

FALL RIVER COUNTY MINUTES OF JUNE 19, 2012

The Fall River Board of County Commissioners met in regular session on June 19, 2012. Present: Mike Ortner, Joe Falkenburg, Joe Allen and Sue Ganje, Auditor. Absent: Anne Cassens and Deb Russell.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM. The agenda was reviewed for conflicts; none were indicated.

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

Motion by Falkenburg, seconded by Allen, to approve the minutes of June 7, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, 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 31st day of May, 2012.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,891.36</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>1,081,276.44</u>
Total Amount of Cash:	\$ <u>434.39</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>18,424.70</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>35,112.90</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: \$5,310,865.43

Dated this 31st day of May, 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 surplus as junk the following items: from the State's Attorney office, asset #1936, a printer; from the Courthouse, asset #0093, a folding chair; from the Commission, asset #1756, a chair; from the Treasurer, asset #s 1782 and 1767, a monitor and keyboard; from Emergency Management, a hand held radio, SN# ending in 210-GA; and to surplus to sell 8 gallons of epoxy cement from Maintenance. With no further discussion and all voting yes, the motion carried.

Applicants for assistance met with the Board. After discussion, no motion was made to provide assistance for CP#12-15.

Motion by Falkenburg, seconded by Allen, to approve \$445.00 in rent assistance for CP #2012-18 with a repayment plan of \$75.00 per month. With no further discussion and all voting yes, the motion carried.

Cassens joined the meeting at 9:15 AM.

Motion by Allen, seconded by Cassens, to approve \$160.00 for dental assistance for CP #2012-16 with continued monthly payments. With no further discussion and all voting yes, the motion carried.

The Board reviewed the billing from Cheyenne Sanitation for the June 2, 2012 County clean-up, which showed 8.05 tons of rubble, 4.49 tons of sorted garbage, miscellaneous mattresses and white goods, and a total of 379 tires, with a cost to the county of \$1,434.00. Figures from the Custer/Fall River landfill have not been received yet.

Information on the LaRouche PAC was presented to the Board. Motion by Falkenburg, seconded by Allen, to table the LaRouche PAC matter until additional information can be gathered. With no further discussion and all voting yes, the motion carried.

The Board discussed Court-appointed attorney fees that remain unpaid by defendants. It was suggested the Board consider additional enforcement actions.

Mike Brooks met with the Board to discuss a tax certificate he purchased which has liens attached to it, including one for a previous owner. Brooks asked the county to release the lien on his property and noted that he was pursuing legal remedy for a quiet title. The Board advised him to proceed with the Summons and Complaint, naming Fall River County as a defendant, which would remove the lien from the property.

Melody Engebretson, Register of Deeds, met with the Board to update them on the Modernization and Preservation Technology Fund and the estimated additional fees that will be

generated. An update to the current fee schedule was discussed and will be brought to the Board as a Resolution at their next meeting.

Terri Halls, Director of Equalization, requested approval for possible fluctuating hours during the reappraisal process from the Board, to which they agreed.

Randy Seiler, Highway Superintendent, presented a pipeline agreement to the Board. Motion by Cassens, seconded by Allen, to approve a Hay Canyon Road pipeline easement for Don Fish for a 15' wide easement for a pipeline adjacent to the SW ¼ of Section 8, T8S, R8E and the NW ¼ of Section 17 in T8S, R8E of the BHM, Fall River County and an easement for a pipeline to run from the SW ¼ of Section 8 in T8S, R8E to the NW ¼ of Section 17 in T8S, R8E of the BHM, Fall River County, South Dakota. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve a project work order with Interstate Engineering for consultant services for Project PH 8024 (13), PCN 02AX, LGA-87-11, a county signing project to be completed at no cost to the county. With no further discussion, Cassens voting no and all others voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve an application by Golden West Telecommunications to occupy a Right of Way on Old Highway 79, located in Section 13, T10S, R7E, Fall River County, South Dakota for buried fiber optic telecommunications cable. With no further discussion and all voting yes, the motion carried.

Seiler informed the Board that he had received authorization from the SD Department of Game, Fish and Parks to remove auto gates. Motion by Falkenburg, seconded by Allen, to authorize the removal of auto gates on Sheps Canyon Road. With no further discussion and all voting yes, the motion carried.

Discussion was held on monitoring needed in areas of the county where mining permits are issued with regard to ensuring road maintenance. The Auditor will follow up on policies Harding County has adopted. Falkenburg also suggested the county policy on auto gates needs review to eliminate county liability when individuals work on the gates. Cassens noted the need for the Railroad to compensate the county for road damages done by railroad trucks, as exemplified by Dewey Road.

Ortner appointed a subcommittee consisting of Cassens, Seiler and Ganje to research auto gates and damage compensation by railroads. The Board agreed to table the issue until the mid-July meeting to allow for compilation of information.

Seiler reported that resurfacing has begun on the road running from the top of the East Oral Road hill to Highway 79. The project is expected to take two weeks to complete. Seiler discussed other road issues and the 2013 budget, including the need for a truck, which could be purchased off of another county or state bids, plus two blades which will qualify for buy-back next year.

Motion by Cassens, seconded by Allen, to change the date of the second Board meeting in July

from the 17th to the 19th to allow for attendance by Chairman Ortner. With no further discussion and all voting yes, the motion carried.

Allen noted an issue with an approach on the road south of Smithwick. Previously, the Board took action to deny any additional access approaches on that road. Discussion was held about a letter that should be sent from the State's Attorney to area realtors, advising them that permits to construct approaches are required by the county.

Frank Maynard, Emergency Management / 911, met with the Board and advised them he would not be seeking approval to replace the keypad lock for the jail until a later date as he has not received cost estimates. Maynard expressed concern about the lack of communication capabilities during emergencies, specifically with regard to the fire tender and Search & Rescue, asking for approval to purchase two hand-held radios. Cassens asked if mobile radios could be transferred between vehicles, which can be done with the use of an antenna. Maynard suggested purchasing a repeater with upcoming Homeland Security funds and showed the Board where current towers are located. Allen proposed setting a goal of acquiring two repeaters in the southern parts of the county, which would assist in the use of the hand-helds. Motion by Cassens, seconded by Falkenburg, to approve the purchase of a mobile radio at a cost of \$435.00, plus an antenna for the fire tender at a cost of \$80.00. With no further discussion and all voting yes, the motion carried.

The EM 101 class for Commissioners will be held June 27, 2012 in Rapid City; Maynard encouraged attendance as it is very informative. Emergency Management staff attended the Homeland Security Grant meeting in Rapid City on June 18; each county must designate a representative to attend the meetings along with a representative of law enforcement. Motion by Falkenburg, seconded by Allen, to authorize Maynard as the representative for Fall River County at the Homeland Security Grant meetings and to entrust the Sheriff to select the law enforcement delegate. With no further discussion and all voting yes, the motion carried.

Maynard provided the Board with an accounting of fires and traffic accidents in the county during the past month. Rich Zacher, DOT, will be invited to the next meeting to discuss suggestions on posting the danger of the curves on Fall River Road. Maynard also reported that Mike Willis received the Outstanding 911 Telecommunicator award at the 40th Session. Drought conditions in the county are being monitored; portions are extremely dry.

The meeting was opened for public comment. Falkenburg noted he has heard complaints about jail inmates making unwanted comments at people passing by the outdoor exercise area. Options for blocking sight lines will be explored.

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	\$383.21
BACHAND, LORI	ELECTION PICK UP BAL	\$40.00
BEESEY LAW OFFICE	CAAF	\$1,608.60
BLACK HILLS CHEMICAL	SUPPLY	\$122.99
BINGHAM, JAMES	MI;CAAF	\$3,947.00
BLACK HILLS FUNERAL HOME	ASSISTANCE	\$1,300.00
BOYS & GIRLS CLUB	ALLOTMENT	\$1,000.00
CARDMEMBER SERVICE	MISC	\$887.66
CAROL BUTZMAN CONSULTING	MI	\$1,313.13
CBM FOOD SERVICE	INMATE	\$3,023.16
CENTURY BUSINESS LEASING	COPIER	\$527.40
CHEMSEARCH	SUPPLY;REPAIR	\$709.28
CHEYENNE SANITATION	CLEANUP	\$1,434.00
CULLIGAN SOFT WATER	WATER	\$103.75
DARLING, KATIE	TRAVEL	\$8.88
DIVISION OF MOTOR VEHICLE	LIC;REGISTRATION	\$14.00
ELECTION SYSTEMS & SOFT	SUPPLY	\$114.00
ENVIRON SERVICES	TESTING	\$2,283.84
EXECUTIVE MGMT FINANCE	BIT	\$20.00
FASTENAL COMPANY	SUPPLY	\$87.66
FR SOIL CONSERVATION DIST	ALLOTMENT	\$9,000.00
FALL RIVER COMMUNITY	ALLOTMENT	\$3,000.00
GOLDEN WEST	TELEPHONE	\$1,533.68
GRAHAM, JULIE	ELECTION WORK	\$33.07
HEARTLAND PAPER CO	SUPPLY	\$212.37
HIGH PLAINS GRAPHICS	SUPPLY	\$208.00
HILLYARD FLOOR CARE SUPP	SUPPLY	\$375.21
HOT SPRINGS PUBLIC LIB	ALLOTMENT	\$20,000.00
KRUEGER, CARLA	INMATE	\$35.00
LEWIS & CLARK MENTAL	MI	\$149.00
LYLE'S HANDYMAN	LABOR	\$232.05
MICROFILM IMAGING SYSTEMS	LEASE	\$275.00
NORTONS SINCLAIR	REPAIR	\$60.00
O'NEILL, JUSTIN	CAAF	\$4,142.05
PENN CO JAIL	INMATE	\$315.00
PHOENIX INVESTIGATIONS	INVESTIGATION	\$727.82
POWELL, DEBRA J	INMATE	\$245.00
QUILL CORPORATION	SUPPLY	\$1,812.82
RADIOSHACK	SUPPLY	\$6.99
RAPID CITY JOURNAL (THE)	PUBLISHING	\$2,040.35
RAPID CITY REGIONAL	MI	\$1,853.61
REGIONAL HEALTH	AUTOPSY	\$375.00
SANICHEM	SUPPLY	\$595.00
SERVALL	SUPPLY	\$118.89
SKINNER, MATTHEW L. PC	CAAF	\$1,055.25
SOFTWARE SERVICES INC	SUPPORT	\$1,560.00
SOTHERLAND, BECKI	TRAVEL	\$61.05
STATE REMITTANCE CENTER	24/7,ANIMAL	\$1,905.91
SCHOENFELDER, PAUL	INMATE	\$152.70
TIGER DIRECT	SUPPLY	\$52.91
US BANK	COPIER	\$136.28
WARNE CHEMICAL & EQUIP.	SUPPLY	\$23.50

Discussion was held on when the City of Hot Springs is going to hold their surplus sale as they have offered to partner with the county to dispose of surplus items. The Board discussed holding a tax deed sale later in the year.

Treasurer Lori Bachand presented a delinquent tax agreement for approval, which included a repayment plan at a rate of \$100.00 per month. Motion by Falkenburg, seconded by Allen, to approve a delinquent tax agreement with Harry Wing for parcel #7220-00020-01110 if the payment amount is increased to \$150.00 per month and with the stipulation that if two payments are missed, the tax deed process will begin. With no further discussion and all voting yes, the motion carried.

Marie Andersen, Andersen Engineering,

presented a plat for approval. Motion by Falkenburg, seconded by Allen, to approve the following plat of Tract DeBoer and Tract Anderson as presented. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-23

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Tract DeBoer and Tract Anderson, containing part of Farm Units 28 & 33 of Section 35, T7S, R7E, 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 19th day of June, 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 continue the approval of a plat submitted by Shirley and Gary Wolf until the next meeting. 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 11:24 AM.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje

Fall River County Auditor