

**FALL RIVER COUNTY MINUTES OF MARCH 3, 2015**

The Fall River Board of County Commissioners met in regular session at Canyon Cottage on March 3, 2015. Present: Joe Allen, Anne Cassens, Michael Ortner, Deb Russell and Sue Ganje, Auditor. Absent: Joe Falkenburg.

An Invocation and the Pledge of Allegiance were given and the meeting called to order at 9:00 AM. The agenda was reviewed for conflicts; none were noted. Motion by Cassens, seconded by Ortner, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Allen, to approve the minutes of the Feb. 17, 2015 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Allen, to approve wage increases as follows, per Union contract: Justice Graham, 2080 hrs, \$12.50 per hour, effective 2/18/15; Anthony Monroe, 2080 hrs, \$13.00 per hour, effective 1/21/15; Lyle Norton, 2080 hrs, \$17.00 per hour, effective 1/30/15; and LaVella Birkland, 2080 hrs, \$10.25 per hour, effective 1/27/15. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Ortner, to approve the January, 2015 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 31<sup>st</sup> day of January, 2015.

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>384,171.25</u>
Total Amount of Cash:	\$ <u>2,980.55</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>40,198.68</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>750,954.68</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,470,000.00</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:

Wuebbles, Joyce, \$44.00, LIC

**TOTAL:       \$4,899,784.16**

Dated this 31<sup>st</sup> day of January, 2015.

/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 AND AMBULANCE DISTRICTS AND STATE.

Ganje noted that Fall River County will host the Black Hills Association meeting at Woolly's on March 25, 2015.

A resolution on delinquent tax research was reviewed. Motion by Ortner, seconded by Allen, to approve the resolution as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2015-05**

**DELINQUENT TAX RESEARCH**

Whereas, Fall River County has had certain situations where individuals have received notices for delinquent taxes and believe that these taxes have been paid, and

Whereas, Fall River County has determined the need for a procedure to be followed when this situation occurs, and

Whereas, the County Treasurer has created a policy to be followed that puts the research and burden of proof on the taxpayer. Copies of cancelled checks and / or presentation of paid tax receipts will be required to prove payment of delinquent taxes, and

Now, Therefore, Be It Resolved that any and all expenses for bank copies, etc, will be the responsibility of the taxpayer and the County has no financial responsibility to do further research on delinquent taxes. If it is determined that the documentation provided shows that payment was made by the taxpayer, reasonable costs of research will be reimbursed to the taxpayer.

Dated this 3<sup>rd</sup> day of March, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Mel Engebretson, Register of Deeds, presented a purchase request. Motion by Allen, seconded by Ortner, to approve \$2,296.00 to purchase a plat storage cabinet from Engineering Supply. With no further discussion and all voting yes, the motion carried.

No death expense applications were presented. An application for assistance met with the Board. Motion by Cassens, seconded by Allen, to approve \$352.00 in rent assistance for CP #2015-03, with a repayment plan. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, updated the Board on PDM grant money received, compliance with the National Incident Management System, area fires and provided a list of Search and Rescue volunteers for the purpose of Workman's Comp. Motion by Cassens, seconded by Allen, to approve the list of Search and Rescue volunteers as follows: Phil Knapp; Sue Knapp; Curt Nettinga; Kevin Fees; Jeff Wiedow; Sally Park Hageman; Curt Burt; Norm Pudwill; Jan Spears; Marc Lamphere and Tracy Bastian, as of 3/2/15. With no further discussion and all voting yes, the motion carried.

A request from Neighborhood Works for \$500 in funding was considered. Motion by Cassens, seconded by Ortner, to deny the request for funds as it was not budgeted for 2015, but to inform the organization to apply for 2016 funds. With no further discussion and all voting yes, the motion carried.

Allen discussed property boundaries of the courthouse and neighboring properties. Motion by Cassens, seconded by Ortner, to authorize Allen to hire Andersen Engineers to locate the boundary pins of the courthouse property located on the east side of River Street. With no further discussion and all voting yes, the motion carried.

Susie Hayes-Simkins, Director of Equalization, presented an abatement. Motion by Cassens, seconded by Allen, to approve an abatement of \$406.43 in taxes on parcel 65010 00200 02400 to correct a duplication of value on an addition. With no further discussion and all voting yes, the motion carried.

The final report on payable 2016 property valuations was reviewed. The overall increase in property valuation in the county is \$49,289,433.00.

Joyce and Jim Strain met with the Board to discuss access to land-locked property they own. No easement exists and after reviewing maps, they were advised of their options.

Randy Seiler, Highway Superintendent, presented fuel transfers for approval. Motion by Cassens, seconded by Allen, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of Feb. 1-28, 2015 in the following amounts: the Sheriff's Office, \$1,824.74; DOE, \$21.63; Building, \$28.33; State's Attorney, \$37.79; Emergency Management, \$146.81; and Weed Board, \$86.89. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Cassens, to approve an application for Fredrick Weber to

construct an approach on the south side of Rockyford Road (Rd #11S) at approximately 11611 Rockyford Road to serve a residence, authorizing the Chair to sign. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Ortner, to approve an application for Marshall Stiver to construct an approach on the south side of WG Flat Loop road (Rd #2B) at approximately between sections 20 and 21 to serve a residence, authorizing the Chair to sign. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve a 15' wide pipeline easement for Fall River Water Users District on Fall River County Highway 2A adjacent to the NW ¼ of Section 28, T7S, R86E and the NW ¼ of Section 27, T7S, R8E of the Black Hills Meridian, Fall River County, South Dakota and from the NW ¼ of Section 28, T7S, R8E to the NW ¼ of Section 27, T7S, R8E of the Black Hills Meridian, Fall River County, South Dakota. With no further discussion and all voting yes, the motion carried.

Gravel crushing for 2015 was discussed. Motion by Ortner, seconded by Allen, to approve gravel crushing at Maverick for \$7.05 per ton for 22,500 tons. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Ortner, to approve travel for Seiler to attend asphalt training in Pierre on March 25 and an LTAP meeting on March 26, 2015. Russell asked about the merits of the training; Seiler stated the recommendation is to renew every five years. With no further discussion and all voting yes, the motion carried.

An agreement from the state to build a new road between Provo and Igloo was discussed and will be on the next agenda. Bridge repairs were discussed and Allen asked about the speed limit on County Road 71C, which will be signed as 35 mph when the project is completed.

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

**General Fund**

Commissioners	February Salaries	\$4,100.00
Auditor's Office	February Salaries	\$10,327.12
and additional overtime of		\$190.17
Elections	February Salaries	\$1,479.36
Treasurer's Office	February Salaries	\$7,457.77
and additional overtime of		\$162.47
State's Attorney Office	February Salaries	\$7,792.02
and additional overtime of		\$196.05
Maintenance	February Salaries	\$6,264.16
Department Of Equalization	February Salaries	\$12,142.04
and additional overtime of		\$1,298.91
Register Of Deeds Office	February Salaries	\$6,831.32
Veterans Services Office	February Salaries	\$2,880.00
GIS	February Salaries	\$2,309.56
and additional overtime of		\$325.80
Nurse's Office	February Salaries	\$2,903.24
Sheriff's Office	February Salaries	\$28,623.17
and additional overtime of		\$4,084.66
Jail	February Salaries	\$15,446.15
and additional overtime of		\$3,303.97
Dispatch	February Salaries	\$11,013.99
and additional overtime of		\$974.42
County Extension Office	February Salaries	\$2,820.72
Weed Dept	February Salaries	\$2,896.75
Coroner	February Salaries	\$240.00
Fidelity Sec. Life Ins Co	Insurance	\$72.71
American Family Assurance	Insurance	\$225.04

Boston Mutual Life Ins Co	Insurance	\$32.76
Breit Law Offices, PC	Garnishment	\$50.00
Cardmember Service	Supply / Misc	\$1,403.14
Credit Collection Bureau	Garnishment	\$66.50
Delta Dental Plan Of SD	Insurance	\$2,253.60
Support Pyt Clearinghouse	Child Supp.	\$286.25
EFTPS	Taxes	\$33,923.22
Executive Mgmt Finance	BIT	\$84.00
Falkenburg, Joe	Travel	\$153.92
Farrell, Farrell &Ginsbach	Contract	\$2,658.33
Fed Ex	Supply	\$11.61
First Interstate Bank	Feb Service Charge	\$36.85
FR County Treasurer	Treas Cash Shortage	\$49.34
Golden West Technologies	Supply	\$909.23
Golden West	Utility	\$1,701.42
Health 4 Life	Dues	\$80.00
Heavy Highway Fringe	Insurance	\$630.00
Iowa Laborers District	Insurance	\$16,082.00
LIUNA Laborers Local 620	Dues	\$225.00
Lone Star Heating & Air	Repair	\$754.80
Massa Donald DDS	Inmate	\$26.00
Mastel, Bruce	Contract	\$35.00
Medical Waste Transport	Utility	\$100.91
Nationwide Retirement Sol	Retirement	\$88.25
New York Life Insurance	Insurance	\$25.00
Norton,Tina	Contract	\$1,000.00
O'Neill, Justin	CAAF	\$90.00
O'Neill, Justin	CAAF	\$2,678.86
Penn Co Sts Attny Office	MI	\$215.00
Pennington County Auditor	MI	\$96.00
Pennington County Jail	Inmate	\$11,461.00
Quill Corporation	Supply	\$964.99
Qualified Presort Service	Prof. Serv	\$2,717.63
Radioshack	Supply	\$12.28
Rapid City Journal	Publishing	\$388.06
Rapid City Regional Hosp	Inmate	\$5,070.54
Regional Health	Autopsy	\$406.00
Regional Health Physician	Inmate	\$39.61
Rapid Fire Protection Inc	Repair	\$915.00
Regional Pharmacy	Inmate	\$2,049.51
Rensch Law Office	CAAF	\$1,441.93
Rushmore Communications	Supply	\$95.00
Safran	Support	\$5,388.00
SD Department Of Revenue	Inmate	\$70.00
SDSU Extension Service	Allotment	\$8,890.00
SD Retirement System	Retirement	\$14,880.90
SD Sheriff's Assn	Dues	\$562.82
Servall	Supply	\$294.35
Shopko Stores Operating	Inmate / Supply	\$3,094.29
Snowfighters	Contract	\$320.00
Software Services Inc	Support	\$900.00
SD Supplement Retirement	Retirement	\$200.00
Southern Hills Fire	Contract	\$60.00
State Remittance Center	MI / Autos	\$1,172.17
Stephens Law Office	CAAF	\$200.00
Stevens Automotive	Supply	\$22.13
Stevens Plumbing	Repair	\$100.66
United Way Black Hills	Donation	\$42.50

United States Postal Serv	Postage	\$916.32
United States Postal Serv	Postage	\$1,950.00
Verizon Wireless	Cell Phone	\$1,086.09
Thomson Reuters	Supply	\$180.00
Western SD Juv Serv Ctr	Juvenile	\$989.65
	<b>General Fund Total</b>	<b>\$268,989.99</b>

**Road & Bridge**

County Road & Bridge Admin	February Salaries	\$6,360.20
County Road & Bridge Const and additional overtime of	February Salaries	\$27,637.92
Fidelity Sec. Life Ins Co	Insurance	\$5.67
American Family Assurance	Insurance	\$75.38
Cardmember Service	Supply / Misc	\$504.58
Delta Dental Plan Of SD	Insurance	\$93.59
EFTPS	Taxes	\$431.75
Fall River Health	Prof. Serv	\$8,302.73
Golden West	Utility	\$34.00
Heavy Highway Fringe	Insurance	\$270.69
Iowa Laborers District	Insurance	\$150.00
LIUNA Laborers Local 620	Dues	\$3,240.00
Nationwide Retirement Sol	Retirement	\$175.00
Quill Corporation	Supply	\$73.53
Rapid City Journal	Publishing	\$6.74
SD Dept Of Transportation	Prof Serv	\$14.66
SD Retirement System	Retirement	\$1,256.61
SD Supplement Retirement	Retirement	\$4,080.44
Delta Dental Plan Of SD	Insurance	\$30.00
EFTPS	Taxes	\$39.25
Golden West Technologies	Supply	\$832.33
Golden West	Utility	\$1,492.51
Heavy Highway Fringe	Insurance	\$66.92
Iowa Laborers District	Insurance	\$15.00
Century Link	911	\$324.00
SD Retirement System	Retirement	\$629.77
	<b>Road &amp; Bridge Total</b>	<b>\$377.36</b>
		<b>\$56,520.63</b>

**911**

911	February Salaries	\$2,694.93
and additional overtime of		\$449.76
	<b>911 Reimbur. Total</b>	<b>\$3,144.69</b>

**L.E.P.C. Grant**

Golden West Technologies	Supply	\$389.90
	<b>L.E.P.C. Grant Total</b>	<b>\$389.90</b>

**Emergency Mgt**

Emergency Management	February Salaries	\$4,184.20
Cardmember Service	Supply / Misc	\$279.37
EFTPS	Taxes	\$1,274.97
Golden West	Utility	\$96.45
Radioshack	Supply	\$59.99
SD Retirement System	Retirement	\$502.10
United States Postal Serv	Postage	\$2.30
Verizon Wireless	Cell Phone	\$229.71
	<b>Emergency Mgmt Total</b>	<b>\$5,894.98</b>

**24/7 Sobriety Fund**

EFTPS	Taxes	\$244.50
	<b>24/7 Sobriety Fund Total</b>	<b>\$244.50</b>
	<b>Grand Total</b>	<b>\$335,184.69</b>

A break was taken at 10:35 AM. The meeting resumed at 10:40 AM with public comment. Susan Henderson discussed fracking and concern for the protection of aquifers.

Ortner reported on the NACo conference in Washington, DC, noting several meetings he attended.

A hearing for wine, malt beverage and transfer licenses was held at 10:50 AM as advertised. Motion by Cassens, seconded by Allen to approve a malt beverage and wine license for Chops and Hops, Inc. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Cassens, to approve the transfer of malt beverage (RB-2690 and RB-2695) and wine (RW-6483) licenses from Moyle Petroleum to Angostura Resort Management. With no further discussion and all voting yes, the motion carried.

A hearing on a proposed Smithwick Fire District was held at 11:00 AM as advertised. No opposition was voiced by those in attendance. Motion by Allen, seconded by Cassens, to approve the resolution setting the election on the formation of a Smithwick Fire District as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2015-06  
SMITHWICK FIRE DISTRICT**

Whereas, a petition has been filed with the County Auditor, and presented to the Fall River Board of County Commissioners, as per S.D.C.L. 34-31A-4, for the formation of the proposed Smithwick Fire District, and

Whereas, a hearing has been set before the Fall River Commission, as per S.D.C.L. 34-31A-8, for the Board to determine if the proposed district is suited to the general fire protection policy of the county, along with determining the legal boundaries, and held on March 3, 2015, and

Whereas, testimony was given by registered voters in the proposed districts, and any other interested parties, along with discussion of the boundaries, and

Now, Therefore, Be It Resolved that the Fall River Commission feels the proposed Smithwick Fire District suits the fire needs in the proposed area and hereby sets an election date of April 14, 2015, from 5:00 pm to 7:00 pm, at the Smithwick Fire Department, and

Be It Further Resolved that the Board of Commissions has set the boundaries for the proposed Smithwick Fire District as follows:

Township 8 South, Range 7 East

Sections 13 - 36 inclusive;

Township 8 South, Range 8 East

Sections 13 – 36 inclusive;

Township 8 South, Range 9 East

Sections 13 – 36 inclusive;

Township 9 South, Range 7 East

Sections 1, 2, & 4; Sections 11 – 14 inclusive; Section 24;

Township 9 South, Range 8 East

Sections 1 – 21 inclusive; North half (N1/2) of Sections 22 – 24;

Township 9 South, Range 9 East

Sections 1 – 18 inclusive; North half (N1/2) of Sections 19 – 24;

All property located in Black Hills Meridian (B.H.M), Fall River County, South Dakota, consisting of 120 square miles, more or less.

Dated this 3<sup>rd</sup> day of March, 2015.

/s/ Deborah Russell

Deborah Russell, Chair

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Ortner, seconded by Allen, 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 11:12 AM.

The Board came out of Executive Session at 11:36 AM. Motion by Cassens, seconded by Allen, to offer Sanford Hospital \$13,000.00 as settlement for a medical claim. With no further discussion and all voting yes, the motion carried.

Motion by Ortner, seconded by Cassens, to approve hiring Jennifer Smart as a part-time dispatcher at a rate of \$13.50 per hour, which represents the three-year rate per Union contract, effective immediately. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Ortner, to approve an increase for Hayes-Simkins to \$38,000.00 per year, effective immediately. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 11:40 AM.

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

ATTEST:

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