

FALL RIVER COUNTY MINUTES OF SEPTEMBER 14TH, 2010.

The Fall River Board of County Commissioners met in regular session on September 14th, 2010. Present were Michael Ortner, Glen Reaser, Joe Allen, Anne Cassens, Joe Falkenburg and Sue Ganje, County Auditor. Absent: none.

The Pledge of Allegiance was given. The agenda was reviewed for conflicts, of which the only conflict identified was with Commissioner Falkenburg regarding the approval of a plat presented by Keith Anderson.

Motion by Reaser, seconded by Falkenburg 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 September 7th, 2010. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg 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 31st day of August ,2010.

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Total Amt of Deposit in Wells Fargo Bank-----\$403,856.21
Total Amt of Deposit in First Interstate Bank---HS-----\$378,842.21
Total Amount of Cash-----\$566.55
Total Amount of Treasurer's Change Fund-----\$900.00
Total Amount of Checks in Treasurer's Possession Not
Exceeding Three Days-----\$24,177.95
Provo Township Water Checking—First Interstate-----\$ 300.00
MONEY MARKET SAVINGS: First Interstate Bank-----\$32,713.96
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
Petersen, Lynda---\$1,433.00-TAXES
Henry, Raymond---\$290.64-TAXES

TOTAL--\$4,914,316.92

Dated This 31st Day of August, 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 Reaser, seconded by Allen to enter into a Right of Way Agreement with the State of South Dakota, Project No. EM 0018 (152) 53, PCN No. 00Q8, Parcel No. 8 and to

authorize Chairman Ortner to sign the agreement. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg to enter into a lease agreement with Pitney Bowes for a Connect + 2000 mail machine for a term of sixty months at a cost of \$418.28 per month and to authorize the auditor to sign the contract. With no further discussion and all voting yes, the motion carried.

Treasurer Lori Bachand met with the Board to discuss the lease agreement on her copier and the buy-out option at the end of the lease.

Falkenburg presented a Resolution to the Board regarding opposition to the proposed Great Outdoors Initiative and some accompanying information on the Initiative. Motion by Cassens, seconded by Allen to approve Resolution #2010-24 and send a copy of it to the State Department of Agriculture; SD Game, Fish and Parks; Congressional Delegates; District Representatives and Senator. With no further discussion and all voting yes, the motion carried.

RESOLUTION #2010-24

WHEREAS, a number of publications have brought to our attention a national movement called The Great Outdoors Initiative. This coordinated, programmatic creation of land reserves would be developed from former private land and government lands for consolidation into four corridors for wandering wildlife.

WHEREAS, purchase of private holdings would be funded by revenues from outer-Continental-shelf petroleum operation. This funding, called the Land and Water Conservation Fund, has increased fifty-eight percent for 2010 from 2009 levels and will increase another twenty-nine percent in 2011 to \$619.2 million. Full funding will be \$900 million by 2014.

WHEREAS, the seriousness of this Initiative can easily be demonstrated by observing the enclosed map outlining the area in this Initiative. (See file) The current Obama administration and the Secretary of Interior support the agenda of the Initiative.

WHEREAS, the seriousness of this can be demonstrated by World Wildlife Fund indentifying the Badlands / Conata Basin, Buffalo Gap Grasslands and Badlands National Park as priority landscapes of the Northern Great Plains.

WHEREAS, our Federal Government already owns one of every three acres. We realize as a Commission this Great Outdoors Initiative would destroy our Country and our way of life.

THEREFORE, it is

RESOLVED, that the Fall River County Commission is opposed to the Great Outdoors Initiative and asks for your support to prevent this terrible Initiative from happening.

Passed and approved this 14th day of September , 2010.

FALL RIVER COUNTY COMMISSION

Michael P. Ortner, Chairman
Joe Falkenburg
Joe Allen

Anne Cassens, Vice Chair
Glen Reaser

ATTEST:
Sue Ganje, County Auditor

Discussion was held on the current jail and proposed transport of prisoners. Motion by Reaser, seconded by Allen to set a special meeting in the Courtroom on September 23, 2010

at 7:00 p.m. to discuss the jail and prison transports with the public. With no further discussion and all voting yes, the motion carried.

Keith Andersen, Andersen Engineering, presented a change for approval. Motion by Falkenburg, seconded by Reaser to approve Change Order #3 for the Provo Township Water Board Rehabilitation Project, funded by CDB Grant funds. State's Attorney Jim Sword informed the Board that Provo Township should also be signing the change order. Falkenburg amended his motion to make the Board's approval contingent upon Provo Township's Water Board approving the Change Order at their meeting to be held later that evening. With no further discussion and all voting yes, the motion carried.

Sheriff Jeff Tarrell met with the Board to briefly advise them of issues with the auto-start function on the jail building generator in that it is lacking a block heater. Tarrell has received one quote of \$1,100.00 to fix the issue and will continue to seek other quotes.

Dale Ostyn met with the Board to discuss open (free) range issues on Cascade Road which includes open range lands being managed by the Bureau of Land Management and other grazing lands. Ostyn spoke of personal issues on her property with open range cattle. Ostyn was concerned about liability issues and financial burdens incurred and asked for guidance from the Board. State's Attorney Sword advised he would visit her property and report back to the Board on the issue.

Ortner spoke of the law governing open range issues and asked if there were covenants on Ostyn's property when purchased, which Ostyn said there were not. Covenants and similar issues with others before the Court have produced decisions on a case by case basis and Ortner indicated legislation would be needed.

Stacey Martin, GIS Coordinator, met with the board for travel approval to a free seminar provided by ESRI on using new ArcGIS 10 tools. Motion by Reaser, seconded by Allen to approve Martin's request to travel to Cheyenne, WY for the training on October 5, 2010. With no further discussion and all voting yes, the motion carried.

Bill Curren met with the Board concerning increasing lands being acquired by the Federal Government, including the Buffalo Gap National Forest Travel Management Plan and the previously discussed Great Outdoors Initiative. Concerns voiced by Curren included the lack of management, game retrieval and the need for a cultural resource survey and land use plan. Such a plan would mandate the Government or other agency give local governments notice of activities and keep them involved. Curren asked if the Commissioners could question other entities about whether there was interest in creating coordination among local entities with regards to agency activities. Discussion was held on creating a Land Management Plan to coordinate these issues with State and Federal agencies. Reaser indicated he will speak to attendees at his RC&D meeting; Commissioners Ortner and Cassens will speak to other Counties at the upcoming State Convention about whether there is interest in such a partnership.

Bill Cox met with the Board to discuss fly ash that comes out of coal mines and that he would like to work with Highway Superintendent Randy Seiler in creating a substance to prolong the life of gravel on County roads.

Highway Superintendent Seiler met with the Board and relayed a request from Tom Landers to blade a mile of road. This would only be considered if a local contractor is unavailable. Jim Watkins is requesting an automatic gate for open range access. No action was taken and Seiler will look at the property. Discussion was also held regarding road mowing.

Carl Neisner, Building Maintenance, met with the Board to discuss hours for a part-time employee. The Board indicated they will consider the request during their review of the 2011 budget.

Public comment was opened at 10:23 a.m. Falkenburg spoke on the County-owned Legion Building in Ardmore and the need to surplus and sell it. Additional properties may also need to be researched and considered for surplus sale.

Motion by Allen, seconded by Reaser to enter into Executive Session for personnel considerations. With all voting yes, the motion carried. The Board went into Executive Session at 10:54 a.m.

The Board came out of Executive Session at 11:56 a.m.

Motion by Ortner, seconded by Reaser, to leave the mill levy as advised and approve the Annual 2011 Budget. With no further discussion and all voting yes, the motion carried.

General Fund:

General Government Building from 235,180 to 237,170; Total General Government from 1,614,289 to 1,616,279; Communication Center (911) from 191,760 to 227,540; Total Public Safety from 1,317,059 to 1,352,839; Edgemont YMCA from 1,000 to 335; Total Health and Welfare from 167,538 to 166,873; Total Expenditure Appropriations from 3,564,231 to 3,601,336; Total Appropriations from 3,564,231 to 3,601,336; Cash Balance Applied from 634,523 to 673,483; Subtotal from 3,742,443 to 3,781,403; Less 5% from (178,212) to (180,067); Net Means of Finance from 3,564,231 to 3,601,336; Total Appropriations from 3,564,231 to 3,601,336

911 Fund:

Communications Center (911) from 100,000 to 124,837; Total Public Safety from 147,657 to 172,494; Total Expenditure Appropriations from 147,657 to 172,494; Total Appropriations from 147,657 to 172,494; Cash Balance Applied from 79,657 to 104,494; Subtotal from 147,657 to 172,494; Net Means Finance from 147,657 to 172,494; Total Appropriations from 147,657 to 172,494

COUNTY TAX LEVIES	Tax Levy in Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
* General County Purposes (10-12-9)	\$ 2,222,126.00	5.330
Library	\$ 5,500.00	0.021
LIMITED LEVY (10-12-21) - SUB TOTAL		
OUTSIDE LIMITED LEVY:		
County Snow Removal Fund (34-5-2)		
* Highway and Bridge Reserve (10-12-13)		
Courthouse, Jail, etc., Bldg. (7-25-1)	\$ 104,974.00	0.252
Bond Interest Sinking (7-24-18)		
Ag Building (7-27-1)		
UNLIMITED LEVY - SUB TOTAL		
LIMITED AND UNLIMITED LEVY - SUB-TOTAL		

RESOLUTION

ADOPTION OF ANNUAL BUDGET FOR FALL RIVER County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and, Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR FALLRIVER County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2011 and ending December 31, 2011 and the same is hereby approved and adopted by the Board of County Commissioners of Fall River County, South Dakota, this 14th day of September, 2010. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Fall River, County, South Dakota. The accompanying taxes are levied by Fall River County for the year January 1, 2011 through December 31, 2011.

BOARD OF COUNTY COMMISSIONERS OF Fall River County, South Dakota

Chairman

OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76) (31-12-27)	\$ 217,067.00	0.935
Fire Protection (34-31-3)	\$ 2,632.00	0.236
TOTAL TAXES LEVIED BY COUNTY	\$ 2,552,299.00	6.774

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST _____
County Auditor

* These Amounts include the 25% to be distributed to cities.

As of 9/16/08, these levies are not approved by the Department of Revenue

Motion by Cassens, seconded by Allen to approve the 2011 – 2013 Union Contract as negotiated. With no further discussion and all voting yes, the motion carried.

Motion by Reaser, seconded by Falkenburg to adjourn for lunch at 12:02 p.m.

The Board reconvened at 1:30 p.m.

Don Staton, Highway Access Engineer for the South Dakota Department of Transportation met with the Board to discuss the regular and handicapped parking on North River Street in front of the Courthouse. Documentation was provided which includes Americans with Disabilities Act (ADA) Accessibility Guidelines for public right of ways which the handicapped parking space in front of the Courthouse does not meet. Sally Park-Hagman suggested moving one of the spots dedicated for handicapped parking across the street to the paved area near the County Weed and Extension Office, due to the number of Medicare clients she assists. Ortner asked for recommendations on locations and the number of suggested spots from Staton.

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

GENERAL FUND

ACCOUTER RENTAL AND SALES	REPAIR	\$ 45.90
BINGHAM, JAMES	MI	\$ 1,978.60
BLACK HILLS AMMUNITION	AMMO	\$ 282.50
BLACK HILLS POWER	UTILITY	\$ 1,794.17
BOOS, CAROLE	MI	\$ 439.67
CALIFORNIA CONT SUPP INC	SUPPLY	\$ 91.05
CAROL BUTZMAN CONSULTING	MI	\$ 846.76
CHEYENNE SANITATION	UTILITY	\$ 296.80
CLINICAL LAB	AUTOPSY	\$ 1,957.00
DS SOLUTIONS INC	SUPPLY	\$ 50.00
GOLDEN WEST	TELEPHONE	\$ 1,567.07
HEINERTS LUBE & CAR CARE	CAR MAINT	\$ 39.95
INVENTORY TRADING COMPANY	UNIFORM	\$ 93.75
JAGER, DUSTY	TRAVEL	\$ 99.00
JERRY'S AUTO	CAR MAINT	\$ 220.48
LYLE'S HANDYMAN	KEYS	\$ 30.60
MEDICAP PHARMACY	JUVENILE	\$ 389.29
MENARDS	REPAIR	\$ 448.00
MICROFILM IMAGING SYSTEMS	LEASE	\$ 195.00
O'NEILL, JUSTIN	CAAF	\$ 258.71
PENN CO JAIL	TRANSPORT	\$ 849.80

RAPID CITY JOURNAL (THE)	PUBLISHING	\$ 166.88
RAPID CITY REGIONAL	MI	\$ 1,396.00
REASER, GLEN	TRAVEL	\$ 38.60
REGIONAL BEHAVIORAL HEALT	MI	\$ 177.37
SD CONTINUING LEGAL ED	SUPPLY	\$ 275.00
SERVALL	SUPPLY	\$ 95.50
STATE REMITTANCE CENTER	MI	\$ 2,637.57
SYNERGY GRAPHICS INC	SUPPLY	\$ 150.00
SCHOENFELDER, PAUL	INMATE	\$ 35.00
VANDIEST SUPPLY	SUPPLY	\$ 727.30
WESTERN SD JUV SERV CTR	JUVENILE	\$ 3,800.00
	GENERAL FUND TOTAL	\$ 21,473.32

COUNTY ROAD & BRIDGE

BLACK HILLS WEEKLY GROUP	SUBSCRIPTION	\$ 36.00
EDGEMONT, CITY OF	UTILITY	\$ 42.36
GOLDEN WEST	TELEPHONE	\$ 244.07
	ROAD & BRIDGE TOTAL	\$ 322.43

911 SURCHARGE REIMBUR.

ESRI INC	911	\$ 400.00
GOLDEN WEST	TELEPHONE	\$ 210.33
	911 REIMBUR. TOTAL	\$ 610.33

FIRE PROTECTION FUND

COLLINS ENTERPRISES	FIRE	\$ 350.00
	FIRE PROT. FUND TOTAL	\$ 350.00

EMERGENCY MGMT

CALIFORNIA CONT SUPP INC	SUPPLY	\$ 30.34
GOLDEN WEST	TELEPHONE	\$ 134.51
CITY OF HOT SPRINGS	UTILITY	\$ 237.50
RIVER LODGE	TRAVEL	\$ 192.00
LYNNS DAKOTA MART	SUPPLY	\$ 19.04
NEVE'S UNIFORM INC	EQUIP	\$ 135.95
TIMMINS, ANDREAS	TRAVEL	\$ 9.00
	EMERGENCY MGMT TOTAL	\$ 758.34

DOMESTIC ABUSE FUND

W.E.A.V.E.	ALLOTMENT	\$ 2,850.00
	DOM ABUSE FUND TOTAL	\$ 2,850.00

LEPC GRANT

HSR FUELING LLC	AIRPLANE	\$ 69.43
	LEPC GRANT TOTAL	\$ 69.43

GRAND TOTAL \$ 26,433.85

Motion by Falkenburg, seconded by Allen to enter in Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried. The Board went into Executive Session at 1:46 p.m.

The Board came out of Executive Session at 1:55 p.m.

Motion by Reaser, seconded by Falkenburg to enter into Executive Session for personnel interviews. With no further discussion and all voting yes, the motion carried. The Board went into Executive Session at 2:03 p.m.

The Board came out of Executive Session at 3:46 p.m.

Motion by Cassens, seconded by Reaser to offer the position of Veterans Services Officer to Paul Miller at a starting wage of \$26,000.00 per year. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Reaser to adjourn. With no further discussion and all voting yes, the motion carried. The Board adjourned at 3:48 p.m.

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

ATTEST:

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