

## **FALL RIVER COUNTY MINUTES OF OCTOBER 2, 2014**

The Fall River Board of County Commissioners met in regular session on October 2, 2014. Present: Anne Cassens, Joe Falkenburg, Michael Ortner, Deb Russell and Sue Ganje, Auditor. Absent: Joe Allen.

The Pledge of Allegiance was given and 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 Falkenburg, seconded by Cassens, to approve the minutes of the September 18, 2014 meeting. With no further discussion and all voting yes, the motion carried.

An application for assistance was reviewed. Motion by Cassens, seconded by Falkenburg, to approve \$268.93 in assistance for propane for CP #2014-27, with a repayment plan. With no further discussion and all voting yes, the motion carried.

An application for burial assistance was reviewed. Motion by Cassens, seconded by Russell, to approve \$1,300.00 in cremation assistance for CP #2014-28, contingent upon repayment of \$1,200.00 from assets. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve hiring Denise Warford as a part-time clerk in the Treasurer's Office at \$9.50 per hour, per Union contract. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to amend the April, 2014 Auditor's Account with the Treasurer as the payroll taxes had not been deducted from the amount of funds deposited in First Interstate Bank and therefore should have read \$3,310,670.25, with a corresponding grand total of \$7,395,430.66. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve having the Register of Deeds review legal descriptions on plats, prior to plat approval. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Cassens, to enter into 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 9:03 AM.

The Board came out of Executive Session at 9:17 AM and met with Dan Cullen, Veterans Services Officer, who sought leave approval, as he has no accumulated leave. Motion by Cassens, seconded by Russell, to approve up to three days of leave without pay for Cullen. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, presented the SLA for review. Motion by Falkenburg, seconded by Russell, to approve the fourth quarter SLA and authorize the chairman to sign. With no further discussion and all voting yes, the motion carried.

Maynard reported that the Ball Ranch repeater has been moved and resulted in an old milk truck box that is no longer needed. Motion by Cassens, seconded by Falkenburg, to accept offers for the milk truck box and, if none are received, junk it. With no further discussion and all voting yes, the motion carried.

Maynard updated the Board on a Homeland Security grant meeting, the PDM and discussed some equipment needed to deal with power surges in dispatch, which he will research and bring to a future meeting.

Lyle Jensen, Building Superintendent, informed the Board that the Experience Works person is no longer interested in the position.

The Board opened pick-up bids for an Emergency Management vehicle at 9:30 AM as advertised. Bids received were \$34,500 for a 2014 GMC Sierra from Chadron Motors, \$31,835 for a 2014 Chevy 1500 or \$27,999 for a used 2013 Chevy Silverado, both from Rapid Chevrolet. Discussion was held on the bids; Maynard will do some additional research and return to the Board with findings.

Treasurer Kelli Rhoe presented a request for software access at each computer terminal in their office. Motion by Falkenburg, seconded by Cassens, to approve \$63.00 per month for three terminal log-ins to the CARS software. With no further discussion and all voting yes, the motion carried.

Keith Neugebauer, Fall River Water Users District, presented a pipeline easement for approval. Motion by Falkenburg, seconded by Cassens, to approve a pipeline easement to approve a 15' wide pipeline easement for Fall River Water Users District on Fall River County Highway 79 adjacent to the NE ¼ of Section 30, T9S, R6E and the NW ¼ of Section 25, T9S, R6E of the Black Hills Meridian, Fall River County, South Dakota and from the NE ¼ of Section 30, T9S, R6E to the NW ¼ of Section 25, T9S, R6E of the Black Hills Meridian, Fall River County, South Dakota. With no further discussion and all voting yes, the motion carried.

The Board reviewed a request for a delinquent tax agreement from Mary Ann Holloway Crowe, who participated via teleconference. Crowe stated that the tax obligation was overlooked due to confusion stemming from a divorce settlement. Motion by Cassens, seconded by Russell, to deny Crowe's request for a delinquent tax agreement on parcel #72220-00900-00800. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Superintendent, presented fuel transfers for approval. Motion by Falkenburg, seconded by Russell, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of September 1, 2014 through September 30, 2014 in the following amounts: the Sheriff's Office, \$2,415.45; DOE, \$46.00; Emergency Management, \$250.97; Auditor, \$80.31, Weed Board, \$278.49 and \$59.58 for work done. With no further discussion and all voting yes, the motion carried.

An approach permit was reviewed for approval. Motion by Falkenburg, seconded by Cassens, to approve an application for Ernest Peters to construct an approach on the north side of E. South Shore Road (Rd #79C) approximately 2.5 miles from the Junction of Old Highway 79 and 79C to serve a residence, authorizing the Chairman to sign. With no further discussion and all voting yes, the motion carried.

A permit to occupy a right-of-way was reviewed. Motion by Falkenburg, seconded by Russell, to approve a permit for Southern Black Hills Water System to occupy a right-of-way located from SD Highway 87, Pilger Mountain Road, to Red Canyon Subdivision to supply drinking water. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to authorize Seiler to advertise an open position, due to the resignation of Joshua Spivey. With no further discussion and all voting yes, the motion carried.

Seiler shared a copy of a letter sent to irrigators, reminding them to insure they are not over-spraying onto roads. Seiler reported the Igloo Bridge was opening; a discussion on the auto-gates followed. Seiler advised the Board that private roadwork was done for Landers Livestock for \$96.00, which is paid.

A temporary easement was presented. Motion by Falkenburg, seconded by Cassens, to approve a temporary easement for the South Dakota Dept. of Transportation, located in Lot 4, Block 137, less the East 72' of Lot 4 of the First Addition to the City of Edgemont, Fall River County, South Dakota. With no further discussion and all voting yes, the motion carried.

Discussion was held on road conditions after recent heavy rains and some locations where road signs for speed limits or information are confusing; Seiler will contact the project engineer to resolve the matter.

The cost to update a packer was discussed and bids for a motor grader were reviewed as follows: John Deere, 2014 machine, \$277,500; Caterpillar, 2015 machine, \$279,900. Motion by Russell, seconded by Falkenburg, to approve \$279,900 for the purchase of a Caterpillar motor grader off the Beadle County Bid, as the equipment is a year newer than the other bid received and should require less maintenance. With no further discussion, Cassens voting no and all others voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve the bills as presented, with the exception of a billing from Ken Orrock. With no further discussion and all voting yes, the motion carried.

**General Fund**

Commissioners	September Salaries	\$4,100.00
Auditor's Office	September Salaries	\$10,088.23
and additional overtime of		\$45.93
Elections	September Salaries	\$1,347.28

and additional overtime of		\$51.67
Treasurer's Office	September Salaries	\$7,289.53
and additional overtime of		\$61.70
State's Attorney Office	September Salaries	\$7,242.60
and additional overtime of		\$340.98
Maintenance	September Salaries	\$5,505.72
Department Of Equalization	September Salaries	\$11,889.47
and additional overtime of		\$4.69
Register Of Deeds Office	September Salaries	\$6,465.74
Veterans Services Office	September Salaries	\$2,750.00
GIS	September Salaries	\$2,316.99
and additional overtime of		\$113.11
Nurse's Office	September Salaries	\$2,440.76
and additional overtime of		\$28.43
Sheriff's Office	September Salaries	\$21,623.54
and additional overtime of		\$3,386.22
Jail	September Salaries	\$12,748.90
and additional overtime of		\$3,102.12
Dispatch	September Salaries	\$9,255.16
and additional overtime of		\$964.64
24/7	September Salaries	\$2,505.00
County Extension Office	September Salaries	\$2,562.56
Weed Dept	September Salaries	\$3,849.25
Coroner	September Salaries	\$160.00
Fidelity Sec. Life Ins Co	Eye Care	\$102.17
American Family Assurance	Ins	\$326.17
A'viands LLC	Inmate	\$10,765.00
A-Z Shredding Inc	Shredding	\$26.10
Beesley Law Office	CAAF	\$829.10
Best Western Of Huron	Travel	\$297.00
Best Western Ramkota	Travel	\$1,446.82
Black Hills Chemical	Supply	\$468.57
Bingham, James	CAAF	\$4,657.21
BH Family Health Clinic	Inmate	\$484.00
Boston Mutual Life Ins Co	Ins	\$56.20
Burt, Curtis	Airplane	\$100.00
Cardmember Service	Misc	\$816.30
Cardmember Service	Meal	\$84.12
Century Business Leasing	Copier	\$271.83
Chemsearch	Supply	\$222.78
City/Co Alcohol & Drug	Detox	\$700.00
Cody, Denise	MI	\$15.00
Credit Collection Bureau	Garnishment	\$116.50
Credit Management Service	Garnishment	\$40.00

D&J Petroleum	Propane	\$11,496.21
Dakota Leasing Company	Copier	\$190.00
Dale's Repair	Car Maint	\$30.00
Delta Dental Plan Of SD	Ins	\$1,946.25
DeMersseman Jensen	CAAF	\$814.75
Support Pyt Clearinghouse	Child Support	\$286.25
DS Solutions Inc	Supply	\$175.00
EFTPS	Payroll Taxes	\$28,573.22
Edgemont YMCA	Allotment	\$335.00
Election Systems & Soft	Supply	\$1,547.16
Executive Mgmt Finance	BIT	\$81.00
Farrell, Farrell & Ginsbach	Dep SA	\$2,575.00
First Interstate Bank	Sept Service Charge	\$36.80
Flint Electric	Labor	\$248.18
Governors Inn	Travel	\$479.85
Great Western Tire	Car Maint	\$1,732.28
Harvey's Lock & Security	Supply	\$8.40
Heartland Paper Company	Supply	\$98.37
Hillyard Floor Care Supp	Supply	\$231.75
Hot Springs Ace Hardware	Supply; Repair	\$1,976.89
Hot Springs Automotive	Supply; Repair	\$112.50
HSR Fueling LLC	Airplane	\$88.31
Janz, Donald	Inmate	\$1,400.00
Jensen, Michele	Travel	\$45.00
Keizer, Brad	Travel	\$350.76
LIUNA Laborers Local 620	Dues	\$250.00
Labcorp America Holdings	Inmate	\$74.90
Lewno, Lucy	MI	\$148.99
Lowry, Heath	Vehicle	\$575.00
Matthew Bender & Co Inc	Supply	\$85.08
McMillan, Amanda	Inmate	\$35.00
McLeods Office Supply Co.	Supply	\$90.65
Menards	Supply	\$372.95
Meyer, Elsa	Interpreter	\$100.00
Murphy Law Office PC	CAAF	\$650.68
Nationwide Retirement Sol	Retirement	\$147.08
Neve's Uniform Inc	Uniform	\$15.95
New York Life Insurance	Ins	\$25.00
Nortons Sinclair	Car Maint	\$160.00
Norton, Tina	Inmate	\$245.00
O'Neill, Justin	CAAF	\$5,455.08
Otis Elevator Company	Elevator	\$347.58
Pizza Hut	Jury	\$74.47
Pudwill, Norman	Airplane	\$60.00

Quill Corporation	Supply	\$864.73
Rapid City Journal	Publishing	\$955.25
Rick's Auto Center	Car Maint	\$95.00
Sanford Health	Health Ins	\$21,073.28
South Dakota St Treasurer	Sales Tax	\$129.33
SD Department Of Revenue	Inmate	\$245.00
SD Human Services Center	MI	\$85.10
SD Retirement System	Retirement	\$14,110.84
Shopko Stores Operating	Inmate; Supply	\$655.76
SD Supplement Retirement	Retirement	\$200.00
Spitzer, Kristi	Meal	\$18.00
Swanda, Karen	MI	\$15.00
Tiger Direct	Supply	\$128.88
US Bank	Copier	\$146.95
Ultramax	Training	\$1,163.00
United Way Black Hills	Donations	\$47.50
United States Postal Serv	Postage	\$387.00
Verizon Wireless	Cell Phone	\$1,094.77
Yankton Co. Sheriff	MI	\$25.00
Juror	Jury Fee	\$5,986.39
Witness	Fee	\$221.38
	<b>General Fund Total</b>	<b>\$255,485.59</b>

### Road & Bridge

County Road & Bridge Admin	September Salaries	\$6,066.53
County Road & Bridge Const	September Salaries	\$24,584.40
A & B Welding Supply Co.	Supply	\$486.26
Fidelity Sec. Life Ins Co	Eye Care	\$86.50
American Family Assurance	Ins	\$577.38
B H Electric Coop Inc.	Utility	\$28.61
Best Western Ramkota	Travel	\$278.97
Black Hills Weekly Group	Subscription	\$39.85
Blessing, Brett	Clothing	\$100.00
Butler Machinery Co.	Repair	\$1,164.36
Dale's Tire	Supply	\$927.52
Delta Dental Plan Of SD	Ins	\$418.55
EFTPS	Payroll Taxes	\$7,363.95
Fall River Auto Supply	Repair; Supply	\$612.31
Forward Distributing	Supply	\$200.45
Hillyard Floor Care Supp	Supply	\$50.97
Hot Springs Ace Hardware	Supply; Repair	\$42.97
Hot Springs Automotive	Supply; Repair	\$697.13
Ricoh USA Inc	Copier	\$75.00
Jenner Equipment Company	Supply	\$39.84

Kimball Midwest	Supply	\$530.14
LIUNA Laborers Local 620	Dues	\$175.00
Lacal Equipment, Inc	Supply	\$2,367.84
MG Oil	Supply; Fuel	\$26,188.98
Martin, Ken	Clothing	\$100.00
Nationwide Retirement Sol	Retirement	\$73.53
Nelsons Oil & Gas Inc.	Fuel	\$26,796.65
Powerplan BF	Supply	\$325.70
Quill Corporation	Supply	\$15.68
Safety Kleen	Repair	\$111.30
Sanford Health	Health Ins	\$5,545.60
SD Dept Of Transportation	Supply	\$1,305.80
SD Retirement System	Retirement	\$3,678.10
Seiler, Randy	Telephone	\$35.00
SD Supplement Retirement	Retirement	\$30.00
True North Steel	Supply	\$10,201.10
Twilight Inc	Supply	\$51.00
Wheeler Lumber LLC	Repair	\$670.80
	<b>Road &amp; Bridge Total</b>	<b>\$122,043.77</b>

#### **911**

911	September Salaries	\$2,219.58
and additional overtime of		\$184.68
Delta Dental Plan Of SD	Ins	\$38.05
EFTPS	Payroll Taxes	\$616.46
Hot Springs Ace Hardware	Supply; Repair	\$27.88
Sanford Health	Health Ins	\$554.56
SD Retirement System	Retirement	\$288.52
	<b>911 Reimbur. Total</b>	<b>\$3,929.73</b>

#### **Fire Protection Fund**

Edgemont Rural Fire Dist	Fire Ins	\$3,101.17
	<b>Fire Protection Fund Total</b>	<b>\$3,101.17</b>

#### **24/7 Sobriety Fund**

EFTPS	Payroll Taxes	\$431.22
	<b>24/7 Sobriety Fund Total</b>	<b>\$431.22</b>

#### **Emergency Mgt**

Emergency Management	September Salaries	\$4,054.20
Best Western Ramkota	Travel	\$255.00
Cardmember Service	Misc	\$56.98
EFTPS	Payroll Taxes	\$1,230.72
Jensen, Lyle	Travel	\$142.86

Lynn's Dakota Mart	Supply	\$36.39
Quill Corporation	Supply	\$20.69
SD Retirement System	Retirement	\$486.50
Timmins, Andreas	Travel	\$47.51
Verizon Wireless	Cell Phone	\$178.04
	<b>Emergency Mgmt Total</b>	<b>\$6,508.89</b>

**Cheyenne Weed Grant**

EFTPS	Payroll Taxes	\$49.34
Happe, Shelby	Travel	\$534.24
	<b>Cheyenne Weed Grant Total</b>	<b>\$583.58</b>

**Grand Total** **\$392,083.95**

A break was taken at 10:37 AM. The meeting resumed at 10:44 AM with Joe Allen present. The meeting opened for public comment; none was made.

A hearing was held on a proposed moratorium on assigning tax sale certificates, to which all taxing entities were invited to attend. The moratorium is being proposed as Rhoewould like time to research the payment histories of properties. Comments were heard from Mick Jenniges, Oral Volunteer Fire Department & Irrigation District, Jerry Brammer, Hot Springs Volunteer Fire Department, and Paul Nabholz. Motion by Falkenburg, seconded by Allen, to approve a two-year moratorium on selling tax sale certificates to third parties for taxes payable in 2014 and 2015, to include prior certificates, defining the motion as an emergency for the support of county services and existing institutions. With no further discussion and all voting yes on a roll-call vote, the motion carried.

A hearing on supplements and contingency transfers was held at 11:00 AM as advertised. Motion by Russell, seconded by Cassens, to approve the supplements to the budget and contingency transfers as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2014-30**  
**Supplemental Budget 2014, #4**  
**Contingency Transfers, #3**

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget and whereas, due and legal notice has been given, the following Supplemental Budget to the Calendar Year to the following fund (expenses): Fire Insurance, \$20,312.91; Cheyenne Salt Cedar, \$8,062.00; Alabaugh Fire, \$44.50. The Means of Finance will be receipt #9726 and cash balance applied; 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 as follows: General Fund: Judicial, \$13,500.00; Data Processing, \$10,000.00; Court Appointed Attorney, \$3,100.00; IT Software, \$1,700.00; Coroner, \$850.00; and 911 Fund: 911 Supply, \$9,200.00.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #4 and Contingency Transfer #3.



Dated at Fall River County, South Dakota this 2<sup>nd</sup> day of October, 2014.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Ty Littau, Ag Development Representative from the SD Dept. of Agriculture, and Amanda Brengle, Southern Hills Economic Development Corp., met with the Board to provide information on the impact of agriculture to Fall River County and resources that are available to area producers. The Board indicated they are interested in a County Site Analysis and a resolution for this will be on the next agenda.

Susie Hayes, Director of Equalization, met with the Board for a hearing on omitted properties for the 2015 payable taxes. Elizabeth Decker, owner of three properties, was present. Motion by Falkenburg, seconded by Allen to tax parcels 72100-01000-005-00, 72100-01000-006-92 and 72100-01000-006-94, all owned by Elizabeth Decker, on the land only as the buildings have no value. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve all other parcel taxation amounts as proposed by Hayes, with the exception of parcel 75430-00600-005-00, owned by Stacie Roberson, which is to be valued at \$16,920 for the land and \$40,000 for the structure, with structure value reviewed yearly. With no further discussion and all voting yes, the motion carried.

Quotes for the Equalization copier were reviewed. Motion by Cassens, seconded by Russell, to approve a quote from Century Business Products for a copier at a cost of \$119.04 per month. With no further discussion and all voting yes, the motion carried.

Hayes updated the Board on the informational meeting scheduled for October 28, 2014 at 9:30 AM for ag productivity.

Maynard returned to the Board with additional information on vehicle bids. Motion by Falkenburg, seconded by Cassens, to accept the bid of \$31,835 for a 2014 Chevy 1500 from Rapid Chevrolet as the low bid. With no further discussion and all voting yes, the motion carried.

Bob Beninati met with the Board to discuss his wage; he was referred to the Union contact.

Motion by Falkenburg, seconded by Russell, to enter in Executive Session with the State's Attorney for personnel and legal matters, per SDCL 1-25-2(1) and (3). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 12:17 PM. The Board came out of Executive Session at 1:15 PM.

Motion by Russell, seconded by Allen, to approve a \$336.00 bill from Ken Orrock for work as a conflict Deputy State's Attorney as further information was provided. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the meeting adjourned at 1:16 PM.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor