

**FALL RIVER COUNTY MINUTES OF AUGUST 17<sup>TH</sup>, 2010.**

The Fall River Board of County Commissioners met in regular session on August 17<sup>th</sup>, 2010. Present Michael Ortner, Glen Reaser, Joe Allen, Anne Cassens, Joe Falkenburg and Sue Ganje, County Auditor. Absent none.

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 Falkenburg, seconded by Reaser to approve the minutes of August 3<sup>rd</sup>, 2010. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Reaser to approve the Auditor's Account with the County Treasurer. With no further discussion and all voting yes, the motion carried.

**TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF FALL RIVER CO.**

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 30<sup>th</sup> day of July, 2010.

—  
Total Amt of Deposit in Wells Fargo Bank-----\$403,840.78  
Total Amt of Deposit in First Interstate Bank—HS--\$772,833.61  
Total Amount of Cash-----\$ 2,062.60  
Total Amount of Treasurer's Change Fund-----\$ 900.00  
Total Amount of Checks in Treasurer's Possession Not  
Exceeding Three Days-----\$12,394.81  
Provo Township Water Checking—First Interstate-----\$ 300.00  
MONEY MARKET SAVINGS: First Interstate Bank-----\$32,703.21  
CERTIFICATES OF DEPOSIT—  
First Interstate-HotSprgs-\$3,620,000.00  
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  
Dryer, Kathryn---\$152.00-TAXES  
Goddard, Isaac---\$213.95-LIC  
Stone, April---\$56.00-LIC  
Torrez, Jeremy---\$215.80-LIC  
Petersen, Lynda---\$1,433.00-TAXES  
Henry, Raymond---\$290.64-TAXES

**TOTAL--\$5,297,957.00**

Dated This 30th Day of July, 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.

An applicant for County assistance met with the Board.

Motion by Falkenburg to pay May, June, and July rent in the amount of \$1,500.00. Discussion was held, Reaser seconded, with a repayment schedule plan. Reaser called for vote: Ortner, Nay; all others yes, the motion carried.

Motion by Reaser, seconded by Cassens to approve Right-of-Way agreement for James and Sandra Osmotherly on legal of: Lot H2 in SW1/4 of Section 35, Township 9 South, Range 7 East of the Black Hills Meridian, Fall River County, South Dakota. Said Lot H2 contains .052 acre (22585 sq ft), more or less . With no further discussion and all voting yes, the motion carried.

The Board acknowledged Kathy Timmins for qualifying for the professional designation of "Certified Appraiser Assessor," effective August 1<sup>st</sup>, 2010, and offered congratulations.

Motion by Reaser, seconded by Cassens to approve travel to Fall Convention in Pierre on September 21<sup>st</sup> to 23<sup>rd</sup>, 2010 for Lori Bachand, Mel Engebretson, Sue Ganje, Randy Seiler, Julie Graham, Mike Ortner, Glen Reaser and Anne Cassens. With no further discussion, and all voting yes, the motion carried.

A list of liens was presented for removal.

Motion by Reaser, seconded by Cassens to remove liens in the amount of \$20,273.25 for deceased individuals. With no further discussion and all voting yes, the motion carried.

Falkenburg spoke about the meeting in Pierre with the South Dakota Department of Revenue in reference to Agriculture Land Assessment. The meeting will be August 25<sup>th</sup>, 2010. Falkenburg and Terri Halls, Director of Equalization, would like to attend; Reaser and Allen will try to attend also. Attendees would leave early morning for the 10 a.m. meeting in Pierre.

Joe Allen spoke of continued cuts in his goal to decrease the 2011 budget.

Motion by Allen, seconded by Cassens to lower Commissioners Salaries 10% for 2011 and 2012 and to bring it back for consideration in 2013. Discussion was held on having the lowest salaries in comparable counties, and that there have not been changes to salaries of Commissioners since 2008, and being the only entity in Fall River County that has not used C.P.I. (Consumer Price Index) in the past years. Cassens amended the motion to support a 5 % cut in Commissioner salaries, as other departments were making cuts. After further discussion, a roll call vote was called. With Falkenburg, Allen and Cassens voting aye, and Reaser and Ortner voting nay, the motion carried.

Cassens and Allen spoke on the jail project, and that with the reports they have reviewed, they find no justification to build a new jail.

Motion by Cassens to start transporting inmates to other Counties starting January 1<sup>st</sup>, 2011, keeping the current jail for the 24/7 program and have a holding cell. Cassens and Allen spoke that this would relieve the Sheriff and Deputies to do more law enforcement work. A Contract will need to be made with Pennington County for housing prisoners, with Meade County Jail as a backup. Transport vehicles must be purchased. Allen seconded the motion. Discussion was held on the number of jailers that would remain and the holding cell, along with detox costs that would be additional as Pennington County Jail does not take prisoners with certain blood levels. Cassens asked to try transporting for one year. Nabholz said the existing jail should not yet be ruled out, and to do a study. Motion by Cassens, seconded by Allen to call for the vote, and a roll call vote was given. Falkenburg—Aye; Reaser—Aye; Allen—Aye; Cassens—Aye; Ortner—Aye. Motion carried.

Tarrell recommended appointment of Chief of Police Robert Evans, Sheriff Candidate Rich Mraz and Commissioners Joe Allen and Anne Cassens to a jail Ad Hoc committee, to which the Board agreed.

A 1<sup>st</sup> Reading was held on a Building Notification Ordinance #2010-02. This Ordinance is similar to the earlier proposed Building Permit Ordinance except that this changes the need for a Notification Application for buildings that are over 150 square feet rather than 160 square feet, and that fees for the application have been removed.

Motion by Cassens, seconded by Reaser to approve 1<sup>st</sup> Reading on Ordinance for Building Notification #2010-02. Falkenburg disagreed with the Ordinance and discussion was held on the penalty in the Ordinance and the need to enact this Ordinance to assist the emergency services such as law enforcement, fire and ambulance services. Discussion was also held on the need for a county wide reappraisal, along with enforcement issues. Falkenburg called for the question. Roll call vote: Falkenburg—Nay; Cassens—Aye; Allen—Aye; Reaser—Aye; Ortner—Aye; Motion passed.

Randy Seiler, Highway, met to present information on roads to add to County system. This will be for roads (estimated at ½ mile) that have always been maintained by the County. These resolutions will be put on the next agenda. Discussion was held on gravel and the need to bid next year, and repairs to scraper. Ortner spoke on fuel bids acquired within County vs. out of County bidders. State law addresses out of State bidding, but not in State. Some other Counties only send to in-County bidders on fuel items. County will continue with the current bidding procedures.

The purchase of a road grader was discussed again, along with current and next years budget.

Motion by Cassens, seconded by Reaser to authorize approval of the Buyer Purchase Order with Butler Caterpillar for a 2010 140M Caterpillar All Wheel Drive per the Spink County bid awarded November 10, 2009 and further authorize Chairman of the Board to sign. This motor grader will be delivered approximately next April of 2011 and paid for after delivery. With no further discussion and all voting yes, the motion carried.

Susan Henderson asked when Plum Creek Road will be mowed.

Lori Bachand, Treasurer met to request a Delinquent Tax Agreement.

Motion by Reaser, seconded by Falkenburg to approve Delinquent Tax Agreement with Terry Massey on the following parcels: #75480-00200-02800, #75480-00200-03000 and #75480-00200-03100, to be paid at \$200.00 per month on back taxes and current year taxes are to be kept current each April and October. With no further discussion and all voting yes, the motion carried.

Public Comment: Susan Henderson spoke on current economy issues and world markets. Henderson requested keeping money for elderly meals, etc. in the 2011 budget and continued to remind the Board to not keep all the County money in one bank and questioned investing in Treasury Bills. Henderson will contact State of South Dakota to determine if Treasury Bills could be purchased and bring back to the next meeting.

Terri Halls, Director of Equalization, met with the Board for approval to purchase 2 computers, replacing 2 that are 8 to 9 years old.

Motion by Reaser, seconded by Falkenburg to approve the purchase of 2 new computers. With no further discussion and all voting yes, the motion carried.

A Hearing was held as previously advertised to vacate a short section line for Paul Charbonneau. State's Attorney Jim Sword was present along with Tim Wicks, SD DOT. Myron

Morelock, SD DOT Senior Right-of-Way Specialist, was also present by teleconference. Questions were asked about the notification given Charbonneau and process needed to have the State purchase the Right-of-Way, excluding the 66' Section Line. Charbonneau asked about remedies for cut fence and gates. The State indicated that the feed lot would maintain. The purchase of the Right-of-Way and placement of fence and gate does not satisfy Charbonneau at this time. State's Attorney Sword will be present for a meeting between Myron Morelock and Charbonneau and his attorney. Sword asked for this hearing to be continued to try for resolution and bring back to Board if unresolved.

Motion by Falkenburg, seconded by Reaser to continue this section line hearing until the next meeting. With no further discussion and all voting yes, the motion carried.

Frank Maynard and Andy Timmins, Emergency Management, met to request travel approval for Andy to attend the required EM101 course in Oacoma, September 1<sup>st</sup> and 2<sup>nd</sup>, 2010. There is no cost for the class, just motel and per diem, which will be reimbursed 50% by the State under the SLA. Maynard is also requesting approval for Andy to attend the following classes: Resource Unit Leader: August 24<sup>th</sup> to the 26<sup>th</sup>, 2010, in Pierre, no cost for class, just motel and per diem; Situation Unit Leader: September 28<sup>th</sup> to 30<sup>th</sup>, 2010, in Pierre, no cost for the class, just motel and per diem; Planning Section Chief: October 25<sup>th</sup> to 29<sup>th</sup>, 2010, in Pierre, no cost for class, just motel and per diem.

Motion by Reaser, seconded by Falkenburg to approve Timmins to attend EM101 course in Oacoma on September 1<sup>st</sup> and 2<sup>nd</sup>, 2010. Motel and per diem only cost with the State paying 50%. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg to approve Timmins to attend Resource Unit Leader course on August 24<sup>th</sup> to 26<sup>th</sup>, 2010, in Pierre, per diem and motel; Situation Unit Leader course on September 28<sup>th</sup> to 30<sup>th</sup>, 2010, in Pierre, per diem and motel and Planning Section Chief on October 25<sup>th</sup> to the 29<sup>th</sup>, 2010, in Pierre, per diem and motel. With no further discussion, Cassens voting Nay, all others voting yes, the motion carried.

Maynard spoke on a grant he had applied for in the amount of \$47,000.00 to upgrade our dispatch console to the Zetron 3300 configuration. This is part of a cooperative project between Custer and Fall River Counties to serve each other as a backup component and provide an additional virtual dispatch position as per administrative rules presented by the State 911 Commission.

Maynard reported on the eight fires in Fall River County between August 10<sup>th</sup> and 16<sup>th</sup>, 2010. The Single Engine Air Tanker is now stationed at the Hot Springs Airport.

Maynard reported on the South Dakota Emergency Management Conference that will be held September 14<sup>th</sup>-16<sup>th</sup>, 2010, in Hot Springs. The main topic for the conference is Agro Terrorism. Approximately 60 to 70 Statewide Emergency Managers will be attending.

Tom Davis discussed issues he has had with his neighbor, which included UPS deliveries. Davis wants a protection order, with which State's Attorney Jim Sword will assist.

Motion by Falkenburg, seconded by Cassens to approve the following bills.

**GENERAL**

A&B BUSINESS EQUIPMENT	COPIER	\$ 97.11
BLACK HILLS CHEMICAL	SUPPLY	412.60
BIEGLER, GREG LPC CCCII	DETOX	60.00
BLACK HILLS POWER & LIGHTS	UTILITIES	3,418.00
CARDMEMBER SERVICE	MISC.	326.23
CAROL BUTZMAN CONSULTING	MENTAL ILLNESS	368.58
CBM FOOD SERVICE	PRISONER BOARD	1,846.88
CENTURY BUSINESS LEASING	COPIER	169.12

CHEMSEARCH	SUPPLY	788.22
CHEYENNE SANITATION	UTILITY	296.80
CITY/CO ALCOHOL & DRUG	DETOX	1,210.00
CUSTOM MICRO INC.	EQUIPMENT	31,300.00
DAKOTA LEASING COMPANY	COPIER	186.10
DAKOTA SUPPLY GROUP	SUPPLY	102.00
EDGEMONT HERALD TRIBUNE	PUBLISHING	461.38
ENVIRONMENTAL PRODUCTS	SUPPLY	88.80
GOLDEN WEST	TELEPHONE	1,735.62
HEINERTS LUBE & CAR CARE	CAR MAINTENANCE	39.95
HIGH PLAINS GRAPHICS	SUPPLY	18.00
HILLS EDGE AUTO SALES	CAR MAINTENANCE	356.70
HILLYARD FLOOR CARE SUPPLY	SUPPLY	162.20
INTOXIMETERS	SUPPLY	990.00
JAMISON, KAREN	TRAVEL	40.52
LYLE'S HANDYMAN	REPAIR	142.80
LYNNS DAKOTA MART	SUPPLY	14.92
MENARDS	REPAIR	539.84
MORPHOTRAK	CONTRACT	4,222.00
ORTNER, MICHAEL P.	TRAVEL	1,414.49
PENNINGTON CO STATES ATTY OFFICE	MENTAL ILLNESS	400.00
PENNINGTON CO AUDITOR	MENTAL ILLNESS	69.00
PENNINGTON CO JAIL	INMATE	295.80
PENNINGTON CO SHERIFF	MENTAL ILLNESS	688.99
QUILL CORPORATION	SUPPLY	633.36
REGIONAL HEALTH	AUTOPSY	1,061.00
RICH'S AUTO CENTER	CAR MAINTENANCE	109.00
SCOTTS BLUFF COUNTY COURT	SUPPLY	21.25
SD ASSN OF COUNTY COMM.	REGISTRATION	1,120.00
SERVALL	SUPPLY	240.60
SOFTWARE SERVICES INC.	SUPPORT	1,980.00
STATE REMITTANCE CENTER	MENTAL ILLNESS	178.38
VILLAGE REPAIR	CAR MAINTENANCE	74.00
WELLS FARGO	COPIER	126.88
WESTERN SD JUV. SERVICE CENTER	JUVENILE CARE	6,200.00
WOOD STOCK SUPPLY	SUPPLY	9.82
STATE TREASURER	MENTAL ILLNESS	180.00

COUNTY ROAD AND BRIDGE

CARDMEMBER SERVICE	MISC.	113.00
CHEYENNE SANITATION	UTILITY	76.32
EDGEMONT, CITY OF	UTILITY	42.36
GOLDEN WEST	PHONE	248.78
QUILL CORPORATION	SUPPLY	29.90
SD ASSN OF COUNTY COMM.	REGISTRATION	160.00
SDPAA	INSURANCE	206.00

911 SURCHARGE REIMBURSEMENT

EDGEMONT FIRE DEPARTMENT	EQUIPMENT	4,748.41
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EMERGENCY MANAGEMENT

CARDMEMBER SERVICE	MISC.	736.39
GOLDEN WEST	PHONE	139.84
HSR FUELING LLC	FUEL	150.09
LYNNS DAKOTA MART	SUPPLY	358.67
NORTONS SINCLAIR	CAR MAINTENANCE	186.98
SDEMA	REGISTRATION	60.00

**L.E.P.C. GRANT**  
**PUDWILL, NORMAN**

**LEPC**

**60.00**

**Motion by Reaser, seconded by Cassens to go into executive session for personnel and legal purposes, time being 11:45 a.m. With no further discussion, and all voting yes, the motion carried.**

**Came out at 12:16.**

**Motion by Cassens, seconded by Falkenburg to adjourn for lunch recess. With no further discussion and all voting yes, the motion carried.**

**1:30 p.m. the meeting resumed.**

**Motion by Reaser, seconded by Falkenburg to enter into executive session for Veterans Service Office interviews, time being 1:30 p.m. Also present was Paul Gremse, Veterans Benefits Representative, Division of Military Affairs. With no further discussion and all voting yes, the motion carried.**

**Came out at 3:55 p.m.**

**Sally Park-Hageman, Extension Educator and Dusty Jager, Rangeland Educator, met with the Board and gave quarterly reports. The Commissioners expressed their thanks for the job Dusty has done for Fall River County.**

**The 2011 Budget was worked on.**

**Motion by Falkenburg, seconded by Reaser to approve the 2011 Provisional Budget. With no further discussion and all voting yes, the motion carried.**

**Motion by Reaser, seconded by Falkenburg to adjourn, time being 4:27 p.m.**

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

**ATTEST:**

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