

**FALL RIVER COUNTY MINUTES OF DECEMBER 20, 2011**

The Fall River Board of County Commissioners met in regular session on December 20, 2011. Present: Mike Ortner, Deb Russell, Joe Allen, Anne Cassens, Joe Falkenburg and Sue Ganje, Auditor. Absent: none.

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

The agenda was reviewed for conflicts; none were found.

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

Motion by Falkenburg, seconded by Cassens, to approve the minutes of the December 6, 2011 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Cassens, to approve the Auditor's Account with the County Treasurer. 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 30<sup>th</sup> day of November, 2011.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,891.03</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>1,571,654.13</u>
Total Amount of Cash:	\$ <u>2,383.18</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>41,361.58</u>
Provo Township Water Checking, First Interstate Bank:	\$ <u>300.00</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>19,326.58</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,420,000.00</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:**

Caldwell, Gwendolyn, \$25.60, LIC  
Greenia, Ann, \$873.18, TAXES  
Henry, Raymond, \$290.64, LIC  
Thompson, Matt & Billie, \$273.74, LIC

**TOTAL: \$5,311,814.66**

Dated this 30<sup>th</sup> day of November, 2011.

/S/Sue Ganje

Sue Ganje, Auditor, Fall River County

Motion by Russell, seconded by Falkenburg, to surplus as junk two printers, asset tag #1700 and #1792, and two Dell PCs, asset tag #1595 and #1498, all from the Sheriff's Office, and a table from the break room, no asset tag assigned. With no further discussion and all voting yes, the motion carried.

Liens issued on individuals who are now deceased were presented for the Board to consider. Motion by Cassens, seconded by Russell, to remove county liens for deceased individuals as presented with the exception of one needing further research. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to set December 27, 2011 at 9:30 a.m. as the date and time for a hearing on supplements and contingency transfers. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to reset the hearing on a vacation of streets and alleys submitted by Justin O'Neill, on behalf of clients Holland and Upchurch, from January 3 to January 17, 2012 at 11:00 a.m. With no further discussion and all voting yes, the motion carried.

Discussion was held on drafting a resolution in support of retaining the VA Health Care system in Hot Springs, which was also discussed at the Black Hills Association meeting on December 19, 2011. Ortner noted that the area legislators also voiced their support for keeping the VA in Hot Springs, as well as support for a bill that would provide for Veterans designation on drivers' licenses.

Cassens reported on the recent Jail Committee meeting, which included a consultation with Century Blasting about the rock behind the jail. Their recommendations included a retaining wall; quotes will be obtained for the suggested work. Estimates for additional stability work will be discussed at the next Jail Committee meeting, which is tentatively set for January 11, 2012.

Ortner continued his report on the Black Hills Association meeting and discussion of programs that could be maintained at the Hot Springs VA. Several comments in favor of the local facility and the importance of providing accessible care were made. A resolution will be drafted for consideration at an upcoming meeting.

The Board reviewed a letter from Bennett County Commissioner Rolf Kraft indicating a need for an increase in 911 fees. The Black Hills Association will be holding a special meeting to discuss the matter and any possible related legislation. Falkenburg asked about documentation required for obtaining a drivers' license and legislation that is pending to reduce the

burdensome requirements.

Keith Andersen, Andersen Engineering, presented a plat for approval. Motion by Falkenburg, seconded by Russell, to approve the plat of Tract Tibbits as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2011-47:**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract Tibbits, located in the W ½ W ½ NW ¼ NE ¼ Section 29, 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 20<sup>th</sup> day of December, 2011.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Building Supervisor Carl Neisner informed the Board that he received only one estimate for work to change the door to the Veterans Services Officer to allow for motorized scooter accessibility. The remodel will be done after the first of the year.

Neisner also presented information on Pennington County's use of a power management unit. The Board is interested in hearing additional input and will ask a representative from Black Hills Power to attend a January meeting.

Frank Maynard, Emergency Management, updated the Board on the approved agreement with KLJ for the Cold Brook Channel project, and the repair of Battle Mountain Road by the Highway Department, which both the National Weather Service and Golden West appreciated.

Cassens questioned whether department spending reflected in the submitted bills was for necessities and asked for a follow-up on a submission for a Dispatch clothing allowance.

Treasurer Lori Bachand was scheduled to ask the Board for hire approval but rescinded the request.

Highway Superintendent Randy Seiler presented items for surplus. Motion by Cassens, seconded by Allen, to surplus as junk a Gasboy reader system, no asset tag; a monitor and keyboard, asset tag FA #106; a 16' Sandvik Sys CE Model 2000, asset tag FA #SS2; a Midland

radio, asset tag FA #839, and to surplus to sell an Okidata printer, asset tag FA #107. With no further discussion and all voting yes, the motion carried.

Seiler asked for advertising approval. Motion by Falkenburg, seconded by Russell, to approve Seiler advertising an open position in the Highway Department. With no further discussion and all voting yes, the motion carried.

Seiler informed the Board that he had received notice for load limits and would bring it for discussion and approval to the next meeting. Use of the county water tanker to determine water flow above the jail was discussed, including the suggestion to use dye in the water. Maynard indicated the dye would cost \$37.00 per gallon and estimated 2,000 gallons of water would be needed. Seiler was given permission to utilize the water tanker and 3,000 gallons of dyed water. The berm at the top of the hill is to be increased by a height of one to one and a half feet as soon as possible. Seiler indicated he will have a need for a supplement to his budget, which will be addressed at the supplement hearing on December 27, 2011.

Assessor Terri Halls and Deputy Assessor Susie Hayes met with the Board to present a list of mobile home taxes to consider for abatement. Motion by Cassens, seconded by Allen, to approve the abatement of \$10,216.58 in uncollectible mobile home taxes as presented by Halls and Hayes, with the list to be on file in the Auditor's office. With no further discussion and all voting yes, the motion carried.

The meeting was opened for public comment with additional discussion on the proposed changes at the VA and its impact on the county.

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

**GENERAL FUND**

A&B BUSINESS EQUIPMENT	COPIER	\$347.64
AT&T	TELEPHONE	\$49.22
BLACK HILLS CHEMICAL	SUPPLY	\$377.89
BLACK HILLS RC & D	DUES	\$100.00
BILL'S HEATING	REPAIR	\$16.32
BINGHAM, JAMES	CAAF;MI	\$8,694.36
BH FAMILY HEALTH CLINIC	INMATE	\$278.00
BLACK HILLS POWER	ASSISTANCE	\$175.92
BURT, CURTIS	AIRPLANE	\$100.00
CARDMEMBER SERVICE	MISC	\$1,193.91
CAROL BUTZMAN CONSULTING	MI	\$494.07
CBM FOOD SERVICE	INMATE	\$10,498.46
CENTURY BUSINESS LEASING	COPIER	\$492.02
CHEMSEARCH	SUPPLY	\$395.00
CHEYENNE SANITATION	UTILITY	\$280.00

COLBATH, ANGELA M	CAAF	\$459.20
CULLIGAN SOFT WATER	WATER	\$103.75
CUSTER REG MEDICAL CLINIC	ASSISTANCE	\$11.10
DEMERSSEMAN JENSEN	CAAF	\$4,161.24
DIESEL MACHINERY, INC	REPAIR	\$116.00
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$455.55
ESRI INC	ROW	\$1,500.00
GREATER FALL RIVER HEALTH	INMATE	\$234.50
FALL RIVER COUNTY FAIR	ALLOTMENT	\$2,900.00
FRONTIER PRECISION INC	SUPPLY	\$4,967.60
GANJE, SUE	TRAVEL	\$61.20
GRAHAM, JULIE	TRAVEL	\$43.00
HANSEN, SHARON K	MI	\$575.00
HARMELINK FOX REVNSBORG	MI	\$112.32
HIGH PLAINS GRAPHICS	SUPPLY	\$139.50
HILLYARD FLOOR CARE SUPP	SUPPLY	\$510.71
HOT SPRINGS ACE HARDWARE	SUPPLY; REPAIR	\$16.57
CITY OF HOT SPRINGS	ASSISTANCE	\$68.61
CITY OF HOT SPRINGS	UTILITY	\$24.00
HSR FUELING LLC	FUEL	\$95.02
IRON MOUNTAIN ELECTRIC	REPAIR	\$1,263.50
RICOH PRODUCTION PRINT	MAINT	\$624.00
JAMISON, KAREN	SUPPLY	\$304.50
JENTER, GEORGE W DO	MI	\$225.00
JERRY'S AUTO	CAR MAINT	\$116.00
KRUEGER, CARLA	INMATE	\$35.00
LYLE'S HANDYMAN	REPAIR	\$89.25
LYNN'S DAK. MART PHARMACY	INMATE	\$6.50
MPG	MI	\$450.00
MSC INDUSTRIAL SUPPLY CO	SUPPLY	\$295.00
MCCOLLEY'S	ASSISTANCE	\$2,600.00
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$153.24
NEVE'S UNIFORM INC	UNIFORM	\$190.14
O'DAY, VALARIE	CRT REP	\$98.80
OHIO STATE UNIVERSITY	EQUIP	\$1,212.03
O'NEILL, JUSTIN	CAAF	\$2,203.51
ORROCK, KEN	CONFLICT DEP	\$408.00
ORTNER, MICHAEL P.	TRAVEL	\$788.50
OTIS ELEVATOR COMPANY	UTILITY	\$311.94
PAMIDA INC.	INMATE; SUPPLY	\$767.50
PENNINGTON COUNTY AUDITOR	MI	\$123.00
PENN CO JAIL	MI	\$182.00
PHEASANTLAND INDUSTRIES	SUPPLY	\$229.00

POWELL, DEBRA J	IMATE	\$35.00
PUDWILL, NORMAN	AIRPLANE	\$60.00
QUILL CORPORATION	SUPPLY	\$1,478.16
RADIOSHACK	SUPPLY	\$59.98
RADIOLOGY ASSOCIATES	INMATE	\$10.04
RAPID CITY JOURNAL (THE)	PUBLISHING	\$127.07
RAPID CITY REGIONAL	MI	\$4,277.02
REGIONAL HEALTH PHYSICIAN	ASSISTANCE	\$71.44
REGIONAL BEHAVIORAL HEALT	MI	\$343.99
RENTZ, JOHN M	ASSISTANCE	\$1,412.05
RUSHMORE OFFICE SUPPLY	SUPPLY	\$12.99
RUSSELL, DEBORAH	TRAVEL	\$148.74
SD ASSN OF CO. OFFICIALS	DUES	\$784.21
SD ASSN OF COUNTY COMM.	DUES	\$1,420.80
SD STATE ATTORNEY ASSOC	DUES	\$713.00
SERVALL	SUPPLY	\$115.26
SKINNER, MATTHEW L. PC	CAAF	\$769.56
SOFTWARE SERVICES INC	SUPPORT	\$1,130.00
SONNY'S SUPER FOODS	ASSISTANCE	\$39.99
SOUTHERN HILLS CARPET	CRPT CLNG	\$1,500.00
STATE REMITTANCE CENTER	STATE REP	\$1,132.68
STEPHENS LAW OFFICE	CAAF	\$4,015.00
SCHOENFELDER, PAUL	INMATE	\$70.00
TEMPERATURE TECHNOLOGY	LABOR;PARTS	\$610.64
TIGER DIRECT	EQUIP;SUPPLY	\$2,046.84
VERIZON WIRELESS	CELL PHONES	\$511.43
VILLAGE REPAIR	CAR MAINT	\$80.65
WEST PAYMENT CENTER	SUPPLY	\$85.50
WESTERN SD JUV SERV CTR	JUVENILE	\$1,935.00
WINTER, PAUL R	CAAF	\$83.44
CASSENS, ANNE	TRAVEL	\$239.76
	<b>GENERAL FUND TOTAL</b>	<b>\$78,044.33</b>

**ROAD & BRIDGE**

B H ELECTRIC COOP INC.	UTILITY	\$12.48
BROSZ ENGINEER	GRAVEL	\$480.00
BUTLER MACHINERY CO.	REPAIR	\$30.48
CHEYENNE SANITATION	UTILITY	\$76.32
DIESEL MACHINERY, INC	REPAIR	\$350.00
EDDIES TRUCK SALES	REPAIR	\$133.30
FALL RIVER AUTO SUPPLY	REPAIR; SUPPLY	\$852.95
FORWARD DISTRIBUTING	SUPPLY	\$22.01
GREAT WESTERN TIRE	SUPPLY	\$22.95

HILLS EDGE AUTO SALES	REPAIR	\$182.42
HOT SPRINGS ACE HARDWARE	SUPPLY; REPAIR	\$341.43
HOT SPRINGS AUTOMOTIVE	REPAIR; SUPPLY	\$183.79
JOHNSON MACHINE	REPAIR	\$13.29
LYLE SIGNS	SUPPLY	\$124.90
MACIEJEWSKI, CALVIN	CLOTHING	\$100.00
MICHAEL TODD	SUPPLY; REPAIR	\$3,295.94
MID AMERICAN RESEARCH	REPAIR	\$148.83
NORTONS SINCLAIR	SUPPLY; REPAIR	\$92.80
RANCHERS FEED & SUPPLY	SUPPLY	\$13.18
RAPID DELIVERY	REPAIR	\$21.86
SAFETY KLEEN	REPAIR	\$106.00
TITAN MACHINERY	REPAIR	\$2,400.00
PRO BUILD	REPAIR	\$74.38
VERIZON WIRELESS	CELL PHONES	\$32.00
WESTERN CONSTRUCTION INC	GRAVEL	\$32,295.51
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$41,406.82</b>
<b>911 SURCHARGE REIMBUR.</b>		
APEX SOFTWARE	911	\$125.00
CARDMEMBER SERVICE	MISC	\$22.95
CENTURY LINK	911	\$620.02
	<b>911 REIMBUR. TOTAL</b>	<b>\$767.97</b>
<b>EMERGENCY MGT</b>		
CARDMEMBER SERVICE	MISC	\$131.09
HOT SPRINGS AUTOMOTIVE	REPAIR; SUPPLY	\$108.87
QUILL CORPORATION	SUPPLY	\$14.97
TIGER DIRECT	EQUIP; SUPPLY	\$739.99
VERIZON WIRELESS	CELL PHONES	\$120.85
	<b>EMERGENCY MGMT TOTAL</b>	<b>\$1,115.77</b>
<b>CHEYENNE WEED GRANT</b>		
MID DAKOTA VEGETATION MGT	SUPPLY	\$19,988.00
	<b>CHEYENNE WEED GRANT TOTAL</b>	<b>\$19,988.00</b>
<b>24/7 PARTICIPATION FEE</b>		
STATE REMITTANCE CENTER	STATE REP	\$180.00
	<b>24/7 PARTICIPATION FEE TOTAL</b>	<b>\$180.00</b>
	<b>GRAND TOTAL</b>	<b>\$141,502.89</b>

The Board recessed at 10:46 a.m.

The meeting resumed with a hearing as advertised on supplements and contingency transfers. Motion by Cassens, seconded by Falkenburg, to approve supplements in the following amounts. With no further discussion and all voting yes, the motion carried.

**SUPPLEMENTS:**

<u>MR #</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>DEPT</u>	<u>GRANT</u>
6601	10/11/2011	\$ 7,266.06	Dispatch Equip.	Yes - Public Safety / HLS
6601	10/11/2011	\$ 3,502.04	911 Surcharge	Yes - Public Safety / HLS
6607	10/11/2011	\$ 6,200.00	Sheriff Vehicle	No - Sale of Weed Vehicle
6715	11/9/2011	\$ 381.00	CRBR Ins.	No – 2011 Case and New Holland
6806	12/9/2011	\$ 926.33	Comm Ins.	Stacie Collins Ins Reimbursement
6808	12/9/2011	\$ 3,833.00	CRBR Repair	Fuel System / HS City Reimb.
6808	12/9/2011	<u>\$ 499.98</u>	CRBR Repair	Fuel System / HS City Reimb.
		<b>\$22,608.41</b>		

Motion by Cassens, seconded by Russell, to approve contingency transfers in the following amounts. With no further discussion and all voting yes, the motion carried.

**CONTINGENCY TRANSFERS:**

<u>Acct #</u>	<u>Description</u>	<u>Amount</u>
22600x4110222	EM Salary	\$ 4,411.16
22600x4120222	EM Social Security	\$ 264.67
22600x4121222	EM Medicare	\$ 337.45
22600x4140222	Workman’s Comp	\$ 175.00
10100x4262153	Catastrophic Legal	\$ 1,089.51
10100x4260154	Abuse and Neglect	\$ 5,374.48
10100x4240161	Rock / Jail Expense	\$ 3,506.06
24800x4260211	24/7 Sobriety Expense	\$ 791.60
10100x4290411	Care of Poor	\$ 1,615.12
10100x4221445	Mental Illness Board	<u>\$ 661.48</u>
		<b>\$18,226.53</b>

Motion by Falkenburg, seconded by Russell, to enter into Executive Session for legal matters regarding the Pine Hills appraisal appeal. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:04 a.m.

The Board came out of Executive Session at 11:08 a.m.

Motion by Russell, seconded by Cassens, to enter into Executive Session for legal matters regarding the 2012 contract with Shannon County and personnel. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:11 a.m.

The Board came out of Executive Session at 11:52 a.m.

Motion by Cassens, seconded by Allen, to approve and authorize the Chairman to sign the 2012 contract for services between Fall River and Shannon Counties. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:55 a.m.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor