

## FALL RIVER COUNTY APPROVED MINUTES OF OCTOBER 3, 2024

The Fall River Board of County Commissioners met in regular session on October 3, 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 a conflict regarding the Smithwick Fire District Board appointments. 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 with the removal of the roofing project discussion and the addition of an application for an approach permit and an application to occupy County Right-of-Way.

Motion made by Russell, seconded by Allen, to approve the Fall River County Commission Meeting minutes from September 19, 2024.

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

<b>Total Amount of Deposit in First Interstate Bank, HS:</b>	\$	551,281.37
<b>Total Amount of Cash:</b>	\$	3,291.32
<b>Total Amount of Treasurer's Change Fund:</b>	\$	900.00
<b>Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:</b>	\$	33,494.24
<b>SAVINGS:</b>		
#4) First Interstate Bank, HS:	\$	2,202,553.15
<b>CERTIFICATES OF DEPOSIT:</b>		
#8) Black Hills Federal Credit Union, HS:	\$	250,000.00
#14) Schwab Treasury:	\$	4,686,905.96
#15) First National Bank, Lead:	\$	328,114.47
#25) Schwab Treasury 3 Yr:	\$	1,975,625.00

#26) Schwab Treasury 4 Yr:	\$	1,068,069.38
#27) Schwab Treasury 2 Yr:	\$	1,001,836.72

**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
Suter, Debbie	Stop payment	\$ 729.45

**TOTAL \$ 12,103,762.07**

Dated This 31st Day of August 2024.

/S/ Sue Ganje

Sue Ganje, County Auditor of  
of Fall River County

/S/ Teresa Pullen

Teresa Pullen, County  
Treasurer  
of Fall River County

County Monies	\$	11,642,646.71
Held for other Entities	\$	231,687.24
Held in Trust	\$	229,428.12
<b>TOTAL</b>	<b>\$</b>	<b>12,103,762.07</b>

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 Russell, seconded by Greenough, to set a Supplement and Contingency Hearing at 9:45 a.m. on October 17, 2024.

Motion made by Greenough, seconded by Allen, to set hearing for the 2025 Liquor and Wine License renewals for November 7, 2024 at 9:30 a.m.

Motion made by Russell, seconded by Allen, to approve the wage increase for Gary Baker, Assistant Emergency Manager, from \$16.00/hr to \$16.75/hr, effective upon completion of 2,080 hours of employment as per Union Contract.

Motion made by Allen, seconded by Russell, to approve the following anniversary wage increases: Isnalawica Belt, Chief Deputy Sheriff, from \$26.75/hr to \$27.50/hr, effective 11/03/2024; Samuel Costa,

Highway Department, from \$23.00/hr to \$23.75/hr, effective 11/08/2024; Rachel Hosterman, Sheriff's Office Administrative Assistant, from \$19.25/hr to \$20.00/hr, effective 10/26/2024. All, as per Union Contract.

Smithwick Fire District provided notice to the Board that Mike Kindred was resigning from their Board as Vice-President.

Motion made by Cope, seconded by Allen, to appoint Mandy Fleming from the Smithwick Fire District Board as Vice-President to serve out the remainder of the term. And, to appoint John Green to the Board to serve out the remainder of Fleming's term. Greenough abstained from voting.

Motion made by Russell, seconded by Allen, to deny County assistance/death expense of \$2,150.00 for CP 2024-06, payable to Chamberlain/McColley Funeral Home until more information can be obtained.

Rachel Hosterman, Sheriff's Office Administrative Assistant, met with the Board.

Motion made by Allen, seconded by Russell, to approve a new Century Business Products 60-month lease for a Kyocera Copier/Scanner/Fax for Jail/Sheriff's Office.

Hosterman then provided the jail census. There are 16 in house, 10 males and 6 females, with 1 female in Meade County for a total of 17 inmates.

Frank Maynard, Emergency Manager, met with the Board.

Motion made by Allen, seconded by Russell, to approve Fall River County Resolution #2024-69 as follows:

**FALL RIVER COUNTY RESOLUTION #2024-69  
A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY REGULATION  
OF FIRE HAZARDS IN FALL RIVER COUNTY**

**WHEREAS**, the Fall River County Commission is charged with protecting the health and safety of the citizens of Fall River County including all property situated therein; and

**WHEREAS**, the Fall River County Commission has consulted with local fire officials, law enforcement and emergency management officials concerning the threat posed by wildfires; and

**WHEREAS**, the threat of wildfires in Fall River County is such so as to pose a significant danger to the health and safety of the citizens of Fall River County including property situated therein; and

**WHEREAS**, the Fall River County Commission has deemed it necessary to enact certain temporary controls to reduce the threat posed to the citizens and property of Fall River County by wildfires.

**NOW THEREFORE BE IT RESOLVED**, that pursuant to SDCL 7-8-20 (18) the Fall River County Commission does hereby enact this resolution to ensure public safety on an emergency basis, effective immediately and impose a ban on all open burning and fireworks except for petroleum fueled or charcoal briquette fueled grills used for preparing food. This burn ban applies to any individual in Fall River County outside any municipality or land within the Black Hills Fire Protection District and is in effect when the fire index reaches the **MODERATE, HIGH, VERY HIGH or EXTREME** level as published on the Rapid City National Weather Service website. Individuals will be allowed to use gas fueled or charcoal fired BBQ grills and will be allowed open burning when the fire index is at the **LOW** level. Campfires will

**NOT** be allowed on private land or licensed commercial campgrounds. Campgrounds operated by the State of South Dakota or US Government must follow the established laws and regulations.

**IT IS FURTHER RESOLVED**, that this open burning ban will remain in effect until repealed by the Fall River County Commission. Pursuant to SDCL 7-18A-2 the penalty for violating this resolution shall include a fine not to exceed two hundred dollars for each violation and/or imprisonment for a period not to exceed thirty days for each violation; or both such fine and imprisonment. Additionally, person(s) in violation of this burn ban may be responsible for any and all suppression costs.

**BE IT FURTHER RESOLVED**, that the Fall River County Commission declares an emergency and this resolution shall be in effect immediately in order to protect the peace, health and safety of the citizens of Fall River County.

Dated this 3<sup>rd</sup> day of October, 2024.

/S/ Joe Falkenburg  
Joe Falkenburg  
Chairman, Fall River Commission

ATTEST:

/S/ Sue Ganje  
Sue Ganje, Auditor

Maynard then provided updates and reported on incidents.

Sue Ganje, Auditor, met with the Board to provide the acceptable uses for the Opioid monies that the County has received. This will be brought back to the next meeting for Commissioner input. Ganje then provided an update of the monies to be received by Fall River County for indigent defense (HB 1057) in the amount of \$36,191.33

Motion made by Allen, seconded by Russell, to approve Fall River County Resolution #2024-70 regarding travel rates, effective July 1, 2024 as follows:

**FALL RIVER COUNTY RESOLUTION #2024-70**

WHEREAS, Fall River County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

**Mileage:** \$0.655 per mile; \$0.295 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

**In-state meal rates of:**

\$6.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$14.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$20.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$40.00 Total

**Out-of-state meal rates of:**

\$10.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$18.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$28.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$56.00 Total

**Lodging In-state:**

Up to \$169.00 plus tax a day from check-in

**Lodging Out-of-state:**

\$175.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective July 1, 2024.

Passed and approved this 3rd day of October, 2024.

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

ATTEST:

/S/ Sue Ganje  
Sue Ganje  
Fall River County Auditor

Motion made by Allen, seconded by Russell, to approve Fall River County Resolution #2024-71 regarding travel rates, effective October 1, 2024 as follows:

**FALL RIVER COUNTY RESOLUTION #2024-71**

WHEREAS, Fall River County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

**Mileage:** \$0.67 per mile; \$0.302 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

**In-state meal rates of:**

\$6.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$14.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$20.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$40.00 Total

**Out-of-state meal rates of:**

\$10.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$18.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$28.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$56.00 Total

**Lodging In-state:**

Up to \$169.00 plus tax a day from check-in

**Lodging Out-of-state:**

\$175.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective October 1, 2024.

Passed and approved this 3rd day of October, 2024.

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

ATTEST:

/S/ Sue Ganje  
Sue Ganje  
Fall River County Auditor

Tony March, Highway Superintendent, met with the Board.

Motion made by Russell, seconded by Greenough, to approve the Application for Permit to Occupy County Highway Right-of-Way from Black Hills Energy from the N Angostura Rd, Twin Rock Bend Rd intersection to 20 feet west of intersection crossing 4 feet of County right-of-way coming off pole marked w/ ribbon.

Motion made by Russell, seconded by Greenough, to approve the Application for Road Approach Permit from Scott White on the west side of Black Tail Road (CR #1F) approximately ½ mile north of US Hwy 18 to serve a residence.

March then presented updates for the Highway Department. They have discontinued use of mowers and blades since the fire danger is so high. They are working on the installation of a culvert for the road that goes into the Angostura Dam area. He reported that the State of SD provided a counter for use on County roads to record the count and the speed of travel. The Highway Department has been placing them on various County roads to get average numbers. Falkenburg asked that, once the data is compiled, that March report back to the Board with numbers. March informed the Board of a “Low Boy” trailer that he will be bringing back quotes for at the next meeting. It is a semi-trailer that can haul the blades and loaders so they don’t have to be driven to a sight. He also discussed a cultivator to purchase that he will be checking on to eliminate the large clumps of grass from the edges of the road being in the road.

The time being 9:30, the Fall River County Master Transportation 2025-2029 Five Year Highway and Bridge Improvement Plan hearing was held as advertised. Comments from the public included the bridge south of Oelrichs on Hwy 79, Brosz Engineering will be taking a look at it; a discussion regarding property taxes and the desire by area residents in the Shep’s Canyon area to have more done for dust control.

Motion made by Greenough, seconded by Cope, to approve the Fall River County Master Transportation 2025-2029 Five Year Highway and Bridge Improvement Plan and authorize the Chairman to sign.

The time being 9:45, the Supplement and Contingency Transfers hearing took place.

Motion made by Russell, seconded by Greenough, to approve the Supplement and Contingency Resolution as follows:

**FALL RIVER COUNTY RESOLUTION #2024-72**  
**Supplemental Budget 2024, #2**  
**Contingency Transfer 2024, #1**

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget, and whereas, as due and legal notice has been given, the following Supplements to expenditures for October 03, 2024 be approved as follows: General Fund Sheriff Software 10100X4220219, \$20,937.36; Intergovernmental Expense (PILT) 10100X4260750, \$44,512.12; Pymt to Local Ed (PILT) 10100X4260850, \$90,800.40; Pymt to Local Ed (Bankhead Jones) 20100X4260850, \$6,384.82 Means of finance to be cash, and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted to the following Departments: Court Reporter 10100X4222130, \$1,490.00; Airplane Expense 10100X4290216, \$170.00; Victims Assistance 10100X4291434; Mental Illness 10100X4221445, \$1,635.00

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget #2 and Contingency Transfer #1 for 2024.

Dated at Fall River County, South Dakota this 3<sup>rd</sup> day of October 2024.

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

ATTEST:

/S/ Sue Ganje

Sue Ganje

Fall River County Auditor's Office

With Cope voting no, all others voting yes, motion carried.

Joe Allen, Commissioner provided updates regarding the proposed Jail/Justice Center. He met with Jennifer Sietsema of the Black Hills Council of Local Government. He reported that she advised that the County would need to follow the advice or endorsement of whomever the City of Hot Springs uses for a flood plan.

Andersen Engineers met with the Board to present plats for their consideration.

Motion made by Russell, seconded by Allen, to approve Fall River County Resolution #2024-73 as follows:

**FALL RIVER COUNTY RESOLUTION #2024-73**

**RUHOFF TRACT 1 AND RUHOFF TRACT 2, LOCATED IN THE E1/2SE1/4NE1/4 OF SECTION 8, T8S, R5E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA, formerly Alabaugh Acres 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 3<sup>rd</sup> day of October, 2024.

/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 Allen, to approve Fall River County Resolution #2024-74 as follows:

**FALL RIVER COUNTY RESOLUTION #2024-74**

**A PLAT OF CAIN TRACT, LOCATED IN THE NW1/4 SE1/4 SW1/4, SECTION 11, T7S, R4E, 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 3<sup>rd</sup> day of October, 2024.

/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 Russell, to approve Fall River County Resolution #2024-75 as follows:

**FALL RIVER COUNTY RESOLUTION #2024-75**

**A PLAT OF OLSTAD TRACT NORTH AND OLSTAD TRACT SOUTH, LOCATED IN THE SE1/4 NE1/4 OF SECTION 24, T7S, 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 3<sup>rd</sup> day of October, 2024.

/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 Allen, to approve paying the bills as follows:

<b>GENERAL FUND</b>		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$108.52
AMAZON CAPITAL SERVICES	SUPPLY	\$776.63
APPLIED CONCEPTS INC	EQUIPMENT	\$84.55
BLACK HILLS CHEMICAL	SUPPLY	\$350.52
BLACK HILLS ENERGY	UTILITIES/ELECTRIC	\$4,372.19
COLBATH & SPERLICH, PC	CAAF/MAG/JUV	\$5,402.83
ELECTION SYSTEMS & SOFT	ELECTION SYSTEM SOFT	\$3,426.02
EN-TECH LLC	FUMIGATION	\$125.00
GALLS	SHERIFF SUPPLY	\$23.89
HEALTHCARE SERVICES INC	INMATE MEALS	\$19,536.00
HEIDEBRINK, LILY	TRAVEL REIMBURSEMENT	\$200.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$218.91
HUSTEAD LAW OFFICE, P.C.	CAAF	\$3,473.03
LIGHTING MAINTENANCE CO.	SUPPLY	\$219.12
MASSA DENTAL OFFICES PC	INMATE MEDICAL	\$35.00
MAVERICK TIRE & AUTO	REPAIR/MAINTENACE	\$43.27
MCGLUMPHY, ERIN	REIMBURSEMENT	\$1,701.63
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$68.66
MEADE COUNTY AUDITOR	INMATE HOUSING	\$3,325.00
MONUMENT HEALTH	AUTOPSY/MORGUE	\$500.00
NORTON, TINA	CONTRACT NURSE INMATE	\$1,325.00
OTIS ELEVATOR COMPANY	SERVICE	\$578.27
PENNINGTON COUNTY JAIL	TRANSPORTATION	\$542.00
DEPT OF AG & NATURAL RES.	PRAIRIE DOG CONTROL	\$6,400.00
SD SHERIFF'S ASSOCIATION	24 FALL SHERIFF CONF	\$135.00
SERVALL	RUG SERVICE	\$458.58
SOUTHERN HILLS LAW PLLC	CAAF	\$3,415.65
STEVENS, MIKAYLA	BLOOD DRAW	\$75.00
VERIZON WIRELESS	CELL PHONE PLAN	\$836.30

FEES, IRMA	BLOOD DRAW	\$75.00
COMMISSION	WAGES & BENEFITS	\$5,637.99
AUDITOR	WAGES & BENEFITS	\$27,713.98
TREASURER	WAGES & BENEFITS	\$21,586.30
ST ATTY	WAGES & BENEFITS	\$22,088.44
MAINTENANC	WAGES & BENEFITS	\$13,283.02
ASSESSOR	WAGES & BENEFITS	\$22,360.64
REG/DEEDS	WAGES & BENEFITS	\$15,952.62
VET'S	WAGES & BENEFITS	\$5,286.66
GIS	WAGES & BENEFITS	\$5,888.01
SHERIFF	WAGES & BENEFITS	\$66,726.41
JAIL	WAGES & BENEFITS	\$50,698.62
CORONER	WAGES & BENEFITS	\$526.34
EXTENSION	WAGES & BENEFITS	\$3,269.21
WEED	WAGES & BENEFITS	\$7,424.59
	<b>TOTAL FOR GENERAL FUND</b>	<b>\$326,274.40</b>
<b>COUNTY ROAD &amp; BRIDGE FUND</b>		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$90.40
AMAZON CAPITAL SERVICES	SUPPLY	\$77.78
BLACK HILLS ELECTRIC	UTILITIES SMITHWICK	\$40.15
BLACK HILLS ENERGY	UTILITIES/ELECTRIC	\$315.77
BOMGAARS	SUPPLY	\$202.73
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$290.23
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$37.05
FALL RIVER CTY TREASURER	EQUIPMENT	\$26.70
HOT SPRINGS ACE HARDWARE	SUPPLY	\$51.79
CITY OF HOT SPRINGS	WATER HWY71A/OLD79	\$1,002.55
MARTY'S TIRE & AUTO BODY	SERVICE	\$1,100.00
MAVERICK TIRE & AUTO	REPAIR/MAINTENACE	\$224.51
MENARDS	SUPPLY	\$224.04
NEWMAN SIGNS INC.	SIGNAGE	\$2,597.96
RAPID DELIVERY	REPAIR/MAINTENANCE	\$15.20
SAFETY-KLEEN SYSTEMS, INC	PARTS WASHER LEASE	\$432.79
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$118.39
VERIZON WIRELESS	CELL PHONE PLAN	\$42.72
CRBR ADMIN	WAGES & BENEFITS	\$12,312.02
CRBR HWY	WAGES & BENEFITS	\$51,895.87
	<b>TOTAL FOR COUNTY ROAD &amp; BRIDGE FUND</b>	<b>\$71,098.65</b>
<b>24/7 SOBRIETY FUND</b>		
24/7	WAGES & BENEFITS	\$2,432.85
	<b>TOTAL FOR 24/7 SOBRIETY FUND</b>	<b>\$2,432.85</b>
911 SURCHARGE REIMBURSEMENT		
VERIZON WIRELESS	CELL PHONE PLAN	\$42.72

	<b>TOTAL FOR 911 SURCHARGE REIMBURSEMENT</b>	<b>\$42.72</b>
<b>EMERGENCY MGT</b>		
AMAZON CAPITAL SERVICES	SUPPLY	\$103.10
HOT SPRINGS ACE HARDWARE	SUPPLY	\$6.46
VERIZON WIRELESS	CELL PHONE PLAN	\$128.16
DISPATCH	WAGES & BENEFITS	\$36,007.20
F.R. EMERG.	WAGES & BENEFITS	\$8,778.98
	<b>TOTAL FOR EMERGENCY MGT</b>	<b>\$45,023.90</b>
	<b>TOTAL FOR BILLS PAID BETWEEN 09/20 AND 10/03/2024</b>	<b>\$444,872.52</b>

Break was taken at 10:15 a.m. The meeting resumed at 10:21 a.m.

The County Assistance/Death Expense application was revisited at this time as more information had been obtained.

Motion made by Russell, seconded by Allen, to approve County assistance/death expense of \$2,150.00 for CP 2024-06, payable to Chamberlain/McColley Funeral Home. With Cope and Greenough voting no, all others voting yes, motion carried.

Joe Falkenburg, Commissioner, then asked for Public Comment. Rachel Hosterman, Sheriff's Department Administrative Assistant, wanted to reiterate Greenough's statement saying that building a new Jail/Justice Center (A Critical Access facility) across the street from the Courthouse would be putting staff and inmates in danger due to potential for future flooding.

Teresa Pullen, Treasurer, met with the Board

Motion made by Russell, seconded by Allen, to rescind Fall River County Resolution #2007-33 as follows:

**FALL RIVER COUNTY RESOLUTION #2007-33**  
**Resolution Reinstating Sale of Tax Certificates.**

**WHEREAS, since 1897 the State of South Dakota has authorized counties to sell tax certificates on unpaid delinquent property taxes, and**

**WHEREAS, the Legislature in 2006 adopted a law prohibiting such sale after July 1, 2006, and**

**WHEREAS, the Legislature in 2007 decided that it should be up to the individual counties to decide whether or not they will sell tax certificates; and**

**WHEREAS, the ability to sell tax certificates will allow Fall River County more flexibility in its collection of delinquent property taxes;**

**NOW, THEREFORE, BE IT RESOLVED, that the Fall River County Commission in accordance with SDCL 10-23-28.1 hereby waives the provisions of said Section 10-23-28.1 that prohibits the sale of tax certificates.**

Passed and approved this 3<sup>rd</sup> Day of July, 2007.

/S/ Michael P. Ortner  
Michael P. Ortner, Chairman  
Board of County Commissioners  
Fall River County

ATTEST:

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

Motion made by Allen, seconded by Russell, to rescind Fall River County Resolution 2016-11A as follows:

RESOLUTION 2016-11A  
FOR THE ESTABLISHMENT OF AN ADMINISTRATIVE FEE FOR CERTAIN TITLE SERVICES

WHEREAS, by motion of the Fall River County Commission, effective June 1, 2016, the Fall River County Commissioners establish an administrative fee of \$25.00 for certain title transfers that are processed in the Fall River County Treasurer's Office; and

WHEREAS, the fee was set for individuals or businesses permanently or temporarily residing outside the State of South Dakota or who only have a personal mailbox address in South Dakota and who have decided to utilize South Dakota as their state of choice for vehicle titling and registration; and

WHEREAS, the Fall River County Treasurer does not charge the fee to active military providing military ID's or to residents of Fall River County.

NOW THEREFORE BE IT RESOLVED, that the Fall River County Treasurer's Office charge the \$25.00 administration fee effective June 1, 2016.

Dated this 9th day of June, 2016.

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

ATTEST:

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

Motion made by Allen, seconded by Russell, to rescind Fall River County Resolution #2014-36 as follows:

**FALL RIVER COUNTY RESOLUTION #2014-36**  
**A RESOLUTION ADOPTING THE AUTHORITY TO PUBLISH ALL DELINQUENT TAXES**

WHEREAS, the Fall River County Treasurer is charged with the responsibility to collect real estate and mobile home taxes, and when any such taxes become delinquent, a tax certificate is issued, and

WHEREAS, Fall River County Resolution #2007-33, dated July 3, 2007, in accordance with S.D.C.L. 10-23-28.1, waived the provisions of said section 10-23-28.1 that prohibited the sale of tax certificates, and

WHEREAS, S.D.C.L. 10-22-2 requires the annual publication of the list of delinquent taxpayers, and

**WHEREAS**, the determination has been made by the County that not all delinquent taxes have a valid certificate number. This certificate number is needed for the sale of delinquent taxes to a third party, or, enables the County Treasurer to start the proceedings to procure a tax deed on the real property, and

**WHEREAS**, Fall River County, by motion on October 2, 2014, approved a two-year moratorium on selling tax sale certificates to third parties for taxes payable in 2014 and 2015, and

**WHEREAS**, S.D.C.L. 10-23-2.3 allows for the publication of information on delinquent taxes, including the name, address, amount of taxes, penalties and interest, and the years that taxes were due, now

**THEREFORE BE IT RESOLVED**, that the Fall River County Board of Commissioners, in accordance with S.D.C.L. 10-23-2.3, authorizes the publication of all delinquent taxes, to be published each year that a tax certificate is outstanding until such time that a tax deed is issued, or a moratorium on the sale of tax certificates no longer exists.

Dated this 4<sup>th</sup> day of December, 2014

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

ATTEST:

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

Pullen then informed the Board that 2 full-time employees had quit in the last 2 weeks. She will need to fill these positions.

Motion made by Russell, seconded by Allen, to approve advertising for 2 full-time positions in the Treasurer's Office.

Pullen went on to let the Board know that she would like to hire a part-time position to be paid out of Fall River County. After some discussion, it was decided that she would put it on the next agenda.

Motion made by Russell, seconded by Greenough, to enter into Executive Session as per SDCL 1-25-2 (1) personnel and SDCL 1-25-2 (3) legal at 10:41 a.m.

Falkenburg declared the Board out of Executive Session and the meeting adjourned at 11:06 a.m.

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

ATTEST:

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