

FALL RIVER COUNTY MINUTES OF APRIL 17, 2012

The Fall River Board of County Commissioners met in regular session on April 17, 2012. Present: Mike Ortner, Joe Falkenburg, Joe Allen, Anne Cassens, Deb Russell and Sue Ganje, Auditor. Absent: none.

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

The agenda was reviewed for conflicts; none were indicated.

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 Falkenburg, seconded by Cassens, to approve the minutes of April 3, 2012 with the correction from Ed Stearns to Ed Stevens for the Pit Run Gravel Agreement. With no further discussion and all voting yes, the motion carried.

An application for assistance was presented for approval. Motion by Falkenburg, seconded by Russell, to approve \$95.70 in assistance for CP #2012-07 for propane with a repayment plan and \$150.00 in assistance from another source. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to surplus as junk an IBM dot matrix printer, asset #00982. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to change the first meeting date in June from the 5th to the 7th to allow for the official Primary Election canvass. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to set June 5, 2012 at 11:00 a.m. as the time for a hearing on malt beverage, South Dakota wine and temporary malt beverage and alcohol license applications and renewals. With no further discussion and all voting yes, the motion carried. New guidelines which do not require advanced advertisement of renewing licenses were discussed and will be taken into consideration during next year's application process.

Motion by Cassens, seconded by Russell, 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 30th day of March, 2012.

—
Total Amt of Deposit in Wells Fargo Bank: \$ 3,891.27
Total Amt of Deposit in First Interstate Bank, Hot Springs: \$ 441,420.06

Total Amount of Cash:	\$ 2,284.74
Total Amount of Treasurer's Change Fund:	\$ 900.00
Total Amount of Checks in Treasurer's Possession, Not Exceeding Three Days:	\$ 33,866.07
MONEY MARKET SAVINGS, First Interstate Bank:	\$ 35,112.61
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ 3,920,000.00
Black Hills FCU:	\$ 250,000.00

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		Shannon, Jeffrey, \$42.83, LIC
		TOTAL: \$4,688,343.22

Dated this 30th day of March, 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.

Motion by Falkenburg, seconded by Allen, to set May 15, 2012 at 11:00 a.m. as the time for a hearing on a petition to vacate streets and alley as petitioned by Barkers, Barker Construction and Martha Jarman. With no further discussion and all voting yes, the motion carried.

Stacey Martin, GIS, presented a request for the purchase of upgraded GIS software. Motion by Falkenburg, seconded by Allen, to approve the purchase of an upgrade of the Trimble GIS software for GPS recognition at a cost of \$765.00. With no further discussion and all voting yes, the motion carried.

Auditor Sue Ganje presented the March 2012 General Fund Surplus Analysis as follows for the Board's review.

FALL RIVER COUNTY GENERAL FUND SURPLUS ANALYSIS

DATE: MARCH 31, 2012

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>\$ 2,004,030.61</u>
10800	Taxes Receivable--Current	<u>\$ 2,019,697.01</u>
11000	Taxes Receivable--Delinquent	<u>\$ 70,028.70</u>

TOTAL ASSETS \$ 4,093,756.32

LIABILITIES AND EQUITY:

22400	Deferred Revenue	<u>\$ 2,089,725.71</u>
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FUND BALANCES:

27500	Committed (list)	
	<u>Capital Outlay Accumulations (Jail Building)</u>	<u>\$ 700,000.00</u>
27600	Assigned (one of the following)	
	March - 3/4 of the current year	<u>\$ 435,734.25</u>
	September - 1/4 of current year + subsequent year	
27700	Unassigned	<u>\$ 868,296.36</u>

TOTAL LIABILITIES AND EQUITY \$ 4,093,756.32

Following Year's General Fund Budget
(use current year for March analysis) \$ 3,646,591.00

The unassigned fund balance, account 27700,
divided by the following year's General Fund budget
resulting in the fund balance percentage 23.81%

Discussion was held on combining voter precincts to provide for more efficient and cost effective management of poll locations. Motion by Cassens, seconded by Russell, to approve a Resolution combining Argentine, Cottonwood and the Edgemont precincts into the Edgemont Area Precinct as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-13

WHEREAS, SDCL 12-14-15 allows the Fall River County Commissioners to establish the boundaries for voting precincts; and

WHEREAS, Poll workers on Election Day are required to be a registered voter in that precinct; and

WHEREAS, in an effort to be more cost effective and allow for a larger pool of voters from which to find election poll workers;

NOW THEREFORE, BE IT RESOLVED, that the Fall River County Commissioners approve the combining of Argentine, Cottonwood and the three Edgemont precincts to create the Edgemont Area Precinct; and

THEREFORE, BE IT FURTHER RESOLVED, that the legal boundaries for the above-created precinct shall be as follows:

EDGEMONT AREA

- Beginning at the Northwest corner of the county
- Thence east along the north boundary of the county to the northwest corner of Section 2, Twp 7, Rg 3
- Thence south along the Section line to the northwest corner of Section 26, Twp 7, Rg 3
- Thence east along the Section line to the northwest corner of Section 28, Twp 7, Rg 4
- Thence south along the Section line to the southwest corner of Section 33, Twp 8, Rg 4
- Thence east along the township line to the northwest corner of Section 2, Twp 9, Rg 4
- Thence south along the Section line to the northwest corner of Section 11, Twp 9, Rg 4
- Thence east along the Section line to the northwest corner of Section 12, Twp 9, Rg 4
- Thence south along the Section line to the northwest corner of Section 24, Twp 9, Rg 4
- Thence west along the Section line to the northwest corner of Section 22, Twp 9, Rg 4
- Thence south along the Section line to east-west quarter line of Section 27, Twp 9, Rg 4
- Thence east along the quarter line to the center of Section 27, Twp 9, Rg 4
- Thence south along the north-south quarter line to the Section line between Sections 27 and 34 of Twp 9, Rg 4
- Thence west along the Section line to the west quarter-quarter line of Section 34, Twp 9, Rg 4
- Thence south along the west quarter-quarter line of Section 34, Twp 9, Rg 4 to the east-west quarter line of Section 34, Twp 9, Rg 4
- Thence west along the east-west quarter line to the Section line between Section 33 and 34 of Twp 9, Rg 4
- Thence south along the Section line to the northwest corner of Section 3 Twp, 10, Rg 4
- Thence west along the township line to the north-south quarter line of Section 33, Twp 9, Rg 4
- Thence north along the north-south quarter line of Section 33, Twp 9, Rg 4 to the north quarter-quarter line of Section 33, Twp 9, Rg 4
- Thence west along the north quarter-quarter line of Section 33, Twp 9, Rg 4 to the Section line between Section 32 and 33 of Twp 9, Rg 4
- Thence south along the Section line to the northwest corner of Section 4, Twp 10, Rg 4
- Thence west along the township line to the northwest corner of Section 6, Twp 10, Rg 4
- Thence south along the township line to the northwest corner of Section 6, Twp 11, Rg 4
- Thence west along the township line to the northwest corner of Section 5, Twp 11, Rg 3
- Thence south along the Section line to the southwest corner of Section 17, Twp 12, Rg 3
- Thence west along the county line to the southwest corner of the county
- Thence north along the county line to the point of beginning.

Dated this 17th day of April, 2012.

/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 Russell, seconded by Cassens, to approve a Resolution combining the Oelrichs School portion of the Smithwick Precinct with Limestone Precinct as follows. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-14

WHEREAS, SDCL 12-14-15 allows the Fall River County Commissioners to establish the boundaries for voting precincts; and

WHEREAS, Poll workers on Election Day are required to be a registered voter in that precinct; and

WHEREAS, in an effort to be more cost effective and allow for a larger pool of voters from which to find election poll workers;

NOW THEREFORE, BE IT RESOLVED, that the Fall River County Commissioners approve expanding the boundaries of Limestone Precinct to include the Oelrichs School portion of the Smithwick Precinct; and

THEREFORE, BE IT FURTHER RESOLVED, that the legal boundaries for the above-created precinct shall be as follows:

LIMESTONE

- Beginning at the southeast corner of the county
- Thence west along the county boundary to the southwest corner of Section 16, Twp 12, Rg 5
- Thence north along the Section line to the northwest corner of Section 4, Twp 11, Rg 5
- Thence east along the township line to the northwest corner of Section 6, Twp 11, Rg 6
- Thence north along the township line to the northwest corner of Section 7, Twp 10, Rg 6
- Thence west along the Section line to the west quarter-quarter line of Section 2, Twp 10, Rg 5
- Thence north along the west quarter-quarter line of Section 2, Twp 10, Rg 5 to the north quarter-quarter line of Section 2, Twp 10, Rg 5
- Thence east along the north quarter-quarter line of Section 2, Twp 10, Rg 5 to the north-south quarter line of Section 2, Twp 10, Rg 5
- Thence north along the north-south quarter line of Section 2, Twp 10, Rg 5 to the township line between Section 35, Twp 9, Rg 5 and Section 2, Twp 10, Rg 5
- Thence east along the township line to the northwest corner of Section 6, Twp 10, Rg 6
- Thence north along the township line to the northwest corner of Section 30, Twp 9, Rg 6
- Thence east along the Section line to the east quarter-quarter line of Section 30, Twp 9, Rg 6
- Thence south along the east quarter-quarter line of Section 30, Twp 9, Rg 6 to the north quarter-quarter line of Section 30, Twp 9, Rg 6
- Thence east along the north quarter-quarter line of Sections 29 and 30 of Twp 9, Rg 6 to the west quarter-quarter line of Section 29, Twp 9, Rg 6
- Thence south along the west quarter-quarter line of Section 29, Twp 9, Rg 6 to the east-west quarter line of Section 29, Twp 9, Rg 6
- Thence east along the east-west quarter line of Section 29, Twp 9, Rg 6 to the east quarter-quarter line of Section 29, Twp 9, Rg 6

- Thence north along the east quarter-quarter line of Section 29, Twp 9, Rg 6 to the north quarter-quarter line of Section 29, Twp 9, Rg 6
- Thence east along the north quarter-quarter line of Section 29, Twp 9, Rg 6 to the Section line between Sections 28 and 29 of Twp 9, Rg 6
- Thence north along the Section line to the northwest corner of Section 28, Twp 9, Rg 6
- Thence east along the Section line to the west quarter-quarter line of Section 21, Twp 9, Rg 6
- Thence north along the west quarter-quarter line of Section 21, Twp 9, Rg 6 to the south quarter-quarter line of Section 21, Twp 9, Rg 6
- Thence east along the south quarter-quarter line of Section 21, Twp 9, Rg 6 to the east quarter-quarter line of Section 21, Twp 9, Rg 6
- Thence north along the east quarter-quarter line of Section 21, Twp 9, Rg 6 to the Section line between Sections 16 and 21 of Twp 9, Rg 6
- Thence east along the Section line to the northwest corner of Section 24, Twp 9, Rg 6
- Thence north along the Section line to the northwest corner of Section 13, Twp 9, Rg 6
- Thence east along the Section line to the northwest corner of Section 18, Twp 9, Rg 7
- Thence north along the township line to the northwest corner of Section 6, Twp 9, Rg 7
- Thence east along the township line to the northwest corner of Section 5, Twp 9, Rg 7
- Thence south along the Section line to the east-west quarter line of Section 5, Twp 9, Rg 7
- Thence east along the east-west quarter line of Section 5, Twp 9, Rg 7 to the west quarter-quarter line of Section 5, Twp 9, Rg 7
- Thence north along the west quarter-quarter line of Section 5, Twp 9, Rg 7 to the township line between Section 5, Twp 9, Rg 7 and Section 32, Twp 8, Rg 7
- Thence east along the Section line to the east quarter-quarter line of Section 32, Twp 8, Rg 7
- Thence north along the east quarter-quarter line of Section 32, Twp 8, Rg 7 to the east-west quarter line of Section 32, Twp 8, Rg 7
- Thence east along the east-west quarter line of Section 32, Twp 8, Rg 7 to the Section line between Section 32 and 33 of Twp 8, Rg 7
- Thence south along the Section line to the southwest corner of Section 33, Twp 8, Rg 7
- Thence east along the township line to the town of Smithwick
- Thence following the boundary of the school district through the town of Smithwick
- From the east-west quarter line of Section 31, Twp 8, Rg 8 thence north along the township line to the northwest corner of Section 31, Twp 8, Rg 8
- Thence east along the Section line to the north-south quarter line of Section 30, Twp 8, Rg 8
- Thence north along the north-south quarter line of Section 30, Twp 8, Rg 8 to the Section line between Sections 30 and 19 of Twp 8, Rg 8
- Thence west along the Section line to the northwest corner of Section 30, Twp 8, Rg 8
- Thence north along the township lines to the north quarter-quarter line of Section 24, Twp 8, Rg 7
- Thence west along the north quarter-quarter line of Section 24, Twp 8, Rg 7 to the north-south quarter line of Section 24, Twp 8, Rg 7
- Thence north along the north-south quarter line of Section 24, Twp 8, Rg 7 to the Section line between Section 24 and 18 of Twp 8, Rg 7
- Thence east along the Section line to the northwest corner of Section 19, Twp 8, Rg 8

- Thence north along the township line to the south quarter-quarter line of Section 13, Twp 8, Rg 7
- Thence west along the south quarter-quarter line of Section 13, Twp 8, Rg 7 to the north-south quarter line of the Section 13, Twp 8, Rg 7
- Thence north along the north-south quarter line of the Section 13, Twp 8, Rg 7 to the north quarter-quarter line of Section 13, Twp 8, Rg 7
- Thence east along the north quarter-quarter line of Sections 13, Twp 8, Rg 7 and 18, Twp 8, Rg 8 to the north-south quarter line of Section 18, Twp 8, Rg 8
- Thence north along the north-south quarter line of Section 18, Twp 8, Rg 8 to the Section line between Sections 7 and 18 of Twp 8, Rg 8
- Thence east along the Section line to the west quarter-quarter line of Section 17, Twp 8, Rg 8
- Thence south along the west quarter-quarter line of Section 17, Twp 8, Rg 8 to the east-west quarter line of Section 17, Twp 8, Rg 8
- Thence west along the east-west quarter line of Sections 17 and 18 of Twp 8, Rg 8 to the center of Section 18, Twp 8, Rg 8
- Thence south along the north-south quarter line of Section 18, Twp 8, Rg 8 to the Section line between Sections 18 and 19 Twp 8, Rg 8
- Thence east along the Section line to the west quarter-quarter line of Section 20, Twp 8, Rg 8
- Thence south along the west quarter-quarter line of Section 20, Twp 8, Rg 8 to the east-west quarter line of Section 20, Twp 8, Rg 8
- Thence west along the east-west quarter line of Sections 19 and 20 of Twp 8, Rg 8 to the east quarter-quarter line of Section 19, Twp 8, Rg 8
- Thence south along the east quarter-quarter line of Section 19, Twp 8, Rg 8 to the Section line between Sections 19 and 30 of Twp 8, Rg 8
- Thence east along the Section line to the northwest corner of Section 28, Twp 8, Rg 8
- Thence north along the Section line to the east-west quarter line of Section 16, Twp 8, Rg 8
- Thence east along the east-west quarter line of Section 16, Twp 8, Rg 8 to the Section line between Sections 15 and 16 of Twp 8, Rg 8
- Thence north along the Section line to the north quarter-quarter line of Section 15, Twp 8, Rg 8
- Thence east along the north quarter-quarter line of Section 15, Twp 8, Rg 8 to the west quarter-quarter line of Section 15, Twp 8, Rg 8
- Thence south along the west quarter-quarter line of Section 15, Twp 8, Rg 8 to the east-west quarter line of Section 15, Twp 8, Rg 8
- Thence east along the east-west quarter line of Section 15, Twp 8, Rg 8 to the center of Section 15, Twp 8, Rg 8
- Thence south along the north-south quarter line to the Section line between Section 15 and 22 of Twp 8, Rg 8
- Thence east along the Section line to the northwest corner of Section 23, Twp 8, Rg 8
- Thence north along the Section line to the northwest corner of Section 2, Twp 8, Rg 8
- Thence east along the Section line to the east boundary of the county
- Thence south along the county boundary to the point of beginning.

Dated this 17th day of April, 2012.

/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 Russell, seconded by Cassens, to approve a Resolution combining the Hot Springs School portion of the Smithwick Precinct with Beaver Precinct, and approving the following Resolution establishing the boundary changes. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-15

WHEREAS, SDCL 12-14-15 allows the Fall River County Commissioners to establish the boundaries for voting precincts; and

WHEREAS, Poll workers on Election Day are required to be a registered voter in that precinct; and

WHEREAS, in an effort to be more cost effective and allow for a larger pool of voters from which to find election poll workers;

NOW THEREFORE, BE IT RESOLVED, that the Fall River County Commissioners approve expanding the boundaries of Beaver Precinct to include the Hot Springs School portion of the Smithwick Precinct; and

THEREFORE, BE IT FURTHER RESOLVED, that the legal boundaries for the above-created precinct shall be as follows:

BEAVER

- Beginning at the northeast corner of the county
- Thence west along the north county boundary to the northwest corner of Section 6, Twp 7, Rg 7
- Thence south along the township line to the northwest corner of Section 7, Twp 8, Rg 7
- Thence west along the Section line to the northwest corner of Section 12, Twp 8, Rg 6
- Thence south along the Section line to the northwest corner of Section 13, Twp 8, Rg 6
- Thence east along the Section line to the northwest corner of Section 18, Twp 8, Rg 7
- Thence south along the township line to the southwest corner of Section 31, Twp 8, Rg 7
- Thence north along the township line to the northwest corner of Section 6, Twp 9, Rg 7
- Thence east along the township line to the northwest corner of Section 5, Twp 9, Rg 7
- Thence south along the Section line to the east-west quarter line of Section 5, Twp 9, Rg 7
- Thence east along the east-west quarter line of Section 5, Twp 9, Rg 7 to the west quarter-quarter line of Section 5, Twp 9, Rg 7
- Thence north along the west quarter-quarter line of Section 5, Twp 9, Rg 7 to the township line between Section 5, Twp 9, Rg 7 and Section 32, Twp 8, Rg 7
- Thence east along the Section line to the east quarter-quarter line of Section 32, Twp 8, Rg 7
- Thence north along the east quarter-quarter line of Section 32, Twp 8, Rg 7 to the east-west quarter line of Section 32, Twp 8, Rg 7
- Thence east along the east-west quarter line of Section 32, Twp 8, Rg 7 to the Section line between Section 32 and 33 of Twp 8, Rg 7

- Thence south along the Section line to the southwest corner of Section 33, Twp 8, Rg 7
- Thence east along the township line to the town of Smithwick
- Thence following the boundary of the school district through the town of Smithwick
- From the east-west quarter line of Section 31, Twp 8, Rg 8 thence north along the township line to the northwest corner of Section 31, Twp 8, Rg 8
- Thence east along the Section line to the north-south quarter line of Section 30, Twp 8, Rg 8
- Thence north along the north-south quarter line of Section 30, Twp 8, Rg 8 to the Section line between Sections 30 and 19 of Twp 8, Rg 8
- Thence west along the Section line to the northwest corner of Section 30, Twp 8, Rg 8
- Thence north along the township lines to the north quarter-quarter line of Section 24, Twp 8, Rg 7
- Thence west along the north quarter-quarter line of Section 24, Twp 8, Rg 7 to the north-south quarter line of Section 24, Twp 8, Rg 7
- Thence north along the north-south quarter line of Section 24, Twp 8, Rg 7 to the Section line between Section 24 and 18 of Twp 8, Rg 7
- Thence east along the Section line to the northwest corner of Section 19, Twp 8, Rg 8
- Thence north along the township line to the south quarter-quarter line of Section 13, Twp 8, Rg 7
- Thence west along the south quarter-quarter line of Section 13, Twp 8, Rg 7 to the north-south quarter line of the Section 13, Twp 8, Rg 7
- Thence north along the north-south quarter line of the Section 13, Twp 8, Rg 7 to the north quarter-quarter line of Section 13, Twp 8, Rg 7
- Thence east along the north quarter-quarter line of Sections 13, Twp 8, Rg 7 and 18, Twp 8, Rg 8 to the north-south quarter line of Section 18, Twp 8, Rg 8
- Thence north along the north-south quarter line of Section 18, Twp 8, Rg 8 to the Section line between Sections 7 and 18 of Twp 8, Rg 8
- Thence east along the Section line to the west quarter-quarter line of Section 17, Twp 8, Rg 8
- Thence south along the west quarter-quarter line of Section 17, Twp 8, Rg 8 to the east-west quarter line of Section 17, Twp 8, Rg 8
- Thence west along the east-west quarter line of Sections 17 and 18 of Twp 8, Rg 8 to the center of Section 18, Twp 8, Rg 8
- Thence south along the north-south quarter line of Section 18, Twp 8, Rg 8 to the Section line between Sections 18 and 19 Twp 8, Rg 8
- Thence east along the Section line to the west quarter-quarter line of Section 20, Twp 8, Rg 8
- Thence south along the west quarter-quarter line of Section 20, Twp 8, Rg 8 to the east-west quarter line of Section 20, Twp 8, Rg 8
- Thence west along the east-west quarter line of Sections 19 and 20 of Twp 8, Rg 8 to the east quarter-quarter line of Section 19, Twp 8, Rg 8
- Thence south along the east quarter-quarter line of Section 19, Twp 8, Rg 8 to the Section line between Sections 19 and 30 of Twp 8, Rg 8
- Thence east along the Section line to the northwest corner of Section 28, Twp 8, Rg 8
- Thence north along the Section line to the east-west quarter line of Section 16, Twp 8, Rg 8

- Thence east along the east-west quarter line of Section 16, Twp 8, Rg 8 to the Section line between Sections 15 and 16 of Twp 8, Rg 8
- Thence north along the Section line to the north quarter-quarter line of Section 15, Twp 8, Rg 8
- Thence east along the north quarter-quarter line of Section 15, Twp 8, Rg 8 to the west quarter-quarter line of Section 15, Twp 8, Rg 8
- Thence south along the west quarter-quarter line of Section 15, Twp 8, Rg 8 to the east-west quarter line of Section 15, Twp 8, Rg 8
- Thence east along the east-west quarter line of Section 15, Twp 8, Rg 8 to the center of Section 15, Twp 8, Rg 8
- Thence south along the north-south quarter line to the Section line between Section 15 and 22 of Twp 8, Rg 8
- Thence east along the Section line to the northwest corner of Section 23, Twp 8, Rg 8
- Thence north along the Section line to the northwest corner of Section 2, Twp 8, Rg 8
- Thence east along the Section line to the east boundary of the county
- Thence north along the county boundary to the point of beginning

Dated this 17th day of April, 2012.

/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 Allen, to approve the following Resolution establishing polling places. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-16

WHEREAS, the Fall River County Commissioners have established the boundaries of voting precincts in accordance with SDCL 12-14-15 to provide for cost-effective management of polling places; and

WHEREAS, the boundaries for precincts were altered and approved by Fall River County Resolutions #2012-13, #2012-14 and #2012-15; and

WHEREAS, SDCL 12-14-15 allows for the establishment of polling locations; and

NOW THEREFORE, BE IT RESOLVED, that the Fall River County polling places be established as follows:

BEAVER PRECINCT- Oral School, Oral, SD

CASCADE PRECINCT- Cascade Fire Hall

EDGEMONT AREA PRECINCT- St. James Parish Hall, Edgemont, SD

HOT SPRINGS 1- Evans Apartments, Hot Springs, SD

HOT SPRINGS 2A, 2B and 3- Mueller Center, Hot Springs, SD

HOT SPRINGS 4- Brookside Apartments, Hot Springs, SD

JACKSON- Mueller Center, Hot Springs, SD

LIMESTONE- Oelrichs Community Center, Oelrichs, SD

OELRICHS- Oelrichs Community Center, Oelrichs, SD

Dated this 17th day of April, 2012.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Terri Halls, Director of Equalization, met with the Board to present abatements. Motion by Falkenburg, seconded by Cassens, to approve the abatement of taxes for parcel #75140-01600-01500, Catholican Addition: E 52' of Lots 15-24, Block 16, 2011 taxes in the amount of \$592.59 to reflect owner-occupied status. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve the abatement of taxes for parcel #72290-00900-00500, Stewart Addition: Lots 5 & 6, Block 9, 2011 taxes in the amount of \$199.96 due to an error in entering the land value. With no further discussion and all voting yes, the motion carried.

Halls presented the 2012 assessment plan and advised of plans to hire two seasonal data collectors. Discussion was held on the county valuation.

Randy Seiler, Highway Supervisor, presented fuel quotes as follows:

	<u>8,000 gal #2 Dyed Diesel</u>
Nelson's	\$3.369 / gal.
MG Oil	\$3.40 / gal.

Motion by Falkenburg, seconded by Russell, to approve Nelson's bid for 8,000 gallons of #2 Dyed Diesel at \$3.369 per gal. as the low bid. With no further discussion and all voting yes, the motion carried.

Seiler advised he has signed a work order for Brosz Engineering and a lease for mower tractors. Motion by Falkenburg, seconded by Russell, to approve a lease agreement for 2 mower tractors for the 2012 season. With no further discussion and all voting yes, the motion carried.

A request for travel approval was presented by Seiler, which Frank Maynard, Emergency Management, was also requesting to attend. Motion by Russell, seconded by Cassens, to approve designating Seiler as an alternate to attend a Safety Benefits seminar in Sturgis on April 25-26, 2012. With no further discussion and all voting yes, the motion carried.

Seiler reported that the cost of a completed approach for the Minnekahta Fire District is \$725.21. Mag water has been applied to Buffalo Gap and Lone Tree Roads. Discussion was held on safety concerns about trucks hauling on those roads and whether speed limits need clearer posting. Falkenburg also discussed roaming cattle and the responsibility of ranchers to keep livestock fenced. The State's Attorney office was asked to research laws enforcing fences.

Consideration was given to hiring part-time help on a seasonal basis for the Highway Department, rather than full-time to replace a retiring employee as Seiler was requesting. Commissioner Allen suggested restructuring the department to utilize seasonal help may be cost effective. Seiler reported that the department did not replace a worker in 2000 and has held the number of staff static since then. Fall River maintains 600 miles of road compared to Custer County's 400 miles, has less staff and has a lower starting wage. Seiler also had concerns about the skill level of seasonal help and the abundance of other opportunities, such as construction jobs, for seasonal workers.

Keith Andersen suggested that private contractors could be considered for some maintenance jobs and should be asked what services they could provide. Falkenburg stated that road maintenance is one of the main responsibilities of the county and if actions are taken to cut the highway department, all departments should be scrutinized. Seiler stated he could talk to contractors about chip sealing.

Motion by Allen, seconded by Cassens, to table hiring approval for the Highway Department and schedule it on the May 1, 2012 agenda for continued deliberation. With no further discussion, Falkenburg and Ortner voting nay, all others voting yes, the motion carried and the matter tabled.

The meeting was opened for public comment. Dusty Pence presented the Board with a letter urging them to postpone a final decision on the jail for a year, a position Ortner endorsed, at least until the Hot Springs VA Hospital question is settled. Keith Anderson discussed hauling gravel in reference to discussion about the highway department contracting out services. Andersen's company is hauling hazardous material for \$0.25 per tonnage mile and by subcontracting, final cost came to be \$0.09 per tonnage mile.

Robert Chubb met with the Board to express concerns about the Fort Igloo and Harney Roads and their accessibility to residents of Igloo. Chubb stated Brunsons are claiming ownership of the road and are blocking utilities such as installation of fiber optic technology by Golden West, as well as access to the Township water pump. Chubb has found no evidence that Brunsons own the road.

Keith Andersen, Andersen Engineering, presented a plat for approval. Motion by Falkenburg, seconded by Cassens, to approve the following plat as presented. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-17

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Lot 5 of Valley View Heights Subdivision located in the SE ¼ SW ¼, Section 19, T7S, 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 17th day of April, 2012.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

A break was taken at 11:00 a.m.

The meeting resumed at 11:07 a.m. with Maynard's request to attend the Safety Benefits seminar. Motion by Falkenburg, seconded by Allen, to approve the travel request for Maynard to attend the Safety Benefits seminar in Sturgis on April 25-26, 2012. With no further discussion and all voting yes, the motion carried.

Maynard reported that the narrow band conversion will take place on April 19 and 20, 2012. Issues with the sirens in Edgemont have been identified: one siren is inoperative and one needs a narrow band board at a cost of \$1,570.00. Maynard has discussed the matter with the City of Edgemont and is seeking grants to fund the expenses. Weather spotting training will be offered on April 24, 2012 in Hot Springs.

Ten light fixtures in the Jail and Dispatch facilities need replacing. The new lamps will be more efficient and have tamper-proof covers. Motion by Cassens, seconded by Allen, to approve replacing ten light fixtures at a cost of \$128.99 each, plus bulbs, paid by the building fund. With no further discussion and all voting yes, the motion carried.

Maynard advised excess gravel from the jail retaining wall project will be applied in areas on county property that need drainage improvement. He also advised that the county fire danger has been downgraded to moderate.

Mary Kaiser, Wellmark Blue Cross/Blue Shield, met to present the proposal for 2012-2013 renewal, including rates and plan details.

Terri Halls, Director of Equalization, Mel Engebretson, Register of Deeds, and Pat Ginsbach, Deputy State's Attorney, met to report on research done on Ardmore properties. Certain properties were still in the name of the Town of Ardmore, although the Town has disbanded, and all other properties were deeded to Fall River County. Ginsbach recommended petitioning the court for resolution. Motion by Falkenburg, seconded by Allen, to proceed with a judicial solution in the matter of property formerly owned by the Town of Ardmore. With no further discussion and all voting yes, the motion carried.

Ginsbach presented mapping of an alternate route around the bridge at Igloo, which was abandoned by the State in 2004 and therefore would automatically revert to local jurisdiction. An agreement provided for deeding the bridge to the county after repair work was completed but Seiler

can't recall any work being done to the bridge since the agreement was in place. Ginsbach will continue research on ownership.

Discussion was held on 240 acres of county property, which has previously been leased. Motion by Cassens, seconded by Russell, to surplus 240 rural acres with the legal description of 240 acres more or less in SE ¼, Section 19, W ½ SW ¼, Section 20, all in Township 8, South of Range 3 East, BHM, Fall River County, South Dakota, on May 15, 2012 at 11:10 a.m. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to enter into Executive Session for Union Contract addendums. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:54 a.m.

The Board came out of Executive Session at 12:07 and adjourned for lunch.

The meeting resumed at 1:30 p.m. with the Board convening as the Consolidated Board of Equalization with the City of Hot Springs and Hot Springs School District. Present were Commissioners Anne Cassens, Joe Allen, Deb Russell, Joe Falkenburg, Mike Ortner, Dave Burris, City of Hot Springs and Perry Holmes, Hot Springs School and Auditor Sue Ganje.

The Oath of Office was taken by the Board members and placed on file. Also present were Terri Halls, Director of Equalization, Jim Sword, State's Attorney and Hot Springs Mayor Don DeVries. Ortner noted he was abstaining from all Board decisions on the Boulder Falls Addn issue.

For appeal #2012-1, Attorney Lynn Moran met with the Board representing Reynar, Amundson, Hewitt, Powles, Stiles, Whetzel, Wick and Wick in their application for a correction of assessments. Sword presented a brief recap of the legal issues and Moran explained that the application was based on whether the properties should be classified as Rural Service District rather than Urban Service District, referencing applicable SD statutes. Moran also referred to a moratorium issued in City of Hot Springs vs. Simunek that stated no building permits could be issued.

DeVries stated that the City's understanding was that the properties had been platted and sold according to city ordinance, that properties making application are lots with no improvements and the building moratorium was effective until 2008.

All parties agreed that the properties were properly placed in the Rural District. Charleton Reynar described his efforts to rectify the matter. Sword recommended adherence to State statute 9-21A-10. Discussion was held on ordinances addressing Rural and Urban Service Districts and whether the properties should be classified as Rural or Urban for 2012 taxes, payable in 2013.

Motion by Cassens, seconded by Russell, Appeal #2012-1, to classify the property in question as Rural Service District for 2012 taxes, payable in 2013. With no further discussion, Ortner abstaining from the vote, Cassens, Allen and Russell voting yes; Falkenburg, Burris and Holmes voting no, the motion failed.

Motion by Holmes, seconded by Burris, Appeal # 2012-1, to classify the property in question as Urban Service District. With no further , Ortner abstaining from vote, Burris, Falkenburg and Holmes voting yes; Cassens, Allen and Russell voting no, the motion failed.

Motion by Cassens, seconded by Burris, to recess for five minutes. With no further discussion and all voting yes, the motion carried and the Board recessed at 2:28 p.m.

The Board reconvened at 2:32 p.m. with Sword summarizing discussion and asking for one of the Board members voting to classify the property as Rural to switch to Urban so the matter can be referred to the Office of Hearing Examiners.

Motion by Cassens, seconded by Allen, Appeal #2012-1, to reclassify the property in question as rural for 2012 taxes, payable in 2013. With no further discussion, Ortner abstaining, Cassens, Allen and Russell voting yes; Falkenburg, Burris and Holmes voting no, the motion failed.

Motion by Russell, seconded by Holmes, Appeal #2-12-1, to classify the property in question as Urban Service District. With no further discussion, Ortner abstaining, Russell, Burris, Falkenburg and Holmes voting yes; Cassens and Allen voting no, the motion carried.

A request from Charleton Reynar, Appeal #2012-2, to reduce the valuation on a .62 acre lot from \$34,100.00 to \$20,000.00 was heard. Halls explained the valuation process on Boulder Falls lots. Floyd Stiles, Appeal #2012-3, also requested an adjustment in valuation for 2012 taxes to \$25,000.00. Motion by Falkenburg, seconded by Burris, to leave the valuations, Appeal #'s 2012-2 2012-3, as assessed by the Director of Equalization. With no further discussion and Cassens, Allen, Russell, Falkenburg, Burris and Holmes voting yes; Ortner voting no, the motion carried. Councilman Burris left meeting as this was the only appeal involving the City of Hot Springs.

Mark and Brenda Steffen, Appeal #2012-4, met to appeal the valuation of a trailer house, asking that the NADA book value of \$46,321.00 be used rather than the assessed value, which was more than the purchase price. Motion by Cassens, seconded by Holmes, Appeal #2012-4, to reduce the value of the trailer owned by Mark and Brenda Steffen from \$77,250.00 to \$50,000.00. With no further discussion and all voting yes, the motion carried.

Appeal #2012-5 was presented for Richard and Jennifer Hawkins, who were not in attendance, asking for a reduction in valuation from \$355,575.00 to \$175,200.00. Motion by Russell, seconded by Cassens, Appeal #2012-5, to accept the recommendations of the Director of Equalization for a valuation of \$355,575.00. With no further discussion and all voting yes, the motion carried. School Board Holmes left the meeting as this was the final issue for the Hot Springs School District.

Motion by Cassens, seconded by Russell, to concur with the Oelrichs Board of Equalization on their decisions regarding appeals by Jane Logue and Katherine Smith. With no further discussion and all voting yes, the motion carried.

The exempt list was reviewed for approval. Motion by Cassens, seconded by Allen, to remove Bible Holiness from the exempt list as no application was received. With no further discussion and all voting yes, the motion carried.

Discussion was held on new applications for exempt status. Motion by Russell, seconded by Allen, to deny the application for exempt status from Paha Sapa. With no further discussion, Ortnier abstaining and all others voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the application for exempt status from Angostura Irrigation, pending an opinion from the State’s Attorney on the need for them to file. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve the application for exempt status from West River Association Foundation. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve the tax exemption list and adjourn as the Consolidated Board of Equalization and reconvene as the Fall River County Board of Commissioners. With no further discussion and all voting yes, the motion carried.

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

GENERAL FUND

A&B BUSINESS EQUIPMENT	COPIER	\$385.40
BEESLEY LAW OFFICE	CAAF	\$2,306.60
BLACK HILLS CHEMICAL	SUPPLY	\$242.94
BLACK HILLS POWERSPORTS	REPAIR	\$100.95
BINGHAM, JAMES	MI	\$1,088.25
BH FAMILY HEALTH CLINIC	INMATE	\$369.00
CARDMEMBER SERVICE	MISC	\$2,117.39
CAROL BUTZMAN CONSULTING	MI	\$651.51
CBM FOOD SERVICE	INMATE	\$3,237.92
CENTURY BLASTING SERVICE	REPAIR	\$42,220.94
CENTURY BUSINESS LEASING	COPIER	\$210.21
CHEYENNE SANITATION	UTILITY	\$864.00
CLINICAL LABORATORY OF	AUTOPSY	\$1,807.00
CODY, DENISE	MI	\$15.00
CULLIGAN SOFT WATER	WATER	\$103.75
DIETRICH, DONNA K.	MI	\$150.45
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$826.41
GREATER FALL RIVER HEALTH	PRO SERV;INMATE	\$2,284.08
GEN DIAGNOSTICS INC	INMATE	\$946.50
GLASS PRO +	CAR MAINT	\$194.27
GOLDEN WEST	TELEPHONE	\$1,469.69

HANSEN, SHARON K	INMATE	\$600.00
HARVEY'S LOCK & SECURITY	REPAIR	\$173.49
HEARTLAND PAPER CO	SUPPLY	\$64.77
HILLS EDGE AUTO SALES	CAR MAINT	\$474.55
HILLYARD FLOOR CARE SUPP	SUPPLY	\$31.69
CITY OF HOT SPRINGS	UTILITY	\$258.19
INVENTORY TRADING CO	UNIFORM	\$102.00
IRON MOUNTAIN ELECTRIC	REPAIR	\$114.00
RICOH PRODUCTION PRINT	SOFTWARE	\$156.00
LONE STAR HEATING & AIR	REPAIR	\$154.55
LYLE'S HANDYMAN	REPAIR	\$71.40
MASSA DONALD DDS	INMATE	\$122.00
MCKIE FORD LINCOLN MERCUR	REPAIR	\$8,236.53
MICROFILM IMAGING SYSTEMS	LEASE	\$275.00
NEVE'S UNIFORM INC	UNIFORM;SUPPLY	\$449.65
O'NEILL, JUSTIN	CAAF	\$205.00
PENN CO JAIL	INMATE	\$504.00
PENN COUNTY SHERIFF	INMATE	\$323.45
PJ'S HI-D-WAY	ASSISTANCE	\$95.70
PITNEY BOWES	SUPPLY	\$104.36
POWELL, DEBRA J	INMATE	\$35.00
RADIOSHACK	SUPPLY	\$21.99
RAPID CITY JOURNAL (THE)	PUBLISHING	\$670.46
REDWOOD TOXICOLOGY LAB	INMATE	\$70.00
RUSSELL, DEBORAH	TRAVEL	\$98.42
SANICHEM	SUPPLY	\$384.88
SD ASSN OF CO. OFFICIALS	REGISTRATION	\$450.00
SD ASSN OF COUNTY COMM.	LEGAL	\$2,248.93
SOUTH DAKOTA INVASIVE	MEMBERSHIP	\$50.00
SD POLICE CHIEFS' ASSOC	REG	\$130.00
SERVALL	SUPPLY	\$115.26
SKINNER, MATTHEW L. PC	CAAF	\$165.50
SLOWEY COURT REPORTING	MI	\$55.00
SOFTWARE SERVICES INC	SUPPORT	\$1,150.00
STATE REMITTANCE CENTER	MI;NURSE	\$3,090.00
STEINMETZ, NINA	REPAIR	\$40.80
STEVENS PLUMBING	REPAIR	\$189.89
SWORD, JAMES	TRAVEL	\$44.40
SWANDA, KAREN	MI	\$15.00
SCHOENFELDER, PAUL	INMATE	\$210.00
VERIZON WIRELESS	CELL PHONE	\$1,033.32
WESTERN SD JUV SERV CTR	JUVENILE	\$2,250.00
YANKTON CO. SHERIFF	MI	\$25.00

WITNESSES	FEE	\$403.21
	GENERAL FUND TOTAL	\$87,055.65

ROAD & BRIDGE

B H ELECTRIC COOP INC.	UTILITY	\$19.32
CARDMEMBER SERVICE	MISC	\$192.00
CHEYENNE SANITATION	UTILITY	\$74.00
EDGEMONT, CITY OF	UTILITY	\$42.90
EVANS, PATRICK	REIMB INS	\$500.00
GREATER FALL RIVER HEALTH	PRO SERV;INMATE	\$30.00
GOLDEN WEST	TELEPHONE	\$244.36
CITY OF HOT SPRINGS	UTILITY	\$22.88
SIOUX CITY FOUNDRY	SUPPLY	\$1,280.00
VERIZON WIRELESS	CELL PHONE	\$64.46
	ROAD & BRIDGE TOTAL	\$2,469.92

911 SURCHARGE REIMBUR.

DANKO EMERGENCY EQUIPMENT	SUPPLY	\$177.59
GOLDEN WEST	TELEPHONE	\$61.12
CENTURY LINK	TELEPHONE	\$621.01
	911 REIMBUR. TOTAL	\$859.72

EMERGENCY MGT

CARDMEMBER SERVICE	MISC	\$103.21
GOLDEN WEST	TELEPHONE	\$114.30
NORTONS SINCLAIR	CAR MAINT	\$70.00
PITNEY BOWES	SUPPLY	\$2.12
VERIZON WIRELESS	CELL PHONE	\$243.58
	EMERGENCY MGMT TOTAL	\$533.21

LEPC GRANT

BURT, CURTIS	LEPC	\$100.00
PUDWILL, NORMAN	LEPC	\$60.00
	24/7 SOBRIETY FUND TOTAL	\$160.00

24/7 PARTICIPATION FEE

STATE REMITTANCE CENTER	MI;NURSE	\$240.00
	24/7 PART. FEE TOTAL	\$240.00

	GRAND TOTAL	\$91,318.50
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Sheriff Rich Mraz presented the Board with the U.S. Forest Service Contract. Motion by Falkenburg, seconded by Allen, to enter into agreement with the Forest Service at a cost of \$8,186.00 and authorize the Chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to designate as surplus two Colt M-16-A1's, serial #9077279 and #9077419, from the Sheriff's Department. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to enter into Executive Session to conduct interviews with candidates for the Veterans Services Officer. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 3:36 p.m.

The Board came out of Executive Session at 3:46 to meet with an applicant for county assistance. Motion by Cassens, seconded by Russell, to approve \$416.29 in assistance for CP #2012-08 for electricity, with a repayment plan and an additional \$200 00 in assistance from another source. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to enter into Executive Session to continue interviews with candidates for the Veterans Services Officer. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 3:52 p.m.

The Board came out of Executive Session at 4:30 p.m. Motion by Russell, seconded by Falkenburg, to hire Wendy Weakland as the Veterans Services Officer at a starting salary of \$24,500.00 per year, effective May 2, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 4:32 p.m.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor