

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>71,979.99</u>
Total Amount of Cash:	\$ <u>604.13</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>7,261.67</u>
Provo Township Water Checking, First Interstate Bank:	\$ <u>300.00</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>349,162.62</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,620,000.00</u>
Wells Fargo Bank:	\$ <u>450,000.00</u>

Wells Fargo Bank:

\$ 450,000.00

Itemized list of all items, checks and drafts which 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:

Caldwell, Gwendolyn, \$25.60, LIC	Henry, Raymond, \$290.64, TAXES
Goddard, Isaac, \$213.95, LIC	Petersen, Lynda: \$1,433.00, TAXES

TOTAL: \$4,506,589.96

Dated this 30th Day of December, 2010.

/S/Sue Ganje

Sue Ganje, County Auditor, Fall River County

County Monies:	\$4,268,747.93
Held for other Entities:	\$215,453.81
Held in Trust:	\$22,874.35

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 AND AMBULANCE DISTRICTS, AND STATE.

Tracy Bowman, County Health Nurse, met with the Board to present a quarterly report which included the WIC and Nutrition program; Maternal and Child Health programs; Women's Health, Nutrition and Physical Activity program and general public health office activities.

Treasurer Lori Bachand met with the Board to present a delinquent tax agreement in the amount of \$60.00 per month. After some discussion, Ortner and Falkenburg agreed that they would only approve the agreement if set for a payment of \$75.00 per month. Motion by

Falkenburg, seconded by Cassens to approve a delinquent tax agreement for Charlene Moore in the amount of \$75.00 per month, parcel numbers 72220-00900-00900 and 72150-02600-00500, and authorize the Chairman to sign. This agreement is contingent upon Moore agreeing to the increased monthly amount. With no further discussion and all voting yes, the motion carried.

Cassens reported to the Board on visits made to the jails in Newcastle, WY and Valentine, NE on 1/6/2011 and 1/13/2011 respectively. Cassens reported that the two facilities are very different with the Newcastle jail being built in 1982 and the Valentine facility still under construction. Both jails have a prisoner capacity in the mid-30s. Newcastle does not take outside prisoners and the operating budget for 2010 was \$438,000.00, with \$72,000.00 remaining at the end of the year.

Valentine's new jail project has taken four years from the decision to build to completion of the facility. Cassens presented copies of the building plans and will compile information for the Commissioners to review. Allen indicated that he believed it was time to come to a decision on the matter. Fall River County's prisoner day count for 2010 was averaged at 12.33.

Highway supervisor Randy Seiler met with the Board to present fuel bids as follows:

	<u>8,000 GAL. 50/50 DYED FUEL</u>
MG OIL	\$3.01811 PER GALLON
NELSON'S	\$2.895 PER GALLON

Motion by Falkenburg, seconded by Cassens to approve the Nelson's Oil Bid on 8,000 gallons of 50/50 Dyed Fuel at \$2.895 per gallon as the low bid. With no further discussion and all voting yes, the motion carried.

Seiler presented two travel requests for approval. Motion by Falkenburg, seconded by Russell to approve the travel request for Seiler to attend a Short Course in Deadwood March 15, 16 and 17, 2011. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg to approve the travel request for Seiler to attend the NACE meeting in Minneapolis, MN, with expenses paid by the Highway Association, on April 18th – 21st. With no further discussion and all voting yes, the motion carried.

Seiler also advised the Board that the MSHA meeting will be held in Hot Springs on February 16th at the Mueller Center.

Seiler informed the Board of problems with the card reader on the fuel system that occurred during the recent extreme cold weather, but reported that it is currently working and he advised waiting to address the problem. A repair to the system using the same cards would cost approximately \$4,000.00 and cost \$8,000.00 for a complete new system. The system is approximately 20 years old. Per an agreement with the City, Hot Springs would pay half of the

expense. Seiler indicated that recent problems with the system may be attributable to cold weather affecting the 21-year old system. The Board asked Seiler to research options and report back to the Board.

Annual Bids were opened as advertised. Motion by Cassens, seconded by Falkenburg to accept all bids used for the best advantage for the County as follows. With no further discussion and all voting yes, the motion carried.

Product	Bidder
Bid Item #1	
Road Oil Materials:	
A. Emulsified Asphalt	
1. AE-A50S, Hot Springs	Hills Materials - \$560.00/Ton, Full truck load
2. SS-1H, Hot Springs	Hills Materials - \$575.00/Ton, Full truck load (RC pit pick-up: add \$50.00/Ton, less Full truck load)
B. Cold Mix Black Top	
1. Oral	Hills Materials - \$98.00/Ton, Full truck load
2. Edgemont	Hills Materials - \$100.00/Ton, Full truck load
3. Hot Springs Quarry	Hills Materials - \$95.00/Ton
C. Hot Mix, SD DOT Class G	
1. Oral	Hills Materials - \$75.00/Ton
2. Edgemont	Hills Materials - \$80.00/Ton
3. Hot Springs Quarry	Hills Materials - \$75.00/Ton
Aggregate Materials:	
A. Crushed Lime Base Course	
1. ¾" FOB HS Quarry	Hills Materials - \$7.75/Ton
2. ¾" FOB Loring Quarry	Hills Materials - \$8.60/Ton
3. ¾" FOB Maverick Pit	Hills Materials - \$7.50/Ton
4. 1" minus FOB HS Quarry	Hills Materials - \$7.50/Ton
5. 1" minus FOB Loring Quarry	Hills Materials - \$8.10/Ton
6. 1" minus FOB Maverick Pit	Hills Materials - \$7.75/Ton
B. Chips	
1. 3/8" FOB HS Quarry	Hills Materials - \$15.75/Ton
2. 3/8" FOB Loring Quarry	Hills Materials - \$16.25/Ton
3. ½" FOB HS Quarry	Hills Materials - \$13.50/Ton
4. ½" FOB Loring Quarry	Hills Materials - \$14.00/Ton
5. 5/8" FOB HS Quarry	Hills Materials - \$11.15/Ton
6. 5/8" FOB Loring Quarry	Hills Materials - \$11.65/Ton
Bid Item #2, Ice Control Sand	
1. Cheyenne River Pit	Croell - \$9.00/Ton
2. Oral Sand Pit	Pete Lien - \$9.25/Ton
3. Hot Springs	Hills Materials - \$8.75/Ton
4. Loring Quarry	Hills Materials - \$9.25/Ton

Public Comment was held at 10:30 a.m.

Falkenburg asked if a conference call would be an option for meetings in times of inclement weather. Falkenburg was informed that was an option with the following modifications: all votes would be roll-call votes and the participant by phone could not participate in an Executive Session.

A break was taken at 10:35 a.m.

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

GENERAL FUND

A&B BUSINESS EQUIPMENT	COPIER	\$569.77
BEESEY LAW OFFICE	CAAF	\$1,703.78
BH COUNCIL OF LOCAL GOV	DUES	\$7,595.00
BIEGLER, GREG LPC CCCII	DETOX	\$60.00
BINGHAM, JAMES	CAAF	\$1,278.00
BH FAMILY HEALTH CLINIC	INMATE	\$150.00
BLACK HILLS POWER	UTILITY	\$3,392.36
CALIFORNIA CONT SUPP INC	SUPPLY	\$199.60
CAROL BUTZMAN CONSULTING	MI	\$408.58
CBM FOOD SERVICE	INMATE	\$923.44
CENTURY BUSINESS LEASING	COPIER	\$64.10
CHEYENNE SANITATION	UTILITY	\$296.80
CITY/CO ALCOHOL & DRUG	DETOX	\$1,890.00
DAKOTA BUSINESS CENTER	REPAIR	\$155.20
DALE'S REPAIR	TOWING	\$310.00
DAVIS, JOHN	INMATE	\$40.00
DIAMOND PHARMACY	INMATE	\$248.85
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$796.35
FALL RIVER PAWN	SNOW REM	\$935.00
GOLDEN WEST	TELEPHONE	\$1,573.75
HEARTLAND PAPER CO	SUPPLY	\$80.72
HILLYARD FLOOR CARE SUPP	SUPPLY	\$461.66
HOT SPRINGS AMBULANCE	INMATE	\$731.26
HOT SPRINGS MEAL SITE	ALLOTMENT	\$3,500.00
HOT SPRINGS SCHOOLS	RENT	\$45.00
JERRY'S AUTO	CAR MAINT	\$37.50
LYLE'S HANDYMAN	JAIL	\$53.55
MCCOLLEY'S	ASSISTANCE	\$1,300.00
MICROFILM IMAGING SYSTEMS	LEASE	\$195.00

PENN CO STS ATTNY OFFICE	MI	\$200.00
PENNINGTON COUNTY AUDITOR	MI	\$103.00
PENN CO JAIL	INMATE;MI	\$2,481.70
PHOENIX INVESTIGATIONS	INMATE	\$384.20
POWELL, DEBRA J	INMATE	\$35.00
RAPID CITY REGIONAL	MI	\$2,885.52
RICK'S AUTO CENTER	CAR MAINT	\$267.62
RUSHMORE COMMUNICATIONS	UTILITY;REPAIR	\$682.00
S H ALCOHOL & DRUG REF.	ALLOTMENT	\$8,000.00
SANICHEM	SUPPLY	\$302.00
SD ASSOCIATION OF	DUES	\$55.00
SD ASSOC. OF COUNTY WEED	DUES	\$50.00
SKINNER, MATTHEW L. PC	CAAF	\$718.10
SLOWEY COURT REPORTING	MI	\$27.50
SOFTWARE SERVICES INC	SUPPORT	\$1,810.00
SPRINGS SENIOR CITIZENS	ALLOTMENT	\$4,000.00
ST JAMES PARISH CENTER	RENT	\$175.00
STATE RADIO COMMUNICATION	TTY	\$2,250.00
STATE REMITTANCE CENTER	MI	\$2,216.63
STEPHENS MATTHEW T	CAAF	\$900.00
PRO BUILD	SUPPLY	\$89.53
VERIZON WIRELESS	CELL PHONE	\$492.98
WEED & PEST CONFERENCE	REG	\$220.00
WINTER, PAUL R	CAAF	\$338.96
WITNESS FEES	WITNESS	\$580.91
	GENERAL FUND TOTAL	\$58,260.92

ROAD & BRIDGE

CHEYENNE SANITATION	UTILITY	\$76.32
EDGEMONT, CITY OF	UTILITY	\$42.36
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$16.24
GOLDEN WEST	TELEPHONE	\$247.85
CITY OF HOT SPRINGS	UTILITY	\$18.56
OFFICE SOLUTIONS	REPAIR	\$78.75
PJ'S HI-D-WAY	UTILITY	\$2,268.75
POSTMASTER	BOX RENT	\$110.00
VERIZON WIRELESS	CELL PHONE	\$31.72
	ROAD & BRIDGE TOTAL	\$2,890.55

911 SURCHARGE REIMBUR.

GOLDEN WEST	TELEPHONE	\$16.85
	911 REIMBUR. TOTAL	\$16.85

EMERGENCY MGT

CALIFORNIA CONT SUPP INC	SUPPLY	\$129.60
CARDMEMBER SERVICE	MISC	\$375.14
GOLDEN WEST	TELEPHONE	\$108.64
RIVER LODGE	TRAVEL	\$183.00
LYNNS DAKOTA MART	SUPPLY	\$12.98
SDEMA	DUES	\$60.00
VERIZON WIRELESS	CELL PHONE	\$120.34
	EMERGENCY MGMT TOTAL	\$989.70

LEPC GRANT

HSR FUELING LLC	FUEL	\$71.19
	LEPC GRANT TOTAL	\$71.19

24/7 SOBRIETY FUND

GEN-DIAGNOSTICS, INC	INMATE	\$704.95
	24/7 SOBRIETY FUND TOTAL	\$704.95

GRAND TOTAL **\$62,934.16**

Terri Halls, Director of Equalization, met with the Board to present her Intentions on Value for 2011 and explained the process of determining the values. These intentions are submitted to the Department of Revenue and they certify a ratio to apply to valuations. The intentions submitted will reflect the following: Ag crop soils will increase 10% with non crop soils increasing 1%; Non Ag house and land values will increase 10.5% with the exception of Boulder Falls and the Back Nine Subdivisions. Commercial properties in Hot Springs have had reappraisals for 2011 so those values will be reflected. The City of Edgemont will have no increase in values, while the City of Oelrichs will see a 7% increase in values. Non Ag rural properties will increase 5%.

Extension Educator Sally Park Hageman met with the Board to explain the Extension Board's recommendation of Misti Cantrell as a member of the Extension Board. Motion by Falkenburg, seconded by Allen to approve the two-year appointment of Misti Cantrell to the Extension Board. With no further discussion and all voting yes, the motion carried.

Park Hageman also informed the Board that the Educator vacancy will not be filled until such time as State funding is budgeted for the position.

Ortner opened the continuation of discussion on amending or superseding Resolution #96-46 for tax incentives. These incentives would not apply to the Railroads or Railroad structures as these will be valued with the centrally assessed properties. These tax incentives would apply to commercial properties and residential structures comprised of four or more

units with construction or reconstruction value in excess of \$30,000 and Agricultural structure or reconstruction value in excess of \$10,000.00.

State law allows for a five-year period of no tax or a percentage of tax collected. Our current Resolution allows for steps of 25%, 50%, 75% and then taxation at the full amount for the 5th year. Ortner presented a draft of a Resolution that would add that structures must comply with all air and water pollution laws and standards. The taxation steps would reflect a 100% exemption for the first four years; a 50% exemption for the fifth year and taxation at the full value for the sixth year on.

Discussion was held on adding a requirement that structures must be constructed on a permanent foundation. Mark Hollenbeck from the Edgemont Chamber of Commerce presented the Board with information on Lawrence, Custer, Pennington, Butte and Meade Counties as follows: Meade County provides an incentive of five years at a 0% taxation rate, Custer and Butte counties giving step incentives with percentages of 20%, 40%, 60%, 80% and full taxation the fifth year, and Lawrence and Pennington having no construction incentives. Hot Springs Mayor Don DeVries encouraged the Board to be as aggressive as they could to offer the most attractive incentives possible.

Paul Nabholz commented that he would like to see what he believes to be fairer assessments of property as high County assessments don't draw people. Ortner indicated his support of the incentives to provide a draw. Falkenburg indicated support of the resolution with the addition of construction on a permanent foundation, and Cassens indicated support if the fifth year is 100% exempt, and full value on the sixth year.

Motion by Cassens, seconded by Allen to adopt the following Resolution. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2011-04

WHEREAS, Fall River County is further desirous of availing citizens of the benefit of a formula for assessed valuation for new construction tax incentive.

NOW, THEREFORE, BE IT RESOLVED that pursuant to SDCL 10-6-35.1 and 10-6-35.2, the following formula for assessed valuation of all new industrial or commercial structures on a permanent foundation, to include residential structures of four (4) or more units, or non-residential agricultural structures/ or new additions to existing structures or renovation or reconstruction of existing structures if such renovation or reconstruction is located in a designated urban renewal area and which new structures or additions to existing structures are located within Fall River County, and which new structures or additions to existing property increases the true and full value of the real property by Thirty Thousand Dollars (\$30,000.00) or more, Ten Thousand Dollars (\$10,000.00) or more for such agricultural structures, then such new structures of new additions to existing property are specifically classified as set forth in this Resolution for the purpose of taxation; and

BE IT FURTHER RESOLVED that such new structures or new additions to existing structures as hereinbefore defined shall, following new construction or new addition to existing property, be valued for taxation purposes in the usual manner; and

BE IT FURTHER RESOLVED that following such valuation the following formula for assessing value of the new structure or new addition to existing property shall, pursuant to SDCL 10-6-35.2, be used for tax purposes:

- 1) For the first five years following construction Zero Percent (0%) of the assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property;
- 2) For the sixth tax year following construction One Hundred Percent (100%) of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property; In each year thereafter, the usual assessed value shall be used for tax purposes on such property.

BE IT FURTHER RESOLVED that pursuant to SDCL 10-6-35.3 no real property shall qualify for this new construction or new addition to existing property tax incentive if the structure fails to comply with all air and water pollution laws and standards which are enacted and may be enacted from time to time by the State of South Dakota and as are set forth in Chapters 34A-1 and 34A-2 of the South Dakota Code.

BE IT FURTHER RESOLVED that any real property currently classified under Fall River County Resolution #96-46 shall continue under that Resolution and this new Resolution shall only apply to prospective structures, additions, renovations or reconstruction.

Dated at Hot Springs, Fall River County, South Dakota, this 18th day of January, 2011.

/s/ Michael Ortner
Michael Ortner, Chairman
Fall River County Commission

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

Sheriff Rich Mraz met with the Board to request approval for the purchase of a new vehicle and to trade the F250 pick-up in on a new, more fuel-efficient vehicle. Discussion was held on options that might be considered, with Cassens asking for count of current sheriff vehicles. A possible transfer of the Ford F250 to Emergency Management or taking sealed bids on the truck was also discussed.

Motion by Falkenburg, seconded by Russell to purchase a 2011 Chevy Tahoe off the State Bid in the amount of \$28,360.00. With no further discussion and all voting yes, the motion carried.

Mraz also requested permission to hire a part-time, temporary secretary. Motion by Ortner, seconded by Falkenburg to approve hiring a temporary, part-time secretary in the Sheriff's Office, with a starting wage of \$9.00/hour. With no further discussion and all voting yes, the motion carried.

Mraz also indicated he would return on the February 1, 2011 agenda to request hiring approval for a Deputy Sheriff.

Nina Steinmetz, Weed Supervisor, met with the Board to present a power point on the overview of Weed Department activities, which included the mission statement, recap of expenses and revenues, employees, Board members, equipment, facility, 2010 applications for landowners and target weeds. Also presented was information on biological applications and prairie dog baiting, mosquito spraying and the plan for 2011 grasshopper infestations and the Aphis program. Steinmetz also presented the department's goals for 2011. Plans also include doing County Road Right-of-Way spraying in-house, rather than contracting the service.

Stacey Martin, GIS, met with the Board to request purchase of software in the amount of \$8,110.00, presenting the Board with an explanation of the request. Motion by Falkenburg, seconded by Cassens to approve purchase of ArcInfo and ArcGIS software in the amount of \$8,110.00. With no further discussion and all voting yes, the motion carried.

Martin also discussed with the Board a request from the State to obtain a copy of the County address file, with a payment to the County in the amount of \$1,500. Motion by Cassens, seconded by Russell to approve sending the County Address File to the State after receiving confirmation that the information will not be sold. With no further discussion and all voting yes, the motion carried.

A short presentation on the new County website, www.fallriver.sdcounties.org, was also presented by Martin. The new site allows events to be posted and Martin asked all to keep that in mind so timely information could be included.

Frank Maynard, Emergency Management, met with the Board and presented them a copy of the State and Local Agreement, which has been sent to the State. Maynard also informed the Board that he is requesting to add a wall-mounted, flat screen television to the meeting room on the ground floor of the courthouse which would be web-capable. The TV will be used for WEB conference calls and will be available for use by other offices. Funding will be shared by LEPC and Emergency Management and it is expected to cost between \$400.00 and \$450.00.

Motion by Russell, seconded by Falkenburg to approve purchase of a flat screen TV, up to a cost of \$450.00, to be funded by LEPC and Emergency Management. With no further discussion and all voting yes, the motion carried.

Maynard also presented a proposed policy for courthouse closures in inclement weather for the Board's consideration. A discussion on the purchase of 911 signs was held with the suggestion that the Highway Department incur the cost, with contingency transfers to offset the cost until the next budget cycle.

Motion by Falkenburg, seconded by Russell to approve a travel request for Maynard to attend the SDEMA Board of Directors meeting in Pierre on January 31, 2011. With no further discussion and all voting yes, the motion carried.

Building Supervisor Carl Neisner met with the Board to request use of comp time. IRS rules will be researched and brought back to the Board. Neisner also asked if the Board would increase his part-time staff person from quarter-time to half-time, which they will consider.

State's Attorney Jim Sword met with the Board to request approval for his office employees to be Victims Advocates to provide assistance to victims of crime. Compensation will be provided by Shannon County funds. Motion by Cassens, seconded by Allen to approve the following Resolution. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2011-05

WHEREAS, the Fall River County Commission is vested with the authority pursuant to SDCL 23A-28C-7 to appoint a victims assistance, with the concurrence of the State's Attorney;

WHEREAS, it is critical to the administration of justice that victims of crime be informed and helped through the criminal justice process;

WHEREAS, our criminal justice system is effective only if victims of crimes have a voice in the eventual outcomes;

NOW THEREFORE, the Fall River County Board of Commissioners hereby resolves the following: That Linda Kluender is appointed as a victims assistant with an annual salary of \$1,695.00 and said sum shall be paid by Shannon County, South Dakota; and it is

FURTHER RESOLVED, that Shari Winslow is appointed as a victims assistant with an annual salary of \$1,695.00 and said sum shall be paid by Shannon County, South Dakota.

DATED this 18th day of January, 2011.

/s/ Michael Ortner
Michael Ortner, Chairman
Fall River County Commission

ATTEST:

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

Motion by Cassens, seconded by Falkenburg to enter into Executive Session for personnel and legal matters, with the time being 12:52 p.m. With no further discussion and all voting yes, the motion carried.

The Board came out of Executive Session at 1:14 p.m.

Motion by Cassens, seconded by Falkenburg to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 1:14 p.m.

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

ATTEST:

Sue Ganje, Fall River County Auditor