

FALL RIVER COUNTY MINUTES OF OCTOBER 4, 2012

The Fall River Board of County Commissioners met in regular session on October 4, 2012. Present: Mike Ortner, Joe Falkenburg, Anne Cassens, Joe Allen, Deb Russell 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 indicated.

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 Cassens, seconded by Falkenburg, to approve the minutes of September 20, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve the minutes of September 26, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to surplus to sell a Brother typewriter from the Auditor's Office, asset #01089, and surplus as junk a scanner from the Extension Office, asset #00970, and a monitor from Emergency Management, asset #01095. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to change the first meeting date in November, 2012, from the 1st to the 8th to allow for the canvass of the General Election. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to remove 34 buckets of asphalt sealer from surplus to allow for use on the courthouse parking lot. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to rescind the motion from September 20, 2012 which set the date to sell and lease county property and to re-schedule for 11:00 AM on November 15, 2012, as the time for the sale of county-owned property in Ardmore, a County Deed sale and leasing 240 acres of county property. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Cassens, to set 9:25 AM on October 18, 2012 as the time for supplement hearing and contingency transfers. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve hiring Cindy Peacock as a temporary Elections Clerk in the Auditor's Office at a rate of \$9.00 per hour, effective October 1, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to request the Deputy State's Attorney to attend a DENR hearing in Pierre on October 17, 2012. After a discussion of associated expenses, Falkenburg amended his motion to require the attendance if the cost would be less than \$500.00 and that a report could be presented to the Board during their October 18, 2012 meeting, which Russell seconded. With no further discussion and all voting yes, the motion carried.

Ortner obtained information from the Forest Service on operations dealing with oil and gas exploration, development and bonding by oil companies, which will be on file in the Auditor's Office. Cindy Brunson also presented documents referring to the hearing on proposed drilling.

Motion by Falkenburg, seconded by Allen, to appoint Russell as the Board representative on a committee to review Sick Bank applications. With no further discussion and all voting yes, the motion carried.

Stacey Martin, GIS, met with the Board to address issues concerning plats filed for subdivisions that include named roads not actually in existence at that time. Subsequent roads may be named with like names, creating confusion for emergency responders. Martin proposed a Resolution stating that the Board would not approve plats with named roads, but only named as public right-of-ways, to avoid duplication of road names. The Board asked Martin to work with the State's Attorney Office to determine whether an ordinance or resolution should be adopted and return to the Board for action. Ortner also noted that plats which are contiguous to city limits must be acted upon by both governing bodies, which is not currently happening. The City of Hot Springs is notifying surveyors of the need for approval by both the city and county.

Susie Hayes, Director of Equalization, met with the Board to provide information on a new software system for property valuations, including a comparison between the new program, Vanguard, and the current program, Marshall & Swift. Although Vanguard will cost \$3,301.00 more per year for the first three years of use and \$1,718.00 per year thereafter, Hayes provided information showing the increased efficiency of the program with regards to assessment time. Motion by Cassens, seconded by Russell, to approve Hayes proceeding with Vanguard and returning to the Board with a contract. With no further discussion and all voting yes, the motion carried.

Hayes also proposed converting registered mobile homes built in or before 1976 into real property. Doing so would save the county both time and money, as mobile homes would be treated like other real estate, eliminating the need for annual registration and the issuance of decals. 2013 property taxes would be billed and payable in 2014, as is done with other real

property. Motion by Cassens, seconded by Falkenburg, to approve converting mobile homes built in or before 1976 into real property. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, met with the Board to request the Board consider designating someone as the fire tender driver.

Motion by Falkenburg, seconded by Russell, to approve the 4th Quarter SLA, authorizing the chairman to sign. With no further discussion and all voting yes, the motion carried.

A State Executive Order, signed by the Governor on October 1, 2012, was presented. The order designates Fall River County as a "Red Zone" which will provide assistance with wildfire suppression activities.

Maynard, along with Sheriff Rich Mraz, discussed county vehicles that are aging or have high mileage, asking for guidance from the Board on vehicle replacement. Maynard was asked to research what is available through Federal Surplus.

Mraz and Maynard also reported on the Homeland Security meeting they attended in reference to federal grant funds. Out of the \$333,000 funds allotted to 9 counties in western SD, Fall River County was appropriated \$71,000 for a dispatch console upgrade and a mobile radio for Oelrichs Fire.

Cindy Brunson asked the Board about the mapping of 2012 fires and questioned the procedures and controls in place for detonation of old ammo near Provo. She asked the Board to request the allowance of input to the DENR and federal rules. Documents concerning the depot are supposed to be on file at the Edgemont Library, but are not. Ray Palmer noted there is no federal money for RC & D at this time in the federal budget.

The Board returned to the matter of a designated fire tender driver. Motion by Cassens, seconded by Russell, to exhaust the list of existing county employees first and authorize Maynard to develop a list of two individuals outside the employees that can then be called to serve as fire tender drivers. With no further discussion and all voting yes, the motion carried.

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

General Fund

Commissioners	September Salaries	\$3,461.09
Auditor's Office	September Salaries	\$18,094.79
And Additional Overtime Of		\$30.23
Treasurer's Office	September Salaries	\$5,327.05
And Additional Overtime Of		\$50.63
State's Attorney Office	September Salaries	\$5,808.78
And Additional Overtime Of		\$109.37

Maintenance	September Salaries	\$4,241.93
And Additional Overtime Of		\$25.62
Department Of Equalization	September Salaries	\$4,548.95
And Additional Overtime Of		\$3.96
Register Of Deeds Office	September Salaries	\$4,201.81
And Additional Overtime Of		\$4.71
Veterans Services Office	September Salaries	\$1,613.25
GIS	September Salaries	\$1,900.80
And Additional Overtime Of		\$19.13
Nurse's Office	September Salaries	\$2,023.92
And Additional Overtime Of		\$5.31
Sheriff's Office	September Salaries	\$20,321.12
And Additional Overtime Of		\$2,210.80
Jail	September Salaries	\$6,586.72
And Additional Overtime Of		\$1,110.65
Dispatch	September Salaries	\$9,242.99
And Additional Overtime Of		\$1,629.88
Coroner	September Salaries	\$141.52
County Extension Office	September Salaries	\$1,895.92
Weed Dept	September Salaries	\$2,079.89
Fidelity Sec. Life Ins Co	Ins	\$351.56
American Family Assurance	Ins	\$856.70
AT&T Teleconference	Telephone	\$7.37
Beesley Law Office	CAAF	\$139.40
Best Western Ramkota	Travel	\$770.00
Bingham, James	CAAF	\$2,234.60
BH Family Health Clinic	Inmate	\$276.00
Blue Cross/Blue Shield	Ins	\$57,377.96
Boston Mutual Life Ins Co	Ins	\$229.30
Cardmember Service	Misc	\$2,039.20
CBM Food Service	Supply	\$8,422.96
Century Business Leasing	Copier	\$569.68
Chemsearch	Repair	\$386.28
Credit Collection Bureau	Garnishment	\$133.00
D&R Enterprises	Paint	\$650.00
Dakota Leasing Company	Copier	\$190.00
Dale's Repair	Repair	\$475.98
Dataspec LLC	Software	\$399.00
Delta Dental Plan Of SD	Ins	\$3,089.70
Demersseman Jensen	CAAF	\$4,042.60
Support Pyt Clearinghouse	Child Support	\$572.50
Dept Of Social Services	Records	\$27.60
Eagle Enterprises LLC	Supply	\$320.00

Environ Services	Prof Ser	\$1,497.48
Executive Mgmt Finance	Bit	\$20.00
Falkenburg, Joe	Travel	\$187.96
Farrell, Farrell &	Contract	\$2,500.00
Farrell, Jane	Juror	\$10.74
FR County Treasurer	Fee	\$6.00
Glasshoff, Kayla	Court Rep	\$98.60
Great Western Tire	Car Maint; Repair	\$511.68
Gunderson, Palmer	Lawsuit	\$465.00
Hayes, Susie	Travel	\$205.36
Health 4 Life	Dues	\$120.00
High Plains Graphics	Supply	\$42.00
Hillyard Floor Care Supp	Supply	\$830.45
Hot Springs Ace Hardware	Supply; Repair	\$523.36
Hot Springs Automotive	Supply; Repair	\$99.62
City Of Hot Springs	Utility	\$288.73
Keizer, Brad	Travel	\$322.80
LIUNA Laborers Local 620	Dues	\$650.00
Marty's Auto Body	Car Maint	\$16.00
Massa Donald DDS	Inmate	\$139.00
Nationwide Retirement Sol	Dues	\$294.16
Nevada State Treasurer	Fee	\$4.00
New York Life Insurance	Ins	\$50.00
Nortons Sinclair	Repair	\$20.00
O'Day, Valarie	Court Rep	\$112.20
O'Neill, Justin	CAAF	\$1,031.65
Pamida Inc.	Inmate	\$101.93
Penn Co Jail	Inmate	\$315.00
Penn County Sheriff	Transport	\$826.80
Pizza Hut	Juror	\$80.00
Quill Corporation	Supply	\$808.88
Radioshack	Supply	\$54.97
Rapid City Journal (The)	Publishing	\$73.12
South Dakota State Treas	Sales Tax	\$355.01
SD Department Of Revenue	Inmate	\$525.00
SD Retirement System	Retirement	\$26,137.58
Servall	Supply	\$205.08
Sheraton Sioux Falls And	Travel	\$670.00
State Collection/Disburs	Child Supp	\$1,198.00
Summit Signs & Supply Inc	Repair	\$18.50
Temperature Technology	Repair	\$470.00
Tiger Direct	Supply	\$293.10
Tregreen Chemlawn	Lawn Care	\$37.50

Twilight Inc	Supply	\$1,407.05
211 Helpline	Allotment	\$1,500.00
US Bank	Copier	\$141.67
United Way Black Hills	Donation	\$65.00
Village Repair	Repair	\$600.00
Warne Chemical & Equip.	Supply	\$46.24
Wells Fargo Bank	941	\$59,614.10
Wyoming Child Support	Child Supp	\$1,100.00
Witnesses	Witness Fee	\$1,116.08
Jurors	Jury Fee	\$1,863.42
	GENERAL FUND TOTAL	\$289,923.03

Road & Bridge

County Road & Bridge Admin And Additional Overtime Of	September Salaries	\$5,365.63
County Road & Bridge Const And Additional Overtime Of	September Salaries	\$194.69
A & B Welding Supply Co.	September Salaries	\$20,347.69
Fidelity Sec. Life Ins Co	Supply	\$205.13
American Family Assurance	Supply	\$228.48
Black Hills Power Equip	Ins	\$61.20
Blue Cross/Blue Shield	Ins	\$1,044.32
Butler Machinery Co.	Repair	\$97.91
Cardmember Service	Ins	\$14,682.36
Cheyenne Sanitation	Repair; Supply	\$2,115.42
Delta Dental Plan Of SD	Misc	\$52.00
Eddies Truck Sales	Utility	\$74.00
Edgemont, City Of	Ins	\$894.60
Fall River Auto Supply	Repair	\$24.08
Flint Electric	Utility	\$36.30
Forward Distributing	Repair	\$87.89
Great Western Tire	Supply; Repair	\$79.55
Grimm's Pump Service Inc	Supply	\$156.80
Hot Springs Ace Hardware	Car Maint; Repair	\$625.87
Hot Springs Automotive	Repair	\$402.35
City Of Hot Springs	Supply; Repair	\$48.22
Ricoh USA Inc	Supply; Repair	\$2,036.01
Kimball Midwest	Utility	\$32.65
LIUNA Laborers Local 620	Copier	\$75.00
Lyle Signs	Supply	\$385.92
MG Oil	Dues	\$450.00
Nationwide Retirement Sol	Supply	\$220.37
Nelsons Oil & Gas Inc.	Supply	\$702.99
	Dues	\$147.06
	Fuel	\$28,092.06

New York Life Insurance	Ins	\$19.40
Nortons Sinclair	Repair	\$17.14
Quill Corporation	Supply	\$19.99
Rapid City Journal (The)	Publishing	\$11.56
Rapid Delivery	Repair	\$62.40
RDO Equipment Co	Equip	\$19,152.00
Rushmore Communications	Utility	\$225.00
Safety Kleen	Repair	\$106.00
SD Dept Of Transportation	Prof Ser	\$401.86
SD Retirement System	Retirement	\$8,249.28
Seiler, Randy	Travel	\$59.00
Sheraton Sioux Falls And	Travel	\$150.00
SD Supplement Retirement	Sup Retrmt	\$160.00
Titan Machinery	Repair	\$83.96
Wells Fargo Bank	941	\$16,450.80
	ROAD & BRIDGE TOTAL	\$124,134.94

911

911	SEPTEMBER SALARIES	\$1,199.43
And Additional Overtime Of		\$262.56
Blue Cross/Blue Shield	Ins	\$667.38
Delta Dental Plan Of SD	Ins	\$35.24
Powerphone Inc	Training	\$4,277.00
SD Retirement System	Retirement	\$360.88
Timmins, Andreas	Travel	\$10.20
Wells Fargo Bank	941	\$658.26
	911 REIMBUR. TOTAL	\$7,470.95

Emergency Mgt

Emergency Management	September Salaries	\$3,886.90
And Additional Overtime Of		\$262.56
Blue Cross/Blue Shield	Ins	\$667.38
Cardmember Service	Misc	\$52.98
Delta Dental Plan Of SD	Ins	\$35.26
Grafix Shoppe	Veh Maint	\$88.00
Hot Springs Automotive	Supply; Repair	\$93.67
Nortons Sinclair	Repair	\$50.00
Pamida Inc.	Inmate	\$3.82
RDJ Specialties Inc	Supply	\$78.59
SDEMA	Reg	\$80.00
SD Retirement System	Retirement	\$1,238.28
Timmins, Andreas	Travel	\$66.00
Wells Fargo Bank	941	\$2,715.56

	Emergency Mgmt Total	\$9,319.00
L.E.P.C. Grant		
HSR Fueling LLC	Fuel	\$128.06
Pudwill, Norman	LEPC	\$60.00
Bastian, Tracy	LEPC	\$100.00
	L.E.P.C. Grant Total	\$288.06
Fire Protection Fund		
Great Western Tire	Car Maint; Repair	\$402.80
	Fire Prot. Fund Total	\$402.80
24/7 Sobriety Fund		
24/7 Sobriety Fund	September Salaries	\$1,975.09
Intoximeters	Supply	\$960.00
Wells Fargo Bank	941	\$1,158.76
	24/7 Total	\$4,093.85
Law Library		
Matthew Bender & Co Inc	Supply	\$70.89
	Law Library Total	\$70.89
	Grand Total	\$435,703.52

Carl Neisner, Building Superintendent, asked the Board for approval to purchase halogen light fixtures to replace existing lights outside the jail. Motion by Allen, seconded by Cassens, to approve the purchase of four halogen lights for the jail at a cost of \$339.92. With no further discussion and all voting yes, the motion carried.

The purchase of a snow blower and tree trimming on the embankment behind the jail was discussed; Neisner will look at the remaining 2012 budget and return to the Board on October 18, 2012.

Randy Seiler, Highway Superintendent, presented transfers for approval. Motion by Falkenburg, seconded by Russell, to approve transfers to reimburse the Highway Department for fuel used from August 30, 2012 through September 26, 2012 in the following amounts: Sheriff's Office, \$2,557.45; Weed Board, \$210.28; Courthouse, \$712.56; and for work done for the Courthouse, \$1,074.43, for Emergency Management, \$392.82 and for the Emergency Management Fire Fund, \$359.08.

Seiler requested a water pump be designated as surplus. Motion by Russell, seconded by Allen, to surplus as junk a Mack Aqua portable water pump. With no further discussion and all voting yes, the motion carried.

Seiler updated the Board on mowing and discussion was held on the possibility of spot-grading road areas in need. Seiler noted he had received chips to mix with rock and sand from SD DOT projects. Two bridges in the Igloo area were discussed and Seiler asked if the Board would consider building roads to bypass the bridges rather than repair the structures. Ortnier will contact the Railroad Chairman to see if roads would be prohibited; Seiler will draft a letter for Ortnier to send to the State DOT confirming that the County would not object to the building of roads rather than bridges in the Igloo area. Brunson asked that landowners have input on the bridges by Igloo, asking that the County put in a request with the State for the bridge project.

Motion by Cassens, seconded by Allen, to remove roads from the Primary Road system and add them to the Secondary Road system as follows, authorizing the Chairman to sign. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-40
RESOLUTION TO DELETE/ADD ROADS

WHEREAS, Fall River County would like to modify its Highway System to **delete** the below referenced roads from the Primary Road System and **add** these roads to the Fall River County Secondary Road System to utilize available funds restricted to Secondary Roads.

WHEREAS, the changes in Fall River County's Highway System are in accordance with the South Dakota Department of Transportation's "Policy and Procedures for County Highway System Revisions" adopted 2/12/92 and SDCL 31-12-2.

THEREFORE, BE IT RESOLVED, by the Fall River County Board of Commissioners that the following changes be made to the Fall River County Highway System:

DELETE:

(70 Miles of Roads from the Primary Road System)

County Road # 18S (Old Highway 18) 12 Miles

County Road # 11 (Rocky Ford Road) 8.5 Miles

County Road # 20 (Black Banks Road) 11 Miles

County Road # 3 (5.5 Miles Slim Buttes Rd and 12 Miles Chadron Rd)..... 17.5 Miles

County Road # 4 (Hard Scrabble Rd) 9 Miles

And

County Road # 1 (Smithwick Rd) 12 Miles

(from the intersection of County Roads # 1(Smithwick Rd) and #2(North Butte Rd) East of Smithwick)

ADD:

(70 Miles of Roads To the Secondary Road System)

County Road # 18S (Old Highway 18) 12 Miles

County Road # 11S (Rocky Ford Road) 8.5 Miles

County Road # 20S (Black Banks Road)..... 11 Miles

County Road # 3S (5.5 Miles Slim Buttes Rd and 12 Miles Chadron Rd).... 17.5 Miles

County Road # 4S (Hard Scrabble Rd) 9 Miles

And

County Road # 1E (Smithwick Rd) 12 Miles

(from the intersection of County Roads # 1(Smithwick Rd) and #2(North Butte Rd) East of Smithwick)

Motion by Cassens and seconded by Allen to approve the preceding resolution.

Motion was approved by a vote of Yeas 5 Nays 0.

Dated this 4th day of October, 2012.

Attest:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

/s/ Michael P. Ortner

Michael P. Ortner, Chairman
Board of County Commissioners

During public comment, Maynard reported a new oil well on Highway 8, also known as Fiddle Creek Road. Hayes discussed the assessment of oil well casings. Brunson suggested the county document road conditions with pictures, lower the speed limits and enforce them to help prevent excessive road wear by railroad or oil exploration vehicles. Curt Nettinga encouraged the county to consider front wheel drive in their search for an additional county vehicle.

Motion by Russell, seconded by Allen, to enter into Executive Session for legal and personnel matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session with the Deputy State's Attorney at 10:48 AM.

The Board came out of Executive Session at 11:07 AM. Motion by Cassens, seconded by Allen, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:07AM.

/s/Michael P. Ortner

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

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor