

## **FALL RIVER COUNTY MINUTES OF MAY 3, 2011**

The Fall River Board of County Commissioners met in regular session on May 3, 2011. Present: Michael Ortner, Anne Cassens, Joe Falkenburg, Deb Russell and Sue Ganje, Auditor. Absent: Joe Allen.

Board members toured the jail facility prior to the start of the meeting. The Pledge of Allegiance was given and the meeting called to order at 9:15 a.m.

The agenda was reviewed for conflicts; none were found.

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

An applicant for County assistance met with the Board for approval. Motion by Russell, seconded by Falkenburg, to approve assistance for CP #11-20 in the amount of \$192.00 for rent and \$25.00 for gasoline, with a repayment schedule. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve assistance for CP#11-19 in the amount of \$270.40 for propane, with a repayment schedule. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the minutes of the April 5, 2001 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the minutes of the April 19, 2011 meeting with the corrections that the motions to approve assistance for CP#11-17 and CP#11-16 were made by Cassens, not Russell as indicated. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to surplus as junk the following items: from the Extension Office, #0219, a desk; Nurse, #0577, a scale and #0913, an office chair; Auditor, #1260, a Texas Instrument calculator, #1877, a Sharp calculator, #1763, an HP Scanjet scanner, #1736, an LG cell phone, #1572, an LG cell phone, no #, an LG flip cell phone, no #, a Kyocera cell phone, no #, a Motorola cell phone, no #, an Audiovox cell phone, no #, an LG cell phone, no #, a Motorola cell phone, #1554, an HP Deskjet printer, #1737, an HP Inkjet printer; Treasurer, #1314, a Dell 15" monitor, #1309, a Dell CPU, #1867, an HP printer, #1297, a Dell CPU,; Register of Deeds, #0856, a desk mat, #0333, a brown swivel chair, #1777, a wireless mouse, #0104A, an Amana air conditioner; Sheriff, no #, a Basketball Backboard, #1796, an HP printer; Dept. of Equalization, #1171, an Epson printer, #154, an Artmetal desk, #157, an Artmetal desk, #916, an HP Calculator, #1570, a fax / copier, #0087A, a RolaTape measurer, #0088A, a Hot Springs aerial photo, #0089A, a Swingline heavy-duty stapler, #1218, an Ultra PC computer; Emergency Mgmt, three EF Johnson hand-held radios, three EF Johnson mobile

radios, a Motorola mobile radio and a Sony in-car camera; and to surplus to sell the following items: from the Auditor, #1162, an IBM monitor; Veterans Services Officer, #1904, a Smith Corona typewriter; Treasurer, #1313, a Dell CPU, #1296, a Dell 17" Monitor. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the provider agreement with the State of South Dakota for WIC services for 6/1/11 through 5/31/12 at a reimbursement amount of \$5,049.00. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg to increase the wage of Shelby Happe to \$9.50/hr per the Weed Department wage policy. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve a policy requiring the Commission's prior authorization of grant applications. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve a policy for all new asset purchases to pass through the Auditor's office first for the purpose of inventory control. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg to approve a travel request for Paul Miller, VSO, to attend annual training in Sioux Falls on May 9-11, 2011, with all expenses paid by the State. With no further discussion and all voting yes, the motion carried.

The Board was advised that Robert Phares has expressed an interest in a piece of county-owned property. Motion by Falkenburg, seconded by Cassens to advertise the sale of Lot 13, Block 7 of the Grandview Addition to Hot Springs and set June 7<sup>th</sup>, 2011 at 11:45 a.m. in the courtroom of the Fall River County Courthouse as the time and place for the sale by auction. With no further discussion and all voting yes, the motion carried.

Terri Halls, Director of Equalization, met with the Board in preparation for an upcoming appeal to answer any questions of the Board and advise them of a revised cost approach that she would present during the appeal discussion.

Frank Maynard and Andy Timmins of Emergency Management met with the Board to discuss the State Tornado Drill and the discovery that a siren in Edgemont was inoperative. The age of the siren warrants replacement rather than repair. A new siren is being purchased for Oelrichs with DOJ grant funds.

Maynard presented a travel request. Motion by Falkenburg, seconded by Russell to approve Maynard's request to attend training on the National Flood Plain Insurance Program in Pierre on June 5-6, 2011. With no further discussion and all voting yes, the motion carried.

A request to advertise for a Dispatch position was made by Maynard. Motion by Falkenburg, seconded by Russell to authorize Maynard to advertise for a full-time dispatcher, conduct interviews and return to the Board with the preferred candidate for approval. With no further discussion and all voting yes, the motion carried.

Timmins discussed with the Board the requirement of providing 911 service by two dispatchers on a 24/7 basis. The County has \$47,000.00 available to purchase equipment that would tie Fall River's dispatch center together with Custer County to fulfill the requirement. An 80/20 funding match is available through a PSIC grant. Motion by Falkenburg, seconded by Russell to approve compliance with dispatch coverage requirements through the 20% funding match and purchase of Series 3300/3200 IPE 911 software, with the remainder of the expense to be paid by PSIC grant funds. With no further discussion and all voting yes, the motion carried.

Highway Superintendent Randy Seiler met with the Board and presented transfers for approval. Motion by Falkenburg, seconded by Cassens to approve transfers to reimburse the highway department for fuel used from March 31st, 2011 through April 27th, 2011 in the following amounts: Sheriff's Office, \$2,642.46; Weed Board, \$204.77; Building Maintenance, \$163.70; Auditor, \$40.46; Emergency Management, \$337.03. With no further discussion and all voting yes, the motion carried.

Seiler informed the Board that South Dakota Game, Fish and Parks will be asked to reimburse forty percent of the cost to apply magnesium water on Shep's Canyon Road. Motion by Falkenburg, seconded by Cassens to approve the request and agreement for reimbursement of forty percent of the magnesium water and authorize the Chairman to sign. With no further discussion and all voting yes, the motion carried.

A travel request was presented by Seiler for approval. Motion by Russell, seconded by Cassens to approve Seiler's request to travel to Pierre on June 8-9, 2011 for the Summer Highway meeting at an approximate cost to the county of \$75.00. With no further discussion and all voting yes, the motion carried.

Seiler reported to the Board that he has met with John Beard and advised him the County was not adding roads at this time. A discussion was held on outlying County buildings and it was agreed to leave insured values as they are. Progress updates on highway projects were given and discussion was held on setting a County Road tour for commissioners, with the Board setting the afternoon of May 17<sup>th</sup> as the date, following the regular meeting.

Sealed bids for a 2004, 140H, serial number CCA00930 motor grader were opened at 10:15 a.m. as advertised. Bids submitted were as follows:

- Hopkins, Enterprise, OR, \$116,000.00
- Machinery Maintenance, Parsons, KS, \$120,245.00
- Dixie Surplus, Pollack, LA, \$105,678.00
- International Tractor Co., Ardsley, NY, \$106,101.00
- Butler Machinery, Rapid City, SD, \$112,368.00

Motion by Falkenburg, seconded by Russell to accept the high bid of Machinery Maintenance in the amount of \$120,245.00. With no further discussion and all voting yes, the motion carried.

Sealed bids for gravel crushing were opened at 10:25 a.m. as advertised. Bids were as follows:

Western Construction, Rapid City, SD; \$5.40 / ton

Aggregate Construction, Minot, ND; \$7.43 / ton

KD Construction, Hot Springs, SD; \$5.98 / ton

Motion by Falkenburg, seconded by Cassens to accept the bid of Western Construction as the low bid at \$5.40 / ton for crushing 40,000 ton of gravel near Shep's Canyon. With no further discussion and all voting yes, the motion carried.

Robert Phares met with the Board regarding the property he is interested in purchasing from the County and was advised of the time and date set for the sale of the land by auction.

Public comment was taken at 10:35 a.m. Commissioner Cassens questioned if the Board would approve two special meetings to set a hearing date for a Temporary Malt Beverage License for the Edgemont Chamber of Commerce. Motion by Cassens, seconded by Falkenburg, to approve a special meeting for May 5th, 2011 at 12:30 p.m. to set a hearing date for the application, and May 23<sup>rd</sup>, 2011 at 10:30 a.m. for the Temporary Malt Beverage Hearing. With no further discussion and all voting yes, the motion carried.

A break was taken at 10:50 a.m.

The meeting resumed with a discussion on Stacey Martin's request for approval to sell GIS-generated landowner maps of the County on CD and her demonstration of the progress made in the past two years with GIS mapping. Motion by Falkenburg, seconded by Russell, to authorize the sale of landowner maps on CD at a cost of \$50.00 per set. With no further discussion and all voting yes, the motion carried.

Commissioner Falkenburg initiated discussion on South Dakota requirements for obtaining a driver's license. Recent additions to document identity were made in response to what was to be a federal law but failed to be enacted. Only thirteen states currently require the additional documentation. Falkenburg suggested formally requesting the State remove the requirements; further research will be done and discussion will continue at the next meeting.

Motion by Falkenburg, seconded by Cassens to enter into Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried. The Board went into Executive Session at 11:23 a.m.

The Board came out of Executive Session. Motion by Falkenburg, seconded by Cassens to adjourn as the Board of County Commissioners and convene as the Consolidated Board of Equalization with Carl Atchley representing the City of Hot Springs and Perry Holmes of the Hot Springs School District. With no further discussion and all voting yes, the motion carried.

Barry Epstein met with the Board to discuss the appeal of the Pine Hills property evaluation. Epstein was promoting an income-based approach to determine value. Director of Equalization Terri Halls explained that Uniform USPAP standard rule 6-6 was used to assess the property value and her reassessment of the property resulted in a new cost-approach value of \$3,979,100.00.

Motion by Holmes, seconded by Atchley, to accept the recommendation of Director of Equalization Halls for a 2011 valuation of Pine Hills at \$3,979,100.00. With no further discussion a roll call vote was taken; with Cassens voting no and all others voting yes, the motion carried.

Halls presented an exempt list and two mobile homes that were added after assessments were sent out. Motion by Cassens, seconded by Falkenburg, to approve add-ons for Donna Hartshorn and Sharon Murray. With no further discussion and all voting yes, the motion carried.

The exempt list was reviewed, including new exempt properties owned by the Fall River County Fair, Robert Johnson, and Hot Springs Citizens for Progress. Halls advised that the Hot Springs Citizens for Progress property located in the Original Town of Hot Springs, S ½ Lot 5, Blk 22 has been condemned and therefore the building has no value. The Board was also informed that the owner of the Hot Springs Bathhouse wants to donate the facility to the County for Extension Services.

Motion by Russell, seconded by Falkenburg, to approve the property owned by the Fall River County Fair, Birdsall Addition to Edgemont, Lot 3, Blk 4, as an exempt property for 2011. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the 2011 exempt list as published with the exception of the following two properties: the Hot Springs Citizens for Progress, Sulphur Springs 1<sup>st</sup> Addition, lots 6R, 7R, Blk 56 and Original Town of Hot Springs, S ½ Lot 5, Blk 22; and Robert Johnson, Original Town of Hot Springs, Lot 6A, Blk 43, as only one of the two criteria for exempt property had been met. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Russell, to adjourn as the Board of Equalization. With no further discussion and all voting yes, the motion carried.

The Board reconvened as the County Commission. 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**

COMMISSIONERS	APRIL SALARIES	\$3,461.09
AUDITOR'S OFFICE	APRIL SALARIES	\$8,296.72
ELECTION	APRIL SALARIES	\$1,067.03

TREASURER'S OFFICE	APRIL SALARIES	\$6,694.29
AND ADDITIONAL OVERTIME FOR		
BOBBIE STREHLOW		\$5.31
KELLI RHOE		\$4.29
STATE'S ATTORNEY OFFICE	APRIL SALARIES	\$5,498.62
AND ADDITIONAL OVERTIME FOR		
LINDA KLUENDER		\$59.59
SHARI WINSLOW		\$40.50
MAINTENANCE	APRIL SALARIES	\$3,935.87
AND ADDITIONAL OVERTIME FOR		
JOSE MENDEZ		\$91.16
DIRECTOR OF EQUALIZATION	APRIL SALARIES	\$4,766.08
REGISTER OF DEEDS OFFICE	APRIL SALARIES	\$3,991.36
VETERANS SERVICES OFFICE	APRIL SALARIES	\$1,716.64
NURSE'S OFFICE	APRIL SALARIES	\$1,987.52
SHERIFF'S OFFICE	APRIL SALARIES	\$16,007.17
AND ADDITIONAL OVERTIME FOR		
ROBERT BENINATI		\$126.75
WILLIAM DAVIS		\$632.81
MARTHA JARMAN		\$100.56
VINCE LOGUE		\$424.13
JASON MARCH		\$527.18
JAIL	APRIL SALARIES	\$7,233.73
AND ADDITIONAL OVERTIME FOR		
JASON BLESSING		\$256.35
WALLACE CAMPBELL		\$1,189.09
BRADLEY HANSEN		\$471.55
MICHAEL WILLIS		\$93.84
KRISTY POTTER		\$3.94
DISPATCH	APRIL SALARIES	\$6,470.79
AND ADDITIONAL OVERTIME FOR		
KELLY ALEXANDER		\$354.62
JENNIFER MRAZ		\$327.83
BECKI SOTHERLAND		\$420.23
CHARLES GINTER		\$182.66
CORONER	APRIL SALARIES	\$70.77
COUNTY EXTENSION OFFICE	APRIL SALARIES	\$1,875.19
WEED DEPT	APRIL SALARIES	\$2,961.57
AT&T	TELEPHONE	\$18.39
BINGHAM, JAMES	CAAF	\$840.50
BH FAMILY HEALTH CLINIC	INMATE	\$363.00
BLACK HILLS POWER	ASSISTANCE	\$1,090.86
CBM FOOD SERVICE	INMATE	\$1,319.20

CENTER FOR INVASIVE PLANT	SUPPLY	\$144.02
CENTURY BUSINESS LEASING	COPIER	\$77.40
CONGER, LESTA	TRAVEL	\$55.50
D&J PETROLEUM	ASSISTANCE	\$126.28
DAKOTA BUSINESS CENTER	SUPPLY	\$148.98
DAKOTA LEASING COMPANY	COPIER	\$190.00
DALE'S REPAIR	CAR MAINT	\$45.34
DIVISION OF MOTOR VEHICLE	TITLE	\$5.00
FALKENBURG, JOE	TRAVEL	\$206.46
GREATER FALL RIVER HEALTH	INMATE	\$87.50
FOX, YOUNGBERG & LEWNO PC	MI	\$171.16
GARRISON PAINTING SERVIC	REPAIR	\$700.00
GILFILLAN,J NORMAN	INMATE	\$350.00
HEARTLAND PAPER CO	SUPPLY	\$201.60
HILLYARD FLOOR CARE SUPP	SUPPLY	\$234.44
HOT SPRINGS ACE HARDWARE	SUPPLY;REPAIR	\$460.18
HOT SPRINGS AUTOMOTIVE	REPAIR	\$66.35
CITY OF HOT SPRINGS	UTILITY	\$268.59
HOT SPRINGS PUBLIC LIB	ALLOTMENT	\$20,000.00
IRON MOUNTAIN ELECTRIC	LABOR	\$59.00
JAMISON, KAREN	TRAVEL	\$53.40
MASSA DONALD DDS	INMATE	\$116.00
O'DAY, VALARIE	CRT REP	\$148.20
O'NEILL, JUSTIN	CAAF	\$164.00
PAMIDA INC.	INMATE;SUPPLY	\$779.07
PENN CO STS ATTNYP OFFICE	MI	\$200.00
PJ'S HI-D-WAY	ASSISTANCE	\$258.70
POWELL, DEBRA J	INMATE	\$35.00
QUILL CORPORATION	SUPPLY	\$233.93
RAPID CITY JOURNAL (THE)	PUBLISHING	\$253.85
RAPID CITY REGIONAL	MI	\$698.00
RENTZ, JOHN M	ASSISTANCE	\$1,000.00
SD ASSN OF COUNTY COMM.	LEGAL	\$2,218.62
SD DEPARTMENT OF REVENUE	INMATE	\$315.00
SOUTH DAKOTA INVASIVE	SUPPLY	\$500.00
SERVALL	SUPPLY	\$187.72
STAN HOUSTON EQUIP. CO.	REPAIR	\$15.00
PRO BUILD	REPAIR	\$45.38
US BANK	COPIER	\$131.66
WILLOUGHBY INDUSTRIES	REPAIR	\$115.62
CURRAN, BILL	TRAVEL	\$81.40
	<b>GENERAL FUND TOTAL</b>	<b>\$121,358.52</b>

**ROAD & BRIDGE**

COUNTY ROAD & BRIDGE ADMIN AND ADDITIONAL OVERTIME FOR JAN SIMUNEK	APRIL SALARIES	\$5,100.83
		\$11.16
COUNTY ROAD & BRIDGE CONST	APRIL SALARIES	\$22,202.81
A & B WELDING SUPPLY CO.	SUPPLY	\$424.43
ADVANCED DRUG TESTING	PROF SER	\$52.00
B H ELECTRIC COOP INC.	UTILITY	\$22.27
BLACK HILLS POWER	ASSISTANCE	\$485.09
BUTLER MACHINERY CO.	REPAIR;SUPPLY	\$989.15
CHEYENNE SANITATION	UTILITY	\$76.32
CRETEX CONCRETE PRODUCTS	SUPPLY	\$702.00
CROELL REDI MIX INC	GRAVEL	\$540.00
D & M DISTRIBUTING	SUPPLY	\$126.71
DIESEL MACHINERY, INC	REPAIR	\$3,007.79
EDGEMONT, CITY OF	UTILITY	\$41.94
FALL RIVER AUTO SUPPLY	REPAIR;SUPPLY	\$67.92
FR COUNTY HIGHWAY DEPT.	SUPPLY	\$20.00
FALL RIVER CTY TREASURER	SUPPLY	\$55.00
GREAT WESTERN TIRE	SUPPLY;REPAIR	\$743.44
GRIMM'S PUMP SERVICE INC	REPAIR	\$143.65
HILLS MATERIALS CO.	SUPPLY	\$1,860.10
HOT SPRINGS ACE HARDWARE	SUPPLY;REPAIR	\$16.48
HOT SPRINGS AUTOMOTIVE	REPAIR	\$1,272.44
CITY OF HOT SPRINGS	UTILITY	\$26.24
OFFICE SOLUTIONS	COPIER	\$75.00
KIMBALL MIDWEST	SUPPLY	\$206.19
NELSONS OIL & GAS INC.	SUPPLY;REPAIR	\$168.82
PAMIDA INC.	INMATE;SUPPLY	\$10.99
RAPID CITY JOURNAL (THE)	PUBLISHING	\$143.45
RAPID DELIVERY	REPAIR;SUPPLY	\$91.46
RUSHMORE COMMUNICATIONS	UTILITY	\$225.00
SAFETY KLEEN	REPAIR	\$106.00
SDACHS	TRAVEL	\$30.00
SEEGRIST, LOREN	INS REIMB	\$500.00
SHEEHAN EQUIPMENT, INC.	REPAIR	\$123.80
TWILIGHT FIRST AID &	SUPPLY	\$38.20
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$39,717.84</b>

**911 SURCHARGE REIMBUR.**

911 AND ADDITIONAL OVERTIME FOR STACEY MARTIN	APRIL SALARIES	\$2,618.15
		\$18.63



QWEST	TELEPHONE	\$5.22
	<b>911 REIMBUR. TOTAL</b>	<b>\$2,660.63</b>
<b>EMERGENCY MGT</b>		
EMERGENCY MANAGEMENT AND ADDITIONAL OVERTIME FOR ANDREAS TIMMINS QUILL CORPORATION	APRIL SALARIES	\$3,482.25
		\$37.20
	<b>EMERGENCY MGMT TOTAL</b>	<b>\$3,556.65</b>
<b>24/7 SOBRIETY FUND</b>		
24/7	APRIL SALARIES	\$2,099.69
	<b>24/7 SOBRIETY FUND TOTAL</b>	<b>\$2,099.69</b>
	<b>GRAND TOTAL</b>	<b>\$169,393.33</b>

Motion by Ortner, seconded by Russell to recess for lunch. With no further discussion and all voting yes, the motion carried and the Board adjourned for lunch.

The meeting reconvened at 1:30 p.m. with the attendance of Custer County Commissioners for a discussion about possible options for providing 4H and youth programs in the counties. Dan Odekoven, SDSU, indicated that there has been no definite decision made at this point but the option exists that the two counties could share a staff person and each pay one quarter of the salary with the remaining half paid by SDSU. The position would be employed, trained and supervised by SDSU but the county would have a say in the hiring process. Current SDSU Extension personnel will continue until October but due to the time involved in hiring a 4-H Advisor/Youth Services, the counties were encouraged to make their decision soon.

Custer Commissioners expressed a preference for one office with one part time secretary as a support staff. Salary expenses to each county would run \$8,375.00 for the advisor plus half of the wage for a part-time secretary. The location of the facility was discussed, with Hermosa promoted by a portion of the Custer Commissioners, but not favored by Fall River Commissioners due to the distance involved. The Commissioners will decide what they would like to see, and communication will continue between the two Boards

Commissioner Cassens advised she has not received an updated report from Yenter Co. and would bring it to the Board when it was available.

Bill Curran commented on the Draft Memorandum of Understanding between Fall River County and the Bureau of Land Management and his opinion that there was no reason to enter into the agreement as the county would give up the veto power as set forth in the Land Use Policy. Motion by Cassens, seconded by Falkenburg, to decline the Memorandum of

Understanding with the Bureau of Land Management and to authorize the Auditor to forward the land use policy to the Bureau of Land Management, US Forest Service and the South Dakota Game, Fish and Parks. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to enter into Executive Session for legal and personnel matters. With no further discussion and all voting yes, the motion carried and the Board entered into Executive Session at 2:35 p.m.

The Board came out of Executive Session at 2:51 p.m.

The Board met briefly with State's Attorney Sword concerning a conflict of interest waiver. Motion by Russell, seconded by Ortner to authorize the Chairman of the Board to sign a Conflict of Interest Waiver for Provo Township, Provo Area Water System and Fall River County. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:59 p.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