

FALL RIVER COUNTY MINUTES OF MAY 4, 2010.

The Fall River Board of County Commissioners met in regular session on May 4th, 2010. Present Michael Ortner, Anne Cassens, Joe Falkenburg and Sue Ganje, County Auditor. Absent Glen Reaser and Joe Allen.

The Pledge of Allegiance was given at 8:04 a.m.

The agenda was review for conflicts, none were found.

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

Motion by Falkenburg, seconded by Cassens, to approve the minutes of April 14th, 2010. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the minutes of April 20th, 2010. With no further discussion and all voting yes, the motion carried.

A time has been set to discuss the 2011 PILT money distribution on the 6/1/10 agenda at 11:10 a.m.

Motion by Falkenburg, seconded by Cassens, to approve Joan Nettinga transferring from States Attorney to Auditor's Office effective April 29th, 2010. With no further discussion and all voting yes, the motion carried.

Confirmation was noted that Mike Verchio, District 30 State Representative, will be at our May 18th, 2010 meeting at 2:00 p.m., along with a representative from the South Dakota Department of Revenue, to discuss the new formula used for the valuation of agricultural land. This meeting will be held in the Courtroom.

A letter from Eric Shinseki, Veteran's Administration Secretary, was reviewed. The letter was sent to US Senator Tim Johnson in response to Johnson's inquiry to the future of VA services in Hot Springs and Fort Meade. Shinseki states that no decisions have been made and prior to a decision, town hall meetings will be held to hear from local Veterans.

A Resolution setting fees and fines for violation of the Animal Ordinance was reviewed. After discussion, the Resolution was sent back to the States Attorney for changes and will be brought back to the next meeting.

Reaser present, time being 8:30 and Allen present, time being 8:37.

Tom Davis was scheduled to speak about the Cold Brook Channel. Davis was not present but discussion was held on the drawdown and loss of spawning beds. The Corps of Engineers will be contacted and a drawdown in the fall will be recommended to help reduce the amount of drawdown needed in the spring.

Joe Allen spoke on the need for building permits to assist the County in locating new construction, particularly for the Director of Equalization's office and, as importantly, Emergency Services, Fire, and Ambulance. Allen asked if the Board would like this pursued. Board members agreed that this could be brought to the next meeting with more information and if fees are required, they would be minimal. Falkenburg spoke to keep things simple.

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Randy Seiler, Highway Superintendent, met with the Board. Seiler spoke of a complaint he received concerning the County Highway using equipment on the left hand side of the road, and presented the South Dakota Statute which authorizes this, when needed. The person making the complaint may appear at the next meeting.

Fuel quotes were presented for 500 gallons #2 Red Diesel.

Nelson's Oil and Gas-----Bid-----\$2.65 per gallon to Edgemont
Hi-D-Way Oil and Gas-----Bid-----\$2.689 per gallon

Motion by Falkenburg, seconded by Reaser to accept Nelson's bid of \$2.65 per gallon as low bid for 500 gallons of #2 Red Diesel. With no further discussion and all voting yes, the motion carried.

Transfers for fuel was presented.

Motion by Reaser, seconded by Falkenburg to approve fuel transfers to reimburse the Highway Department for the period of 3/1/10 through 4/2/2010 from: Emergency Management, fuel, in the amount of \$117.50; Director of Equalization, fuel, in the amount of \$37.00; Building Maintenance, fuel, in the amount of \$164.86; Sheriff's Department, fuel, in the amount of \$3,249.09; and Weed Board, fuel, in the amount of \$212.71. With no further discussion and all voting yes, the motion carried.

An Approach Permit application was presented for approval.

Motion by Falkenburg, seconded by Reaser to approve a permit for Jerry Anderson to construct an approach road connection to the South side of Maitland Road, County Road #6 approximately 1 ¼ miles from 385. This will be constructed between 4/30/2010 and 5/30/2010. With no further discussion and all voting yes, the motion carried.

Seiler received confirmation that new billboard signs are still being allowed, as long as they meet state requirements, the County application is filled out, and it is approved by the Board of Commissioners.

Seiler spoke of a problem with the bridge by the feedlot and the repair that needs to be done prior to opening the Angostura Irrigation Canal. Approximate cost to fix this is \$50,000.00. The use of box culverts was discussed. Seiler will check on State assistance for emergency projects.

Motion by Reaser, seconded by Falkenburg to declare an emergency and authorize Seiler to proceed immediately to get quotes for box culverts, and inform Commissioners of cost to proceed with immediate repair. Two (2) quotes will be asked for, if possible. This repair needs to be done prior to the opening of the Angostura Irrigation Canal. With no further discussion and roll call vote: Reaser – aye; Ortner – aye; Cassens – aye; Falkenburg – aye and Allen – aye. Motion carried.

The road tour was discussed, which will start today at 11:00 a.m.

The Auditor presented an update on the usage of the County website. There is a short questionnaire on the website asking for other items people would like to see at www.fallrivercounty.org.

Public Comment was held at 9:30 a.m.

Allen reported on his inquiry of storage area at the State Home. The basement of one of the buildings has 4-5 offices, large meeting room and storage, and would cost approximately \$3,000 per month. Allen will again visit the cost issue. Allen also requested

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a short meeting with the Board members to discuss the goals for next year's budget and taxes, prior to beginning the budget process.

Susan Henderson spoke on the recent alcohol sting and the lack of prosecution, along with questions and concerns about the Deputy States Attorney. Henderson objected to the use of Farrell, Farrell and Ginsbach firm as Deputy States Attorney. Henderson also feels there may be a possible conflict with the Sheriff candidates and the States Attorney, and requested a hearing on this matter. Discussion was held and Ortner stated a hearing will not be held, and the Board agreed that the States Attorney is answerable to the voters. Henderson spoke of the Hatch Act in relation to the Sheriff candidates.

Falkenburg asked about a recap of taxes per payer to be sent with taxes. The Auditor and Treasurer will work on this with the programmer.

A short break was taken.

Jim Sword, States Attorney, met briefly while Falkenburg spoke of problems the Provo Water Township Board (which Falkenburg and Cassens sit on) has incurred. Sword spoke of his research of the Township and that this issue needs to be on a future agenda.

The Auditor presented the 2009 Year End Annual report information, and reported that the General fund transfer to the LEPC fund was \$1,207.17. A report was given showing the increase of revenues due to Court Appointed Attorney and County Assistance lien notices are now being mailed out.

Frank Maynard, Director, and Andy Timmins, Assistant, Emergency Management, met with the Board to advise on the number of people attending Homeland Security Conference in Sioux Falls in June, and presented the fire agreement for approval.

Motion by Reaser, seconded by Falkenburg to approve entering into an agreement with the S.D. Department of Agriculture for the South Dakota County Rangeland Fire Protection Agreement, and further authorize the Chairman to sign. With no further discussion and all voting yes, the motion carried.

Timmins presented a quote for a 3-year subscription for antivirus protection and switch to expand the number of ports in the amount of \$1,257. Cassens questioned use of Golden West vs. Microsoft Essentials and asked for a comparison. This will be brought back to the Board.

A quote was presented in the amount of \$1,500.00 for a baseline Technology Assessment for a Domain Controller. Discussion was held on the results that will help determine weak spots in the network.

Timmins presented software proposals quotes for the CAD (Computer Aided Dispatch) which is included in quotes for a software package for Sheriff and Jail records management. A quote from Justice was in the amount of \$78,250, upfront cost, and a quote from Zuercher Tech was in the amount of \$72,898, upfront cost. This will be reviewed by the Commissioners and be brought back to the Board.

Donald Spencer spoke briefly on the poor condition of roads in his area. The Board needs to inspect the Burlington Dam road, Red Canyon road and the Elbow road. Spencer will be notified when the Commissioners tour the west end of the county.

Kevin Eberle, representing the Edgemont Chamber of Commerce, met to request approval for a one day malt beverage license.

Motion by Falkenburg, seconded by Allen to approve a 1 day temporary Malt Beverage license for the Edgemont Chamber of Commerce, at a cost of \$10.00, for the Redneck Rally near Edgemont. With no further discussion and all voting yes, the motion carried.

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Justin O'Neill, Attorney, and Jeff Simmons met to present a Petition for Easement for Life of Structures.

Motion by Falkenburg, seconded by Reaser to grant an Easement for Life Structure for Jeff and Marsha Timmins on Lots One (1) and Two (2) of Simunek Tract, located in the West half of the Southwest Quarter (W1/2SW1/4), Section Twenty-nine (29), Township Seven South (T7S), Range Six East (R6E) of the Black Hills Meridian (BHM), Fall River County, South Dakota. With no further discussion and all voting yes, the motion carried.

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

GENERAL

COMMISSIONERS SALARIES	APRIL SALARIES	\$ 4,100.00
AUDITOR'S OFFICE SALARIES	APRIL SALARIES	\$ 10,590.70
INCLUDING OVERTIME FOR		
PATRICIA SEEGRIST	OVERTIME	\$ 11.21
ELECTION SALARY	APRIL SALARY	\$ 1,090.35
TREASURER'S OFFICE SALARIES	APRIL SALARIES	\$ 9,522.66
INCLUDING OVERTIME FOR		
BRENDA SEEGRIST	OVERTIME	\$ 4.46
BOBBIE STREHLOW	OVERTIME	\$ 15.92
KELLI RHOE	OVERTIME	\$ 4.29
STATES ATTORNEY'S OFFICE SAL.	APRIL SALARIES	\$ 7,392.68
INCLUDING OVERTIME FOR		
LINDA KLUENDER	OVERTIME	\$ 55.23
JOAN NETTINGA	OVERTIME	\$ 105.03
MAINTENANCE OFFICE SALARIES	APRIL SALARIES	\$ 4,253.17
INCLUDING OVERTIME FOR		
VALERIE PALMIER	OVERTIME	\$ 3.51
JOSE MENDEZ	OVERTIME	\$ 101.25
DIR. OF EQUAL. OFFICE SALARIES	APRIL SALARIES	\$ 6,006.36
REG. OF DEEDS OFFICE SALARIES	APRIL SALARIES	\$ 5,601.93
VETS SERVICE OFFICE SALARY	APRIL SALARY	\$ 2,309.07
NURSE OFFICE SALARY	APRIL SALARY	\$ 2,420.08
SHERIFF OFFICE SALARIES	APRIL SALARIES	\$ 23,373.38
INCLUDING OVERTIME FOR		
BOB BENINATI	OVERTIME	\$ 267.71
MARTHA JARMAN	OVERTIME	\$ 31.39
BRANDON LOCKHART	OVERTIME	\$ 161.70
JASON MARCH	OVERTIME	\$ 654.61
RICH MRAZ	OVERTIME	\$ 295.99
JAIL SALARIES	APRIL SALARIES	\$ 10,668.19
INCLUDING OVERTIME FOR		
WALLACE CAMPBELL	OVERTIME	\$ 165.12
BRADLEY HANSEN	OVERTIME	\$ 86.62
MICHAEL WILLIS	OVERTIME	\$ 10.40
KRISTY POTTER	OVERTIME	\$ 60.60
MICHAEL MCGOWAN	OVERTIME	\$ 262.50
DISPATCH SALARIES	APRIL SALARIES	\$ 9,803.38
INCLUDING OVERTIME FOR		
JENNIFER MRAZ	OVERTIME	\$ 84.48
BECKI SOTHERLAND	OVERTIME	\$ 60.60
CHARLES GINTER	OVERTIME	\$ 60.00
CORONER FEES	APRIL FEES	\$ 5.00
COUNTY EXTENSION SALARIES	APRIL SALARIES	\$ 2,324.97
WEED SALARIES	APRIL SALARIES	\$ 4,342.75
FIDELITY SEC. LIFE INS CO.	MAY EYE CARE	\$ 227.97
AMERICAN FAMILY ASSURANCE	MAY INSURANCE	\$ 698.28
BLUE CROSS/BLUE SHIELD	MAY HEALTH INSURANCE	\$ 22,713.74
CREDIT COLLECTION BUREAU	COLLECTION	\$ 60.00

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DELTA DENTAL PLAN OF SD	MAY DENTAL INSURANCE	\$	1,721.80
SUPPORT PAY. CLEARINGHOUSE	CHILD SUPPORT	\$	286.25
EXPRESS COLLECTIONS, INC.	COLLECTION	\$	50.00
FAMILY SUPPORT PAYT. CENTER	COLLECTION	\$	100.00
FARRELL, FARRELL & GINSBACH	APR/DEP.ST. ATY/CONTRACT	\$	2,500.00
LIUNA LABORERS LOCAL 620	MAY DUES	\$	375.00
US DEPT OF EDUCATION	COLLECTION	\$	137.78
NATIONWIDE RETIREMENT SOL.	APRIL SUPL. RETIREMENT	\$	147.08
NEW YORK LIFE INSURANCE	MAY INSURANCE	\$	25.00
SD RETIREMENT SYSTEM	APRIL RETIREMENT	\$	12,118.26
UNITED STATES POSTAL SERV.	POSTAGE	\$	886.24
WELLS FARGO BANK	APR/W/H/SS/MDCR TAX	\$	25,199.37
WYOMING CHILD SUPPORT	CHILD SUPPORT	\$	550.00
A&B BUSINESS EQUIPMENT	CNIN161308;CONTRACT	\$	139.33
AL'S SIGNS	12-4-09;#2309;DOE DO	\$	245.92
BLACK HILLS AMMUNITION	4-19;#185147	\$	335.00
BH FAMILY HEALTH CLINIC	PRISON MED	\$	360.00
BLACK HILLS POWER	BHP84391 STORAGE	\$	233.72
BROWN & SAENGER	SUPPLY	\$	83.51
CBM FOOD SERVICE	4-14;STDINV27658	\$	698.40
CENTURY BUSINESS LEASING	4-10;#S3559	\$	263.30
CLINICAL LAB	Autopsy	\$	1,944.00
CROP PRODUCTION SERVICES	4-23;#201742	\$	352.80
D&J PETROLEUM	4-27;#32654;1000 GAL	\$	1,590.00
DACOTAH BANK	#60;#5284222	\$	119.35
DAKOTA COUNTY	Copies	\$	3.50
DAKOTA LEASING COMPANY	#08082197	\$	186.10
DAKOTA SUPPLY GROUP	4-15;#6439151;FILTER	\$	478.80
EXECUTIVE MGMT FINANCE	MARCH BIT	\$	15.00
FALKENBURG, JOE	TRAVEL	\$	167.98
FALL RIVER HOSPITAL	Prison Med	\$	232.06
FALL RIVER LAWN & SNOW	3-10;#SNL0008;PLOW S	\$	240.00
FED EX	4-14;#7-055-19676	\$	10.57
FLINT ELECTRIC	4-23;#3294;ROOFTOP A	\$	2,378.93
GALLS	4-22;#510560261;2010	\$	594.99
GLASS PRO +	4-1;#2414;2010 TAHOE	\$	579.98
GRAINGER	4-7;#9223280844;FILT	\$	159.76
HAGEN GLASS, WINDOWS	REPAIR	\$	331.43
HEARTLAND PAPER CO	4-22;K821137-1;DUSTE	\$	415.36

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HILLYARD FLOOR CARE SUP	4-16;#6280468;BLEACH	\$	357.43
HOT SPRINGS ACE HARDWAR	90887;90701;90603;91	\$	439.07
HOT SPRINGS AUTOMOTIVE	31-11000	\$	114.48
CITY OF HOT SPRINGS	4-16;#10-001806	\$	40.30
JERRY'S AUTO	4-27;'09 F250;OIL,ET	\$	40.50
KREISERS INC	4-15;#618262	\$	144.06
LONE STAR HEATING & AIR	4-19;#134594;WELD ST	\$	1,062.79
LLOYD'S INCORPORATED	4-22;CLEAN DUCTS @ J	\$	4,180.00
LYLE'S HANDYMAN	4-20;#1002;4 PADLOCK	\$	97.92
LYNN'S DAK. MART PHARMACY	PRISON MED	\$	6.00
MCLEODS OFFICE SUPPLY CO.	4-28;#12520	\$	52.64
MEADOWS, OWEN	4-1;#52;2010 TAHOE	\$	1,702.27
MORAN, LYNN A.	CAA	\$	545.50
NETTINGA, JOAN	4-14;DOOR SIGN	\$	261.14
NEVE'S UNIFORM INC	Uniform	\$	11.97
NORTONS SINCLAIR	4-20;#33400	\$	20.00
NORTON, TINA	Blood draw	\$	385.00
PAMIDA INC.	MISC	\$	5,262.16
PENN CO STS ATTN OFFICE	MI	\$	200.00
POWELL, DEBRA J	Blood draw	\$	35.00
QUILL CORPORATION	4-27;#5110332;PAPER,	\$	924.41
RADIOSHACK	4-21;#10035413;ROUTE	\$	139.95
RAPID CITY JOURNAL (THE)	4-20;#188;4-6 MINS	\$	441.84
RAPID CITY MEDICAL CENTER	Detox	\$	140.00
RAPID CITY REGIONAL	MI	\$	140.15
REGIONAL HEALTH	AUTOPIES	\$	700.00
RAYMOND, CALLIE	Blood draw	\$	70.00
REASER, GLEN	TRAVEL	\$	105.45
SD DEPARTMENT OF REVENUE	Blood analysis	\$	420.00
SERVALL	4-20;#1461154	\$	83.00
SKINNER, MATTHEW L. PC	CAA	\$	331.10
SMILEMAKERS	4-12;#4443828	\$	21.77
STEPHENS MATTHEW T	CAA	\$	350.00
211 HELPLINE	2010 ALLOTMENT	\$	1,000.00
PRO BUILD	4-20;#290794	\$	118.00
US BANK	5-10;#148952716	\$	278.11
VERIZON WIRELESS	Cell phone	\$	515.23

COUNTY ROAD AND BRIDGE

CRBR ADMIN. SALARIES	APRIL SALARIES	\$	6,525.18
INCLUDING OVERTIME FOR		\$	22.29
JAN SIMUNEK	OVERTIME		\$28,
			607.40
CRBR CONSTRUCTION	APRIL SALARIES		607.40
FIDELITY SEC. LIFE INS. CO.	MAY EYE CARE	\$	44.79
AMERICAN FAMILY ASSURANCE	MAY INSURANCE	\$	632.68
BLUE CROSS/BLUE SHIELD	MAY HEALTH INSURANCE	\$	7,172.76
DELTA DENTAL PLAN OF SD	MAY DENTAL INS.	\$	395.40
BH ELECTRIC COOP INC.	UTILITIES	\$	17.47

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LIUNA LABORERS LOCAL	MAY DUES	\$	375.00
BUTLER MACHINERY	6W00091408;6PS028818	\$	1,025.67
CHEYENNE SANITATION	4003	\$	76.32
NATIONWIDE RETIREMENT SOL.	APRIL SUPL. RETIREMENT	\$	155.87
NEW YORK LIFE INS.	MAY INSURANCE	\$	32.24
SD RETIREMENT SYSTEM	APRIL RETIREMENT	\$	4,215.94
EDDIES TRUCK SALES	1200950072;1040006;3	\$	1,185.52
SD SUPPLEMENT RETIREMENT	APRIL SUPL. RETIREMENT	\$	80.00
WELLS FARGO BANK	APR/W/H/SS/MDCR TAX	\$	8,600.72
FALL RIVER AUTO SUPPLY	7675-19940;52;51;200	\$	164.67
ADVANCED DRUG TESTING	MULTI	\$	52.00
ADAMS MACHINING	REPAIR	\$	696.73
FALL RIVER HOSPITAL	FRO1000892;FRO100900	\$	58.00
FALL RIVER CTY TREASURER	DIR EQU	\$	15.00
GODFREY BRAKE SVC	200950072;201040036	\$	281.39
GRIMM'S PUMP SVC INC	21279	\$	8.06
HILLS MATERIALS CO.	132032	\$	801.80
HOT SPRINGS ACE HARDWARE	090716;090756	\$	20.92
HOT SPRINGS AUTOMOTIVE	31-027047;573;898;92	\$	624.98
BLACK HILLS ELECTRIC COOP	UTILITIES	\$	17.47
CITY OF HOT SPRINGS	1489	\$	6.21
OFFICE SOLUTIONS	81961128	\$	75.00
INLAND TRUCK PARTS CO.	14-95154	\$	21.31
KIMBALL MIDWEST	1470636	\$	204.34
MG OIL	IN-081150	\$	1,012.67
NELSONS OIL & GAS INC.	504890	\$	24,233.84
NORTHWEST PETERBILT	J201020029	\$	159.81
NORTONS SINCLAIR	33349	\$	10.42
RAPID DELIVERY	143791;752;141164;14	\$	74.80
SAFETY KLEEN	921797853	\$	106.00
SEILER, RANDY	VCHR APR	\$	190.30
SHEEHAN EQUIPMENT, INC.	C01519	\$	67.94
TWILIGHT FIRST AID &	202778	\$	31.55
VERIZON WIRELESS	2390728080	\$	38.56

EMERGENCY MANAGEMENT

EM SALARIES	APRIL SALARIES	\$	4,972.51
INCLUDING OVERTIME	OVERTIME	\$	120.71
FOR ANDY TIMMINS		\$	\$
BLUE CROSS/BLUE SHIELD	MAY HEALTH INS	298.86	
		\$	
DELTA DENTAL PLAN SD	MAY DENTAL PLAN	16.48	
		\$	
SD RETIREMENT SYSTEM	APRIL RETIREMENT	596.70	
UNITED STATES POSTAL	POSTAGE	\$	5.95
			\$1,288.9
WELLS FARGO BANK	APR/W/H/SS/MDCR TAX	1	
		\$	
RIVER LODGE	3-3/4;TIMMINS,A;HSEE	69.00	
QUILL CORPORATION	4-27;#5110332;RULED	\$	10.52
SECURE SD PARTNERSHIP	REGISTRATION;MAYNARD	\$	750.00
TIMMINS, ANDREAS	TRAVEL	\$	58.31

VERIZON WIRELESS	EM	\$	120.40
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COURTHOUSE BUILDING FUND

JIM'S SERVICE	GAS PIPING	\$	455.73
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911 SURCHARGE REIMBURSEMENT

911 SALARIES	APRIL SALARIES	\$	2,915.07
BLUE CROSS/BLUE SHIELD	MAY HEALTH INSURANCE	\$	896.60
DELTA DENTAL PLAN OF SD	MAY DENTAL INSURANCE	\$	49.42
SD RETIREMENT SYSTEM	APRIL RETIREMENT	\$	349.82
WELLS FARGO BANK	APR/W/H/SS/MDCR TAX	\$	668.42

Motion by Reaser, seconded by Cassens to recess as Board of Commissioners and enter session as Board of Equalization. With no further discussion and all voting yes, the motion carried.

Terri Halls, Director of Equalization, met to present appeal #2010-29 for Charles Anderson objecting to value increase on Sand Creek Reserve Subdivision: Lot 2, Section 6, Township 9, Range 8.

No action on Appeal #2010-29.

Motion by Falkenburg, seconded by Cassens to adjourn as Equalization Board and enter session as the Board of County Commissioners. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen to appoint Bill Curran as the County Representative to attend the Black Hills Multiple Use Coalition meetings and to be reimbursed for mileage at the County rate. With no further discussion and all voting yes, the motion carried.

Jeff Tarrell, Sheriff, spoke briefly on the current jail population, which is 8 to 10 and explained present costs on a certain prisoner.

Motion by Reaser, seconded by Falkenburg to go into executive session for personnel, time being 10:48 a.m. With no further discussion and all voting yes, the motion carried.

Came out at 11:00 a.m.

Motion by Falkenburg, seconded by Reaser to recess to go on County Road tour. With no further discussion and all voting yes, the motion carried.

Board came back from tour and adjourned at 4:10 p.m.

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

ATTEST:

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