

FALL RIVER COUNTY MINUTES OF DECEMBER 18, 2014

The Fall River Board of County Commissioners met in regular session on December 18, 2014. Present: Joe Allen, Anne Cassens, Joe Falkenburg, Mike Ortner, Deb Russell, and Sue Ganje, Auditor. Absent: none.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM. Ortner reported on legislation that would fully fund PILT monies and discussed the use of electronic monitoring of juveniles, which could provide substantial savings to the county. Ortner suggested sending a letter of support for the program to the Judges, State's Attorney and Sheriff Offices.

The agenda was reviewed for conflicts; none were noted. Motion by Falkenburg, seconded by Cassens, 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 the November 20, 2014 meeting. With no further discussion and all voting yes, the motion carried.

An applicant for assistance met with the Board. Motion by Cassens, seconded by Allen, to approve \$364.00 in rent assistance, with a repayment plan, for CP #2014-31. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve Michele Jensen transferring from the Auditor's Office to the Sheriff's Office, effective Dec. 31, 2014. With no further discussion and all voting yes, the motion carried.

The need for a sign-in sheet at commission meetings was discussed. Motion by Cassens, seconded by Russell, to approve the use of a sign-in sheet at commission meetings to document discussions for grant reports. With no further discussion, Allen voting no and all others voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, to approve travel for Ortner to attend the NACO Legislative Conference in Washington, DC on Feb. 20-25, 2015. With no further discussion and all voting yes, the motion carried.

Ortner reported on a meeting of the Black Hills Association, held Dec. 17, 2014 that he, Allen and Russell attended.

Discussion was held on 4-H / Youth Advisers that serve smaller counties and concerns that providing services to multiple counties may lead to quicker staff burn-out.

Motion by Falkenburg, seconded by Russell, to set 9:10 AM on Dec. 30, 2014 as the time for a hearing on supplements, contingency and cash transfers. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to appoint Vince Logue and JoAnn Norton as Deputy Coroners, effective immediately. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to authorize the chairman to sign the 2015 agreement between the county and the SD Dept. of Health. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to surplus to sell asset #1265, a desk and #0210, a file cabinet, both from the Extension Office. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve allowing commissioners on the county Delta Dental plan, providing they pay half the cost of the premium. With no further discussion, Russell abstaining and all others voting yes, the motion carried.

As Brad Keizer, 4-H / Youth Adviser, was not in attendance, discussion on his job evaluation was deferred until the Dec. 30, 2014 meeting.

Motion by Cassens, seconded by Allen, to approve leave without pay for Veterans Services Officer Dan Cullen on Dec. 26, 2014 and Jan. 5-7, 2015. With no further discussion and all voting yes, the motion carried.

Cullen also presented his quarterly report, which noted a substantial increase in award numbers and dollar amounts.

Lyle Jensen, Building Superintendent, presented a proposal from Golden West that would save the county almost \$14,000.00 on a phone system scheduled for installation in 2015. Motion by Cassens, seconded by Falkenburg, to approve paying \$20,000.00 from the 2014 budget to Golden West for the new phone system, with the reduced balance paid in 2015. With no further discussion and all voting yes, the motion carried.

Jensen asked the Board to consider establishing a reserve in the building fund. Motion by Cassens, seconded by Russell, to establish a reserve of \$40,000.00 in 2015 for future heating and AC needs in the Building Capital Outlay fund. With no further discussion and all voting yes, the motion carried.

Holding a silent auction of surplus items was discussed. A date will be set in January and notice published; county employees will be able to bid on items.

A \$4,895.00 quote for a new snowplow and installation was discussed. No action was taken.

The Board considered a request to close county offices on Dec. 26, the Friday after Christmas Day, as federal, state and city offices are closed. No action was taken.

Sheriff Rich Mraz presented the jail transport statistics for November and asked for approval to purchase vehicles. Motion by Falkenburg, seconded by Allen, to approve purchase off state bids of a Chevy Tahoe at \$31,424.00 and a Dodge 1500 Pickup at \$24,199.00. With no further discussion and all voting yes, the motion carried.

Mraz reported on damages sustained to two department vehicles that were involved in an accident while reporting to a call. Additionally, the 2008 Crown Victoria will no longer be used, which will be sold by auction. Falkenburg suggested investigating the use of body cameras for officers.

Hire approval was sought. Motion by Falkenburg, seconded by Russell, to approve hiring Amanda Balgheim as a dispatcher at \$10.50 per hour, per Union contract, effective Dec. 21, 2014. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve hiring Francine Parker and Wade Lockhart as jailers at \$11.50 per hour, per Union contract, effective Dec. 21, 2014. With no further discussion and all voting yes, the motion carried.

Health care for jail inmates was discussed. Motion by Falkenburg, seconded by Cassens, to authorize the use of Fall River Health Clinic as the primary source of health care for inmates for the remainder of 2014 and that Tina Norton serve as an on-call nurse at a rate of \$1,000.00 per month, to be pro-rated for Dec. 21 – 31, 2014. With no further discussion and all voting yes, the motion carried.

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

General Fund

Anoka County	Copies	\$16.00
Applied Concepts Inc	Equipment	\$85.60
Audra Malcomb Consulting	MI	\$920.32
A'viands LLC	Inmate	\$5,570.00
A-Z Shredding Inc	Shredding	\$85.65
Black Hills Chemical	Supplies	\$364.73
Brookside Apts.	Assistance	\$364.00
Cardmember Service	Misc	\$751.00
Century Business Leasing	Copier	\$358.09
Cheyenne Sanitation	Utility	\$280.00

Clinical Laboratory Of	Autopsy	\$1,694.00
Culligan Soft Water	Water	\$105.75
Cumming County Sheriff	Paper Serv.	\$28.62
Custom Micro Inc	License	\$11,000.00
Dakota Business Center	Supply	\$555.28
Dakota Leasing Company	#In121014-01	\$310.00
Dale's Repair	Car Maint	\$131.76
Dell Marketing	Equip	\$639.00
DeMersseman Jensen	CAAF	\$1,070.20
Edgemont Herald Tribune	Publishing	\$555.96
Election Systems & Soft	Supplies	\$2,662.25
Eng, John C.	Grant	\$689.00
Falkenburg, Joe	Travel	\$76.96
Fall River Clinic	Inmate	\$190.00
Fall River Health	Inmate	\$880.41
Fox, Youngberg & Lewno PC	MI	\$172.62
Golden West	Telephone	\$1,795.73
Great Western Tire	1-GS451663/Tires	\$463.12
High Plains Graphics	Supply	\$32.45
Hills Edge Auto Sales	Repairs	\$900.00
Hot Springs Ambulance	Inmate	\$253.04
City Of Hot Springs	Sprinkler	\$24.00
Johnson, Clyde	Grant	\$39.99
Keizer, Brad	Travel	\$98.79
Manlove Psychiatry Group	Inmate	\$83.33
Meridian IT Inc	Maint	\$3,320.40
Mobile311 LLC	Contract	\$200.00
Murphy Law Office Pc	CAAF	\$114.08
Neve's Uniform Inc	Uniform	\$26.95
Nortons Sinclair	Car Maint	\$1,040.46
O'Day, Valarie	Crt Rep	\$271.40
O'Neill, Justin	CAAF	\$3,708.92
Penn County Sheriff	Inmate	\$11,677.40
Pete Lien & Sons Inc	Grant	\$1,025.00
Pheasantland Industries	Supply	\$36.69
Prochem	Spraying	\$640.00
Radioshack	Supply	\$91.19
Rapid City Regional	MI	\$306.58
Redetzke, Martha	Grant	\$42.50
Regional Pharmacy	Inmate	\$3,732.65
Regional Pharmacy	Inmate	\$231.14
Rod's Excavating	Repairs	\$724.49
Schnose, Kim	Grant	\$623.50

SD Department Of Revenue	Inmate	\$105.00
SD State Attorney Assoc	Dues	\$803.00
Servall	Supply	\$127.47
Skinner, Matthew L. PC	CAA	\$1,625.07
State Remittance Center	MI; Autos	\$197.30
Stevens Plumbing	Repair	\$219.76
Tailored Solutions Corp	License	\$5,900.00
Whiting, Hagg,Hagg	CAAF	\$624.97
Frahm, Orval	Grant	\$681.50
Dunbar, Dave	Grant	\$931.00
Sides, John	Grant	\$1,121.09
Behrens, Donna	Travel	\$24.05
Palmer, Curt	Grant	\$130.50
Cameron, Jack	Grant	\$381.80
Cape, Dean	Grant	\$2,422.01
Tubbs, Mark	Grant	\$300.00
Witness	Fee	\$214.37
Stiver, Marshal	Grant	\$346.00
Anderson, Keith	Grant	\$350.00
	General Fund Total	\$77,565.89

County Road & Bridge

Black Hills Electric	Utility	\$22.79
Cheyenne Sanitation	Utility	\$74.00
Edgemont Herald Tribune	Publishing	\$105.89
FR County Highway Dept.	Petty Cash	\$20.00
Golden West	Telephone	\$267.27
	Co Rd & Brdg Total	\$489.95

911 Surcharge Reimb

Golden West	Telephone	\$41.65
Century Link	911	\$5.79
Century Link	911	\$629.47
Rushmore Communications	Radio; 911	\$26,396.57
	911 Srchg Reimb Total	\$27,073.48

Fire Protection Fund

Oral Fire Dept	Budget	\$1,000.00
	Fire Protection Fund Total	\$1,000.00

Title III National Forest

Black Hills Land Analysis	Contract	\$4,749.00
	Title III Ntnl Forest Total	\$4,749.00

Emergency Mgt

Cardmember Service	Misc	\$177.69
Danko Emergency Equipment	HLS Grant	\$7,490.24
Federal Signal Corp	Siren	\$13,507.00
Flint Electric	HLS Grant	\$1,004.54
Glass Pro +	Maint	\$80.00
Golden West	Telephone	\$116.83
Rushmore Communications	Radio; 911	\$110.00
	Emergency Mgt Total	\$22,486.30

Cheyenne Weed Grant

Van Diest Supply	Grant	\$10,657.40
	Cheyenne Weed Grant Total	\$10,657.40

Horse Head Weed Grant III

Cass, Veda	Grant	\$237.00
Romey, Gary	Grant	\$585.00
Sanders, Carl	Grant	\$85.00
Henry, Gale	Grant	\$603.95
Ash, Ken	Grant	\$1,195.00
Johnson, John	Grant	\$413.33
Porter, T	Grant	\$262.50
Stearns, Jerry	Grant	\$2,572.50
Tepaske, John	Grant	\$1,722.00
	Horse Head Weed Grant III Total	\$7,676.28

24/7 Sobriety Fund

Gen Diagnostics Inc	Supply	\$958.50
	24/7 Sobriety Fund Total	\$958.50

Courthouse Building Fund

Tem-Tech	Bldg	\$1,963.00
	Courthouse Bldg Fund Total	\$1,963.00

Total Paid **\$154,619.80**

Letters of interest for a board vacancy were reviewed. Motion by Cassens, seconded by Allen, to approve appointing Terry Slagel to the Fall River Housing and Redevelopment Board, for a five-year term commencing January, 2015. With no further discussion and all voting yes, the motion carried.

Randy Seiler, Highway Superintendent, presented fuel quotes.

	8,000 gal. 50/50 Blend Diesel
Nelson's	\$2.74 / gal.
MG Oil	no bid
PJ's	no bid

Motion by Falkenburg, seconded by Cassens, to approve \$2.74 per gallon for 50/50 blend diesel from Nelson's as the only bid. With no further discussion and all voting yes, the motion carried.

Seiler reported that Kelly Simunek expects to complete gravel crushing by the end of the year and sought approval for additional gravel. Motion by Cassens, seconded by Falkenburg, to approve 3,000 additional tons of crushed gravel at the bid rate of \$4.00 per ton. With no further discussion and all voting yes, the motion carried.

Seiler discussed an approach by Smithwick and reported that the State's Attorney advised it be left as is. Cassens recommended talking to the landowner to see if he would allow the county to remove the approach.

Motion by Falkenburg, seconded by Russell, to approve hiring Brian Pangburn as a truck driver / heavy equipment operator at a rate of \$14.05, per Union contract, effective Dec. 29, 2014. With no further discussion and all voting yes, the motion carried.

A break was taken at 10:28 AM. The meeting resumed at 10:35 AM with public comment. Scott Davis revisited his county constable proposal and Susan Henderson discussed the declining water levels in the Ogallala Aquifer; transport of crude oil by trains without the tools to deal with incidents; and other issues with the railroad that she has been unable to get resolved.

Treasurer Kelli Rhoe and Director of Equalization Susie Hayes met with the Board to discuss a 2007 delinquent tax bill for Scott Martin on 38 acres, which was sold to two parties in 2007, but was not paid. Closing papers indicated the tax amount was prorated to the buyers; Hayes and Rhoe asked the Board for direction in collecting property taxes and any applicable interest fees. Motion by Falkenburg, seconded by Allen, to collect the 2007 partial amounts due on parent parcel #110000070515220, forgiving any interest. With no further discussion and all voting yes, the motion carried.

Brad Keizer, 4-H / Youth Adviser presented his 2014 fourth quarter report.

A hearing on supplements, contingency and cash transfers was held at 10:55 AM as advertised. Motion by Cassens, seconded by Russell, to approve the following supplements, contingency and cash transfers as indicated. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-38
Supplemental Budget 2014, #6
Contingency Transfers, #5
Cash Transfer #2

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 funds (expenses): Dept. of Equalization, \$976.20, lease buy-out; HHI Weed, \$7,676.28, Weed grant; Jail, \$54,300.00, utilities, repairs, maintenance and transport; 911 Surcharge Fund, \$42,550.00, equipment; and the Title III Fund, \$6,745.00, storage building. 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, \$507.00; professional services, \$14,600.00; computer support, \$680.00; Court Appointed Attorney fund, \$14,650.00; IT Software, \$800.00; Autopsies, \$2,450.00; and Mental Handicap (Detox), \$2,110.00; and

WHEREAS, the Board of County Commissioners has budgeted a Cash transfer from the General Fund to Emergency Management Fund in the amount of \$34,000.00.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #5, Contingency Transfer #4 and Cash Transfer #2 for 2014.

Dated at Fall River County, South Dakota this 18th day of December, 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 Cassens, seconded by Russell, to enter into Executive Session for legal matters, per SDCL 1-25-2(3). With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:14 AM.

The Board came out of Executive Session at 11:30 AM.

Ortner addressed the audience regarding the Board's actions on the soil farm resolution, noting that the Board will support the outcome of the vote, should the ballots be counted.

Motion by Allen, seconded by Russell, to authorize the State's Attorney to prepare an appeal to the Supreme Court of Judge Mandel's decision to set aside the ballots cast in a Nov. 4, 2014 vote on the referendum of the commission's resolution on the contaminated soil farm. With no further discussion and all voting yes on a roll call vote, the motion carried. Sword stated the entire appeal process could take until summer.

Ortner exited the meeting at 11:37 AM.

Motion by Russell, seconded by Cassens, to enter into Executive Session for personnel matters, per SDCL 1-25-2(1). With no further discussion and all voting yes, the motion carried

and the Board went into Executive Session at 11:37 AM.

The Board came out of Executive Session at 11:40 AM. Motion by Cassens, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the meeting adjourned at 11:40 AM.

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor