

## **FALL RIVER COUNTY MINUTES OF JANUARY 16, 2014**

The Fall River Board of County Commissioners met in regular session on January 16, 2014. Present: Michael Ortner, Joe Allen, Anne Cassens, Joe Falkenburg, Deb Russell, and Sue Ganje, Auditor. Absent: none.

An invocation and the Pledge of Allegiance were given; the meeting called to order at 9:00 AM.

The agenda was reviewed for conflicts; none were noted. Motion by Falkenburg, seconded by Russell, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the minutes of the December 31, 2013 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve the minutes of the January 2, 2014 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve, as per Union contract, an increase for Joe Mendez to \$11.08 per hour, effective December 21, 2013. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to surplus as junk a calculator, asset #1715 and a monitor, asset #1782, both from the Treasurer's office, an IBM 5224 printer, asset #1018 from the Auditor's office and an IBM 4224 printer, asset # 603 from the Equalization office. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve the following resolution setting the fees for election boards. With no further discussion and all voting yes, the motion carried.

### **FALL RIVER COUNTY RESOLUTION #2014-03**

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 FLAT FEE FOR ATTENDANCE OF ELECTION SCHOOL AT \$15.00; and

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

ALL ELECTION BOARDS WILL RECEIVE A FLAT FEE OF \$105.00; RESOLUTION AND ABSENTEE BOARDS WILL BE SET AT \$7.25 PER HOUR, and

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

BE IT FURTHER RESOLVED, that the Fall River County Commissioners set the mileage rate at \$.37 per mile for the transporting of ballots and ballot boxes by the precinct superintendent.

Dated this 16<sup>th</sup> day of January, 2014.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman  
Fall River County Commission

ATTEST:

/s/ Sue Ganje

Sue Ganje, Auditor  
Fall River County

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

**AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER**

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF FALL RIVER COUNTY:

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 31<sup>st</sup> day of December, 2013.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>1,113.72</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>896,996.32</u>
Total Amount of Cash:	\$ <u>794.80</u>
Total Amount of Treasurer's Change Fund:	\$ <u>900.00</u>
Total Amount of Checks in Treasurer's Possession, Not Exceeding Three Days:	\$ <u>143,008.95</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>8,367.62</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,470,000.00</u>
Black Hills FCU:	\$ <u>250,000.00</u>

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:

McMillin, Robert, \$272.95

**TOTAL: \$4,771,989.36**

Dated this 31<sup>st</sup> day of December, 2013.

/s/Sue Ganje

Sue Ganje, Auditor, Fall River County

The above balance reflects county monies, monies held in trust and monies collected for and to be remitted to other ENTITIES: SCHOOLS, TOWNS, TOWNSHIPS, FIRE AND AMBULANCE DISTRICTS AND STATE.

Motion by Cassens, seconded by Allen, to impose the Collective Bargaining Agreement effective Dec. 21, 2013 through Dec. 20, 2016, with Article III, Section 5 as proposed by the Fall River Commission. With no further discussion and all voting yes, the motion carried.

The Board reviewed a contract with the Pennington County Jail for housing inmates. The matter will be scheduled for additional discussion at the next meeting.

Motion by Cassens, seconded by Allen, to approve a policy prohibiting any political campaigning within 100' of the courthouse or any other location established for early absentee

voting for the time period that early voting is being conducted, for any election administered by the Auditor's office. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve an agreement between Fall River County, the City of Hot Springs, Hot Springs School District 23-2, the Oelrichs School District 23-3 and the Town of Oelrichs to combine elections for the June 3, 2014 Primary. With no further discussion and all voting yes, the motion carried.

The Board discussed combining the Oelrichs and Smithwick voting precincts; Ganje was given approval to proceed with the combination.

Motion by Falkenburg, seconded by Russell, to enter into Executive Session for personnel and legal matters, per SDCL 1-25-2(1) and 1-25-2(3). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 9:13 AM.

The Board came out of Executive Session at 9:42 AM.

Frank Maynard, Emergency Management, presented a quote for removal of a tree on county property. Motion by Falkenburg, seconded by Russell, to approve \$200.00 for One Call Does It All to remove a tree from county property. With no further discussion and all voting yes, the motion carried.

Maynard discussed a vehicle listed at Surplus Property that could be used for inmate transport, noting that after discussion with Commissioner Ortner the purchase agreement was signed and faxed to SD Federal Surplus. Maynard also updated the Board on the PDM grant application for a courthouse generator.

Nina Steinmetz, Weed Supervisor, sought travel approval. Motion by Falkenburg, seconded by Allen, to approve travel for Steinmetz and Weed Board member Jerry Wyatt to attend the State weed and pest conference in Aberdeen on Feb. 18-21, 2014 at an estimated cost of \$952.00. With no further discussion and all voting yes, the motion carried.

Lyle Jensen, Building Maintenance Supervisor, presented boiler control quotes. Motion by Allen, seconded by Falkenburg, to approve purchase of a temperature-based remote starter for the boiler at a cost of \$911.95. With no further discussion and all voting yes, the motion carried.

Sheriff Rich Mraz asked for approval to purchase a vehicle. Motion by Falkenburg, seconded by Russell, to approve \$25,749.00 for purchase of a 2014 Dodge Charger off state bid. With no further discussion and all voting yes, the motion carried.

Mraz asked for hire approval. Motion by Cassens, seconded by Falkenburg, to approve hiring part-time dispatchers and jailers as follows: Mike Willis at a rate of \$14.63 per hour; Jen Smart at \$12.45 per hour; and Adam Evans at \$12.00 per hour. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Supervisor, presented an agreement for a striping project. Motion by Allen, seconded by Cassens, to approve an agreement with the state Dept. of Transportation for the completion of a striping project at a cost of \$649.59 to the county. With no further discussion and all voting yes, the motion carried.

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

**General Fund**

A&B Business Equipment	Copier	\$511.82
Audra Malcomb Consulting	MI	\$138.58
Black Hills Chemical	Supply	\$338.80
BH Family Health Clinic	Witness	\$460.00
Black Hills Power	Assistance; Utility	\$5,608.11
Brevik Law Office	MI	\$188.09
Canyon County Record Mgt	Documents	\$10.00
CBM Food Service	Inmate	\$4,406.28
Century Business Leasing	Copier	\$296.42
Cheyenne Sanitation	Garbage	\$280.00
Cody, Denise	MI	\$15.00
Colbath, Angela M	CAAF	\$1,111.50
Culligan Soft Water	Water	\$105.75
Dale's Repair	Car Maint	\$205.20
Edgemont Herald Tribune	Publishing; Sub	\$877.01
Election Systems & Soft	Supply	\$4,902.00
Evans, Robert	Mileage	\$18.50
Executive Mgmt Finance	BIT	\$19.00
Golden West Technologies	Contract	\$930.00
Golden West	Telephone	\$1,546.51
Goldie's Auto & Trailer	Repair	\$97.00
H & R Sprinkler Systems	Snow Removal	\$195.00
Network Services Co	Supply	\$150.72
Hillyard Floor Care Supp	Supply	\$258.93
City Of Hot Springs	Water; Assistance	\$403.45
City Of Hot Springs	Rent	\$75.00
Ricoh Production Print	Maint	\$288.07
Jensen, Lyle	Car Maint	\$10.00
Lewis & Clark Mental	MI	\$480.00
Lewno, Lucy	MI	\$224.55
McLeods Office Supply Co.	Supply	\$250.16
Microfilm Imaging Systems	Lease	\$275.00
Moss, William	Psych Eval	\$1,075.00
NAE4-HA/SDAE4-HP	Registration	\$70.00
Nelsons Oil & Gas Inc.	Propane	\$420.00

Neve's Uniform Inc	Uniform; Supply	\$413.54
Norton's Sinclair	Car Maint	\$20.00
O'Neill, Justin	CAAF	\$2,078.26
Orrock, Ken	Conflict Deputy	\$1,053.00
Peet, Anthony	Payroll	\$1,091.38
Pennington County Auditor	MI	\$42.00
Penn Co Jail	Inmate	\$68.00
Penn County Sheriff	Mi	\$864.00
Rapid City Journal	Publishing	\$108.88
Rapid City Regional	MI	\$2,483.84
SD Assoc. Of County Weed	Dues	\$50.00
SDSU Print Lab	Printing	\$125.34
Sentinel Federal Credit	Documents	\$97.00
Servall	Supply	\$141.99
Shepherd Reporting LLC	MI	\$30.00
Skinner, Matthew L. PC	CAAF	\$965.61
Software Services Inc	Support	\$2,650.00
State Remittance Center	MI; Nurse	\$3,495.55
Stephens Law Office	CAAF	\$2,250.00
Swanda, Karen	MI	\$15.00
Twilight Inc	Supply	\$176.20
US Bank	Lease	\$141.36
United States Postal Serv	Postage	\$1,657.80
United States Postal Serv	Postage	\$2,200.00
Verizon Wireless	Cell Phone	\$3,172.24
Weed & Pest Conference	Registration	\$170.00
Witnesses	Witness Fee	\$281.69
	<b>General Fund Total</b>	<b>\$52,084.13</b>

### Road & Bridge

Black Hills Power	Assistance; Utility	\$748.48
Butler Machinery Co.	Repair	\$1.08
Cheyenne Sanitation	Garbage	\$74.00
Dale's Tire	Supply	\$1,138.64
Edgemont Herald Tribune	Publishing; Sub	\$51.19
Golden West	Telephone	\$255.45
City Of Hot Springs	Water; Assistance	\$21.20
Kimball Midwest	Supply	\$199.84
Nelson's Oil & Gas Inc.	Propane	\$522.50
Radioshack	Supply	\$12.99
Rushmore Communications	Utility	\$225.00
Sonny's Super Foods	Supply	\$2.18
	<b>Road &amp; Bridge Total</b>	<b>\$3,252.55</b>

**911**

Golden West	Telephone	\$62.10
Century Link	Telephone	\$6.90
Century Link	Telephone	\$628.33
Rushmore Communications	Utility	\$6,720.67
	<b>911 Reimbur. Total</b>	<b>\$7,418.00</b>

**Emergency Mgt**

Golden West	Telephone	\$101.84
Norton's Sinclair	Car Maint	\$60.00
Rushmore Communications	Utility	\$220.00
SDEMA	Dues	\$140.00
United States Postal Serv	Postage	\$4.02
Verizon Wireless	Cell Phone	\$174.93
	<b>Emergency Mgmt Total</b>	<b>\$700.79</b>

**L.E.P.C. Grant**

HSR Fueling LLC	Fuel	\$400.37
Pudwill, Norman	LEPC	\$60.00
Bastian, Tracy	LEPC	\$100.00
	<b>L.E.P.C. Grant Total</b>	<b>\$560.37</b>

**24/7 Sobriety Fund**

Intoximeters	Supply	\$1,016.75
	<b>24/7 Sobriety Fund Total</b>	<b>\$1,016.75</b>

**Due To Schools**

First Interstate Bank	Taxes	\$19,028.51
Hot Springs School	Taxes	\$67,034.52
Oelrichs School District	Taxes	\$4,947.92
	<b>Due To Schools Total</b>	<b>\$91,010.95</b>

**Due To Townships**

First Interstate Bank	Taxes	\$943.47
	<b>Due To Townships Total</b>	<b>\$943.47</b>

**Due To Cities & Towns**

Bank Of The West	Taxes	\$24,909.38
First Interstate Bank	Taxes	\$10,705.17
Hot Springs City Td 7	Taxes	\$495.83
Oelrichs, Town Of	Taxes	\$861.66
	<b>Due To Cities &amp; Towns Total</b>	<b>\$36,972.04</b>

**Ambulance Districts**

Bank Of The West	Taxes	\$1,230.63
First Interstate Bank	Taxes	\$133.27
First Interstate Bank	Taxes	\$423.96
	<b>Ambulance Dist Total</b>	<b>\$1,787.86</b>

**Due To Fire Districts**

First Interstate Bank	Taxes	\$1,231.47
First Interstate Bank	Taxes	\$94.44
Minnekahta Fire	Taxes	\$192.61
Oelrichs Rural Fire Dist	Taxes	\$176.78
	<b>Due To Fire Districts Total</b>	<b>\$1,695.30</b>

**Cascade Mtn Rd District**

First Interstate Bank	Taxes	\$120.84
	<b>Cascade Mtn Rd Dist Total</b>	<b>\$120.84</b>

**Country Club Est Rd District**

First Interstate Bank	Taxes	\$52.66
	<b>Country Club Est Rd Dist Total</b>	<b>\$52.66</b>

**M & P Flow Thru**

SD Assn Of Co. Officials	M&P	\$238.00
	<b>M &amp; P Flow Thru Total</b>	<b>\$238.00</b>

	<b>Grand Total</b>	<b>\$197,853.71</b>
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Allen Schaefer, SD Dept. of Legislative Audit, met with the Board for his entrance conference prior to his audit of 2012-13.

The meeting opened for public comment at 10:17 AM. Bill Barlow discussed the proposal to construct a county storage building. Barlow presented a map showing the legal access he has to Battle Mountain Ave, which he acquired when he purchased right of way from the railroad. The Board will consider this when assessing a storage building.

A break was taken at 10:29 AM. The meeting continued at 10:35 AM with Deputy State's Attorney Pat Ginsbach presenting information on Resolution #2013-33, which he is recommending the Board rescind, per the advice of the State Dept. of Revenue, as it does not set the liquor license fee for full-service restaurants following the SDCL guidelines. A revised Resolution will be on the Feb. 6, 2014 meeting agenda for consideration. Motion by Falkenburg, seconded by Allen, to rescind Resolution #2013-33 setting liquor license fees for full-service restaurants. With no further discussion and all voting yes, the motion carried.

Susie Hayes, Director of Equalization, presented her 2014 intentions and informed the

Board that reappraisal assessment notices are being sent out now to allow time for property owners to contact the department if they have questions, prior to the assessment notice mailing in March.

The Board resumed discussion of liquor license fees, asking that confirmation of the most recent sale be obtained and the matter added to the next meeting's agenda.

Motion by Falkenburg, seconded by Russell, to enter in Executive Session for personnel matters, per SDCL 1-25-2(1). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:24 AM.

The Board came out of Executive Session at 11:50 AM. Motion by Cassens, seconded by Falkenburg, to direct Treasurer Lori Bachand to advertise for a full-time deputy. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:51 AM.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor