

FALL RIVER COUNTY MINUTES OF JULY 17, 2014

The Fall River Board of County Commissioners met in regular session on July 17, 2014. Present: Michael Ortner, Joe Allen, Anne Cassens, Joe Falkenburg, 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 Russell, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve the minutes of the July 3, 2014 meeting. With no further discussion, Cassens abstaining and all others voting yes, the motion carried.

Information on Colonial Life insurance for employees via a payroll deduction was discussed. No action was taken as further information was requested.

Motion by Falkenburg, seconded by Russell, to approve the 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 30th day of June, 2014.

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ 1,034,016.58
Total Amount of Cash:	\$ <u>1,815.17</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>12,149.78</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>725,556.00</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:

Hulse, Raymond, \$216.75, LIC
McMillin, Robert, \$272.95, LIC

TOTAL: \$5,495,462.23

Dated this 30th day of June, 2014.

/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 Russell, seconded by Falkenburg, to set a hearing on supplements and contingency transfers for August 7, 2014 at 10:40 AM. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to set 9:50 AM on August 7, 2014 as the time for a discussion on the distribution of PILT and Bankhead Jones funds. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to set August 7, 2014 beginning at 1:15 PM as the time for interviewing VSO candidates. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to surplus as junk asset #00678, a chair from the Auditor's office. With no further discussion and all voting yes, the motion carried.

Brad Keizer, SDSU Youth Program Advisor, asked for purchase approval. Motion by Falkenburg, seconded by Allen, to approve approximately \$850.00 for purchase of a laptop. With no further discussion and all voting yes, the motion carried.

Ranee Priem met with the Board to discuss incidents at their property, asking for an investigation of alleged shootings. Sheriff Rich Mraz was present and reported they responded at the time of the incidents and believed there was no intent to harm, but rather reckless behavior, which they were unable to attribute to any specific individual.

Frank Maynard, Emergency Management, discussed a fire ban resolution with the Board and the possibility of leaving one in place indefinitely, questioning if fines could be established in the resolution. Allen said he believes it is confusing to people that part of the county is governed by the county ban and part by the state Black Hills Fire Protection, suggesting additional signs and information on the website and sign across from the courthouse. Maynard will consult the State's Attorney and report back.

Maynard presented a 211 contract and it was questioned if the contract amount is in excess of the annual allotment, to be clarified later in the meeting during the budget hearing with a 211 representative. Maynard will also ask the State's Attorney to review the contract. A discussion was held on indicating floodplains on plats, which would alert people to the possible need for flood insurance. Motion by Cassens, seconded by Russell, to require identification on plats of possible floodplain hazards to comply with NFIB. With no further discussion and all voting yes, the motion carried.

Maynard discussed a need to advertise for volunteers for the Search and Rescue

program. The Board agreed and names and will be brought back to the Board for approval to comply with Workman's Comp requirements. A follow-up report on Stagecoach Road was presented, which had previously presented to the Board as a road in need of maintenance to allow for better emergency access. Maynard said the road was removed from the county road system but is not vacated; Falkenburg questioned the precedent that would be set if the county bladed the road. This will be discussed with highway supervisor.

Mraz presented the 2015 budget requests for the Sheriff's Department, Dispatch and Jail. A request for law enforcement at the travelling veteran's tribute wall was discussed but Mraz stated as there are not sufficient officers, volunteers should be considered.

Jim Sword, State's Attorney, presented his 2015 budget request and discussed storage.

Laurie Schultz, SD State Dept. of Transportation, met with the Board and Randy Seiler, Highway Superintendent, to discuss the Igloo Bridge, which was turned over to the county in 1997 with the understanding that the state would repair the bridge when needed. Tim Brosz, Brosz Engineering, presented a revised Provo to Igloo Corridor Study. Discussion was held on proposed Alternate #1, which was the preferred and most economical plan but may require the need to purchase additional right-of-way. The matter will be on the August 7, 2014 agenda for the board's approval on an alternate route or repair of the bridge.

Permits to occupy a right-of-way were presented. Motion by Cassens, seconded by Allen, to approve an application for Golden West to occupy the right-of-way located on Smithwick Road for 1,700' east (south ROW) of the Old Highway 79 and Smithwick Road Junction; and on Old Highway 79 for 4,800' south (east ROW) of the Old Highway 79 and Smithwick Road Junction to the junction of Old Highway 79 and Smithwick Road Junction, authorizing the Chairman to sign. With no further discussion and all voting yes, the motion carried.

Seiler updated the Board that Heavy Construction is going to start work on the Igloo Bridge on July 28, 2014 and new mowing tractors have not arrived; Cassens noted the Edgemont shop is badly in need of mowing. Seiler presented his 2015 budget proposal.

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

General Fund

A&B Business Equipment	Copier	\$449.79
AT&T Teleconference	Telephone	\$10.04
Biegler, Greg LPC	Detox	\$75.00
Bingham, James	CAAF	\$826.50
Boys & Girls Club	Allotment	\$2,000.00
Cardmember Service	Misc	\$1,871.68
Century Business Leasing	Copier	\$171.36
Dale's Repair	Car Maint	\$43.50

Demersseman Jensen	CAAF	\$1,468.70
SD Dept Of Labor & Reg	Unemployment	\$525.02
Environmental Products	Supply	\$161.64
Falkenburg, Joe	Travel	\$115.44
Fall River Community	Allotment	\$2,500.00
Golden West Technologies	911	\$811.43
Hillyard Floor Care Supp	Supply	\$165.52
Horn Law Office	MI	\$206.10
City Of Hot Springs	Utility	\$277.30
Ricoh Production Print	Maint	\$288.07
Knapp, Phillip G	Repair	\$31.00
Lone Star Heating & Air	Supply	\$171.36
Lewis & Clark Mental	MI	\$380.00
Mastel, Bruce	Database	\$35.00
Microfilm Imaging Systems	Lease	\$185.00
Mobile311 LLC	Contract	\$200.00
Neve's Uniform Inc	Supply	\$139.95
O'Neill, Justin	CAAF	\$1,780.39
Penn County Sheriff	Inmate	\$3,196.00
Quill Corporation	Supply	\$440.27
Rapid City Journal	Publishing	\$1,716.65
Regional Health Physician	Inmate	\$39.61
Rick's Auto Center	Car Maint	\$35.00
SD Assn Of County Comm.	CLERP	\$1,289.17
SD Department Of Revenue	Inmate	\$210.00
Servall	Supply	\$33.61
Shepherd Reporting LLC	MI	\$30.00
Skinner, Matthew L. PC	CAAF	\$1,347.15
Software Services Inc	Support	\$1,040.00
Spitzer, Kristi	Travel	\$169.50
State Remittance Center	24/7; MI, Vehicle	\$1,665.00
Stevens Plumbing	Repair	\$305.57
Schoenfelder, Paul	Inmate	\$35.00
United States Postal Serv	Postage	\$904.64
Vanway Trophy	Name Tags	\$25.00
Shannon, Jeffrey	Travel	\$24.42
Juror	Jury Trial Expense	\$4,146.22
Witness	Jury Trial Expense	\$349.83
Woodward, Sandra	Repl Check	\$38.50
	General Fund Total	\$31,930.93

24/7 Sobriety Fund

Intoximeters	24/7	\$960.00
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	24/7 Sobriety Fund Total	\$960.00
County Road & Bridge		
Edgemont, City Of	Utility	\$36.75
City Of Hot Springs	Utility	\$27.92
Quill Corporation	Supply	\$8.14
	Co Rd & Bridge Total	\$72.81
911 Surchg. Reimb		
Golden West Technologies	911	\$1,492.51
Century Link	911	\$628.09
	911 Surchg Reimb Total	\$2,120.60
M & P Relief		
Microfilm Imaging Systems	Lease	\$145.00
	M & P Relief Total	\$145.00
L.E.P.C. Grant		
HSR Fueling LLC	Fuel	\$252.27
Pudwill, Norman	LEPC	\$60.00
Bastian, Tracy	LEPC	\$100.00
	L.E.P.C. Grant	\$412.27
Emergency Mgt		
Cardmember Service	Misc	\$16.31
Firehouse	Subscription	\$29.95
Rushmore Communications	Radio	\$514.00
US Geological Survey	Bill No. 90269452	\$3,878.00
United States Postal Serv	Postage	\$2.38
	Emergency Mgt Total	\$4,440.64
Courthouse Building Fund		
Hobart Sales & Service	Repair	\$286.55
Stevens Plumbing	Repair	\$748.95
Straight Line Striping	Repair	\$624.53
	Crths Bldg Fund Total	\$1,660.03
24/7 Participation Fee		
State Remittance Center	24/7; MI, Vehicle	\$164.00
	24/7 Part. Fee Total	\$164.00
	Total Paid	\$45,761.96

A break was taken at 10:35 AM. The meeting resumed with Maynard presenting a burn ban resolution for consideration. Motion by Falkenburg, seconded by Cassens, to approve the following resolution. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION # 2014-20
A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY REGULATION
OF FIRE HAZARDS IN FALL RIVER COUNTY

WHEREAS, the Fall River County Commission is charged with protecting the health and safety of the citizens of Fall River County including all property situated therein; and

WHEREAS, the Fall River County Commission has consulted with local fire officials, law enforcement and emergency management officials concerning the threat posed by wildfires; and

WHEREAS, the threat of wildfires in Fall River County is such so as to pose a significant danger to the health and safety of the citizens of Fall River County including property situated therein; and

WHEREAS, the Fall River County Commission has deemed it necessary to enact certain temporary controls to reduce the threat posed to the citizens and property of Fall River County by wildfires.

NOW THEREFORE BE IT RESOLVED, that pursuant to SDCL 7-8-20 (18) the Fall River County Commission does hereby enact this resolution to insure public safety on an emergency basis, effective immediately and impose a ban on all open burning and fireworks except for petroleum fueled or charcoal briquette fueled grills used for preparing food. This burn ban applies to any resident in Fall River County outside any municipality or land within the Black Hills Fire Protection District, and is in effect when the fire index reaches the **HIGH, VERY HIGH or EXTREME** level. Residents will be allowed to use gas fueled or charcoal fired BBQ grills and will be allowed open burning when the fire index is at the **LOW or MODERATE** level. Campfires will **NOT** be allowed on private land or licensed commercial campgrounds. Campgrounds operated by the State of South Dakota or US Government must follow the established laws and regulations.

IT IS FURTHER RESOLVED, that this open burning ban will remain in effect until repealed by the Fall River County Commission. Pursuant to SDCL 7-18A-2 the penalty for violating this resolution shall include a fine not to exceed two hundred dollars for each violation and/or imprisonment for a period not to exceed thirty days for each violation; or both such fine and imprisonment. Additionally person (s) in violation of this burn ban may be responsible for any and all suppression costs.

Dated this 17th day of July, 2014

/s/ Michael P. Ortner

Michael P. Ortner

Chairman, Fall River Commission

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River / Shannon County Auditor

Lyle Jensen, Building Superintendent, met with the Board to discuss lighting in the Nurse's office. Motion by Falkenburg, seconded by Cassens, to approve \$408.15 for the

purchase of fluorescent lights for the Nurse's office. With no further discussion and all voting yes, the motion carried.

A hearing on supplements and contingency transfers was held at 10:55 AM as advertised. Motion by Falkenburg, seconded by Cassens, to approve the following resolution for supplements and contingency transfers. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-21
Supplemental Budget 2014, #2
Contingency Transfers, #1

WHEREAS, the Board of County Commissioners propose supplements to the following funds (expenses): Sheriff Car Maintenance, General Fund, 2013 insurance reimbursement, \$981.95; Weed Grant Fund, salary expense, Mosquito Grant, \$14,083.00. The Means of Finance will be cash balance applied for the Sheriff and Grant funds for Weed; and

WHEREAS, the Board of County Commissioners also propose the following Contingency Transfers: Data Processing, General Fund, computer support, \$840.00; IT, General Fund, software, \$5,000.00; and Coroner, General Fund, autopsy expense, \$6,300.00.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #2 and the Contingency Transfer #1 for 2014.

Dated at Fall River County, South Dakota this 17th day of July, 2014.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

2015 budget requests were presented by Barb Cline, Prairie Hills Transit; Ashley Courtney, Edgemont Public Library; Cindy Messenger, Hot Springs Public Library; Peggy Koupal and Cory Bossert, Fall River Soil Conservation District; Katie Darrow, Edgemont YMCA; and Cindy Turner, Southern Hills Economic Development, along with Board members Dave Batchelor and Jim Bultsma.

The Board recessed for lunch at 12:03 PM. The meeting resumed at 1:15 PM with continued budget requests from Doug Austin, Southern Hills Alcohol and Drug; John Pence, Fall River County Museum; Jessica Noteboom, Boys and Girls Club; Heidi Bell-Gease, 211 Helpline; Betty Patrick, Edgemont Elderly Meals, Edgemont Senior Center and Neighborhood Works; Greg Foust, Hot Springs Meals; Milton Berg, Hot Springs Senior Center; Dan Driscoll, USGS; and Kris Bierwirth, Civil Air Patrol.

Susie Hayes, Director of Equalization, met with the Board to discuss her 2014 and 2015 salary, requesting the Board consider an immediate increase, noting she was unaware in 2013 that any increase should have been incorporated into her 2014 budget request.

Motion by Falkenburg, seconded by Allen, 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 3:04 PM.

The Board came out of Executive Session at 3:12 PM. Motion by Cassens, seconded by Falkenburg, to increase Hayes' salary to \$34,000.00 per year, effective immediately. With no further discussion and all voting yes, the motion carried.

Kelli Rhoe, Treasurer, presented her 2015 budget proposal. Delinquent tax properties were discussed. Motion by Cassens, seconded by Russell, to authorize Rhoe to begin the process of taking tax deeds on parcels that qualify. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve Rhoe re-advertising delinquent tax properties in need of new certificate numbers to enable the tax deed process. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve hiring Peggy Berg as a part-time employee in the Treasurer's Office for 20 hours per week, effective July 30, 2014, at a rate of \$9.50 per hour. With no further discussion and all voting yes, the motion carried.

Falkenburg asked Rhoe to provide the Board with a summary report of Certificates of Deposit for their review at the next meeting.

Motion by Russell, seconded by Falkenburg, to enter into Executive Session for personnel matters, per SDCL 1-25-2(1) to discuss Union correspondence. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 3:38 PM.

The Board came out of Executive Session at 3:44 PM. Motion by Russell, seconded by Cassens, to adjourn the meeting. With no further discussion and all voting yes, the motion carried and the meeting adjourned at 3:45 PM.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor