

## **FALL RIVER COUNTY MINUTES OF SEPTEMBER 1, 2015**

The Fall River Board of County Commissioners met in regular session on Sept. 1, 2015 in the courtroom of the Fall River County Courthouse. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Michael Ortner, Deb Russell and Sue Ganje, Auditor. Absent: none.

An invocation and the Pledge of Allegiance were given. The meeting called to order at 9:00 AM. The agenda was reviewed for conflicts; none were noted. Motion by Falkenburg, seconded by Abbott, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Ortner, to approve the minutes of the Aug. 18, 2015 meeting. With no further discussion and all voting yes, the motion carried.

Applicants for assistance met with the Board. Motion by Falkenburg, seconded by Abbott, to approve \$675.00 in rent assistance for CP #2015-12, with a repayment plan. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Allen, to deny assistance for CP #2015-13 due to the amount of non-taxable income the applicant receives. With no further discussion and all voting yes, the motion carried.

Keith Andersen, Andersen Engineering, presented plats for approval. Motion by Falkenburg, seconded by Ortner, to approve a plat of Country Club Estates as follows. With no further discussion and all voting yes, the motion carried.

### **FALL RIVER COUNTY RESOLUTION #2015-21**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Shulaw Tract of Block C of Country Club Estates Subdivision, formerly Lots 19 and 21, Block C of Country Club Estates Subdivision, located in the SE ¼ SW ¼ of Section 22, T7S, R5E, 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 1<sup>st</sup> day of Sept., 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Ortner, to approve a plat of Cobblestone Mountain Estates as follows. With no further discussion and all voting yes, the motion carried.

### **FALL RIVER COUNTY RESOLUTION #2015-22**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Lot 37 of Cobblestone Mountain Estates Subdivision, located in the SE ¼ SE ¼ of Section 2, T7S, R5E, 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 1<sup>st</sup> day of Sept., 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Abbott, to approve a plat of Sand Tract as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2015-23**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Sand Tract, containing a portion of Tract Alpha, located in the NE ¼ NE ¼ of Section 15, T8S, R6E, 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 1<sup>st</sup> day of Sept., 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Andersen and Susie Simkins, Director of Equalization, asked for clarification of SDCL 10-6-31.3 (3), which addresses platted ag land classifications. Andersen said the question comes from platting land that was classified as ag land; how roads or alleys relate to how the plat is filed with the Register of Deeds; and the intent of the use of the property. The Board agreed that agriculture status (except on home) will be retained. Melody Engebretson, Register of Deeds, spoke of the existing need to create a resolution to insure conformity with plats of new subdivisions, which has been discussed in the past.

Heidi McBride, First Interstate Bank, and Kelli Rhoe, Treasurer, met with the Board to discuss county funds; needed cash flow; return on investment; and the security of funds in money markets.

McBride informed the Board that there is no limit to the security of public funds, unlike individual funds, which are insured only to \$250,000.00.

Tom White asked the Board to consider adding a half-mile of road to the county road system, which is a section line road used by five landowners. White is asking for the addition to have assistance in graveling the road. As others have asked and been denied similar assistance, the Board expressed concern about setting a precedent. No action was taken.

Randy Seiler, Highway Superintendent, presented fuel transfers. Motion by Falkenburg, seconded by Abbott, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of August 1-30, 2015 in the following amounts: the Sheriff's Office, \$2,158.23; DOE, \$191.63; Building, \$81.43; Emergency Management, \$123.91; Commission, \$29.00; and Weed Board, \$613.85. With no further discussion and all voting yes, the motion carried.

Seiler reported on FEMA work that has been done, which will total approximately \$190,000 in assistance to the county. A follow-up meeting is scheduled for Sept. 2, 2015. Also discussed were an estimated \$20,000 in needed repairs to a road grader, plus two mowers that required smaller repairs. Seiler provided updates on roads and maintenance.

Frank Maynard, Emergency Management, presented a list of electronic equipment to designate as junk. Motion by Abbott, seconded by Ortner, to approve designating as junk the list of electronics as provided, which is on file in the Auditor's Office. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Ortner, to approve travel for Maynard to attend an Emergency Management conference in Mitchell on Sept. 13-17, 2015. With no further discussion and all voting yes, the motion carried.

Maynard also discussed FEMA claims by county residents that require cultural and archeological study, which may delay the claim process. Motion by Falkenburg, seconded by Abbott, to approve an emergency letter to the congressional representatives, urging them not to delay claims due to the studies. With no further discussion and all voting yes, the motion carried.

Properties listed as being in flood plains were also discussed; Maynard is working on amendments to the flood plain designations to remove properties that should not be included.

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

**General Fund**

|                            |                 |            |
|----------------------------|-----------------|------------|
| Commissioners              | August Salaries | \$4,100.00 |
| Auditor's Office           | August Salaries | \$9,823.08 |
| and additional overtime of |                 | \$194.24   |
| Elections                  | August Salaries | \$1,752.72 |
| Treasurer's Office         | August Salaries | \$8,243.58 |
| and additional overtime of |                 | \$33.93    |

|                            |                      |             |
|----------------------------|----------------------|-------------|
| State's Attorney Office    | August Salaries      | \$7,831.08  |
| and additional overtime of |                      | \$171.55    |
| Maintenance                | August Salaries      | \$6,016.61  |
| Department Of Equalization | August Salaries      | \$14,780.55 |
| and additional overtime of |                      | \$13.93     |
| Register Of Deeds Office   | August Salaries      | \$6,917.51  |
| Veterans Services Office   | August Salaries      | \$2,880.00  |
| GIS                        | August Salaries      | \$2,233.54  |
| Nurse's Office             | August Salaries      | \$2,915.20  |
| and additional overtime of |                      | \$11.95     |
| Sheriff's Office           | August Salaries      | \$28,194.50 |
| and additional overtime of |                      | \$3,646.55  |
| Jail                       | August Salaries      | \$12,537.22 |
| and additional overtime of |                      | \$2,678.72  |
| Dispatch                   | August Salaries      | \$10,959.42 |
| and additional overtime of |                      | \$929.89    |
| County Extension Office    | August Salaries      | \$2,820.72  |
| and additional overtime of |                      | \$287.44    |
| Weed Dept                  | August Salaries      | \$4,816.75  |
| Coroner                    | August Salaries      | \$240.00    |
| Fidelity Sec. Life Ins Co  | Eye Insurance        | \$98.74     |
| American Family Assurance  | American Family      | \$225.04    |
| AT&T Teleconference        | Tele-Conference Serv | \$14.45     |
| Audra Malcomb Consulting   | MI/Consulting        | \$1,138.44  |
| Black Hills Power          | Utility Power Elec.  | \$4,573.18  |
| Black Hills Power          | County Poor          | \$116.86    |
| Boston Mutual Life Ins Co  | Life Insurance       | \$32.76     |
| Cardmember Service         | Cardmember Services  | \$920.10    |
| Colbath, Angela M          | CAAF                 | \$1,008.00  |
| CPS Technology Solutions   | Office Equipment     | \$562.78    |
| Credit Collection Bureau   | Garnishment          | \$66.50     |
| Dakota Leasing Company     | Lease                | \$155.00    |
| Davis, Kathy               | Crt Rep.             | \$61.20     |
| Delta Dental Plan Of SD    | Dental               | \$2,319.65  |
| DeMersseman Jensen         | CAAF                 | \$1,011.00  |
| Support Pyt Clearinghouse  | Child Support        | \$286.25    |
| Executive Mgmt Finance     | BIT Network Fees     | \$96.00     |
| Fall River Auto Supply     | Auto Parts/Repair    | \$18.32     |
| Farrell, Farrell &Ginsbach | Contract             | \$2,658.33  |
| FR County Treasurer        | August Service Chg   | \$37.25     |
| Fox & Youngberg            | MI                   | \$187.32    |
| Schmidt, Stacy             | Reimburse FIT        | \$291.89    |
| Robert Haviala             | MI                   | \$189.00    |
| Health 4 Life              | Health 4 Life        | \$180.00    |

|                           |                           |                     |
|---------------------------|---------------------------|---------------------|
| Heavy Highway Fringe      | Insurance Fees            | \$630.00            |
| Joshua Hilpert            | MI                        | \$487.90            |
| Hot Springs Ace Hardware  | Supply                    | \$237.91            |
| Hot Springs Automotive    | Auto Supply Parts         | \$68.35             |
| Hughes, John T            | MI                        | \$35.00             |
| Hunt, Karen Paige         | MI                        | \$611.50            |
| Iowa Laborers District    | Health Insurance          | \$16,382.00         |
| Kennedy, Pamela           | MI                        | \$35.00             |
| LIUNA Laborers Local 620  | Union Dues                | \$200.00            |
| Lone Star Heating & Air   | A/C Repair, Supply        | \$487.56            |
| Medical Waste Transport   | Utility                   | \$121.43            |
| Michael, Lora             | Reimburse FIT             | \$66.94             |
| Jacki Miller              | Reimburse FIT             | \$51.75             |
| Motel 6                   | County Poor               | \$94.00             |
| Nationwide Retirement Sol | Nationwide Ret.           | \$88.25             |
| Nelsons Oil & Gas Inc.    | Propane/Utility           | \$84.75             |
| New York Life Insurance   | New York Life Ins         | \$25.00             |
| Norton's Sinclair         | Auto Repair               | \$191.50            |
| Norton, Tina              | Contract Nurse Inmt       | \$1,000.00          |
| Child Support Payment Cnt | Child Support             | \$704.00            |
| O'Neill, Justin           | CAAF                      | \$3,112.73          |
| Ortner, Michael P.        | Travel                    | \$13.95             |
| Pitney Bowes              | Postage Machine Leas      | \$1,110.09          |
| Rapid City Journal        | Advertising/Proc.         | \$144.67            |
| Regional Pharmacy         | Prisoner Medication       | \$510.55            |
| Rick's Auto Center        | Auto Repair               | \$40.00             |
| SD Department Of Revenue  | Blood Draw/Autopsy        | \$210.00            |
| SD Retirement System      | SDRS Contribution         | \$15,274.89         |
| SD Supplement Retirement  | SDRS Sup Retirement       | \$1,100.00          |
| Ultramax                  | Supply                    | \$312.00            |
| United Way Black Hills    | United Way Donation       | \$42.50             |
| Valades, Chuck            | MI                        | \$70.00             |
| Behrens, Donna            | Mileage Reimb.            | \$55.86             |
|                           | <b>General Fund Total</b> | <b>\$194,878.82</b> |

### Road & Bridge

|  |                      |             |
|--|----------------------|-------------|
| County Road & Bridge Admin<br>and additional overtime of | August Salaries      | \$6,570.45  |
|  |                      | \$335.95    |
| County Road & Bridge Const<br>and additional overtime of | August Salaries      | \$34,575.46 |
|  |                      | \$979.83    |
| A & B Welding Supply Co.                                 | Welding Supply/Lease | \$91.75     |
| Advanced Drug Testing                                    | Pre Screen Emp.      | \$52.00     |
| Fidelity Sec. Life Ins Co                                | Eye Insurance        | \$80.66     |
| American Family Assurance                                | American Family      | \$504.58    |

|                           |                                |                    |
|---------------------------|--------------------------------|--------------------|
| Black Hills Power         | Utility Power                  | \$409.33           |
| Butler Machinery Co.      | Repair                         | \$1,393.48         |
| Cardmember Service        | Cardmember Services            | \$644.43           |
| Dale's Tire               | Tire Supply                    | \$3,149.20         |
| Delta Dental Plan Of SD   | Dental                         | \$471.00           |
| Diamond Mowers Inc        | Equipment Parts/Supp           | \$349.81           |
| Diesel Machinery, Inc     | Equipment Parts                | \$360.62           |
| Eddies Truck Sales        | Parts                          | \$175.40           |
| Fall River Auto Supply    | Auto Parts Supply              | \$76.61            |
| Fall River Health         | Employment Drug Scrn           | \$72.00            |
| Forward Distributing      | Parts                          | \$126.40           |
| Heavy Highway Fringe      | Insurance Fees                 | \$165.00           |
| Hills Materials Co.       | Material                       | \$3,525.00         |
| Hillyard Floor Care Supp  | Supply                         | \$38.87            |
| Hot Springs Ace Hardware  | Supply                         | \$13.91            |
| Hot Springs Automotive    | Auto Supply Parts              | \$922.12           |
| Ricoh USA Inc             | Contract Lease Copier          | \$75.00            |
| Iowa Laborers District    | Health Insurance               | \$3,575.00         |
| Kimball Midwest           | Equipment Parts/Supp           | \$385.45           |
| LIUNA Laborers Local 620  | Union Dues                     | \$175.00           |
| Lyle Signs                | Signage                        | \$462.24           |
| MG Oil                    | Supply                         | \$724.89           |
| Nationwide Retirement Sol | Nationwide Ret.                | \$73.53            |
| Norton's Sinclair         | Parts                          | \$53.08            |
| Child Support Payment Cnt | Child Support                  | \$100.00           |
| Rapid City Journal        | Advertising                    | \$133.95           |
| Rapid Delivery            | Shipping                       | \$71.32            |
| RDO Equipment Co          | Lease                          | \$815.92           |
| Safety Kleen              | Parts Washer Rent              | \$117.42           |
| SD Dept Of Transportation | Cost Share                     | \$72.89            |
| SD Retirement System      | SDRS Contribution              | \$4,602.44         |
| Sheehan Equipment, Inc.   | Parts                          | \$46.61            |
| SD Supplement Retirement  | SDRS Sup Retirement            | \$30.00            |
| Summit Signs & Supply Inc | Signage                        | \$1,644.00         |
| Z&S Dust Control          | Dust Control Roads             | \$15,733.50        |
|                           | <b>Road &amp; Bridge Total</b> | <b>\$83,976.10</b> |

#### **Fire Protection Fund**

|                        |           |             |
|------------------------|-----------|-------------|
| Ardmore Fire District  | Fire Ins. | \$1,034.07  |
| Buffalo Gap Fire Dept  | Fire Ins. | \$186.97    |
| Edgemont Fire Dept     | Fire Ins. | \$3,373.10  |
| Hot Springs Fire Dept  | Fire Ins. | \$13,390.69 |
| Minnekahta Fire        | Fire Ins. | \$987.27    |
| Oelrichs Vol Fire Dept | Fire Ins. | \$1,266.01  |

|                     |                                   |                    |
|---------------------|-----------------------------------|--------------------|
| Oral Fire Dept      | Fire Ins.                         | \$723.35           |
| Smithwick Fire Dept | Fire Ins.                         | \$341.81           |
|                     | <b>Fire Protection Fund Total</b> | <b>\$21,303.27</b> |

**Emergency Mgt**

|                         |                             |                   |
|-------------------------|-----------------------------|-------------------|
| Emergency Management    | August Salaries             | \$6,132.79        |
| Cardmember Service      | Cardmember Services         | \$177.87          |
| High Plains Graphics    | 911 Laminated Maps          | \$126.75          |
| Nettinga, Joan          | Travel                      | \$61.99           |
| Pitney Bowes            | Postage Machine Leas        | \$22.65           |
| Pudwill, Norman         | LEPC                        | \$60.00           |
| Rushmore Communications | EM Radio                    | \$49.85           |
| SD Retirement System    | SDRS Contribution           | \$699.87          |
| Timmins, Andreas        | Travel                      | \$5.04            |
|                         | <b>Emergency Mgmt Total</b> | <b>\$7,336.81</b> |

**L.E.P.C. Grant**

|                |                             |                 |
|----------------|-----------------------------|-----------------|
| Bastian, Tracy | Pilot                       | \$100.00        |
|                | <b>L.E.P.C. Grant Total</b> | <b>\$100.00</b> |

**Cheyenne Weed Grant**

|               |                                  |                 |
|---------------|----------------------------------|-----------------|
| Happe, Shelby | Travel/Mileage                   | \$623.28        |
|               | <b>Cheyenne Weed Grant Total</b> | <b>\$623.28</b> |

**24/7 Sobriety Fund**

|                     |                                 |                   |
|---------------------|---------------------------------|-------------------|
| Gen Diagnostics Inc | Diagnostic Supplies             | \$1,038.50        |
| Intoximeters        | Supply                          | \$960.00          |
|                     | <b>24/7 Sobriety Fund Total</b> | <b>\$1,998.50</b> |

**Grand Total** **\$310,216.78**

A break was taken at 10:18 AM. The meeting resumed at 10:25 AM with public comment. Paul Nabholz referred to the discussion about county investments, urging the Board to consider five-year CD's for the benefit of the interest.

Andrea Powers, new Director of South Hills Economic Development Corp., introduced herself to the Board and discussed their role in interacting with parties interested in locating in Fall River County.

Robert Pitcher met with the Board to request an abatement of taxes. Motion by Falkenburg, seconded by Ortner, that if documentation confirms he qualifies, to approve an elderly tax freeze of 2014 property taxes, payable in 2015, for Robert Pitcher on parcel 75500 00100 01000, abating \$794.37 in taxes. With no further discussion and all voting yes, the motion carried.

Mike Koopman met with the Board to discuss planning and zoning, citing his work experience in the field. The Board indicated that other than an interest in having a process for residents to report new construction, which would be a safety measure, they are not considering other zoning matters at this time.

Ortner asked the Board to approve partial removal of a lien. Motion by Falkenburg, seconded by Abbott, to approve a release of lien for Nicole Blumenthal only from property located at Lots 32 and 33 in Block One of Railway Addition to the town, now city, of Hot Springs. With no further discussion, Ortner abstaining and all others voting yes, the motion carried.

Motion by Ortner, seconded by Falkenburg, to approve a discretionary formula for two Black Hills Power structures: Formula Year Four for a substation valued at \$2,036,032.00; and Formula Year One for a shop valued at \$201,425.00. With no further discussion and all voting yes, the motion carried.

Ortner briefed the Board on Senate Bill 2, which provides for the establishment of river basin natural resource districts.

A hearing on the 2016 Provisional Budget was held as advertised. No comments were made.

Simkins returned to present a contract for the remote module of Vanguard and reported that although she is still assessing a tablet previously used by the Veterans Services Officer, she may need to purchase a tablet for field use. Simkins also asked the Board to continue the temporary employment of two staff members to assist with commercial reappraisals in 2016. Motion by Ortner, seconded by Allen, to approve extending the temporary employment of Vella Birkland at 28 hours per week for 2016. With no further discussion and all voting yes, the motion carried.

Lyle Jensen, Building Superintendent, discussed computer issues and asked for approval to order a vehicle. Motion by Falkenburg, seconded by Ortner, to approve purchase of a 2016 Chevy Impala at the 2015 state bid amount of \$17,479, paid by the commission budget. With no further discussion and all voting yes, the motion carried.

Ortner presented a plat for approval. Motion by Falkenburg, seconded by Abbott, to approve a plat of Lot 6 of KSK Properties Subdivision – Tract 1 as follows. With no further discussion, Ortner abstaining and all others voting yes, the motion carried.

#### **FALL RIVER COUNTY RESOLUTION #2015-24**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of Lot 6 of KSK Properties Subdivision – Tract 1, a subdivision of Tract WS of Tract A revised of Plat Two of Angostura Land Estates, located in the W ½ NE ¼ and NW ¼ SE ¼ of Section 30, T8S, R6E, 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 1<sup>st</sup> day of Sept., 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Ortner, to enter into Executive Session, per SDCL 1-25-2 (3), for legal matters. With no further discussion and all voting yes, the motion carried and the Board went in to Executive Session at 11:40 AM.

The Board came out of Executive Session at 12:07 PM. A brief discussion on a county building was held; the Black Hills Power building may be toured. Motion by Falkenburg, seconded by Ortner, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 12:17 PM.

/s/ Deborah Russell

Deborah Russell, Chair

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor