

FALL RIVER COUNTY MINUTES OF OCTOBER 19, 2010.

The Fall River Board of County Commissioners met in regular session on October 19, 2010. Present Michael Ortner, Anne Cassens, Joe Falkenburg, Joe Allen and Sue Ganje, Auditor. Absent Glen Reaser.

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

Agenda was reviewed for conflicts, which Anne Cassens indicated a possible conflict with plat approvals at 9:35 a.m.

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 October 5, 2010. With no further discussion and all 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 30th day of September, 2010.

<u>Total Amt of Deposit in Wells Fargo Bank:</u>	\$ <u>403,871.58</u>
<u>Total Amt of Deposit in First Interstate Bank, Hot Springs:</u>	\$ <u>196,631.60</u>
<u>Total Amount of Cash:</u>	\$ <u>828.18</u>
<u>Total Amount of Treasurer's Change Fund:</u>	\$ <u>900.00</u>
<u>Total Amount of Checks in Treasurer's Possession, Not Exceeding Three Days:</u>	\$ <u>8,563.48</u>
<u>Provo Township Water Checking, First Interstate Bank:</u>	\$ <u>300.00</u>
<u>MONEY MARKET SAVINGS: First Interstate Bank:</u>	\$ <u>41,126.17</u>
<u>CERTIFICATES OF DEPOSIT: First Interstate Bank:</u>	\$ <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
Goddard, Isaac, \$213.95, LIC
Petersen, Lynda: \$1,433.00, TAXES

Henry, Raymond, \$290.64, TAXES
Stone, April, \$ 56.00, LIC

TOTAL \$4,724,775.20

Dated this 30th Day of September, 2010.

/S/Sue Ganje

Sue Ganje, County Auditor of Fall River County.

The Above Balance Reflects County Monies, Monies Held in Trust, and Monies Collected for and to be remitted to Other ENTITIES: SCHOOLS, TOWNS, TOWNSHIPS, FIRE AND AMBULANCE DISTRICTS, AND STATE.

Motion by Cassens, seconded by Falkenburg to remove inventory item #1026, an office chair, from the Emergency Management office and surplus it as junk. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to change the November meeting date to November 4, 2010 to allow for the canvass of the November 2nd General Election. With no further discussion and all voting yes, the motion carried.

A recap of County copy machine leases was reviewed. A discussion was held on the possibility of a centrally located copy machine and consolidation of leases in the future. A buy-out cost versus a lease for the County Extension office will be considered at the next meeting.

Applicants for burial assistance met with the Board. Discussion was held regarding possible assets, VA benefits and debts. The applicants were told that no action would be taken at that time but they may come back if unable to fund the burial after the disposition of any assets.

Paul Miller, newly hired Veterans Service Officer, met with the Board to update them on activities and presented budget figures for 2011.

Motion by Falkenburg, seconded by Allen to approve Miller's request to travel to VSO training in Mankato, MN at the Marine Corps League Midwest Division on Oct. 29 – 31, 2010. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen to approve dental coverage for VSO Paul Miller. With no further discussion and all voting yes, the motion carried.

Commissioner Ortner provided an update on the Task Force through NACO for Veterans and Military Service which is focusing on the following areas: labor / employment; physical and mental health; community and housing; justice and public safety. Task force meetings are scheduled for December 3rd, 2010 and March 10, 2011. Ortner, as the Task Force vice-chairman, noted that numerous organizations have been invited to partner with NACO on the four areas of focus and Fall River County, which is home to many veterans, can hopefully be a leader in improving the lives of veterans.

David Drach, Canadian Pacific Railroad and Janelle Finck, Fisk Land Surveying, met with the Board to present plats for approval.

Motion by Cassens, seconded by Allen to approve the following plat resolution of SD007 – Lot 1 of WDRPI-SD007 Subdivision. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-26

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD007 – Lot 1 of WDRPI-SD007 Subdivision Lot 1 of Section 6, T8S, R2E, BHM, and Lot 4 and the SW1/4 NW1/4, NW1/4 SW1/4, NE1/4 SW1/4, SE1/4 SW1/4, and SW1/4 SE ¼ of Section 5, T8S, R2E, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Cassens, seconded by Allen to approve the following plat resolution of SD009 – Lot 1 of WDRPI-SD009 Subdivision. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-27

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD009 – Lot 1 of WDRPI-SD009 Subdivision located in the NE1/4, NE1/4 SE1/4 of Section 8, T8S, R2E, BHM, and the SW1/4 NW1/4, lying SW of CR 6463, and the W1/2 SW1/4 of Section 9, T8S, R2E, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Cassens, seconded by Allen to approve the following plat resolution of SD012 – Lot 1 of WDRPI-SD012 Subdivision. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-28

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD012 – Lot 1 of WDRPI-SD012 Subdivision located in the SW1/4 SW1/4 of Section 23, T8S, R2E, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Cassens, seconded by Allen to approve the following plat resolution of SD012 – Lot 2 of WDRPI-SD012 Subdivision. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-29

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD012 – Lot 2 of WDRPI-SD012 Subdivision located in the SW1/4 of Section 4, T9S, R3E, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Cassens, seconded by Allen to approve the following plat resolution of SD039 – Lot 1 of WDRPI-SD039 Subdivision and Dedicated Right-of-Way. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-30

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD039 – Lot 1 of WDRPI-SD039 Subdivision and Dedicated Right-of-Way located in the NE1/4 of Section 25, T9S, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Falkenburg stated that he will vote against any future plats referring to the railroad unless the Board is kept informed as the County roads and railroad crossings are very important to County residents.

David Muck, Ferber Engineering Company met with the Board to present plats for approval.

Motion by Falkenburg, seconded by Allen to approve the following plat resolution of Hill Ranch Tract. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-31

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Hill Ranch Tract located in the S1/2 SW1/4 of Section 25, and in the SE1/4 SE1/4 of Section 26, T8S 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Allen to approve the following plat resolution of Lake Hills West of Angostura Ranch Tract. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-32

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Lake Hills West of Angostura Ranch Tract located in the E1/2 of Section 25, T8S, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Cassens questioned billings on the purchase of tires for a Sheriff's Office patrol vehicle and the payment for animal euthanasia.

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

GENERAL FUND

A&B BUSINESS EQUIPMENT	COPIER	\$	280.17
APPLIANCE & ELECT OUTLET	JAIL	\$	270.34
BOB BARKER COMPANY INC	SUPPLY	\$	305.39
BLACK HILLS POWER	UTILITY	\$	3,287.96
CAROL BUTZMAN CONSULTING	MI	\$	380.84
CBM FOOD SERVICE	INMATE	\$	2,192.20
CENTURY BUSINESS LEASING	COPIER	\$	272.52
CHEYENNE RIVER ANIMAL HOS	ANIMAL	\$	501.75
CHEYENNE SANITATION	UTILITY	\$	296.80
CODY, DENISE	MI	\$	15.00
DEPT OF ANIMAL & RANGE	SUPPLY	\$	75.00
DIETRICH, DONNA K.	MI	\$	136.64
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$	636.40
GALLS	UNIFORM	\$	365.44
GOLDEN WEST	TELEPHONE	\$	1,800.00
GREAT WESTERN TIRE	CAR MAINT	\$	371.96

HEINERTS LUBE & CAR CARE	CAR MAINT	\$	949.70
HILLYARD FLOOR CARE SUPP	SUPPLY	\$	249.27
HOT SPRINGS STAR	SUBSCRIPTION	\$	36.00
JERRY'S AUTO	CAR MAINT	\$	66.00
LONE STAR HEATING & AIR	REPAIR	\$	639.13
LYLE'S HANDYMAN	LABOR	\$	107.10
MATTHEW BENDER & CO INC	SUPPLY	\$	63.71
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$	188.60
NORTONS SINCLAIR	CAR MAINT	\$	20.00
PENN CO JAIL	INMATE	\$	326.50
RADIOSHACK	SUPPLY	\$	31.98
RAPID CITY JOURNAL (THE)	PUBLISHING	\$	332.67
REGIONAL BEHAVIORAL HEALT	MI	\$	589.45
REHFUSS, CATHY	MI	\$	15.00
SANICHEM	SUPPLY	\$	194.40
SERVALL	SUPPLY	\$	86.32
SOFTWARE SERVICES INC	SUPPORT	\$	920.00
TIME EQUIPMENT RENTALS	REPAIR	\$	280.67
CURRAN, BILL	TRAVEL	\$	81.40
	GENERAL FUND TOTAL	\$	16,366.31
 ROAD & BRIDGE			
B H ELECTRIC COOP INC.	UTILITY	\$	19.36
CHEYENNE SANITATION	UTILITY	\$	76.32
EDGEMONT, CITY OF	UTILITY	\$	42.36
GOLDEN WEST	TELEPHONE	\$	244.04
RUSHMORE COMMUNICATIONS	UTILITY	\$	225.00
SAFETY KLEEN	REPAIR	\$	106.00
	ROAD & BRIDGE TOTAL	\$	713.08
 911 SURCHARGE REIMBUR.			
BULLBERRY SYSTEMS INC	911	\$	30,479.00
GOLDEN WEST	TELEPHONE	\$	36.85
MARTIN, STACEY	TRAVEL	\$	5.98
RADIOSHACK	SUPPLY	\$	67.94
	911 REIMBUR. TOTAL	\$	30,589.77
 EMERGENCY MGMT			
GOLDEN WEST	TELEPHONE	\$	139.48
NORTONS SINCLAIR	CAR MAINT	\$	120.00
	EMERGENCY MGMT TOTAL	\$	259.48
 LEPC GRANT			
BURT, CURTIS	AIRPLANE	\$	100.00
PUDWILL, NORMAN	AIRPLANE	\$	60.00
	LEPC GRANT TOTAL	\$	160.00
 LAW LIBRARY			
MATTHEW BENDER & CO INC	SUPPLY	\$	63.71
	LAW LIBRARY TOTAL	\$	63.71
	 GRAND TOTAL	 \$	 48,152.35

Highway Superintendent Randy Seiler met with the Board to request an extension of the four 10-hour work day schedule for the Highway Department employees until November 22nd, 2010.

Motion by Falkenburg, seconded by Allen to extend the four 10-hour days until November 22nd, 2010. With Falkenburg, Allen and Ortner voting yes and Cassens voting no, the motion carried.

Seiler asked the Board if the County will be giving employees a half day off on December 23rd and Christmas Eve day off on December 24th. Ortner noted that the intent of the employee contract is such that with Christmas falling on a Saturday this year, Friday would be treated as the Christmas holiday and Thursday would be treated as Christmas Eve. Discussion about the New Year's holiday followed and will be re-addressed in November.

Seiler spoke on the billing from the Highway Department on removing debris from Highway 79 on September 29, 2010. The Sheriff will get insurance information to the Auditor and they will be billed.

Seiler also brought up an issue with Duffield Construction and the need for the construction company to contact the Highway department prior to doing work.

Rick Bailey of Viaero Wireless met with the Board to present plats for approval.

Motion by Falkenburg, seconded by Cassens, to approve the following plat resolution of Tract 1. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-33

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract 1 located in a portion of the NE1/4 NE1/4 SW1/4 of Section 13, T10S, R7E, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Cassens, to approve the following plat resolution of Tract 1. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-34

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract 1 located in a portion of the SW1/4 of Section 15, T12S, R4E, 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 sections 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 19th day of October, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Public Comment was held at 10:46 a.m. with question on plats approved, the policies of cell towers in the County and the need for fees which would require planning and zoning ordinances.

Terri Halls, Director of Equalization, met with the Board to update them on Assessor's Office activities which include the reappraisal of the Hot Springs City commercial properties. Ag crop and no-crop values have not been certified by the Department of Revenue, but state school lease properties will be adjusted. An agricultural use survey has been mailed out with responses still coming in. Hot Springs City commercial values have resulted in some property values going up, some down and most averaging the same. Paul Nabholz questioned the ability to adjust land values and Halls answered that lots of documentation would be needed.

Members of the Jail Committee and the public were on hand for a discussion of the jail, transportation of prisoners and possible options. John Sturgis asked about the existing contract for jail overflow and if it could be expanded. The contract is under the control of the Sheriff.

A brief recap was given by Pennington County Sheriff Don Holloway regarding the construction history of the Pennington County Jail and the standards to which it was built. Pennington currently has contracts with Custer, Jackson and Haakon Counties but does still have available space as it is using approximately 600 of the available 700 beds. Pennington also provides transport services for Custer. Holloway suggested that options such as video arraignments and electronic monitoring of prisoners could be cost-reducing options to consider.

Comments from the Board and audience were made regarding the expense of detaining juveniles and inmates that could otherwise be out of jail on electronic monitoring systems. Comparisons between other counties and Fall River can be informative but it is also difficult to compare reliably and to predict needs, however, with the utilization of programs such as the 24/7 Program, population numbers should stabilize or drop. Pennington County has a full-time nurse on staff while Fall River has a nurse on-call.

Seventh Circuit presiding Judge Jeff Davis indicated that whatever the decision of Fall River County, the Court will be supportive. Judge Davis indicated ITV technology exists to hold some hearings by video conference but there would be technology issues to work through, as well as financial obligations.

Questions about the costs of building versus the costs of paying for transport and housing in Pennington were posed, along with questions about the medical care of prisoners. Concerns were also expressed with regards to legal liabilities and the economic impact on the local community if inmates were transported. In answer to a question about remodeling the existing jail, it was explained that there are safety issues with the stability of the hill directly behind the jail.

Motion by Falkenburg, seconded by Allen, to adjourn the meeting, the time being 12:18 p.m. With no further discussion and all voting yes, the motion carried.

Michael P. Ortner, Chairman
Board of Fall River County Commissioners

ATTEST:

Sue Ganje, Fall River County Auditor