

FALL RIVER COUNTY MINUTES OF NOVEMBER 10, 2016

The Fall River Board of County Commissioners met in regular session at the Fall River County Courthouse in the second floor courtroom. Present: Michael Ortner, Joe Falkenburg, Joe Allen, Ann Abbott, Deb Russell and Sue Ganje, County Auditor.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM.

The agenda was reviewed for conflicts; no conflicts were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion by Falkenburg, seconded by Allen to approve the agenda as written.

Motion by Russell seconded by Abbott to approve the minutes of September 27, 2016 and October 18, 2016.

Motion by Russell seconded by Falkenburg to approve the indigent funeral costs on CP2016-11 with the stipulation that any assets are turned over to the county for reimbursement of costs associated with burial.

No action was taken on CP2016-10 until more information is received.

Discussion was held on the requested increase for mental health board chairman duties as the rate has not increased since 2000. Motion by Abbott, seconded by Russell to approve the requested increase for the chairman on the mental health board from \$100.00 per hour to the \$125.00 per hour, effective November 1, 2016.

Motion by Falkenburg, seconded by Allen to junk Treasurer's calculator, asset #1626.

Auditor's Account with the County Treasurer will be back on the November 22, 2016 agenda as it is not finished at this time.

The Board reviewed the monthly Emergency Management report.

Motion by Falkenburg, seconded by Russell to approve the joint-funding Agreement 17EMSD0013 between U.S. Department of the Interior, U.S. Geological Survey for Water Resource Investigations and Fall River County for the period of 10-1-2016 to 9-30-2017, and authorize the Chairman of the Board to sign the agreement.

Nancy Whiting, State's Attorney Administrative Assistant gave a brief report regarding the Domestic Violence conference she attended in Brookings on October 3-5, 2016. Whiting gave thanks again to the Board for allowing her to attend.

Jim Sword State's Attorney met with the Board to request the appointment of Brian Aherndt, with Sword stating his qualifications. Falkenburg questioned the status for existing issues, Sword noting he has taken over those items. Aherndt will be taking over criminal court. Motion by Allen, seconded by Russell to remove the firm of Farrell Farrell and Ginsbach as current Deputy

State's Attorney and approve appointment for contract with Brian Aherndt, as Deputy State's Attorney, effective immediately, with November pay to be pro-rated.

Bob Evan, Sheriff met to advise the board of requested changes he has had during preliminary discussions on the Edgemont Law Enforcement Patrol upcoming contract renewal. Edgemont City Mayor Carl Shaw was present and noted there are more than those issues to work out. Barbara Strozewski, Council member, spoke of the support in the community to keep the current law enforcement contract. Linda Kluender presented to the Board a petition with names of individuals who reside in Edgemont and/or have vested interest to support and encourage Fall River County Sheriff's Department's continued service to the City of Edgemont. Individual residents, including Council member Carla Schlepler, also spoke in support, or of issues. Ortner said he would like to see an agreeable contract with all parties, Falkenburg said he likes to see a Deputy Sheriff stationed in Edgemont as it helps area ranchers also.

Evans requested an increase in sick time allowance from 5 days to 12 days for Michele Jensen. Motion by Russell, seconded by Abbott to authorize the use of 7 additional days of sick time for Michele Jensen to use for family, as per union contract.

Mark Van Orman, Oglala Sioux Tribe Attorney met with the Board regarding their request for fee to trust status on acreage in the county, also present were Cleve Her Many Horses from the BIA, Dave Poirier, OST Land Office and Michael Her Many Horses, Council member. Ortner questioned the status of a written lease agreement between Oglala Sioux Tribe and the Wild Horse Sanctuary, as the commission had previously requested, further noting that the commission has instructed the Director of Equalization to leave land value as non agriculture for taxes payable in 2017, as an agreement has yet to be signed. Ortner also noted, however, the possibility of an abatement in 2017. Cleve Her Many Horses, BIA, briefly explained the agency agreement for fires.

Discussion was held on fencing, with Van Orman noting funding for that is being sought from the BIA and the NRCS. Van Orman noted government agreements could reimburse fire and law enforcement expenses. Discussion on the use of the property, historic and spiritual use, and possibility of tax exemption followed. They will be back when the agreement between the tribe and the Wild Horse Sanctuary is approved.

Jackie Waldner, County Health Nurse presented her quarterly report to the Board. She noted changes in family planning sites, with 21 sites closed, and Hot Springs site being the only remaining Family Planning Clinic in Southwestern South Dakota. Also new is the ability to bill insurance companies and that tetanus and flu shots are now available for adults.

Randy Seiler, Highway Superintendent met with the Board. Motion by Falkenburg, seconded by Allen to approve the reimbursement for fuel to the highway department from the following departments - Weed Board for \$57.67, Sheriff's Department for \$1830.91; Department of Equalization for \$178.96; Emergency Management for \$37.09; Auditor for \$35.60; Elections for \$15.68 and State's Attorney for \$13.44.

Seiler updated the board on the bridge inspections, Red Canyon Bridge and Dewey Bridge.

Motion by Russell, seconded by Falkenburg to approve the hire of Darwyn Ulberg, fulltime, \$14.05 per hour, as per union contract, effective November 14, 2016.

Motion by Falkenburg, seconded by Russell to approve the agreement between Fall River County and the SDDOT Bridge Improvement Grant, project BRF 6463(00)16-1 PCN 05QV, and authorize the Chair to sign.

Motion by Abbott, seconded by Falkenburg to approve the Brosz work order BRF 6463(00)16-1 PCN 05QV and authorize Chair to sign.

Seiler gave an update on Battle Mountain Road, reporting that the county's loader would be unable to fix the road. He received verbal quotes from Jason Schnackenberg and Mike Hix and both were around \$5,000.00, with Hix available immediately. Other entities utilize the towers, the board discussed determining cost for each, but agreed the work needed to be done now so will pursue cost share after Frank Maynard has determined all users of the road. Motion by Falkenburg, seconded by Allen to fix the road with the estimate from Mike Hix for approximately \$5,000.00 and request reimbursement accordingly.

Dustin Ross of Andersen Engineering presented a plat for Baldwin in the Country Club Estates. Motion by Falkenburg, seconded by Abbott to approve the following Plat;

FALL RIVER COUNTY RESOLUTION #2016-26

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, Baldwin Tract of Block C of Country Club Estates, containing all of Lots 28 and 29 of Block C of Country Club Estates, located in the SE ¼ SW ¼ of Section 22, T7S, R5E, BHM, Fall River County, South Dakota,

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 10th day of November, 2016.

/s/ Michael P Ortner

Michael P Ortner, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Russell, seconded by Falkenburg to approve the bills as follows;

GENERAL FUND

	AIRPLANE ANNUAL	
A&M AVIATION	INSP	\$ 1,810.19
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$ 122.54
AMERICAN FAMILY ASSU	AMERICAN FAMILY	\$ 225.04
A-Z SHREDDING INC	SHREDDING	\$ 18.36
BOB BARKER COMPANY INC	INMATE SUPPLY	\$ 23.51
BEESELEY LAW OFFICE	A&N, JUV	\$ 6,179.30

BEST WESTERN RAMKOTA	TRAVEL CORONER	\$ 109.99
BOSTON MUTUAL LIFE INS C	LIFE INSURANCE	\$ 32.76
CAMPBELL, APRIL	TRANSP RIDE-A-LON	\$ 80.00
CARDMEMBER SERVICE	CDMEMBER SERVICES	\$ 2,536.33
JUROR FEES AND MILAGE	JUROR FEES & MLGE	\$ 23.36
CENTURY BUSINESS LEASING	COPIER LEASE & MTR	\$ 1,020.55
JUROR FEES & MILEAGE	JUROR FEES & MLG	\$ 10.84
DAKOTA RADIOLOGY	WORK COMP CLAIM	\$ 26.00
JUROR FEES & MILEAGE	JUROR FEES & MLG	\$ 12.52
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$ 2,738.53
DEMERSSEMAN JENSEN	JUV/A&N/CAAF	\$ 2,124.40
SD DEPT OF LABOR & REG	UNEMPLOYMT CLAIM	\$ 2,176.00
DS SOLUTIONS INC	ELECTION TEST BALLOT	\$ 175.00
EFTPS	PAYROLL TAXES	\$ 36,666.61
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$ 497.26
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$ 108.00
FR COUNTY TREASURER	OCT SERVICE CHARGE	\$ 36.85
FRESH START	COUNTY POOR	\$ 80.28
GOLDEN W TECHNOLOGIES	PREPAID INTERNET SUP	\$ 2,010.93
GRAFIX SHOPPE	NEW GRAPHICS DODGE	\$ 417.81
HEARTLAND PAPER CPY	BLDG MAINTENANCE	\$ 61.39
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$ 660.00
HIGH PLAINS GRAPHICS	ELECTION SUPPLY	\$ 7.50
HILLS EDGE AUTO SALES	HAIL REPAIR	\$ 9,660.98
HOT SPRINGS AUTOMOTIVE	MISSING INVOICES SUP	\$ 5.32
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$ 17,445.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$ 275.00
JUROR FEES & MLG	JUROR FEES & MLG	\$ 61.68
MARTIN, STACEY	TRAVEL REIMBUR	\$ 78.22
MEADE CO. AUDITOR	PRISONER BOARD	\$ 65.00
MEADE CO. AUDITOR	PRISONER BOARD	\$ 65.00
JUROR FEES & MLG	JUROR FEES & MLG	\$ 28.40
MICROFILM IMAGING SYS	SCAN EQUIP RENT	\$ 185.00
NATIONWIDE RETIREMENT	NATIONWIDE RETIRE	\$ 88.25
NATIONAL SHERIFF ASSOC	2017 MEMBERSHIP	\$ 58.00
NATURE CONSERVANCY	TAX REFUND	\$ 415.20
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$ 65.00
NORTON,TINA	NURSE INMATE	\$ 1,145.00
CHILD SUPPORT PAYMENT	CHILD SUPPORT	\$ 604.00
O'NEILL, JUSTIN	CAAF	\$ 1,322.32
WITNESS AND JURY	WITNESS AND JURY	\$ 3,404.14

\$ 122,190.88

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$ 80.66
AMERICAN FAMILY AS	AMERICAN FAMILY	\$ 448.60
CARDMEMBER SERVICE	CARDMEMBER SVS	\$ 468.20
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$ 404.50
EFTPS	PAYROLL TAXES	\$ 8,469.21
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$ 135.00

RICOH USA INC	HWY DEPT COPIER	\$ 75.00	
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$ 2,956.50	
LIUNA LABORERS LOCAL 620	UNION DUES	\$ 150.00	
NATIONWIDE RETIREMENT	NATIONWIDE RETIRE	\$ 73.53	
NATURE CONSERVANCY	TAX REFUND	\$ 71.48	
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$ 4,041.58	
			\$ 17,374.26
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GOLDENW TECHNOLOGIES	PREPAID INTERNET SUP	\$ 309.38	
			\$ 309.38
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CARDMEMBER SERVICE	CARDMEMBER SVS	\$ 304.23	
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$ 14.87	
EFTPS	PAYROLL TAXES	\$ 1,693.73	
GOLDEN W TECHNOLOGIES	PREPAID INTERNET SUP	\$ 154.69	
PUDWILL, NORMAN	LEPC OIL PIPELINE	\$ 60.00	
QUILL CORPORATION	SUPPLIES	\$ 13.59	
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$ 567.90	
			\$ 2,809.01
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BASTIAN, TRACY	LEPC OIL PIPELINE	\$ 100.00	
			\$ 100.00
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EFTPS	PAYROLL TAXES	\$ 13.40	
HAPPE, SHELBY	REIMBURSEMENT	\$ 100.00	
			\$ 113.40
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EFTPS	PAYROLL TAXES	\$ 248.64	
			\$ 248.64
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MICROFILM IMAGING	SCAN EQUIP RENT	\$ 145.00	
			\$ 145.00
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NATURE CONSERVANCY	TAX REFUND	\$ 18.49	
SOUTHERN HILLS FIRE	ANNUAL INSPECTION	\$ 222.25	
			\$ 240.74
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Total for bills from 10/18/16 through 11/09/16		\$	143,290.57

Break at 10:33 am, returned from break at 10:43.

Public comment was held and there were no comments voiced.

Mike Ortner shared information he received regarding the call center position opening at the VA home. The positions will start at approximately \$17.00/hr with federal benefits. HS Star will publish flyers.

Stacey Martin of GIS met with the Board. Motion by Falkenburg, seconded by Allen to approve the quote from Frontier Precision for a new battery and upgraded GPS software for a total of \$1,563.58.

Melody Engebretson, Register of Deeds, met with the Board to discuss a contract with Simplifile and explained the benefits of the system. Motion by Falkenburg, seconded by Abbott to approve the agreement with Simplifile for Electronic filing (users pay fees), and authorize Engebretson to sign the agreement.

Engebretson advised the Board on a request from Black Night Financial for data that all Register of Deeds in the state has received, requesting documents on all items filed in their offices. State law sets the fee for these documents, so they will be receiving a quote for these documents; the board also spoke of the research fee that should be charged.

The supplement and contingency transfer hearing was held as advertised, with the Board reviewing year to date expenses for 2016. Motion by Falkenburg, seconded by Russell to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2016-27
Supplemental Budget 2016, #2
Contingency Transfers 2016, #2

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 General fund (expenses): Prairie Dog Control 10100X4260615, \$1,000.00 (means of finance to be cash as revenues have exceeded estimates); Mosquito 23401X4260616, \$5,000.00 (Grant as means of finance); Payment to Local Agencies 10100X4260750, \$8,769.24 (Grant as means of finance); Emergency Management Hazmat 22600X4300222, \$4,000.00 (Grant as means of finance); Fire 21100X4297221, \$13,272.73 (Reimbursement from the State as means of finance); Sheriff 10100X4261211, \$22,500.00 (State Grant as means of finance); Weed 10100X4341615, \$14,000.00 (two \$7,000 BHNG Grants as means of finance); Emergency Management 22600X4274222, \$17,600.00 (Homeland Security Grant as means of finance); Auditor Copier 10100X4250141, \$175.16 (credit check as means of finance); and Treasurer Copier 10100X4250142, \$167.20 (credit check as means of finance), 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 to the General Fund: Court Appointed Attorney Fees 10100X4260153, \$8,100.00; Abuse and Neglect 10100X4260154, \$24,000.00; CASA 10100X4260159, \$500.00; Mental Illness Board 10100X4221445, \$8,400.00 and Jail 10100X4260212, \$27,300.00.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #2 and Contingency Transfer #2 for 2016.

Dated at Fall River County, South Dakota this 10th day of November, 2016.

/s/Michael P Ortner
Michael P. Ortner, Chair
Fall River County Board of Commissioners

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

The Official 2016 General Canvass was conducted by the Board. Motion by Falkenburg, seconded by Russell to approve the General Election 2016 canvass.

Motion by Russell, seconded by Abbott to move to executive session for legal and personnel matters as per SDCL 1-25-2 (3) and (1) at 11:09. Board came out of executive session at 11:35 am.

Motion by Falkenburg, seconded by Allen to deny CP2016-12.

Motion by Russell, seconded by Abbott to adjourn at 11:42 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