

FALL RIVER COUNTY MINUTES OF OCTOBER 20, 2015

The Fall River Board of County Commissioners met in regular session on October 20, 2015 in the courtroom of the Courthouse. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Michael Ortner, Deb Russell and Sue Ganje, Auditor. Absent: None.

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. Russell noted the agenda was not e-mailed at 9:00 am, however it was on the Web and posted at the Court House. Motion by Falkenburg, seconded by Ortner to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Abbott to approve the October 6, 2015 minutes as amended. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to approve the Auditor's Account with the County Treasurer through September 30, 2015. 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 30th day of September, 2015.

Total Amt of Deposit in First Interstate Bank:	\$	<u>90,029.31</u>
Total Amount of Cash:	\$	<u>1,719.97</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>25,117.66</u>
MONEY MARKET SAVINGS:		
First Interstate Bank :	\$	<u>488,525.49</u>
CERTIFICATES OF DEPOSIT:		
First Interstate-Hot Springs:	\$	<u>4,399,699.99</u>
Black Hills Federal Credit Union:	\$	<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:

- Bauer, James - \$44.00, Lic (3/30/2015)
- Fajardo, Tony - \$871.64, Lic (7/10/2015)

TOTAL \$5,257,443.06

Dated This 30th Day of September, 2015.

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

County Monies: \$4,882,098.63
Held for other Entities: \$227,997.39
Held in Trust: \$147,347.04
TOTAL: \$5,257,443.06

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 Falkenburg, seconded by Allen, to approve a wage increase as per the Union contract for: Denise Warford, Treasurers Office to \$10.25 effective 10/13/2015; and Richard Kraima, Maint. & E..Mgt. to \$11.08, effective 10/21/2015. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to approve the 2015 Federal Poverty Guidelines for county purposes. With no discussion and all voting yes, the motion carried.

Motion by Abbott, seconded by Allen, to approve travel for Terri Halls, Election clerk, to attend the Election Workshop in Pierre, SD from November 4,5,6, 2015. With no further discussion and all voting yes, the motion carried.

Auditor, Sue Ganje informed the Board that two employees have been on Leave without pay in excess of one month as per sick leave, section 3 of the Union Contract. Details to be presented in Executive Session under Personnel.

Ortner presented a petition to vacate a portion of a plat for Lee A. and Dianna L. Carr Revocable Trust. Motion by Falkenburg, seconded by Allen, to set the hearing for November 17, 2015 at 10:30 am. With no further discussion, Ortner abstaining and all others voting yes, the motion carried.

Russell requested the Board consider a revision to the County Data Policy, as approved on 8/2/12. Susie Simkins, Director of Equalization was present to give her input. Motion by Falkenburg, seconded by Abbott, to amend the Data Policy; Research Fee to \$20.00 per hour, allowing the first 15 minutes to be free, and then the hourly rate applied after that. With no further discussion, and all voting yes, the motion carried.

Frank Maynard, Emergency Manager, presented the Mutual Aid Agreement which would expire mid November, and recommended approval of that Agreement. Motion by Abbott, seconded by Ortner, to approve the Mutual Aid Agreement between the City of Hot Springs and Fall River County. With no further discussion, and all voting yes, the motion carried.

Motion by Ortner, seconded by Abbott to sign the Personnel Action form effective 10/1/2015 for Richard Kraima for State and Local Agreement, 50% salary and benefit reimbursement. With no further discussion, and all voting yes, the motion carried.

Maynard advised of a webinar he participated in on Hazards Planning & Resilience for Preparedness. A Winter Weather Preparedness Guide was shared. Brief discussion was held on the prescribed burn. Maynard will also check on the FSA claims from FEMA.

Lyle Jensen, Building Maint. Supervisor, presented a quote for internet bandwidth. Motion by Abbott, seconded by Falkenburg, to approve a five (5) year Agreement with Golden West Technologies for 10MB Enterprise Internet Circuit at \$875.90 per month. With no further discussion, and all voting yes, the motion carried.

Motion by Allen, seconded by Falkenburg, to approve a Sam's Club Membership with a credit card attached, for County use. Ortner stated there is a large amount of County credit cards already. With no further discussion, Ortner voting no, all others voting yes, the motion carried.

Jensen updated the Board regarding the State approved to shred 40-50 boxes from storage and the boiler control unit was damaged during power outage.

Keith Anderson, from Anderson Engineering met to present a plat for approval. Two plats were not ready to present. Motion by Falkenburg, seconded by Allen, to approve the following resolution for Donnafield Plat. With no further discussion, and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2015-28

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the Plat of DONNAFIELD TRACT, containing Lot FR 10, Located in the NE ¼ NE ¼ of Section 32, and that portion of the NE1/4 NE ¼, Section 32 lying north of U.S. Highway 18, less Lot H2, and less Dappen Tract, all in, T7S, 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 section 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.

Dated at Fall River County, South Dakota this 20th day of October, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Gene Nachtigall, with Century 21 presented documents requesting full or partial removal of a lien in the amount of \$1,846.92 for Michael Gregorich, and discussion was held. Motion was made by Ortner to release ½ of the lien in the amount of \$923.46 be removed. Motion died for lack of a second.

Randy Seiler, Hwy Department updated the Board on current business, and requested an approach permit be approved. Motion by Falkenburg, seconded by Abbott, to approve approach permit for Brenda Brown on left side of Sand Hill Road, 79A approximately 200 feet on west end of Sand Hill Road. With no further discussion, and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to pay the bills listed. With no further discussion, and all voting yes, the motion carried.

GENERAL FUND

A&B BUSINESS SOLUTIONS	LEASE/METER USAGE	\$	427.22
A-Z SHREDDING INC	SHREDDING	\$	29.70
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$	4,421.74

CENTURY BUSINESS LEASING	COPIERS LEASE & METE	\$	159.86
CHEYENNE SANITATION	SANITATION COLLECTION	\$	280.00
CLINICAL LABORATORY OF	AUTOPSY	\$	1,629.00
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$	105.75
EDGEMONT HERALD			
TRIBUNE	PUBLICATION	\$	530.24
EN-TECH LLC	FUMIGATION	\$	100.00
FACILITYDUDE.COM	GIS SUPPORT	\$	216.00
FALKENBURG, JOE	MILEAGE	\$	87.36
FALL RIVER COUNTY FAIR	2015 BUDGETED FUND	\$	2,900.00
FALL RIVER CTY TREASURER	DEPOSIT ERROR	\$	0.60
GOLDEN WEST			
TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$	2,517.94
GOLDEN WEST	PHONE BILL/LONG DIST	\$	1,222.24
GOVERNORS INN	TRAVEL	\$	819.50
HILLYARD FLOOR CARE SUPP	SUPPLY	\$	273.41
HOBART SALES & SERVICE	SUPPLY	\$	334.15
HOT SPRINGS ACE			
HARDWARE	ACE HARDWARE SUPPLY	\$	560.66
HOT SPRINGS AMBULANCE	INMATE AMBULANCE SER	\$	493.10
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$	77.94
CITY OF HOT SPRINGS	CITY WATER BILL	\$	293.31
HOT SPRINGS PUBLIC LIB	2015 BUDGETED FUNDS	\$	20,000.00
MANLOVE PSYCHIATRY			
GROUP	INMATE	\$	166.67
MASTEL, BRUCE	DATABASE SETUP & MON	\$	35.00
MENARDS	SUPPLY	\$	62.95
MICROFILM IMAGING			
SYSTEMS	LEASE	\$	185.00
NATIONAL ASSN OF			
COUNTIES	COUNTY MEMBERSHIP DU	\$	450.00
O'DAY, VALARIE	COURT REPORTER	\$	37.40
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNI	\$	8,614.00
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$	634.35
QUILL CORPORATION	OFFICE SUPPLIES	\$	316.22
QUILL CORPORATION	SUPPLIES	\$	418.21
RAPID CITY FIRE DEPT	INMATE TRANSPORT	\$	221.36
RAPID CITY JOURNAL (THE)	PUBLICATION	\$	297.32
REGIONAL HEALTH	REFERENCE LABORATORY	\$	422.00
RAPID CITY REGIONAL	MI REGIONAL BEHAVIOR	\$	1,102.78
RAPID CITY REGIONAL	INMATE MEDICAL	\$	3,271.68
SAFETY BENEFITS INC	SAFETY BENEFIT CONFE	\$	65.00
SANICHEM	SUPPLY	\$	244.08
SD DEPARTMENT OF			
REVENUE	PRISONER MEDICAL	\$	105.00
SERVALL	SUPPLY/MATS/RUGS	\$	307.95

SHOPKO STORES OPERATING	INMATE PHARMACY/SUPP	\$	149.40
SOFTWARE SERVICES INC	DATA PROCESSING BOSA	\$	3,980.00
SOUTHERN HILLS FIRE	ANNUAL FIRE INSPECTI	\$	152.50
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$	78.92
STATE REMITTANCE CENTER	4TH QUARTER HEALTH N	\$	1,545.00
STEVENS PLUMBING	PLUMBING SERVICE/PAR	\$	307.26
VERIZON WIRELESS	VERIZON WIRELESS	\$	873.34
YANKTON CO. SHERIFF	SHERIFF SERVED FEE	\$	25.00
WALZ, DALE	WITNESS CHECK	\$	20.84
BARNDT, CLOVIA	WITNESS CHECK	\$	87.20
WILABY, LOREN	WITNESS CHECK	\$	20.84
RAYMOND, NIKI	BLOOD DRAWS	\$	70.00
SIDES, KEVIN	WITNESS CHECK	\$	23.36
WOODWARD, SANDRA	WITNESS CHECK	\$	87.20
SHANNON RITER OSBORN	WITNESS CHECK	\$	74.60
STASHIA YARRM	WITNESS CHECK	\$	20.84
CHAD JANIS	WITNESS CHECK	\$	392.96
BEATRICE GASCO	WITNESS CHECK	\$	20.84
		\$	<u>62,366.79</u>

COUNTY ROAD & BRIDGE

BLACK HILLS ELECTRIC	UTILITY HWY ELECTRIC	\$	26.77
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$	260.65
CHEYENNE SANITATION	SANITATION COLLECTIO	\$	74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WAT	\$	36.75
GOLDEN WEST	PHONE BILL/LONG DIST	\$	266.41
GOVERNORS INN	TRAVEL	\$	245.85
CITY OF HOT SPRINGS	CITY WATER BILL	\$	69.62
		\$	<u>980.05</u>

911

GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$	388.00
GOLDEN WEST	PHONE BILL/LONG DIST	\$	409.88
CENTURY LINK	DISPATCH LINES	\$	7.33
CENTURY LINK	DISPATCH LINES	\$	629.92
RUSHMORE COMMUNICATIONS	REPAIR EMERGENCY RAD	\$	404.00
3-E	GENERATOR SERVICE	\$	563.44
		\$	<u>2,402.57</u>

EMERGENCY MGT

CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$	407.59
GLASS PRO +	VEHICLE REPAIR	\$	672.00
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$	194.00
GOLDEN WEST	PHONE BILL/LONG DIST	\$	132.06

RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$	3.65
PUDWILL, NORMAN	LEPC	\$	60.00
SAFETY BENEFITS INC	SAFETY BENEFIT CONFE	\$	65.00
VERIZON WIRELESS	VERIZON WIRELESS	\$	<u>286.23</u>
		\$	1,820.53
DOMESTIC ABUSE FUND			
W.E.A.V.E.	W.E.A.V.E.	\$	1,775.50
L.E.P.C. GRANT (FED/STATE GRANTS)			
HSR FUELING LLC	AIR PLANE FUEL	\$	90.33
BASTIAN, TRACY	PILOT	\$	<u>100.00</u>
		\$	190.33
CHEYENNE WEED GRANT			
A & B WELDING SUPPLY CO.	WELDING SUPPLY/LEASE	\$	13.20
HAPPE, SHELBY	REIMBUREMENT	\$	<u>32.41</u>
		\$	45.61
	TOTAL	\$	69,581.38

Break at 10:04 am, return from break at 10:25 for public comment.

Sheriff Bob Evans stated he has had 4 applications for the open Dispatch position.

A discussion regarding the John Robertson Memorial maintenance was held with volunteers in attendance. This memorial is on county land, and if a time comes there are no volunteers or funds available, they should come back to the board. Deann Arneson and family were acknowledged for doing the 2015 maintenance, and the commission approved the installation of John Robertson raspberry plants.

Motion by Falkenburg, seconded by Allen to send a letter of support to the DENR for Fall River Feedlot surface water general permit as this operation is vital to Fall River County. With no further discussion, and all voting yes, the motion carried.

Jim Sword, State's Attorney, advised the board that to adjust boundaries of existing fire districts, the process would include petitions, setting a hearing and receiving public input. The board questioned if non district land must be contiguous to a district for annexation, which Sword advised he did not find that requirement.

Jackie Waldner, County Health Nurse met with the Board and presented her Quarterly report.

Joe Allen was on the agenda to brief the board on the jail committee progress and future plans. An agenda was presented and committee members were listed as Joe Allen, Mike Ortner, Lyle Jensen, Bob Evans, or Wally Campbell, Jail Sergeant, and Jim Sword, State's Attorney. Judge consultants are Heidi Linngren and Craig Pfeifle. Discussion areas included: Transporting of prisoners, location of new jail or remodeled jail, new storage building, etc. Allen will bring information to the next Board meeting. State, Federal and grant funds are available for a Public Safety Building. Russell suggested Allen stay as Committee Chair and that meetings be held in the afternoon of the Commissioners regularly scheduled meeting dates, to allow for publication/advertising.

Motion by Ortner, seconded by Falkenburg, to have all County Commissioners on the Jail Committee. Abbott commented that this was good so all of the Board will be informed. With no further discussion and all

voting yes, the motion carried. Allen will contact the Auditor to put this item on the agenda as needed.

Russell asked Jim Sword, State's Attorney to report on the Supreme Court arguments on the High Plains Resources, LLC v FR County Board of Commissioners and Sue Ganje, Auditor capacity only, and when to expect an answer of whether the writ was proper to file. Sword said the Judges will decide on the procedures. He anticipates it will take a month for an answer. When asked if the opinion determines if votes will be counted, Sword answered yes. Carl Atchley asked if the Commissioners vote to build a new jail would it be referable, Sword answered yes.

Motion by Abbott, seconded by Ortner, to enter into Executive Session 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 11:10 am.

The Board came out of Executive Session at 11:43 a.m.

Motion by Ortner, seconded by Falkenburg, to approve a salary increase for Edith Jenniges (which included her two year longevity bonus) from \$10.25 to \$11.76 per hour, and to change her job title from Secretary to Administrative Assistant. With no further discussion, and all voting yes, the motion carried.

Motion by Ortner, seconded by Allen, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:44 AM.

/s/ Deborah Russell
Deborah Russell, Chair
Board of Fall River County Commissioners

ATTEST:

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