

FALL RIVER COUNTY MINUTES OF JANUARY 5TH, 2010.

The Fall River Board of County Commissioners met in regular session on January 5th, 2010. Present Joe Falkenburg, Michael Ortner, Glen Reaser, Anne Cassens, Joe Allen, and Sue Ganje, County Auditor. Absent none.

The Pledge of Allegiance was given, time being 9:00 a.m.

The agenda was reviewed for conflicts. Anne Cassens will be abstaining from voting on the appointment of the legal newspapers as she is the Publisher of the Edgemont Tribune.

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

Motion by Reaser, seconded by Cassens to nominate Michael Ortner as 2010 Chairman of the Board.

Reaser motioned further that nominations cease and seconded by Cassens, and with all casting unanimous ballot on the motion, the motion carried.

Motion by Reaser, seconded by Allen to nominate Anne Cassens as Vice-Chairman. Ortner asked for further nominations; no further nominations. With no further discussion and all voting yes, the motion carried.

A Burial application was presented, along with a County assistance application.

Motion by Allen, seconded by Reaser to approve assistance for electric with repayment in full on February 10th, 2010; on COP#2010-01, in the amount of \$349.00. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Cassens to approve the 2010 Fall River/Shannon County Contract. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Reaser to appoint Hot Springs Star and Edgemont Herald Tribune as the official newspapers for the year 2010. With no further discussion, Cassens abstaining, and all others voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to designate 3 feet of the bulletin board in the Courthouse Lobby for legal matters. With no further discussion and all voting yes, the motion carried.

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Motion by Cassens, seconded by Falkenburg to hold Chattel Mortgage Sales in the following places: Hot Springs—Front door of the Courthouse; Oral—front door of the Post Office; Oelrichs—front door of the Post Office; Edgemont—the front door of the Post Office. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to designate the Bank of the West, Wells Fargo Bank, First Interstate Bank and the Black Hills Federal Credit Union as the official banks for Fall River County for the year 2010, with First Interstate Bank as the active Bank. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg to set burial fees at \$1,700.00 total cost (including opening and closing) and \$1,200.00 for 1 year old and younger, and \$1,300.00 for Cremation. If a vault is required \$400.00 will be added. Mileage paid at \$1.00 per loaded mile to the Black Hills National Cemetery. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to set prisoner care at \$55.00 per day, and \$20 to \$30 for work release, at the discretion of Sheriff, depending on the number of meals. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Cassens that the Health Care Facility for 2009 will be the Black Hills Family Health Clinic (Dr. Steele) as the primary care giver and Fall River Health Services as secondary. With Falkenburg abstaining and all others voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to appoint Falkenburg as the Commission representative to the Fall River County Extension Board; to appoint Allen as the Commissioner representative to the L.E.P.C. Board; to appoint Falkenburg as the Commission representative to the Fall River County Weed Board; to appoint Reaser as the Commission representative to the Custer/Fall River Regional Waste Management Board; to appoint Cassens as the Commission representative to the Black Hills Council of Local Government; to appoint Reaser as the Commission representative to the RC & D Board; to appoint Ortner as the Commission representative to the Juvenile Detention Board. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Cassens to approve the travel of the County Commissioners and Office Supervisors to attend the meetings of the Black Hills Associations and request Office Supervisors receive travel approval for all other meetings. With no further discussion and all voting yes, the motion carried.

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

FALL RIVER COUNTY RESOLUTION #2010-01.

WHEREAS, pursuant to SDCL 12-15-11, the Board of County Commissioners at their first meeting shall set a fee for Election Board, and the mileage rate;

NOW THEREFORE BE IT RESOLVED, that the Fall River County Board of Commissioners have set the fee for attendance of Election School at \$15.00; and

BE IT FURTHER RESOLVED, that the Fall River Board of County Commissioners have set the fee for Election Boards for the Primary and General and all Special Elections at the following:

ALL ELECTION BOARDS, RESOLUTION AND ABSENTEE BOARDS WILL BE SET AT \$7.25 PER HOUR, and

ALL PROVISIONAL BOARDS WILL BE SET AT \$20.00, and

BE IT FURTHER RESOLVED, that the Fall River County Commissioners set the mileage rate at \$.37 per mile.

Dated this 5th day of January, 2010.

/S/Michael Ortner
Michael Ortner, Chairman
Board of County

Commissioners Fall River County

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

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

FALL RIVER COUNTY RESOLUTION #2010-02.

WHEREAS, the Division of Purchasing and Printing of the State of South Dakota has competitively bid state contracts for the purchase of necessary supplies, equipment and materials for state and local governments, and

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WHEREAS, the Fall River County Board of Commissioners is authorized to purchase necessary supplies, equipment and materials for its use, and

NOW THEREFORE, BE IT RESOLVED, that the Board of Fall River County Commissioners enter into an agreement with the Division of Purchasing and Printing of the State of South Dakota to purchase equipment, supplies and materials.

Dated this 5th day of January, 2010.

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

ATTEST:

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

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

FALL RIVER COUNTY RESOLUTION #2010-03.

WHEREAS, pursuant to SDCL 7-7-9.1, 7-7-12 and 7-12-15 the Board of Commissioners by Resolution may establish the salary payable to the County Treasurer, County Auditor, County Register of Deeds, States Attorney and the County Sheriff; and

WHEREAS, the salary may not be less than the following schedule and is based upon the most recent decennial federal census. Fall River Census is 7453.
Treasurer--Auditor--Register of Deeds=Population under 10,000=== $\$29,270.00$
States Attorney=Population under 10,000= $\$32,600$.
Sheriff=====Population under 10,000= $\$35,700.00 + 10\%$ for Jail= $\$39,270.00$.

BE IT RESOLVED, that the Fall River Board of County Commissioners set the salaries as follows effective January 8th , 2010. These figures do not include any longevity.

Treasurer==\$39,128.88; Auditor==\$39,156.62; Reg. Of Deeds==\$32,548.10
States Attorney===== \$38,110.00
Sheriff====*INCLUDES JAIL*===== \$44,409.79
Commissioners===== \$9,600.00
Commission Chairman===== \$10,800,00

Passed and approved this 5th day of January, 2010.

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

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

Motion by Falkenburg, seconded by Allen to approve the Commissioners salaries as set by Resolution #2009-03, with the exception that the extra \$100.00 will be given to the Chairman each month for the year 2010 for the extra work he does. With no further discussion, and all voting yes, the motion carried.

Motion by Ortner, seconded by Cassens to set the following salaries for the appointed officials at the following for the year 2010. This includes a 3% raise for 2010. These figures include longevity if longevity has been earned. With no further discussion and all voting yes, the motion carried.

Terri Halls—Director of Equalization-----\$34,778.00
Randy Seiler—Highway Superintendent-----\$45,937.09
J.R. Steele—Vet’s Service Officer-----\$27,708.80
Nina Steinmetz---Weed Supervisor-----\$30,000.00
Frank Maynard---Emergency Management-----\$38,388.86
Carl Neisner---Maintenance Supervisor-----\$29,694.64

Motion by Ortner, seconded by Reaser, per the negotiated union contract, to approve a 3% raise for County Employees who have worked 6240 hours for the County, effective December 21st, 2009. With no further discussion and all voting yes, the motion carried.

The following is the new wages for employees in alphabetical order. This includes longevity if the employee has any.

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Alexander, Kelly	Hourly wage	\$13.05
Allen, Joe	Yearly wage	\$9,600.00
Bachand, Lori	Yearly wage	\$40,328.88
Beninati, Robert	Hourly wage	\$12.98
Blessing, Brett F.	Hourly wage	\$15.20
Campbell, Wallace	Hourly wage	\$13.76
Cassens, Anne	Yearly wage	\$9,600.00
Crowley, Gary	Hourly wage	\$16.67
Engebretson, Melody	Yearly wage	\$32,548.10
Evans, Adam	Hourly Wage	\$10.00
Evans, Patrick H.	Hourly wage	\$17.43
Evans, Robert J.	Hourly wage	\$13.85
Falkenburg, Joe	Yearly wage	\$9,600.00
Francis, Clark	Hourly wage	\$15.83
Ganje, Sue	Yearly wage	\$40,556.62
Graham, Julie	Hourly wage	\$12.79
Ginter, Charles	Hourly wage	\$10.00
Haag, Lenise	Hourly wage	\$ 9.00
Halls, Cynthia	Hourly wage	\$13.19
Halls, Terri	Yearly wage	\$34,778.00
Hamaker, Bobbie	Hourly wage	\$12.26
Hansen, Brad	Hourly wage	\$12.71
Hoar, Marcus	Hourly wage	\$15.80
Hylle, Amanda	Hourly wage	\$10.00
Inman, Laura	Hourly wage	\$10.00
Jamison, Karen	Hourly wage	\$13.21
Jarman, Martha	Hourly wage	\$16.74
Jensen, Michele	Hourly wage	\$10.58
Kluender, Linda	Hourly wage	\$10.89
Kraima, Richard	Hourly wage/24/7	\$10.00
Kraima, Richard	Hourly wage/weed	\$ 9.50
Lockhart, Brandon D.	Hourly wage	\$13.56
Logue, Patricia	Hourly wage	\$15.06
Maciejewski, Calvin	Hourly wage	\$15.32
March, Jason	Hourly wage	\$13.92
Martin, Stacey	Hourly wage	\$10.00
Maynard, Frank	Yearly wage	\$38,388.86
McClung, Bruce	Hourly wage	\$15.67
McGowan, Michael	Hourly wage	\$10.00
Michael, Lora	Hourly wage	\$14.42
Montgomery, Mike	Hourly wage	\$15.46
Mraz, Jennifer	Hourly wage	\$14.08
Mraz, Richard	Hourly wage	\$17.54
Neisner, Carl	Yearly wage	\$29,694.64
Nettinga, Joan	Hourly wage	\$11.67

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Ortner, Michael P.	Yearly wage	\$10,800.00
Palmer, Consuelo	Hourly wage	\$ 9.00
Palmier, Valarie	Hourly wage	\$ 9.35
Potter, Kristi	Hourly wage	\$10.00
Reaser, Glen	Yearly wage	\$9,600.00
Rhoe, Kelli	Hourly wage	\$11.43
Roberts, Lynette A.	Hourly wage	\$10.00
Sadowsky, Jan	Hourly wage	\$10.00
Seegrist, Brenda	Hourly wage	\$11.88
Seegrist, Loren	Hourly wage	\$15.87
Seegrist, Patricia	Hourly wage	\$14.94
Seiler, Randy	Yearly wage	\$45,937.09
Simunek, Jan	Hourly wage	\$14.86
Smart, Jennifer	Hourly wage	\$12.18
Sotherland, Becky	Hourly wage	\$10.00
Spitzer, Kristi	Hourly wage	\$13.77
Steele, J.R.	Yearly wage	\$27,708.00
Steinmetz, Nina	Yearly wage	\$30,000.00
Strehlow, Richard	Hourly wage	\$ 9.50
Strehlow, Roberta	Hourly wage	\$14.15
Stewart, Beth	Hourly wage	\$ 10.00
Sword, Jim	Yearly wage	\$38,110.00
Tarrell, Jeffrey	Yearly wage	\$45,409.79
Thurlow, Donald	Hourly wage	\$15.68
Timmins, Andreas	Hourly wage	\$12.38
Timmins, Kathleen	Hourly wage	\$11.86
Willis, Michael	Hourly wage	\$13.76

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

FALL RIVER COUNTY RESOLUTION #2010-04.

WHEREAS, SDCL 7-16-3 authorizes the States Attorney to appoint one Deputy States Attorney and authorizes the county commissioners to authorize one or more additional deputy state's attorneys; and

IT IS HEREBY resolved by the Fall River County Commissioners that the Commission hereby authorizes \$30,000.00 to the States Attorneys Office to contract for Deputy States Attorney services.

Dated this 5th 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

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Motion by Falkenburg, seconded by Reaser to set Weed Board per diem at \$15.00 and mileage at \$.37 per mile. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to set Extension Board per diem at \$15.00 and mileage at \$.37 per mile. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to not rehire any employee, for a period of one year, if that employee has resigned and withdrawn their Retirement Funds. No further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to set Private Road Work Hearing for January 19th, 2010, at 10:10 a.m. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Reaser to authorize a Weed Board member to drive the County vehicle while traveling to the Annual Weed meetings. With no further discussion and all voting yes, the motion carried.

Jeff Tarrell, Sheriff, met with the Board to discuss the patrol vehicle purchase. The Chevy Traverse off of State Bid would possibly work other than the issue with the console, and room for the radio system. Tarrell presented information on a Ford F150 and a Tahoe. His order information does not include a spotlight. The Tahoe would work best for the Sheriff's needs.

Motion by Falkenburg, seconded by Ortner to authorize the purchase of a Chevy Tahoe. Falkenburg and Ortner voted Aye; Allen, Cassens and Reaser voted nay. Motion failed.

Reaser asked about the patrol car purchase the City of Hot Springs is inquiring about down south, which has a 3 year warranty. Tarrell spoke on advantages and disadvantages.

Motion by Reaser, seconded by Falkenburg to approve Chevy Tahoe. Voting Aye, Falkenburg, Ortner and Reaser; Voting No, Cassens and Allen. Motion carried.

The hill behind the jail was discussed and Falkenburg asked if a new floor can be added to existing jail and ensure the stabilization of the wall. The Sheriff and Board agreed this whole issue should be addressed with the jail project. The Sheriff policy was discussed and Tarrell is working with Ortner on it.

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Motion by Cassens, seconded by Falkenburg to approve Policy Manual for Law Enforcement, with typos to be corrected. With no further discussion and all voting yes, the motion carried.

Ortner spoke on the Statements of Interest they received and that Tarrell has also spoke to Chris Barker, and Engineer, who would like to be working with the hired Architect. Interviews of the firms will be held on January 13th, 2010 and Cassens will also be present. The results of these interviews will be brought back to the Board for hire approval.

Tarrell spoke that regardless of action on jail, the bank behind the jails needs to be addressed.

Jail population 12-2 in Yankton, 1 female. Other updates given.

Randy Seiler, Highway Superintendent, met to present fuel quotes on 300 gallons unleaded gasoline.

300 GALLONS UNLEADED GASOLINE

Nelson's Oil and Gas, Inc.-----Bid-----\$2.33 per gallon

Hi-D-Way Oil-----Bid-----\$2.529 per gallon

Motion by Falkenburg, seconded by Reaser to approve fuel quote of Nelson's Oil and Gas, Inc for 300 gallons unleaded gasoline at \$2.33 per gallon. With no further discussion and all voting yes, the motion carried.

Seiler spoke on Work Order \$19,131.72 for the engineer cost on the overlay project number P6291(05) PCN:02D8.

Motion by Reaser, seconded by Falkenburg to approve Work Order for Engineering by Brosz Engineering Inc. for Project number P6291(05)PCN:02D8, for the overlay project on Oral Road. With no further discussion and all voting yes, the motion carried.

Seiler also presented the 2009 Project Journal for the total cost per road. Falkenburg questioned the gravel crush project, which should be done this week. Preparedness for the upcoming storm was discussed.

Frank Maynard, Emergency Management met with the Board. A copy of an email, which addressed the issue of Fall River and Custer County snow removal in Shannon County in December after the Christmas 2009 blizzard, was given to the Commissioners. All Fall River and Custer assistance will be paid for by the South Dakota Office of Emergency Management. Maynard updated the Board on the 8 hookups to the network printer in the Sheriff Department and requested the additional cell phone for his assistant Andy Timmins. If there is a cell phone no voice mail needed.

Motion by Falkenburg, seconded by Allen to approve purchase of additional cell phone for assistant Andy Timmins. With no further discussion and all voting yes, the motion carried.

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Cassens questioned call forwarding and Maynard will check out. The SLA Activity Report was reviewed.

Motion by Ortner, seconded by Allen to approve the first quarter State and Local Government Agreement. With no further discussion and all voting yes, the motion carried.

Additional cameras or electric signage will be purchased with remaining 2009 Department of Justice Grant monies.

Public Comment was held—Mr. Palmer stated appreciation to the Board for the information he has gained while attending recent Commission meetings.

Break was taken.

Keith Andersen, Andersen Engineering and Kerry Barker, Barker Construction, met with the Board to give an update on the Provo Township Water Rehabilitation Project. Also present was Don Jacobs, and Lyle Rothleutner, Provo Township and Sheriff Tarrell. Approval for the boring under the railroad is still being waited on, but at this time all meters have been installed.

Ortner would like to contact Mr. Sweeney at Burlington Northern Railroad to determine the delay.

Andersen spoke of an issue with Black Hills Power & Light, and a leak in the cistern. The cistern currently has about 8' (160,000 gallons in it), with the leak about the size of a garden hose into a 5 gallons bucket.

Barker spoke of delay in being paid when he submits his billing.

Discussion was held on the Provo Township Area Water System, and the need to appoint two members to that Board.

Motion by Falkenburg, seconded by Allen to appoint Falkenburg and Cassens to serve as the 2 County selected Board of Directors. With no further discussion and all voting yes, the motion carried.

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

GENERAL

A&B Business Equipment	Copier	\$155.16
Black Hills Powersports	Repair	142.86
Bingham, James L	MI	2,565.00
Burgan, Lance	Prison Transport	80.00
CBM Food Service	Prison Brd	4,046.84
City/Co Alcohol & Drug	Detox	525.00
Dacotah Bank	Copier	119.35
Dakota Leasing Company	Copier	186.10
Environ Services	Air Quality Testing	479.45
Falkenburg, Joe	Travel	153.92

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Inventory Trading Company	Uniform	723.00
Knepel, Matt	Guard	201.50
Nelsons Oil & Gas Inc.	Supply	559.90
Norton, Tina	INM	525.00
O'Neill, Justin	MI	1,547.75
Ortner, Michael P.	Travel	420.94
Pamida Inc	Misc	572.16
Penn Co Jail	Pris Trans	756.00
Penn County Sheriff	INM	31.88
Radioshack	Misc	84.20
Rapid City Journal (The)	Publishing	742.29
Reaser, Glen	Travel	97.55
Rushmore Communications	Misc	110.00
SD Department of Revenue	Misc	665.00
Seegrist, Pat	Ins Reimbursement	500.00
Servall	Supply	75.87
Stephens Matthew T	MI	1,000.00
Wells Fargo	Copier	140.42
Cassens, Anne	Travel	293.04
Logue, Joe	Travel	129.50
 <u>24/7 SOBRIETY FUND</u>		
Pamida Inc.	Misc	63.98

Motion by Falkenburg, seconded by Reaser to adjourn, time being 11:17 a.m. With no further discussion and all voting yes, the motion carried.

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

ATTEST:

**Sue Ganje, County Auditor
Fall River County**