

## **FALL RIVER COUNTY MINUTES OF JUNE 2, 2015**

The Fall River Board of County Commissioners met in regular session on June 2, 2015 in the courtroom of the Fall River County Courthouse. Present: Joe Allen, 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; Allen noted a conflict with approval of a liquor license. Motion by Falkenburg, seconded by Allen, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve the minutes of the April 21, 2015 Board of Equalization meeting. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve the minutes of the April 22, 2015 Board of Equalization meeting. With no further discussion and all voting yes, the motion carried.

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

Motion by Falkenburg, seconded by Allen, to approve the minutes of the May 5, 2015 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve the minutes of the May 19, 2015 meeting. With no further discussion and all voting yes, the motion carried.

Ortner joined the meeting at 9:05 AM.

An applicant for assistance met with the Board. Motion by Falkenburg, seconded by Allen, to approve \$191.50 in assistance for electricity and \$89.02 in other assistance for CP #2015-05, with a repayment schedule. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to appoint Ann Abbott to serve as commissioner through Dec. 31, 2016, completing the remainder of Commissioner Anne Cassens term. With no further discussion and Falkenburg, Ganje (voting as per SDCL 3-4-4), Russell, and Ortner voting yes, Allen voting no; on a roll call vote, the motion carried.

Carol Foster, Clerk of Courts, administered the Oath of Office for new commissioner Ann Abbott, which will be on file in the Auditor's Office. Abbott joined the Board for the remainder of the meeting.

An application for burial assistance was reviewed. Motion by Falkenburg, seconded by Allen, to approve \$1,300 in death expense assistance for CP #2015-06, with the understanding that the county will be reimbursed by the deceased's insurance benefit. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve \$1,210.34 in assistance for electricity for CP #2015-07, with a repayment plan. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Ortner, to approve the April, 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 30<sup>th</sup> day of April, 2015.

Total Amt of Deposit in First Interstate Bank, Hot Springs: \$ 3,114,477.51

Total Amount of Cash: \$ 3,586.97

Total Amount of Treasurer's Change Fund: \$ 900.00

Total Amount of Checks in Treasurer's Possession,

Not Exceeding Three Days: \$ 237,440.42

MONEY MARKET SAVINGS, First Interstate Bank: \$ 812,426.79

CERTIFICATES OF DEPOSIT, First Interstate Bank: \$ 3,470,000.00

Black Hills FCU: \$ 250,000.00

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

**TOTAL: \$7,896,901.66**

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.

Motion by Ortner, seconded by Falkenburg, to set June 16, 2015 at 11:00 AM as the

time for a supplement and contingency hearing. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Ortner, to approve the 2015-16 WIC contract with the Dept. of Health, authorizing the Chair to sign. With no further discussion and all voting yes, the motion carried.

The Board reviewed the March 31, 2015 General Fund Surplus Analysis. Motion by Ortner, seconded by Falkenburg, to approve the General Fund Surplus Analysis as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY GENERAL FUND SURPLUS ANALYSIS**

**DATE: MARCH 31, 2015**

The amount of General Fund dollars that counties can retain as surplus is restricted by SDCL 7-21-18.1, which states: "The total unreserved, undesignated fund balance of the general fund may not exceed forty percent of the total amount of all general fund appropriations contained in the budget for the next fiscal year. The total unreserved, undesignated fund balance of the general fund of the county as of March thirty-first and September thirtieth shall be published in the minutes of the proceedings of the board of county commissioners and reported to the Department of Legislative Audit. The report shall be on forms prescribed by the Department of Legislative Audit."

The following analysis should be completed as of March thirty-first and September thirtieth of each year. Thereafter, the unreserved, undesignated fund balance amount should be published in the minutes of the governing board. This analysis should also be filed with the Department of Legislative Audit.

**ASSETS:**

10100	Cash	<u>\$ 1,403,439.55</u>
10800	Taxes Receivable--Current	<u>\$ 2,286,241.55</u>
11000	Taxes Receivable--Delinquent	<u>\$ 12,206.61</u>

**TOTAL ASSETS** \$ 3,701,887.71

**LIABILITIES AND EQUITY:**

22400	Deferred Revenue	<u>\$ 2,298,448.16</u>
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**FUND BALANCES:**

27500	Committed (list)	
	<u>Bridge #24-135113</u>	<u>\$ 50,000.00</u>
27600	Assigned (one of the following)	
	March - 3/4 of the current year	<u>\$ 266,026.50</u>
	September - 1/4 of current year + subsequent year	
27700	Unassigned	<u>\$ 1,087,413.05</u>

**TOTAL LIABILITIES AND EQUITY**

\$ 3,701,887.71

Following Year's General Fund Budget  
(use current year for March analysis)

\$ 3,627,290.00

The unassigned fund balance, account 27700,  
divided by the following year's General Fund budget  
resulting in the fund balance percentage

29.98%

Motion by Falkenburg, seconded by Allen, to surplus as junk an Athlon monitor, tag #1364, from maintenance; and an Inspiron CPU, no tag number, from IT. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to set June 23, 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 Falkenburg, seconded by Abbott, to approve a pay increase to \$10.50 per hour for weed sprayer Ray Palmer, effective April 21, 2015. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to accept with regrets the resignation of Wendy Bilbruck, accounts payable / payroll clerk in the Auditor's Office. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, met with the Board to review the SDCL's governing Emergency Management, a job description for his position, and a recap of grant funds awarded to the county through his office. Current grant opportunities were reviewed and Maynard noted the Corps of Engineers is taking comments on a preliminary draft of a Master Plan for Cottonwood Springs and Cold Brook Lake projects. Maynard also reported on credential system training and progress on the text paging system for county first responders.

Susie Simkins, Director of Equalization, did not present an abatement as scheduled as the request will be in January of 2016. Simkins reported that one property valuation appeal is going to the state Office of Hearing Examiners on June 23, 2015 at 1:00 PM in Pierre.

Simkins discussed a request from Zillow for public information and asked that a discussion on the county policy for such requests be added to the June 16, 2015 agenda.

Tom and Paulette Hinderscheit met with the Board to request a letter authorizing a sign. Motion by Falkenburg, seconded by Ortner, to approve a letter noting no prohibitive planning and zoning requirements, and authorizing placement of a sign and sale of vehicles for Auto

Locators, Inc. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Superintendent, presented fuel transfers for approval. Motion by Falkenburg, seconded by Allen, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of May 1-31, 2015 in the following amounts: the Sheriff's Office, \$1,735.44; DOE, \$143.81; Building, \$40.58; Emergency Management, \$106.58; GIS, \$25.22; Auditor, \$7.21; Register of Deeds, \$7.20; Treasurer, \$7.21; Elections, \$31.32; and Weed Board, \$201.09. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve a a 15' wide pipeline easement for John and Pauline Staben on Highway 79, in the area adjacent to the SE ¼ of Section 24, T8S, R6E and the SW ¼ of Section 19, T8S, R7E of the Black Hills Meridian, Fall River County, South Dakota and for the pipeline to run from the SE ¼ of Section 24, T8S, R6E to the SW ¼ of Section 19, T8S, R7E 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 Ortner, to approve an approach permit for Mary and Gary Kaplan, which will connect with the west side of 12702 Maitland Road, County Rd. #6, approximately three miles east of Maitland School, to serve a residence. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to approve an application made by Golden West to occupy the right-of-way beginning 380' (more or less) north from the junction of Oral Loop Road to 1,900' (more or less) north and west in public right of way, 30' from centerline of WG Flats Road, as close to the fence as possible, to provide telecommunication services to the Marshall Stiver residence. With no further discussion and all voting yes, the motion carried.

Seiler reported on black top repairs and discussed the use of mag water on gravel roads, which has negative long-term effects on the roadbed. Seiler noted an employee will be retiring in the fall and asked for approval to advertise the position now to allow for training time. Motion by Ortner, seconded by Abbott, to approve advertising a full-time highway department opening. Allen suggested using two part-time staff people instead, which would eliminate paying benefits. With no further discussion, Allen voting no, all others voting yes on a roll call vote, the motion carried.

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

**General Fund**

Commissioners	May Salaries	\$4,100.00
Auditor's Office	May Salaries	\$9,837.19
and additional overtime of		\$30.08
Elections	May Salaries	\$1,644.18
and additional overtime of		\$6.03
Treasurer's Office	May Salaries	\$7,890.27

and additional overtime of State's Attorney Office	May Salaries	\$68.54 \$7,380.76
and additional overtime of Maintenance	May Salaries	\$191.92 \$6,312.26
Department Of Equalization	May Salaries	\$12,769.66
and additional overtime of Register Of Deeds Office	May Salaries	\$589.21 \$6,870.06
Veterans Services Office	May Salaries	\$2,356.38
GIS	May Salaries	\$2,385.58
and additional overtime of Nurse's Office	May Salaries	\$38.01 \$2,907.22
and additional overtime of Sheriff's Office	May Salaries	\$53.76 \$23,518.63
and additional overtime of Jail	May Salaries	\$2,188.70 \$11,322.78
and additional overtime of Dispatch	May Salaries	\$2,204.21 \$14,848.42
and additional overtime of County Extension Office	May Salaries	\$1,311.01 \$3,108.41
Weed Dept	May Salaries	\$3,111.75
Coroner	May Salaries	\$720.00
Fidelity Sec. Life Ins Co	Insurance	\$61.59
American Family Assurance	Insurance	\$225.04
Audra Malcomb Consulting	MI	\$285.48
A'viands LLC	Inmate	\$6,412.50
A-Z Shredding Inc	Supply	\$10.65
Barron County Clerk Of Court	Investigation	\$12.00
Beesley Law Office	CAAF	\$627.00
Best Western Ramkota	Travel	\$836.91
Binder, Tracy	Crt Rpt	\$34.00
Black Hills Power	Cop	\$1,210.34
Booth, Raquel	Inmate	\$17.50
Boston Mutual Life Ins Co	Insurance	\$32.76
Cedar Shore Resort	Travel	\$363.90
Century Business Leasing	Copier	\$1,038.48
Colbath, Angela M	CAAF	\$992.35
Credit Collection Bureau	Garnishment	\$66.50
Crop Production Services	Supply	\$7,872.85
Dakota Leasing Company	Lease	\$155.00
Dale's Repair	Maint	\$99.50
Dawes County Sheriff	Subpoena	\$18.50
Delta Dental Plan Of SD	Insurance	\$2,109.45
DeMersseman Jensen	CAAF	\$2,346.00

Support Pyt Clearinghouse	Child Supp	\$286.25
EFTPS	Taxes	\$31,545.19
Edgemont Herald Tribune	Publishing	\$743.22
Edgemont Herald Tribune	Subscription	\$40.00
En-Tech LLC	Supply	\$225.00
Fall River Auto Supply	Repair / Supply	\$128.51
Fall River Sheriff Trust	Supply	\$12.00
Farrell, Farrell &Ginsbach	Contract	\$2,658.33
FR County Treasurer	May Service Charge	\$37.15
Golden West Technologies	Billbrry	\$469.92
Golden West	Telephone	\$1,620.93
Harris, Betsey	CAAF	\$2,113.38
Health 4 Life	Dues	\$100.00
Heavy Highway Fringe	Ins Fees	\$615.00
Hot Springs Ace Hardware	Repairs / Supply	\$40.77
Hot Springs Automotive	Supply / Repair	\$273.48
Iowa Laborers District	Insurance	\$15,368.00
LIUNA Laborers Local 620	Dues	\$225.00
Manlove Psychiatry Group	Inmate	\$83.33
Mastel, Bruce	Contract	\$35.00
Matthew J Kinney	CAAF	\$1,400.00
Microfilm Imaging Systems	Lease	\$185.00
Nationwide Retirement Sol	Retirement	\$88.25
Neve's Uniform Inc	Uniform	\$80.00
New York Life Insurance	Insurance	\$25.00
Nortons Sinclair	Maint	\$131.43
Norton,Tina	Contract	\$1,000.00
Norton,Tina	Inmate	\$140.00
O'Day, Valarie	Crt Rpt	\$178.40
O'Neill, Justin	CAAF / MI	\$992.91
Penn Co Sts Attny Office	MI	\$430.00
Pennington County Auditor	MI	\$45.00
Pennington County Jail	Inmate / MI	\$11,770.60
Pitney Bowes	Lease	\$1,110.09
Fall River Co Fair	Booth Rent	\$50.00
Quill Corporation	Supply	\$406.66
Radioshack	Supply	\$168.12
Rapid City Journal	Publishing	\$680.83
Rushmore Communications	Billbrry	\$389.00
SD Department Of Revenue	Inmate	\$105.00
SD Retirement System	Retirement	\$13,626.92
Secretary Of State	Voter List	\$75.00
Servall	Supply	\$312.21

Software Services Inc	Services	\$560.00
SD Supplement Retirement	Retirement	\$200.00
Stevens Automotive	Repair	\$363.35
Twilight Inc	Supply	\$136.15
Pro Build	Supply	\$47.98
United Way Black Hills	Donations	\$42.50
Warne Chemical & Equip.	Supply	\$143.20
Western SD Juv Serv Ctr	Juvenile	\$8,400.00
Victim	Assistance	\$500.53
Witnesses	Fee	\$232.89
	<b>General Fund Total</b>	<b>\$253,230.80</b>

### Road & Bridge

County Road & Bridge Admin	May Salaries	\$6,408.20
County Road & Bridge Const	May Salaries	\$26,884.01
and additional overtime of		\$3,078.09
A & B Welding Supply Co.	Supply	\$179.13
Fidelity Sec. Life Ins Co	Insurance	\$75.38
American Family Assurance	Insurance	\$504.58
B H Electric Coop Inc.	Utility	\$25.46
Butler Machinery Co.	Repair / Supply	\$1,181.93
Delta Dental Plan Of SD	Insurance	\$431.75
Diesel Machinery, Inc	Repair	\$533.32
Eddies Truck Sales	Repair	\$224.93
EFTPS	Taxes	\$9,019.86
Edgemont Herald Tribune	Publishing	\$19.40
Fall River Auto Supply	Repair / Supply	\$277.01
Forward Distributing	Supply	\$150.10
Godfrey Brake Service	Repair / Supply	\$208.74
Grimm's Pump Service Inc	Supply	\$24.42
Heavy Highway Fringe	Ins Fees	\$150.00
Hot Springs Ace Hardware	Repairs / Supply	\$319.16
Hot Springs Automotive	Supply / Repair	\$1,115.28
Ricoh USA Inc	Equip	\$157.50
Iowa Laborers District	Insurance	\$3,250.00
Kimball Midwest	Supply	\$390.08
LIUNA Laborers Local 620	Dues	\$175.00
MG Oil	Fuel	\$16,631.32
Nationwide Retirement Sol	Retirement	\$73.53
Rapid Delivery	Repair	\$93.00
Safety Kleen	Repair	\$623.31
SDACHS / DJ Buthe	Fees	\$30.00
SD Retirement System	Retirement	\$4,364.44



Seiler, Randy	Cell Phone	\$35.00
SD Supplement Retirement	Retirement	\$30.00
Team Laboratory Chemical	Supply	\$872.00
Twilight Inc	Supply	\$54.55
Pro Build	Supply	\$80.85
	<b>Road &amp; Bridge Total</b>	<b>\$77,671.33</b>

#### 911

EFTPS	Taxes	\$81.81
Golden West Technologies	Billbrry	\$1,965.86
Golden West	Telephone	\$188.03
Heavy Highway Fringe	Ins Fees	\$15.00
Iowa Laborers District	Insurance	\$325.00
Rushmore Communications	Billbrry	\$1,102.00
	<b>911 Reimbur. Total</b>	<b>\$3,677.70</b>

#### Emergency Mgmt

Emergency Management	May Salaries	\$5,347.43
AW Direct	Maint	\$203.74
Delta Dental Plan Of SD	Insurance	\$39.25
EFTPS	Taxes	\$1,452.95
Golden West Technologies	Billbrry	\$39.16
Golden West	Telephone	\$100.58
Pitney Bowes	Lease	\$22.65
Radioshack	Supply	\$69.97
SD Retirement System	Retirement	\$641.68
Twilight Inc	Supply	\$105.15
	<b>Emergency Mgmt Total</b>	<b>\$8,022.56</b>

#### 24/7 Sobriety Fund

EFTPS	Taxes	\$205.19
	<b>24/7 Sobriety Fund Total</b>	<b>\$205.19</b>

#### Courthouse Building Fund

Eagle Enterprises LLC	Repair	\$211.64
Flint Electric	Repair	\$1,377.25
Hot Springs Ace Hardware	Repairs/Supply	\$142.15
	<b>Crths Bldg Fund Total</b>	<b>\$1,731.04</b>

**Grand Total** **\$344,538.62**

A break was taken at 10:12 AM. The meeting resumed at 10:25 AM with a report from

Ortner on the NACo Board of Directors meeting held in Hawaii, which addressed funding for needed road repairs, and a push for federal funds for county Veterans' Services offices.

The meeting opened for public comment; none was made.

State's Attorney Jim Sword was present for the meeting of Jane and Rod Reynolds with the Board. Reynolds requested the county purchase their property that is blocked by a guardrail installed by the Corps of Engineers. Reynolds asked why they were not notified of meetings prior to the installation of the guardrail and said they should be compensated for the property, which they estimate had a value of \$10,000 to \$15,000. Equalization has the property assessed at a value of \$560. Ortner indicated the Board needed the opportunity to consider the matter.

A hearing on 2015-16 malt beverage and South Dakota wine licenses was held at 11:00 AM as advertised. Motion by Ortner, seconded by Falkenburg, to approve malt beverage renewals for the Angostura Den, Chops and Hops, Coffee Cup, Forney's Standard Service, Breakers, Common Cents, Pirates and the Stateline Casino; and a malt beverage / South Dakota wine license for the Hot Springs KOA. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to approve the 2015-16 malt beverage renewal for The Allen Ranch. With no further discussion, Allen abstaining and all others voting yes, the motion carried.

Bob Weyrich, Western Ag Development representative of the SD Dept. of Agriculture, met with the Board to provide a follow-up on the county site analysis. A sample report of the analysis done for Codington County was provided and Weyrich suggested the Board use the county information to help with development.

Motion by Falkenburg, seconded by Ortner, 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 11:22 AM.

The Board came out of Executive Session at 12:00 PM.

Motion by Ortner, seconded by Allen, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 12:00 PM.

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

ATTEST:

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