

FALL RIVER COUNTY MINUTES OF NOVEMBER 20, 2014

The Fall River Board of County Commissioners met in regular session on November 20, 2014. Present: Joe Falkenburg, Mike Ortner, Deb Russell, and Sue Ganje, Auditor. Absent: Anne Cassens and Joe Allen.

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 Russell, seconded by Falkenburg, to approve the minutes of the November 6, 2014 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to advertise for letters of interest regarding a vacancy on the Fall River Housing and Redevelopment Board, setting Dec. 18, 2014 at 9:50 AM as the time to open submissions. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve and place on file the September, 2014 General Fund Surplus Analysis as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY GENERAL FUND SURPLUS ANALYSIS
DATE: SEPTEMBER 30, 2014**

The amount of General Fund dollars that counties can retain as surplus is restricted by SDCL 7-21-18.1, which states: "The total unreserved, undesignated fund balance of the general fund may not exceed forty percent of the total amount of all general fund appropriations contained in the budget for the next fiscal year. The total unreserved, undesignated fund balance of the general fund of the county as of March thirty-first and September thirtieth shall be published in the minutes of the proceedings of the board of county commissioners and reported to the Department of Legislative Audit. The report shall be on forms prescribed by the Department of Legislative Audit."

The following analysis should be completed as of March thirty-first and September thirtieth of each year. Thereafter, the unreserved, undesignated fund balance amount should be published in the minutes of the governing board. This analysis should also be filed with the Department of Legislative Audit.

ASSETS:

10100	Cash	<u>1,775,046.17</u>
10800	Taxes Receivable--Current	<u>1,070,894.36</u>
11000	Taxes Receivable--Delinquent	<u>7,541.05</u>

TOTAL ASSETS		<u><u>2,853,481.58</u></u>
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LIABILITIES AND EQUITY:

22400	Deferred Revenue	<u>1,078,435.41</u>
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FUND BALANCES:

27500	Committed (list)	
	Bridge #24-135113	<u>50,000.00</u>

27600	Assigned (one of the following)	
	March - 3/4 of the current year	
	September - 1/4 of current year + subsequent year	<u>489,222.00</u>

27700	Unassigned	<u>1,235,824.17</u>
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TOTAL LIABILITIES AND EQUITY		<u><u>2,853,481.58</u></u>
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Following Year's General Fund Budget (use current year for March analysis)	<u>3,627,290.00</u>
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The unassigned fund balance, account 27700, divided by the following year's General Fund budget resulting in the fund balance percentage	<u>34.07%</u>
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Jim Sword, State's Attorney, met with the Board regarding a billing from the Rapid City Police Department, explaining that these are expenses from the Highway patrol for local arrests, and that restitution will repay the county.

Motion by Falkenburg, seconded by Russell, to accept with regrets the resignation letter of Pat Logue, who is retiring at the end of the year. With no further discussion and all voting yes, the motion carried.

Dan Cullen, Veterans services Officer, sought approval to purchase equipment. Motion by Russell, seconded by Falkenburg, to approve \$639.00 for the purchase of a computer. With no further discussion and all voting yes, the motion carried.

Cullen also asked for leave approval. Motion by Falkenburg, seconded by Russell, to approve three days of leave without pay for VSO Dan Cullen. With no further discussion and all voting yes, the motion carried.

Cullen informed the Board he has volunteered to assist in coordinating a blood drive for Dec. 5, 2014.

Clinton Andersen, Andersen Engineering, presented plats for approval. Motion by Falkenburg, seconded by Russell, to approve the plat of Tract T, U, V, WR and YR as follows.

With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-32

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract T, U, V, WR and YR containing all Tracts W and Y, and a portion of SW ¼ NE ¼ of Section 27, 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 20th day of November, 2014.

/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 Russell, to approve the plat of Lots 1, 2 and 3 of Hills Tract as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-33

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Lots 1, 2 and 3 of Hills Tract located in the S ½ NW ¼ and the NW ¼ NW ¼ of Section 14, 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 20th day of November, 2014.

/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 Russell, to approve the plat of Kerr Tract as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-34

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Kerr Tract containing that portion of the W ½ NE ¼ NE ¼ lying

west of Tract G-3 revised and Tract G-2 and lying east of Hot Brook Canyon Road, Section 15, 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 20th day of November, 2014.

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Frank Maynard, Emergency Management, presented an estimate for the Board's review. Motion by Russell, seconded by Falkenburg, to approve approximately \$1,500.00 for the purchase of a new light bar for the new EM pick up. With no further discussion and all voting yes, the motion carried.

Maynard updated the Board on the PDM, bridges being replaced by the BNSF Railroad and reported on a workshop conducted by Safety Benefits. Bids submitted for the truck formerly used for the repeater on Ball Ranch were reviewed, which were \$10.00 from Richard Ball and \$108.00 from Gary Dinkel. Motion by Falkenburg, seconded by Russell to approve the \$108.00 bid from Gary Dinkel as the high bid for the Ball Ranch repeater truck. With no further discussion and all voting yes, the motion carried.

Department supervisors met with the Board to consider closing the courthouse on Friday, Dec. 26, 2014 as city and state offices will be closed, which will limit services available to patrons. Ortnor and Falkenburg stated the Board doesn't have authority to grant additional holidays, per the Union contract.

Treasurer Kelli Rhoe presented a quote for pre-sorting and mailing the 2015 tax notices, which will save \$496.00 in postage costs and the staff time associated with preparing the mailing. Motion by Falkenburg, seconded by Russell, to approve \$5,758.00 to out-source mailing the 2015 tax notices. With no further discussion and all voting yes, the motion carried.

Rhoe sought approval for staff changes. Motion by Russell, seconded by Falkenburg, to approve reclassifying Peggy Burg to part-time and Denise Warford to full-time, both effective Nov. 17, 2014. With no further discussion and all voting yes, the motion carried.

Lyle Jensen, Building Superintendent, presented a quote for rock removal. Motion by Falkenburg, seconded by Russell, to approve \$600.00 for Rod Reynolds to remove rock from the

bluff along the north parking lot. With no further discussion and all voting yes, the motion carried.

Jensen reported that David Lund has begun working through the Experience Works program.

Randy Seiler, Highway Superintendent, asked the Board to surplus equipment. Motion by Falkenburg, seconded by Russell, to surplus a 2009 140M motorgrader, serial #PB9M00810, and advertise it for sale, including in the Machinery Trader. With no further discussion and all voting yes, the motion carried.

Choosing appraisers for the motorgrader was discussed; Seiler stated some counties have the commissioners appraise items. Motion by Russell, seconded by Ortner, to set 10:10 on Jan. 15, 2015 as the time to open bids on the motorgrader and to appoint Tom Conger, Steve Simunek and Falkenburg as the appraisers. With no further discussion and all voting yes, the motion carried.

Discussion was held on weekend snow removal and the related matters of the difficulty in knowing which roads are blocked, wind drifting and providing safe, timely access for travel to schools. All agreed on the need for better communication of roads needing attention and Seiler obtaining approval from commissioners for overtime work for future incidents and agreed to continue to work with schools.

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

General Fund

A&B Business Equipment	Copier	\$539.23
Audra Malcomb Consulting	MI	\$623.28
A'viands LLC	Inmate	\$7,707.50
Abbott, Ruth	Election	\$105.00
Beesley Law Office	CAAF	\$1,827.00
Biegler, Greg LPC CCCII	Detox	\$75.00
Bingham, James	CAAF	\$4,093.35
Bloomer, Jerry	Election	\$38.06
Bogner, John	Travel	\$182.04
Campbell County Sheriff	Paper Serv	\$50.00
Cardmember Service	Misc	\$1,915.92
Century Business Leasing	Copier	\$280.11
Clinical Laboratory	Autopsy	\$4,071.00
Conger, Lesta	Election	\$105.00
Crazy Horse Composite	Allotment	\$425.00
Culligan Soft Water	Water	\$105.75
Dale's Repair	Car Maint	\$109.00

Davis, Kathy Rpr	Transcript	\$87.40
Dean Schaefer Court Rep	Crt Rep	\$30.00
DeMersseman Jensen	CAAF	\$2,202.25
Edgemont Herald Tribune	Publishing	\$1,280.95
Falkenburg, Joe	Travel	\$76.96
Golden West Technologies	911	\$811.43
Golden West	Telephone	\$1,794.53
Silvernail, Julie	Elec	\$48.93
Greenough, Heath	Travel	\$53.28
Hageman, Wayne	Travel	\$4.44
High Plains Graphics	Supply	\$7.50
Keizer, Brad	Travel	\$264.55
McLeods Office Supply Co.	Supply	\$142.40
Medical Waste Transport	10-27; #57905	\$99.02
Microfilm Imaging Systems	Lease	\$185.00
Neve's Uniform Inc	Uniform	\$79.90
Sonnell Technologies	Testimony	\$291.40
O'Neill, Justin	CAAF	\$1,852.24
Penn County Sheriff	Inmate	\$5,731.80
Powerphone Inc	Training	\$387.00
Radioshack	Supply	\$6.98
Rapid City Journal	Publishing	\$640.89
Rapid City Police Dept	10-31; #114-000400	\$280.00
Rapid City Regional	MI	\$724.10
Regional Pharmacy	Inmate	\$6.00
SD Department Of Revenue	Inmate	\$140.00
Servall	Supply	\$127.47
Software Services Inc	Support	\$680.00
Spitzer, Kristi	Travel	\$32.00
State Remittance Center	Misc	\$3,105.91
Stevens Plumbing	Labor	\$225.51
Theilmann, Laurie	Election	\$41.68
Twilight Inc	Supply	\$131.45
United States Postal Serv	Postage	\$1,432.73
Waxler, Mary Sue	Election	\$21.75
Sides, John	Travel	\$177.60
Yankton Co Treasurer	MI	\$110.00
Sharp, Barbara	Election	\$21.75
Schroeder, Gwendolyn	Election	\$25.37
Mason, Frank	Election	\$53.50
Fraune, Rita Ann	Election	\$53.50
Coates, Virginia	Election	\$105.00
Evangelista, Jill	Election	\$105.00

Pannill, Michael	Election	\$25.37
Burt, Janice	Election	\$25.37
O'Neill, Gloria	Election	\$25.37
Schroeder, Darwin	Election	\$21.75
Palmer, June	Election	\$105.00
Howard, Joan	Election	\$120.00
Varick, Casey	Election	\$105.00
Wyatt, Jerry	Travel	\$264.18
Garrison, Donald	Election	\$105.00
Birkholt, Frances	Election	\$120.00
Andersen, Donald J	Election	\$120.00
Dinkel, Trayce	Election	\$229.25
Kluender, Linda	Election	\$91.87
Bowker, Roberta	Election	\$120.00
Horton, Shirley	Election	\$139.61
Kunsman, Pauline	Election	\$120.00
Neugebauer, Janice	Election	\$120.00
Burrows, Mary	Election	\$105.00
Stearns, Flora	Election	\$120.00
Purtill, David	Election	\$14.50
March, Karen	Election	\$38.06
Stokes, Frances	Election	\$105.00
Cassens, Anne	Travel	\$293.40
Merkel, Gary	Election	\$36.25
Pannill, Audrey	Election	\$105.00
Rankin, Linda	Election	\$120.00
Salles, Violet	Election	\$120.00
Anderson, Pam J.	Election	\$120.00
Batchelor, Laura Ann	Election	\$105.00
Spillane, Christa	Election	\$120.00
Brown, Leona	Election	\$105.00
Britton, Charles	Labor; Elec	\$72.50
Hansen, Judy	Election	\$120.00
Emick, Diane	Election	\$120.00
Frahm, Debra	Election	\$105.00
Ferley, Leann	Election	\$105.00
Janis, Bobbie	Election	\$10.87
Landers, Bernice	Election	\$120.00
Landers, David	Election	\$120.00
McDermid, Ann	Election	\$120.00
Mitchard, Arlene	Election	\$120.00
Mowry, Lana	Election	\$120.00
Peterson, Wayne	Election	\$120.00

Reed, Cynthia	Election	\$105.00
Sanders, Peggy	Election	\$120.00
Taylor, Yvonne	Election	\$120.00
Martin, Miriam	Election	\$120.00
Craft, Jean	Election	\$105.00
Jackson, Marcia	Election	\$120.00
Park, Sally	Election	\$120.00
	General Fund Total	\$51,359.76

County Road & Bridge

B H Electric Coop Inc.	Utility	\$24.00
Cardmember Service	Misc	\$90.96
Edgemont Herald Tribune	Publishing	\$77.60
Golden West	Telephone	\$258.38
McGas	Propane	\$1,272.00
Rapid City Journal	Publishing	\$9.59
	Co Rd & Brdg Total	\$1,732.53

911 Surcharge Reimb

Cardmember Service	Misc	\$534.48
Golden West Technologies	911	\$697.51
Golden West	Telephone	\$51.60
Century Link	Telephone	\$1,270.12
Rushmore Communications	Labor; Supply	\$1,798.00
	911 Surchg Reimb Total	\$4,351.71

Title III National Forest

Britton, Charles	Labor; Elec	\$90.00
	Title III Ntnl Forest Total	\$90.00

M & P Relief

Microfilm Imaging Systems	Lease	\$145.00
	M & P Relief Total	\$145.00

Emergency Mgt

Batteries Plus #76	Supply	\$16.69
Cardmember Service	Misc	\$161.21
Golden West	Telephone	\$119.22
Grafix Shoppe	Car Maint	\$469.51
Rushmore Communications	Labor; Supply	\$110.00
	Emergency Mgt Total	\$876.63

	Total Paid	\$58,555.63
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A break was taken at 10:03 AM. The meeting resumed at 10:10 AM with public comment. Scott Davis presented a proposal to create a county constable office, which will be on the Dec. 4, 2014 agenda for discussion. Ed Harvey voiced approval of the move to the courtroom for Board meetings, but asked that the microphones be utilized.

Cassens joined the meeting via teleconference.

Rhoe presented a delinquent tax agreement for consideration. Motion by Falkenburg, seconded by Cassens to approve a delinquent tax agreement for Joseph Mower of \$500.00 payments per month for taxes totaling \$7,122.12 on parcel 75480-00300-00200. With no further discussion and all voting yes on a roll call vote, the motion carried.

Sheriff Rich Mraz presented a transport and jail census report; and reported receiving notification from the Attorney General's office that a \$16,500.00 grant for 2015 has been awarded.

A hearing on supplements and contingency transfers was held as advertised. Motion by Falkenburg, seconded by Russell, to approve the following resolution. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-35
Supplemental Budget 2014, #5
Contingency Transfers, #4

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget and whereas, due and legal notice has been given, the following Supplemental Budget to the Calendar Year to the following fund (expenses): Title III, \$5,500.00. The Means of Finance will be Cash Balance; and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted as follows to the General Fund: Judicial, witness and fees, \$8,100.00; Treasurer, supplies, \$1,000.00; Data Processing, computer support, \$140.00; Court Appointed Attorney fund, \$43,000.00; Abuse and Neglect, \$600.00; IT Software, \$1,700.00; Autopsies, \$5,400.00; Mental Handicap (Detox), \$5,700.00; and 911: 911 Surcharge, \$4,400.00; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget #5 and Contingency Transfer #4 for 2014.

Dated at Fall River County, South Dakota this 20th day of November, 2014.

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

ATTEST:
/s/ Sue Ganje
Sue Ganje, Fall River County Auditor

Cassens ended her participation via teleconference at 10:56 AM.

Motion by Falkenburg, seconded by Russell, to enter into Executive Session for personnel and legal matters, per SDCL 1-25-2(1) and (3). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 10:57 AM.

The Board came out of Executive Session at 11:14 AM.

Trisha Hair met with the Board to discuss a delinquent tax deed agreement; it will be addressed at the next meeting. Motion by Russell, seconded by Falkenburg, to adjourn. With no further discussion and all voting yes, the motion carried and the meeting adjourned at 11:26 AM.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor