

**FALL RIVER COUNTY MINUTES OF JUNE 21, 2011**

The Fall River Board of County Commissioners met in regular session on June 21, 2011. Present: Michael 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 Russell, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

An application for assistance was presented for approval. Motion by Falkenburg, seconded by Russell, to approve assistance for CP #11-27 in the amount of \$96.06 for electricity, with a repayment schedule. With no further discussion, Cassens abstaining and all others voting yes, the motion carried.

Motion by Falkenburg, 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 31<sup>st</sup> day of May, 2011.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,890.05</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>1,339,805.72</u>
Total Amount of Cash:	\$ <u>1,206.31</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>20,962.59</u>
Provo Township Water Checking, First Interstate Bank:	\$ <u>300.00</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>157,578.32</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,620,000.00</u>
Wells Fargo Bank:	\$ <u>450,000.00</u>

Itemized list of all items, checks and drafts which 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  
Henry, Raymond, \$290.64, TAXES

Rojas, Gloria: \$137.55, LIC

**TOTAL: \$5,595,631.78**

Dated this 31<sup>st</sup> day of May, 2011.

/S/Sue Ganje

Sue Ganje, County Auditor, Fall River County

Motion by Russell, second by Falkenburg, to set July 19<sup>th</sup>, 2011 at 10:50 a.m. as the time for a hearing on a wine license for Coffee Cup Fuel. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve a tax deed to Robert and Rosalinda Phares for Lot 13, Block 7, Grandview Addition to the City of Hot Springs and to authorize the Chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve the transfer of \$40.55 from the Antelope Township fund to the Highway fund. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the use of employee payroll deductions to allow employees to enroll in Health 4 Fitness at a reduced corporate rate if a minimum of five employees participate. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the minutes of June 7, 2011. With no further discussion and all voting yes, the motion carried.

Donna Talley, WEAVE, along with board member Claire Freeman, met with the Board to request funds for 2012.

Frank Maynard, Emergency Management, met with the board to recommend approval of a 2011 fire ban. Revisions to a proposed resolution were requested and Maynard will return with a modified document.

A request from the Hot Springs Amateur Radio Club to use the command trailer was presented by Maynard. Motion by Cassens, seconded by Russell, to approve the Hot Springs Amateur Radio Club's use of the Southwest District command trailer for their annual exercise on June 25-26, 2011. With no further discussion and all voting yes, the motion carried.

Maynard also updated the Board on an Emergency Operations Center exercise and grant funding that has been approved which includes \$3,900.00 for eleven security cameras.

Approval to advertise for dispatchers was requested by Maynard. Motion by Falkenburg, seconded by Allen, to approve advertising for two part-time dispatchers. With no further discussion and all voting yes, the motion carried.

Maynard also updated the Board on Missouri River flooding and informed the Board that an inoperative siren in Edgemont has been repaired.

Carl Neisner, Building Maintenance, presented a quote for a condensation tank in the amount of \$750.00. The Board authorized Neisner to purchase the condensation tank.

Neisner also asked if there were any questions regarding the June 7<sup>th</sup> presentation by Eagle Enterprises on retrofitting the courthouse lighting. Falkenburg suggested checking into LED lighting, which Neisner will do and report back to the Board with his findings.

Treasurer Lori Bachand met with the Board to present a delinquent tax agreement. Motion by Falkenburg, seconded by Russell, to approve a delinquent tax agreement for Clayton Massey in the amount of \$1,000.00 per month, for parcels #72100-00200-01300, #72100-00200-01400 and #72220-01000-00600 and authorize the Chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to deny a delinquent tax agreement for Georgia Trundle as a prior agreement with her had been approved but not upheld. With no further discussion and all voting yes, the motion carried.

Highway Superintendent Randy Seiler presented a request for road upgrade and maintenance on County Road 5E to bring it up to the standard of other County roads. Currently the road is posted as minimum maintenance and the Board asked about daily traffic on it. Seiler indicated that the bridge has been removed, culverts installed and that there are no residences in the area. The Board agreed that minimum maintenance was appropriate and would continue.

Road damage done by companies hauling from Pete Lien & Sons was discussed. While Pete Lien & Sons is acknowledging their responsibility for maintaining the road, they are asking for assistance. The possibility of setting load limits was discussed, which could be initiated in lieu of hauling agreements. Seiler stated they would blade the road per their regular maintenance schedule.

Seiler also advised the Board of two auto gates on the road to Jim Watkins residence that Seiler would like to remove. Watkins would like to have one gate remain and Seiler will discuss it with him. Falkenburg also asked Seiler for a progress report on Red Canyon Road.

The 2012 highway budget was discussed. Increases in the budget could be realized by the hike in license fees which will add approximately \$100,000.00 to revenues for July – December of 2011 and \$200,000.00 in 2012.

Public comment was heard at 10:30 a.m. Susan Henderson noted continuing global financial issues. Tom Davis commented on local flooding concerns and his disagreement with the confidentiality status of the Emergency Operations Plan.

A hearing was held on a temporary malt beverage license request from the Edgemont Chamber of Commerce. Motion by Cassens, seconded by Falkenburg, to approve a temporary malt beverage license as requested by the Edgemont Chamber of Commerce for the Redneck Rally to be held in Edgemont on July 1-3, 2011, at a fee of \$10.00 per day. With no further discussion and all voting yes, the motion carried.

11:00 a.m. was the time for opening sealed bids for a Ford F250 pickup but the Auditor reported that no bids had been received. Ganje will check with the State Bids office to see if the truck may be used as a trade-in and will speak to other county departments about the vehicle.

A hearing on supplements was held as advertised. Sally Park-Hageman was present to explain the Aging Grant to commissioners, including the expenditure of grant money to improve the Buffalo Gap Community Center. Motion by Russell, seconded by Cassens, to approve supplements as follows. With no further discussion and all voting yes, the motion carried.

MR #	DATE	AMOUNT	DEPT	GRANT
5710	1/12/2011	\$33.08	EM Mgmt	No – Ins. Claim
5729	1/18/2011	\$6,866.02	Sheriff	No – Ins. Claim
5743	1/20/2011	\$2,121.42	LEPC	Yes – LEPC
5765	1/28/2011	\$9,888.00	CDBG Provo	Yes – CDBG
5840	2/22/2011	\$692.00	Sheriff	No – Ins. Claim
5839	2/22/2011	\$931.29	Sheriff	No – Ins. Claim
Cash Bal.	5/4/2011	\$1,500.00	211 Helpline	No
6190	5/15/2011	\$24,340.17	911	Yes – Grant Fund
Cash Bal.		<u>\$5,032.98</u>	Extension	Yes – Community Aging
		\$51,404.96		

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**

A&B BUSINESS EQUIPMENT	COPIER	\$342.09
BEESLEY LAW OFFICE	CAAF	\$744.60
BGACC	REPAIR;SUPPLY	\$1,642.99
BIEGLER, GREG LPC CCCII	DETOX	\$60.00
BINGHAM, JAMES	CAAF	\$1,334.10
BH FAMILY HEALTH CLINIC	INMATE	\$316.00
BLACK HILLS POWER	ASSISTANCE	\$96.06
C&R SUPPLY	SUPPLY	\$3,372.80
CARDMEMBER SERVICE	MISC	\$1,614.35
CBM FOOD SERVICE	INMATE	\$1,222.20
CENTURY BUSINESS LEASING	COPIER	\$314.68
CROP PRODUCTION SERVICES	SUPPLY	\$2,631.60
CUSTOM MICRO INC	SOFTWARE	\$2,400.00
DIESEL MACHINERY, INC	MAINT	\$116.00
EAGLE ENTERPRISES LLC	REPAIR	\$50.00
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$415.47
FRHS LAB	SUPPLY	\$45.29

GALLS	UNIFORM	\$405.68
GARRY'S DUCT SERVICE	UTILITY	\$1,500.00
HEINERTS LUBE & CAR CARE	CAR MAINT	\$34.95
HILLYARD FLOOR CARE SUPP	SUPPLY	\$15.38
KAPPEDAL, JEAN	CRT REP	\$34.20
LONE STAR HEATING & AIR	CAR MAINT	\$439.52
MASSA DONALD DDS	INMATE	\$93.00
NORTONS SINCLAIR	CAR MAINT	\$15.00
O'DAY, VALARIE	CRT REP	\$45.20
O'NEILL, JUSTIN	CAAF	\$2,736.59
ORTNER, MICHAEL P.	REPL CHECK	\$648.97
PARK-HAGEMAN, SALLY	TRAVEL;SUPPLY	\$245.36
PENN CO JAIL	INMATE;MI	\$1,060.80
POWELL, DEBRA J	INMATE	\$35.00
QUILL CORPORATION	SUPPLY	\$547.42
RADIOSHACK	SUPPLY	\$9.99
RAPID CITY JOURNAL (THE)	PUBLISHING	\$440.33
RICK'S AUTO CENTER	CAR MAINT	\$533.60
SKINNER, MATTHEW L. PC	CAAF	\$734.52
SOFTWARE SERVICES INC	SUPPORT	\$1,040.00
SPITZER, KRISTI	INS DED	\$500.00
STATE REMITTANCE CENTER	MI;ANIMAL	\$1,965.91
STEINMETZ, NINA	TRAVEL	\$87.60
STEPHENS MATTHEW T	CAAF	\$460.00
SCHOENFELDER, PAUL	INMATE	\$35.00
US BANK	COPIER	\$131.66
UNITED STATES POSTAL SERV	POSTAGE	\$256.00
WEST PAYMENT CENTER	SUPPLY	\$114.00
WINTER, PAUL R	CAAF	\$1,209.97
	<b>GENERAL FUND TOTAL</b>	<b>\$32,093.88</b>
<b>ROAD &amp; BRIDGE</b>		
CARDMEMBER SERVICE	MISC	\$7.40
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$7.40</b>
<b>911 SURCHARGE REIMBUR.</b>		
CUSTOM MICRO INC	SOFTWARE	\$3,600.00
QWEST	911	\$620.02
	<b>911 REIMBUR. TOTAL</b>	<b>\$4,220.02</b>
<b>EMERGENCY MGT</b>		
CARDMEMBER SERVICE	MISC	\$292.38
	<b>EMERGENCY MGMT TOTAL</b>	<b>\$292.38</b>
<b>L.E.P.C. GRANT</b>		
BURT, CURTIS	LEPC	\$125.00
HSR FUELING LLC	FUEL	\$96.86
PUDWILL, NORMAN	LEPC	\$75.00
	<b>L.E.P.C. GRANT TOTAL</b>	<b>\$296.86</b>
<b>24/7 SOBRIETY FUND</b>		
CARDMEMBER SERVICE	MISC	\$13.37
	<b>24/7 SOBRIETY FUND TOTAL</b>	<b>\$13.37</b>
	<b>GRAND TOTAL</b>	<b>\$36,923.91</b>

Sally Park-Hageman informed the Board that LaDonna McKnight, Custer County Educator, did

not renew her contract with Extension Services and will be part time through September, splitting 20 hours per week between Fall River and Custer Counties. Sally advised she will be providing volunteer work after her retirement. Motion by Cassens, seconded by Allen to commend Sally Park-Hageman for her service and dedication to Fall River County and to express appreciation and thanks for her years of service. With no further discussion and all voting yes, the motion carried.

Discussion was held on Board attendance at the Custer County Commission meeting on June 22, 2011. Karla Trautman, SDSU Associate Director will be meeting with the Commissioners to discuss the 4H / Youth Advisor position. Russell, Ortner and Falkenburg may attend the meeting.

Sheriff Rich Mraz met with the Board to request approval to purchase light bars out of his equipment budget. Motion by Falkenburg, seconded by Allen, to approve the purchase of three light bars at \$4,000.00 each. With no further discussion and all voting yes, the motion carried.

Mraz asked the Board's approval of purchasing handheld radios with grant funds. Motion by Falkenburg, seconded by Russell, to approve the purchase of seven handheld radios at a total cost of \$11,500.00, to be reimbursed by DOJ grant funds. With no further discussion and all voting yes, the motion carried.

Discussion was held on the renewal of the Sheriff's Office contract with Verizon. Motion by Falkenburg, seconded by Russell to authorize the renewal of the cell phone plan with Verizon. With Cassens voting no, all others voting yes, the motion carried.

Mraz presented the Board with the Sheriff's Department policies.

Toy Litzel, School Board Chairman, and Dave Courtney, Edgemont Schools Superintendent, met with the Board to discuss 2012 PILT funds, requesting the same distribution as in previous years. Cassens asked if the School Board would still use the opt-out funds in the amount of \$150,000.00 and they indicated they would. Susan Henderson suggested the Board consider pending legal considerations for the county when regarding PILT distribution.

Motion by Falkenburg, seconded by Allen, to recess for lunch. With no further discussion and all voting yes, the motion carried and the Board recessed at 11:57 a.m.

The meeting resumed at 1:30 p.m. with budget hearings for 2012 with the following representatives and organizations: Betty Patrick, Edgemont Elderly Meals; Gloria Bennett, Edgemont Senior Citizens; Kellie Marriott, Edgemont Library; Jeff Scheinost, Edgemont YMCA.

Frank Maynard returned to the Board with a revised fire ban Resolution. Motion by Falkenburg, seconded by Allen, to approve Resolution #2011-21 as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION # 2011-21  
A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY REGULATION  
OF FIRE HAZARDS IN FALL RIVER COUNTY**

**WHEREAS**, the Fall River County Commission is charged with protecting the health and safety of the citizens of Fall River County including all property situated therein; and

**WHEREAS**, the Fall River County Commission has consulted with local fire officials, law enforcement and emergency management officials concerning the threat posed by wildfires; and

**WHEREAS**, the threat of wildfires in Fall River County is such so as to pose a significant danger to the health and safety of the citizens of Fall River County including property situated therein; and

**WHEREAS**, the Fall River County Commission has deemed it necessary to enact certain temporary controls to reduce the threat posed to the citizens and property of Fall River County by wildfires.

**NOW THEREFORE BE IT RESOLVED**, that pursuant to SDCL 7-8-20 (18) the Fall River County Commission does hereby enact this resolution to insure public safety on an emergency basis, effective immediately and impose a ban on all open burning and fireworks except for petroleum fueled or charcoal briquette fueled grills used for preparing food. This burn ban applies to any resident in Fall River County outside any municipality or land within the Black Hills Fire Protection District, and is in

effect when the fire index reaches the **HIGH, VERY HIGH or EXTREME** level. Residents will be allowed to use gas fueled or charcoal fired BBQ grills and will be allowed open burning when the fire index is at the **LOW or MODERATE** level. Campfires will **NOT** be allowed on private land or licensed commercial campgrounds. Campgrounds operated by the State of South Dakota or US Government must follow the established laws and regulations.

**IT IS FURTHER RESOLVED**, that this open burning ban will remain in effect until repealed by the Fall River County Commission. Pursuant to SDCL 7-18A-2 the penalty for violating this resolution shall include a fine not to exceed two hundred dollars for each violation and/or imprisonment for a period not to exceed thirty days for each violation; or both such fine and imprisonment. Additionally person (s) in violation of this burn ban may be responsible for any and all suppression costs.

Dated this 21st day of June, 2011

/s/ Michael P. Ortner

Michael P. Ortner

Chairman, Fall River Commission

ATTEST:

Sue Ganje

Sue Ganje, Fall River County Auditor

2012 budget meetings continued with the following representatives: Cindy Messenger, Hot Springs Library; Marcia Murray, Hot Springs Elderly Meals; Helen Anderson and Leona Dryden, Oelrichs Senior Citizens; Jim Bingham of the Fall River Historical Society and Val Henry, Empower Coalition of the Black Hills.

Motion by Cassens, second by Falkenburg, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 3:40 p.m.

\_\_\_\_\_  
Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

\_\_\_\_\_  
Sue Ganje, Fall River County Auditor