

**FALL RIVER COUNTY MINUTES OF FEBRUARY 2, 2010.**

**The Fall River Board of County Commissioners met in regular session on February 2, 2010. Present Mike Ortner, Anne Cassens, Glen Reaser, Joe Falkenburg and Sue Ganje, County Auditor. Absent Joe Allen.**

**The Pledge of Allegiance was given at 9:00 a.m.**

**The agenda was reviewed for conflicts, which none were found.**

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

**Motion by Cassens, seconded by Reaser to approve the minutes of January 19<sup>th</sup>, 2010. With no further discussion and all voting yes, the motion carried.**

**Motion by Reaser, seconded by Falkenburg to approve the 2010 Catastrophic County Poor Relief Program (CCPR) Assessment in the amount of \$3,384.00. With no further discussion and all voting yes, the motion carried.**

**Motion by Reaser, seconded by Cassens to surplus as junk Sylvania TV, Inv. #1808 and a Panasonic electric stapler, In. #1249. With no further discussion and all voting yes, the motion carried.**

**Motion by Falkenburg, seconded by Cassens to approve the hiring of Stacy Frymire in the Auditor's Office as Bookkeeper, at a starting wage of \$9.00 per hour effective January 27<sup>th</sup>, 2010. With no further discussion and all voting yes, the motion carried.**

**Motion by Reaser, seconded by Cassens to approve travel for Nina Steinmetz, Weed Supervisor and Jerry Wyatt, Weed Board member to attend Annual Weed Conference, February 17<sup>th</sup> to 19<sup>th</sup>, 2010 in Aberdeen. With no further discussion and all voting yes, the motion carried.**

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

**FALL RIVER COUNTY RESOLUTION NUMBER 2010 – 07**

WHEREAS, House Concurrent Resolution 1002 was presented to the South Dakota Legislature to oppose further Congressional Wilderness Area Designations in South Dakota without South Dakota Legislative approval, and

WHEREAS, H.C.R . 1002 passed the House on Tuesday, January 19<sup>th</sup>, 2010 and the Senate on Thursday, January 21<sup>st</sup>, 2010, and

WHEREAS, the proposed Wilderness Area affecting residents in Fall River County would be such designations in the Forest Service Buffalo Gap National Grasslands, and

WHEREAS, such designations in Fall River County may hinder or preclude the ability of South Dakota residents to develop and use the natural resources of this State,

NOW THEREFORE BE IT RESOLVED that the Fall River Commission supports H.C.R. 1002 to request South Dakota Legislative approval prior to a Congressional Wilderness Area Designation.

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

ATTEST:

**/S/Sue Ganje**  
Sue Ganje, County Auditor  
Fall River County

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The Auditor advised that her notification from the South Dakota Department of Revenue is that the C.P.I. for the 2010 payable 2011 taxes will be 0%. This will affect taxes levied for all Entities in the County.

Mail was reviewed.

The progress of the shooting range was briefly discussed and it is now looking like a possible location is at Cottonwood Springs, if the SD Game Fish & Parks can purchase some property.

Terri Halls, Director of Equalization, met with the Board to present abatements and refunds for approval.

Motion by Reaser, seconded by Falkenburg to approve the following abatement and refund for Steve and Carla Simunek, on Goddard Addition: Tract SC, Tract SB Less Platted Lots in Boulder Falls Second Addition for the year 2009, in the amount of \$56.42. Reason: Was being assessed for too many acres in Tract SB; for Nicholas Simunek on Ponderosa Subdivision: Lot 12A, Block 2, a refund for 2006 in the amount of \$28.39; a refund for 2007 in the amount of \$30.42; a refund for 2008 in the amount of \$30.90; and an abatement for 2009 in the amount of \$31.97. Reason: Portion of Lot 12, Block 2 of Ponderosa Subdivision was double assessed. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Reaser to approve abatement for 2009 on Gary T. Farrington, on Tract GW in E1/2NE1/4, Section 20, Township 7, Range 5, in the amount of \$1,594.92. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg to approve the abatement for Janice Jones, Lot 5 Block 33 for 2009 in the amount of \$765.99. Reason: The trailer was moved off the property in June 2007. Trailer was not purchased with the property. With no further discussion and all voting yes, the motion carried.

Halls presented information to the Board concerning the 2010 valuations. AG land will be based on productivity, and tentatively NAG land will see a 10% increase. These values have not been approved by the South Dakota Department of Revenue, and Halls will report back to the Board.

Ortner spoke for the Jail Project Subcommittee and of the interviews conducted for an architect to provide the current Jail Facility Analysis. Proposals were received by Fennel Design, Inc. and Galyart Architects. The recommendation to the Board of Commissioners from the Jail Subcommittee is Fennel Design.

Motion by Reaser, seconded by Cassens to approve contracting with Fennell Design, Inc., in the amount of \$27,985 for a Jail Facility Analysis. There will be approximately \$3,500.00 additional cost to sample the soils. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Superintendent, met with the Board for various issues.

Fuel transfers were presented for approval.

Motion by Falkenburg, seconded by Reaser to approve the following transfers to reimburse the Highway Department for the period of December 28<sup>th</sup>, 2009 through January 28<sup>th</sup>, 2010: Courthouse in the amount of \$194.00 for sanding parking lots; Sheriff Department for fuel in the amount of \$3,174.76; Weed Department for fuel in the amount of \$31.45; 911 Signing for installation and maintenance of 911 signing and building a rack to keep sign materials off the ground in the amount of \$1,404.00; Emergency Management for fuel in the amount of \$117.99; Building Maintenance for fuel in the amount \$66.04; Department of Equalization for fuel in the amount of \$41.09. With no further discussion and all voting yes, the motion carried.

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A request to return to 4 10 hour days was presented and short discussion was held. Cassens stated opposition, indicating 4 10 hour days should be split Monday-Thursday and Tuesday - Friday. Falkenburg expressed concerns of overtime when storms occur and the Highway Department is on 4 10 hour days.

Motion by Reaser, seconded by Ortner to start the 4 10 hour days on February 22, 2010. Cassens voted Nay, all others yea, motion passed.

Motion by Falkenburg, seconded by Cassens to purchase culverts off of the Beadle County bids for 2010. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg to approve Brosz Engineering to conduct Bridge Inspections for 2010. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to approve the Right-of-Way Agreement with the South Dakota Department of Transportation on the following legal of: (Parcel 4), Lot H1 in Lot A in Block 1 of Wittenberg Subdivision located in the N1/2NW1/4 of Section 33, Township 7 South, Range 6 East of the B.H., Fall River County, South Dakota. Lot H1 contains 0.06 acre (2544 sq. ft.), more or less. With no further discussion and all voting yes, the motion carried.

Seiler advised that the gravel crushing in Shep's Canyon is nearly complete. An additional 2000 tons have been crushed to compensate for the fines incurred on the project.

The Private Road Maintenance Hearing was held as advertised. No one appeared at the hearing.

Motion by Falkenburg, seconded by Cassens to approve the continuation of Emergency Road Maintenance in 2010 in accordance with S.D.C.L. 31-11-41 – 31-11-45. With no further discussion and all voting yes, the motion carried.

Break was taken at 10:20 a.m.

Public Comment was opened at 10:30 a.m.

Falkenburg spoke on his meeting with Mike McNeil, United States Forest Service, and that certain roads on the Travel Management Plan still needed work and this will be brought back to the Board.

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

GENERAL

Commissioners Salaries (5-Comm)	January Salaries	\$4,100.00
Auditor's Office Salaries	January Salaries	10,933.29
Including Overtime for Patricia Seegrst	Overtime	11.21
Election Salaries	January Salaries	1,253.42
Treasurer's Office Salaries	January Salaries	9,179.95
States Attorney Salaries	January Salaries	7,398.34
Including Overtime for Linda Kluender	Overtime	53.09
Joan Nettinga	Overtime	13.13
Maintenance Office Salaries	January Salaries	4,482.12
Dir. Of Equal. Office Salaries	January Salaries	6,283.49
Register of Deeds Office Salaries	January Salaries	5,642.33
Vet's Service Salary	January Salaries	2,309.07
Nurse Secretary Salary	January Salaries	2,554.34
Including Overtime for		

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Kristi Spitzer	Overtime	20.66
Sheriff Office Salaries	January Salaries	25,524.78
Including Overtime for		
Robert Beninati	Overtime	566.25
Martha Jarman	Overtime	508.48
Brandon Lockhart	Overtime	623.93
Jason March	Overtime	841.02
Rich Mraz	Overtime	1,096.25
William Davis	Overtime	407.50
Jail Salaries	January Salaries	11,735.32
Including Overtime for		
Wallace Campbell	Overtime	1,116.89
Bradley Hansen	Overtime	378.70
Michael Willis	Overtime	665.28
Kristy Potter	Overtime	400.00
Michael Mc Gowan	Overtime	150.68
Dispatch Salaries	January Salaries	12,026.00
Including Overtime for		
Kelly Alexander	Overtime	316.40
Jennifer Mraz	Overtime	788.48
Stacey Martin	Overtime	60.00
Becki Sotherland	Overtime	484.80
Charles Ginter	Overtime	481.90
Rich Mraz	Overtime	105.24
Michael Mc Gowan	Overtime	481.60
Coroner Fees	January Salaries	75.00
County Extension Salary	January Salaries	2,430.65
Weed Salaries	January Salaries	2,500.00
A&B Business Equipment	Copier	354.16
Fidelity Sec. Life Ins Co	February Eye Ins	247.27
American Family Ass	February Insurance	698.28
Barnyard Veterianary Ser	1-7/11; Brd	160.00
Beesley Law Office	CAAF	1,381.07
Black Hills Ortho & Spine	1-19:#B01002V7	70.17
Black Hills Ammunition	1-8:#183206	319.00
BH Family Health Clinic	Inm	98.00
Blue Cross/Blue Shield	February Health Ins	22,713.74
Breit Law Offices, PC	Collection	358.67
California Cont Supp Inc	1-12:#D44139	104.40
CBM Food Service	Prison Brd	2,192.20
Dacotah Bank	Copier	119.35
Dakota Leasing Company	Copier	186.10
Dale's Repair	Car Maint	149.45
Delta Dental Plan of SD	February Dental Ins	1,695.28
Support Pyt Clearinghouse	Child Support	286.25
Executive Mgmt Finance	Dec Bit	15.00
Express Collections, Inc.	Collections	50.00
Falkenburg, Joe	Travel	129.50
Fall River Hospital	12-22;FR00955203	2,559.00
Farrell, Farrell &	Jan Dep St Aty Contr	2,500.00
Flint Electric	Repair	629.10
Gilfillan, J Norman	9-30	245.00
Heartland Paper Co	Supply	530.83
High Plains Graphics	Supply	104.50
Hillyard Floor Care Supply	Misc	259.67
Hot Springs Ace Hardware	Misc	102.31
Hot Springs Automotive	Supply	84.07
Jager, Dusty	Travel	368.36

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Jerry's Auto	Car Maint	46.49
Liuna Laborers Local 620	February Dues	400.00
Lyle's Handyman	Repair	100.47
Lynn's Dak. Mart Pharmacy	Assistance	70.54
Marty's Auto Body	Car Repair	834.22
McColley's	Assistance	1,300.00
McLeods Office Supply Co.	Misc	387.73
Midstates Organized Crime	Misc	100.00
Moran, Lynn A.	CAAF	807.50
US Dept of Education	Collection	137.78
Nationwide Retirement Sol	Jan Supl Retr.	147.08
Nelsons Oil & Gas Inc.	Supply	233.75
Nettinga, Joan	Postage	11.35
Neve's Uniform Inc	Uniform	420.04
New York Life Insurance	February Insurance	25.00
Nortons Sinclair	Misc	20.00
Norton, Tina	Inmate Care	385.00
O'Day, Valarie	Court Reporter	98.80
Oelrichs Senior Citizens	2010 Allotment	600.00
O'Neill, Justin	CAAF	160.56
Pamida Inc	Misc	1,848.60
Park-Hageman, Sally	Misc	125.82
Phoenix Investigations	Investigation	165.00
Quill Corporation	Misc	883.52
Radiology Associates	MI	131.08
Rapid City Journal (The)	Publishing	484.05
Regional Health	MI	350.00
Raymond, Callie	MI	70.00
Reaser, Glen	Travel	71.90
Rushmore Communications	Misc	115.00
S.H. Alcohol & Drug Ref.	First 1/2 2010 Allotment	8,000.00
South Dakota State Treas	Sales Tax	93.48
SD Assn of County Comm.	2009 Assessments	3,384.00
SD Department of Revenue	Misc	455.00
SDSU Dairy Plant	Misc	31.50
SD Retirement System	Feb Retirement	12,996.82
Servall	Supply	8.74
Skinner Matthew L. PC	CAAF	218.82
Springs Senior Citizens	2010 Allotment	4,000.00
Bureau of Information &	TTY,1-1 to 6-31	2,250.00
Stevens Automotive	Car Maint	20.00
US Bank	Misc	124.56
United States Postal Serv	Postage	1,924.93
Wells Fargo	Copier	75.00
Wells Fargo Bank	Jan W/H/SS/MDCR Taxes	26,146.68
Wyoming Child Support	Child Support	550.00
Yankton Co. Sheriff	Prison Med	79.01

COUNTY ROAD & BRIDGE

CRBR-Administration Salaries	January Salaries	6,601.34
Including Overtime for Jan Simunek	Overtime	39.01
CRBR Construction Salaries	January Salaries	32,693.73
Including Overtime for		
Brett Blessing	Overtime	623.20
Patrick Evans	Overtime	555.58
Clark Francis	Overtime	439.30
Marcus Hoar	Overtime	106.65
Calvin Maciejewski	Overtime	674.09

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McClung, Bruce	Overtime	654.23
Mike Montgomery	Overtime	11.60
Loren Seegrist	Overtime	101.17
Donald Thurlow	Overtime	393.96
Al's Metal Work, Inc	Misc	121.92
Fidelity Sec. Life Ins Co	February Eye Ins.	44.79
American Family Ass.	February Insurance	709.38
B H Electric Coop Inc.	1958 Dec	30.72
Blue Cross/Blue Shield	February Health Ins	7,172.76
Brosz Engineer	2505	
200.00		
Butler Machinery Co.	Maintenance	1,691.69
Central Body Shop	Misc	
70.00		
Delta Dental Plan of SD	February Dental Ins	395.40
Fall River Auto Supply	Supply	319.56
Gene's Equipment Finder	Misc	60.00
Hot Springs Ace Hardware	Misc	185.40
Hot Springs Automotive	Supply	954.39
City of Hot Springs	Misc	150.00
Office Solutions	Misc	68.97
Industrial Supply	Supply	72.67
KD Contractors Inc	Gravel Crushing	195,900.00
Kimball Midwest	Supply	364.02
Liuna Laborers Local 620	February Dues	275.00
MG Oil	IN-073311	36,350.21
Michael Todd	119249	567.08
Nationwide Retirement Sol	Jan Supl Retir.	155.87
Nelsons Oil & Gas Inc.	Supply	1,297.91
New York Life Insurance	February Insurance	32.24
Pamida Inc.	Reprnt #1	10.99
Postmaster	Box Fee	110.00
RadioShack	Supply	9.38
Rapid Delivery	Misc	90.10
Rushmore Communications	Misc	225.00
Safety Kleen	Misc	106.00
SD Dept of Transportation	S57419	283.84
SD Retirement System	Feb Retirement	4,715.44
Seegrist, Loren	Reimb.	100.00
SD Supplement Retirement	Jan Supl Retirement	80.00
Summit Signs & Supply Inc	Supply	990.00
Wells Fargo Bank	Jan W/H/SS/MDCR Taxes	9,807.27
Whisler Bearing Company	Supply	45.44
 <u>911 SURCHARGE REIMB</u>		
911 Salaries	January Salaries	2,900.68
Including Overtime for		
Stacey Martin	Overtime	13.50
Blue Cross/Blue Shield	February Health Ins.	896.60
Delta Dental Plan of SD	February Dental Ins.	49.42
Lyle Signs	1-21#671468	528.59
SD Retirement System	Feb Retirement	348.08
Wells Fargo Bank	Jan W/H/SS/MDCR Taxes	643.30
 <u>EMERGENCY MGT</u>		
Emergency Mgt. Salaries	January Salaries	4,533.02
Blue Cross/Blue Shield	February Health Ins.	298.86
Delta Dental Plan of SD	February Dental Ins.	16.48

Hot Springs Ace Hardware	Misc	3.22
SD Retirement System	Feb Retirement	543.96
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United States Postal Serv	Postage	4.78
Wells Fargo Bank	Jan W/H/SS/MDCR Taxes	1,149.68
<u>24/7 SOBRIETY FUND</u>		
24/7 Salaries	January Salaries	2,235.00
<u>LAW LIBRARY</u>		
West Payment Center	11-4;#819496447;SD C	30.50

Frank Maynard, Emergency Management, met with the Board to request travel approval for his Assistant Andy Timmins.

Motion by Reaser, seconded by Falkenburg to approve travel for Timmins to attend HSEEP Training in Pierre on February 18<sup>th</sup> and 19<sup>th</sup>, 2010. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Reaser to approve Timmins, Assistant Emergency Management and Steinmetz, Weed Supervisor, to attend Grant Writing Workshop in Rapid City on February 2<sup>nd</sup> and 3<sup>rd</sup>, 2010. With no further discussion and all voting yes, the motion carried.

Maynard advised of a training session put on by the South Dakota Pipeline Association to be held on February 4<sup>th</sup>, 2010 at the Mueller Center at 6 p.m.

Maynard recommended to the Commission to appoint a sub-committee to determine the dispatch equipment and software needed to meet the July 1, 2010 deadline to have Enhanced 911 up and running. Sheriff Tarrell spoke on the approved grant that would cover costs. Approval will be put on the next agenda. Maynard advised on the upgrade to the security system in the jail, 24/7 location and Courthouse area. This will be from the remainder of the 2008 DOJ Grant.

The proposed Ordinance for the Control of Animals within Fall River County, including the changes to the previous readings, was reviewed, and this will be put on the next agenda for a First Reading.

Wally Cachro questioned if an Ordinance can limit the number of dogs in a house, for health purposes. It was explained that this would need licensing, and our Ordinance will not require them.

Carl Neisner, Building Maintenance Supervisor, met with the Board to advise of a request for capsulation while cleaning the ducts. The Board denied the request due to the upcoming jail project.

Motion by Reaser, seconded by Falkenburg to go into executive session for personnel purposes, time being 11:21 a.m.

Came out time being 11:28. Executive session continued at 11:28 a.m. for legal purposes.

Came out at 11:45 a.m.

Motion by Cassens, seconded by Falkenburg to adjourn, time being 11:45 a.m.

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Michael P. Ortner, Chairman of Board  
Fall River County

ATTEST:

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Sue Ganje, County Auditor, Fall River County