

FALL RIVER COUNTY MINUTES OF JANUARY 19<sup>TH</sup>, 2010.

The Fall River Board of County Commissioners met in regular session on January 19<sup>th</sup>, 2010. Present Mike Ortner, Anne Cassens, Glen Reaser, Joe Falkenburg and Sue Ganje, County Auditor. Absent Joe Allen.

The Pledge of Allegiance was given at 9:00 A.M.

The agenda was reviewed for conflicts, in which none were found.

Motion by Reaser, seconded by Falkenburg to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

An indigent burial application was submitted for approval.

Motion by Falkenburg, seconded by Cassens to approve burial application in the amount of \$1300.00 for cremation on #CP10-03. With no further discussion and all voting yes, the motion carried.

The Auditor's Account was presented for review.

Motion by Falkenburg, seconded by Reaser to approve the Auditor's Account with the County Treasurer. With no further discussion and all voting yes, the motion carried.

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF FALL RIVER CO.

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 day of December, 2010.

—  
Total Amt of Deposit in Wells Fargo Bank-----\$403,735.84  
Total Amt of Deposit in First Interstate Bank—HS--\$ 676,543.08  
Total Amount of Cash-----\$ 426.03  
Total Amount of Treasurer's Change Fund-----\$ 900.00  
Total Amount of Checks in Treasurer's Possession Not  
Exceeding Three Days-----\$26,882.48  
Provo Township Water Checking—First Interstate---\$18,000.00  
MONEY MARKET SAVINGS: Bank of The West Bank----\$ 00.00  
Wells Fargo Bank-----\$ \_\_\_\_\_  
First Interstate Bank---\$23,753.07

CERTIFICATES OF DEPOSIT—

First Interstate-HotSprgs-\$3,220,000.00  
Wells Fargo Bank-----\$ 600,000.00

Itemized list of all items, checks and drafts which 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:

Caldwell, Gwendolyn-\$ 25.60 April Stone---\$ 56.00  
Lynda Petersen-----\$1,433.00 Robert Wright-\$132.00  
Raymond Henry-----\$ 290.64

TOTAL \$4,972,712.74

Dated This Day of, 2010.

/S/Sue Ganje

Sue Ganje, County Auditor of Fall River County.

Motion by Falkenburg, seconded by Reaser to approve the minutes of December 29<sup>th</sup>, 2009. With no further discussion and all voting yes, the motion carried.

Joe Allen present, time being 9:05 a.m.

Motion by Cassens, seconded by Reaser to approve the minutes of January 5<sup>th</sup>, 2010 as printed. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg to approve the following bills. With no further discussion and all voting yes, the motion carried.

GENERAL

A&B Business Equipment	CNIN152170; Contract	\$ 195.33
Beacon Target Turner LTD	Grant	4,986.32
Beaudette Consulting	11-30; #30589	594.00
Black Hills Chemical	12-22; #935523; Vac BA	140.92
BH Council of Local Gov	2010 Dues	7,595.00
Black Hills Ortho & Spine	12-30	53.15
BH Family Health Clinic	12-2/14	180.00
Black Hills Power	BHP84391-Storage	25.84
Black Hills Power	Misc.	2,772.69
Cardmember Service	Misc.	2,220.99
Carol Butzman Consulting	12-20	228.83
CBM Food Service	STDONV25374	2,568.56
Century Business Leasing	#260319	279.50
Cheyenne Sanitation	#2603; Courthouse	296.80
Culligan Soft Water	12-31; #996934	84.25
Denture Clinic	Assistance	600.00
Dell Financial Services	Equipment	1,786.00
Edgemont Herald Tribune	Publishing	963.31
Edgemont Senior Citizens	2010 Allotment	3,000.00
Fall River Auto Supply	1-4; #7676-16138	86.32
Fall River Hospital	Medical Prisoner	871.25
Flint Electric	1-11; #3134	44.90
Fall River Community	1 <sup>st</sup> Half Allotment	3,000.00
Golden West Telephone	Telephone	1,800.55
Heartland Paper Co.	#K779894-1; TP, Cleaner	214.03
Hillyard Floor Care Supply	#6150849	1,017.89
Hot Springs Automotive	1-11; #31-48279	90.23
City of Hot Springs	Ext	244.94
City of Hot Springs	4 <sup>th</sup> Quarter 2009	24.00
IBM Corporation	Maintenance	923.00
Inforprint Solutions Co.	#1005952	312.00
Janzm Donald	12-17; BREM1000; BREWE	425.00
Jerry's Auto	1-5; 08 Ford PU	78.00
Lyle's Handyman	12-7; #931; Drain in Jail	89.25
McColley's	Assistance	1,300.00

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<b>Mechalke, Dick</b>	<b>Contract</b>	<b>288.00</b>	
<b>Medical Waste Transport</b>	<b>1-2;#34367</b>	<b>67.21</b>	
<b>Moran, Lynn A.</b>	<b>CAAF</b>	<b>584.50</b>	
<b>Neve's Uniform Inc.</b>	<b>Uniform</b>	<b>395.35</b>	
<b>O'Neill, Justin</b>	<b>CAAF</b>	<b>102.50</b>	
<b>Pamida Inc.</b>	<b>Misc.</b>	<b>329.11</b>	
<b>Pennington Co States Atty Office</b>	<b>1-5</b>	<b>200.00</b>	
<b>Pennington County Jail</b>	<b>12-20.23</b>	<b>940.80</b>	
<b>Pitney Bowes</b>	<b>Postage</b>	<b>1,949.22</b>	
<b>Quill Corporation</b>	<b>Misc.</b>	<b>1,049.47</b>	
<b>Radio Shack</b>	<b>1-12;#10033495, Ink</b>	<b>31.99</b>	
<b>Rapid City Journal, (The)</b>	<b>Publishing</b>	<b>555.54</b>	
<b>Rapid City Regional</b>	<b>MI</b>	<b>1,396.00</b>	
<b>Raymond, Callie</b>	<b>MI</b>	<b>55.74</b>	
<b>Sanichem</b>	<b>1-14#7200</b>	<b>142.80</b>	
<b>South Dakota Assoc.</b>	<b>Dues; Halls T</b>	<b>110.00</b>	
<b>SD Human Services Center</b>	<b>CR09-244</b>	<b>500.00</b>	
<b>SD State Attorney Assoc.</b>	<b>Dues</b>	<b>724.00</b>	
<b>Servall</b>	<b>1-2 #1420719</b>		<b>75.87</b>
<b>Skinner, Matthew L, PC</b>	<b>CAAF</b>	<b>1,136.23</b>	
<b>Software Services Inc.</b>	<b>12-31 #59003</b>	<b>1,940.00</b>	
<b>State Remittance Center</b>	<b>#4331</b>	<b>1,665.00</b>	
<b>Stephens, Matthew T.</b>	<b>CAAF</b>	<b>1,660.00</b>	
<b>Temperature Technology</b>	<b>1-4 #15765</b>	<b>71.43</b>	
<b>Tri Tech Sales</b>	<b>12-16 #016288</b>	<b>290.61</b>	
<b>Pro Build</b>	<b>12-31 #286794</b>	<b>85.23</b>	
<b>Verizon wireless</b>	<b>Courthouse</b>	<b>530.25</b>	
<b>Weed &amp; Pest Conference</b>	<b>Reg</b>	<b>230.00</b>	
<b>Weichmann, Cynthia</b>		<b>40.80</b>	
<b>Wells Fargo</b>	<b>#6745359477</b>	<b>126.88</b>	
<b>Western SD Juv Service Center</b>	<b>12-1812-18/20</b>	<b>9,259.53</b>	
<b>Green, David</b>	<b>Animal Care</b>	<b>40.00</b>	
<b>Witness Fees</b>	<b>Witness Fees</b>	<b>675.54</b>	

**COUNTY ROAD & BRIDGE**

<b>Black Hills Power</b>	<b>89666 Dec;19718</b>	<b>466.57</b>	
<b>Black Hills Power</b>	<b>Misc</b>	<b>26.26</b>	
<b>Cheyenne Sanitation</b>	<b>2604</b>	<b>76.32</b>	
<b>Edgemont, City of</b>	<b>115 Dec</b>	<b>41.40</b>	
<b>Edgemont Herald Tribune</b>	<b>Publishing</b>	<b>14.76</b>	
<b>FR County Highway Dept.</b>	<b>Petty Cash</b>	<b>20.00</b>	
<b>Golden West Telephone</b>	<b>Telephone</b>	<b>233.41</b>	
<b>City of Hot Springs</b>	<b>HWY</b>	<b>16.58</b>	
<b>Rapid City Journal (The)</b>	<b>Publishing</b>	<b>36.09</b>	
<b>Verizon Wireless</b>	<b>HWY</b>	<b>38.61</b>	

**911 SURGHARGE REIMB**

<b>Golden West Telephone</b>	<b>Telephone</b>	<b>20.00</b>	
<b>Lyle Signs</b>	<b>Supply</b>	<b>142.52</b>	

**EMERGENCY MGT**

<b>Black Hills Land Analysis</b>	<b>1-4;#289</b>	<b>350.00</b>	
<b>Cardmember Service</b>	<b>Misc</b>	<b>48.39</b>	
<b>Dakota Business Center</b>	<b>Repair</b>	<b>100.00</b>	
<b>Division of Motor Vehicle</b>	<b>License</b>	<b>28.00</b>	
<b>Golden West Telephone</b>	<b>Telephone</b>	<b>80.51</b>	
<b>Martin, Stacey</b>	<b>Travel</b>	<b>161.19</b>	
<b>Nortons Sinclair</b>	<b>Car Maint</b>	<b>50.00</b>	
<b>Pitney Bowes</b>	<b>Postage</b>	<b>39.78</b>	

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Quill Corporation	Misc	61.18
Verizon Wireless	EM	57.97

**L.E.P.C. GRANT**

Burt, Curtis	1-11;4 Hrs, Oilfield	100.00
HSR Fueling LLC	12-17;#13	48.13
Pudwill, Norman	1-11;4 Hrs, Oilfield	60.00

**PROVO TWP WATER CDBG**

Barker Concrete & Const	Provo Twp Water-CDBG	34,895.67
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**Motion by Reaser, seconded by Cassens to approve the revised levies for 2009 payable in 2010 taxes as follows: General fund from 5.380 to 5.357; Building Fund from .252 to .251 and Secondary Road Fund from .940 to .935. These lowered mill levies are the result of the revised certification of \$1,824, 845 additional Black Hills Power centrally assessed utilities. With no further discussion and all voting yes, the motion carried.**

**Motion by Reaser, seconded by Falkenburg to reschedule the Private Road Hearing for 2/2/10 at 10:15 a.m. to allow for legal publication. With no further discussion and all voting yes, the motion carried.**

**Motion by Cassens, seconded by Reaser to approve additions or changes made to Soil Erosion Standards as set forth by the Fall River County Conservation District, and authorize Commissioner Falkenburg to represent Fall River County. With no further discussion and all voting yes, the motion carried.**

**Motion by Reaser, seconded by Falkenburg to approve the Combined Election Agreement for the 2010 Primary Election with the City of Hot Springs; Hot Springs School and Oelrichs School. With no further discussion and all voting yes, the motion carried.**

**Frank Maynard, Emergency Management, met with the board along with Assistant Andreas Timmins. Maynard reported on the arrival of the Shelter Trailer, which is equipped to shelter at least 60 people. Maynard also requested approval to apply for a grant in the amount of approximately \$18,000 out of the \$19,225.28 remaining 2008 D.O.J. grant funds.**

**Motion by Falkenburg, seconded by Reaser to authorize the application and use of 2008 Department of Justice Grant funds in the amount of approximately \$18,000.00 to purchase 2 narrow band repeaters to replace the radio repeaters on Battle Mountain and Ball Ranch. With no further discussion and all voting yes, the motion carried.**

**The LEPC Committee determined that we will fly the oil fields every other month, which is a state mandate passed on down to the County. Discussion was held on the planes used, which has been the County plane and a private plane.**

**A Report of Personnel Actions was presented for signature.**

**Maynard further reported on his working with FEMA on reimbursement for the Christmas blizzard in Shannon County.**

**Motion by Reaser, seconded by Falkenburg to approve the required salary adjustment (Report of Personnel Action) and to authorize the Chairman or Vice Chairman to sign. With no further discussion and all voting yes, the motion carried.**

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**Short discussion was held on the new shelter trailer and new ATV, and the storage of these items. Allen reported on his result of viewing semi trailer storage units.**

**Sally Park-Hageman, Extension Educator, met with the Board to advise on the two openings on the Fall River County Extension Advisory Board, and presented recommendations for the two positions.**

**Motion by Reaser, seconded by Falkenburg to appoint Ken McNamara and Jeff Grill to the Extension Advisory Board. With no further discussion and all voting yes, the motion carried.**

**Park-Hageman also advised the Board that she is passing the position of Office Coordinator to Dusty Jager.**

**Motion by Falkenburg, seconded by Cassens to approve the appointment of Dusty Jager as Extension Office Coordinator, and thanks to Sally Park-Hageman for her years of service as Office Coordinator. With no further discussion and all voting yes, the motion carried.**

**Randy Seiler, Highway Superintendent, met to present fuel quotes for 8000 gallons unleaded fuel as follows.**

**8000 UNLEADED FUEL**

<b>MG Oil Company</b>	<b>Bid \$2.321 per gallon</b>
<b>Nelsons Oil and Gas</b>	<b>Bid \$2.375 per gallon</b>

**Motion by Reaser, seconded by Cassens to accept MG Oil bid at \$2.321 per gallon. With no further discussion and all voting yes, the motion carried.**

**Seiler advised he had a 2 hour annual leave carry over on Donald Thurlow, which the Board approved as he was called out while on vacation days during the blizzard.**

**Motion by Allen, seconded by Reaser to approve travel for Highway employees to attend MSHA training in Custer on February 16<sup>th</sup>, 2010. With no further discussion and all voting yes, the motion carried.**

**Seiler presented an Agreement with the State of South Dakota on the Smithwick to Oelrichs Project.**

**Motion by Falkenburg, seconded by Cassens to accept the Agreement with the State of South Dakota for Project EM 0018(152)53, PCN 00Q8 – US 18, US18W from the South Junction of US385 North to Smithwick Road - for the acquisition of Parcels 8, 9A and 10A. With no further discussion and all voting yes, the motion carried.**

**Seiler advised on the gravel crushing project in Sheps Canyon and that additional gravel needs to be crushed to meet the bid amount. Future gravel crushing penalties were discussed.**

**Discussion was held on a transfer from Emergency Management to Highway and the State/FEMA reimbursement in reference to the blizzard assistance given to Shannon County. Transfer will be postponed until reimbursement is received from the State.**

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Annual Bids were opened as advertised.

Motion by Falkenburg, seconded by Reaser to accept all bids to the used for the best advantage for the County as follows. With no further discussion and all voting yes, the motion carried.

Product	Bidder	Bidder
<b>Road Oil Materials</b>		
<b>Bid Item #1</b>		
<b>A. Emulsified Asphalt</b>		
1. SS-1H, Hot Springs	Hills Materials - \$650.00/Ton	
2. AE-A50S, Hot Springs	Hills Materials - \$645.00/Ton	
<b>B. Cold Mix Black Top</b>		
1. Oral	Hills Materials - \$95.00/Ton	
2. Edgemont	Hills Materials - \$100.00/Ton	
3. Hot Springs Quarry	Hills Materials - \$95.00/Ton	
<b>C. Hot Mix, SD DOT Class G</b>		
1. Oral	Hills Materials - \$85.50/Ton	
2. Edgemont	Hills Materials - \$90.50/Ton	
3. Hot Springs	Hills Materials - \$85.50/Ton	
<b>Aggregate Materials</b>		
<b>Bid Item #2</b>		
<b>A. Base Course</b>		
1. ¾" FOB HS Quarry	Hills Materials - \$7.25/Ton	
2. ¾" FOB Loring Quarry	Hills Materials - \$7.50/Ton	
3. ¾" FOB Maverick Pit	Hills Materials - \$6.75/Ton	
4. 1" FOB HS Quarry	Hills Materials - \$7.25/Ton	
5. 1" FOB Loring Quarry	Hills Materials - \$7.50/Ton	
6. 1" FOB Maverick Pit	Hills Materials - \$6.75/Ton	
<b>B. Chips</b>		
1. 3/8" FOB HS Quarry	Hills Materials - \$16.00/Ton	
2. 3/8" FOB Loring Quarry	Hills Materials - \$16.00/Ton	
3. ½" FOB HS Quarry	Hills Materials - \$14.00/Ton	
4. ½" FOB Loring Quarry	Hills Materials - \$14.00/Ton	
5. 5/8" FOB HS Quarry	Hills Materials - \$12.00/Ton	
6. 5/8" FOB Loring Quarry	Hills Materials - \$12.00/Ton	
<b>C. Ice Control Sand</b>		
1. FOB HS Quarry	Hills Materials - \$8.00/Ton	
2. FOB Loring Quarry	Hills Materials - \$8.50/Ton	
3. Oral Sand Plant		Pete Lien – 8.75/Ton

Public Comment was held at 10:30 and Falkenburg asked Ortner to again follow-up on the blocking of roads by the railroad in Edgemont.

Maynard, Emergency Management advised he will be sending Assistant Timmins to attend the grant writing class in Rapid City.

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**Motion by Cassens, seconded by Allen to go into executive session for personnel, time being 10:37 a.m. With no further comments and all voting yes, the motion carried.**

**Came out at 10:41 a.m.**

**Break taken at 10:44 a.m.**

**Tracey Bowman, Community Health Nurse, met with the board for her quarterly report. She reported on items including the WIC and Nutrition Program; Maternal and Child Health Program, Women's Health, Nutrition and Physical Activity Program and General Public Health Office Activities.**

**Tom Davis spoke on the slow response of the Hot Springs Ambulance District. Cassens referred Davis to speak to the district. Davis further spoke on the flowers for the butterflies that will be planted this year and that some plantings may take 2 years for full results. Donations are being taken for this butterfly project.**

**Mike Albertson and Dave Leppert, Albertson Engineering, met with the Board to give an update on the hill behind the jail. Also present was Carl Neisner, Building Supervisor. Interviews for an Architectural Firm for the Jail Project will be later this week.**

**David Papen met with the Board to present a plat for approval. Upon review, a Mylar plat will not be presented until after comments by the Board, and will be brought back for approval. Ortner reviewed a letter received by the States Attorney which advised approval of this plat could not be made at this time. Legal descriptions were reviewed and the Board advised what information will be needed when the plat is brought back.**

**Falkenburg left the meeting at 11:25 a.m.**

**Keith Andersen, Andersen Engineering, met with the Board for plat approval, along with owner Dr. Curtis, to answer any questions. Access for parcels was discussed.**

**Motion by Reaser, seconded by Allen to approve the following plat resolution. With no further discussion and all voting yes, the motion carried.**

**FALL RIVER COUNTY RESOLUTION #2010-05.**

**WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of South Shore Yacht Club Estates Subdivision Lots 1-2 of Tract 1, Tract 2, Tract 3, Lots 1-3 of Tract 4, Lots 1-2 of Tract 5, Lots 1-2 of Tract 6, Lots 1-8 of Tract 7, Lots 1-5 of tract 8, Lots 1-5 of Tract 9, and Tract 10 located in Tracts A-3 and A-4 of Hoffman Addition, Section 7, T9S, R6E, BHM, Fall River County, South Dakota, and**

**WHEREAS, it appearing to this board that the system of streets conforms to the system of streets of existing plats and sections 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 THEREFORE, BE IT RESOLVED that said plat is hereby approved in all respects.**

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Dated at Fall River County, South Dakota this 19<sup>th</sup> day of January, 2010.

/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

Andersen presented another plat.

Motion by Cassens, seconded by Reaser to approve the following plat resolution.  
With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2010-06.**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Lot 3 of Tract 1 of Half Note Subdivision located in Government . Lot 3 of Section 1, T7S, R5E, BHM, Fall River County, South Dakota, and Page 8.

WHEREAS, it appearing to the County Commissioners that said plat conforms to the existing plats of said county, that all taxes and special assessments upon said property have been fully paid, and said plat and the survey thereof have been executed according to law,

NOW THEREFORE, BE IT RESOLVED, that said plat is hereby approved in all respects.

Dated at Fall River County this 19<sup>th</sup> day of January 2010.

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

ATTEST:

Sue Ganje, County Auditor  
Fall River County

Andersen advised that the application process to bore under the Railroad is getting closer.

Carl Neisner, Building Supervisor, met to request renovation approval for the 1<sup>st</sup> floor bathroom, with an estimated cost of \$2,359.39.

Motion by Reaser, seconded by Allen to approve the bathroom renovation in the estimated cost of \$2,359.39, including floor heater. Neisner will be doing the labor. With no further discussion, and all voting yes, the motion carried.

Jeff Tarrell, Sheriff, met with the Board and presented the year end prisoner count.

Jail stats indicated a 13.75 all prisoner annual average, and stats were reviewed.

Motion by Cassens, seconded by Reaser to adjourn, time being 11:58 a.m. With no further discussion and all voting yes, the motion carried.

ATTEST: Michael P. Ortner, Chairman  
Board of County Commissioners  
Fall River County

Sue Ganje, County Auditor  
Fall River County



