

FALL RIVER COUNTY MINUTES OF AUGUST 21, 2014

The Fall River Board of County Commissioners met in regular session on August 21, 2014. Present: Michael Ortner, Joe Allen, Joe Falkenburg, Deb Russell, and Sue Ganje, Auditor. Absent: Anne Cassens.

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 Falkenburg, seconded by Russell, to approve the minutes of the August 7, 2014 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, 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, 2014.

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>793,489.43</u>
Total Amount of Cash:	\$ <u>3,508.82</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>12,533.38</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>731,936.13</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:

McMillin, Robert, \$272.95, LIC

TOTAL: \$5,263,175.71

Dated this 31st day of July, 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 Union Negotiations for a cost of living

increase for September 4, 2014 at 1:30 PM. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve travel for commissioners, Ganje, Treasurer Kelli Rhoe, Register of Deeds Mel Engebretson, and Michele Jensen, Public Welfare, to attend the Fall Convention in Pierre, Sept. 14 – 17, 2014. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to set a 2015 Provisional Budget hearing for 11:00 AM on September 18, 2014. With no further discussion and all voting yes, the motion carried.

Discussion was held on costs associated with the prosecution of Matt Tornquist, which include court-appointed attorney fees of \$34,643.48. Motion by Russell, seconded by Allen, to approve application to the Catastrophic Legal Expense Reimbursement Program, which will pay for 90% of the expense that exceeds \$25,000 associated with the murder conviction of Matt Tornquist. With no further discussion and all voting yes, the motion carried.

Keith Andersen, Andersen Engineering, cancelled his presentation of a plat for approval.

Janelle Finck and David Drach, Fisk Land Survey, presented plats for approval. Motion by Russell, seconded by Allen, to approve the plat of SD045-Lot 1, SD045-Lot 2, and Tracts A through G of WDRPI-SD045 Subdivision and Dedicated Right-of-Way as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-25

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD045-Lot 1, SD045-Lot 2, and Tracts A through G of WDRPI-SD045 Subdivision and Dedicated Right-of-Way located in the NE ¼ and SW ¼ of S13 and in S23, all in T9S, R7E, 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 21st day of August, 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

Motion by Russell, seconded by Allen, to approve the plat of SD 055-Lot 1 and Tracts A

and B of WDRPI-SD055 Subdivision and Dedicated Right-of-Way as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-26

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD 055-Lot 1 and Tracts A and B of WDRPI-SD055 Subdivision and Dedicated Right-of-Way (formerly all that portion of Farm Units 52 and 55, Angostura Irrigation Project, lying North of County Road 2A) located in the NE ¼ SE ¼ of S17 and in S20 and 21, all in T7S, R8E, 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 21st day of August, 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

Randy Seiler, Highway Superintendent, presented an approach permit. Motion by Falkenburg, seconded by Russell, to approve an application by Franklin Manke to construct an approach on the south side of the Old Highway 18 (Rd #18S) approximately .7 miles from Dudley Junction to serve a residence, authorizing the Chairman to sign. With no further discussion and all voting yes, the motion carried.

Discussion was held on load limits that were set on Buffalo Gap Road in an effort to reduce hazardous driving conditions. Mike Turner and Dakota DeBoer, Pete Lien and Sons were also present. Additional ideas on how safety might be improved were discussed. Motion by Falkenburg, seconded by Russell, to make the following changes to the Buffalo Gap Road as an emergency measure, effective upon publication: straighten a curve and reduce the speed limits to 40 mph for cars, 35 mph for trucks and 25 mph on the curve in question until it can be straightened; apply mag water to trouble spots; and to repeal the 7-ton per axle load limit. Several audience members commented on the road issues, noting that some drivers are irresponsible, leading to a discussion on enforcement of speed limits and the need for action on what has been a safety concern for years. Russell called for the question and with no further discussion and all voting yes on a roll call vote, the motion carried.

Seiler updated the Board that rock that had fallen onto Old Highway 18 has been cleaned up and Wes Murdock questioned the manner in which it was done.

Continuing issues with the Igloo Bridge were discussed. Auto-gates have been installed

on a detour route and Seiler noted that if the detour is used, he would prefer to see the bridge barricaded to prevent any possible county liability. Cindy Brunson voiced her discontent with the situation, noting that her property was purchased with more direct access via the bridge than the detour provides, asking the commission to check on whether state funding might be available for repairing the bridge. Seiler will check on the possibility.

A break was taken at 10:48 AM. The meeting resumed at 10:53 AM. 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

Applied Concepts Inc	Vehicle	\$159.00
Audra Malcomb Consulting	MI	\$183.50
A'viands LLC	Inmate	\$10,247.50
Best Western Ramkota	Travel	\$83.00
Bingham, James	MI	\$1,089.80
Cardmember Service	Misc	\$1,380.49
Century Business Leasing	Copier	\$160.60
Cullen, Dan	Travel	\$9.00
Culligan Soft Water	Water	\$105.75
Dakota Business Center	Supply	\$155.36
Dale's Repair	Car Maint	\$1,642.00
Dell Business Credit	Equip	\$798.69
Falkenburg, Joe	Travel	\$76.96
Golden West Technologies	Contract	\$811.43
Golden West	Telephone	\$1,757.54
Harris, Betsey	CAAF	\$11,888.48
Harvey's Lock & Security	Supply	\$202.58
Keizer, Brad	Travel	\$127.83
Lowry, Heath	New Veh Inst	\$6,282.50
Manlove Psychiatry Group	Inmate	\$41.67
Mastel, Bruce	Contract	\$35.00
McMillan, Amanda	Inmate	\$70.00
Medical Waste Transport	Utility	\$97.75
Mobile311 LLC	Contract	\$200.00
NACVSO	Membership	\$40.00
O'Leary, Steven	Travel	\$13.32
Orrock, Ken	Conflict Dep	\$1,945.50
Penn County Sheriff	Inmate	\$657.60
Rapid City Regional	MI	\$1,862.88
Rapid Delivery	Freight	\$11.40
Regional Pharmacy	Inmate	\$182.13
Sanichem	Supply	\$197.00
SD Assn Of Co. Officials	Website	\$150.00

SD Department Of Revenue	Inmate	\$289.00
Servall	Supply	\$365.46
Software Services Inc	Support	\$9,040.00
State Remittance Center	MI	\$60.00
Stephens Law Office	CAAF	\$22,755.00
Ultramax	Ammo	\$1,232.00
United States Postal Serv	Postage	\$1,755.42
Watchguard Video	New Veh	\$90.00
Western SD Juv Serv Ctr	Juvenile	\$13,719.90
Cazer, Michelle	Inmate	\$35.00
	General Fund Total	\$92,008.04

County Road & Bridge

B H Electric Coop Inc.	Utility	\$25.87
Cheyenne Sanitation	Utility	\$74.00
Golden West	Telephone	\$271.39
Cardmember Service	Misc	\$64.99
Flint Electric	New Generator	\$1,428.57
Golden West Technologies	Contract	\$697.51
Golden West	Telephone	\$49.96
Century Link	911	\$643.11
Rushmore Communications	911	\$156.50
Zuercher Technologies LLC	Contract	\$1,950.00
	Co Rd & Bridge Total	\$5,361.90

Cheyenne Weed Grant

Custer County Fair	Rent	\$25.00
	Cheyenne Weed Grant Total	\$25.00

L.E.P.C. Grant

Burt, Curtis	LEPC	\$100.00
HSR Fueling LLC	Fuel	\$75.08
Pudwill, Norman	LEPC	\$60.00
	L.E.P.C. Grant	\$235.08

Emergency Mgt

Cardmember Service	Misc	\$194.52
Golden West	Telephone	\$123.27
United States Postal Serv	Postage	\$3.01
	Emergency Mgt Total	\$320.80

Courthouse Building Fund

Battle Mountain Welding	Labor	\$265.00
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Flint Electric	New Generator	\$1,428.58
	Courths Bldg Fund Total	\$1,693.58
	Total Paid	\$99,644.40

The meeting was opened for public comment. Tom Conger asked about road signs that were installed and was informed that it was a State project and not done with county funds.

Lyle Jensen, Building Superintendent, and Golden West representative Kristen Jones provided the Board with additional information on a proposal for an updated phone system. Motion by Falkenburg, seconded by Russell, to approve the purchase of a Mitel phone system in January of 2015 from Golden West at a cost of \$39,928.50 plus the corresponding monthly maintenance fee, adding it to the 2015 budget. With no further discussion and all voting yes, the motion carried.

Jensen presented quotes for pre-buy commitments for propane. Motion by Falkenburg, seconded by Allen, to authorize a pre-buy agreement for 7,000 gallons of propane at \$1.75 per gallon from PJ's Hi-D-Way. With no further discussion and all voting yes, the motion carried.

Quotes for replacing courthouse windows were presented. Motion by Russell, seconded by Falkenburg, to approve \$12,335.00 for the purchase of new courthouse windows from ProBuild. With no further discussion and all voting yes, the motion carried.

Jensen informed the Board that the courthouse A/C unit isn't working properly and asked for permission to obtain quotes for replacement, which was authorized.

Kelli Rhoe, Treasurer, asked the Board for approval to set an office policy on overages and shortages. Motion by Russell, seconded by Falkenburg, to approve an overage and shortage policy for payments made by customers, as presented by Rhoe. With no further discussion and all voting yes, the motion carried.

A quote for storage shelving in the Treasurer's vault was presented. Motion by Russell, seconded by Allen, to approve \$2,919.36 for shelving from Canfield, which will be installed by Lyle Jensen. With no further discussion and all voting yes, the motion carried.

Sheriff Rich Mraz presented a jail report, including a July estimate of \$2,045.15 to transport prisoners to Pennington County. Mraz asked for hire approval. Motion by Falkenburg, seconded by Russell, to approve hiring Heather Goodsell as a part-time 24/7 tech at \$10.00 per hour, per Union contract, effective August 7, 2014. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, presented a quote for vehicle repairs. Motion by Russell, seconded by Allen, to approve repair of the driver's seat on the 2004 Chevrolet pick-up at an approximate cost of \$800.00, with 50% reimbursed from the SLA. With no further

discussion and all voting yes, the motion carried.

Maynard discussed the new building for the Hot Springs Ambulance Service and their inquiry as to whether the county would have an interest in funding computer and phone wiring to allow for the use of the facility as an Emergency Operations Center; informed the Board that Hazardous Materials training will be held in Hot Springs on Sept. 21, 2014; provided wage comparison information for dispatch, jail and civil deputy positions; and updated the Board on area fires.

The Board reviewed the 2015 Provisional Budget and discussed levy amounts.

Department Supervisors met with the Board to discuss wages, the lack of a salary policy for department heads and development of a county seal.

Motion by Falkenburg, seconded by Russell, 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 12:10 PM.

The Board came out of Executive Session at 12:20 PM. Motion by Falkenburg, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the meeting adjourned at 12:22 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