

## **FALL RIVER COUNTY MINUTES OF MAY 19, 2015**

The Fall River Board of County Commissioners met in regular session on May 19, 2015 in the courtroom of the Courthouse. Present: Joe Allen, Anne Cassens, Joe Falkenburg, Deb Russell and Sue Ganje, Auditor. Absent: Michael Ortner.

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

Motion by Cassens, seconded by Falkenburg, to approve a wage increase per Union contract for appraiser Frances Denison to \$13.00 per hour, effective 4/29/15. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve a wage increase per Union contract for for Richard Kraima to \$10.50 per hour, effective 5/21/15. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to surplus as junk a Dell CPU, #01517, from the Auditor; a Dell CPU, #01817, from the Treasurer; and a Dell Vostro 220 from Dispatch. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to surplus five light bars to sell to other entities; surplus as scrap salvage two vehicle cages; and surplus to sell a lowband radio antenna and four vehicle battery chargers, all from the Sheriff's Office; a surge protector, #00740, from the Auditor; a Scanjet Scanner, #1503, a Fellowes shredder, #1933, an HP Officejet 6000, no asset #, all from the Dept. of Equalization; and a graphics tablet, #1829, and three phones, all from Emergency Management. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to accept, with regrets and thanks for her service, the resignation of dispatcher Jennifer Mraz, effective May 19, 2015, unless part-time status can be agreed on between Mraz and Sheriff Evans. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to set June 2, 2015 as the time to appoint a commissioner to fill the remainder of Commissioner Cassens' term of office, which will be vacant June 1 due to her resignation. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the April, 2015 Auditor's account with the Treasurer as follows. The Board also asked that a letter from the County Treasurer be given to the State's Attorney when she receives a returned check. 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 30<sup>th</sup> day of April, 2015.

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>3,114,477.51</u>
Total Amount of Cash:	\$ <u>3,586.97</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>237,440.42</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>812,426.79</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:		
Broyles, Misti, \$44.00, LIC		Richardson-Green, Johna - \$94.06, Taxes
Bauer, James, \$44.00, LIC		Sewright, James - \$7,352.91, Taxes
	<b>TOTAL:</b>	<b>\$7,896.901.66</b>

Dated this 30<sup>th</sup> day of April, 2015.

/s/Sue Ganje

Sue Ganje, Auditor, Fall River County

County Monies: \$5,017,396.69

Held for other Entities: \$2,726,440.29

Held in Trust: \$153,064.68

TOTAL: \$7,896,901.66

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.

An applicant for assistance met with the Board, an action item for this will be on the next meeting agenda.

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

#### **FALL RIVER COUNTY RESOLUTION #2015-14**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Tract Wilcox located in the S ½ N ½ NE ¼ and N ½ N ½ S ½ NE ¼ of Section 14, 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 19<sup>th</sup> day of May, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Frank Maynard, Emergency Management, reported on the Wildland fire meeting, a NASASP Certificate received and updated the Board on possible projects for Homeland Security grant funds.

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&B Business Solutions	Copier	\$445.03
Applied Concepts Inc	Equip	\$133.30
Black Hills Power	Assistance	\$772.12
Central Body Shop	Repair	\$270.00
Golden West	Telephone	\$82.63
City Of Hot Springs	Rent	\$250.00
Lamphere Ranch Campground	Camp	\$80.00
Century Link	911/Telephone	\$5.89
Rapid City Regional	Inmate	\$3,782.90
South Dakota St Treasurer	Taxes	\$5.00
South Dakota St Treasurer	Taxes	\$171.01
SDPAA	Insurance	\$69,489.68
State Remittance Center	Auto/MI	\$600.00
Behrens, Donna	Travel	\$162.43
Raymond, Niki	Inmate	\$35.00
	<b>General Fund Total</b>	<b>\$76,284.99</b>

**Road & Bridge**

Cheyenne Sanitation	Utility	\$74.00
Edgemont, City Of	Utility	\$25.45
Golden West	Telephone	\$267.88
City Of Hot Springs	Utility	\$62.08
SDPAA	Insurance	\$28,834.29
	<b>Road &amp; Bridge Total</b>	<b>\$29,263.70</b>

**911**

Golden West	Telephone	\$280.55
Century Link	911/Telephone	\$629.98
	<b>911 Reimbur. Total</b>	<b>\$910.53</b>

**Fire Protection Fund**

SDPAA	Insurance	\$240.01
	<b>Fire Protection Fund Total</b>	<b>\$240.01</b>

**Emergency Mgt**

Golden West	Telephone	\$36.95
SDPAA	Insurance	\$724.02
	<b>Emergency Mgmt Total</b>	<b>\$760.97</b>

**Courthouse Building Fund**

State Supply	Repairs	\$644.41
	<b>Courthouse Building Fund</b>	<b>\$644.41</b>

**24/7 Sobriety Fund**

SD Attorney General	Scram/24-7	\$158.00
SD Attorney General	Scram	\$890.00
	<b>24/7 Sobriety Fund Total</b>	<b>\$1,048.00</b>

**M & P Relief**

SD Assn Of Co. Officials	M&P	\$212.00
	<b>M &amp; P Relief Total</b>	<b>\$212.00</b>

**Grand Total** **\$109,364.61**

Jacki Waldner, County Health Nurse, presented her quarterly report.

Ganje presented a revised credit card policy for the Board’s review. Motion by Falkenburg, seconded by Allen, to approve a resolution on county credit card use as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION # 2015-15**

WHEREAS, it appears that certain circumstances require the use of a credit card for financial purposes in the County, and

WHEREAS, Fall River County previously authorized the use of a credit card by Resolution #2005-32; and

NOW THEREFORE BE IT RESOLVED that the Fall River County Commissioners authorize the use of such cards with the following conditions:

- 1) The credit cards will be located at and only be used by the following:
  - a) Courthouse: County Treasurer and County Auditor, and any other designated holders as determined by the County Commissioners
  - b) Highway Department: Highway Superintendent
  - c) Sheriff Department: Sheriff, Deputy Sheriffs and Civil Transport Deputy
  - d) Emergency Management: Supervisor
- 2) The credit cards will only be used for the following purposes:

- a) Hotel room lodging and/or deposits to hold rooms for authorized, official travel on County business, and
  - b) Equipment and supply vendors with which the County does not have an account or is not expected to have an account; or instances where the use of the card would result in beneficial terms for the county.
  - c) Travel purposes, including gas expenses and meals purchased while on over-night travel; exclusions include meals purchased under the meal allowance guidelines and items such as soft drinks, candy, etc.
- 3) A credit card **may not** be used for cash advances of any kind, or for any other purpose not specifically authorized by this policy.
  - 4) The Board of Commissioners shall, on a monthly basis, review the credit card statement to ensure all transactions shown on the card comply with this policy. Transactions that do not appear to comply with the policy shall be reported to the full Board immediately.
  - 5) All receipts must be promptly remitted to the Auditor. Any charges that cannot be properly identified or which are not made in conformity with County policy shall be paid immediately by the user of the card. Charges to be reimbursed shall include any interest and all other related charges made by the credit card company. Any officer or employee who uses a County credit card in a manner contrary to this policy shall be subject to disciplinary actions as determined by the Board of County Commissioners.
  - 6) All benefits, refunds, rebates and other incentives from the use of a credit card shall belong solely to the County and shall not benefit an individual.
  - 7) Card rate increase requests must be made to the County Commissioners.

Passed and approved this 19<sup>th</sup> day of May, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River Board of County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor

Ray Palmer, as Board liaison to the Community Action and RC&D Boards, updated them on those organizations.

Randy Seiler, Highway Superintendent, presented the Igloo Bridge agreement for reconsideration, reporting he's not received an opinion from the State's Attorney, who was asked to review it. Motion by Cassens, seconded by Allen, to approve the Igloo Bridge agreement with the Dept. of Transportation, contingent upon the review of the State's Attorney. With no further discussion and all voting yes, the motion carried.

Seiler discussed a used dump truck listed with state surplus, the sale of surplus signposts to another county and reported that old aluminum signs were salvaged for credit. Flooding over roads was discussed, along with the need for culverts and work the department is doing to prevent washouts.

Senate Bill 1, which establishes a wheel tax for highway departments, was discussed, including how the funds raised might be spent.

A break was taken at 10:17 AM. The meeting resumed at 10:24 AM with public comment. Paul Nabholz discussed a land dispute lawsuit and his hope that the county will defend his claim to save on tax deed research time. State's Attorney Sword stated it was a dispute between two parties and that the county has passed the information along to the county insurer. Harold Dahl stated he was billed for 2005 taxes and interest. The board told him that if he has a receipt showing he has paid those taxes, to bring that and the county would reimburse that expense. Ray Palmer noted that Community Action is celebrating their 50<sup>th</sup> year of operation.

Cassens provided a recap of her experience with the Jail Committee, including her opinions on a future direction, which is as follows:

"1. The original jail committee formed in the summer of 2007. Various reports, studies and proposals have been reviewed. There has been little consensus between committee members, law enforcement, and the states attorney's office. It has been very difficult to get accurate accounting numbers for the cost or potential costs of transporting inmates versus building and then staffing a new jail. In 2013 the commissioners authorized ONE transporter position to be added. At the same time, we set a limit of 16 inmates to be housed here; I am uncertain if this is being followed. In November, 2014 the commissioners set a policy that all females would be housed in Penn Co.

2. The Penn. Co. contract I have was an annual contract that I believe was last updated in 2013 or 2014 and needs to be renewed. This contract says they transport inmates to Penn. Co. court for initial arraignments. A meeting should be set with Sheriff Thom or the jail administrator to review this and revise if possible so that they transport to all court appointments in RC.

3. The July 2013 proposal from Gene Fennell should be revisited. I believe we rejected the proposal at the first meeting in August 2013; it should be reviewed extensively if anyone thinks about building a new jail.

4. The mental health-inmate statistics cannot be ignored. If the needs can be managed in Fall River Co., this needs to be a big part of planning. If not, we need to set some criteria for housing inmates with mental health diagnoses where these needs can be addressed.

5. The Jail Transport reports we are currently receiving don't tell us about added cost because of transporting females and overflow. These reports need to be modified to separate out the transports that would be made anyway, for conflict of interest, medical appts, etc.

6. We are fooling ourselves if we think we can house inmates cheaper than Penn. County can. There is no way that per inmate costs for a 20-inmate facility can be cheaper than per inmate costs in a 500+ bed facility.

Our current county system can only be feasible if law enforcement, states attorney's office, and the court work together with respect and efficiency without promoting their own interests over those of the other agencies.

It is time to get Sheriff Evans and Sheriff Thom together with commissioners to agree on what services we should expect from Pennington County.

It is time to get Sheriff Evans, Mr. Sword, Wally Campbell, Carol Foster, and the presiding Seventh Circuit Judge to sit down and agree on the needs and priorities regarding the care of inmates. Otherwise, further effort by the commissioners is a waste of time."

Coroner Donna Behrens provided a report on training she and Deputy Vince Logue attended.

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 10:52 AM with Behrens.

Behrens exited the session at 10:56 AM. The Board came out of Executive Session at 11:22 AM. Motion by Falkenburg, seconded by Cassens to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:23 AM.

/s/ Deborah Russell

Deborah Russell, Chair

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor