

FALL RIVER COUNTY MINUTES OF AUGUST 16, 2012

The Fall River Board of County Commissioners met in regular session on August 16, 2012. Present: Joe Falkenburg, Joe Allen, Deb Russell and Sue Ganje, Auditor. Absent: Mike Ortner and Anne Cassens.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM by Vice-Chairman Falkenburg. The agenda was reviewed for conflicts; none were indicated.

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

Motion by Russell, seconded by Allen, to approve the minutes of August 2, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, 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 31st day of July, 2012.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,891.41</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>375,550.20</u>
Total Amount of Cash:	\$ <u>702.00</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>30,544.37</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>367,919.96</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,720,000.00</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:

Henry, Raymond, \$290.64, LIC
Stygles, Jeff, \$60.90, LIC

TOTAL: \$4,750,394.90

Dated this 31st day of July, 2012.

/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 & AMBULANCE

DISTRICTS AND STATE.

Motion by Russell, seconded by Allen, to surplus as junk asset #1799, a computer from the Treasurer's Office. With no further discussion and all voting yes, the motion carried.

An applicant for assistance met with the Board. Motion by Allen, seconded by Russell, to approve \$350.00 in rent assistance for CP #2012-26 with a repayment plan. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve an operating transfer of \$69,153.00 to Emergency Management as budgeted. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Russell, to approve travel to the Fall Convention in Sioux Falls on Sept. 17-19 for commissioners Ortner and Russell; department supervisors Bachand, Engebretson, Ganje and Seiler; and Michele Jensen, welfare. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to rescind the motion of Aug. 2, 2012 to purchase a truck off the Beadle County bid and instead approve the purchase of a Freightliner 114SD truck, cab, chassis and tandem axle off of state bid and to purchase a dump body, hoist, pup pull plat and wing off of the Brookings County bid. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Russell, to set August 21, 2012 at 9:00 AM as the time for a special meeting to interview Director of Equalization applicants. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to accept with regret the resignation of Deputy Auditor Patricia Seegrist who is retiring effective September 20, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve the transfer of Terri Halls to the Auditor's Office, effective Sept. 1, 2012 at a wage of \$14.30 per hour. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Russell, to approve the appointment of Stacy Schmidt as Deputy Auditor, effective Sept. 21, 2012 at a wage of \$11.31 per hour. With no further discussion and all voting yes, the motion carried.

Keith Andersen, Andersen Engineering, presented plats for approval. Motion by Russell, seconded by Allen, to approve the following plat of Tract Rescue. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-31

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract Rescue containing a portion of Tract 5C of Hills Subdivision, located in the NW ¼ of Section 12, Township 7 South, Range 5 East of the 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 16th day of August, 2012.

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Allen, seconded by Russell, to approve the following plat of Tract Martinson. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-32

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract Martinson, located in the NE ¼ NW ¼ of Section 31 and in the SE ¼ SW ¼ of Section 30, Township 8 South, Range 3 East of the 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 16th day of August, 2012.

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Russell, seconded by Allen, to approve the following plat of Tract WR, pending the signature of Highway Superintendent Randy Seiler. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-33

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract WR containing all of Lot R and Tract WK of Cascade Mountain Ranches Subdivision, located in the SE ¼ of Section 32 and in the SW ¼ of Section 33, Township 7 South, Range 5 East of the 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 16th day of August, 2012.

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Nina Steinmetz met with the Board to discuss the 2013 Weed Department budget and to request approval to advertise for a part-time person. Motion by Allen, seconded by Russell, to approve advertising for a part-time person for the Weed Department. With no further discussion and all voting yes, the motion carried.

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

General Fund

A&B Business Equipment	Copier	\$353.35
Beeman & Son	Contract	\$996.90
Black Hills Chemical	Supply	\$189.92
Bingham, James	CAAF; MI	\$975.00
Campbell County Sheriff	Service	\$50.00
Cardmember Service	Misc	\$345.20
Carol Butzman Consulting	MI	\$254.88
CBM Food Service	Inmate	\$2,060.38
Century Business Leasing	Copier	\$501.45
Chemsearch	Supply	\$555.41
Cheyenne Sanitation	Utility	\$280.00
Culligan Soft Water	Water	\$103.75
Environ Services	Repair	\$3,163.50
Environmental Products	Supply	\$204.96
Ertz, Dewey	Eval	\$2,015.00
Falkenburg, Joe	Travel	\$189.44
Fall River Health	Inmate	\$2,284.08
Golden West Technologies	Supply	\$1,102.98
Golden West	Telephone	\$1,620.35
Heartland Paper Co	Supply	\$356.20
Hillyard Floor Care Supp	Supply	\$1,026.38
City Of Hot Springs	Utility	\$256.06

Iron Mountain Electric	Repair	\$270.41
Keizer, Brad	Travel	\$137.27
Lone Star Heating & Air	Repair	\$61.20
Marshall & Swift	Supply	\$1,098.10
Manatee County Clerk	Documents	\$15.75
Microfilm Imaging Systems	Lease	\$275.00
Nettinga, Joan	Supply	\$38.88
O'Day, Valarie	Crt Rep	\$368.60
O'Neill, Justin	CAAF	\$181.06
Penn Co Sts Attny Office	MI	\$200.00
Phoenix Investigations	Investigation	\$702.93
Pioneer Research Corp	Supply	\$275.05
Powell, Debra J	Inmate	\$35.00
Quill Corporation	Supply	\$797.78
Ranchers Feed & Supply	Supply	\$75.00
Rapid City Journal (The)	Publishing	\$334.87
Rapid City Regional	MI	\$620.96
Scotts Bluff County Court	Fees	\$1.50
SD Federal Property Ag	Supply	\$139.00
SDSU West River Ag Center	Travel	\$58.83
Servall	Supply	\$118.76
Skinner, Matthew L. PC	CAAF	\$331.90
Software Services Inc	Support	\$1,420.00
State Remittance Center	Nurse; 24/7	\$1,545.00
Stephens Law Office	CAAF	\$6,850.00
Schoenfelder, Paul	Inmate	\$70.00
VanWay Trophy	Badge	\$13.75
Weakland, Wendy	Travel	\$77.08
	General Fund Total	\$34,998.87

Road & Bridge

B H Electric Coop Inc.	Utility	\$18.04
Fall River Health	Inmate	\$30.00
Golden West	Telephone	\$243.72
City Of Hot Springs	Utility	\$53.50
Safety Kleen	Repair	\$106.00
	Road & Bridge Total	\$451.26

911 Surcharge Reimbur.

Golden West	Telephone	\$61.12
Century Link	Telephone	\$627.37
	911 Reimbur. Total	\$688.49

Fire Protection Fund

Cardmember Service	Misc	\$356.52
	Fire Prot. Fund Total	\$356.52

Emergency Mgt

Cardmember Service	Misc	\$60.58
Golden West	Telephone	\$55.87
Pheasantland Industries	Car Maint	\$170.88
Rushmore Communications	Labor	\$110.00
	Emergency Mgmt Total	\$397.33

M&P Relief

SD Assn Of Co. Officials	Fees	\$214.00
	M&P Relief Total	\$214.00

24/7 Participation Fee

State Remittance Center	Nurse; 24/7	\$330.00
	24/7 Part. Fee Total	\$330.00

Grand Total **\$37,436.47**

2013 budget requests were heard from Heather Besco and Val Henry, representing Empower, and Coroner Becki Sotherland.

The 2013 Budget was reviewed. Motion by Allen, seconded by Russell, to approve a 2013 Provisional Budget for publication. With no further discussion and all voting yes, the motion carried.

Frank Maynard, EM/911, met with the Board to advise them of a Cooperative Fire Protection Agreement with the Forest Service and National Grasslands. Motion by Allen, seconded by Russell, to approve a cooperative fire protection agreement with the USDA Forest Service, authorizing the Chairman to sign the agreement when received. With no further discussion and all voting yes, the motion carried.

Maynard advised that the Eckert well location would work better than the Ardmore tower for the placement of a repeater, therefore the sale of that county-owned property could be pursued. An update on county fires was provided, which includes 8,512 acres of private land and 17,095 acres of public land affected.

Andy Timmins, IT / Dispatch, presented a summary of 911 calls, which number 2,802 for the year to date. A Total Response agreement was presented to the Board. Motion by Russell, seconded by Allen, to approve the Total Response Master Service Agreement for Dispatch. With no further discussion and all voting yes, the motion carried.

Timmins requested approval for the purchase of network equipment. Motion by Russell, seconded by Allen, to approve the purchase of a 4TB Network attached storage unit for \$1,093.10, to be paid from the IT budget. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Russell, to approve \$693.56 for the purchase of a computer for bookkeeping at the Highway Department. With no further discussion and all voting yes, the motion carried.

Maynard noted a need for tires on the Emergency Management vehicle; the Board agreed Maynard should look at the State Bid sheets for the purchase.

The meeting opened for public comment. Falkenburg spoke of available options for ranchers in this drought.

A break was taken at 10:37 AM. The meeting resumed with discussion of 2012 PILT funds. Motion by Russell, seconded by Allen, to approve tripling the apportionment of PILT funds to the Fire Departments / Districts for 2012 to aid in offsetting fire expenses. With no further discussion and all voting yes, the motion carried.

Bob Novotny and Mike McNeill, USDA Forest Service and the Nebraska National Forest, met with the Board to discuss a Memorandum of Understanding. Motion by Allen, seconded by Russell, to approve the Memorandum of Understanding between the USDA Forest Service, Nebraska National Forest, Fall River Ranger District and Fall River County to work cooperatively and have the county act as an escrow account, authorizing the Chairman to sign when the document is received. With no further discussion and all voting yes, the motion carried.

McNeill presented a map of oil and gas leases on the Buffalo Gap National Grasslands that will be offered on October 23, 2012 at the Competitive Oil and Gas Lease Sale. Falkenburg asked about relief the county could expect if roads are damaged during oil exploration. McNeill advised the matter is being taken to the State for consideration or counties could address the matter with their own planning laws.

Discussion was held on a request to remove a lien for Daniel Floyd, who did not appear. Motion by Allen, seconded by Russell, to deny the request to remove the lien, allowing the Auditor's Office time to assist in resubmitting medical bills to providers for payment. With no further discussion and all voting yes, the motion carried.

Retiring Deputy Auditor Pat Seegrist met with the Board to request approval to donate unused sick leave to the employee sick bank.

Susie Hayes, Deputy Director of Equalization, met with the Board to present a list of mobile home taxes that are uncollectible as they have been moved out of the county without the department's knowledge. Motion by Russell, seconded by Allen, to approve abatement of taxes for mobile homes that no longer are in the county and therefore were billed in error. With no further

discussion and all voting yes, the motion carried.

Falkenburg reported complaints from county residents affected by fires caused by the railroad, asking about the liability of the fire department if they are monitoring a fire that then expands. Maynard suggested a contract between the fire departments and the railroads, along with a letter asking the railroads to notify the fire departments when activity creating sparks, such as welding or grinding, is to be completed while a burn ban is in effect. Falkenburg stated that landowners should be able to bill the railroad for lost crops or livestock. Sheriff Mraz suggested an amendment to the burn ban addressing situations with a high potential for creating fires, similar to wording used by the Forest Service. Falkenburg asked Maynard to confer with the State's Attorney on an amendment to the burn ban Resolution and draft a letter to be sent to the railroads.

Motion by Russell, seconded by Allen, to enter into Executive Session for Union negotiations. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:30 AM.

The Board came out of Executive Session at 11:53 and adjourned for lunch. The meeting resumed at 1:30 PM with Anne Cassens in attendance. Motion by Russell, seconded by Allen, to enter into Executive Session for Union negotiations. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 1:30 PM.

The Board came out of Executive Session at 1:52 PM.

Motion by Russell, seconded by Allen, to enter into Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 1:52 PM.

The Board came out of Executive Session at 2:22 PM. Motion by Falkenburg, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:22 PM.

/s/ Joe Falkenburg
Joe Falkenburg, Vice-Chairman
Board of Fall River County Commissioners

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