

FALL RIVER COUNTY MINUTES OF AUGUST 7, 2014

The Fall River Board of County Commissioners met in regular session on August 7, 2014. Present: Joe Allen, Anne Cassens, Joe Falkenburg, Michael Ortner and Sue Ganje, Auditor. Absent: 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 noted. Motion by Falkenburg, seconded by Cassens, 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 the July 17, 2014 meeting. With no further discussion and all voting yes, the motion carried.

An applicant for assistance met with the Board. Motion by Allen, seconded by Cassens, to deny the application of CP #2014-23. With no further discussion and all voting yes, the motion carried.

An application for assistance was reviewed. Motion by Cassens, seconded by Falkenburg, to approve \$150.00 in assistance for electricity for CP #2014-24, with a repayment plan. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve the 4160-hour raise for Tommie McLaughlin to \$11.50 per hour, per Union contract, effective August 8, 2014. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve the 2080-hour raise for Cindy Peacock to \$10.25 per hour, per Union contract, effective August 5, 2014. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to surplus as junk asset #00885, an IBM 4230 printer from the Treasurer's Office. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to note that Frances Denison has achieved the status of Certified Appraiser Assessor. With no further discussion and all voting yes, the motion carried.

Budget requests for 2015 were made by Steve Shannon, representing the Miss South Dakota Organization; Donna Talley and Jacki Lockwood, WEAVE; and Val Henry, Empower.

Randy Seiler, Highway Superintendent, presented an application to occupy a right-of-way. Motion by Cassens, seconded by Falkenburg, to approve an application for Golden West to occupy the right-of-way located from the intersection of Red Canyon Road and Pilger Mountain Road, east approximately 3750' to the intersection of Spirit Canyon Road – bore Spirit Canyon Road at the intersection and bore Pilger Mountain Road 237' east of this intersection, authorizing the Chairman to sign. With no further discussion and all voting yes, the motion carried.

A hearing on the 2015 distribution of PILT and Bankhead Jones funds was held at 9:50 AM as advertised. Ambulance services and programs for area youth, particularly on Fridays when school is not in session, were discussed. Motion by Falkenburg, seconded by Allen, to keep funding amounts as previously distributed with the exception of reducing Oelrichs and Hot Springs schools by \$5,000.00, and change the Fire Departments to 25%, all dependent upon the county's receipt of PILT funds. With no further discussion, Cassens voting no and all others voting yes, the motion carried.

Bankhead Jones funds were discussed; no changes were made to the percentage of funding amounts.

Seiler presented fuel transfers for approval. Motion by Falkenburg, seconded by Cassens, to approve transfers to reimburse the Highway Department for fuel or work performed during the period of July 1, 2014 through July 31, 2014 in the following amounts: the Sheriff's Office, \$2,943.40; DOE, \$513.36; Emergency Management, \$360.80; Extension \$51.82; State's Attorney, \$29.14 and the Weed Board, \$753.02. With no further discussion and all voting yes, the motion carried.

Seiler discussed road damage from irrigation over-spraying, which can soften roadbeds, and audience members added input. Seiler will talk to the State's Attorney about sending a letter to irrigators informing them of the need to adjust pivots to prevent over-spraying.

Dust and traffic issues on the Oral to Buffalo Gap road were discussed. Heavy trucks are creating situations where dust obscures traffic and maintenance can't keep up with wear on the road. Motion by Cassens, seconded by Allen, to impose a 7-ton / axle vehicle weight limit on County Road 6291, the Buffalo Gap Road, citing an emergency need for public welfare and safety, effective upon publication. With no further discussion and all voting yes on a roll-call vote, the motion carried.

Seiler reported that Heavy Construction is unable to begin work on the Igloo Bridge until late September. The Board discussed the economics of fixing the bridge or developing an alternate route, which will require an investment in a temporary route until work is completed. Motion by Falkenburg, seconded by Cassens, to approve the following resolution. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-22

WHEREAS, Igloo Road south of SD 471 provides access to the former Igloo Army Ordnance Depot; and

WHEREAS, Fall River County and the South Dakota Department of Transportation (SDDOT) have an existing agreement, 711255 dated July 21, 1997, regarding the transfer of ownership and maintenance of Igloo Road; and

WHEREAS, the two structures on Igloo Road are reaching a point that they need to be replaced; and

WHEREAS, structure number 24-102-188 is the responsibility of the County for replacement; and

WHEREAS, structure number 24-103-188 is the responsibility of the SDDOT for replacement as per agreement 711255; and

WHEREAS, Fall River County and SDDOT have hired a consultant to evaluate other options for accessing Igloo; and

WHEREAS, the evaluations determined that it is more economical to construct an alternate route to Igloo than to replace the bridges;

NOW THEREFORE BE IT RESOLVED that Fall River County requests:

1. That the SDDOT amend agreement 711255 between the County and SDDOT, item A.5. "STATE will replace the structure over the Burlington Northern Railroad when eligible for replacement using STATE bridge replacement funds and will provide the 20% match";
2. That a new alignment be constructed to provide access to Igloo, utilizing the existing Provo railroad Crossing;
3. That the SDDOT utilize funds not to exceed what it would have used to replace structure number 24-103-188 to construct the new alignment;
4. That the existing Igloo Road alignment be obliterated and the two existing structures be removed; and
5. That the Fall River County will assume jurisdiction and future maintenance of the new road alignment upon its completion of construction.

Vote of Commissioners: Yes 4 No

Dated at Fall River County, South Dakota this 7th day of August, 2014.

/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 endorse a new proposed alternate route, referred to as 1B, and Seiler will contact the SD State Dept. of Transportation. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve a \$50,000.00 reserve in the General Fund for County Road 185, Bridge #24-135113. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve advertising for gravel, which may possibly be crushed in the Buffalo Gap area. With no further discussion and all voting yes, the motion carried.

Seiler also updated the Board that RDO has the bid on the motor graders located in Sioux Falls in the amount of \$258,500 and that Caterpillar will have costs by the end of the month. He also discussed mowing progress and advised the Board of increased falling rocks on Old Highway 18.

A hearing was held on supplements, contingency and cash transfers as advertised. Motion by Falkenburg, seconded by Cassens, to approve the following resolution. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-23

Supplemental Budget 2014, #3

Contingency Transfers, #2

Cash Transfer, #1

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget and whereas, due and legal notice has been given, the following Supplemental

Budget to the Calendar Year to the following fund (expenses): General Fund, Mosquito Grant, \$5,000.00. The Means of Finance will be receipt #9747, received 8/1/14; and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted as follows: General Fund, Coroner, Autopsies, \$2,000.00; and

WHEREAS, the Board of County Commissioners has budgeted a Cash transfer from the General Fund to Emergency Management Fund in the amount of \$44,696.50.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget #3, Contingency Transfer #2 and Cash Transfer #1 for 2014.

Dated at Fall River County, South Dakota this 7th day of August, 2014.

/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 Cassens, to approve the bills as follows. With no further discussion and all voting yes, the motion carried.

General Fund

Commissioners	July Salaries	\$4,100.00
Auditor's Office	July Salaries	\$9,665.76
and additional overtime of		\$9.26
Elections	July Salaries	\$1,224.80
Treasurer's Office	July Salaries	\$6,761.14
and additional overtime of		\$10.69
State's Attorney Office	July Salaries	\$6,989.24
and additional overtime of		\$124.51
Maintenance	July Salaries	\$5,357.86
Department Of Equalization	July Salaries	\$13,218.26
and additional overtime of		\$36.30
Register Of Deeds Office	July Salaries	\$6,064.56
Veterans Services Office	July Salaries	\$2,443.71
GIS	July Salaries	\$2,193.61
and additional overtime of		\$35.99
Nurse's Office	July Salaries	\$2,421.81
Sheriff's Office	July Salaries	\$20,935.80
and additional overtime of		\$2,296.75
Jail	July Salaries	\$11,897.03
and additional overtime of		\$4,265.43
Dispatch	July Salaries	\$9,881.87
and additional overtime of		\$694.88

24/7	July Salaries	\$2,085.00
County Extension Office and additional overtime of Weed Dept	July Salaries	\$2,285.92
Coroner	July Salaries	\$109.20
A&B Business Equipment	July Salaries	\$4,001.75
Audra Malcomb Consulting	Copier	\$240.00
A'viands LLC	MI	\$415.49
Bob Barker Company Inc	Inmate	\$387.46
Beesley Law Office	Supply	\$3,995.00
Best Western Of Huron	CAAF	\$311.48
Black Hills Chemical	CAAF	\$2,722.60
Bingham, James	Travel	\$105.54
BH Family Health Clinic	Supply	\$402.25
Black Hills Power	CAAF	\$7,212.60
Booth, Raquel	Inmate	\$427.00
Burt, Curtis	Utility; Assist	\$3,795.01
CBM Food Service	Inmate	\$43.75
Century Business Leasing	W&P	\$100.00
Cherry County Sheriff	Inmate	\$840.96
Cheyenne Sanitation	Copier	\$198.18
City/Co Alcohol & Drug	Subpoena	\$78.18
Culligan Soft Water	Utility	\$280.00
Dakota Business Center	Detox	\$1,953.50
Dakota Leasing Company	Water	\$105.75
Dale's Repair	Supply	\$155.36
Edgemont Herald Tribune	Copier	\$190.00
ESRI Inc	Car Maint	\$234.98
Executive Mgmt Finance	Publishing	\$808.28
Fall River Health	Contract	\$3,900.00
Friedman, Dr Joshua D	BIT	\$19.00
Hills Edge Auto Sales	Inmate	\$159.60
Hillyard Floor Care Supp	Inmate	\$312.50
Hot Springs Ace Hardware	Car Maint	\$46.30
Hot Springs Automotive	Supply	\$170.20
City Of Hot Springs	Supply; Repair	\$560.93
Hot Springs Star	Supply; Repair	\$69.77
HSR Fueling LLC	Utility	\$262.48
Jensen, Lyle	Subscription	\$39.85
Keizer, Brad	Fuel	\$113.69
Lone Star Heating & Air	Car Maint	\$6.00
Manlove Psychiatry Group	Travel	\$169.83
	Repair	\$61.20
	Inmate	\$83.34

Matrix Research	Supply	\$2,226.04
Microfilm Imaging Systems	Lease; M&P	\$185.00
Nelsons Oil & Gas Inc.	Utility	\$242.15
Neve's Uniform Inc	Uniform	\$175.94
Norton, Tina	Inmate	\$560.00
O'Day, Valarie	Crt Rep	\$81.40
O'Neill, Justin	CAAF	\$2,885.90
Otis Elevator Company	Maint	\$347.58
Pennington County Auditor	Juror	\$5,989.78
Penn Co Jail	Inmate	\$2,176.00
Phoenix Investigations	Investigation	\$739.18
Pitney Bowes	Meter	\$1,401.38
Powell, Debra J	Inmate	\$35.00
Quill Corporation	Supply	\$658.05
Rapid City Journal	Publishing	\$409.92
Rapid City Police Dept	Analysis	\$35.00
Regional Pharmacy	Inmate	\$136.29
Rick's Auto Center	Car Maint	\$38.50
SDSU West River Ag Center	Travel	\$51.40
Servall	Supply	\$263.39
Shopko Stores Operating	Inmate; Supply	\$2,564.71
Spotted Bear, Thomacina	CAAF	\$50.00
SD Dept Of Public Safety	TTY	\$2,340.00
Steinmetz, Nina	Supply	\$131.43
Schoenfelder, Paul	Inmate	\$35.00
Tiger Direct	Equip	\$141.95
Pro Build	Supply	\$55.98
US Bank	Copier	\$303.69
Verizon Wireless	Cell Phone	\$1,097.12
West Payment Center	Supply	\$369.50
Yankton Co Treasurer	MI	\$110.00
Witness	Fee	\$20.00
	General Fund Total	\$175,946.47

Road & Bridge

County Road & Bridge Admin	July Salaries	\$5,961.53
County Road & Bridge Const	July Salaries	\$23,275.20
and additional overtime of		\$706.01
A & B Welding Supply Co.	Supply	\$196.32
Auto Body Of Generations	Repair	\$3,115.00
B H Electric Coop Inc.	Utility	\$19.00
Black Hills Power	Utility; Assist	\$322.77

Butler Machinery Co.	Supply; Repair	\$2,135.24
Certified Laboratories	Supply	\$315.00
Dakotaland Autoglass	Repair	\$90.00
Dale's Tire	Supply	\$1,674.92
Diamond Mowers Inc	Supply	\$1,047.18
Eddies Truck Sales	Repair	\$436.38
Edgemont, City Of	Utility	\$36.75
Excel Truck & Trailer Rep	Repair	\$607.60
Fall River Auto Supply	Supply; Repair	\$472.65
Forward Distributing	Supply	\$205.65
Hills Materials Co.	Repair	\$1,681.28
Hot Springs Ace Hardware	Supply; Repair	\$162.07
Hot Springs Automotive	Supply; Repair	\$1,632.56
City Of Hot Springs	Utility	\$25.23
Ricoh USA Inc	Copier	\$75.00
Inland Truck Parts Co.	Repair	\$226.80
Lyle Signs	Supply	\$222.46
MG Oil	Supply	\$1,980.20
McKie Ford Lincoln	Car Maint	\$1,200.91
Nelsons Oil & Gas Inc.	Utility	\$27,120.00
Powerplan BF	Repair; Equip	\$19,678.11
Quill Corporation	Supply	\$5.85
Rapid Delivery	Supply; Repair	\$121.80
Safety Kleen	Repair	\$106.00
SD Dept Of Transportation	Supply	\$1,635.24
SDPAA	Ins	\$300.00
Seiler, Randy	Clothing, Phone	\$135.00
Summit Signs & Supply Inc	Supply	\$59.00
Thurlow, Donald	Clothing	\$100.00
Twilight Inc	Supply	\$246.65
Whisler Bearing Company	Repair	\$77.39
	Road & Bridge Total	\$97,408.75

911

911	July Salaries	\$2,421.36
and additional overtime of		\$246.24
Golden West Technologies	Contract	\$795.00
Century Link	Telephone	\$5.78
	911 Reimbur. Total	\$3,468.38

Title III National Forest

Rapid City Journal	Publishing	\$5.36
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Title III Ntnl Forest Total **\$5.36**

Emergency Mgt

Emergency Management	July Salaries	\$4,054.20
Black Hills Land Analysis	PDM	\$4,000.00
National Fire Protection	Dues	\$165.00
Pitney Bowes	Meter	\$28.60
Quill Corporation	Supply	\$1.17
Radioshack	Supply	\$72.48
Rapid Chevrolet Co., Inc	Car Maint	\$83.65
Tiger Direct	Equip	\$119.99
Verizon Wireless	Cell Phone	\$174.11
	Emergency Mgmt Total	\$8,699.20

Cheyenne Weed Grant

A & B Welding Supply Co.	Supply	\$162.84
Happe, Shelby	Supply	\$544.15
Hot Springs Ace Hardware	Supply; Repair	\$18.89
Steinmetz, Nina	Supply	\$106.00
Van Diest Supply	Supply	\$3,221.00
	Cheyenne Weed Grant Total	\$4,052.88

24/7 Sobriety Fund

Gen Diagnostics Inc	Supply	\$958.50
	24/7 Sobriety Fund Total	\$958.50

M & P Relief

Microfilm Imaging Systems	Lease; M&P	\$145.00
	M & P Relief Total	\$145.00

Courthouse Building Fund

Dakota Supply Group	Supply	\$450.45
Temperature Technology	Repair	\$350.31
Pro Build	Supply	\$186.29
	Courthouse Bldg Fund Total	\$987.05

Grand Total **\$291,671.59**

A break was taken at 11:08 AM. The meeting resumed at 11:13 AM with public comment. Cindy Brunson discussed jury checks sent out in error and Susan Henderson encouraged the Board to approve the petitions to refer the resolution on the soil land-farm facility.

A hearing was held on combining Hot Springs voting precincts 2A and 2B, which would be done to simplify election board staffing and would not affect city council representation. Motion by Allen, seconded by Cassens, to approve the following resolution. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2014-24

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 Hot Springs 2A and 2B Precincts to create the Hot Springs 2 Precinct; and

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

HOT SPRINGS 2

The Second Ward shall be the Southwestern portion of the City, described as follows:

That area southeast of a point beginning at the City Limits at the Western End of University Avenue (also known as Highway 18) to South 24th Street, then south on 24th Street to Albany Avenue, then east on Albany Avenue to 16th Street, then north on 16th Street to University Avenue, then easterly on University Avenue to Fall River, following the course of the River south to South Sixth Street, then south on South Sixth Street to Evanston Avenue, then west on Evanston Avenue to Library Drive, then west on Library Drive to 14th Street, then southerly on 14th Street to Galveston Avenue, then west on Galveston Avenue to the Highway 18 truck by-pass.

Dated this 7th day of August, 2014.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Lyle Jensen, Building Superintendent and Golden West Telecommunications representatives Kristen Jones and Jim Halls met with the Board to discuss the county phone system, which is outdated and no longer supported. Additional information will be provided at the next meeting.

Cathy Sotherland advised the Board that Castle Manor and the former Fall River Hospital buildings are for sale.

Cindy Turner, Southern Hills Economic Development Corp., met with the Board to introduce new Executive Director, Amanda Brengel, and invite them to a meet and greet at Woolly's on August 22nd.

Petitions referring the Board's resolution regarding a petroleum contaminated soil farm were

reviewed, along with a letter from State's Attorney Jim Sword stating his opinion that the matter is referable. Motion by Falkenburg, seconded by Allen, to accept the petitions and set the ballot question on the November 4, 2014 General Election Ballot. With no further discussion and all voting yes, the motion carried.

The Board recessed for lunch at 11:54 AM. The meeting resumed at 1:18 PM. Motion by Cassens, seconded by Falkenburg, to enter into Executive Session for personnel matters, per SDCL 1-25-2(1), to conduct interviews with VSO candidates. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 1:18 PM.

The Board came out of Executive Session at 2:15 PM. Motion by Falkenburg, seconded by Cassens, to appoint Dan Cullen as Veterans Services Officer at a salary of \$33,000.00 per year with the understanding that the county health insurance would not be provided, effective immediately. With no further discussion and all voting yes, the motion carried.

Bruce Rampelberg, Black Hills Vision, presented a request for funding in the 2015 budget.

Frank Maynard, Emergency Management, presented the updated 2-1-1 contract for approval, including an opinion on the contract from Deputy State's Attorney Pat Ginsbach stating that the agreement should specify the service period as the 2014 calendar year. Motion by Falkenburg, seconded by Cassens, to approve the 2-1-1 contract with an amendment changing the effective dates to 1/1/14 – 12/31/14, authorizing the chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Falkenburg, to approve the purchase of a 10' x 20' storage building at an estimated cost of \$2,200.00, paid by Emergency Management, Search and Rescue and Building funds. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve the 2015 SLA agreement, authorizing the chairman to sign. With no further discussion and all voting yes, the motion carried.

Maynard updated the Board on a Cold Brook draw down, a Homeland Security grant application and area fires. Altering the fire danger sign was discussed and will be done to reflect both Prairie and Black Hills danger zones.

Kelli Rhoe, Treasurer, met with the Board to discuss two requests for delinquent tax agreements. Motion by Cassens, seconded by Allen, to decline the request for a delinquent tax agreement from Raymond Massey, authorizing his notification that the county will begin the tax deed process. With no further discussion, Ortner voting no and all others voting yes, the motion carried.

Motion by Allen, seconded by Falkenburg, to decline the request for a delinquent tax agreement from Marian Massey. With no further discussion, Ortner and Cassens voting no and all others voting yes, the motion failed for lack of a majority. After additional discussion on the request,

Cassens made a motion, seconded by Allen, to decline the request for a delinquent tax agreement from Marian Massey. With no further discussion, Ortner voting no and all others voting yes, the motion carried and the request denied.

Rhoe presented a list of county Certificates of Deposit for the Board's review, along with interest rates for checking and savings accounts.

Jackie Waldner, Community Health Nurse, presented her quarterly report and 2015 budget request.

Joe Falkenburg exited the meeting at 3:34 PM.

The Board reviewed the 2015 provisional budget. Motion by Cassens, seconded by Allen, to approve and authorize publication of the 2015 Provisional Budget. 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 meeting adjourned at 3:44 PM.

/s/ Michael P. Ortner
Michael P. Ortner, Chairman
Board of Fall River County Commissioners

ATTEST:

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