

FALL RIVER COUNTY MINUTES OF APRIL 7, 2015

The Fall River Board of County Commissioners met in regular session in the courtroom of the Fall River County Courthouse on April 7, 2015. 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 Cassens, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Cassens, to approve the minutes of the March 17, 2015 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Ortner, to approve wage increases as follows, per Union contract: Marty Buchholz, 6240 hrs, \$15.61 per hour, effective 3/19/15; Gerard Heisinger, 4160 hrs, \$15.05 per hour, effective 3/19/15; Kathleen Timmins, 2080 hrs, \$10.25 per hour, effective 3/4/15; Melissa Fleming, 4160 hrs, \$13.00 per hour, effective 3/7/15; and Ken Martin, 4160 hrs, \$11.00 per hour, effective 3/23/15. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Ortner, to approve the February, 2015 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 28th day of February, 2015.

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>638,749.94</u>
Total Amount of Cash:	\$ <u>3,234.97</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>12,224.68</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>751,041.09</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:

TOTAL: \$5,126,685.67

Dated this 28th day of February, 2015.

/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.

Motion by Cassens, seconded by Falkenburg, to hold the April 21 and May 5, 2015 meetings at Canyon Cottage. With no further discussion and all voting yes, the motion carried.

The Board was informed that Justin O'Neill has been appointed as Chairman of the Mental Health Board.

Motion by Cassens, seconded by Falkenburg, to table setting a date to work on a county policy manual until after the Board sets a meeting date for the Board of Equalization, later in the meeting. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Cassens, to approve travel for Kelli Rhoe, Kathy Timmins,

Mel Engebretson, Sue Ganje and Terri Halls to attend the Spring Workshop in Pierre on May 13, 14 and 15, 2015. With no further discussion and all voting yes, the motion carried.

Cassens presented a letter of resignation from the board, clarifying that it would be effective on June 1, 2015 if the Board is able to appoint a replacement for the remainder of her term by that date. Motion by Ortner, seconded by Falkenburg, to accept the letter of resignation from Commissioner Anne Cassens. With no further discussion and all voting yes, the motion carried.

Coroner Donna Behrens presented a travel request. Motion by Falkenburg, seconded by Cassens, to approve travel for Behrens and Deputy Coroner Vince Logue to attend a workshop in Pierre on May 15, 2015. With no further discussion and all voting yes, the motion carried.

Lyle Jensen, Building Superintendent, presented a list of county vehicles for the Board's consideration and discussed efforts to set an auction of surplus items in conjunction with the City of Hot Springs. The Board asked Jensen to report back with the cost of having Bradeen's conduct the auction. Motion by Ortner, seconded by Allen, to surplus the following vehicles to sell: two 2004 Dodge Durangos; two 2008 Ford Crown Victorias; and a 2003 Dodge Durango. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Ortner, to approve \$624.67 for the purchase of a head mechanism for the courthouse boiler. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, presented the 2nd Quarter SLA report. Motion by Falkenburg, seconded by Allen, to approve the 2nd Quarter SLA report, authorizing the chair to sign. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Ortner, to approve a travel request for Stacy Martin and Joan Nettinga to attend Public Information Officer training in Rapid City on April 15-16, 2015. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve travel for Maynard to attend the Spring IMAT meeting in Pierre on April 13, 2015. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve \$6,772.50 for the purchase of ten GPS units for the fire departments and Emergency Management, to be purchased with Title III funds, and to advertise a 45-day comment period prior to the purchase. With no further discussion and all voting yes, the motion carried.

Maynard discussed the expiring On Star service on his vehicle, which would cost \$199.90 for an annual contract, plus an additional charge for minutes. After discussion, the Board determined other resources already provide like services.

Maynard updated the Board on the Angostura Dam safety-briefing, spotter training for severe weather and reported on county fires.

Ortner spoke briefly on the estimated costs and the actual bids received for the expansion of the Custer / Fall River landfill.

Veterans Services Officer Dan Cullen presented his quarterly report for the Board. Motion by Cassens, seconded by Falkenburg, to approve and place on file the 1st Quarter report of VSO Cullen. With no further discussion and all voting yes, the motion carried.

Sheriff Bob Evans met with the Board for hire approval. Motion by Falkenburg, seconded by Allen, to approve hiring Alexander Christopherson as a dispatcher at \$12.00 per hour, per Union contract, effective April 13, 2015. With no further discussion and all voting yes, the motion carried.

Evans reported that dispatcher Amanda Balgheim and Deputy Jason Blessing have both resigned, noting concern about attracting applicants due to the starting wages. Evans also reported that the modification of jail doors is complete.

Auditor Ganje presented the 2014 Annual Report and discussed the 2015 year-to-date budget.

Randy Seiler, Highway Superintendent, presented fuel transfers for approval. Motion by Falkenburg, seconded by Cassens, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of March 1-31, 2015 in the following amounts: the Sheriff's Office, \$1,733.45; DOE, \$52.44; Building, \$48.04; Emergency Management, \$73.30; and Weed Board, \$86.89. With no further discussion and all voting yes, the motion carried.

Fuel bids were presented.

8,000 gal. 50/50 Dyed Diesel:

Nelson's, \$2.17 / gal.; MG Oil, no bid; PJ's, no bid

8,000 gal. E-10 Gasohol:

MG Oil, \$1.9789 / gal.; Nelson's, \$2.09 / gal.

800 gal. Propane:

Nelson's, \$1.24 / gal.; Dakota Propane, \$1.35 / gal.; Hi-D-Way, \$1.28 / gal.

Motion by Falkenburg, seconded by Allen, to approve Nelson's bids of \$2.17 per gallon for 8,000 gallons of 50/50 Dyed Diesel as the only bid; MG Oil's bid of \$1.9789 per gallon for 8,000 gallons of E-10 Gasohol and Nelson's bid of \$1.24 per gallon for 800 gallons of propane as the low bids. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve an application for Fall River Feedyard, LLC, to construct an approach on the south side of Feeder Way (Road #1A) at approximately .3 of a mile east of the intersection of 1 and 1A to serve a feedlot, authorizing the Chair to sign. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Ortner, to approve agreement #2015-27-1 with the SD Dept. of Game, Fish and Parks for an asphalt surface treatment of portions of County Road 1 and 2A, at a cost to the county of 50% and 25% respectively, not to exceed \$65,000.00 and \$18,125.00 respectively. With no further discussion and all voting yes, the motion carried.

Seiler advised the Board that the mowing tractor lease is \$20.00 / hour for the year and provided other updates. Butler Machinery has invited Seiler to tour their operation. Motion by Ortner, seconded by Allen, to authorize one day of paid leave, matched by a day of annual leave, for Seiler to travel to the Butler plant in Little Rock, Arkansas. With no further discussion and all voting yes, the motion carried.

Seiler indicated the Board should look at blacktop roads on their annual road tour, noting some areas that need work and should be included in the 2016 budget.

Doug Kinniburgh, SD Dept. of Transportation, discussed Senate Bill 1, legislation that will change how federal allocations are distributed to counties, and projects scheduled for Fall River County.

Repairing the Igloo Bridge was discussed. The state will provide 1.1 million in funds for the project, which is based on estimates from 2013. Should the project costs exceed the estimate, the state may adjust the funding amount. The agreement for the project is still in draft form and will be discussed further at a future meeting.

The requirement of a wheel tax to be eligible for bridge replacement funds was discussed; details are still being defined by the SD Department of Transportation. Audience members asked questions about road projects, including Cindy Brunson asking if the county could vacate the right-of-way and sell the Igloo Bridge to them, with Brunson's assuming responsibility for the bridge maintenance.

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

General Fund

Commissioners	March Salaries	\$4,100.00
Auditor's Office	March Salaries	\$9,262.48
and additional overtime of		\$124.57
Elections	March Salaries	\$1,286.40
Treasurer's Office	March Salaries	\$6,885.77
and additional overtime of		\$60.56
State's Attorney Office	March Salaries	\$6,697.52
and additional overtime of		\$236.89
Maintenance	March Salaries	\$5,902.03
Department Of Equalization	March Salaries	\$10,966.30
and additional overtime of		\$410.16
Register Of Deeds Office	March Salaries	\$6,484.71
Veterans Services Office	March Salaries	\$2,880.00
GIS	March Salaries	\$1,998.24
and additional overtime of		\$36.54
Nurse's Office	March Salaries	\$2,552.78
and additional overtime of		\$23.90
Sheriff's Office	March Salaries	\$26,045.16
and additional overtime of		\$2,312.81
Jail	March Salaries	\$13,317.30
and additional overtime of		\$2,428.94
Dispatch	March Salaries	\$9,049.40
and additional overtime of		\$3,224.02
County Extension Office	March Salaries	\$2,483.47
Weed Dept	March Salaries	\$2,896.75
Coroner	March Salaries	\$160.00
A & B Business Solutions	Copier	\$599.52
A & M Aviation Of Nevada	S & R	\$1,619.05
Fidelity Sec. Life Ins Co	Insurance	\$72.71
American Family Assurance	Insurance	\$225.04
Assn Of SD County W & P Bds	Dues	\$150.00
A-Z Shredding Inc	Supply	\$20.25
Battle Mtn Humane Society	Allotment	\$2,500.00
Beck Motors Inc	Vehicle	\$32,509.00
Beesley Law Office	CAAF	\$933.40
Beninati, Lillian	Matron	\$40.00
Best Western Ramkota	Travel	\$474.95
Black Hills Ortho & Spine	Inmate	\$122.80
Black Hills Power	Utility	\$3,493.21
Booth, Raquel	Inmate	\$40.83
Boston Mutual Life Ins Co	Insurance	\$32.76
Breit Law Offices, PC	Garnishment	\$50.00
Century Business Leasing	Copier	\$392.42
Cheyenne Sanitation	Utility	\$280.00
Colbath, Angela M	CAAF	\$1,303.50
Credit Collection Bureau	Garnishment	\$66.50
Chamberlain McColley's	Co Poor	\$1,300.00
Dakota Leasing Company	Copier	\$155.00
Dale's Repair	Auto	\$69.50
Delta Dental Plan Of SD	Insurance	\$2,253.60
Support Pyt Clearinghouse	Child Supp	\$286.25
EFTPS	Taxes	\$30,349.44
Edgemont Herald Tribune	Publishing	\$454.01
Fall River Auto Supply	Supply/Repair	\$98.27

Fall River Health	Inmate	\$924.12
Farrell, Farrell &Ginsbach	Contract	\$2,658.33
FR County Treasurer	March Service Charge	\$36.80
Friedman, Dr Joshua D	Inmate	\$291.67
Golden West Technologies	Contract	\$1,679.94
Harris, Betsey	CAAF	\$225.70
Hayes, Susie	Supply	\$51.98
Health 4 Life	Dues	\$100.00
Heavy Highway Fringe	Insurance	\$705.00
Hillyard Floor Care Supp	Supply	\$238.68
Hot Springs Ace Hardware	Repair/Supply	\$312.05
Hot Springs Automotive	Repair/Supply	\$44.07
City Of Hot Springs	Utility	\$244.35
Iowa Laborers District	Insurance	\$16,007.00
Inventory Trading Company	Uniform	\$430.00
Ricoh Production Print	Maint	\$156.00
Krueger, Carla	Inmate	\$35.00
LIUNA Laborers Local 620	Dues	\$225.00
Moss, William	Investigation	\$750.00
Murphy Law Office Pc	CAAF	\$357.25
Nationwide Retirement Sol	Retirement	\$88.25
Nelsons Oil & Gas Inc.	Fuel	\$292.05
New York Life Insurance	Insurance	\$25.00
Norton's Sinclair	Repair/Supply	\$20.00
Norton, Tina	Contract	\$1,000.00
O'Neill, Justin	CAAF	\$4,515.36
Otis Elevator Company	Elevator	\$358.89
Penn Co Sts Attny Office	MI	\$215.00
Pennington County Auditor	MI	\$72.00
Pennington County Jail	Inmate	\$118.83
ProMed Medical Supplies	Supply	\$475.00
Public Auto Inc	Refund	\$26.23
Quill Corporation	Supply	\$173.21
Radioshack	Supply	\$98.96
Rapid City Journal	Publishing	\$997.53
Rick's Auto Center	Maint.	\$53.50
SH Economic Dev Corp	Allotment	\$5,000.00
SD Assn Of Co. Officials	CLERP	\$1,243.22
South Dakota St Treasurer	Taxes	\$174.74
SISMA	Registration	\$250.00
SD Network Against Family	Dues	\$200.00
SD Retirement System	Retirement	\$13,967.32
SDAAO	Registration	\$235.00
Secretary Of State	Voter List	\$80.00
Servall	Supply	\$428.45
Sharp, Robert Or Stacey	Refund	\$34.23
Snowfighters	Contract	\$220.00
Software Services Inc	Support	\$1,080.00
SD Supplement Retirement	Retirement	\$200.00
SRM Youth Activities	Registration	\$150.00
Pro Build	Supply	\$125.35
United Way Black Hills	Donation	\$42.50
Winter, Paul R	CAAF	\$1,581.30
Workman, Robert Or Bonny	Refund	\$119.55
Marchant, Donald Or Laura	Refund	\$18.05
Lois A Emery	Refund	\$480.28
Parker, Francine	Uniform	\$44.14
	General Fund Total	\$261,395.59

Road & Bridge

County Road & Bridge Admin	March Salaries	\$6,108.20
County Road & Bridge Const	March Salaries	\$23,893.52
A & B Welding Supply Co.	Supply	\$17.94
Al's Metal Work, Inc	Supply	\$54.39
Fidelity Sec. Life Ins Co	Insurance	\$75.38
American Family Assurance	Insurance	\$504.58
B H Electric Coop Inc.	Utility	\$27.34
Battle Creek Supply	Supply	\$125.98
Best Western Ramkota	Travel	\$96.99
Black Hills Power	Utility	\$879.54
Butler Machinery Co.	Repairs	\$6,473.96
Delta Dental Plan Of SD	Insurance	\$431.75
Diesel Machinery, Inc	Supply	\$114.09
Eddies Truck Sales	Repair	\$63.14
EFTPS	Taxes	\$7,199.94
Edgemont Herald Tribune	Publishing	\$77.60
Fall River Auto Supply	Supply/Repair	\$229.83
Flint Electric	Supply	\$51.46
Forward Distributing	Supply	\$111.20
Godfrey Brake Service	Repairs	\$295.12
Grimm's Pump Service Inc	Supply	\$90.64
Heisinger, Gerard	Uniform	\$100.00
Heavy Highway Fringe	Insurance	\$75.00
Hot Springs Ace Hardware	Repair/Supply	\$308.99
Hot Springs Automotive	Repair/Supply	\$427.90
Ricoh USA Inc	Copier	\$158.20
Iowa Laborers District	Insurance	\$3,315.00
LIUNA Laborers Local 620	Dues	\$175.00
Lyle Signs	Supply	\$82.86
Mg Oil	Supply	\$1,253.35
Nationwide Retirement Sol	Retirement	\$73.53
Nelsons Oil & Gas Inc.	Fuel	\$18,395.81
Norton's Sinclair	Repair/Supply	\$26.54
Powerhouse	Supply	\$51.00
Public Auto Inc	Refund	\$1.17
Quality Real Estate Inc	Gravel	\$180.00
Rapid Delivery	Repairs	\$159.60
Rushmore Communications	Repair	\$26.00
Safety Kleen	Repair	\$117.42
SD Retirement System	Retirement	\$3,600.20
Seiler, Randy	Travel/Phone	\$112.00
Sharp, Robert Or Stacey	Refund	\$1.52
Sheehan Equipment, Inc.	Repair	\$927.38
Sioux City Foundry	Supply	\$2,960.00
SD Supplement Retirement	Retirement	\$30.00
Twilight Inc	Supply	\$27.95
Workman, Robert Or Bonny	Refund	\$21.09
Marchant, Donald Or Laura	Refund	\$0.80
Lois A Emery	Refund	\$89.90
	Road & Bridge Total	\$79,620.80

911

911	March Salaries	\$2,218.08
and additional overtime of		\$10.84
Delta Dental Plan Of SD	Insurance	\$39.25
EFTPS	Taxes	\$563.12

Golden West Technologies	Contract	\$2,474.94
Heavy Highway Fringe	Insurance	\$15.00
Iowa Laborers District	Insurance	\$324.00
Muellenberg Electric Inc	Billbrry	\$5,882.94
Rushmore Communications	Repair	\$520.10
SD Retirement System	Retirement	\$267.48
	911 Reimbur. Total	\$12,315.75

Title III National Forest

Black Hills Land Analysis	Title III	\$3,055.00
	Title III Natl Forest Total	\$3,055.00

L.E.P.C. Grant

Pudwill, Norman	LEPC	\$120.00
Bastian, Tracy	LEPC	\$200.00
	L.E.P.C. Grant Total	\$320.00

Emergency Mgt

Emergency Management	March Salaries	\$4,184.20
EFTPS	Taxes	\$1,274.97
High Plains Graphics	Booklets	\$210.00
Lynn's Dakota Mart	Supply	\$29.94
SD Retirement System	Retirement	\$502.10
	Emergency Mgmt Total	\$6,201.21

Cheyenne Weed Grant

Mid Dakota Vegetation Mgt	Grant	\$19,957.08
	Cheyenne Weed Grant Total	\$19,957.08

Courthouse Building Fund

Nelsons Oil & Gas Inc.	Fuel	\$2,362.32
Public Auto Inc	Refund	\$4.52
Rapid Fire Protection Inc	Inspection	\$275.00
Sharp, Robert Or Stacey	Refund	\$5.90
Workman, Robert Or Bonny	Refund	\$5.34
Marchant, Donald Or Laura	Refund	\$3.11
Lois A Emery	Refund	\$22.03
	Courthouse Bldg Fund Total	\$2,678.22

24/7 Sobriety Fund

EFTPS	Taxes	\$189.17
	24/7 Sobriety Fund Total	\$189.17

Grand Total **\$360,042.52**

A break was taken at 10:30 AM. The meeting resumed at 10:35 AM. Motion by Cassens, seconded by Falkenburg, to enter into Executive Session for legal matters, per SDCL 1-25-2 (3). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 10:35 AM with Deputy State's Attorney Pat Ginsbach.

The Board came out of Executive Session at 10:44 AM and the meeting opened for public comment. Ray Palmer discussed a demonstration scheduled in May for the Save the VA effort and Susan Henderson discussed the Fall River / Custer landfill. Cindy Brunson reported on an incident with an airplane, which had difficulty landing on a windy day and had to redirect.

Keith Andersen, Andersen Engineering, presented a plat for approval. Motion by Falkenburg, seconded by Allen, to approve a plat of West View Tract as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2015-09

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of West View Tract containing all of lots 1 through 4 of Tract H, located in the NW ¼ SE ¼, NE ¼ SW ¼, Section 27, T7S, R6E, 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 7th 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

Andersen discussed a re-plat in Country Club Estates and reported he is not prepared to present plats for Ben Tubbs and Paul Tobin as the taxes are not paid.

A hearing on a vacation of plats, as petitioned by Jim and Sheryl Birdsall, was held as advertised. Motion by Falkenburg, seconded by Cassens, to approve the resolution vacating plats of lots 1 through 10 in Tract "B" and lot 1 in Tract "A"; and Tracts A and B as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER RESOLUTION #2015-10

WHEREAS James E. Birdsall and Sheryl A. Birdsall have presented to the Fall River County Commission, pursuant to SDCL 11-3-21.1, a petition for vacation of plats in Fall River County, South Dakota, described as follows:

The legal description of the first plat is, A plat of lots 1 through 10 in Tract "B" and Lot 1 in Tract "A", located in the NW ¼ SE ¼, Section 31, T8S, R6E, BHM, which said plat was filed in the office of the Register of Deeds of Fall River County on November 3, 1965 at 8:00 AM in Book VIII of Plats, page 56. The legal description of the second plat is, PLAT OF TRACTS A AND B WITH 30' PRIVATE ACCESS EASEMENT AS SHOWN IN NW ¼ OF SE ¼ OF SEC. 21, T8S, R6E, BHM, FALL RIVER COUNTY SOUTH DAKOTA, which said plat was filed in the office of the Register of Deeds of Fall River County on November 28, 1962 at 4:00 PM in Book 8 of Plats, page 24.

WHEREAS, James E. and Sheryl A. Birdsall, owners of record, whose address is 28056 Recreation Road, Hot Springs, South Dakota, 57747, have heretofore presented to the Fall River County Commission of Fall River County, State of South Dakota a Petition for vacation of the above legal description, and

WHEREAS, The Fall River County Commissioners, at a meeting of said Commission held on March 17, 2015, deemed it expedient that said matter should be proceeded with and ordered said Petition filed with the Auditor of said County and fixed a time for hearing the Petition at the regular meeting of the Fall River County Commission on Tuesday April 7, 2015 at 11:00 AM, and directed that notice of said hearing be published once a week for two successive weeks in the Hot Springs Star and the Edgemont Herald, the official newspapers of said County; and

WHEREAS, due and legal notice of the hearing on said Petition has been given and the Fall River County Commissioners have carefully investigated and considered the matter, and it being established that no other persons reside on the property to be vacated, that the intended use of the property is residential and there is no public highway that is part of the plat sought to be vacated, and

NOW THEREFORE BE IT RESOLVED, by the Fall River County Commission of the County of Fall River, South Dakota, that following legal described properties:

The legal description of the first plat is, A plat of lots 1 through 10 in Tract "B" and Lot 1 in Tract "A", located in the NW ¼ SE ¼, Section 31, T8S, R6E, BHM, which said plat was filed in the office of the Register of Deeds of Fall River County on November 3, 1965 at 8:00 AM in Book VIII of Plats, page 56. The legal description of the second plat is, PLAT OF TRACTS A AND B WITH 30' PRIVATE ACCESS EASEMENT AS SHOWN IN NW ¼ OF SE ¼ OF SEC. 21, T8S, R6E, BHM, FALL RIVER

COUNTY SOUTH DAKOTA, which said plat was filed in the office of the Register of Deeds of Fall River County on November 28, 1962 at 4:00 PM in Book 8 of Plats, page 24.

BE, AND THE SAME HEREBY ARE VACATED.

Dated this 7th 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

Several members of Provo Township were present for the discussion on a proposal for Fall River Water Users District to take over the administration of the Provo Area Water, asking for an informational meeting before a final plan is adopted. The Board asked the two entities to attempt to work out an arrangement and return to the Board.

A proposed resolution to roll back property valuations was discussed. Several members of the audience were in attendance to support the Board sending such a resolution to the state. Russell noted that the Board has supported a countywide reassessment and such an action will negate the work done to update valuations to current guidelines. Audience members stated the burden of increasing taxes was jeopardizing the ranchers' future and there is no appeal process, therefore a letter to the Governor is what they believe to be the best option.

Motion by Falkenburg, seconded by Allen, to send a letter to the Governor urging him to authorize a roll back of property valuations to 2014, payable in 2015, values. After discussion on the exact content of the letter, Falkenburg called for the question. With Falkenburg and Allen voting yes, all others voting no, the motion failed.

Motion by Ortner, seconded by Falkenburg, to send the letter with edits, including one to ask for the roll back on behalf of ag land only. Allen stated that the roll back should be on behalf of all property, not just ag. With no further discussion, Cassens voting no and all others voting yes, the motion to request the roll back on ag land only carried.

Jim Strain was present to ask the Board about an easement for Joyce Strain on a property that has no access. The matter was before the Board at a previous meeting and Ginsbach advised the Board that because the property doesn't meet the qualifications specified in the statute, they are unable to issue an easement. Strain questioned whether Ginsbach had a conflict of interest in the matter as he represents a neighboring property owner; Ortner suggested Strain could have an attorney review Ginsbach's opinion. The Board advised Strain they will ask the State's Attorney to provide a written opinion, but they do not believe they have statutory authority to do a site visit or grant an easement.

Susie Simkins, Director of Equalization, met with the Board to discuss the annual meeting of the Board of Equalization, briefing them on the number of appeals filed and a tentative schedule. Motion by Cassens, seconded by Ortner, to set 1:30 PM on April 21, 2015 and 9:00 AM on April 22, 2015 as times to convene the Board of Equalization, with an additional meeting the following week, if needed. With no further discussion and all voting yes, the motion carried.

Ortner provided information on the overall health ranking of Fall River County in comparison to other South Dakota counties, which is a ranking of 49th of 60 counties.

Motion by Falkenburg, seconded by Cassens, to enter into Executive Session for personnel matters, per SDCL 1-25-2 (1). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 12:05 PM.

The Board came out of Executive Session at 12:24 PM.

Motion by Ortner, seconded by Cassens, to enter into Executive Session for personnel matters, per SDCL 1-25-2 (1). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 12:27 PM.

The Board came out of Executive Session at 12:36 PM.

Motion by Falkenburg, seconded by Ortner, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 12:36 PM.

/s/ Deborah Russell

Deborah Russell, Chair

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor