

FALL RIVER COUNTY MINUTES OF JANUARY 17, 2013

The Fall River Board of County Commissioners met in regular session on January 17, 2013. Present: Michael Ortner, Deb Russell, Joe Allen, Anne Cassens, Joe Falkenburg, and Sue Ganje, Auditor. Absent: none.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM.

The agenda was reviewed for conflicts; none were noted. Motion by Falkenburg, seconded by Russell, 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 the January 3, 2013 meeting. 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 Treasurer as follows. 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 December, 2012.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,892.03</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>487,931.94</u>
Total Amount of Cash:	\$ <u>824.44</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>4,489.26</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>122,195.53</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,470,000.00</u>
Black Hills FCU:	\$ <u>250,000.00</u>

Itemized list of all items, checks and drafts that 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:

Armentrout, Jimmy, \$672.27, TAXES
Crocker, Carney, \$15.00, LIC
Henry, Raymond, \$290.64, LIC
McMillin, Robert, \$272.95
Nielsen, Krista, \$336.10, LIC
Nielsen, Krista, \$150.61, LIC

TOTAL: \$4,342,505.77

Dated this 31st day of December, 2012.

/s/Sue Ganje

Sue Ganje, Auditor, 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 Falkenburg, seconded by Russell, to approve travel for Ortnier to attend the NACO Legislative Conference on March 2-6, 2013 in Washington, DC. With no further discussion and all voting yes, the motion carried.

An applicant for assistance met with the Board. Motion by Cassens, seconded by Russell, to approve \$86.42 for power, up to \$60.00 for Shopko pharmacy expenses and to guarantee \$225.00 for half of February rent, payable in March, for CP #13-2, with a repayment schedule. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to surplus as junk the second floor drinking fountain and a shredder from the Register of Deeds office, asset #1961. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to change the date of the first meeting in July from July 4 to July 2, 2013, due to the holiday. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to allow Weed Board members to drive county vehicles when traveling to meetings. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Cassens, to appoint Brad Thomsen to the Provo Township Water Board, replacing Falkenburg as the Board representative. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to send a letter to congressional delegates in support of their efforts to investigate the drop in the sheep market. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve, as per Union contract, a two-year increase for Joshua Buckwheat to \$17.56 per hour, effective December 15, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve, as per Union contract, a three-year increase for W. Scott Davis to \$18.58 per hour, including \$421.27 in retroactive pay for September through December, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve, as per Union contract, a two-year increase for Vince Logue to \$17.56 per hour, effective December 24, 2012. With no further discussion and all voting yes, the motion carried.

Community Health Nurse Tracy Bowman presented the Board with her quarterly report.

Keith Andersen, Andersen Engineering, presented plats for approval. Motion by Cassens, seconded by Allen, to approve the plat of H2O Tract as follows, contingent upon Highway Superintendent Randy Seiler's signature. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2013-03

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of H2O Tract located in the NE ¼ SW ¼ of Section 3, T7S, 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 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 17th day of January, 2013.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Cassens, to approve the plat of Lot 48 of Cobblestone Mountain Estates Subdivision as follows, contingent upon Highway Superintendent Randy Seiler's signature. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2013-04

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Lot 48 of Cobblestone Mountain Estates Subdivision located in the W ½ SW ¼ of Section 1, T7S, 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 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 17th day of January, 2013.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Frank Maynard, Emergency Management, informed the Board that modifications to the boiler system are continuing and requested permission to hire part time individuals to shovel snow as needed. Discussion was held on utilizing jail inmates; Maynard will check with the State's Attorney about a waiver inmates would need to sign to perform the work.

Maynard also noted that the roof above the Sheriff's Office is leaking but as it is under warranty, the company has been notified. An ambulance call where the road was impassable due to snow and ice was discussed with regard to who would be responsible for the bill to clear the road for the ambulance. If the road is in a road district, they could be billed if dispatch ordered snow removal service. Maynard is progressing on quotes for a storage facility for presentation at a later date.

Highway Supervisor Randy Seiler updated the Board on roads cleared after a recent blizzard.

Coroner Becki Sotherland asked the Board for approval to appoint two additional Deputy Coroners. Motion by Falkenburg, seconded by Russell, to approve hiring Mike Close and Scott Davis as Deputy Coroners. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the following bills as presented, excluding a bill for \$8,300.00 for Matt Brown. With no further discussion and all voting yes, the motion carried.

General Fund

A&B Business Equipment	Copier	\$480.22
Attny General, Office Of	Investigation	\$1,603.83
Audra Malcomb Consulting	MI	\$363.24
Behavior Management Sys	Allocation	\$7,500.00
Bexar County	Investigation	\$700.00
Bingham, James	CAAF	\$1,094.30
Black Hills Power	Assist; Utility	\$3,332.68
Bodziak, William J	Investigation	\$849.83
Cardmember Service	Misc	\$1,148.29
CBM Food Service	Inmate	\$5,197.20
Century Business Leasing	Copier	\$423.39
Cheyenne Sanitation	Utility	\$280.00
Culligan Soft Water	Water	\$78.25
Dale's Repair	Car Maint	\$118.77
DeMersseman Jensen	CAAF	\$266.50
Edgemont Herald Tribune	Publishing	\$785.27
Election Systems & Soft	Maint	\$4,902.00
Engebretson, Melody	Ins Reimb	\$500.00
Executive Mgmt Finance	BIT	\$36.00

Fall River Health	Inmate	\$89.76
Franklin, Ginger	Inmate	\$35.00
Golden West Technologies	Labor	\$75.00
Golden West	Telephone	\$1,445.77
Heartland Paper Co	Supply	\$235.00
Hillyard Floor Care Supp	Supply	\$503.98
Hobart Sales & Service	Labor	\$461.93
City Of Hot Springs	Rent	\$450.00
Hot Springs Star	Subscription	\$36.00
Lamb Motor Company	Vehicle	\$25,993.00
MPG	Inmate	\$125.00
McColley's	Assistance	\$1,300.00
McLeods Office Supply Co.	Supply	\$898.19
Medical Waste Transport	Utility	\$100.91
Menards	Supply	\$21.99
Microfilm Imaging Systems	Lease	\$275.00
MOCIC	Dues	\$100.00
Nettinga, Joan	Supply	\$12.84
Oelrichs Senior Citizens	Allotment	\$900.00
Penn Co Sts Attny Office	MI	\$215.00
Pennington County Auditor	MI	\$41.00
Penn Co Jail	Housing	\$2,142.00
Penn County Sheriff	Pris Trans	\$751.85
Powell, Debra J	Inmate	\$35.00
Powerhouse	Supply	\$36.76
Quill Corporation	Supply	\$451.16
Radioshack	Supply	\$39.99
Rapid City Journal (The)	Publishing	\$571.90
Rapid City Regional	MI	\$620.96
Sanichem	Supply	\$255.00
South Dakota State Treas	Sales Tax	\$181.64
SD Assoc. Of County Weed	Dues	\$50.00
SISMA	Registration	\$50.00
SD Retirement System	Retirement	\$13,083.11
SD Sheriff's Assn	Dues	\$562.82
SD State Attorney Assoc	Dues	\$803.00
Servall	Supply	\$214.13
SHI International	Software	\$121.00
Skinner, Matthew L. PC	CAAF	\$1,228.50
Software Services Inc	Support	\$1,430.00
State Remittance Center	Mi	\$60.00
Stevens Plumbing	Repair	\$37.04
Schoenfelder, Paul	Inmate	\$105.00
Twilight Inc	Supply	\$42.90

Pro Build	Supply	\$29.16
United States Postal Serv	Postage	\$4,142.21
Verizon Wireless	Cell Phone	\$485.46
Western SD Juv Serv Ctr	Juvenile	\$7,200.00
Wood Stock Supply	Repair	\$118.80
	General Fund Total	\$97,824.53

Road & Bridge

B H Electric Coop Inc.	Utility	\$21.43
Black Hills Power	Assist; Utility	\$603.49
Butler Machinery Co.	Repair	\$9,856.00
Cheyenne Sanitation	Utility	\$74.00
Edgemont, City Of	Utility	\$36.30
Edgemont Herald Tribune	Publishing	\$16.78
Golden West	Telephone	\$256.89
City Of Hot Springs	Utility	\$23.93
Postmaster	Box Rent	\$110.00
Rapid City Journal (The)	Publishing	\$17.48
Rushmore Communications	Utility	\$225.00
Safety Kleen	Repair	\$106.00
SD Retirement System	Retirement	\$3,806.44
Verizon Wireless	Cell Phone	\$30.86
	Road & Bridge Total	\$15,184.60

Emergency Mgt

Cardmember Service	Misc	\$127.55
Golden West	Telephone	\$125.82
Lynn's Dakota Mart	Water	\$14.97
Nettinga, Joan	Supply	\$6.43
Quill Corporation	Supply	\$15.29
Rapid Chevrolet Co., Inc	Car Maint	\$636.23
SDEMA	Dues	\$60.00
SD Retirement System	Retirement	\$606.16
United States Postal Serv	Postage	\$0.45
Verizon Wireless	Cell Phone	\$175.50
	Emergency Mgmt Total	\$1,768.40

911 Surcharge Reimb

Golden West	Telephone	\$44.62
Century Link	Telephone	\$6.16
Rushmore Communications	Utility	\$110.00
SD Retirement System	Retirement	\$167.46
SHI International	Software	\$121.00
	L.E.P.C. Grant Total	\$449.24

Courthouse Building Fund

Culligan Soft Water	Water	\$25.50
Lyle's Handyman	Labor	\$81.60
	Courthouse Bldg Fund Total	\$107.10

Due To Schools

First Interstate Bank	Taxes	\$24,434.10
Hot Springs School	Taxes	\$58,077.62
Oelrichs School District	Taxes	\$1,768.19
	Due To Schools Total	\$84,279.91

Due To Townships

First Interstate Bank	Taxes	\$796.14
	Due To Townships Total	\$796.14

Due To Cities & Towns

Bank Of The West	Taxes	\$20,400.97
First Interstate Bank	Taxes	\$4,965.87
Hot Springs City Td 7	Taxes	\$892.00
Oelrichs, Town Of	Taxes	\$180.85
	Due To Cities & Towns Total	\$26,439.69

Ambulance Districts

Bank Of The West	Taxes	\$1,066.76
First Interstate Bank	Taxes	\$592.98
	Ambulance Districts Total	\$1,659.74

Due To Fire Districts

First Interstate Bank	Taxes	\$1,293.79
First Interstate Bank	Taxes	\$220.83
Minnekahta Fire	Taxes	\$298.28
Oelrichs Vol Fire Dept	Taxes	\$59.19
	Due To Fire Districts Total	\$1,872.09

Pine Shadow Rd District

First Interstate Bank	Taxes	\$127.19
	Pine Shadow Rd Dist Total	\$127.19

Eagle Valley Rd District

Black Hills Federal	Taxes	\$109.48
	Eagle Valley Rd District	\$109.48

M & P Flow Thru

SD Assn Of Co. Officials	M&P	\$264.00
	M & P Flow Thru Total	\$264.00
	Grand Total	\$230,882.11

Seiler informed the Board that two individuals will be retiring from the Highway Department in 2013 and discussed advertising for the positions. Allen stated he would like further discussion on the highway department organization plan.

2013 Annual Bids were opened at 10:00 AM as advertised. Motion by Falkenburg, seconded by Russell, to accept all bids used for the best advantage for the County as follows. With no further discussion and all voting yes, the motion carried.

Product	Bidder
Bid Item #1	
Road Oil Materials:	
A. Emulsified Asphalt	
1. SS-1H, Hot Springs	Hills Materials - \$625.00/Ton, Full truck load
2. AE-150S, Hot Springs	Hills Materials - \$625.00/Ton, Full truck load (RC pit pick-up: add \$50.00/Ton, less Full truck load)
B. Cold Mix Black Top	
1. Oral	Hills Materials - \$103.50/Ton, Full truck load
2. Edgemont	Hills Materials - \$121.50/Ton, Full truck load
3. Hot Springs Quarry	Hills Materials - \$103.50/Ton
C. Hot Mix, SD DOT Class G	
1. Oral	Hills Materials - \$82.50/Ton
2. Edgemont	Hills Materials - \$88.50/Ton
3. Hot Springs Quarry	Hills Materials - \$82.50/Ton
Bid Item #2, Aggregate Materials:	
A. Crushed Lime Base Course	
1. ¾" FOB HS Quarry	Hills Materials - \$8.20/Ton
2. ¾" FOB Loring Quarry	Hills Materials - \$9.10/Ton
3. ¾" FOB Maverick Pit	Hills Materials - \$8.25/Ton
4. ¾" FOB Sheps Canyon	KD Contractors - \$8.00/Ton
5. 1" minus FOB HS Quarry	Hills Materials - \$8.00/Ton
6. 1" minus FOB Loring Quarry	Hills Materials - \$8.45/Ton
7. 1" minus FOB Maverick Pit	Hills Materials - \$8.15/Ton
8. 1" minus FOB Sheps Canyon	KD Contractors - \$7.90/Ton
B. Chips	
1. 3/8" FOB HS Quarry	Hills Materials - \$16.40/Ton
2. 3/8" FOB Loring Quarry	Hills Materials - \$16.90/Ton
3. 3/8" FOB Sheps Canyon	KD Contractors - \$16.00/Ton
4. 3/8" FOB Streeter Quarry	Croell Redi-Mix - \$12.00/Ton
5. ½" Sheps Canyon	KD Contractors - \$14.00/Ton
6. ½" FOB Streeter Quarry	Croell Redi-Mix - \$12.00/Ton
7. 5/8" FOB HS Quarry	Hills Materials - \$11.75/Ton
8. 5/8" FOB Loring Quarry	Hills Materials - \$12.25/Ton
9. 5/8" FOB Sheps Canyon	KD Contractors - \$12.00/Ton

C. Ice Control Sand

- | | |
|------------------|------------------------------|
| 1. Oral Sand Pit | Pete Lien - \$9.50/Ton |
| 2. Hot Springs | Hills Materials - \$8.75/Ton |
| 3. Loring Quarry | Hills Materials - \$8.75/Ton |

A break was taken at 10:15 AM. The meeting resumed with public comment at 10:25 AM. Residents Susan Henderson, Tom Cook, Jerri Baker and Wally Cachro voiced concerns about PowerTech and their proposed mining operation.

South Dakota State Veterans Home Superintendent Larry Wilcox and Building Maintenance Supervisor Tom Inman met with the Board to request approval of a permit to dispose of rubble resulting from the demolition of Buildings 3 and 4. The permit would be temporary and only for the use of the State Veterans Home. Disposal site maps were presented and the Board was assured that material would only be hard product, not paper, and subject to asbestos testing. Letters of approval from neighboring property owners were discussed and Cassens asked for confirmation that Rapid City or Edgemont facilities will not accept the rubble. No action was taken.

Sheriff Rich Mraz met with the Board to present his statistics report for 2012, which included incident statistics, inmate counts and income generated.

Susie Hayes, Director of Equalization, met with the Board to present information on the appraisal process, including a seven-year reassessment plan. The last county wide assessment was completed in 1993-94 and the state now requires all counties to assess property on a 5 to 7 year recurring cycle. Hayes anticipates starting the assessment in 2014 and completing it in 2020. Motion by Falkenburg, seconded by Allen, to approve the seven-year reassessment plan for the county, beginning in 2014 and then on a continuing basis. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to enter in Executive Session for personnel and legal matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:39 AM.

The Board came out of Executive Session at 11:50 AM and recessed for lunch. The meeting resumed at 1:30 PM with Highway Superintendent Randy Seiler, South Dakota Dept. of Transportation Administration Program Manager Laurie Schultz and Local Government Engineer Doug Kinniburgh, and Rich Zacher, Custer Area Engineer, to discuss repair or replacement of a bridge at Igloo. The current safety rating of the bridge is 42 out of a possible rating of 100 and has a 12 ton weight limit. The estimate to replace the bridge is 1.1 million dollars. Discussion was held on possible repair or replacement options and other access routes, should the bridge be removed. The state will get cost estimates and return to the Board at a later date.

Motion by Cassens, seconded by Russell, to continue discussion of legal matters in Executive Session. With no further discussion and all voting yes, the motion carried and the

Board went into Executive Session at 2:19 PM.

The Board came out of Executive Session at 2:36 PM. Motion by Falkenburg, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:36 PM.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor