

FALL RIVER COUNTY MINUTES OF MARCH 20, 2012

The Fall River Board of County Commissioners met in regular session on March 20, 2012. Present: Joe Falkenburg, Joe Allen, Anne Cassens and Sue Ganje, Auditor. Absent: Mike Ortner and Deb Russell.

The Pledge of Allegiance was given and the meeting called to order at 9:00 a.m. by Vice Chairman Falkenburg.

The agenda was reviewed for conflicts; none were indicated.

Motion by Cassens, seconded by Allen, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve the minutes of March 6, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve an amendment to the 2012 WIC contract which increases the amount of support to the county by \$250.00 and authorize the Vice-Chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, 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 29th day of February, 2012.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,891.23</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>247,622.49</u>
Total Amount of Cash:	\$ <u>2,610.59</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>7,619.99</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>19,329.01</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,920,000.00</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:

Henry, Raymond, \$290.64, LIC

TOTAL: \$4,452,798.95

Dated this 29th day of February, 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 & AMBULANCE DISTRICTS AND STATE.

Notice was received of the vacancy of a five-year term position on the Fall River Housing and Redevelopment commission. Motion by Falkenburg, seconded by Allen, to advertise for letters of interest for an opening on the Fall River Housing and Redevelopment commission for a term of five years and to set April 3, 2012 at 10:50 a.m. as the time for determining the appointment. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Cassens, to authorize closure of the courthouse at noon on April 6, 2012 in accordance with the State offices' observance of Good Friday. With all voting yes, the motion carried.

Discussion was held on a petition to vacate streets and alley as petitioned by Barkers, Barker Construction and Martha Jarman. Ganje reported that the Deputy State's Attorney has reviewed the petition and that it does not comply. Andersen Engineering will be contacted about the petition.

Motion by Allen, seconded by Cassens, to approve an agreement with the State of South Dakota on Project EM 0385(15)0, PCN 00D0, US385 from the Nebraska State line north to the Junction of US18 and Structure 5.0 south of US 18E over Horse Head Creek, subject to review and approval of the Highway Superintendent, and authorize the Vice Chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to surplus as junk asset #1548, a Samsung phone, and #1157, a Kyocera phone, both from the Weed Department. With no further discussion and all voting yes, the motion carried.

On behalf of the Jail Committee, Cassens requested authorization to obtain cost projections for the current proposal, which is comprised of a remodel to the existing jail and an optional addition. Discussion was held on the uncertainty of the future presence of the VA and the need for a rough estimate of the architectural costs. Allen suggested contacting the jail in Valentine, NE for a report of their experience with their new jail and if there are any suggestions they would recommend. Motion by Allen, seconded by Cassens, to authorize the Jail Committee to submit a project design to Prochaska and Associates for a cost projection. With no further discussion and all voting yes, the motion carried.

Susan Henderson met with the Board to discuss bat eradication in the attic. The Board authorized Building Supervisor Carl Neisner to obtain a quote from Animals in the Attic on

eradicating bats from the attic and report back at the next meeting.

Randy Seiler, Highway Supervisor, met with the Board and was asked to review the proposed highway project with the State of South Dakota.

Treasurer Lori Bachand met with the Board for hire approval. Motion by Cassens, seconded by Allen, to approve hiring Kristi Hudson as a clerk in the Treasurer's office at \$9.00 per hour, per Union contract, effective March 26, 2012. With no further discussion and all voting yes, the motion carried.

An applicant for assistance met with the Board, which was joined by Commissioner Mike Ortner via speakerphone at 9:48 a.m. Motion by Falkenburg, seconded by Ortner, to approve assistance in the amount of \$135.03 for a water bill for CP #2012-06, with a repayment schedule. With no further discussion and all voting yes on a roll-call vote, the motion carried.

Frank Maynard, Emergency Management, met with the board to discuss enacting a burn ban due to extremely dry conditions. Motion by Ortner, seconded by Cassens, to approve the Resolution as follows. With no further discussion and all voting yes on a roll-call vote, the motion carried.

FALL RIVER COUNTY RESOLUTION # 2012-09
A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY REGULATION
OF FIRE HAZARDS IN FALL RIVER COUNTY

WHEREAS, the Fall River County Commission is charged with protecting the health and safety of the citizens of Fall River County including all property situated therein; and

WHEREAS, the Fall River County Commission has consulted with local fire officials, law enforcement and emergency management officials concerning the threat posed by wildfires; and

WHEREAS, the threat of wildfires in Fall River County is such so as to pose a significant danger to the health and safety of the citizens of Fall River County including property situated therein; and

WHEREAS, the Fall River County Commission has deemed it necessary to enact certain temporary controls to reduce the threat posed to the citizens and property of Fall River County by wildfires.

NOW THEREFORE BE IT RESOLVED, that pursuant to SDCL 7-8-20 (18) the Fall River County Commission does hereby enact this resolution to insure public safety on an emergency basis, effective immediately and impose a ban on all open burning and fireworks except for petroleum fueled or charcoal briquette fueled grills used for preparing food. This burn ban applies to any resident in Fall River County outside any municipality or land within the Black Hills Fire Protection District, and is in effect when the fire index reaches the **HIGH, VERY HIGH or EXTREME** level. Residents will be allowed to use gas fueled or charcoal fired BBQ grills and will be allowed open burning when the fire index is at the **LOW or MODERATE** level. Campfires will **NOT** be allowed on private land or licensed commercial campgrounds. Campgrounds operated by the State of South Dakota or US Government must follow the established laws and regulations.

IT IS FURTHER RESOLVED, that this open burning ban will remain in effect until repealed by the Fall River County Commission. Pursuant to SDCL 7-18A-2 the penalty for violating this resolution shall include a fine not to exceed two hundred dollars for each violation and/or imprisonment for a period not to exceed thirty days for each violation; or both such fine and imprisonment. Additionally person(s) in violation of this burn ban may be responsible for any and all suppression costs.

BE IT FURTHER RESOLVED, that the Fall River County Commission declares an emergency and this resolution shall be in effect immediately in order to protect the peace, health and safety of the citizens of Fall River County.

Dated this 20th day of March, 2012.

/s/ Joe Falkenburg
Joe Falkenburg, Vice Chairman
Fall River Commission

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Allen, seconded by Cassens, to approve a travel request for Maynard to attend a meeting of the Incident Management Assistance Team and conduct other business in Pierre on March 29-30, 2012. With no further discussion and all voting yes on a roll-call vote, the motion carried.

Ortner informed the Board on the bill providing for designation of Veterans' status on South Dakota drivers' licenses and a meeting with the Governor, then exited the meeting at 9:59 a.m.

Seiler and Maynard discussed narrow band radio use with the Board. The county will be switching from wide band to narrow on April 19 and 20, 2012 and preparations are being made for the transition. Seiler discussed \$225.00 monthly rent that is being paid on a repeater that could be purchased at an approximate cost of \$1,800.00 to \$2,000.00. As the funds are budgeted, the Board gave approval for the purchase and asked Seiler to obtain a quote for purchasing an additional repeater to use in the Ardmore area for handheld radios.

Motion by Falkenburg, seconded by Allen, to approve the purchase of two batteries for the water tender at \$276.00 each, to be paid from the fire fund. With no further discussion and all voting yes, the motion carried.

Maynard advised the Board that a single engine air tanker is now stationed at the Hot Springs Airport for firefighting. As the cost is \$2,665.00 per hour, Maynard confirmed that only the Commission and the Emergency Management Supervisor have the authority to order the assistance.

Seiler informed the Board he assessed a leased parcel of 240 county-owned acres to determine if it could be used for gravel purposes, concluding it would probably not be cost effective for that purpose. Seiler also informed the Board that the feedlot would be providing mag water to the 1st mile south of the feedlot at their expense and that Jim Watkins has stated

he is taking a decision on a cattle guard to the Supreme Court. Seiler further stated that load limits were being lifted on county roads. Falkenburg conveyed a complaint regarding the condition of the Fort Igloo road and bridge to the Board. Seiler is to make an inspection and report back to the Board at the next meeting.

A letter from John Beard was reviewed which requested roadwork on a private road or the addition of the mile of road to the county system. Falkenburg noted that the county is providing one-time assistance to Game, Fish and Parks on a stretch of road but will not be adding it to the system. Dirt work may be done but the county will not be graveling the road. Motion by Cassens, seconded by Allen, to deny the roadwork request from John Beard and authorize the State's Attorney to reply to his request. With no further discussion and all voting yes, the motion carried.

Allen commented on a news article stating that the National Guard is interested in using grasslands for training and suggested inviting Mike McNeill to the next commission meeting.

Ray Palmer, liaison to the RC&D Board, informed the Board that a meeting will be held on April 19, 2012 in Rapid City on Black Hills hydrology. Palmer stated that the Department of Agriculture estimates 280,000 Mountain Pine Beetle infested trees have been removed and four million trees are affected.

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

GENERAL FUND

A&B BUSINESS EQUIPMENT	COPIER	\$383.75
ASSN OF SD COUNTY W&P BDS	DUES	\$150.00
BOB BARKER COMPANY INC	INMATE	\$232.66
BEESLEY LAW OFFICE	CAAF	\$640.20
BINGHAM, JAMES	CAAF;MI	\$1,156.10
BH FAMILY HEALTH CLINIC	INMATE	\$702.00
BROWN & SAENGER	SUPPLY	\$84.13
CARDMEMBER SERVICE	MISC	\$5,934.07
CAROL BUTZMAN CONSULTING	MI	\$530.52
CBM FOOD SERVICE	INMATE	\$4,589.04
CENTURY BUSINESS LEASING	COPIER	\$301.97
DALE'S REPAIR	CAR MAINT	\$51.00
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$430.18
GREATER FALL RIVER HEALTH	INMATE	\$3,310.08
FR SOIL CONSERVATION DIST	ALLOTMENT	\$9,000.00
HANSEN, SHARON K	INMATE	\$800.00
CITY OF HOT SPRINGS	UTILITY	\$264.78
J & J ATTORNEY SERVICE	SERVICE	\$38.20
JANZ, DONALD	INMATE	\$1,100.00

MEDICAL WASTE TRANSPORT	DISPOSAL	\$100.91
NASASP	MEMBERSHIP	\$39.00
NEVE'S UNIFORM INC	UNIFORM; SUPPLY	\$331.69
O'NEILL, JUSTIN	CAAF	\$348.42
ORTNER, MICHAEL P.	TRAVEL	\$1,894.77
PALMER, RAY	TRAVEL	\$117.32
POWELL, DEBRA J	INMATE	\$70.00
REGIONAL HEALTH PHYSICIAN	ASSISTANCE	\$23.19
REDWOOD TOXICOLOGY LAB	INMATE	\$100.00
RUSHMORE COMMUNICATIONS	REPAIR	\$294.00
SD ASSN OF COUNTY COMM.	LEGAL	\$2,248.93
SD SHERIFF'S ASSN	DUES	\$562.82
SERVALL	SUPPLY	\$9.64
SKINNER, MATTHEW L. PC	CAAF	\$2,585.60
STEVENS PLUMBING	REPAIR	\$90.62
SCHOENFELDER, PAUL	INMATE	\$70.00
TIGER DIRECT	EQUIP	\$823.40
TWILIGHT INC	SUPPLY	\$121.15
ULTRAMAX	AMMO	\$1,817.00
VERIZON WIRELESS	CELL PHONE	\$521.53
WESTERN SD JUV SERV CTR	JUVENILE	\$4,050.00
	GENERAL FUND TOTAL	\$45,918.67

ROAD & BRIDGE

B H ELECTRIC COOP INC.	UTILITY	\$23.73
BAUM IRON COMPANY	SUPPLY	\$234.52
CARDMEMBER SERVICE	MISC	\$178.22
CITY OF HOT SPRINGS	UTILITY	\$24.99
VERIZON WIRELESS	CELL PHONE	\$32.23
	ROAD & BRIDGE TOTAL	\$493.69

911 SURCHARGE REIMBUR.

911 SURCHARGE REIMB	TELEPHONE	\$621.13
	911 REIMBUR. TOTAL	\$621.13

EMERGENCY MGT

CARDMEMBER SERVICE	MISC	\$183.65
CEDAR SHORE RESORT	TRAVEL	\$637.50
NORTONS SINCLAIR	CAR MAINT	\$65.00
TIMMINS, ANDREAS	TRAVEL	\$139.00
VERIZON WIRELESS	CELL PHONE	\$121.81
	EMERGENCY MGMT TOTAL	\$1,146.96

24/7 SOBRIETY FUND

GEN DIAGNOSTICS INC	SUPPLY	\$1,014.95
	24/7 SOBRIETY FUND TOTAL	\$1,014.95

24/7 PARTICIPATION FEE

STATE REMITTANCE CENTER	24/7	\$30.00
	24/7 PARTICIPATION FEE TOTAL	\$30.00

GRAND TOTAL **\$49,225.40**

Motion by Cassens, seconded by Allen, to set April 17, 2012 at 1:30 p.m. as the time to convene as the Fall River County Consolidated Board of Equalization. With no further discussion and all voting yes, the motion carried.

The meeting was opened for public comment. Susan Henderson discussed the financial climate with regards to hiring policies and the jail project.

Sheriff Rich Mraz met with the Board for approval to surplus two vehicles. Motion by Cassens, seconded by Allen, to surplus to sell a 2005 and 2006 Durango, to be sold by sealed bid with an appraisal prior to sale, and set May 1, 2012 at 11:10 a.m. as the date and time of opening the bids. With no further discussion and all voting yes, the motion carried.

Discussion was held on county-owned property, including property in Ardmore, the 240 acre parcel and 15 acre parcel outside of Edgemont. Deeds are being researched and information will be brought back to the board for consideration to surplus and sell.

Tom Davis met with the Board to discuss the parking lot across the street from the courthouse, reiterating the need to keep it accessible for handicapped parking.

Motion by Cassens, seconded by Allen, to enter into 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 11:21 a.m.

The Board came out of Executive Session at 11:44 a.m.

Motion by Cassens, seconded by Allen, to accept with regrets the resignation of Veterans Services Officer Paul Miller, and authorize the advertisement of the position. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Cassens, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:44 a.m.

/s/ Joe Falkenburg

Joe Falkenburg, Vice Chairman

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor

Board of Fall River County Commissioners