

## **FALL RIVER COUNTY MINUTES OF DECEMBER 29, 2015**

The Fall River Board of County Commissioners met in regular session on December 29, 2015 in the courtroom of the Courthouse. Present: Ann Abbott, Joe Allen, Joe Falkenburg, Michael Ortner, Deb Russell and Sue Ganje, Auditor.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM. ALL MOTIONS RECORDED IN THESE MINUTES WERE BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

The agenda was reviewed for conflicts. Motion by Falkenburg, seconded by Ortner, to approve the agenda as written.

A county assistance applicant met with the Board. Motion by Ortner, seconded by Falkenburg, to approve \$122.21 for telephone and \$25.00 assistance for CP #2015-12, with a repayment plan.

Motion by Ortner, seconded by Allen to approve the next Policy Committee meeting date of January 5, 2016 set for 1:00 pm.

Discussion was held regarding a tentative jail meeting to be held January 19<sup>th</sup>. Commissioner Allen is to check to see if this date will work for participants.

GIS User Agreement was moved to later in the meeting, along with the Supplement and contingency transfer hearing.

Anderson Engineering presented a plot for approval. Motion by Falkenburg, seconded by Abbott, to approve the following resolution for Falls Tract. With all voting yes, and Ortner abstaining, the motion passed.

### **FALL RIVER COUNTY RESOLUTION #2015-39**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within a Plat of CLEARWATER tract containing part of Tract "C" of Farm Unit #2, and all of Lots 1, 5, 6, and 7 of CLEARWATER LAKE ESTATES, located in North ½ North ½ of Section 16, and South ½ South ½ of Section 9, all in T8S, R6E, 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 29<sup>TH</sup> day of December, 2015.

/Deborah Russell/  
Deborah Russell, Chair  
Fall River County Board of Commissioners

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

Lyle Jensen, Building Supervisor requested approval to get quotes on his pickup; he will bring them back to the Commissioners at a future meeting.

Frank Maynard, Emergency Management, requested approval for a MOU with the US Forest Service that would allow communication with the US Forest Service and County during fires that involve both entities, and this updates the previous 2010 agreement. Motion by Falkenburg, seconded by Ortner, to approve and authorize Maynard to sign the radio frequency Memorandum of Understanding with the US Forest Service.

Maynard reviewed the surveys completed on the designated shelters in Fall River County, as per the SLA Agreement, and noted no change. Motion made by Falkenburg, seconded by Abbott, to approve and authorize the Chair to sign the "No Change" document on shelters.

Maynard reported FR County is eligible for a \$5,000 grant to update the Fall River Hazardous Materials Plan, however the County would need to pay a \$1,000 match. Motion by Ortner, seconded by Allen, to approve the expense and application for the grant.

Maynard reported we received the 4th quarter SLA reimbursement check in the amount of \$9,935.10, and advised that the LEPC Grant has been awarded to Fall River County in the amount of \$1,375.32 for 2016.

Discussion was held regarding private county property in disarray and what can be done. Ortner spoke of a previous attempt by commissioners to enact a Nuisance Ordinance; Frank will check to see what Custer County does on this issue and report back to the Commission.

The South Dakota Pipeline Association meeting will be held on January 19, 2016 at Wolly's at 5:30. The Association would like the Commissioner's to attend, and will pay for their meal.

The Fall River County GIS User Agreement was denied due to the need for a better understanding of the Agreement.

Ortner expressed his thanks to U.S. Representative Kristi Noem and NACO for their work in passing the transportation bill in Congress.

Motion by Falkenburg, seconded by Ortner to approve the County bills.

**GENERAL FUND**

FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$	98.74
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSU	\$	225.04
AUDRA MALCOMB CONSULTING	MI/CONSULTANT	\$	1,364.89
A'VIANDS LLC	INMATE/SUPPLY/FOOD	\$	6,767.50
BLACK HILLS CHEMICAL	SUPPLY	\$	517.56
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$	32.76
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$	1,533.56
CENTURY BUSINESS LEASING	COPIERS LEASE & METE	\$	714.78
CHEMSEARCH	SUPPLY	\$	222.78
COLBATH, ANGELA M	CAAF	\$	393.60
CREDIT COLLECTION BUREAU	GARNISHMENT	\$	66.50
DAKOTA BUSINESS CENTER	LEASE/METER	\$	123.06
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$	2,523.95
DEMERSSEMAN JENSEN	CAAF	\$	2,815.50
SUPPORT PYT CLEARINGHOUSE	CHILD SUPPORT	\$	286.25
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$	96.00
FALL RIVER HISTORICAL SOC	2015 ALLOTMENT	\$	4,000.00

FARRELL,FARRELL &GINSBACH	CONTRACT	\$	2,658.33
GOLDEN WEST TECHNOLOGIES	TECHNOLOGY/SERVER/MA	\$	48.00
GREAT WESTERN TIRE	SUPPLY	\$	349.72
HEALTH 4 LIFE	HEALTH 4 LIFE	\$	20.00
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$	630.00
HILLYARD FLOOR CARE SUPP	SUPPLY	\$	33.91
HOT SPRINGS ACE HARDWARE	ACE HARDWARE SUPPLY	\$	289.92
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$	149.98
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$	17,080.00
IMAGINE THAT SCREENPRINTI	UNIFORM	\$	51.64
LIUNA LABORERS LOCAL 620	UNION DUES	\$	200.00
LINCOLN COUNTY TREASURER	MI	\$	45.00
MERIDIAN IT INC	IBM MAINT.	\$	2,307.34
MURPHY LAW OFFICE PC	CAAF	\$	79.21
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMEN	\$	88.25
NEVE'S UNIFORM INC	UNIFORMS	\$	423.34
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$	25.00
NORTON,TINA	CONTRACT NURSE INMAT	\$	1,035.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$	704.00
O'NEILL, JUSTIN	MI/CAAF	\$	809.94
ORTNER, MICHAEL P.	TRAVEL	\$	45.00
OTIS ELEVATOR COMPANY	UTILITY SERVICE CONT	\$	371.28
PENN CO STS ATTN Y OFFICE	MI	\$	215.00
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNI	\$	560.00
PENN COUNTY SHERIFF	TRANSPORT INMATE	\$	752.95
PITNEY BOWES	POSTAGE METER LEASE	\$	1,110.09
QUILL CORPORATION	OFFICE SUPPLIES	\$	419.12
QUILL CORPORATION	OFFICE SUPPLIES	\$	200.63
RANCHERS FEED & SUPPLY	SUPPLY	\$	41.98
RAPID CITY JOURNAL (THE)	PUBLICATION	\$	404.92
RAPID CITY REGIONAL HOS.	MEDICAL RECORD INFOR	\$	143.20
REGIONAL PHARMACY	PRISONER MEDICATION	\$	282.03
SANICHEM	SUPPLIES	\$	244.08
SDAE4-HP	MEMBERSHIP	\$	80.00
SD DEPARTMENT OF REVENUE	SALES TAX	\$	5.00
SDSU EXTENSION	SUPPLIES/BOOKS	\$	60.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$	15,025.06
SERVALL	SUPPLY/MATS/RUGS	\$	205.83
SOFTWARE SERVICES INC	DATA PROCESSING BOSA	\$	860.00
THOMSON REUTERS	LAW BOOKS	\$	184.50
WESTERN SD JUV SERV CTR	JUVENILE CENTER STAY	\$	560.00
WOODY'S WORK SHOP	REPAIR	\$	25.50
YANKTON CO TREASURER	MI	\$	113.75
RHOE, KELLI	TRAVEL REIMBURSEMENT	\$	168.62

JOHNSON, MICHAEL	MEALS REIMBURSEMENT	\$ 47.32
	<b>Total General Fund</b>	<b>\$ 70,936.91</b>
<b><u>COUNTY ROAD &amp; BRIDGE</u></b>		
ADVANCED DRUG TESTING	PRE-EMPLOYMENT DRUG	\$ 26.00
FIDELITY SEC. LIFE INS CO	EYE INSURANCE	\$ 80.66
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSU	\$ 448.60
B H ELECTRIC COOP INC.	UTILITIES	\$ 14.41
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$ 444.95
EXCEL TRUCK & TRAILER REP	REPAIR/SUPPLY	\$ 5,521.17
FALL RIVER AUTO SUPPLY	SUPPLY	\$ 135.91
FORWARD DISTRIBUTING	SUPPLY/SHOP	\$ 54.05
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$ 150.00
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$ 496.11
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$ 3,285.00
K & M TIRE	SUPPLY	\$ 11,402.56
LIUNA LABORERS LOCAL 620	UNION DUES	\$ 150.00
MG OIL	FUEL	\$ 10,790.68
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMEN	\$ 73.53
NELSONS OIL & GAS INC.	FUEL	\$ 8,990.00
SAFETY KLEEN	SUPPLIES	\$ 117.42
SD DEPT OF TRANSPORTATION	COST SHARE PROJECT C	\$ 41.41
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$ 3,524.00
SEILER, RANDY	CELL PHONE REIMBURSE	\$ 35.00
SOUTHERN HILLS FIRE	ANNUAL FIRE INSPECTI	\$ 139.00
	<b>County Road &amp; Bridge Total</b>	<b>\$ 45,920.46</b>
<b><u>EMERGENCY MGT</u></b>		
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$ 267.44
DAKOTA PROPANE	PROPANE	\$ 800.00
PITNEY BOWES	POSTAGE METER LEASE	\$ 22.65
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$ 638.22
OGLALA LAKOTA	SOUTHWEST DISTRICT	\$ 1,092.86
	<b>Emergency MGT Total</b>	<b>\$ 2,821.17</b>
	<b>TOTAL</b>	<b><u>\$119,678.54</u></b>

Randy Seiler, Highway Superintendent, presented fuel transfers for approval. Motion by Falkenburg, seconded by Abbott, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of November 30 through December 27, 2015 in the following amounts: the Sheriff's Office, \$1,718.76; DOE, \$19.32; Building, \$20.66; State's Attorney \$20.65; Commission \$17.67; Emergency Management, \$71.92; GIS, \$38.84 and Weed Board, \$163.99.

Seiler presented the Fuel bids.

6,000 gal. Diesel (1/2 #2, 1/2 #1 Dyed):

Nelson's Oil & Gas \$1.550 Accepted 12/22/15

MG Oil (4500 gal) \$1.640

PJ's is not accepting tanker orders at this time

7000 gal. Unlead Plus

MG Oil, (E1087)	\$1.585	Accepted 12/22/15
Nelson's	\$1.62 / gal.	

PJ's is not accepting tanker orders at this time

Motion by Falkenburg, seconded by Abbott, to approve Nelson's bids of \$1.550 per gallon for 6,000 gallons of 50/50 Dyed Diesel as the only bid; MG Oil's bid of \$1.585 per gallon for 7,000 gallons of Unleaded Plus as the low bids.

Break was called at 9:56 am, and meeting resumed at 10:05.

During Public Comment, Ann Abbott thanked everyone for their condolences on the death of her husband. Henderson brought an article from the RC Journal and one from Popular Science on fracking. Copies were made and distributed to all Commissioners. Henderson stated her position was to not allow fracking in Fall River County. Public comments were closed at 10:14.

Motion made by Ortnier, seconded by Abbott, to approve the Avesis contract be changed to allow both full-time and part-time employees to enroll for this benefit through payroll deduction. This benefit is paid 100% by the employee.

Ortnier requested the Auditor's office check with the current medical insurance to see if we can offer medical insurance to part-time employees with the understanding it would be 100% employee paid.

Motion by Falkenburg, seconded by Abbott, to approve the following Resolution:

**FALL RIVER COUNTY RESOLUTION # 2015 - 38**

WHEREAS, Fall River County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

**Mileage:** \$0.42 per mile; \$0.23 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

**In-state meal rates of:**

\$6.00 if the employee leaves before 5:31 AM and returns after 7:59 AM;  
\$11.00 if the employee leaves before 11:30 AM and returns after 12:59PM;  
\$15.00 if the employee leaves before 5:31 PM and returns after 7:59 PM;  
\$32.00 Total

**Out-of-state meal rates of:**

\$10.00 if the employee leaves before 5:31 AM and returns after 7:59 AM;  
\$14.00 if the employee leaves before 11:30 AM and returns after 12:59PM;  
\$21.00 if the employee leaves before 5:31 PM and returns after 7:59 PM;  
\$45 Total

**Lodging In-state:**

\$55.00 plus tax a day from check-in on September 1 through check-out on June 1  
\$70.00 plus tax a day from check-in on June 1 through check-out on September 1

**Lodging Out-of-state:**

\$175.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective December 29, 2015.

Passed and approved this 29<sup>th</sup> day of December, 2015.

/s/Deborah Russell  
Deborah Russell, Chair  
Fall River Board of County Commissioners

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

Jim Sword discussed the 2016 Contract between Oglala Lakota and Fall River Counties, which he stated mirrored last years and the salaries stayed the same. Jim's contract with the Counties is separate and will follow. Motion by Ortner, seconded by Falkenburg, to approve the contract as written for 2016 between Oglala Lakota and Fall River Counties.

Motion by Falkenburg, seconded by Abbott, to move into executive session for personnel issues at 10:22 am. Commissioner's returned from executive session at 10:42am.

Motion by Falkenburg, seconded by Ortner to approve the Supplemental Budget #5

**FALL RIVER COUNTY RESOLUTION #2015-37**  
**Supplemental Budget 2015, #5**

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 General fund (expenses): Vehicle Expense #10100x4340111, \$6,768.05; Auditor Salary #10100x4110141, \$10,178.80; Treasurer Salary #10100x4110142, \$10,879.16; ROD Salary #10100x4110163, \$2,586.52; DOE Salary #10100x4110162, \$2,604.56; Treasurer Supply #10100x4260142, \$4,874.00; Elections #10100x4110120, \$2,407.05; Judicial Jury Witness 0100x4223130, \$224.10; Data Processing #10100x4260143, \$702.05; Court Appointed Attorney #10100x4261153, \$7,453.04; Jail #10100x4110212, \$36,381.61; EM Mgt #22600x4110222, \$17,857.29; Mental Handicap #10100x4227441, \$1,335.00; Dispatch #10100x4110225, \$12,708.85; Mental Board #10100x4221445, \$2,865.00; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget, #5 for 2015.

Dated at Fall River County, South Dakota this 29th day of December, 2015.

/s/ Deborah Russell  
Deborah Russell, Chair  
Fall River County Board of Commissioners

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

Effective January 2016 the Board requests Department Heads review their budgets monthly and report to the Commissioners when an overrun is needed along with the reason. It was further asked that department heads start attending monthly meetings, with the Auditor arranging a staggered schedule.

The official canvass of the 2014 Fall River County Referendum vote was completed with the official count: Yes 1,290 and No 1,483. This action nullifies action of the Commission on Resolution 2014-16.

Motion by Ortner, seconded by Abbott, to move into executive session for personnel issues at 11:19am. and returned from executive session at 11:37.

With no additional action taken, Motion by Falkenburg, seconded by Allen, to adjourn at 11:38 am.

/s/ Deborah Russell  
Deborah Russell, Chair  
Board of Fall River County Commissioners

ATTEST:

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