

**FALL RIVER COUNTY MINUTES OF NOVEMBER 17, 2015**

The Fall River Board of County Commissioners met in regular session on November 17, 2015 in the courtroom of the Courthouse. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Michael Ortner, Deb Russell and Sue Ganje, Auditor. Absent: None.

Scripture was read by Russell. The Pledge of Allegiance was given and the meeting called to order at 9:00 AM. A moment of silence for the people of France was also held.

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

Motion by Ortner, seconded by Falkenburg to approve the November 03, 2015 minutes. With no further discussion and all voting yes, the motion carried.

An applicant met for county assistance for household bills. Motion by Ortner, seconded by Abbott to deny the claim at this time, but the Board may reconsider at a later date. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Ortner to approve the following statement to be made at the beginning of the minutes of each meeting: "all motions recorded in these minutes are by unanimous vote unless otherwise stated". With change to be initiated with the next meeting minutes, no further discussion and all voting yes, the motion carried.

Motion by Abbott, seconded by Falkenburg to approve Resolution #31, to reflect the 10-20-2015 change to the data policy fee schedule, changing the 1<sup>st</sup> 15 minutes to be free. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2015-31**

WHEREAS, The Fall River County Board of County Commissioners are desirous of establishing new fees on items not mandated by law for the County offices, and

WHEREAS, The Fall River County Board of County Commissioners have received input from the supervisors of the County offices, and

WHEREAS, The Fall River County Board of County Commissioners would like to have the fees uniform throughout the county offices, now therefore,

BE IT RESOLVED that the following fee schedule shall be imposed on all county offices as follows:

**County Offices-**

General Xerox Copies	\$ .20	per page
(including computer printouts)	\$ .50	per color page
	\$1.00	per property card
	\$ .20	per SDCL 7-9-15 (5) (Abstractor's)
Email Fee	\$1.00	per email
(documents that require copying & scanning )	\$2.00	per property card
Fax Fee	\$3.00	per fax up to 10 pages
	\$ .50	per page after 10 pages
Research Fee		First 15 minutes free, then \$20.00 per hour (Flat rate)

**GIS**

Maps: Black/White on regular printer	\$ .20	each page
8 ½ x 11 Color Aerial	\$1.00	each page

Stock Maps:

1 cent per sq inch rounded to the nearest quarter  
Stock maps with aerial photo or other high saturation - 2 cents per sq inch rounded to the nearest quarter

Custom Maps:

1 cent per sq inch rounded to the nearest quarter with a service fee of \$5.00 per 10 minutes

Landowner Books –

Copy price per page plus \$4.00 fee for binders and time rounded to nearest dollar.

Be it resolved, that the effective date of the resolution is November 3, 2015.

Dated this 17th day of November, 2015

Attest:

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

/s/ Deb Russell  
Deb Russell, Chairperson  
Fall River Board of County Commissioners

The Auditor requested and the Board agreed to encourage all County Departments to submit bills for expenses, if possible, at the December 15<sup>th</sup> meeting. Motion by Ortner, seconded by Falkenburg to set December 29, 2015 as year- end meeting at 9:00 am. With no further discussion and all voting yes, the motion carried.

The Board discussed changing the State's Attorney's position from part-time to full-time starting with the 2016 Election petitions, with Jim Sword, State's Attorney, and Pat Ginsbach, Deputy State's Attorney present. This item will be on the December 15, 2015 agenda for a decision.

Falkenburg stated a 20-40 minute delay @ BNSF railroad on south end of Edgemont and asked the Board for help. This can become a crisis for medical and other issues. Ortner will talk to BN officials at the NACO Board meeting and will report back to the Board at the December 15, 2015 meeting. Discussion was also held regarding the Draft EIS for reconfiguration of VA BHHCS. The Board encouraged commissioners to participate in the December 1<sup>st</sup> meeting at the Mueller Center starting at 6:00 pm. Ortner left the meeting at 9:44 am.

Lyle Jensen, County Building Supervisor gave an update on the Safety Benefits Insurance Conference in Oacoma, SD, and advised he is getting quotes to cut down the large elm on county land. Motion by Falkenburg, seconded by Abbott to take the lowest quote to get the tree removed prior to damage. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, updated the Board regarding Homeland Security grants; requested purchase of a laptop, and presented a quote. Motion by Falkenburg, seconded by Abbott, to approve the laptop purchase in the amount of \$799.00. With no further discussion and all voting yes, the motion carried.

Jim Sword requested travel approval for Edie Jenniges. Motion by Falkenburg, seconded by Abbott, to approve travel for Edie Jenniges to attend the Sexual Violence Institute in Sioux Falls, from December 2-4, 2015 at a cost of \$148.74. With no further discussion and all voting yes, the motion carried.

Brad Keizer, 4H and Youth Advisor with SDSU Extension Office gave the Board his year- end overview report of programs.

Randy Seiler, Highway Supt, met with the Board to present fuel bids as follows for 8000 gallons of 50/50 diesel:  
Nelson's Oil & Gas, Inc. \$1.9414 per gallon  
Bill Tanner Not taking tanker orders at this time.  
MG Oil Blended fuel is not available at this time.

Motion by Falkenburg, seconded by Abbott, to approve the fuel bid of Nelson's, in the amount of \$1.9414/gal for 8000 gallons of 50/50 diesel. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Abbott, to approve the approach permit application by Jobie & Alisha Dryden to connect to the west side of Old Hwy 79 approximately Horse Head Bridge. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Abbott, to approve Work Order for Project P0043(00) - Provo to Igloo Roadway Design. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen to approve graveling on County Road 71G with gravel being paid by Lloyd Soske. With no further discussion and all voting yes, the motion carried.

Randy Seiler, FR Hwy Department presented the 2015 FR County 5 year Hwy & Bridge Improvement Plan as amended. Motion by Falkenburg, seconded by Abbott to set a hearing on December 1, 2015 at 11:00 am.

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

**Payroll Distribution Summary:**

COMMISSIONERS	October Salaries	\$	4,100.00
AUDITOR'S OFFICE	October Salaries	\$	13,946.14
and additional overtime of		\$	36.92
ELECTIONS	October Salaries	\$	1,688.40
TREASURER'S OFFICE	October Salaries	\$	9,995.65
and additional overtime of		\$	12.72
STATE'S ATTORNEY OFFICE	October Salaries	\$	7,322.42
and additional overtime of		\$	321.12
MAINTENANCE	October Salaries	\$	6,034.68
DEPARTMENT OF EQUALIZATION	October Salaries	\$	12,941.55
REGISTER OF DEEDS OFFICE	October Salaries	\$	7,273.13
VETERANS SERVICES OFFICE	October Salaries	\$	2,880.00
GIS	October Salaries	\$	2,334.90
and additional overtime of		\$	21.72
NURSE'S OFFICE	October Salaries	\$	2,843.51
and additional overtime of		\$	29.87
SHERIFF'S OFFICE	October Salaries	\$	26,710.06
and additional overtime of		\$	2,795.47
JAIL	October Salaries	\$	12,191.29
and additional overtime of		\$	3,340.08
DISPATCH	October Salaries	\$	8,027.99
and additional overtime of		\$	3,666.73
COUNTY EXTENSION OFFICE	October Salaries	\$	2,698.08
and additional overtime of		\$	11.50
WEED DEPT	October Salaries	\$	2,896.75
CORONER	October Salaries	\$	80.00
FR EMERG MGT.	October Salaries	\$	6,030.68
COUNTY ROAD & BRIDGE ADMIN	October Salaries	\$	6,419.00
and additional overtime of		\$	66.36

COUNTY ROAD & BRIDGE CONST	October Salaries	\$	29,327.66
and additional overtime of		\$	<u>280.58</u>

**Total Payroll**    \$    **176,324.96**

**GENERAL FUND**

A&B BUSINESS SOLUTIONS	LEASE/METER USAGE	\$	454.54
AVERA EDUCATION & STAFFING	TRAINING	\$	300.00
A-Z SHREDDING INC	SHREDDING	\$	790.65
BARNYARD VETERINARY SER	STRAY CAT 10 DAY HOLD	\$	150.73
BEESLEY LAW OFFICE	CAAF	\$	846.00
BENINATI, LILLIAN	INMATE TRANSPORT	\$	80.00
BLACK HILLS CHEMICAL	SUPPLY	\$	27.99
BLACK HILLS POWER	COUNTY POOR	\$	125.75
HUB INTERNATIONAL	AIRPLANE INSURANCE	\$	288.00
CHEYENNE SANITATION	SANITATION COLLECTIO	\$	280.00
CHRIS SUPPLY	SUPPLY	\$	176.10
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$	105.75
DAKOTA SUPPLY GROUP	SUPPLY	\$	94.58
DALE'S REPAIR	REPAIR/SUPPLY	\$	109.00
DEMERSSEMAN JENSEN	CAAF	\$	135.00
EDGEMONT HERALD TRIBUNE	PUBLICATION	\$	503.44
EN-TECH LLC	BUG SPRAY FUMIGATION	\$	225.00
FACILITYDUDE.COM	GIS SUPPORT	\$	216.00
FALKENBURG, JOE	MILEAGE	\$	87.36
FALL RIVER AUTO SUPPLY	SUPPLY/PARTS	\$	71.36
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$	2,517.94
GOLDEN WEST	PHONE BILL/LONG DIST	\$	1,182.46
GOVERNORS INN	TRAVEL/LODGING	\$	81.95
SIMKINS, SUSIE	TRAVEL	\$	323.00
HEARTLAND PAPER COMPANY	SUPPLY	\$	42.98
HILLYARD FLOOR CARE SUPP	SUPPLY	\$	328.15
HOT SPRINGS ACE HARDWARE	ACE HARDWARE SUPPLY	\$	520.84
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$	137.76
CITY OF HOT SPRINGS	CITY WATER BILL	\$	287.03
JENSEN, LYLE	TRAVEL/MEALS SAFTEY	\$	28.00
JOHNSON EIESLAND LAW	CAAF	\$	1,079.00
MASTEL, BRUCE	DATABASE SETUP & MON	\$	35.00
MCLEODS OFFICE SUPPLY CO.	SUPPLY/COMMISSIONER	\$	266.42
MEDICINE VOICE HEALING	MI	\$	350.00
MURPHY LAW OFFICE PC	CAAF	\$	57.44
NATIONAL SHERIFF ASSOC	NSA MEMBERSHIP 2016	\$	56.00
NORTONS SINCLAIR	CAR MAINTENANCE/REPA	\$	131.43
O'NEILL, JUSTIN	CAAF/MI/ABUSE & NEGL	\$	4,553.43
O'NEILL, JUSTIN	CAAF/MI	\$	4,079.34

PENNINGTON COUNTY JAIL	INMATE HOUSING PENNI	\$	9,855.00
PENNINGTON COUNTY JAIL	INMATE TRANSPORT	\$	440.15
PENNINGTON CO CONSTABLE	MI	\$	32.00
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$	1,571.00
QUILL CORPORATION	SUPPLIES	\$	359.62
QUILL CORPORATION	SUPPLIES	\$	361.07
RAPID CITY JOURNAL (THE)	PUBLICATION	\$	371.05
REGIONAL HEALTH	REFERENCE LABORATORY	\$	140.00
RICK'S AUTO CENTER	CAR REPAIR	\$	274.56
SD DEPT OF AG	PRAIRIE DOG CONTROL	\$	450.00
SD DEPT OF AG	SUPPLY REIMBURSEMENT	\$	300.00
SDSU WEST RIVER AG CENTER	MILEAGE REIMBURSEMEN	\$	140.51
SERVALL	SUPPLY/MATS/RUGS	\$	584.09
SHERIDAN COUNTY	PAPERS SERVED	\$	40.00
SHOPKO STORES OPERATING	INMATE PHARMACY/SUPP	\$	1,171.93
SKINNER, MATTHEW L. PC	CAAF/ABUSE & NEGLECT	\$	1,562.13
SMITH, JOEL	INMATE TRANSPORT/RID	\$	80.00
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$	3,593.35
STATE SUPPLY	BOILER REPAIRS	\$	657.10
STEVENS AUTOMOTIVE	TIRE REPAIR	\$	12.00
PRO BUILD	SUPPLIES	\$	106.63
VERIZON WIRELESS	VERIZON WIRELESS	\$	873.07
BROYLES, MISTI	TRAINING	\$	87.00
MILLER, MIKE	WITNESS/MILEAGE	\$	20.84
DILLON, SEAN	WITNESS/MILEAGE	\$	20.84
MALENKE, MARTIN	WITNESS/MILEAGE	\$	20.84
CAPE, MOLLY	WITNESS/MILEAGE	\$	20.84
WISHARD, JOHN	WITNESS/MILEAGE	\$	20.84
HALLS, TERRI	TRAVEL	\$	30.00
	<b>General Fund Total</b>	\$	<b>44,321.88</b>

**COUNTY ROAD & BRIDGE**

BLACK HILLS ELECTRIC	UTILITY HWY ELECTRIC	\$	35.08
CHEYENNE SANITATION	SANITATION COLLECTIO	\$	74.00
CITY OF EDGEMONT	CITY OF EDGEMONT WAT	\$	36.75
GOLDEN WEST	PHONE BILL/LONG DIST	\$	276.29
CITY OF HOT SPRINGS	CITY WATER BILL	\$	23.62
HOT SPRINGS STAR	YEARLY SUBSCRIPTION	\$	52.00
	<b>County Rd &amp; Bridge Total</b>	\$	<b>497.74</b>

**911**

GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$	388.00
GOLDEN WEST	PHONE BILL/LONG DIST	\$	587.45
CENTURY LINK	911 DISPATCH LINE TR	\$	9.63
CENTURY LINK	911 DISPATCH INCOMIN	\$	629.92

RUSHMORE COMMUNICATIONS	REPAIR EMERGENCY RAD	\$ 55.00
	<b>911 Total</b>	<b>\$ 1,670.00</b>
<b>EMERGENCY MGT</b>		
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$ 194.00
GOLDEN WEST	PHONE BILL/LONG DIST	\$ 134.94
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$ 4.00
QUILL CORPORATION	SUPPLIES	\$ 60.33
VERIZON WIRELESS	VERIZON WIRELESS	\$ 286.10
	<b>EM Total</b>	<b>\$ 679.37</b>
<b>L.E.P.C. GRANT (FED/ST GRANTS)</b>		
HSR FUELING LLC	AIRPLANE FUEL	\$ 58.99
	<b>LEPC Grant Total</b>	<b>\$ 58.99</b>
<b>24/7 SOBRIETY FUND</b>		
INTOXIMETERS	24/7 SUPPLIES	\$ 548.25
	<b>24/7 Total</b>	<b>\$ 548.25</b>
<b>COURTHOUSE BUILDING FUND</b>		
TEM-TECH	BOILER REPAIR/MAINTE	\$ 493.06
	<b>CH Bldg Fund Total</b>	<b>\$ 493.06</b>
	<b>TOTAL</b>	<b>\$ 224,594.25</b>

Board took a break at 10:22 am.

Public Comments: Vince Logue, Deputy Sheriff, spoke about HS grant on Imaging equipment for this year. Carl Shaw, Edgemont Mayor, discussed the blocking of the crossing by BNSF train in Edgemont, requesting law enforcement in Edgemont on the weekends, he and Deputy Sheriff Vince Logue will work together on the issue.

Hearing for Carr Family Petition to vacate a part of the plat was held as advertised. Motion by Abbott, seconded by Allen to approve Resolution vacating part of Plat for Carr family. With no further discussion and all voting yes, the motion carried.

#### **FALL RIVER COUNTY RESOLUTION #2015-32**

WHEREAS, Lee A. Carr and Dianna L. Carr as the Trustees of the Lee A. Carr and Dianna L. Carr Revocable Trust dated September 16, 2011 and DeAnn J. Arneson of Hot Springs, SD therefore having presented to the Fall River County Board of County Commissioners, South Dakota, a petition under the provisions of SDCL 11-3-21.1 for vacation of a portion of a Plat.

WHEREAS, The Fall River County Board of County Commissioners at a meeting of the said Board of Commissioners held on the 6th day of November, 2015, deemed it expedient that the said matter should proceed with, ordered said Petition filed with the County Auditor, fix the time for a hearing on the Petition at the regular meeting of the Fall River County Board of County Commissioners meeting on Tuesday, November 17, 2015, at 10:30 a.m., and directed that Notice of such hearing be published once in the Edgemont Herald Tribune and the Hot Springs Star, the official newspapers of said County; and

WHEREAS, The Fall River County Board of County Commissioners has carefully investigated and considered said matter, and after considering the evidence presented at the hearing of this matter and being advised in the premises, NOW THEREFORE,

BE IT RESOLVED by the Fall River County Board of County Commissioners, Fall River County, South Dakota, that the legal description of the location of the Plat and the action proposed is as follows:

The legal description of the affected real property is Lots 1,2,4,5,6,7,8,9,10,11,12 and 13 of Subdivision of Tract A in the Northwest Quarter of the Southeast Quarter of Section 20, Township 7 South, Range 5 East, Black Hills Meridian, Fall River County, South Dakota according to the Plat thereof in Plat Book XI, page 55 in the office of the Fall River County Register of Deeds.

Lot 3 of said Subdivision of Tract A is not a part of this vacation.

Such vacation to take effect on the twentieth day after the publication of this Resolution, unless suspended by the operation of a referendum.

Dated this 17<sup>th</sup> day of November, 2015.

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

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

Hearing was held for sealed bids for the grazing lease, with one bid received. Motion by Abbott, seconded by Allen to approve the three (3) year lease to Becky and Ben Reutter at \$800 per year, for 240 acres more or less in SE1/4, Section 19, W1/2SW1/4, Section 20, Twp 8S, Rng 3E, effective December 1, 2015. With no further discussion and all voting yes, the motion carried.

Hearing was held for renewal of 2016 Liquor, Liquor-Restaurant and Wine Licenses. Motion by Falkenburg, seconded by Allen to approve the renewal of 2016 Liquor, Liquor-Restaurant and Wine License Renewals outside of Municipalities. With no further discussion and all voting yes, the motion carried.

The following approved Liquor Licenses (On-sale):  
Coffee Cup Fuel Stop, Inc.  
Angostura Den, Inc.  
Pirates, Inc.  
Stateline Casino, Inc.

The following approved Liquor-Restaurant (On-sale)  
Angostura Resort Management, Inc.- Breakers Beach Club

The following approved Wine Licenses (On-off sale):  
Coffee Cup Casino and Bar  
Moyle Petroleum Company- Breakers Beach Club  
Chops & Hops, Inc

Allen spoke of County plans regarding solar and wind farms and discussed the importance of a County site analysis. Rick Kahn was introduced and he gave an overview of this area of business as he has experience working in the renewable energy industry. At times companies are looking for agreements with landowners for the certain tax credits so landowners need to do research if approached. The need for permits was discussed.

Nina Steinmetz, Weed & Pest Supervisor, requested the appointment of a new Board member. Motion by Falkenburg, seconded by Allen, to appoint Bob Novotny as a new Fall River County Weed Board Member. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Abbott, to approve purchase of a 16 ft X 24 ft 9 ft carport for storage at an estimate of \$2,670.00. With no further discussion and all voting yes, the motion carried.

Carl Shaw, Edgemont Mayor presented a listing of properties within the city with delinquent taxes. He will work with the FR County Treasurer, Kellie Rhoe on these delinquencies.

A brief discussion on planning and zoning verses licensing system was discussed with the State's Attorney and this

will be moved to the December 1<sup>st</sup> meeting agenda.

Motion by Abbott, seconded by Falkenburg, to move into executive session for personnel issues at 12:01pm. With no further discussion and all voting yes, the motion carried.

Out of executive session at 12:40 pm.

Motion by Abbott, seconded by Falkenburg to adjourn at 12:43 pm. With no further discussion and all voting yes, the motion carried.

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

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