

## **FALL RIVER COUNTY MINUTES OF APRIL 21, 2015**

The Fall River Board of County Commissioners met in regular session on April 21, 2015 at Canyon Cottage. Present: Joe Allen, Anne Cassens, Joe Falkenburg, Deb Russell and Sue Ganje, Auditor. Absent: Michael Ortner.

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 Cassens, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to set an additional meeting of the Consolidated Board of Equalization for April 28, 2015 at 9:00 AM. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve a transfer of \$2,000.00 from the General Fund to Domestic Abuse as budgeted. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to surplus as junk a cash register, #1580, and a computer desk, #0992, both from the Register of Deeds. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to surplus to sell a desk lamp, #0437, and a metal cabinet, no number, both from the Register of Deeds. With no further discussion and all voting yes, the motion carried.

Lyle Jensen, Building Superintendent, and Jen Smart, dispatcher, met with the Board to request equipment for the Dispatch Center. Motion by Falkenburg, seconded by Allen, to approve \$4,120.00 for the purchase two PC's from Golden West for Dispatch. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to set May 22, 2015 at 10:00 AM as the time for a surplus property auction, held in conjunction with the City of Hot Springs at their City Street Shop on the Highway 18 bypass. With no further discussion and all voting yes, the motion carried.

Jensen asked the Board to waive the requirement for prior approval of purchases that exceed \$400.00. Motion by Cassens, seconded by Falkenburg, to allow Jensen to make purchases up to \$1,000.00 without obtaining prior approval. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Manager, informed the Board he will be attending Homeland Security grant planning and reported on Public Information Officer training that Stacey Martin and Joan Nettinga attended. Dispatch equipment, radio coverage in the county and recent fires were discussed.

Deputy Sheriff Vince Logue presented agreements for approval. Motion by Falkenburg, seconded by Cassens, to approve and authorize the chair and sheriff to sign an agreement with the Corps of Engineers, Contract # W9128F-11-P-0041 in the amount of \$16,622.00 for 2015 Law Enforcement patrols at Cottonwood and Coldbrook; and an agreement with the US Forest Service for 2015 Law Enforcement patrols at Cascade Park and Keith Memorial Park during antelope season in the amount of \$7,200.00. With no further discussion and all voting yes, the motion carried.

Deputy Logue answered questions by commissioner Cassens on the department's Verizon bill and asked for input from the Board on Sheriff Evans' interest in hiring a deputy who is certified and experienced, but would not accept employment at the rate stipulated by the Union contract. Falkenburg and Russell said they would approve a higher starting wage; Cassens said she would not go against the contract. Logue volunteered to contact the Union to see if a waiver of the contract could be authorized.

Ganje reported on the election to create a Smithwick Fire District, which was held April 14, 2015. Motion by Falkenburg, seconded by Cassens, to approve the order for organization and incorporation of the Smithwick Fire District as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2015-11**

ORDER FOR ORGANIZATION AND INCORPORATION OF THE  
SMITHWICK FIRE DISTRICT  
FALL RIVER COUNTY, SOUTH DAKOTA

WHEREAS, all resident registered voters that are within the proposed district have agreed to and petitioned for the organization of the Smithwick Fire District, and

WHEREAS, an Election was held on April 14, 2015 asking the voters to accept or reject the formation of the Smithwick Fire District, with 22 voters accepting and 2 voters rejecting the formation of the Smithwick Fire District, and

NOW, THEREFORE, BE IT ORDERED, that the Fall River County Commissioners shall declare the Smithwick Fire District to be organized and established as a governmental subdivision of the State of South Dakota and a public body, corporate and political, effective as of today's date, with taxing authority for the 2015 tax year, payable in 2016 and after, and

BE IT FURTHER ORDERED, that the Smithwick Fire District be described as follows:

Township 8 South, Range 7 East, Sections 13 - 36 inclusive;

Township 8 South, Range 8 East, Sections 13 - 36 inclusive;

Township 8 South, Range 9 East, Sections 13 - 36 inclusive;

Township 9 South, Range 7 East, Sections 1, 2, & 4; Sections 11 - 14 inclusive; Section 24

Township 9 South, Range 8 East, Sections 1 - 21 inclusive; North half (N1/2) of sections 22-24;

Township 9 South, Range 9 East, Sections 1 - 18 inclusive; North half (N1/2) of sections 19 - 24;

All property located in Black Hills Meridian (B.H.M), Fall River County, South Dakota, consisting of 120 square miles, more or less.

DATED this 21<sup>st</sup> day of April, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Ganje spoke briefly on a law that would limit school districts to CPI and growth on taxes levied if the increase of the counties value from one year to the next reflects an increase of more than 10% due to reappraisal. In checking with the SD Department of Revenue, no action was taken by Legislation this year, so the law is no longer in place.

Treasurer Kelli Rhoe asked the Board for hire approval. Motion by Falkenburg, seconded by Allen, to approve hiring Jamie Padgett as a clerk at \$9.50 per hour, per Union contract, for up to 35 hours per week, effective April 8, 2015, with no benefits other than South Dakota Retirement. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Superintendent, presented a revised agreement between the county and the State of South Dakota to build a road between Provo and Igloo. Ortnier had asked for the matter to be tabled until the May 5, 2015 meeting as he wants the county liability to be limited to \$200,000.00.

Motion by Falkenburg, seconded by Cassens, to approve an application by Mark Koehler to occupy a right-of-way for the installation of electric line at the north end of Oral Loop Road from the east side to the west side of the road. With no further discussion and all voting yes on a roll call vote, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve a 15' wide pipeline easement for James and Patricia Watkins on Fall River County Highway 12, in the area adjacent to the NE ¼ of Section 9, T6S, R2E and the NW ¼ of Section 9, T6S, R2E of the Black Hills Meridian, Fall River County, South Dakota and for the pipeline to run from the NE ¼ of Section 9, T6S, R2E to the NW ¼

of Section 9, T6S, R2E of the Black Hills Meridian, Fall River County, South Dakota. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve an application made by Golden West to occupy the right-of-way from the intersection of US Highway 18/385 and Reservoir Road to 13321 Reservoir Road to provide telecommunication services to 13321 Reservoir Road. With no further discussion and all voting yes, the motion carried.

A list of highway surplus items was reviewed. Motion by Falkenburg, seconded by Cassens, to approve the following items as surplus to sell at the May 22, 2015 auction, posting minimum bids required on the items: a 1990 Mack Dump Truck; a 1989 Freightliner; four 1996 Terrain King Mowers. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to table the agreement between the county and the State of South Dakota to build a road between Provo and Igloo until the May 5, 2015 meeting. With no further discussion and all voting yes, the motion carried and the matter was tabled.

The annual road tour was discussed and tentatively set for the afternoon of May 5, 2015.

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

**General Fund**

A'viands LLC	Inmate	\$10,344.35
Anderson Engineers, Inc	Survey	\$870.00
Battle Mountain Welding	Repair	\$290.00
Black Hills Chemical	Supply	\$420.72
Billion Auto	Auto	\$24,849.00
Bingham, James	CAAF	\$2,897.35
Cardmember Service	Misc.	\$1,702.61
Century Business Leasing	Copier	\$528.95
Colbath, Angela M	CAAF	\$1,089.00
Culligan Soft Water	Supply	\$105.75
Dale's Repair	Repair	\$192.99
Davis, Kathy	Crt Rptr	\$114.00
DeMersseman Jensen	CAAF	\$3,117.50
Edgemont Herald Tribune	Publication	\$1,342.25
En-Tech LLC	Supply	\$100.00
Executive Mgmt Finance	BIT	\$84.00
Fall River Auto Supply	Supply	\$46.70
Farrell, Farrell & Ginsbach	Contract	\$2,658.33
FR Soil Conservation Dist	Allotment	\$18,000.00
Golden West	Telephone	\$(1.09)
Golden West	Telephone	\$1,367.12
Hillyard Floor Care Supp	Supply	\$217.60
Hot Springs Ace Hardware	Supply	\$148.70
Hot Springs Automotive	Supply	\$5.78
Hot Springs Meal Site	Allotment	\$3,500.00
Imagine That Screenprint	Uniform	\$28.00
Manlove Psychiatry Group	Inmate	\$41.67
Mastel, Bruce	Contract	\$35.00
Matrix Research	Supply	\$1,584.00
Meade Co. Auditor	Inmate	\$120.00
Microfilm Imaging Systems	Lease/M & P	\$185.00
Mobile311 LLC	Contract	\$200.00
Neve's Uniform Inc	Uniform	\$97.90
Norton's Sinclair	Auto Maint	\$115.43
Norton, Tina	Contract	\$1,140.00
O'Neill, Justin	CAAF	\$4,208.33

Pennington County Jail	Inmate	\$15,683.65
Phoenix Investigations	Investigation	\$742.43
Powerphone Inc	Training	\$129.00
Quill Corporation	Supply	\$230.53
Radioshack	Supply	\$23.99
Rapid City Journal	Publication	\$464.20
Regional Health	Morgue	\$406.00
Rapid City Regional	Inmate	\$620.96
Regional Pharmacy	Inmate	\$655.13
SDACO	Registration	\$700.00
SD Dept. Of Revenue	Inmate	\$275.00
SD Dept Of Rev & Reg.	Auto	\$14.00
SDPAA	Insurance	\$109.70
Secretary Of State	Voter List	\$20.00
Servall	Supply	\$301.13
Shopko Stores Operating	Inmate	\$2,169.50
Sioux Funeral Home	Co Poor	\$1,300.00
Skinner, Matthew L. PC	CAAF	\$3,106.47
Software Services Inc	Support	\$930.00
Steinmetz, Nina	Supply	\$48.73
United States Postal Serv	Postage	\$916.30
Verizon Wireless	Cell Phone	\$1,540.16
Watchguard Video	Equip/Maint	\$5,210.00
Western Communication	Maint.	\$82.00
Western SD Juv Serv Ctr	Juvenile	\$1,400.00
Behrens, Donna	Travel	\$63.64
Witnesses	Fee	\$416.49
Jurors	Fee	\$4,904.06
	<b>General Fund Total</b>	<b>\$124,210.01</b>

#### Road & Bridge

B H Electric Coop Inc.	Utility	\$45.53
Cardmember Service	Misc.	\$374.72
Edgemont, City Of	Utility	\$36.75
Edgemont Herald Tribune	Publication	\$77.60
Fall River Health	Lab	\$140.00
Golden West	Telephone	\$261.46
City Of Hot Springs	Utility	\$51.59
	<b>Road &amp; Bridge Total</b>	<b>\$987.65</b>

#### 911

Golden West	Telephone	\$321.50
Golden West	Telephone	\$167.05
Century Link	Telephone	\$5.38
Century Link	Telephone	\$629.98
Rushmore Communications	Bullberry	\$2,914.10
	<b>911 Reimbur. Total</b>	<b>\$4,038.01</b>

#### Emergency Mgt

Cardmember Service	Misc.	\$41.04
Golden West	Telephone	\$36.95
Golden West	Telephone	\$87.39
Verizon Wireless	Cell Phone	\$313.12
	<b>Emergency Mgmt Total</b>	<b>\$478.50</b>

#### Domestic Abuse Fund

W.E.A.V.E.	Allotment	\$2,500.00
	<b>Domestic Abuse Fund Total</b>	<b>\$2,500.00</b>

<b>L.E.P.C. Grant</b>		
HSR Fueling LLC	LEPC	\$46.51
	<b>L.E.P.C. Grant Total</b>	<b>\$46.51</b>
<b>24/7 Sobriety Fund</b>		
Gen Diagnostics Inc	24/7	\$1,038.50
	<b>24/7 Sobriety Fund Total</b>	<b>\$1,038.50</b>
<b>M &amp; P Relief</b>		
Cardmember Service	Misc.	\$2,246.99
Microfilm Imaging Systems	Lease/M&P	\$145.00
	<b>M &amp; P Relief Total</b>	<b>\$2,391.99</b>
 <b>Grand Total</b>		 <b>\$135,691.17</b>

The meeting opened for public comment at 10:25 AM. Paul Nabholz discussed a hydrology conference in Rapid City, which addressed the effects of uranium mining.

Susie Simkins, Director of Equalization, presented an abatement. Motion by Falkenburg, seconded by Cassens, to approve an abatement of \$128.94 for 2014 taxes on parcel 75560 00300 00200 to reflect the correct number of acres included in the property. With no further discussion and all voting yes, the motion carried.

Rhoe and attorney Jim Bingham presented a delinquent tax agreement for consideration. Bingham provided the Board with a history on the property, stating that if approved, the agreement would pay off the \$13,122.17 in owed taxes in three years. Motion by Falkenburg, seconded by Cassens, to approve a delinquent tax agreement with David Neumann on parcel 72220 00900 00800 in the amount of \$500.00 per month. With no further discussion and all voting yes, the motion carried.

Allen spoke about developing a plan for the county, which could be comprised of minimal planning, economic development and site surveys. Motion by Allen, seconded by Cassens, to commit to organizing a committee to develop a comprehensive plan for the county. Discussion was held on what would be the focus of the committee. Amanda Brengle and Jim Bultsma, both of South Hills Economic Development Corp., spoke of the advantages of having some basic guidelines in place to insure health and safety. Members of the audience voiced concern about restrictive regulations and what needs the plan would address. After no further discussion, Cassens and Allen voting yes, Russell and Falkenburg voting no, the motion failed. Russell encouraged Allen to revisit the matter at a future meeting with what would be the specific goals of planning.

Motion by Cassens, seconded by Russell, 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 11:06 AM.

The Board came out of Executive Session at 11:38 AM. Motion by Falkenburg, seconded by Cassens to adjourn as the Board of County Commissioners. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:39 AM.

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

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