

FALL RIVER COUNTY MINUTES OF AUGUST 16, 2011

The Fall River Board of County Commissioners met in regular session on August 16, 2011. Present: Michael Ortner, Deb Russell, Joe Allen, Joe Falkenburg and Sue Ganje, Auditor. Absent: Anne Cassens.

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 the addendum of a Proclamation of Trampus S. Haskvitz Day for consideration. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve the minutes of the July 26, 2011 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve the minutes of the August 2, 2011 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve the minutes of the August 11, 2011 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve a travel request for Michele Jensen, Welfare, and Julie Graham, Elections, both of the Auditor's Office, to attend the County Officials' Fall Convention in Rapid City on Sept. 19-21, 2011. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, 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 31st day of July, 2011.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,890.39</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>86,781.54</u>
Total Amount of Cash:	\$ <u>1,524.31</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>20,520.44</u>
Provo Township Water Checking, First Interstate Bank:	\$ <u>300.00</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>771,532.29</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,620,000.00</u>

Wells Fargo Bank: \$ 450,000.00

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: \$5,267,558.85

Dated this 31st day of July, 2011.

/S/Sue Ganje

Sue Ganje, Auditor, Fall River County

Motion by Russell, seconded by Falkenburg, to approve the FY 2011 Payments to States Election Form; 85% to Title I, 15% to Title III for Federal Forestry Grant money. With no further discussion and all voting yes, the motion carried.

Ganje informed the Board of a change to county investments done on August 10, 2011. County monies were transferred from money-market accounts and into checking. Motion by Falkenburg, seconded by Russell, to authorize the Treasurer to contact the bank to initiate a savings account rather than a money market account and transfer funds from checking to savings. With no further discussion and all voting yes, the motion carried.

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

GENERAL FUND

A&B BUSINESS EQUIPMENT	COPIER	\$322.59
APEX SOFTWARE	SUPPLY	\$395.00
BLACK HILLS CHEMICAL	SUPPLY	\$286.90
BINGHAM, JAMES	CAAF	\$671.90
BH FAMILY HEALTH CLINIC	INMATE	\$626.00
BLACK HILLS POWER	UTILITY	\$3,546.78
BROWN COUNTY SHERIFF	PROF SER	\$26.29
CARDMEMBER SERVICE	MISC	\$635.41
CAROL BUTZMAN CONSULTING	MI	\$649.98
CBM FOOD SERVICE	INMATE	\$3,515.28
CENTURY BUSINESS LEASING	COPIER	\$183.58
CHEMSEARCH	SUPPLY	\$192.78
CHEYENNE SANITATION	UTILITY	\$340.00
CULLIGAN SOFT WATER	UTILITY	\$84.25
CUSTER COUNTY SHERIFF	PROF SER	\$26.29
DEMERSSEMAN JENSEN	CAAF	\$82.00

EAGLE ENTERPRISES LLC	SUPPLY	\$724.97
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$392.86
ENVIRONMENTAL PRODUCTS	REPAIR	\$58.08
GREATER FALL RIVER HEALTH	INMATE	\$99.40
GENERAL CREDIT FORMS INC	SUPPLY	\$61.83
GLASS PRO +	CAR MAINT	\$308.19
GOLDEN WEST	TELEPHONE	\$1,502.14
HEARTLAND PAPER CO	SUPPLY	\$399.78
CITY OF HOT SPRINGS	UTILITY	\$349.78
CITY OF HOT SPRINGS	UTILITY	\$24.00
INVENTORY TRADING COMPANY	UNIFORM	\$140.75
LONE STAR HEATING & AIR	REPAIR	\$329.00
LEWIS & CLARK MENTAL	MI	\$149.00
LYLE'S HANDYMAN	SUPPLY;REPAIR	\$13.26
MICROFILM IMAGING SYSTEMS	LEASE	\$195.00
MINNEHAHA COUNTY SHERIFF	PROF SER	\$84.03
NEVE'S UNIFORM INC	UNIFORM	\$44.75
O'NEILL, JUSTIN	CAAF	\$1,042.06
ORTNER, MICHAEL P.	TRAVEL	\$36.00
PENNINGTON COUNTY AUDITOR	MI	\$96.00
PENN CO JAIL	INMATE;MI	\$683.50
POWELL, DEBRA J	INMATE	\$105.00
RAPID CITY JOURNAL (THE)	PUBLISHING	\$204.03
REGIONAL HEALTH	INVESTIGATIONS	\$20.50
RUSHMORE COMMUNICATIONS	EQUIP	\$36,454.30
SD ASSN OF COUNTY COMM.	TRAVEL	\$640.00
SD CONTINUING LEGAL ED	SUPPLY	\$550.00
SKINNER, MATTHEW L. PC	CAAF	\$987.37
SOFTWARE SERVICES INC	SUPPORT	\$1,680.00
SOTHERLAND, BECKI	CORONER	\$27.75
STATE REMITTANCE CENTER	MI	\$1,449.20
STEPHENS LAW OFFICE	CAAF	\$420.00
SCHOENFELDER, PAUL	INMATE	\$140.00
TEMPERATURE TECHNOLOGY	REPAIR	\$178.57
THOMSON WEST	SUPPLY	\$174.00
THOMPSON, TOMMIE R	SUPPLY	\$50.00
VANWAY TROPHY	SUPPLY	\$51.52
VERIZON WIRELESS	CELL PHONE	\$525.40
WINTER, PAUL R	CAAF	\$623.16
YANKTON CO. SHERIFF	MI	\$50.00
CAZER, MICHELLE	INMATE	\$105.00
	GENERAL FUND TOTAL	\$62,755.21

ROAD & BRIDGE

BLACK HILLS POWER	UTILITY	\$293.38
CARDMEMBER SERVICE	MISC	\$9.70
EDGEMONT, CITY OF	UTILITY	\$41.94
GOLDEN WEST	TELEPHONE	\$252.07
CITY OF HOT SPRINGS	UTILITY	\$24.92
SD ASSN OF COUNTY COMM.	TRAVEL	\$160.00
VERIZON WIRELESS	CELL PHONE	\$31.91
	ROAD & BRIDGE TOTAL	\$813.92

911 SURCHARGE REIMBUR.

GOLDEN WEST	TELEPHONE	\$44.62
CENTURY LINK	TELEPHONE	\$620.20
RUSHMORE COMMUNICATIONS	EQUIP	\$17,510.20
	911 REIMBUR. TOTAL	\$18,175.02

FIRE PROTECTION FUND

LYNNS DAKOTA MART	SUPPLY	\$20.97
	FIRE PROTECTION FUND TOTAL	\$20.97

EMERGENCY MGT

CARDMEMBER SERVICE	MISC	\$667.92
DALE'S REPAIR	CAR MAINT	\$128.00
GOLDEN WEST	TELEPHONE	\$116.27
LYLE'S HANDYMAN	SUPPLY; REPAIR	\$12.24
VERIZON WIRELESS	CELL PHONE	\$120.70
	EMERGENCY MGMT TOTAL	\$1,045.13

L.E.P.C. GRANT

BURT, CURTIS	LEPC	\$100.00
HSR FUELING LLC	FUEL	\$84.60
PUDWILL, NORMAN	LEPC	\$60.00
	L.E.P.C. GRANT TOTAL	\$244.60

LAW LIBRARY

THOMSON WEST	SUPPLY	\$249.50
	LAW LIBRARY TOTAL	\$249.50

GRAND TOTAL **\$83,304.35**

Ortner spoke of a Pine Beetle Coalition and the efforts of counties and the Forest Service to control the spread of infestation. The Forest Service will be having several meetings on the issue.

Discussion was held on a letter written by Commissioner Cassens in response to a meeting she attended in Pine Ridge which addressed legislative redistricting proposals. Options for redefining legislative districts have been presented and some include plans to move a portion of Fall River County into a district with Shannon, Bennett, Jackson, and possibly other counties. Motion by Falkenburg, seconded by Allen, to authorize Ortner to begin drafting a resolution in opposition of Fall River County being removed from Legislative District 30 and moved to Legislative District 27. With no further discussion and all voting yes, the motion carried. The drafted resolution will be considered on the Sept. 6, 2011 agenda.

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

FALL RIVER COUNTY RESOLUTION #2011-32:

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Viaero Tract located in the NE ¼ SW ¼ of Section 19, T7S, 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 16th day of August, 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

The 2012 budget was discussed including changes to the Weed and 4H-Youth Advisor departments, changing existing Extension staff to 30% Weed, 70% 4H-Youth Advisor duties. Motion by Falkenburg, seconded by Allen, to approve publishing the 2012 provisional budget. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to adopt a Proclamation for Trampus S. Haskvitz Day in Fall River County to honor the firefighter who was killed while fighting a fire near Edgemont. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Superintendent, met with the Board to present pipeline easements for approval. Motion by Falkenburg, seconded by Russell, to approve pipeline easements for Lamphier, Inc. for a 15' wide easement for a pipeline adjacent to the SE ¼ NE ¼ of Section 7, T11S, R3E and the NW ¼ SW ¼ of Section 8 in T11S, R3E of the BHM, Fall River County and an easement for a pipeline adjacent to the NE ¼ of Section 24 in T10S, R3E and the NW ¼ of Section 19 in T10S, R3E of the BHM and from the NE ¼ of Section 24 in T10S, R3E to

the NW ¼ of Section 19 in T10S, R3E of the BHM, Fall River County, South Dakota. With no further discussion and all voting yes, the motion carried.

Discussion was held on an approach permit previously submitted by Terry Stelzer. Commissioners noted they had received calls from concerned residents about safety issues associated with the location of the approach. Allen had approved the approach if the landowner would be willing to post a sign advising of the approach, which has been done. Audience members expressed opposition out of concern about the dangers associated with the approach. Motion by Falkenburg, seconded by Russell, to adopt a policy that would bar any further approaches on County Road #2 out of the Sandcreek Subdivision. With no further discussion and all voting yes, the motion carried.

Seiler also brought a sample of a Corrective Discipline Counseling System form for the Board's review and updated them on repairs to the Oral Road, mowing progress and Shep's Canyon work.

Rex Abbott of Robin's Township advised the Board that their township will be voting on the abolishment of the township organization. Election results will be reported to the Board.

Seiler also advised the Board that he will be attending an LTAP meeting in Pierre on August 24, 2011.

Treasurer Lori Bachand requested the Board's approval to advertise for a full-time position as Kelli Rhoe will be changing to part-time. The Board agreed.

Allen initiated discussion on the possibility of a single, county-wide law enforcement agency and suggested having a discussion with the City of Hot Springs about the feasibility. Allen indicated he was unsure at this point if consolidation would be beneficial. Sheriff Rich Mraz and Deputy Jason March spoke of concerns about the workload and would like to see what the City would propose, as well as what residents would support. Allen stated Hot Springs Mayor DeVries had contacted him with the suggestion. Currently, Sheriff's Office personnel assist the City with enforcement. Police Chief Bob Evans noted that the police force has an operating budget of \$600,000.00 to \$700,000.00 and includes seven officers and one secretary. Evans added that a location for a combined office would also be an issue.

Sheriff Mraz reported to the Board that the City of Edgemont didn't object to a two-year contract for law enforcement and that they will be voting on the issue. Results will be reported to the Board for approval by the Sheriff's Office and Commission.

Ortner noted that Deputy Sheriff Jason March had received high compliments from Joe Lowe, Director of the South Dakota Wildland Fire Suppression Division.

The meeting was opened for Public Comment.

Ortner informed the Board that he and other representatives will be presenting a workshop at the County Officials' Fall Convention regarding issues for military veterans and active personnel. The designation of veteran status on driver's licenses will be discussed and the South Dakota Department of Public Safety will also have a booth at the convention.

Ortner also discussed water run-off on the bluff behind the courthouse and that some of it does come down behind the Sheriff's Office and jail, suggesting that a berm could be a simple fix for the problem.

Frank Maynard, Emergency Management, informed the Board that a SEAT plane is currently stationed at the Hot Springs airport and requested approval to purchase fire shelters. Motion by Falkenburg, seconded by Allen, to authorize utilizing the fire fund to purchase two fire shelters at an approximate cost of \$350.00 each. With no further discussion and all voting yes, the motion carried.

Maynard reported there have been fourteen fires so far this season, the largest being in Coal Canyon and Sheep Canyon. An allotment of \$47,355.65 has been set aside for the Southwest District, which must be accepted by Sept. 1, 2011. Maynard will assess the needs and report back to the Board by Aug. 29, 2011, at which time they may hold a special meeting. Falkenburg asked if the funds could be used to purchase a pickup for Emergency Management, which Maynard will investigate.

Cindy Turner, Vice President of the Edgemont Chamber of Commerce, and Kadee Hande, Executive Director of the Hot Springs Chamber of Commerce, met to present an Economic Development Summary which includes a proposal to create a county-wide economic development corporation. Both Chamber boards have approved the plan. The county was asked for \$15,000.00 to aid in funding the corporation for 2012, which the Board will consider.

Terri Halls, Director of Equalization, and Patrick Ginsbach, Deputy State's Attorney, met with the Board. Motion by Falkenburg, seconded by Russell, to approve a refund for Ronda Coomes for property taxes on a mobile home for the years 2008 through 2011, totaling \$265.46, as the property was doubly-assessed. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to enter into Executive Session for legal matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session with Halls and Ginsbach at 11:10 a.m.

The Board came out of Executive Session at 11:37 a.m.

Jeff Collins met with the Board regarding an auto accident claim. Motion by Falkenburg, seconded by Allen, to approve \$2,500.00 to settle a claim with the Collins family upon receipt of their signed release. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to enter into Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:42 a.m.

The Board came out of Executive Session at Noon. Motion by Falkenburg, seconded by Allen, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at Noon.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor