

FALL RIVER COUNTY MINUTES OF SEPTEMBER 20, 2012

The Fall River Board of County Commissioners met in regular session on September 20, 2012. Present: Mike Ortner, Anne Cassens, Joe Falkenburg, Joe Allen, Deb Russell and Sue Ganje, Auditor. Absent: none.

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

Motion by Cassens, seconded by Falkenburg, to approve the minutes of September 6, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens, to approve the minutes of September 11, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg, 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 August, 2012._

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,891.49</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>244,678.13</u>
Total Amount of Cash:	\$ <u>2,995.61</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>11,023.63</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>368,032.86</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,720,000.00</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:

Armentrout, Jimmy, \$672.27, TAXES	Nielsen, Krista, \$336.10, LIC
Henry, Raymond, \$290.64, LIC	Nielsen, Krista, \$150.61, LIC

TOTAL: \$4,603,506.34

Dated this 31st day of August, 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 Russell, seconded by Cassens, to surplus as junk an Electra vacuum and a fan from the Building Dept., no asset #s; fans from the Auditor and Register of Deeds, no asset #s; and a printer from the Treasurer's Office, asset #1535. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve the three-year raise for Deputy William Davis, Sheriff's Office, to \$18.05 per hour as per Union contract, effective August 21, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen, to approve the one-year raise for Kimberlee Beldin, Dept. of Equalization, to \$10.00 per hour as per Union contract, effective August 15, 2012. With no further discussion and all voting yes, the motion carried.

Auditor Ganje reported the results of the Ridge Area Road District election, held September 18, 2012. With 4 "yes" votes and 8 "no", the district did not pass. The road district may be petitioning in the future with a different legal description.

Deputy State's Attorney Pat Ginsbach met with the Board to inform them that Jim Bultsma is unable to serve as appraiser of the county-owned property by Ardmore.

Motion by Falkenburg, seconded by Russell, to appoint Franklin Maynard, Tom Conger and Barb Bryan to perform the Ardmore property appraisal. With no further discussion and all voting yes, the motion carried.

Treasurer Lori Bachand presented a Delinquent Tax Agreement for consideration. Motion by Russell, seconded by Allen, to deny a delinquent tax agreement with Charlene Moore. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to set October 18, 2012, at 10:30 AM in the courtroom of the Fall River County Courthouse as time and location for the sale of county-owned property in Ardmore, the leasing of 240 acres of county property and a tax deed sale. With no further discussion and all voting yes, the motion carried.

Ginsbach discussed funding for a school liaison officer, the cost of which is proposed to be shared between the City of Hot Springs, the Hot Springs School District and the county in the amount of \$11,700 each, with an additional \$1,500 funded by the Child Protection Team. The officer would be cross-deputized with the Sheriff's Office and Police Department and would be responsible for education and proactive programs. The Board indicated that the Edgemont and Oelrichs School Districts should also be involved. Ginsbach will proceed with the additional schools and bring information back to the Board for their consideration.

State's Attorney Jim Sword met with the Board to discuss domestic abuse programs and the lack of domestic abuse victims' advocates in the county. Sword requested the Board redirect funding budgeted this year for WEAVE to the newly formed HOPE, Inc.

Motion by Falkenburg, seconded by Allen, 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 9:37 AM.

The Board came out of Executive Session at 9:39 AM.

Sword also presented information on a request for medical assistance. Motion by Cassens, seconded by Russell, to deny claim, #2012-01A, from Sanford Hospital for medical assistance, due to non-residency. With no further discussion and all voting yes, the motion carried.

Kassandra Brooke, 211, met with the Board to explain how services are provided to communities in the Black Hills and that disaster preparedness assistance is given for situations such as fires and evacuations, and connecting persons to community resources. The Board asked Brooke to return for a discussion on disaster preparedness, referring her to Frank Maynard, Emergency Management, and suggested that she might want to speak with Paul Schoenfelder, Fall River Health Services.

Randy Seiler, Highway Superintendent, presented fuel bids as follows:

	<u>8,000 gal. unleaded</u>
Nelson's Oil	\$3.508 per gal.
MG Oil	\$3.709 per gal.

Motion by Falkenburg, seconded by Russell, to approve Nelson's bid of \$3.508 per gallon as the low bid for 8,000 gallons of unleaded. With no further discussion and all voting yes, the motion carried.

A pipeline easement was presented for approval. Motion by Falkenburg, seconded by Russell, to approve a pipeline easement for Vernon Schnose for a 15' wide easement for a pipeline adjacent to the SE ¼ of Section 22, T9S, R5E and the SE ¼ of Section 22 in T9S, R5E to the SE ¼ of Section 22, T9S, R5E of the BHM, Fall River County, South Dakota, contingent upon review and approval of the Highway Superintendent. With no further discussion and all voting yes, the motion carried.

Seiler advised the Board that he signed the contract for mowing tractors for 2013 (RDO Equipment, for \$1.00 ea). Approval for travel was requested. Motion by Falkenburg, seconded by Cassens, to approve travel to Rapid City for a conference October 24-25, 2012, which will address signs and gravel road maintenance, following up with a report to the Board. With no further discussion and all voting yes, the motion carried.

Seiler reported that the South Dakota bridge program is experiencing struggles maintaining the more than 1,000 bridges in the state due to reduced revenues and resulting financial problems.

Other counties have initiated a wheel tax to generate funds.

Carl Neisner, Building Superintendent, met with the Board to request gravel for the parking lot expansion with assistance from the Highway Department. Neisner also suggested the use of car stops; the Board asked him to instead confer with the owners of the Braun and report to the Board at a later date. Sealer that Neisner had designated as surplus was discussed and rather than sell it, the Board suggested using it on the gravel parking lot.

Frank Maynard, Emergency Management, met with the Board to request approval to purchase tires for the trailer. Motion by Falkenburg, seconded by Allen, to approve the purchase tires off the State bid. With no further discussion and all voting yes, the motion carried.

Motion by Allen, seconded by Falkenburg, to approve travel for Maynard to attend the IMAT meeting in Pierre on October 1, 2012; the SDEMA Board of Director's Meeting on November 14, 2012, and the SDPAA Safety Benefits conference on November 14-15, 2012. With no further discussion and all voting yes, the motion carried.

Maynard discussed fire restrictions and concerns about sparks when mowing of Right of Ways. The Board reviewed a letter Harding County sent to Game, Fish and Parks about concerns over fires and hunting season. Motion by Falkenburg, seconded by Allen, to send a letter to Game, Fish and Parks expressing concern about fire danger during hunting season and authorize the chairman to sign. With no further discussion and all voting yes, the motion carried.

The Corps of Engineers has been working on the Black Hills Ammunition Depot and recently detonated old, uncovered munitions. Maynard has visited the site and reviewed the procedures used, which include fire trucks on site, and is comfortable with the process. Maynard also reported he will be attending the Homeland Security conference in Sturgis on September 24, 2012.

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

General Fund

A&B Business Equipment	Copier	\$371.02
Audra Malcomb Consulting	MI	\$399.87
Bingham, James	CAAF	\$1,496.50
BH Family Health Clinic	Inmate	\$100.00
Bryan's Crane Service	Repair	\$795.60
Carol Butzman Consulting	MI	\$976.43
Clinical Laboratory Of	Assistance	\$264.00
Culligan Soft Water	Water	\$103.75
Dale's Repair	Car Maint	\$104.00
Fed Ex	Shipping	\$21.28
Garry's Duct Service	Down Pay't	\$1,500.00
Golden West	Telephone	\$1,633.11

Neve's Uniform Inc	Uniform	\$335.60
O'Neill, Justin	CAAF	\$2,770.60
Penn Co Sts Attny Office	MI	\$200.00
Pennington Co Auditor	MI	\$151.00
Pitney Bowes	Postage	\$47.40
Powell, Debra J	Inmate	\$35.00
Radioshack	Supply	\$61.98
Rapid City Journal	Publishing	\$259.55
Rapid City Regional	Assistance	\$844.03
Rushmore Communications	Labor; Equip	\$2,800.45
Rushmore Office Supply	Supply	\$9.27
SDSU West River Ag Center	Travel	\$189.07
Stevens, Neil	Assistance	\$350.00
Skinner, Matthew LPC	CAAF	\$2,018.75
Software Services Inc	Support	\$660.00
Sotherland, Becki	Mileage	\$6.66
Weakland, Wendy	Travel	\$330.11
Western SD Juv Serv Ctr	Juv	\$12,375.00
	GEN'L FUND TOTAL	\$31,210.03

Road & Bridge

BH Electric Coop Inc.	Utility	\$17.77
Black Hills Weekly Group	Renewal	\$36.00
Dell Business Credit	Equip	\$678.00
Golden West	Telephone	\$264.06
	ROAD & BRIDGE TOTAL	\$995.83

911 Surcharge Reimbur.

Golden West	Telephone	\$44.62
Century Link	Telephone	\$624.04
	911 REIMBUR. TOTAL	\$668.66

Fire Protection Fund

Rushmore Communications	Labor; Equip	\$661.00
	FIRE PROT FUND TOTAL	\$661.00

Emergency Mgt

Golden West	Telephone	\$113.96
National Fire Protection	Dues	\$165.00
Norton's Sinclair	Car Maint	\$20.00
Radioshack	Supply	\$12.99
	EMER MGMT TOTAL	\$311.95

24/7 Participation Fee

Intoximeters	Supply	\$960.00
	24/7 PART. FEE TOTAL	\$960.00
	GRAND TOTAL	\$34,807.47

A break was taken. The meeting resumed at 10:43 AM with Val Henry meeting with the Board to discuss the need for a local domestic violence shelter. She urged the Board to support the new group forming in the county.

Sheriff Rich Mraz and Deputy Jason March met with the Board, presenting the Highway Safety Agreement for approval. Motion by Falkenburg, seconded by Allen, to approve the FY 2013 Highway Safety Agreement and authorize Mraz to sign for the grant. With no further discussion and all voting yes, the motion carried.

Mraz provided the Board with year-to-date statistics on the jail, which included increases in both prisoner counts and revenues generated.

Motion by Falkenburg, seconded by Allen, 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 11:00 AM.

The Board came out of Executive Session at 11:08 AM.

Allen Schaefer, Dept. of Legislative Audit, met with the Board to present his 2010-11 closing audit conference.

The 2013 Budget was reviewed. Motion by Cassens, seconded by Russell, to approve the 2013 Annual Budget, including a General Fund Tax of 2% CPI and 1.145% growth with the following changes and Resolution:

General Fund: Elections from \$28,758 to \$28,331; Auditor from \$183,738 to \$185,053; Treasurer from \$162,285 to \$165,831; State's Attorney from \$169,395 to \$167,754; Child Defense from \$4,000 to \$10,000; General Government Building from \$257,960 to \$229,866; Director of Equalization from \$150,466 to \$138,914; Register of Deeds from \$121,220 to \$121,433; GIS from \$50,205 to \$50,264; Total General Government from \$1,621,964 to 1,591,383; Sheriff from \$630,848 to \$634,087; County Jail from \$349,925 to \$350,033; Communications Center (911) from \$211,285 to \$206,343; Total Public Safety from \$1,307,583 to \$1,305,988; Public Welfare from \$300 to \$50; County Nurse from \$49,915 to \$49,995; Boys and Girls Club from \$5,000 to \$2,000; Mentally Ill from \$33,000 to \$27,000; Total Health and Welfare from \$179,300 to \$170,130; County Extension from \$46,365 to \$46,423; Weed Control from \$125,450 to \$126,146; Total Conservation of Natural Resources from \$194,815 to \$195,569; County Economic Development from \$7,500 to \$5,000; Total Urban & Economic Development from \$15,595 to \$13,095; 911 Transfers Out – Domestic Abuse from \$0 to \$500; Total Other Uses from \$382,721 to \$383,221; Total Expenditure Appropriations from \$3,718,878 to \$3,676,286; Total Appropriations from \$3,718,878 to \$3,676,286; Cash Balance Applied from

\$674,990 to \$558,225; Current Property Tax Levy from \$2,291,278 to \$2,363,210; Net Total Taxes from \$2,344,803 to \$2,416,735; Subtotal from \$3,914,608 to \$3,869,775; Less 5% from (\$195,730) to (\$193,489); Net Means of Finance from \$3,718,878 to \$3,676,286; Total Appropriations from \$3,718,878 to \$3,676,286.

Domestic Abuse Fund: Domestic Abuse from \$4,000 to \$3,000; Total Health and Welfare from \$4,000 to \$3,000; Total Expenditure Appropriations from \$4,000 to \$3,000; Total Appropriations from \$4,000 to \$3,000; Cash Balance Applied from \$1,700 to \$0; Licenses & Permits from \$2,300 to \$2,500; Other Financing Sources from \$0 to \$500; Subtotal from \$4,000 to \$3,000; Net Means of Finance from \$4,000 to \$3,000; Total Appropriations from \$4,000 to \$3,000.

Road and Bridge Fund: Highways, Roads, & Bridges from \$1,804,185 to \$1,588,658; Total Public Works from \$1,804,185 to \$1,588,658; Total Expenditure Appropriations from \$1,804,185 to \$1,588,658; Total Appropriations from \$1,804,185 to \$1,588,658; Intergovernmental Revenue from \$915,700 to \$901,773; Charges for Goods & Services from \$18,500 to \$44,000; Miscellaneous Revenue from \$0 to \$4,000; Other Financing Sources from \$300,00 to \$460,000; Subtotal from \$1,875,185 to \$1,670,202; Less 5% from (\$71,000) to (\$81,544); Net Means of Finance from \$1,804,185 to \$1,588,658; Total Appropriations from \$1,804,185 to \$1,588,658.

911 Fund: Communications Center (911) from \$92,836 to \$92,911; Total Public Safety from \$92,836 to \$92,911; Total Expenditure Appropriations from \$92,836 to \$92,911; Total Appropriations from \$92,836 to \$92,911; Cash Balance Applied from \$20,836 to \$20,911; Subtotal from \$92,836 to \$92,911; Net Means of Finance from \$92,836 to \$92,911; Total Appropriations from \$92,836 to \$92,911.

Building Fund: General Government Building from \$120,000 to \$59,000; Total General Government from \$120,000 to \$59,000; Total Expenditure Appropriations from \$120,000 to \$59,000; Total Appropriations from \$120,000 to \$59,000; Cash Balance Applied from \$67 to (\$60,933); Subtotal from \$126,316 to \$65,316; Net Means of Finance from \$120,000 to \$59,000; Total Appropriations from \$120,000 to \$59,000.

Emergency Management Fund: Emergency & Disaster Services from \$85,095 to \$85,159; Total Public Safety from \$85,095 to \$85,159; Total Expenditure Appropriations from \$85,095 to \$85,159; Total Appropriations from \$85,095 to \$85,159; Intergovernmental Revenue from \$30,064 to \$30,000; Subtotal from \$85,095 to \$85,159; Net Means of Finance from \$85,095 to \$85,159; Total Appropriations from \$85,095 to \$85,159.

With no further discussion and all voting yes, the motion carried.

COUNTY TAX LEVIES	Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
* General County Purposes		
(10-12-9)	\$ 2,363,210.00	5.104
Library	\$ 5,825.00	0.020
Courthouse, Jail, etc., Bldg.		
(7-25-1)	\$ 108,644.00	0.235
Secondary Road (Unorg. PT-76)		
(31-12-27)	\$ 235,029.00	0.917
Fire Protection (34-31-3)	\$ 2,699.00	0.217
TOTAL TAXES LEVIED BY COUNTY	\$ 2,715,407.00	6.493

* These Amounts include the 25% to be distributed to cities.

As of 9/20/12, these levies are not approved by the Department of Revenue

FALL RIVER COUNTY RESOLUTION #2012-39

ADOPTION OF ANNUAL BUDGET FOR FALL RIVER COUNTY, SOUTH DAKOTA

WHEREAS, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

WHEREAS, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

WHEREAS, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE, BE IT RESOLVED, that such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR FALL RIVER COUNTY, SOUTH DAKOTA and all its institutions and agencies for calendar year beginning January 1, 2013, and ending December 31, 2013, and the same is hereby approved and adopted by the Board of County Commissioners of Fall River County, South Dakota, this 24th day of September, 2012. The Annual budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, Fall River County, South Dakota. The accompanying Taxes are levied by Fall River County for the year January 1, 2013 through December 31, 2013.

Dated at Fall River County, South Dakota this 24th day of September, 2012.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

/s/ Joe Falkenburg

Joe Falkenburg, Commissioner

/s/ Anne Cassens

Anne Cassens, Commissioner

/s/ Joe Allen

Joe Allen, Commissioner

/s/ Deborah Russell

Deborah Russell, Commissioner

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Russell, seconded by Allen, to enter into Executive Session to discuss Union conciliation with Deputy State's Attorney Ginsbach. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 12:15 PM.

The Board came out of Executive Session at 12:25 PM. Motion by Falkenburg, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 12:25 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