

**FALL RIVER COUNTY MINUTES OF MAY 5, 2015**

The Fall River Board of County Commissioners met in regular session on May 5, 2015 at Canyon Cottage. Present: Joe Allen, Anne Cassens, Joe Falkenburg, Michael Ortner, 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 Ortner, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to approve the minutes of the April 7, 2015 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the minutes of the April 21, 2015 meeting with an amendment correcting the legal description on a pipeline easement approved for James and Patricia Watkins as follows: Fall River County Highway 12, in the area adjacent to the NE ¼ of Section 9, T7S, R3E and the SE ¼ of Section 9, T7S, R3E of the Black Hills Meridian, Fall River County, South Dakota and for the pipeline to run from the NE ¼ of Section 9, T7S, R3E to the SE ¼ of Section 9, T7S, R3E of the Black Hills Meridian, Fall River County, South Dakota. With no further discussion, Ortner abstaining and all others voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the minutes of the April 28, 2015 meeting. With no further discussion and all voting yes, the motion carried.

An applicant for assistance met with the Board. Motion by Falkenburg, seconded by Allen, to approve \$772.12 in assistance for electricity for CP #2015-04, with a repayment schedule. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to approve the March, 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 31<sup>st</sup> day of March, 2015.

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>205,617.47</u>
Total Amount of Cash:	\$ <u>3,387.24</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>25,392.81</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>812,326.64</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

Bauer, James, \$44.00, LIC

**TOTAL: \$4,768,247.16**

Dated this 31<sup>st</sup> day of March, 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 Ortner, seconded by Falkenburg, to set May 11, 2015 at 9:00 AM as the time for a policy meeting. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to set June 2, 2015 at 11:00 AM as the time for a hearing on malt beverage and South Dakota wine license renewals. With no further discussion and all voting yes, the motion carried.

The Auditor asked the Board to review the procedure for payment of designated bills between meetings; after discussion, the Board reaffirmed their approval of the current process.

Motion by Allen, seconded by Falkenburg, to approve hiring Ken McNamara as a part-time, seasonal weed sprayer at \$12.00 per hour. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, presented a quote for a digital radio for Dispatch as the current one is working erratically and repair attempts have failed. Motion by Falkenburg, seconded by Cassens, to approve \$2,650.00 from Rushmore Communications for a new digital radio for Dispatch. With no further discussion and all voting yes, the motion carried.

Maynard reported on the Homeland Security grant meeting he attended and recommended that the Board transfer supervision of the 911 equipment from his duties to Sheriff Bob Evans, who supervises the dispatchers. Motion by Falkenburg, seconded by Ortner, to transfer the duties of 911 Coordinator from Maynard to Evans. With no further discussion and all voting yes, the motion carried.

Maynard informed the Board of an upcoming Wildland Fire meeting and reported on county fires.

Buckley Grieser met with the Board to request an abatement. Kimberlee Beldin was present to represent the Dept. of Equalization. Motion by Falkenburg, seconded by Cassens, to approve an abatement of \$346.29 on parcel 75370 01600 01900 to reflect owner-occupied status. With no further discussion and all voting yes, the motion carried.

Susie Simkins, Director of Equalization, met with the Board by teleconference to discuss a development by Rod Watts, who was present. Simkins explained that Watts would like to know if the project, which includes rental units, qualifies for the commercial discretionary formula. Motion by Falkenburg, seconded by Allen, to approve Hills View Estates, developed by Rodney Watts, as qualifying for the five-year commercial discretionary formula for residential development. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Superintendent, presented fuel bids.

8,000 gal. #2 Dyed Diesel:

MG Oil, \$1.9778/ gal; Nelson's, \$1.9875 / gal; PJ's, no bid

Motion by Falkenburg, seconded by Ortner, to accept MG Oil's bid of \$1.9778 for 8,000 gal. of #2 dyed diesel as the low bid. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Ortner, to approve an approach permit for Robert Pedersen, which will connect with the south side of Highway 18S, approximately 130 yards west of Rocky Ford Road, to serve a residence. With no further discussion, Falkenburg voting no and all others voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of April 1-30, 2015 in the following amounts: the Sheriff's Office, \$1,675.93; Equalization, \$27.74; State's Attorney, \$113.04; Building, \$58.23; Emergency Management, \$77.53; Weed Board, \$235.15; and \$16.00 for work done for the Weed Board. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Ortner, to approve an application by Golden West to occupy right of ways from the junction of Smithwick Road and Lennon School Road to 1.25 miles south of the junction for the installation of fiber optic telecommunication cables to provide telephone service to 28328 Lennon School Road. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Allen, to approve travel for Ken Martin to attend D-Ware training in Chamberlain on May 26-28, 2015. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve travel for Seiler to attend Summer workshop in Pierre on June 10-11, 2015. With no further discussion and all voting yes, the motion carried. Falkenburg asked Seiler to follow up on the wheel tax for the Board.

Keith Andersen, Andersen Engineering, presented plats for approval. Motion by Allen, seconded by Falkenburg, to approve the plat of Tobin Tract / Country Club Estates as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2015-12**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Tobin Tract containing all of that portion of the N ½ NE ¼ and SE ¼ NE ¼ of

Section 27, T7S, R5E, BHM, Fall River County, South Dakota, formerly described as Lots 4,5,6,7,8,9,10 and 11, Block J, Country Cub Estates, (now vacated) 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 5<sup>th</sup> day of May, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

ATTEST:

Fall River County Board of Commissioners

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Allen, seconded by Ortner, to approve the plat of Edgemont Cemetery as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2015-13**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Lots 13 through 20, Block 12, Section G, Edgemont Cemetery, containing a portion of vacated B Street lying between Sections G and H, located in the SW ¼ of Govt. Lot 1 of Section 31, T8S, R3E, 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 5<sup>th</sup> day of May, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

ATTEST:

Fall River County Board of Commissioners

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Olga Turnquist, representing the Braun Hotel, was present for Andersen's report on a survey of the courthouse property, which the Board requested. Andersen said due to confusion between county and railroad plats, the property should be replatted, with the City of Hot Springs approving the plat. Turnquist and the county will cooperate to resolve the matter.

Seiler presented the agreement between the State of South Dakota and the county to construct a new road between Provo and Igloo. The Board had previously asked for additional language in the agreement to limit the financial liability of the county. A motion by Cassens to approve the agreement,

authorizing the chair to sign, died for lack of a second. Seiler will contact the state and meet with the State's Attorney regarding the limitation of liability.

A break was taken at 10:31 AM. The meeting resumed at 10:38 AM with public comment. Coroner Donna Behrens asked about approval of an additional deputy coroner; she will have the item on a future agenda.

Motion by Falkenburg, seconded by Cassens, to opt for liability insurance only on all county vehicles more than 10 years old, all ATV's and trailers. With no further discussion and all voting yes, the motion carried.

Beldin returned to the Board for hire approval. Motion by Falkenburg, seconded by Allen, to approve hiring Adam Nelson and Jerred Tarrell as temporary, full-time field workers, effective May 8, 2015 and May 12, 2015 respectively; and Tiffani Porter as a temporary, part-time data entry worker in the Dept. of Equalization, effective May 7, 2015; all at \$9.00 per hour. With no further discussion and all voting yes, the motion carried.

Jane and Rod Reynolds met with the Board to discuss property blocked by a new guardrail installed by the Corps of Engineers on a project, for which the Board approved an easement. The Board will look at the property and ask the State's Attorney to view it, also. The matter will be on the next meeting agenda.

The Board discussed the appointment of a commissioner to fill the remainder of Cassens term, due to her resignation. Motion by Ortner, seconded by Falkenburg, to appoint a commissioner at the June 2, 2015 meeting to complete Cassens' term, due to her resignation, which is effective June 1, 2015. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to enter into Executive Session for personnel matters, per SDCL 1-25-2 (1), to conduct interviews with candidates for the upcoming commissioner vacancy. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:06 AM and Cassens exited the meeting.

The Board came out of Executive Session at 12:18 PM.

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

**General Fund**

Commissioners	April Salaries	\$4,100.00
Auditor's Office	April Salaries	\$9,607.08
and additional overtime of		\$142.67
Elections	April Salaries	\$1,370.82
and additional overtime of		\$12.06
Treasurer's Office	April Salaries	\$6,941.83
and additional overtime of		\$37.87

State's Attorney Office	April Salaries	\$7,473.63
and additional overtime of		\$421.17
Maintenance	April Salaries	\$6,233.26
Department Of Equalization	April Salaries	\$11,128.31
and additional overtime of		\$1,021.92
Register Of Deeds Office	April Salaries	\$6,636.05
Veterans Services Office	April Salaries	\$2,880.00
GIS	April Salaries	\$1,987.38
and additional overtime of		\$64.17
Nurse's Office	April Salaries	\$2,684.21
and additional overtime of		\$35.84
Sheriff's Office	April Salaries	\$23,584.38
and additional overtime of		\$2,293.20
Jail	April Salaries	\$15,195.01
and additional overtime of		\$3,196.21
Dispatch	April Salaries	\$10,996.65
and additional overtime of		\$1,277.08
County Extension Office	April Salaries	\$2,575.44
Weed Dept	April Salaries	\$2,896.75
Coroner	April Salaries	\$160.00
Fidelity Sec. Life Ins Co	Insurance	\$61.59
American Family Assurance	Insurance	\$225.04
Boston Mutual Life Ins Co	Insurance	\$32.76
Credit Collection Bureau	Garnishment	\$66.50
Delta Dental Plan Of SD	Insurance	\$2,110.05
Support Pyt Clearinghouse	Child Supp	\$286.25
EFTPS	Taxes	\$30,167.82
FR County Treasurer	April Service Charge	\$36.80
Health 4 Life	Dues	\$80.00
Heavy Highway Fringe	Ins Fees	\$615.00
Iowa Laborers District	Insurance	\$14,995.31
LIUNA Laborers Local 620	Dues	\$225.00
Nationwide Retirement Sol	Retirement	\$88.25
New York Life Insurance	Insurance	\$25.00
SD Retirement System	Retirement	\$13,575.76
SD Supplement Retirement	Retirement	\$200.00
United Way Black Hills	Donations	\$42.50
	<b>General Fund Total</b>	<b>\$187,786.62</b>
<b>Road &amp; Bridge</b>		
County Road & Bridge Admin	April Salaries	\$6,293.58
County Road & Bridge Const	April Salaries	\$25,564.61
Fidelity Sec. Life Ins Co	Insurance	\$75.38

American Family Assurance	Insurance	\$504.58
Delta Dental Plan Of SD	Insurance	\$431.75
EFTPS	Taxes	\$7,695.09
Heavy Highway Fringe	Ins Fees	\$150.00
Iowa Laborers District	Insurance	\$3,101.54
LIUNA Laborers Local 620	Dues	\$175.00
Nationwide Retirement Sol	Retirement	\$73.53
SD Retirement System	Retirement	\$3,822.98
SD Supplement Retirement	Retirement	\$30.00
	<b>Road &amp; Bridge Total</b>	<b>\$47,918.04</b>

**911**

Heavy Highway Fringe	Ins Fees	\$15.00
Iowa Laborers District	Insurance	\$310.15
	<b>911 Reimbur. Total</b>	<b>\$325.15</b>

**Emergency Mgt**

Emergency Management	April Salaries	\$4,184.20
EFTPS	Taxes	\$1,274.97
SD Retirement System	Retirement	\$502.10
	<b>Emergency Mgmt Total</b>	<b>\$5,961.27</b>

**24/7 Sobriety Fund**

EFTPS	Taxes	\$223.70
	<b>24/7 Sobriety Fund Total</b>	<b>\$223.70</b>

**Grand Total** **\$242,214.78**

Motion by Ortner, seconded by Falkenburg, to rescind the motion to appoint a board member at the June 2, 2015 meeting as the item was not on the agenda as an action item, and add it to the May 19, 2015 agenda. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 12:18 PM.

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

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