

## **FALL RIVER COUNTY MINUTES OF JUNE 7, 2012**

The Fall River Board of County Commissioners met in regular session on June 7, 2012. Present: Joe Falkenburg, Anne Cassens, Deb Russell and Sue Ganje, Auditor. Absent: Mike Ortner and Joe Allen.

A moment of silence was observed for Edgemont resident Jayme Manke, who died in an auto accident on June 6, 2012. The Pledge of Allegiance was given and Vice-Chairman Falkenburg called the meeting to order at 9:00 AM. The agenda was reviewed for conflicts; none were indicated.

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

An application for cremation assistance was presented. Motion by Cassens, seconded by Russell, to approve \$1,300.00 for cremation assistance for CP #2012-14. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to approve the minutes of May 15, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Cassens, to surplus as junk asset #1917, an LG phone from Emergency Management and donate it to WEAVE. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to set July 3, 2012 as the date for a hearing on the application for a temporary malt beverage license made by the Hat Creek Grill for the Edgemont Redneck Rally, held July 6-8, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Russell, to postpone the Official Canvass of the 2012 Primary Election results until 2:30 PM to allow time for the Secretary of State's office to repair a programming error, thereby allowing for accurate printouts of precinct results that include provisional ballots. With no further discussion and all voting yes, the motion carried.

Highway Superintendent Randy Seiler presented fuel transfers for approval. Motion by Russell, seconded by Cassens, to approve transfers to reimburse the Highway Department for fuel used from April 26, 2012 through May 30, 2012 in the following amounts: Sheriff's Office, \$3,252.81; Weed Board, \$562.17; Courthouse, \$858.57; and \$394.81 for work done for the Emergency Management Fire Fund on the Water Tender. With no further discussion and all voting yes, the motion carried.

Discussion was held on the engineering costs for the signing project, which will be discussed further at the next meeting. Seiler reported that the South Dakota Game, Fish and

Parks Department has offered to reimburse sixty per cent of the cost of applying mag water to Shep's Canyon Road, not one hundred per cent as previously reported.

Seiler discussed auto gates on a county road by new Game, Fish and Parks property. As the gates aren't needed, he is awaiting written approval to remove them. Additionally, Seiler noted that two road graders and a loader will be eligible for buy-back in 2013. A review of current equipment was presented to the Board and Seiler asked for direction concerning projections of what the 2013 budget will allow. Seiler will prepare a list for the Board's consideration. Falkenburg asked to have the issue of liability when individuals work on auto gates on county roads added to the agenda for the next meeting.

Community Health Nurse Tracy Bowman met with the Board to request travel approval. Motion by Cassens, seconded by Russell, to approve the request for Kristi Spitzer to travel to Pierre June 19-21, 2012 for WIC training, for which wages will be paid, but no additional costs. Russell expressed support for training opportunities. With no further discussion and all voting yes, the motion carried.

The meeting opened for public comment; Curt Nettinga suggested exploring video-conferencing as an alternative to travelling distances for training.

A break was taken at 10:35 AM. The meeting resumed with the approval of bills. Motion by Russell, seconded by Cassens, to approve the bills as presented with the exception of a submission for reimbursement of a clothing allowance, which will be reviewed and brought back to the Board. Also noted was that overtime in the Auditor's Office will be billed to Shannon County as it was a result of Satellite Election Office obligations. With no further discussion and all voting yes, the motion carried.

**GENERAL FUND**

COMMISSIONERS	MAY SALARIES	\$3,461.09
AUDITOR'S OFFICE	MAY SALARIES	\$6,535.70
AND ADDITIONAL OVERTIME (BILLED TO SHANNON COUNTY) FOR		
KATIE DARLING		\$381.38
STACY FRYMIRE		\$617.76
MICHELE JENSEN		\$427.50
JOAN NETTINGA		\$679.50
PATRICIA SEEGRIST		\$218.74
ELECTION	MAY SALARIES	\$612.58
TREASURER'S OFFICE	MAY SALARIES	\$5,168.06
AND ADDITIONAL OVERTIME FOR		
KRISTI HUDSON		\$37.13
KELLI RHOE		\$26.39
BOBBIE STREHLOW		\$59.98
COREEN WILLIAMS		\$33.72

STATE'S ATTORNEY OFFICE	MAY SALARIES	\$5,277.81
AND ADDITIONAL OVERTIME FOR		
LINDA KLUENDER		\$56.79
SHARI WINSLOW		\$116.25
MAINTENANCE	MAY SALARIES	\$3,966.13
AND ADDITIONAL OVERTIME FOR		
JOSE MENDEZ		\$36.38
DEPARTMENT OF EQUALIZATION	MAY SALARIES	\$4,428.85
REGISTER OF DEEDS OFFICE	MAY SALARIES	\$3,595.28
VETERANS SERVICES OFFICE	MAY SALARIES	\$1,731.23
NURSE'S OFFICE	MAY SALARIES	\$1,749.04
SHERIFF'S OFFICE	MAY SALARIES	\$16,468.76
AND ADDITIONAL OVERTIME FOR		
ROBERT BENINATI		\$595.74
JOSHUA BUCKWHEAT		\$509.70
WILLIAM DAVIS		\$862.64
MARTHA JARMAN		\$344.63
VINCE LOGUE		\$426.87
JASON MARCH		\$802.70
JAIL	MAY SALARIES	\$5,365.32
AND ADDITIONAL OVERTIME FOR		
WALLACE CAMPBELL		\$976.80
ADAM EVANS		\$31.50
BRADLEY HANSEN		\$108.65
BECKI SOTHERLAND		\$234.75
DISPATCH	MAY SALARIES	\$7,468.86
AND ADDITIONAL OVERTIME FOR		
CHARLES GINTER		\$352.97
JENNIFER MRAZ		\$262.71
WENDY WEAKLAND		\$75.75
MICHAEL WILLIS		\$149.63
CORONER	MAY SALARIES	\$270.55
COUNTY EXTENSION OFFICE	MAY SALARIES	\$1,647.99
AND ADDITIONAL OVERTIME FOR		
KAREN JAMISON		\$20.37
WEED DEPT	MAY SALARIES	\$2,887.83
FIDELITY SEC. LIFE INS CO	JUNE EYE CARE INS	\$175.78
AMERICAN FAMILY ASSURANCE	JUNE INSURANCE	\$662.03
AT&T TELECONFERENCE	TELEPHONE	\$39.30
BACHAND, LORI	TRAVEL	\$47.00
BEST WESTERN RAMKOTA	TRAVEL	\$173.98
BLACK HILLS POWERSPORTS	SUPPLY	\$79.90
BILL'S HEATING	REPAIR	\$35.70

BILLION AUTO	VEHICLE	\$28,258.00
BINGHAM, JAMES	CAAF,MI	\$1,369.20
BH FAMILY HEALTH CLINIC	INMATE	\$228.00
BLACK HILLS POWER	UTILITY	\$3,030.87
BLUE CROSS/BLUE SHIELD	JUNE HEALTH INS	\$26,695.16
BOSTON MUTUAL LIFE INS CO	JUNE INSURANCE	\$114.65
CBM FOOD SERVICE	INMATE	\$2,865.69
CENTURY BUSINESS LEASING	COPIER	\$395.73
CHEYENNE SANITATION	UTILITY	\$280.00
DAKOTA LEASING COMPANY	COPIER	\$190.00
DALE'S REPAIR	CAR MAINT	\$61.63
DARLING, KATIE	SUPPLY	\$11.08
DAYS INN	TRAVEL	\$186.00
DELTA DENTAL PLAN OF SD	JUNE DENTAL INS	\$1,780.65
SUPPORT PYT CLEARINGHOUSE	CHILD SUPPORT	\$286.25
DS SOLUTIONS INC	SUPPLY	\$300.00
EAGLE ENTERPRISES LLC	SUPPLY	\$956.20
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$1,517.79
ENGBRETSON, MELODY	TRAVEL	\$47.00
ENVIRONMENTAL PRODUCTS	REPAIR	\$60.96
EXECUTIVE MGMT FINANCE	BIT	\$20.00
FALL RIVER AUTO SUPPLY	SUPPLY; REPAIR	\$29.96
GREATER FALL RIVER HEALTH	INMATE	\$1,552.13
FARRELL, FARRELL &	MAY DEP ST ATY CONT	\$2,500.00
FR COUNTY TREASURER	REIM MISC CHARGE/WIL	\$3.00
FOUR SEASONS SPORTS	SUPPLY	\$124.99
GALLS	UNIFORM	\$58.98
GANJE, SUE	TRAVEL	\$52.00
GOLDEN WEST	TELEPHONE	\$1,495.75
GOLDEN WEST	ASSISTANCE	\$80.86
GRAPHICS PLUS	SUPPLY	\$117.80
H & R SPRINKLER SYSTEMS	REPAIR	\$225.54
HEALTH 4 LIFE	JUNE DUES FROM EMPLO	\$120.00
HEARTLAND PAPER CO	SUPPLY	\$196.74
HILLS EDGE AUTO SALES	CAR MAINT	\$73.45
HILLYARD FLOOR CARE SUPP	SUPPLY	\$116.86
HOT SPRINGS ACE HARDWARE	SUPPLY; REPAIR	\$344.85
HOT SPRINGS AUTOMOTIVE	SUPPLY; REPAIR	\$174.41
CITY OF HOT SPRINGS	ASSIST; UTILITY	\$214.17
CITY OF HOT SPRINGS	SPRINKLER	\$24.00
HOT SPRINGS STAR	SUB	\$36.00
IRON MOUNTAIN ELECTRIC	LABOR	\$525.00
KEIZER, BRAD	TRAVEL	\$169.83

LIUNA LABORERS LOCAL 620	JUNE DUES	\$350.00
LABCORP AMERICA HOLDINGS	INMATE	\$11.12
LONE STAR HEATING & AIR	REPAIR	\$241.74
LEWIS & CLARK MENTAL	MI	\$149.00
LYLE'S HANDYMAN	REPAIR	\$107.10
MSC INDUSTRIAL SUPPLY CO	SUPPLY	\$6.45
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$125.00
MICROFILM IMAGING SYSTEMS	LEASE	\$275.00
NATIONWIDE RETIREMENT SOL	MAY SUPL RETIREMENT	\$147.08
NATIONAL SHERIFF ASSOC	SUPPLY	\$50.00
NELSONS OIL & GAS INC.	SUPPLY; REPAIR	\$45.00
NETTINGA, JOAN	PARTS	\$145.99
NEVADA STATE TREASURER	REIM NRS31A.075	\$2.00
NEVE'S UNIFORM INC	UNIFORM	\$87.90
NEW YORK LIFE INSURANCE	JUNE INSURANCE	\$25.00
O'DAY, VALARIE	CRT REP	\$98.80
O'NEILL, JUSTIN	CAAF	\$382.61
OTIS ELEVATOR COMPANY	ELEVATOR	\$326.82
PALMER, RAY	TRAVEL	\$58.66
PAMIDA INC.	INMATE; SUPPLY	\$2,060.45
PENN CO STS ATTNYS OFFICE	MI	\$600.00
PENNINGTON COUNTY AUDITOR	MI	\$82.00
POWELL, DEBRA J	INMATE	\$175.00
FALL RIVER CO FAIR-BOOTH	BOOTH	\$50.00
QUILL CORPORATION	SUPPLY	\$584.75
RADIOSHACK	SUPPLY	\$89.96
RADIOLOGY ASSOCIATES	INMATE	\$42.00
RAPID CHEVROLET CO., INC	CAR MAINT	\$1,042.70
RAPID CITY JOURNAL (THE)	PUBLISHING	\$403.41
RAPID CITY REGIONAL	MI	\$617.87
SANICHEM	SUPPLY	\$350.40
SOUTH DAKOTA STATE TREAS	SALES TAX	\$140.08
SD DEPARTMENT OF REVENUE	INMATE	\$385.00
SD RETIREMENT SYSTEM	MAY RETIREMENT	\$12,636.76
SERVALL	SUPPLY	\$335.55
SPITZER, KRISTI	BLUE CROSS REIM OF D	\$500.00
STATE COLLECTION/DISBURS	CHILD SUPPORT	\$599.00
SCHOENFELDER, PAUL	INMATE	\$245.00
PRO BUILD	REPAIR; SUPPLY	\$174.19
UNITED WAY BLACK HILLS	EMPTY DONATIONS	\$32.50
UNITED STATES POSTAL SERV	POSTAGE	\$1,048.61
VERIZON WIRELESS	CELL PHONE	\$483.31
WATCHGUARD VIDEO	SUPPLY	\$190.00

WEAKLAND, WENDY	TRAVEL	\$51.18
WELLS FARGO BANK	MAY W/H/SS/MDCR TAXE	\$23,635.92
WELLS FARGO BANK	BOX RENT	\$60.00
WYOMING CHILD SUPPORT	CHILD SUPPORT	\$550.00
CURRAN, BILL	TRAVEL	\$81.40
	<b>GENERAL FUND TOTAL</b>	<b>\$207,069.19</b>

**ROAD & BRIDGE**

COUNTY ROAD & BRIDGE ADMIN AND ADDITIONAL OVERTIME FOR JAN SIMUNEK	MAY SALARIES	\$4,923.35
COUNTY ROAD & BRIDGE CONST AND ADDITIONAL OVERTIME FOR BRETT BLESSING	MAY SALARIES	\$23,818.00
MARTIN BUCHHOLZ		\$187.44
GARY CROWLEY		\$45.19
BRUCE MCCLUNG		\$64.24
CALVIN MACIEJEWSKI		\$193.20
LOREN SEEGRIST		\$188.88
DONALD THURLOW		\$195.72
A & B WELDING SUPPLY CO.	SUPPLY	\$193.32
FIDELITY SEC. LIFE INS CO	JUNE EYE CARE INS	\$52.94
AMERICAN FAMILY ASSURANCE	JUNE INSURANCE	\$30.60
BLACK HILLS POWER	UTILITY	\$667.26
BLESSING, BRETT	TRAVEL	\$343.68
BLUE CROSS/BLUE SHIELD	JUNE HEALTH INS	\$18.00
BUCHHOLZ, MARTIN	TRAVEL	\$7,341.18
BUTLER MACHINERY CO.	SUPPLY; REPAIR	\$18.00
CHEYENNE SANITATION	UTILITY	\$1,891.69
DELTA DENTAL PLAN OF SD	JUNE DENTAL INS	\$74.00
DEPT OF REVENUE	SUPPLY	\$423.00
EDDIES TRUCK SALES	REPAIR	\$4.00
EDGEMONT, CITY OF	UTILITY	\$214.86
FALL RIVER AUTO SUPPLY	SUPPLY; REPAIR	\$42.90
FORWARD DISTRIBUTING	SUPPLY	\$166.65
GODFREY BRAKE SERVICE	REPAIR	\$313.63
GOLDEN WEST	TELEPHONE	\$930.12
GREAT WESTERN TIRE	SUPPLY; REPAIR	\$244.60
HILLS MATERIALS CO.	GRAVEL	\$522.35
HOT SPRINGS ACE HARDWARE	SUPPLY; REPAIR	\$344,753.88
HOT SPRINGS AUTOMOTIVE	SUPPLY; REPAIR	\$112.29
CITY OF HOT SPRINGS	ASSIST; UTILITY	\$546.64
RICOH USA INC	UTILITY	\$25.25
		\$75.00

JENNER EQUIPMENT COMPANY	REPAIR	\$85.64
KIMBALL MIDWEST	SUPPLY	\$294.96
LIUNA LABORERS LOCAL 620	JUNE DUES	\$225.00
LYLE SIGNS	SUPPLY	\$147.13
MACIEJEWSKI, CALVIN	TRAVEL	\$18.00
MAVERICK TIRE & AUTO	REPAIR	\$281.60
NATIONWIDE RETIREMENT SOL	MAY SUPL RETIREMENT	\$73.53
NELSONS OIL & GAS INC.	SUPPLY; REPAIR	\$57.38
NEW YORK LIFE INSURANCE	JUNE INSURANCE	\$32.24
NORTONS SINCLAIR	SUPPLY	\$20.84
RANCHERS FEED & SUPPLY	SUPPLY	\$47.68
RAPID DELIVERY	SUPPLY; REPAIR	\$47.40
RUSHMORE COMMUNICATIONS	911	\$225.00
SD DEPT OF TRANSPORTATION	PRO SER	\$1,456.77
SD RETIREMENT SYSTEM	MAY RETIREMENT	\$4,007.30
SD SUPPLEMENT RETIREMENT	MAY SUPL RETIREMENT	\$80.00
SUMMIT SIGNS & SUPPLY INC	SUPPLY	\$450.00
THURLOW, DONALD	CLOTHING	\$118.00
TWILIGHT INC	SUPPLY	\$402.71
PRO BUILD	REPAIR; SUPPLY	\$57.52
VERIZON WIRELESS	CELL PHONE	\$32.18
WELLS FARGO BANK	MAY W/H/SS/MDCR TAXE	\$10,522.70
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$407,316.89</b>

**911**

911	MAY SALARIES	\$2,550.26
BLUE CROSS/BLUE SHIELD	JUNE HEALTH INS	\$1,001.07
DELTA DENTAL PLAN OF SD	JUNE DENTAL INS	\$52.88
GOLDEN WEST	TELEPHONE	\$61.12
CENTURY LINK	911	\$7.09
RUSHMORE COMMUNICATIONS	911	\$1,809.76
SD RETIREMENT SYSTEM	MAY RETIREMENT	\$374.64
TIGER DIRECT	EQUIP	\$59.64
WELLS FARGO BANK	MAY W/H/SS/MDCR TAXE	\$780.34
	<b>911 REIMBUR. TOTAL</b>	<b>\$6,696.80</b>

**EMERGENCY MGT**

EMERGENCY MANAGEMENT AND ADDITIONAL OVERTIME FOR ANDY TIMMINS	MAY SALARIES	\$3,536.88
		\$381.90
BLUE CROSS/BLUE SHIELD	JUNE HEALTH INS	\$333.69
DELTA DENTAL PLAN OF SD	JUNE DENTAL INS	\$17.62
GOLDEN WEST	TELEPHONE	\$123.84

LAMPHERE, MARC	TRAVEL	\$45.00
SD RETIREMENT SYSTEM	MAY RETIREMENT	\$624.30
TIMMINS, ANDREAS	TRAVEL	\$45.00
VERIZON WIRELESS	CELL PHONE	\$122.03
WELLS FARGO BANK	MAY W/H/SS/MDCR TAXE	\$1,455.18
	<b>EMERGENCY MGMT TOTAL</b>	<b>\$6,685.44</b>

**COURTHOUSE BLDG FUND**

BEEMAN, BILLY	BLD REPAIR	\$301.24
	<b>COURTHS BLDG FUND TOTAL</b>	<b>\$301.24</b>

**FIRE PROTECTION FUND**

HOT SPRINGS ACE HARDWARE	SUPPLY; REPAIR	\$7.63
HOT SPRINGS AUTOMOTIVE	SUPPLY; REPAIR	\$1.49
TWILIGHT INC	SUPPLY	\$49.50
	<b>FIRE PROT. FUND TOTAL</b>	<b>\$58.62</b>

**24/7 SOBRIETY FUND**

24/7	MAY SALARIES	\$1,948.98
	<b>24/7 PART. FEE TOTAL</b>	<b>\$1,948.98</b>

**GRAND TOTAL** **\$630,077.16**

Joe Allen joined the meeting at 10:55 AM. The hearing for sealed bids for 240 acres of county-owned property began as advertised. The Board had a legal question on receiving a bid from one of the land appraisers and the Board then rejected the submitted bids. Motion by Russell, seconded by Cassens, to reset the sale of 240 acres of county-owned land for July 17, 2012 at 11:30 AM, to be sold by public auction at the courthouse. With no further discussion and all voting yes, the motion carried.

A hearing was held for malt beverage renewals, new South Dakota wine and temporary malt beverage and alcohol licenses. Allen noted a conflict and abstained from the discussion. Motion by Russell, seconded by Falkenburg, to approve licenses as follows: Retail Malt Beverage (on-off sale) licenses for Joe Allen DBA Allen Ranch, Angostura Den, Coffee Cup Fuel Stop, Larry Forney DBA Forney's Standard Service, Moyle Petroleum DBA Common Cents Food Store, Pirates Inc., L & M Freidel LLC DBA Sideline Casino, David Mosher DBA Wally Gators; Package (off sale) Malt Beverage and South Dakota Farm Wine for Tinsu Springs LLC DBA Hot Springs KOA; and Temporary Malt Beverage (on-off sale) and liquor (on-sale) license for the Victory Steakhouse for the Redneck Rally. With no further discussion, Allen abstaining and all others voting yes, the motion carried.

A hearing was held on the Vacation of a Highway. Motion by Cassens, seconded by Allen, to approve the following Resolution for the Vacation of a Highway as petitioned by



Barkers, Barker Construction and Martha Jarman. With no further discussion and all voting yes, the motion carried.

**FALL RIVER RESOLUTION #2012-21**

WHEREAS, Barker Concrete and Construction, Inc., Martha Jarman, and Kenneth V. and Verna E. Barker have presented to the Fall River County Commission, pursuant to SDCL 11-3-21.1, a petition for vacation of a highway located within Twp 8S, Rng 2E, BHM, Fall River County, South Dakota, described as follows:

Tract "A" of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 36; and Lots One (1), Three (3), Five (5), Seven (7), Nine (9), and Eleven (11) of Block Two (2); and Lots One (1), Three (3), Five (5), Seven (7), Nine (9), and Eleven (11) of Block One (1) of Plat of Dudley, Fall River County, South Dakota; and a North-South alley runs between Lots Five (5) and Seven (7) in Block One (1) and Block Two (2) in Plat of Dudley; and that Scott Street is an east-west street running between Blocks One (1) and Two (2), Plat of Dudley and Tract "A" of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 36, and that said Scott Street is platted as 159.25 feet in width with the South Fifty (50) feet having been previously vacated (Book 87M, p134); and that "A" Street is a North-South street running along the east side of Block One (1), Plat of Dudley and that "A" Street is platted as 96.5 feet in width with the west one-half having been previously vacated (Book 90M, p490).

Said petitioners seek to have vacated, pursuant to the provisions of SDCL 31-3-6, the North South alley between Lots Five (5) and Seven (7) in Block One and the North South alley between Lots Five (5) and Seven (7) in Block Two, all in the Plat of Dudley, Fall River County, South Dakota; and that portion of "A" Street adjacent to Lot One, Block One in the Plat of Dudley, Fall River County, South Dakota; and that portion of Scott Street that runs adjacent to Lots 1 through 11, Block One, Plat of Dudley, and also runs adjacent to the vacated South Fifty feet of Scott Street that is adjacent to Tract "A" of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 36, Township 8 South, Range 2 East of the Black Hills Meridian, Fall River County, South Dakota; and all of Scott Street, less the North Sixty feet of Scott Street, lying between Tract "A" of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 36, Township 8 South, Range 2 East of the Black Hills Meridian, Fall River County, South Dakota; and the Southerly prolongation of "B" Street, Plat of Dudley, all in Fall River County, South Dakota.

Which petition made by the Owners of all the property adjoining all sides of the said street and alley proposed to be vacated sets out that said street and alley have not been constructed or used or traveled as highways at any time during the past 25 years and which petition was verified by petitioners Barker Concrete and Construction, Inc., Martha Jarman, and Kenneth V. and Verna E. Barker, and said street and alley are each less than one mile in total length and that the character and use of the plat is residential lots and that no public highway is part of the plat to be vacated; AND

WHEREAS, the Fall River County Commission at a meeting of said Commission held May 1, 2012, deemed it expedient that said matter should be proceeded with, ordered said petition filed with the Auditor of said County, fixed a time for hearing on the petition at the regular meeting of the Commission on Tuesday, June 7, 2012, at 11:00 AM and directed that notice of

said hearing be published once a week for two consecutive weeks in the Hot Springs Star, an official newspaper of said County; and

WHEREAS, due and legal notice of the hearing on said petition has been given and the Commission has investigated and considered the matter and it being established that the street and alley to be vacated have not been used or traveled as highways at any time during the last 25 years:

BE IT RESOLVED AND ORDERED by the Fall River County Commission, the street and alleys described as follows:

the North South alley between Lots Five (5) and Seven (7) in Block One and the North South alley between Lots Five (5) and Seven (7) in Block Two, all in the Plat of Dudley, Fall River County, South Dakota; and that portion of "A" Street adjacent to Lot One, Block One in the Plat of Dudley, Fall River County, South Dakota; and that portion of Scott Street that runs adjacent to Lots 1 through 11, Block One, Plat of Dudley, and also runs adjacent to the vacated South Fifty feet of Scott Street that is adjacent to Tract "A" of the SE ¼ SE ¼, Section 36, Township 8 South, Range 2 East of the Black Hills Meridian, Fall River County, South Dakota; and all of Scott Street, less the North Sixty feet of Scott Street, lying between Tract "A" of the SE ¼ SE ¼ of Section 36, Township 8 South, Range 2 East of the Black Hills Meridian, Fall River County, South Dakota; and the Southerly prolongation of "B" Street, Plat of Dudley, all in Fall River County, South Dakota, be, and the same hereby are vacated, reserving, however, any easement and right-of-way presently existing for public utility or drainage purposes and that the public interest will be better served by said vacations.

Such vacations to take effect after the 30<sup>th</sup> day after the second publication of this Resolution unless the action has been appealed according to law.

Dated at Hot Springs, Fall River County, South Dakota, this 7<sup>th</sup> day of June, 2012.

APPROVED:

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman  
Fall River County Commission

ATTEST:

/s/ Sue Ganje

Sue Ganje, County Auditor

Keith Andersen, Andersen Engineering, presented a plat for approval. Motion by Cassens, seconded by Allen, to approve the following plat of Lot II of Shep's Canyon Estates Subdivision as presented. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2012-22**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Lot II of Shep's Canyon Estates Subdivision, located in Section 22, T8S, R5E, 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 7<sup>th</sup> day of June, 2012.

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Karen Meston met with the Board to update them on a section line issue that the involved parties are resolving. Meston expressed the need for a formal procedure for dealing with section lines and gates, including notification of affected parties. The Board will invite a legislator to a future meeting to discuss laws needed to establish a process. Jerri Baker and Ken Sawyer, other landowners involved in this section line matter, discussed their involvement and willingness to participate in the process of compiling information and recommendations for section line guidelines.

Frank Maynard, Emergency Management, informed the Board that he would like to replace the keypad lock for the Jail and will put it on the next agenda. Maynard also passed on a request from the Hot Springs Radio Club. Motion by Cassens, seconded by Allen, to approve the use of the Command Trailer by the Hot Springs Radio Club. With no further discussion and all voting yes, the motion carried.

While current conditions are rated "Moderate", Maynard advised that the situation will be reviewed by month's end as there is great concern from area ranchers and producers that a drought resolution may be needed.

Motion by Cassens, seconded by Russell, to enter into Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:44 AM.

The Board came out of Executive Session at 11:48 AM. Motion by Cassens, seconded by Allen, to approve advertising a full-time dispatch position. With no further discussion and all voting yes, the motion carried.

Maynard also reported that Title III funds must be used by September or returned to the US Government; he will keep them apprised of their status.

Deputy Sheriff Jason March requested the Board's approval to apply for a grant for radar equipment and presented them with information relative to the application. Falkenburg expressed opposition to conducting speed traps and the grant requires high-visibility enforcement efforts on a regular basis. The grant will reimburse the County for portions of the expense of new equipment. Motion by Allen, seconded by Cassens, to approve the application for a Highway Safety Grant to be used for the purchase of six Stalker radar units, with 80% reimbursed; a Watchguard video camera, with 50% reimbursed; and six PBT machines, with 50% reimbursed. With no further discussion and all voting yes, the motion carried.

Sheriff Mraz met with the Board for hire approval. Motion by Allen, seconded by Cassens, to approve hiring Glen Lefler as a part-time jailer at a starting wage of \$10.00 per hour, per Union contract. With no further discussion and all voting yes, the motion carried.

The Board recessed for lunch at 12:04 PM. The meeting resumed at 1:30 PM with Dave Dunbar, Pioneer Grazing, expressing his appreciation for Emergency Management and the county's efforts in extinguishing the Smithwick fire. Dunbar then discussed additional section line issues, specifically with regard to the Black Hills Forest Travel Management Plan, unlisted roads, access for fire fighting and whether the Forest Service is subject to state laws on section lines. The grazing district was invited to attend the upcoming planning meeting on section line issues.

Seiler reported back to the Board with a list of highway department equipment. Falkenburg asked for costs of new snow removal equipment.

Veterans Services Officer Wendy Weakland requested authorization to participate in the On-the-Job Training program. Motion by Russell, seconded by Cassens, to approve Weakland's participation in the Apprenticeship Training Program with the South Dakota Division of Veterans Affairs. With no further discussion and all voting yes, the motion carried.

Hot Springs Council member Carolann Schwartzenbach met with the Board to discuss voters that may or may not have been appropriately redistricted into the correct Ward.

Susan Henderson discussed destroyed tax records, expressing her disagreement with the State destruction schedule. Records from 1995 forward are retained electronically, including any delinquent records; prior records are in storage.

Register of Deeds Mel Engebretson and Treasurer Lori Bachand presented a request to the Board to allow the local Title Company to have access to our network via the internet. Discussion was held on computer virus concerns and vulnerability. Motion by Allen, seconded by Cassens, to deny the request of Southern Hills Title Company to remotely access the county network and BosaNova. With no further discussion and all voting yes, the motion carried.

Bachand also asked the Board for direction on county investments. Currently, the county has 1.83 million in five-year CD's. The Board asked Bachand to assess liquidity needs and continue to stagger maturity dates of investments.

Frank Maynard, EM, met with the Board to discuss the high mileage on the county Durango's that did not sell by sealed bids. The Board authorized Maynard to contact salvage companies to see what the county could recoup. Harley Lux, Administrator / Finance Officer for the City of Hot Springs advised the County could join the City when they hold their auction.

The County again attempted to complete the Official Canvass at 2:30, but work was still being done on the state website to allow for the print out of Fall River County canvass sheets. When print outs were available, the canvass began with addressing the situation where twelve excess ballots were issued in Hot Springs Precinct 1. Candidate Georgia Holmes was present; candidate Raymond Ecoffey was notified but unable to attend. Hot Springs 1 Precinct Officials Yvonne Wilcox and Patricia Holwell were present to withdraw the 12 excess ballots and the ballots were re-run through the tabulator for the official results. The Official Canvass continued and the Board certified the June 5, 2012 Primary Election.

Motion by Cassens, seconded by Russell to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 4:28 p.m.

/s/ Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor