

FALL RIVER COUNTY MINUTES OF NOVEMBER 21, 2013

The Fall River Board of County Commissioners met in regular session on November 21, 2013. Present: Mike Ortner, Joe Falkenburg, Joe Allen, Anne Cassens, 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 Cassens, 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 from November 7, 2013. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, 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 31st day of October, 2013.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>1,113.65</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>2,743,106.68</u>
Total Amount of Cash:	\$ <u>6,522.28</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>203,164.76</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>6,923.58</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:

Henry, Raymond, \$290.64, LIC
McMillin, Robert, \$272.95, LIC

TOTAL: \$6,682,829.54

Dated this 31st day of October, 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.

The 2014 community health agreement was presented. Motion by Falkenburg, seconded by Russell, to approve the community health services agreement between Fall River County and the South Dakota Department of Health, authorizing the chairman to sign. With no further discussion and all voting yes, the motion carried.

Ortner discussed license plates for WWII veterans that do not have drivers' licenses. Current law doesn't allow veterans without valid licenses to obtain the plates and legislation has been drafted to change the requirement. Motion by Russell, seconded by Falkenburg, to support a change to state law that would allow honorably discharged WWII veterans to apply for special veterans license plates, even if they do not possess a valid drivers' license. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to set 10:55 AM on December 5, 2013 as the time for a hearing on supplements and contingency transfers. With no further discussion and all voting yes, the motion carried.

Maintenance proposals for the county IBM server were presented. Motion by Falkenburg, seconded by Cassens, to approve \$3,200.84 for a one-year service agreement with Meridian IT for the E-server I5 9405-520. With no further discussion and all voting yes, the motion carried.

Clint Andersen, Andersen Engineering, presented plats for approval. Motion by Falkenburg, seconded by Russell, to approve the plat of C Kindred Tract as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2013-31

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of C Kindred Tract, located in the NW ¼ of Section 34, T8S, R7E, 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 21st day of November, 2013.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Cassens, to approve the plat of Lodge Tract as follows, contingent upon Keith Andersen signing the plat prior to filing. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2013-32

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Lodge Tract containing a portion of Hill Ranch Tract, located in the SW ¼ SW ¼ of Section 25, T8S, R5E, 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 21st day of November, 2013.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Susie Hayes, Director of Equalization, presented an abatement for approval. Motion by Falkenburg, seconded by Russell, to approve an abatement of \$88.32 in 2012 property taxes for David and Wanda Nichol for Cape Subdivision, Tract A, as they qualify for the Elderly Tax Freeze. With no further discussion and all voting yes, the motion carried.

Hayes requested permission to utilize part-time employees to cover duties of a staff person during an extended sick leave. Motion by Cassens, seconded by Allen, to authorize up to \$2,500.00 of payroll expense for Hayes to use part-time, temporary help for office duties while a full-time employee is on sick leave. With no further discussion and all voting yes, the motion carried.

Mike McNeill, US Forest Service, updated the Board on department activity, including the leases and fees for oil, the blizzard and livestock carcass disposal.

Frank Maynard, Emergency Management, presented propane quotes as follows:

9,000 gal. Propane

Nelson's Oil \$1.44 per gal.

D & J Petroleum \$1.45 per gal.

Motion by Falkenburg, seconded by Cassens, to accept the quote from Nelson's Oil of \$1.44 per gallon for 9,000 gallons of propane as the low bid. With no further discussion and all voting yes, the motion carried.

Maynard discussed branches in the road right of way in Oelrichs, asking if the highway department could aid in their removal. Randy Seiler, Highway Superintendent, noted the equipment is being used for other projects. Maynard will explore whether the work could be contracted and the expense reimbursed.

Seiler presented fuel bids as follows:

8,000 gal #2 Dyed Diesel

Nelson's \$3.20 / gal.
 MG Oil \$3.2482 / gal.

Motion by Falkenburg, seconded by Russell, to approve Nelson's bid of \$3.20 per gallon for 8,000 gallons of #2 Dyed Diesel as the low bid. With no further discussion and all voting yes, the motion carried.

Seiler presented documentation of work done for the Gun Club. Motion by Cassens, seconded by Allen, to approve a transfer of \$1,621.47 from commissioners to the highway department for gravel work done for the Fall River Gun Club. With no further discussion and all voting yes, the motion carried.

An update on carcass disposal pits was provided and Seiler asked for authorization to stockpile additional gravel, as prices are low. Motion by Falkenburg, seconded by Russell, to approve an additional \$80,000.00 for gravel crushing at the low bid price of \$3.06 per ton. With no further discussion and all voting yes, the motion carried.

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

General Fund

A & B Business Equipment	Copier	\$343.42
Assn Of SD County W&P Bds	Supply	\$74.15
Audra Malcomb Consulting	MI	\$565.54
Banks, Bridgette	Crt Rep	\$260.60
Beesley Law Office	MI	\$122.50
Bingham, James	CAAF; MI	\$885.60
Burt, Curtis	Flying	\$75.00
BW Insurance Agency Inc	Ins	\$247.00
Cardmember Service	Misc	\$2,276.95
CBM Food Service	Inmate	\$7,185.06
Century Business Leasing	Copier	\$441.53
Clinical Laboratory Of	Autopsy	\$1,972.00
Culligan Soft Water	Water	\$105.75
Dale's Repair	Car Maint	\$357.29
DeMersseman Jensen	CAAF	\$2,732.20
Dell Business Credit	Equip	\$754.33
Diesel Machinery, Inc	Labor	\$116.00

Harris, Betsey	CAAF	\$278.07
Heartland Real Estate	Assistance	\$400.00
Jensen, Lyle	Travel; Supply	\$95.82
Kreislers, Inc	Supply	\$279.80
Mobile311 LLC	Contract	\$200.00
Nettinga, Joan	Reimb Deductible	\$174.94
Neve's Uniform Inc	Uniform	\$59.95
Norton, Tina	Inmate	\$210.00
O'Neill, Justin	CAAF	\$3,096.41
Paternity Testing Corp	Investigation	\$625.00
Penn Co Sts Attny Office	MI	\$430.00
Penn County Sheriff	Inmate; MI	\$427.20
Powell, Debra J	Inmate	\$35.00
Rapid City Journal	Publishing	\$136.54
Rapid City Regional	MI	\$620.96
Regional Health	Autopsy	\$406.00
SD Assn Of County Comm.	Dues	\$1,493.16
Secretary Of State	Supply	\$94.61
Servall	Supply	\$132.22
Skinner, Matthew L. PC	CAAF	\$684.92
Software Services Inc	Support	\$2,220.00
Sotherland, Becki	Mileage	\$16.28
State Supply	Supply	\$153.57
Team Pursuits	Donation	\$50.00
Tiger Direct	Equip	\$134.67
Twilight Inc	Supply	\$29.70
United States Postal Serv	Postage	\$335.00
Weakland, Wendy	Travel	\$75.60
	General Fund Total	\$31,410.34

Road & Bridge

B H Electric Coop Inc.	Utility	\$27.16
	Road & Bridge Total	\$27.16

Emergency Mgt

Cardmember Service	Misc	\$207.28
HSR Fueling LLC	Fuel	\$143.74
	Emergency Mgmt Total	\$351.02

911 Surcharge Reimb

Cardmember Service	Misc	\$704.97
Century Link	Telephone	\$628.73
Radioshack	Supply	\$99.99

Rushmore Communications	Labor	\$294.00
Tiger Direct	Equip	\$142.48
	911 Surcharge Reimb Total	\$1,870.17

Domestic Abuse Fund

W.E.A.V.E.	Allotment	\$2,890.00
	Domestic Abuse Fund Total	\$2,890.00

L.E.P.C. Grant

HSR Fueling LLC	Fuel	\$181.73
Pudwill, Norman	Airplane	\$60.00
Bastian, Tracy	Airplane	\$100.00
	L.E.P.C. Grant Total	\$341.73

Due To Schools

First Interstate Bank	Taxes	\$448,785.28
Hot Springs School	Taxes	\$826,179.22
Oelrichs School District	Taxes	\$78,963.35
	Due To Schools Total	\$1,353,927.85

Due To Townships

First Interstate Bank	Taxes	\$2,174.68
	Due To Townships Total	\$2,174.68

Due To Cities & Towns

Bank Of The West	Taxes	\$259,862.74
First Interstate Bank	Taxes	\$69,153.16
Oelrichs, Town Of	Taxes	\$4,825.23
	Due To Cities & Towns Total	\$333,841.13

Ambulance Districts

Bank Of The West	Taxes	\$18,218.09
First Interstate Bank	Taxes	\$2,241.52
First Interstate Bank	Taxes	\$9,325.11
	Ambulance Dist Total	\$29,784.72

Due To Fire Districts

Ardmore Fire District	Taxes	\$5,652.91
First Interstate Bank	Taxes	\$25,443.73
First Interstate Bank	Taxes	\$2,732.55
Minnekahta Fire	Taxes	\$2,319.09
Oelrichs Rural Fire Dist	Taxes	\$2,600.55
	Due To Fire Districts Total	\$38,748.83

Pine Shadow Rd District		
First Interstate Bank	Taxes	\$1,073.47
	Pine Shadow Rd Dist Total	\$1,073.47
Cascade Mtn Rd District		
Cedar Hills Rd District	Taxes	\$208.81
	Cascade Mtn Rd Dist Total	\$208.81
Eagle Valley Rd District		
Black Hills Federal	Taxes	\$1,586.86
	Eagle Valley Rd Dist Total	\$1,586.86
Country Club Est Rd District		
First Interstate Bank	Taxes	\$2,007.03
	Country Club Est Rd Dist Total	\$2,007.03
Country View Rd District		
Black Hills Federal	Taxes	\$210.01
	Country View Rd Dist Total	\$210.01
Hot Brook Road District		
Hot Brook Rd District	Taxes	\$1,271.18
	Hot Brook Road Dist Total	\$1,271.18
Waters Edge Road District		
Waters Edge Road District	Taxes	\$1,027.59
	Waters Edge Road Dist Total	\$1,027.59
Cedar Hills Road District		
Cedar Hills Road District	Taxes	\$553.24
	Cedar Hills Road Dist Total	\$553.24
Valley View Road District		
First Interstate Bank	Taxes	\$365.95
	Valley View Rd Dist Total	\$365.95
Courthouse Building Fund		
Cardmember Service	Misc	\$802.20
	Courthouse Bldg Fund Total	\$802.20
M & P Flow Thru		
SD Assn Of Co. Officials	M & P	\$214.00

M & P Flow Thru Total **\$214.00**

Grand Total **\$1,804,687.97**

A break was taken at 10:11 AM. The meeting resumed at 10:25 AM with public comment. Casey Neugebauer noted that the loss of livestock in the October blizzard was going to make it difficult for producers to pay taxes. The commission expressed a commitment to help affected ranchers.

Allen presented a drawing and preliminary quotes for a building project that would provide office and storage space, plus a commission meeting room. Discussion was held on traffic flow thru the alley and how it would impact neighboring property, appraising the current storage building, how much storage space is needed and cost estimates if it was constructed of steel. Further research will be brought to a future meeting.

An ordinance that would allow for liquor licenses for full-service restaurants was discussed. Motion by Cassens, seconded by Allen, to repeal Ordinance #2013-01. With no further discussion and all voting yes on a roll call vote, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve the first reading of Ordinance #2013-02, setting the license fee for liquor licenses for full-service restaurants. With no further discussion and all voting yes on a roll call vote, the motion carried.

Motion by Cassens, seconded by Falkenburg, to set the second reading of Ordinance #2013-02 and set the license fee on December 5, 2013. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to enter into Executive Session for personnel and legal matters, per SDCL 1-25-2 (1) and 1-25-2(2). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:01 AM.

The Board came out of Executive Session at 11:25 AM. Motion by Cassens, seconded by Falkenburg, to adjourn. With no further discussion and all voting yes, the motion carried and the meeting adjourned at 11:25 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