

FALL RIVER COUNTY MINUTES OF SEPTEMBER 5, 2013

The Fall River Board of County Commissioners met in regular session on September 5, 2013. Present: Mike 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 Cassens, seconded by Falkenburg, to approve the minutes of the August 1, 2013 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the minutes of the August 15, 2013 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve a two-year increase to \$10.56 per hour for Kimberlee Beldin, per Union contract, effective August 22, 2013. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve a travel request for the Auditor, Register of Deeds, Treasurer, Highway Superintendent, Commissioners and Welfare to attend the State County Convention in Spearfish on September 16-18, 2013. With no further discussion and all voting yes, the motion carried.

The Board reviewed a request from Black Hills Power for use of a discretionary formula on a substation; the matter was referred to the State's Attorney office for review.

Cassens discussed a request from the Edgemont Gun Club for the storage shed on county property. State's Attorney Jim Sword recommended transferring the property to the City of Edgemont. Motion by Allen, seconded by Falkenburg, to approve the transfer, as per S.D.C.L. 6-5-2, of a 7' x 8' shed, located at Lot 7 and the South 12' of Lot 8, Block 10, Stewart Addition to the City of Edgemont (511 7th Ave), to the City of Edgemont. With Falkenburg wanting assurance that the county would not assume any liability associated with the move and no additional discussion, all voting yes, the motion carried.

Ortner discussed entering into an agreement with Pennington County for juvenile care, as the current compact with seven counties is now complete. Motion by Falkenburg, seconded by Russell, to enter into a three-year Joint Powers Agreement with Pennington County for the care of juveniles at the Western South Dakota Juvenile Services Center and authorize the chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to appoint Mike Ortner as the board member and Joe Allen as the alternate to the WSD Juvenile Services Center Board. With no further discussion and all voting yes, the motion carried.

Sword met with the Board to discuss reimbursement of court appointed attorney fees with regard to consideration of the county hiring a public defender. Sword noted the need to support local attorneys with court-appointed business, adding that a public defender would have limitations on cases, thereby requiring the county to still incur some court-appointed costs. Sword also noted that he is available for the commission meetings if asked to attend.

Frank Maynard, Emergency Management, presented the SLA agreement for approval. Motion by Russell, seconded by Falkenburg, to approve the SLA agreement, authorizing the chairman to sign. With no further discussion and all voting yes, the motion carried.

Maynard discussed other issues including the courthouse phone system, which is becoming obsolete. The Board directed Maynard to research whether Golden West would analyze the system needs and make a recommendation to the county at no cost. Drainage issues by Badger Clark Road were discussed; Maynard will work on resolving those with the highway department and the City of Hot Springs.

A \$60,000 Homeland Security grant was discussed. Motion by Falkenburg, seconded by Russell, to authorize use of Homeland Security grant funds to upgrade dispatch radio communications, bidding the equipment if required. With no further discussion and all voting yes, the motion carried.

Additional information was provided on a September 17, 2013 scoping meeting held by the Corps of Engineers on the Cottonwood Springs and Cold Brook Master plan and a billing from Danko Emergency Equipment. Motion by Russell, seconded by Falkenburg, to approve payment of \$716.48 to Danko and apply for reimbursement of the expense. With no further discussion and all voting yes, the motion carried.

Lyle Jensen, Building Supervisor, asked the Board for direction in conducting air quality tests. Discussion was held regarding annual versus biennial testing. Motion by Allen, seconded by Russell, to have Environ conduct air quality testing at a cost of \$3,079.00. With no further discussion, Russell and Allen voting yes, all others voting no, the motion failed.

Propane bids were discussed; no action was taken. A quote for cleaning courthouse carpets was presented. Motion by Falkenburg, seconded by Russell, to approve a \$1,763.00 quote from Spot Wranglers to clean the carpet and chairs. With no further discussion and all voting yes, the motion carried.

Jensen presented information on converting the courthouse to a heat pump system, should the commission decide to retire the boiler system. Sidewalk repair was also discussed. Motion by Cassens, seconded by Russell, to approve hiring Black Hills Hardscapes to create a drain trench in the sidewalk to eliminate liability issues, at a cost of \$3,944.00. With no further discussion and all voting yes, the motion carried.

Jensen requested training and travel approval. Motion by Cassens, seconded by Falkenburg, to approve \$1,490.00 for the cost of Jensen's tuition for an 80-hour boiler certification course on October

28 – November 8, 2013 in Rapid City. With no further discussion and all voting yes, the motion carried.

Concern about a large rock that has been exposed by erosion on the hillside behind the jail was discussed. The Board directed Jensen to consult Century Blasting.

Plans for a storage building and an addition to the Extension building for a meeting room were presented for consideration. Estimates for materials were included; the Board asked Jensen to get contractor estimates for a future meeting.

A cracked sewer pipe in the jail needs to be replaced and initial estimates suggest it may cost up to \$6,000.00 to repair. The Board asked Jensen to obtain additional quotes; no action was taken.

Harley Lux, President, thanked the Board for supporting Southern Hills Economic Development Corporation, encouraging the same funding amount for 2014. Lux offered to present quarterly reports to the Board, along with detailed budget information.

Randy Seiler, Highway Superintendent, presented fuel transfers for approval. Motion by Russell, seconded by Falkenburg, to approve transfers to reimburse the Highway Department for fuel used from July 29, 2013 through August 20, 2013 in the following amounts: Sheriff's Office, \$2,702.38; the Courthouse, \$552.59; the Weed Board, \$697.06; and \$83.34 for work done for Emergency Management. With no further discussion and all voting yes, the motion carried.

Seiler presented fuel quotes as follows:

	<u>8,000 gal #2 Dyed Diesel</u>	<u>500 gal #2 Dyed Diesel / Edgemont Shop</u>
Nelson's	\$3.2075 / gal.	\$3.44 / gal.
MG Oil	\$3.22032 / gal.	no response
PJ's Hi-D-Way	no response	no response

Motion by Falkenburg, seconded by Cassens, to approve Nelson's bid of \$3.2075 per gallon for 8,000 gallons of #2 Dyed Diesel as the low bid. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve Nelson's bid of \$3.44 per gallon for 500 gallons of #2 Dyed Diesel, delivered to the Edgemont Shop, as the lone bid. With no further discussion and all voting yes, the motion carried.

Seiler discussed a request by Game, Fish and Parks for a contract for the Mickelson Trail; the Board took no action. Upcoming training and meetings were discussed. Motion by Falkenburg, seconded by Cassens, to approve D-Ware training for Highway Office Manager Ken Martin in Deadwood, October 16 and 17, 2013. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve Seiler attending the LTAP road meeting in Rapid City, October 23 & 24, 2013, without a county paid overnight stay. With no further discussion and all voting yes, the motion carried.

A state Dept. of Transportation work order, Project P 0043(00), PCN 049U, with Brosz

Engineering was presented. The order will have the firm conduct a Provo to Igloo connector study and research.

Eric Rounds, Butler Machinery, met with the Board regarding the purchase of a road grader. Motion by Falkenburg, seconded by Russell, to authorize purchase of a new road grader off the Spink County bid, delivered in 2013 and paid for in 2014. Cassens suggested waiting until after the 2014 budget was approved. With no further discussion, Cassens voting no and all others voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve bills as presented with the exception of a bill for the Sheriff's Office from Shopko. With no further discussion and all voting yes, the motion carried.

General Fund

Commissioners	August Salaries	\$2,788.53
Auditor's Office	August Salaries	\$6,766.06
Elections	August Salaries	\$1,070.73
Treasurer's Office	August Salaries	\$5,394.81
and additional overtime of		\$26.25
State's Attorney Office	August Salaries	\$5,223.05
and additional overtime of		\$135.96
Maintenance	August Salaries	\$4,183.97
Department Of Equalization	August Salaries	\$11,438.85
and additional overtime of		\$52.88
Register Of Deeds Office	August Salaries	\$3,855.47
Veterans Services Office	August Salaries	\$1,706.82
GIS	August Salaries	\$1,827.77
and additional overtime of		\$24.73
Nurse's Office	August Salaries	\$1,949.89
Sheriff's Office	August Salaries	\$17,702.91
and additional overtime of		\$2,456.52
Jail	August Salaries	\$5,636.50
and additional overtime of		\$1,610.10
Dispatch	August Salaries	\$7,560.07
and additional overtime of		\$428.00
24/7	August Salaries	\$2,103.08
County Extension Office	August Salaries	\$1,754.01
and additional overtime of		\$263.25
Weed Dept	August Salaries	\$2,944.86
Coroner	August Salaries	\$221.64
A & B Business Equipment	Copier	\$416.18
Audra Malcomb Consulting	MI	\$540.60
Barker Concrete & Const	Labor	\$2,096.80
Bingham, James	CAAF	\$1,839.60
BH Family Health Clinic	Inmate	\$384.00

Black Hills Power	Utility	\$4,688.54
Black Hills Resource	Per Com Mtg	\$1,000.00
Canyon Lake Resort	Travel	\$217.00
CBM Food Service	Inmate	\$7,587.30
Century Business Leasing	Copier	\$256.15
Cheyenne Sanitation	Utility	\$280.00
Crop Production Services	Supply	\$4,016.33
Custer / Fall River	8-19; #2181(1/2)	\$2,470.46
Dakota Leasing Company	Copier	\$190.00
Dakota Supply Group	Supply	\$1,209.28
Dale's Repair	Car Maint	\$163.99
Edgemont Herald Tribune	Publishing	\$845.46
Executive Mgmt Finance	BIT	\$20.00
Fall River Auto Supply	Supply; Repair	\$55.29
Glanzer, Rosella	Travel	\$159.00
Governors Inn	Travel	\$154.00
Great Western Tire	Tires	\$475.80
Harvey's Lock & Security	Supply	\$35.33
Heartland Paper Co	Supply	\$39.46
Hillyard Floor Care Supp	Supply	\$585.69
Hot Springs Ace Hardware	Supply; Repair	\$341.47
Hot Springs Automotive	Supply; Repair	\$67.59
City Of Hot Springs	Utilities	\$247.85
City Of Hot Springs	Rent	\$75.00
City Of Hot Springs	Sprinkler	\$24.00
Keizer, Brad	Travel	\$253.01
Nelson's Oil & Gas Inc.	Fuel	\$128.78
Nettinga, Joan	Travel	\$38.00
Norton's Sinclair	Car Maint	\$241.00
O'Neill, Justin	CAAF	\$5,230.69
Otis Elevator Company	Utility	\$336.63
Penn County Sheriff	Inmate	\$165.00
Pizza Hut	Jury	\$67.00
Quill Corporation	Supply	\$523.72
Rapid City Journal	Publishing	\$512.67
Rick's Auto Center	Car Maint	\$32.00
SD Counties	Registration	\$825.00
SD Department Of Revenue	Inmate	\$210.00
Servall	Supply	\$245.17
Shopko	Inmate; Supply	\$1,434.26
Skinner, Matthew LPC	CAAF	\$614.40
Stevens Automotive	Car Maint	\$144.58
Twilight Inc	Supply	\$105.15
US Bank	Copier	\$205.72

Verizon Wireless	Cell Phone	\$461.22
Weakland, Wendy	Travel	\$100.55
Halls, Terri	Travel	\$38.00
Witnesses	Witness Fee	\$685.82
	General Fund Total	\$132,207.25

Road & Bridge

County Road & Bridge Admin	August Salaries	\$4,418.98
County Road & Bridge Const and additional overtime of	August Salaries	\$18,216.20
A & B Welding Supply Co.	Supply	\$30.65
Black Hills Power	Utility	\$242.64
Black Hills Truck & Trail	Supply	\$383.81
Buchholz, Martin	Uniform	\$198.44
Butler Machinery Co.	Supply; Repair	\$59.97
Cheyenne Sanitation	Utility	\$1,211.50
Dakota Fluid Power Inc	Repair	\$74.00
Diamond Mowers Inc	Repair	\$443.63
Diesel Machinery, Inc	Repair	\$127.68
D-Ware Inc	Registration	\$277.53
Eddie's Truck Sales	Repair	\$85.00
Edgemont, City Of	Utility	\$37.47
Fall River Auto Supply	Supply; Repair	\$36.75
Forward Distributing	Supply	\$346.67
Glass Pro +	Car Maint	\$166.15
Great Western Tire	Tires	\$98.95
Hills Materials Co.	Gravel	\$5,216.88
Hot Springs Ace Hardware	Supply; Repair	\$5,997.69
Hot Springs Automotive	Supply; Repair	\$93.32
City Of Hot Springs	Utilities	\$765.76
Ricoh USA Inc	Utility	\$30.61
Kimball Midwest	Supply	\$75.00
Lyle Signs	Supply	\$499.43
McKie Ford Lincoln Mercur	Repair	\$68.75
Nelson's Oil & Gas Inc.	Fuel	\$82.11
North American Truck	Supply	\$27,400.00
Norton's Sinclair	Car Maint	\$44.70
Nat'l Safety Compliance	Supply	\$26.54
Pacific Steel & Recycling	Repair	\$96.40
Powerplan BF	Repair	\$19.05
Ranchers Feed & Supply	Repair	\$673.73
Rapid Delivery	Repair; Supply	\$130.07
Rushmore Communications	Labor	\$80.40
Rushmore Office Supply	Supply	\$225.00
		\$80.98

Safety Kleen	Repair	\$106.00
SD Counties	Registration	\$165.00
SD Dept Of Transportation	Equip	\$868.45
Seiler, Randy	Phone; Travel	\$47.00
Pro Build	Repair	\$13.18
Whisler Bearing Company	Repair	\$18.91
	Road & Bridge Total	\$69,280.98

911

911	August Salaries	\$1,661.67
and additional overtime of		\$138.18
Century Link	911	\$6.80
Rushmore Communications	Labor	\$2,151.48
	911 Reimbur. Total	\$3,958.13

Fire Protection Fund

Ardmore Fire District	Fire Ins	\$846.19
Buffalo Gap Fire	Fire Ins	\$214.30
Cascade Fire Department	Fire Ins	\$960.10
Edgemont Fire Dept	Fire Ins	\$2,606.64
Hot Springs Fire Dept	Fire Ins	\$10,509.22
Minnekahta Fire	Fire Ins	\$1,050.04
Oelrichs Vol. Fire Dept	Fire Ins	\$1,696.66
Oral Fire Dept	Fire Ins	\$938.09
Smithwick Fire Department	Fire Ins	\$364.03
	Fire Protection Fund Total	\$19,185.27

Emergency Mgt

Emergency Management	August Salaries	\$2,707.42
Danko Emergency Equipment	Grant	\$716.48
Firehouse	Subscription	\$24.95
Glass Pro +	Car Maint	\$60.00
High Plains Graphics	Supply	\$77.50
Hot Springs Automotive	Supply; Repair	\$10.79
National Fire Protection	Dues	\$165.00
Norton's Sinclair	Car Maint	\$37.50
Verizon Wireless	Cell Phone	\$174.25
	Emergency Mgmt Total	\$3,973.89

L.E.P.C. Grant

HSR Fueling LLC	Fuel	\$168.34
Pudwill, Norman	Airplane hours	\$60.00
Bastian, Tracy	Airplane hours	\$100.00
	L.E.P.C. Grant Total	\$328.34

Courthouse Building Fund

Hot Springs Ace Hardware	Supply; Repair	\$85.98
	Courthouse Bldg Fund Total	\$85.98

Law Library

Hot Springs Star	Subscription	\$36.00
West Payment Center	Supply	\$375.50
	Law Library Total	\$411.50

Grand Total	\$229,431.34
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A break was taken at 10:50 AM. The meeting resumed at 11:00 AM. Motion by Cassens, seconded by Falkenburg, to approve the Shopko bill. With no further discussion and all voting yes, the motion carried.

Bernie Peterson, Project Director of Rural Head Start, met with the Board to request a support letter for Youth and Family Services. Motion by Falkenburg, seconded by Russell, to approve writing a letter of support for Youth and Family Services Head Start and Early Head Start programs. With no further discussion and all voting yes, the motion carried.

The meeting was opened for public comment. Val Henry voiced concerns over issues within the jail for inmates with disabilities, including the use of oxygen, and asked if there was anything she could do to help.

Vince Logue informed the Board of plans for Oelrichs' 125th Anniversary Celebration and asked for temporary road closure. Motion by Falkenburg, seconded by Russell, to allow law enforcement to close the county road in Oelrichs on September 14, 2013 for a car show held in conjunction with the 125th Celebration. With no further discussion and all voting yes, the motion carried.

Information was provided on the Great Western Cattle Trail memorial, which will be held on September 13 at 4:00 PM, noting the first historical marker set in South Dakota.

Nina Steinmetz, Weed Supervisor, requested approval to purchase a new UTV. Steinmetz obtained bids and recommended purchasing a Honda Big Red and then trading in the current trailer on a new one, which would be bigger and more accessible. Motion by Falkenburg, seconded by Allen, to approve purchase of a Big Red UTV and trailer, designating the current trailer as surplus to use as a trade-in. Cassens asked about selling the current UTV. With no further discussion, Cassens voting no, all others voting yes, the motion carried.

The 2014 Budget hearing was held. A tentative agreement has been reached with the Union regarding employee wages, with a few items yet to be determined.

Susan Henderson met with the Board to address abandoned uranium pits, asking the

commission to seek Superfund money from the EPA for remediation. The Board asked that the matter be added to the next agenda to allow for research.

Jerri Baker noted concerns about proposed Power Tech plans for uranium mining, urging the Board to review information provided to them. Ortner noted that the Board has taken a neutral position on the project, not one of support.

Don Ackerman met with the Board to ask for their participation in bringing the Viet Nam Wall replica to Hot Springs in 2014. Ackerman stated that the City of Hot Springs and the Chamber of Commerce have both pledge financial support. Cassens expressed concern that the dates coincide with the Fall River County Fair.

Ortner discussed a meeting with the State American Legion and the local chapter regarding the possible revocation of their charter. Ortner asked the Board to adopt a position of support for the local chapter. Motion by Falkenburg, seconded by Allen, to support local American Legion Post 71 and oppose the revocation of their charter by the State Organization. With no further discussion and all voting yes, the motion carried.

The meeting recessed for lunch. The meeting resumed at 1:20 PM with further review of the 2014 budget. Information was presented that 36 parcels utilize the county's discretionary formulas.

Motion by Falkenburg, seconded by Russell, to enter into Executive Session for Union / personnel and legal matters, per SDCL 1-25-2(1) and 1-25-2(2). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 2:18 PM.

The Board came out of Executive Session at 2:28 PM. Motion by Allen, seconded by Russell, to declare an impasse with Laborers' Local Union 620 on the right of the county to contract or subcontract without consulting the Union. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve \$550.00 in rent assistance to be paid in October for CP #2013-21, with a repayment plan. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:37 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