

FALL RIVER COUNTY MINUTES OF JULY 19, 2016

The Fall River Board of County Commissioners met in regular session on July 19, 2016. Present: Michael Ortner, Joe Falkenburg, Deb Russell, Ann Abbott and Sue Ganje, County Auditor. Joe Allen was absent.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM.

The agenda was reviewed for conflicts; no conflicts were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion by Falkenburg, seconded Russell by to approve the agenda as written.

Motion by Falkeburg, seconded by Abbott to approve the minutes for July 5, 2016. Russell abstaining as she was absent, all others voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg to approve Auditor's Account with the Treasurer as follows:

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, 2016.

Total Amt of Deposit in First Interstate Bank: \$1,476,272.62

Total Amount of Cash: \$ 1,887.41

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

Total Amount of Checks in Treasurer's

Possession Not Exceeding Three Days: \$14,400.88

SAVINGS:

First Interstate Bank: \$1,396,538.65

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs: \$4,279,498.79

Black Hills Federal Credit Union: \$ 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:

Schmit, Troy - \$235.93, Lic (06/08/2016)

TOTAL \$7,420,269.28

Dated This 30th Day of June, 2016.

Sue Ganje, County Auditor of Fall River County.

County Monies: \$6,966,338.54
Held for other Entities: \$160,842.10
Held in Trust: \$169,200.30
TOTAL: \$7,420,269.28

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.

Ortner spoke of the continuing negotiations with the State Veterans home regarding use of Building One on the campus for county offices and storage. He also informed the board on what was submitted for the Time Capsule at the State Veterans Home, this included documents regarding officials and circuit court information. The time capsule will be opened in fifty years. Ortner also advised that the State of SD will now be losing their second position on the NACo Board as one county in the state did not renew their membership.

The Board received a petition from Attorney Tracy L. Kelly. Motion by Falkenburg, seconded by Abbott to set a hearing for the application by Black Hills Electric Cooperative for a Franchise/permit, as per SDCL 31-26. Hearing to be August 16, 2016 at 11:00 am.

Dustin Ross of Andersen Engineering presented a plat for Joan Bolin and Steve and Carla Simunek. Motion by Falkenburg, seconded by Abbott to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2016-15

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, Tract Rahe Revised and Lots 16,17,18,19 and 20 of Tract Seger-1 containing all of tract Rahe and a portion of tract Seger -1, Located in the NW ¼ of Section 15, T8S, R6E, BHM, Fall River County, South Dakota.

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 19th day of July, 2016.

/s/ Michael P Ortner
Michael P Ortner, Chair
Fall River County Board of Commissioners

ATTEST:

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

Craig DeBoer, along with Mick Jenniges of the Angostura Irrigation District met with the Board to request exemption from fire ban to allow ditch and field burning within the district, as allowed in the past. Discussion followed on weather conditions when burning, whether the exemption would be for just ditches, or ditches and fields, and notifications to dispatch and the fire department. Motion by Russell, seconded by Falkenburg to authorize exemption for the Angostura Irrigation District as long as there is communication with the Fire Department, Dispatch and Emergency Management. With Ortner voting no as motion includes fields and all others voting yes the motion carried.

Lyle Jensen, Building Supervisor addressed the Commission on the Jail's air handler, and the need to bid a new one. Motion by Abbott, seconded by Russell to rescind July 5, 2016 motion to get quotes on a new air handler. Motion by Falkenburg, seconded by Abbott to request sealed bids for a new Jail air handler to be received by August 16, 2016 at 10:50 am.

Jensen also advised that the lightning on Sunday knocked out the phone system and network switch. The estimated repair will be around \$3,500.00 and will be submitted to insurance.

Milton Berg, Springs Senior Center met with the Board to request the same budget of \$4,100.00 for 2017 as 2016.

Frank Maynard, Emergency Management met with the Board to present the State of SD, Office of the Governor's Executive order 2016-04 declaring state of emergency in western counties, including Fall River. The State will pay 100% of Indian Fire Canyon as it was at red flag conditions.

The Rangeland contract is close to completion. Motion by Falkenburg, seconded by Russell to approve the County Rangeland Contract and further authorize chair to sign when Emergency Management receives the contract.

Maynard also spoke of the Emergency Drought resolution, which he will bring back later in the meeting. Falkenburg wanted to know what resources would be available from NRCS for ranchers affected by fire. Plans for a resolution for ranchers will be brought to the next meeting.

The Seven county mutual aid agreement will be sent to Maynard after some minor clerical corrections. Motion by Falkenburg, seconded by Russell to authorize Emergency Management to sign the Seven County Mutual Aid Agreement when it arrives.

Maynard also requested to purchase a tool box. Motion by Falkenburg, seconded by Abbott to approve purchase of tool box for \$500.00.

Falkenburg questioned which individuals in the County are authorized to order resources for the County, Emergency Management, Commissioners and the Sheriff are the authorized

individuals. Nine fires through July 16 reported. Falkenburg questioned if there is protective gear for highway employees when called to fires.

Melody Engebretson, Register of Deeds met with the Board to request and discuss hire approval, and gave recognition to Lyle Jensen, Building, with keeping the offices going after the lightning hit. Engebretson informed the Board that Lora Michaels should be returning to work on August 22, 2016, and discussed options for temporary assistance. Discussion followed. Motion by Russell, seconded by Falkenburg to approve hire of a temporary employee up to 30 hours a week with no benefits to start at a rate of \$10.00 to 11.00 per hour DOE until caught up with work.

Randy Seiler, Highway Superintendant met with the Board to present Fuel bids as follows for 8,000 Gallons of Dyed Red Diesel: Nelsons- \$1.69/Gallon and MG Oil- \$1.95736/ Gallon. Motion by Falkenburg, seconded by Abbott to approve the fuel bid from Nelson's as the low bid at \$1.69 per gallon for 8,000 gallons of red #2 diesel.

Motion by Falkenburg, seconded by Russell to authorize Chairman Ortner to sign the work order for the Chilson Bridge when it arrives.

Motion by Falkenburg, seconded by Abbott to approve additional cost for new highway department pick-up truck in the amount of of \$1,088.

Discussion was held on the purchase of gravel trucks off of the Marshall County bids on equipment. As the Board is still unsure if it is proper bid as per the Department of Legislative Audit they agreed to bid the trucks. Motion by Russell, seconded by Falkenburg to set a date to receive sealed bids for one, with the possibility of two, belly-dump trailers. Bid date to be August 16, 2016 at 10:00 am.

Seiler updated the Board on the chip sealing project at Angostura Park. When the project is done the contractors will begin the County project.

Protective fire gear was discussed for highway employees that work on fires. Motion by Falkenburg, seconded by Russell to approve the purchase of 8 sets of protective gear at approximately \$200.00 per set for the Highway Department.

Motion by Falkenburg, seconded by Russell to approve the following bills.

GENERAL FUND

AT&T TELECONFERENCE	TELE-CONFERENCE SERV	\$	10.20
AUDRA MALCOMB			
CONSULTING	MI/CONSULTING	\$	384.78
AUTO BODY OF			
GENERATIONS	BODY WORK VEICHLE	\$	150.00
A'VIANDS LLC	INMATE FOOD/SUPPLY	\$	8,761.79
		\$	
BAUERKEMPERS INC	REPAIRS		8.63
BEESEY LAW OFFICE	MENTAL ILLNESS	\$	218.05
BENINATI, LILLIAN	MI TRANSPORT	\$	40.00
BLACK HILLS CHEMICAL	SUPPLY	\$	298.58

BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$	3,544.05
CAMPBELL, WALLACE	REIMBURSEMENT	\$	26.72
CENTURY BUSINESS LEASING	COPIER LEASE/METER	\$	371.75
CHEMSEARCH	SUPPLY	\$	262.29
CHEYENNE SANITATION	SANITATION COLLECTIO	\$	280.00
CODY, DENISE	MENTAL ILLNESS	\$	15.00
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$	105.75
CUSTOM MICRO INTERACTIVE	ANNUAL LICENSE	\$	7,050.00
DAKOTA LEASING COMPANY	LEASE	\$	155.00
DAKOTA SUPPLY GROUP	SUPPLY	\$	333.69
	UNEMPLOYMENT		
SD DEPT OF LABOR & REG	INSURAN	\$	184.00
	MALT BEVERAGE		
DEPARTMENT OF REVENUE	LICENS	\$	150.00
EDGEMONT HERALD TRIBUNE	PUBLICATION/SUBSCRIP	\$	120.00
ELECTION SYSTEMS & SOFT	ELECTION SUPPLY	\$	2,330.65
EXECUTIVE MGMT FINANCE	BIT FEES	\$	27.00
FACILITYDUDE.COM	GIS SUPPORT	\$	226.80
GEIB, ELSTON, FROST PA	AUTOPSY	\$	1,972.00
GOFF, GARLAND LEE	MENTAL ILLNESS	\$	140.60
GOLDEN WEST	TECHNOLOGY/SERVER/M		
TECHNOLOGIES	A	\$	2,584.44
GOLDEN WEST	PHONE BILL/LONG DIST	\$	1,176.38
HILLYARD FLOOR CARE SUPP	SUPPLY	\$	328.80
	ACE HARDWARE		
HOT SPRINGS ACE HARDWARE	SUPPLY	\$	622.25
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$	311.37
CITY OF HOT SPRINGS	CITY WATER BILL	\$	267.62
HSR FUELING LLC	AIRPLANE FUEL	\$	130.27
LONE STAR HEATING & AIR	A/C REPAIR/SUPPLY	\$	714.00
LEWNO, LUCY	MENTAL ILLNESS	\$	150.46
MASTEL, BRUCE	DATABASE SETUP & MON	\$	35.00
MEDICINE VOICE HEALING	MI QMHP	\$	175.00
MICROFILM IMAGING			
SYSTEMS	SCANNING EQUIP LEASE	\$	185.00
NACVSO	ANNUAL MEMBERSHIP	\$	40.00
O'NEILL, JUSTIN	CAAF	\$	586.50
OTIS ELEVATOR COMPANY	QUARTERLY CONTRACT	\$	371.28
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	\$	621.50
QUILL CORPORATION	OFFICE SUPPLIES	\$	208.92
QUILL CORPORATION	OFFICE SUPPLIES	\$	214.35
RAMKOTA HOTEL-PIERRE	TRAVLE/HOTEL	\$	96.99
RAPID CITY JOURNAL (THE)	ADVERTISING/PROCEEDI	\$	133.56
	REFERENCE		
REGIONAL HEALTH	LABORATORY	\$	40.00

REGIONAL PHARMACY	PRISONER MEDICATION	\$	71.31
SANICHEM	SUPPLIES	\$	285.00
SD DEPT OF REV & REG.	LICENSE & TITLE	\$	16.20
SERVALL	RUG/UNIFORM SERVICE	\$	593.98
SERVALL	SUPPLY/MATS/RUGS/UNI	\$	161.22
OGLALA LAKOTA	SALES TAX	\$	208.22
	INMATE		
SHOPKO STORES OPERATING	PHARMACY/SUPP	\$	60.29
SOFTWARE SERVICES INC	DATA PROCESSING BOSA	\$	1,520.00
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$	591.90
STREICHER'S	UNIFORM/SUPPLY	\$	888.00
SWANDA, KAREN	MENTAL ILLNESS	\$	15.00
TWILIGHT INC	FIRST AID SUPPLY	\$	167.65
VANGUARD APPRAISALS INC	STAFF TRAINING	\$	5,850.00
VERIZON WIRELESS	VERIZON WIRELESS	\$	740.70
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$	2,520.00
LOCKHART, GRADY	JURY FEE	\$	41.92
YANKTON CO. SHERIFF	CIVIL PAPERS	\$	25.00
YANKTON CO TREASURER	MENTAL ILLNESS	\$	385.55
RICKEL, MERISSA	JURY FEE	\$	35.20
FAIRBANKS, SANDY	JURY FEE	\$	10.84
RUSSELL, HENRY	JURY FEE	\$	25.12
WHITE, ELLEN	JURY FEE	\$	35.20
BLOOM, LEON	JURY FEE	\$	15.04
HOWARD, BILL	JURY FEE	\$	13.36
DUNBAR, KAREL	JURY FEE	\$	31.00
DRINKWALTER, BILLIE	JURY FEE	\$	11.68
PETERSON, ROBYN L	JURY FEE	\$	24.28
FRANCIK, MICHAEL	JURY FEE	\$	10.84
SWENSON, DEBORAH	JURY FEE	\$	10.84
WOEPEL, LISA	JURY FEE	\$	11.68
BROWN, RORY	JURY FEE	\$	37.72
BOLLIG, DON	JURY FEE	\$	10.84
MILES, SHERRY	JURY FEE	\$	15.88
JOHNSON, CARLA	JURY FEE	\$	12.52
CAZER, VICKIE	JURY FEE	\$	12.52
MILLER, LISA	JURY FEE	\$	25.96
BARCUS, JOYCE	JURY FEES	\$	16.72
HARRIS, KARLA	JURY FEE	\$	11.68
SOGN, DOUGLAS	JURY FEE	\$	29.32
NEISNER, EDITH	JURY FEE	\$	15.04
GHOST, BERLYN	JURY FEE	\$	11.68
WASSERBURGER, CLOVA	JURY FEE	\$	52.00
ADELONA, EBUN	JURY FEES	\$	15.04

BEERY, BRENT	JURY FEE	\$	11.68
CLARK, MELISSA	JURY FEE	\$	14.20
CORTNEY, NATE	JURY FEE	\$	30.16
CRAWFORD, A	JURY FEE	\$	11.68
DRYDEN, SHERRYILLIE	JURY FEE	\$	35.20
FISCUS, KATHRYN	JURY FEE	\$	35.20
GERARD, DONALD	JURY FEE	\$	31.00
GRAF, LYNDA	JURY FEE	\$	11.68
HAMMEL, TIM	JURY FEE	\$	10.00
HARROD, JOYCE	JURY FEE	\$	31.00
JANIS, JEFFERY	JURY FEE	\$	11.68
JESCHKE, FLINT	JURY FEE	\$	11.68
LEE, CARMON	JURY FEE	\$	34.36
LEWIS, IRVIN	JURY FEE	\$	21.76
LYNN, JIM	JURY FEE	\$	35.20
MARCHM MARIA	JURY FEE	\$	15.52
MCBRIDE, HEIDI	JURY FEE	\$	35.20
MILLBURN, CYNTHIA	JURY FEE	\$	35.20
MOWRY, LARRY	JURY FEE	\$	10.84
NAASZ, JANET	JURY FEE	\$	10.84
ROME, WILLARD	JURY FEE	\$	10.84
SANDINE, ARLEN	JURY FEE	\$	11.68
SCHEIMO, THOMAS	JURY FEE	\$	10.84
SCHEPLER, CHRISTOPHER	JURY FEE	\$	31.00
SHIVELY, PHILLIP	JURY FEE	\$	12.52
THOMAS, DONALD	JURY FEE	\$	11.68
THOMPSON, SCOTT	JURY FEE	\$	10.84
WERMAGER, KENDRA	JURY FEE	\$	18.40
ZERFOSS, JACQUELYN	JURY FEE	\$	31.00

GENERAL FUND

\$ 51,397.84

COUNTY ROAD & BRIDGE

B H ELECTRIC COOP INC.	UTILITY HWY ELECTRIC	\$	31.90
BECK MOTORS INC	PURCHASE OF NEW HWY	\$	29,796.00
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$	375.97
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$	7,281.99
CHEYENNE SANITATION	SANITATION COLLECTIO	\$	74.00
	CITY OF EDGEMONT		
CITY OF EDGEMONT	WAT	\$	80.60
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIR	\$	133.11
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$	228.53
GODFREY BRAKE SERVICE	PARTS	\$	95.20
GOLDEN WEST	PHONE BILL/LONG DIST	\$	258.12
GRIMM'S PUMP SERVICE INC	PARTS	\$	21.66
HOT SPRINGS ACE	SUPPLY	\$	119.62

HARDWARE

HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$	1,431.63
CITY OF HOT SPRINGS	CITY WATER BILL	\$	31.96
INTERSTATE ENGINEERING	CHIPSEAL/PROFESSIONA	\$	2,871.41
JENNER EQUIPMENT			
COMPANY	PARTS	\$	21.25
KIMBALL MIDWEST	SUPPLIES	\$	506.81
LYLE SIGNS	SIGNAGE	\$	69.96
MG OIL	INVENTORY/SUPPLY	\$	15,674.11
MICHAEL HIX CONSTRUCTION	CONTRACT SERVICES	\$	2,400.00
NELSONS OIL & GAS INC.	FUEL	\$	11,812.50
NORTONS SINCLAIR	AUTO REPAIR	\$	26.54
POWERHOUSE	SUPPLY	\$	33.15
RAPID DELIVERY	DELIVERY	\$	122.52
SAFETY KLEEN	SUPPLIES	\$	124.47
	CELLPHONE		
SEILER, RANDY	REIMBURSEM	\$	180.80
TWILIGHT INC	FIRST AID SUPPLY	\$	51.75
Z&S DUST CONTROL	SUPPLY	\$	26,043.60

**COUNTY ROAD &
BRIDGE**

\$ 99,899.16

911 SURCHARGE REIMB

GOLDEN WEST	TECHNOLOGY/SERVER/M		
TECHNOLOGIES	A	\$	397.60
GOLDEN WEST	PHONE BILL/LONG DIST	\$	582.60
		\$	
CENTURY LINK	911 DISPATCH LINE TR	9.40	

\$

911 SURCHARGE REIMB

989.60

FIRE PROTECTION FUND

PUDWILL, NORMAN	LEPC/FIRE PROTECTION	\$	45.00
BASTIAN, TRACY	LEPC/FIRE PROTECTION	\$	75.00

**FIRE PROTECTION
FUND**

\$

120.00

EMERGENCY MGT

GOLDEN WEST	TECHNOLOGY/SERVER/M		
TECHNOLOGIES	A	\$	198.80
GOLDEN WEST	PHONE BILL/LONG DIST	\$	129.30
		\$	
RESERVE ACCOUNT	POSTAGE PITNEY BOWES	2.00	
PUDWILL, NORMAN	LEPC/FIRE PROTECTION	\$	60.00
QUILL CORPORATION	OFFICE SUPPLIES	\$	13.29
RUSHMORE			
COMMUNICATIONS	EM RADIO	\$	61.50
RUSHMORE			
COMMUNICATIONS	REPAIR EMERGENCY RAD	\$	550.75

VERIZON WIRELESS	VERIZON WIRELESS	\$	236.20	
BASTIAN, TRACY	LEPC/FIRE PROTECTION	\$	100.00	
	EMERGENCY MGT			\$ 1,351.84
COURTHOUSE BUILDING FUND				
	HOT SPRINGS ACE	\$		
HOT SPRINGS ACE HARDWARE	HARDWARE	5.39		
	COURTHOUSE BUILDING FUND			\$ 5.39
DUE TO SCHOOLS				
FIRST INTERSTATE BANK	TAXES	\$	46,493.96	
HOT SPRINGS SCHOOL	TAXES	\$	57,080.99	
OELRICHS SCHOOL DISTRICT	TAXES	\$	36,353.28	
	DUE TO SCHOOLS			\$ 139,928.23
STATE MOTOR VEHICLE COLLECTIONS				
STATE REMITTANCE CENTER	AUTO/MI STATE REMITT	\$	132,968.22	
	STATE MOTOR VEHICLE COLLECTIONS			\$ 132,968.22
AMBULANCE DISTRICTS				
BANK OF THE WEST	TAXES	\$	1,389.05	
FIRST INTERSTATE BANK	TAXES	\$	1,439.41	
FIRST INTERSTATE BANK	TAXES	\$	2,676.34	
	AMBULANCE DISTRICTS			\$ 5,504.80
DUE TO CITIES & TOWNS				
FIRST INTERSTATE BANK	TAXES	\$	3,000.86	
HOT SPRINGS CITY TD 7	TAXES	\$	12,318.37	
OELRICHS, TOWN OF	TAXES	\$	1,081.70	
	DUE TO CITIES & TOWNS			\$ 16,400.93
DUE TO TOWNSHIPS				
FIRST INTERSTATE BANK	TAXES	\$	603.51	
	DUE TO TOWNSHIPS			\$ 603.51
DUE TO FIRE DISTRICTS				
ARDMORE FIRE DISTRICT	TAXES	\$	1,436.78	
FIRST INTERSTATE BANK	TAXES	\$	5,811.46	
FIRST INTERSTATE BANK	TAXES	\$	748.83	
MINNEKAHTA FIRE	TAXES	\$	414.01	
OELRICHS RURAL FIRE DIST	TAXES	\$	1,464.84	
	DUE TO FIRE DISTRICTS			\$ 9,875.92
TOTAL PAID BETWEEN 7/05/16 AND 7/18/16			\$ 459,045.44	\$ 459,045.44

Break at 10:15 am, returned from break at 10:27 am.

Public comment was held at 10:28 am. Wally Campbell, Jail, advised the Board of the intent to hire 3 Jailers which will be on the next agenda. The board briefly reviewed the applications and noted the need for background checks.

Donna Behrens, County Coroner met with the Board to present her budget for 2017.

Supplement and contingency hearing was held as advertised. Motion by Russell, seconded by Abbott to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2016-19
Supplemental Budget 2016, #1
Contingency Transfers 2016, #1

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget and whereas, due and legal notice has been given, the following Supplemental Budget to the Calendar Year to the following General fund (expenses): DOE Equipment 10100x4270162, \$50.00; Sheriff Car Maintenance 10100x4272211, \$282.92; Payment to Local Agencies 10100x4260850, \$63,737.30; Payment to Local Agencies 10100x4260750, \$13,533.94; Auditor Salary 10100x4110141, \$10,000.00; Auditor Fica 10100x4120141, \$765.00; Auditor Retirement 10100x4130141, \$600.00; Treasurer Salary 10100x4110142, \$10,000.00; Treasurer Fica 10100x4120142, \$765.00; Treasurer Retirement 10100x4130142, \$600.00; ROD Salary 10100x4110163, \$2,700.00; ROD Fica 10100x4120163, \$206.55; ROD Retirement 10100x4130163, \$162.00; DOE Salary 10100x4110162, \$2,700.00; DOE Fica 10100x4120162, \$206.55; DOE Retirement 10100x4130162, \$162.00; Election Salary 10100x4110120, \$3,400.00; LEPC 23400x4260222, \$1,375.32; Building Repair and Maintenance 30100x4250161, \$6,484.70; Payment to Local Agencies 20100x4260750, \$4,280.81; and Weed Control 23405x4260615, \$21,772.50 and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted as follows to the General Fund: Abuse and Neglect 10100x4260154, \$7,450.00; and Mental Illness Board 10100x4221445, \$3,250.00.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #1 and Contingency Transfer #1 for 2016.

Dated at Fall River County, South Dakota this 19th day of July, 2016.

/s/ Michael P Ortner

Michael P. Ortner, Chair
Fall River County Board of Commissioners

ATTEST:
/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

The hearing for PILT distribution was held as advertised. No individuals appeared from schools. Discussion on resetting the meeting was held. Motion by Russell, seconded by Ortner to apportion 2017 PILT funds, if funds are received, 5% off of the total received to the schools. Falkenburg spoke on the poor taxation ability due to the large amount of non taxable land in Edgemont school district. With Falkenburg voting no and the rest voting yes the motion carried.

Dustin Ross, Andersen Engineering met with the Board regarding the vacation of Dudley streets and alleys. Motion by Falkenburg, seconded by Russell to approve the following Resolution, contingent on approval by the State's Attorney.

FALL RIVER RESOLUTION #2016-17

WHEREAS, Barker Concrete and Construction, Inc., Martha Jarman, and Kenneth V. and Verna E. Barker have presented to the Fall River County Commission, pursuant to SDCL 31-3-6, a petition for vacation of a highway located within T 8S, R 2E, BHM and T 8S, R 3E, BHM, Fall River County, South Dakota, described as follows:

The following described real estate is located within T 8S, R2E, BHM, Fall River County, South Dakota:

Tract "A" of the SE ¼ SE ¼, Section 36; Outlot A of Tract A of the SE1/4SE1/4, Section 36; and Lot Eleven (11) of Block Two (2); and Lot One (1) of Block One (1) of Plat of Dudley, Fall River County, South Dakota.

The following described real estate is located within T8S, R3E, BHM, Fall River County, South Dakota:

JOLLEY ADDITION, W1/2NW1/4SW1/4, Section 31, T8S, R3E, BHM, Fall River County, South Dakota.

Scott Street is an east-west street running adjacent to Blocks One (1) and Two (2), Plat of Dudley and Tract "A" of the SE1/4SE1/4 of Section 36, and that said Scott Street is platted as 159.25 feet in width with the south Fifty (50) feet having been previously vacated (Book 87M, p 134) and the remainder being previously vacated (Book 152M, p 150); and that "A" Street is a north-south street running along the east side of Block One (1), Plat of Dudley and that "A" Street is platted as 96.5 feet in width with the west one-half having been previously vacated (Book 90M, p 490); and that "C" Street is a north-south street running along the west side of Lot Eleven (11) of Block Two (2).

Said petitioners seek to have vacated, pursuant to the provisions of SDCL 31-3-6, all that portion of "C" street adjacent to Lot Eleven (11) of Block Two (2) together with the intersection of "C" Street with Scott Street, all lying east of Old Highway 18, Plat of Dudley formerly Burton, Fall River County, South Dakota filed in Book II of Plats, page 5; and the remaining east one-half of "A" Street adjacent to the vacated west half of "A" Street that is adjacent to Lot One (1) of Block One (1) Plat of Dudley formerly Burton and all of the prolongation of "A" Street into Scott Street lying west of the section line between Section 36, T 8S, R2E and Section 31, T8S, R3E and lying north of the south 1/16 line of Section 36, T8S, R2E, common to the north boundary of Outlot A of Tract A of the SE1/4SE1/4 of Section 36, T8S, R2E, Fall River County, South Dakota; and the Section line ROW lying within the described portion of "A" Street.

Which petition made by the Owners of all the property adjoining all sides of the said street and alley proposed to be vacated sets out that said street and alley have not been constructed or used or traveled as highways at any time during the past 25 years and which petition was verified by petitioners Barker Concrete and Construction, Inc., Martha Jarman, and Kenneth V. and Verna E.

Barker, and said street and alley are each less than one mile in total length and that the character and use of the plat is residential lots and that no public highway is part of the plat to be vacated; AND

WHEREAS, the Fall River County Commission at a meeting of said Commission held June 21st, 2016, deemed it expedient that said matter should be proceeded with, ordered said petition filed with the Auditor of said County, fixed a time for hearing on the petition at the regular meeting of the Commission on Tuesday, July 19th, 2016, at 11:00 AM and directed that notice of said hearing be published once a week for two consecutive weeks in the Hot Springs Star, an official newspaper of said County; and

WHEREAS, due and legal notice of the hearing on said petition has been given and the Commission has investigated and considered the matter and it being established that the street and alley to be vacated have not been used or traveled as highways at any time during the last 25 years:

BE IT RESOLVED AND ORDERED by the Fall River County Commission, the street and alleys described as follows:

all that portion of "C" street adjacent to Lot Eleven (11) of Block Two (2) together with the intersection of "C" Street with Scott Street, all lying east of Old Highway 18, Plat of Dudley formerly Burton, Fall River County, South Dakota filed in Book II of Plats, page 5; and the remaining east one-half of "A" Street adjacent to the vacated west half of "A" Street that is adjacent to Lot One (1) of Block One (1) Plat of Dudley formerly Burton and all of the prolongation of "A" Street into Scott Street lying west of the section line between Section 36, T8S, R2E and Section 31, T8S, R3E and lying north of the south 1/16 line of Section 36, T8S, R2E, common to the north boundary of Outlot A of Tract A of the SE1/4SE1/4 of Section 36, T8S, R2E, Fall River County, South Dakota; and the Section line ROW lying within the described portion of "A" Street.

be, and the same hereby are vacated, reserving, however, any easement and right-of-way presently existing for public utility or drainage purposes and that the public interest will be better served by said vacations.

Such vacations to take effect after the 30th day after the second publication of this Resolution unless the action has been appealed according to law.

Dated at Hot Springs, Fall River County, South Dakota, this 19th day of July, 2016.

APPROVED:

/s/ Michael P Ortner
Michael P. Ortner, Chairman
Fall River County Commission

ATTEST:

/s/ Sue Ganje
Sue Ganje, County Auditor

Denise Mesteth, Oglala Sioux Tribe Land Director, met with the Board to discuss abatement of taxes for Oglala Sioux Tribal owned land in Fall River County at the Wild Horse Sanctuary. Mesteth explained that they had an agreement with the Sanctuary that they pay the taxes for use of the land. An Agriculture land Audit had been sent to the tribe, which was not returned so the status of the land changed to non-Ag status. Mark Van Orman, Attorney explained that the agreement had

been an ongoing agreement and that a new draft was being drawn up. Motion by Russell, seconded by Ortner to approve abatements and refunds for pay 2016 taxes as follows: parcel 19000-00804-18200, abatement - \$637.02, refund - \$517.95; 19000-00804-20100, abatement - \$1,877.45, refund - \$1,269.52; 19000-00804-20300, abatement - \$1,877.45, refund - \$1,362.82; 19000-00804-21200, abatement - \$904.27, refund - \$759.07; 19000-00804-28100, abatement \$1,808.53, refund - \$1,358.75. Reason – form returned and use qualifies for ag status. Falkenburg asked that a copy of the new lease agreement be supplied to the Director of Equalization within one month. Mesteth spoke to the Board and believes that all land owned by the tribe should be tax exempt to learn tribal history. The Board feels taxed should be paid in Fall River County, so this could be a future issue.

Brian Spitzer and John Pence, Southern Hills Economic Development Corporation (SHEDCO) met to request \$10,000 with the understanding that Black Hills Vision is not requesting any money this budget year. They presented their projects and plans for the year.

Peggy Koupal, Fall River Soil Conservation, and John Sides, Board member met with the Board to present their 2017 Budget request and spoke on the benefits their program presents to the County.

Valerie Henry, Empower, presented their budget to the Board for 2017 fiscal year.

Motion by Falkenburg, seconded by Abbott to recess for lunch at 11:55 am. Returned from lunch at 1:15 pm.

Ashley Courtney, Edgemont Library, met with the Board to present their 2017 budget request.

Kristen Benidt, SDSE Council of Local Governments and Bob Weyrich, SD Department of Agriculture met with the Board to present their results for the County Site Analysis done for Fall River County regarding future use for opportunities.

Motion by Russell, seconded by Abbot to move to executive session for personnel and legal matters, as per SDCL 1-25-2 (1) and SDCL 1-25-2 (3) at 1:59 pm. Exited session at 2:15 pm.

Motion by Russell, seconded by Ortner to approve the hire of a private investigator for a maximum of \$4,000.00.

Motion by Ortner, seconded by Russell to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION # 2016-16
EMERGENCY DROUGHT DISASTER RESOLUTION**

WHEREAS, the vast majority of Fall River County has failed to receive adequate precipitation for the preceding twelve month period, and

WHEREAS, the lack of precipitation over the past years has created a catastrophic state of drought, and

WHEREAS, the drought conditions have had an enormous effect on the production capabilities of the agricultural industry, which in turn severely affects the entire local economy, and

WHEREAS, the lack of consistent precipitation has resulted in the lack of rain water runoff and therefore caused livestock ponds, dams, wells and natural water holes to dry up, and

WHEREAS, the grass, what there is of it, in the pastures in the county is bone dry, and quickly allows the start and spread of wild fires thus making containment almost impossible, and

WHEREAS, the local volunteer fire departments have almost depleted their resources in quelling wild fires, and

WHEREAS, the lack of dependable precipitation has resulted in record low subsoil moisture and has caused the water table to drop significantly,

NOW THEREFORE BE IT RESOLVED, that the Fall River County Commissioners declare that current drought conditions have created a natural disaster within Fall River County, and

BE IT FURTHER RESOLVED, that both farmers/ranchers and local businesses may be eligible for disaster aid grants and/or low interest Economic Injury Disaster loans from the Farm Services Agency and Small Business Administration Agency retroactive to January 1, 2016, and

BE IT FURTHER RESOLVED that the Board of County Commissioners for and on behalf of the citizens of Fall River County, request that the Governor of the State of South Dakota petition the Secretary of Agriculture to declare Fall River County a drought disaster area, and

BE IT FURTHER RESOLVED that an Emergency exists in Fall River County and this Resolution shall be in effect from and after its publication and this action is necessary for the preservation of the public peace, health and safety.

Dated this 19th day of July, 2016.

/s/ Michael P Ortner
Michael P. Ortner, Chairman
Fall River County Board of Commissioners

ATTEST:

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

Motion by Falkenburg, seconded by Russell to move to executive session for personnel matters, as per SDCL 1-25-2 (1) at 2:17 pm. Board came out of executive session at 2:47 pm.

Motion by Russell, seconded by Falkenburg to approve the following raises-Terri Halls to \$17.35 per hour; Stacy Schmidt to \$14.39 per hour; Joe Mendez to \$13.12; Richard Kraima to \$12.35; Kristi Spitzer to \$16.95; Stacey Martin to \$16.00 per hour, Bobbie Janis to \$15.54 per hour; Michelle Jensen to \$15.10 per hour.

Motion by Abbott, seconded by Falkenburg to adjourn as Board of Commissioners at 3:00 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