

FALL RIVER COUNTY MINUTES OF NOVEMBER 6, 2014

The Fall River Board of County Commissioners met in regular session on November 6, 2014. Present: Joe Allen, Anne Cassens, 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. Motion by Falkenburg, seconded by Russell, to approve the agenda as written and with the addition of appointing Donna Behrens as Coroner. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve the minutes of the October 16, 2014 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to set 11:00 AM on November 20, 2014 as the time for a hearing on supplements and contingency transfers. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Cassens, to surplus as junk asset #1574, a printer, and #01801, a PC, both from the Weed Department. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve wage increases for Jason Blessing (2080 hrs), to \$17.00 effective Nov. 1, and Adam Evans (4160 hrs), to \$12.50 effective Oct. 22, per Union contract. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to hire Trayce Dinkel and Linda Kluender as temporary election staff in the Auditor's Office at \$9.50 per hour. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to appoint Jeff Grill to replace Bill Tanner as the representative to the Provo Water Board, effective January 1, 2015. With no further discussion and all voting yes, the motion carried.

Susie Hayes, Director of Equalization, met with the Board to set a hearing date. Motion by Russell, seconded by Cassens, to set December 4, 2014 at 11:00 AM as the time for a hearing on omitted properties from the 2014, payable 2015, property taxes. With no further discussion and all voting yes, the motion carried.

Donna Behrens, incoming Coroner, met with the Board to report on workshops she attended, presenting a draft of an operations manual for dealing with Mass Fatality Incidents. Motion by Falkenburg, seconded by Russell, to appoint Behrens as Coroner, effective immediately, due to the resignation of Coroner Jeff Shannon, citing the emergency measure

allowing such action by the Board for the sake of public health and safety. With no further discussion and all voting yes on a roll call vote, the motion carried.

Motion by Falkenburg, seconded by Russell, to appoint Bob Evans as Deputy Coroner, effective immediately. With no further discussion and all voting yes on a roll call vote, the motion carried.

Lyle Jensen, Building Superintendent, also reported on the Mass Fatality training and discussed striping additional parking spots for the courthouse, asking for approval to have rock removed to allow for additional parking space. As it was not on the agenda, the item will be moved to November 20, 2015.

Nina Steinmetz, Weed Supervisor, updated the Board on the 2014 SD Dept. of Agriculture grant, which seeks a 50% match from the county to reimburse landowners for spraying. Motion by Falkenburg, seconded by Russell, to approve \$8,765.66, representing a 50% match, for reimbursement to landowners for weed spraying expenses. With no further discussion and all voting yes, the motion carried.

The Board discussed a \$1,317.92 bill from Steve Reecy for services as an expert witness in the Peet trial and, as time allowed, opened the meeting for public comment in addition to the later scheduled comment time. After the Board inquired, Emergency Manager Frank Maynard stated that the Mass Fatality training received by the coroner will be incorporated into the local emergency plan.

Randy Seiler, Highway Superintendent, was asked about a battery for a road grader and tire for a loader. Fuel transfers were presented 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 October 1, 2014 through November 3, 2014 in the following amounts: the Sheriff's Office, \$2,798.70; DOE, \$165.83; Emergency Management, \$382.11; GIS, \$45.50; Building, \$66.93; Commission, \$28.35; Auditor / Elections, \$425.62, and Weed Board, \$225.51. With no further discussion and all voting yes, the motion carried.

Marilyn Robertson met with the Board to request a return of interest paid on property taxes, stating that she was unaware taxes were delinquent when she purchased the property. Ortner recommended she pursue a refund from the realty or title company involved in the sale through small claims court as the more appropriate course of action.

Propane quotes were presented.

	800 gal. Propane
McGas	\$1.59 / gal.
Dakota Propane	\$1.65 / gal.

Motion by Falkenburg, seconded by Cassens, to accept the bid of \$1.59 per gallon from McGas for 800 gallons of propane for the Highway Shop, and to visit with Lyle Jensen on propane

specifications for future purchases. With no further discussion and all voting yes, the motion carried.

Seiler updated the Board on missing reflectors, the Igloo Bridge, culverts and mowing, noting that the department was back to five-day work weeks and they were blading Battle Mountain Road.

Maynard reported that the Hot Springs Rural Fire District Board is building a new facility at the airport and they were wondering if the county would be interested in collaborating on the construction for possible storage or office space. The Board asked for costs, which will be brought back. Maynard sought travel approval. Motion by Cassens, seconded by Falkenburg, to approve travel for Maynard to attend a flood plan workshop, provided it qualifies for continuing education credit. With no further discussion and all voting yes, the motion carried.

Maynard advised the Board he is applying for an LEPC grant and is looking for funding to purchase cameras for law enforcement, adding that additional information on the PDM has been requested from FEMA. Discussion was held on the passageway behind the Extension building, which is occasionally blocked for through-traffic. Motion by Cassens, seconded by Allen, to approve opening a driveway behind the Extension building, removing parking spaces and signing it as needed. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve the bills as submitted, with the exception of the bill from Steve Reecy until the State's Attorney is consulted.

General Fund

Commissioners	October Salaries	\$4,100.00
Auditor's Office	October Salaries	\$9,731.76
and additional overtime of		\$132.05
Elections	October Salaries	\$1,301.35
and additional overtime of		\$137.79
Treasurer's Office	October Salaries	\$7,664.40
and additional overtime of		\$410.07
State's Attorney Office	October Salaries	\$6,278.43
and additional overtime of		\$7.69
Maintenance	October Salaries	\$5,656.16
Department Of Equalization	October Salaries	\$11,256.79
and additional overtime of		\$32.15
Register Of Deeds Office	October Salaries	\$6,030.26
Veterans Services Office	October Salaries	\$2,572.30
GIS	October Salaries	\$2,334.13
and additional overtime of		\$143.96
Nurse's Office	October Salaries	\$2,546.88
and additional overtime of		\$22.74
Sheriff's Office	October Salaries	\$24,039.66

and additional overtime of Jail		\$883.32
	October Salaries	\$9,995.15
and additional overtime of Dispatch		\$1,937.82
	October Salaries	\$9,271.12
and additional overtime of 24/7		\$158.71
	October Salaries	\$2,147.50
County Extension Office	October Salaries	\$2,446.08
Weed Dept	October Salaries	\$3,606.75
Coroner	October Salaries	\$80.00
Fidelity Sec. Life Ins Co	Ins	\$102.17
American Family Assurance	Ins	\$326.17
AT&T Teleconference	Telephone	\$6.62
A'viands LLC	Inmate	\$11,391.43
Beesley Law Office	CAAF	\$2,128.10
Black Hills Chemical	Supply	\$420.76
Bingham, James	CAAF	\$348.00
BH Family Health Clinic	Inmate	\$518.00
Black Hills Power	Utility	\$3,810.95
Boston Mutual Life Ins Co	Ins	\$56.20
Century Business Leasing	Copier	\$310.18
Cheyenne Sanitation	Utility	\$280.00
Cody, Denise	MI	\$15.00
Colbath, Angela M	CAAF	\$4,798.95
Credit Collection Bureau	Garnishment	\$116.50
Credit Management Service	Garnishment	\$40.00
Delta Dental Plan Of SD	Ins	\$2,124.45
DeMersseman Jensen	CAAF	\$616.15
Support Pyt Clearinghouse	Child Support	\$286.25
EFTPS	Payroll Taxes	\$26,590.55
Executive Mgmt Finance	BIT	\$21.00
Farrell, Farrell &	Deputy SA	\$2,575.00
First Interstate Bank	Oct Service Charge	\$36.85
Golden West Technologies	Equip; 911	\$739.00
Great Western Tire	Car Maint	\$126.19
Harris, Betsey	CAAF	\$410.00
Heartland Paper Company	Supply	\$61.94
Heavy Highway Fringe	Fees	\$600.00
High Plains Graphics	Supply	\$50.00
Hillyard Floor Care Supp	Supply	\$468.65
Hot Springs Ace Hardware	Supply	\$1,202.78
Hot Springs Ambulance	Inmate	\$638.89
Hot Springs Automotive	Supply; Repair	\$35.38

City Of Hot Springs	Utility	\$259.96
Iowa Laborers District	Health Ins	\$12,720.00
Liuna Laborers Local 620	Dues	\$250.00
Lewno, Lucy	MI	\$150.49
Massa Donald DDS	Inmate	\$132.00
McColley's	Cremation	\$1,300.00
McKie Ford Lincoln	Car Maint	\$284.20
McLeods Office Supply Co.	Supply	\$212.50
Mobile311 LLC	Contract	\$200.00
Mueller Civic Center	Rent	\$155.00
Murphy Law Office Pc	CAAF	\$302.59
Nationwide Retirement Sol	Retirement	\$200.00
New York Life Insurance	Ins	\$25.00
Norton's Sinclair	Supply	\$50.00
Norton,Tina	Inmate	\$280.00
O'Day, Valarie	Crt Rep	\$190.00
O'Neill, Justin	CAAF	\$5,718.25
Penn Co Sts Attny Office	MI	\$215.00
Phoenix Investigations	Investigation	\$1,492.64
Pitney Bowes	Postage Mtr	\$1,401.38
Quill Corporation	Supply	\$841.31
Rapid City Journal	Publishing	\$50.88
Rapid City Police Dept	9-30; #114-000359	\$127.00
Regional Health	Autopsy	\$1,218.00
Safety Benefits Inc	Registration	\$65.00
SD Retirement System	Retirement	\$13,133.64
Servall	Supply	\$127.47
Shopko Stores Operating	Inmate; Supply	\$991.52
Skinner, Matthew L. PC	CAAF	\$2,922.02
Smilemakers	Supply	\$33.93
SD Supplement Retirement	Retirement	\$147.08
SD Supplement Retirement	Retirement	\$9.39
Southern Hills Fire	Fire Ext	\$215.00
State Supply	Supply	\$69.61
Stephens Law Office	CAAF	\$1,301.00
Swanda, Karen	MI	\$15.00
Steve's Spot Spray Serv	Spray	\$1,800.00
Twilight Inc	Supply	\$84.75
US Bank	Copier	\$146.95
US Forest Service	Reimburse For 7-27 C	\$6,287.62
Ultramax	Ammo	\$328.00
United Way Black Hills	Donation	\$47.50

Yankton Co. Sheriff	MI	\$25.00
Yankton Co Treasurer	MI	\$110.00
Witnesses	Fee	\$230.73
	GENERAL FUND TOTAL	\$232,044.54

Road & Bridge

County Road & Bridge Admin	October Salaries	\$6,066.53
County Road & Bridge Const	October Salaries	\$23,954.73
and additional overtime of		\$262.54
A & B Welding Supply Co.	Supply	\$53.46
Advanced Drug Testing	Prof Serv	\$26.00
Fidelity Sec. Life Ins Co	Ins	\$75.38
American Family Assurance	Ins	\$577.38
Black Hills Power	Utility	\$473.97
Blessing, Brett	Ded Reimbursement	\$1,000.00
Brosz Engineer	Repair	\$1,520.00
Butler Machinery Co.	Supply; Repair	\$2,791.76
Cheyenne Sanitation	Utility	\$74.00
Crowley, Gary	Clothing	\$100.00
Dakota Fluid Power Inc	Repair	\$66.89
Dale's Tire	Supply	\$2,635.00
Delta Dental Plan Of SD	Ins	\$380.50
Diesel Machinery, Inc	Repair	\$74.25
Eddies Truck Sales	Supply; Repair	\$36.06
EFTPS	Payroll Taxes	\$7,361.70
Edgemont, City Of	Utility	\$36.75
Fall River Auto Supply	Supply; Repair	\$341.40
Forward Distributing	Supply	\$188.50
Godfrey Brake Service	Supply; Repair	\$939.59
Heavy Constructors Inc	Repair	\$39,114.41
Heavy Highway Fringe	Fees	\$135..00
Hills Materials Co.	Supply	\$1,996.52
Hot Springs Ace Hardware	Supply	\$17.99
Hot Springs Automotive	Supply; Repair	\$521.88
City Of Hot Springs	Utility	\$40.03
Ricoh USA Inc	Utility	\$75.00
Inland Truck Parts Co.	Repair	\$649.44
Iowa Laborers District	Health Ins	\$2,862.00
Kimball Midwest	Supply	\$399.53
LIUNA Laborers Local 620	Dues	\$175.00
Lycox Enterprises Inc	Equip	\$20,390.00
Lyle Signs	Supply	\$367.94

Maciejewski, Calvin	Clothing	\$100.00
Nationwide Retirement Sol	Retirement	\$30.00
Nebraska Salt & Grain	Gravel	\$2,184.26
Norton's Sinclair	Supply	\$11.91
Powerplan BF	Supply	\$24.56
Rapid Delivery	Repair	\$115.20
Rockmount Research	Supply	\$288.12
Rushmore Communications	911	\$2,400.60
Rushmore Office Supply	Supply	\$45.99
Safety Kleen	Repair	\$590.82
SD Assn Of County Comm.	Travel	\$190.00
SD Dept Of Transportation	Repair	\$378.85
SD Federal Property Ag	Supply	\$21.00
SD Retirement System	Retirement	\$3,634.08
Seiler, Randy	Travel; Phone	\$78.00
Sheehan Equipment, Inc.	Supply	\$434.51
SD Supplement Retirement	Retirement	\$73.53
Summit Signs & Supply Inc	Supply	\$503.10
True North Steel	Supply	\$4,869.20
Pro Build	Supply	\$49.17
	ROAD & BRIDGE TOTAL	\$131,804.03

911

911	October Salaries	\$1,915.20
and additional overtime of		
Delta Dental Plan Of Sd	Ins	\$38.05
EFTPS	Payroll Taxes	\$472.68
Golden West Technologies	Equip; 911	\$795.00
Heavy Highway Fringe	Fees	\$15.00
Hot Springs Automotive	Supply; Repair	\$28.66
Iowa Laborers District	Health Ins	\$318.00
Century Link	911	\$6.15
Rushmore Communications	911	\$1,645.00
SD Retirement System	Retirement	\$229.82
	911 REIMBUR. TOTAL	\$5,463.56

Title III National Forest

Hills Materials Co.	Supply	\$243.67
Pro Build	Supply	\$32.09
	TITLE III NATIONAL FOREST	
	Total	\$32.09

24/7 Sobriety Fund

EFTPS	Payroll Taxes	\$360.56
	24/7 SOBRIETY FUND Total	\$360.56

Emergency Mgt

Emergency Management	October Salaries	\$4,054.20
Division Of Motor Vehicle	Trnsf Title	\$14.00
EFTPS	Payroll Taxes	\$1,230.74
Hot Springs Ace Hardware	Supply	\$26.07
Hot Springs Automotive	Supply; Repair	\$65.99
Pitney Bowes	Postage Mtr	\$28.60
Quill Corporation	Supply	\$37.44
Rapid Chevrolet Cadillac	Car Maint	\$40.90
Safety Benefits Inc	Registration	\$65.00
SD Retirement System	Retirement	\$486.50
	Emergency Mgmt Total	\$6,049.44

L.E.P.C. Grant

HSR Fueling LLC	Fuel	\$162.48
Pudwill, Norman	LEPC	\$60.00
Bastian, Tracy	LEPC	\$100.00
	LEPC Grant Total	\$322.48

Cheyenne Weed Grant

EFTPS	Payroll Taxes	\$32.12
Happe, Shelby	Reimburse	\$19.35
	Cheyenne Weed Grant Total	\$51.47

GRAND TOTAL **\$376,128.17**

The meeting was opened for public comment. Mike Ortner and Ray Palmer mentioned the VA workshop being held at the Mueller Center on November 18, 2014 from 1:00 – 3:00 PM.

Motion by Cassens, seconded by Russell, to enter into Executive Session for legal matters per SDCL 1-25-2(3), to discuss the soil land farm lawsuit with State’s Attorney Jim Sword. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session in the Jury Room at 10:37 AM.

The Board came out of Executive Session at 10:56 AM. Ortner recapped the history of the Commission’s action on the soil land farm, expressing disappointment with public comments made that erroneously represent their actions. Sword provided an explanation of the court proceedings, which culminated in the issuance of a Supreme Court order that he

believed to be unclear as to whether the ballots cast in the referendum should be counted. Sword advised Auditor Ganje that the ballots should not be counted until clarification could be made. Several comments and questions from the public were fielded; no action was taken.

The Board conducted the canvass of the 2014 election with Terri Halls, Election Clerk. Motion by Cassens, seconded by Russell, to approve the Official Canvass of the 2014 General Election. With no further discussion and all voting yes, the motion carried.

Bob Beninati met with the Board to discuss his wage. Motion by Cassens, seconded by Falkenburg, to approve an additional \$.75 per hour increase for Bob Beninati, effective Jan. 1, 2015, pending Union approval. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve the \$1,317.92 bill from Steve Reecy for serving as an expert witness. 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 1:47 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