SUPPLY | \$14.58 |
| MASTERCARD | COUNTY CREDIT CARD | \$14.77 |
| ONSITE FIRST AID, LLC | FIRST AID | \$48.80 |
| RAPID DELIVERY | DELIVERY FOR PARTS FLOYD'S | \$16.90 |
| SEILER, RANDY | CLOTHING ALLOWANCE | \$300.00 |
| STURDEVANT'S AUTO VALUE | SUPPLIES | \$880.22 |
| | TOTAL FOR COUNTY ROAD & BRIDGE | \$6,549.34 |
| 911 SURCHARGE REIMBURSEMENT | | |

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|---------------------------------|---|--------------------|
| AMAZON CAPITAL SERVICES | SUPPLY | \$355.95 |
| CENTURY BUSINESS LEASING | COPIER LEASE & METER | \$279.64 |
| MASTERCARD | COUNTY CREDIT CARD | \$12.00 |
| RAPID CITY MEDICAL CENTER | PRE-EMPLOYMENT HEALTH | \$172.00 |
| | TOTAL FOR 911 SURCHARGE REIMBURSEMENT | \$819.59 |
| EMERGENCY MANAGEMENT | | |
| AMAZON CAPITAL SERVICES | SUPPLY | \$241.63 |
| BOMGAARS | SUPPLY | \$39.99 |
| MARCO | COPIER LEASE | \$81.56 |
| MASTERCARD | COUNTY CREDIT CARD | \$118.08 |
| ONSOLVE, LLC | CODE RED PROGRAM REN | \$3,452.04 |
| | TOTAL FOR EMERGENCY MANAGEMENT | \$3,933.30 |
| 911 SOBRIETY FUND | | |
| AMAZON CAPITAL SERVICES | SUPPLY | \$42.49 |
| | TOTAL FOR 24/7 SOBRIETY FUND | \$42.49 |
| COURTHOUSE BUILDING FUND | | |
| HAGEN | SUPPLY | \$321.43 |
| RAPID FIRE PROTECTION INC | FIRE SYSTEM SERVICE | \$1,523.98 |
| RASMUSSEN MECHANICAL SERV | BOILER SERVICES | \$89.66 |
| SD ATTORNEY GENERAL | 24/7 STATE DISBURSEMENT | \$38.00 |
| SD ATTORNEY GENERAL | 24/7 CAM DISBURSEMENT | \$150.00 |
| | TOTAL FOR COURTHOUSE BUILDING FUND | \$2,123.07 |
| | TOTAL BILLS FOR 02/02 THROUGH 02/15/2024 | \$64,398.20 |

Break was taken at 9:48 a.m. The meeting resumed at 9:55 a.m.

Commissioners discussed 2024 HB 1071, possibility of hand counting the ballots during the 2024 elections and revisited the EID tag discussion from the last meeting.

Motion made by Cope, seconded by Greenough, to authorize the State's Attorney to draft a resolution supporting 2024 HB 1071, which will be presented at a future meeting. Roll call was taken. With Falkenburg voting no, all others voting yes, motion carried.

Motion made by Greenough, seconded by Allen, to hand count the ballots for the Primary Election. Roll call was taken. With all voting yes, motion carried.

Joe Allen, Commissioner, gave an update regarding his correspondence with Elevatus. He will report at the next meeting with more updates.

Public comment was heard from Heath Greenough, Commissioner. He reported that he had went to Pierre to support SJR 505A, noting the use of 2020 valuations with a 1% increase. Lyle Norton,

Sheriff, reminded everyone about the Townhall Meeting on February 22, 2024 at 6:30 p.m. at the Mueller Center Theater.

Lily Heidebrink, Director of Equalization, met with the Board. She introduced Joseph Goraczkowski, Martha Trees and Morgan Erickson, the new Administrative Assistants in her office. Heidebrink then presented her intentions for year 2024, pay 2025. She also reported regarding the possibility of an Historical Exemption per SDCL. She will keep the Board updated if any entity applies for it.

Sue Ganje, Auditor, met with the Board to provide an update regarding omitted tax levies for Oelrichs School District 23-3 Special Education, Eagle Valley Road District and Hot Brook Road District.

Motion made by Allen, seconded by Cope, to enter into executive session as per SDCL 1-25-2 (1) personnel and (2) legal at 11:07 a.m.

The Board was declared out of executive session at 11:34 a.m.

Motion made by Allen, seconded by Cope, to adjourn the meeting at 11:34 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