

FALL RIVER COUNTY MINUTES OF JANUARY 4, 2011.

The Fall River Board of County Commissioners met in regular session on January 4, 2011. Present Michael Ortner, Deb Russell, Joe Allen, Anne Cassens, Joe Falkenburg, and Sue Ganje, Auditor. Absent none.

The Oath of Office was given by Falkenburg and Russell. Ortner welcomed new commissioner Deb Russell to the Board.

Meeting called to order at 9:00 a.m. and Pledge of Allegiance was given.

Agenda was reviewed for conflicts; Cassens indicated her conflict on the matter of naming the official newspapers for the County.

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 Allen, seconded by Cassens to nominate Falkenburg as Chairman for 2011. Discussion was held. Motion by Cassens, seconded by Falkenburg to nominate Ortner as Chairman for 2011. With no further discussion, Cassens called for a vote by ballot. With two votes for Falkenburg and three votes for Ortner, motion carried and Ortner was elected Chairman for 2011.

Motion by Cassens, seconded by Allen to nominate Falkenburg as Vice-Chair for 2011. Motion by Cassens seconded by Russell that nominations cease and with no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell to set the Hot Springs Star and the Edgemont Herald Tribune as the official newspapers for the County for 2011. With no further discussion, Cassens abstaining and all others voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to designate three feet of the bulletin board in the Courthouse Lobby for legal matters. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to designate the following as locations for Chattel Mortgage Sales: Hot Springs, front door of the Courthouse; Oral, front door of the Post Office; Oelrichs, front door of the Post Office; Edgemont, front door of the Post Office. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell to designate Bank of the West, Wells Fargo Bank, First Interstate Bank and Black Hills Federal Credit Union as the official banks for Fall River County for 2011, with First Interstate Bank as the active account. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to set burial fees at \$1,700.00 total cost, \$1,200.00 for individuals one year old or younger and \$1,300.00 for cremation; an additional \$400 if a vault is required; mileage paid at \$1.00 per loaded mile to the Black Hills National Cemetery. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Cassens to set the cost of prisoner care at \$63.00 per day and work release of \$20.00 to \$30.00 per day at the discretion of the Sheriff. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to name Black Hills Family Health Clinic as the primary care-giver and Fall River Health Services as the secondary care-giver for 2011. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to establish the following Commissioner appointments for 2011: Russell as the representative to the Fall River Extension Board; Allen as the representative to the L.E.P.C. Board; Falkenburg as the representative to the Fall River County Weed Board and Allen as the alternate representative; Cassens as the representative to the Custer / Fall River Regional Waste Management Board and Falkenburg as the alternate representative; Ortnier as the representative to the 6th District Board of the Black Hills Council of Local Government and Cassens as the alternate representative; Russell as the representative to the RC&D Board; Ortnier as the representative to the Juvenile Detention Board and Allen as the alternate representative. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to approve travel of the County Officials to attend meetings of the Black Hills Associations and to request Office Supervisors to obtain travel approval for all other meetings. With no further discussion and all voting yes, the motion carried.

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

FALL RIVER COUNTY RESOLUTION #2011-01

WHEREAS, pursuant to SDCL 12-15-11, the Board of County Commissioners at their first meeting shall set a fee for Election Board and the mileage rate;

NOW THEREFORE BE IT RESOLVED, that the Fall River County Board of Commissioners have set the fee for attendance of Election School at \$15.00; and

BE IT FURTHER RESOLVED, that the Fall River Board of County Commissioners have set the fee for Election Boards for the Primary and General and all Special Elections as follows:

ALL ELECTION BOARDS, RESOLUTION AND ABSENTEE BOARDS WILL BE SET AT \$7.25 PER HOUR, and

ALL PROVISIONAL BOARDS WILL BE SET AT \$20.00, and

BE IT FURTHER RESOLVED, that the Fall River County Commissioners set the mileage rate at \$.37 per mile.

Dated this 4th day of January, 2011.

/S/Michael Ortner
Michael Ortner, Chairman
Board of County
Commissioners Fall River County

ATTEST:

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

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 #2011-02

WHEREAS, the Division of Purchasing and Printing of the State of South Dakota has competitively bid state contracts for the purchase of necessary supplies, equipment and materials for state and local governments, and

WHEREAS, the Fall River County Board of Commissioners is authorized to purchase necessary supplies, equipment and materials for its use, and

NOW THEREFORE, BE IT RESOLVED, that the Board of Fall River County Commissioners enter into an agreement with the Division of Purchasing and Printing of the State of South Dakota to purchase equipment, supplies and materials.

Dated this 4th day of January, 2011.

/S/Michael Ortner
Michael Ortner, Chairman
Board of County Commissioners
Fall River County

ATTEST:

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

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

FALL RIVER COUNTY RESOLUTION #2011-03

WHEREAS, pursuant to SDCL 7-7-9.1, 7-7-12 and 7-12-15 the Board of Commissioners by Resolution may establish the salary payable to the County Treasurer, County Auditor, County Register of Deeds, the State's Attorney and the County Sheriff; and

WHEREAS, the salary may not be less than the following schedule and is based upon the most recent decennial federal census. The Fall River Census is 7,453.

Treasurer, Auditor, Register of Deeds - Population under 10,000: \$29,270.00

State's Attorney - Population under 10,000: \$32,600.

Sheriff - Population under 10,000: \$35,700.00 + 10% for Jail = \$39,270.00

BE IT RESOLVED, that the Fall River Board of County Commissioners set the salaries as follows effective January 1st, 2011. These figures include longevity as indicated.

Commissioners:	\$9,120.00
Commission Chairman:	\$10,260.00
Auditor, Sue Ganje:	\$40,556.00 (incl. \$1,400.00 longevity)
Reg. of Deeds, Mel Engebretson:	\$34,748.00 (incl. \$200.00 longevity)
Treasurer, Lori Bachand:	\$40,328.00 (incl. \$1,200.00 longevity)
Sheriff, incl. Jail, Rich Mraz:	\$42,400.00 (incl. \$1,400.00 longevity)
State's Attorney, James Sword:	\$38,310.00 (incl. \$200.00 longevity)

Passed and approved this 4th day of January, 2011.

/S/Michael Ortner
Michael Ortner, Chairman
Board of County Commissioners
Fall River County

ATTEST:

/S/Sue Ganje

Sue Ganje, County Auditor
Fall River County

Motion by Falkenburg, seconded by Allen to approve the salary for the County Sheriff as set by Resolution #2011-03. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Allen to set the following salaries for the appointed officials at the following for the year 2011. These figures include longevity if longevity has been earned. With no further discussion and all voting yes, the motion carried.

Carl Neisner, Maintenance Supervisor:	\$29,694.64 (incl. \$800.00 longevity)
Frank Maynard, Emergency Mgmt:	\$38,388.00 (incl. \$600.00 longevity)
Andy Timmins, EM, IT, 911:	\$12.40 hr / \$25,792
Terri Halls, Director of Equalization:	\$34,778.00 (incl. \$1,200.00 longevity)
Randy Seiler, Highway Superintendent:	\$46,137.09 (incl. \$1,000.00 longevity)
Paul Miller, Veterans Services Officer:	\$26,000.00
Nina Steinmetz, Weed Supervisor:	\$30,000.00
Stacey Martin, GIS	\$12.42 hr / \$25,833.00

Motion by Russell, seconded by Cassens to approve the Commissioners salaries as set by Resolution #2011-03, which reflects a 5% cut in compensation. With no further discussion, and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to approve the following wages for County employees. With no further discussion and all voting yes, the motion carried. The following is the new wage schedule for employees in alphabetical order, including any applicable longevity.

Alexander, Kelly	Hourly wage	\$13.07
Beninati, Robert	Hourly wage	\$13.00
Blessing, Brett F.	Hourly wage	\$15.22
Campbell, Wallace	Hourly wage	\$13.78
Crowley, Gary	Hourly wage	\$16.69
Davis, William	Hourly wage	\$13.50
Evans, Adam	Hourly Wage	\$10.00
Evans, Patrick H.	Hourly wage	\$17.45
Evans, Robert J.	Hourly wage	\$13.85
Francis, Clark	Hourly wage	\$15.85
Frymire, Stacy	Hourly wage	\$9.00
Ginter, Charles	Hourly wage	\$10.50
Graham, Julie	Hourly wage	\$12.81
Hamaker, Bobbie	Hourly wage	\$12.31
Hansen, Brad	Hourly wage	\$12.73
Hayes, Susan	Hourly wage	\$9.00
Hoar, Marcus	Hourly wage	\$15.82
Hylle, Amanda	Hourly wage	\$10.00
Inman, Laura	Hourly wage	\$10.00
Jamison, Karen	Hourly wage	\$13.23
Jarman, Martha	Hourly wage	\$16.76
Jensen, Michele	Hourly wage	\$11.10
Kluender, Linda	Hourly wage	\$11.35
Kraima, Richard	Hourly wage/24/7	\$10.00
Kraima, Richard	Hourly wage/maint.	\$9.00
Logue, Patricia	Hourly wage	\$15.08

Maciejewski, Calvin	Hourly wage	\$15.34
March, Jason	Hourly wage	\$14.20
McClung, Bruce	Hourly wage	\$15.69
Mendez, Jose	Hourly wage	\$9.00
Michael, Lora	Hourly wage	\$14.42
Montgomery, Mike	Hourly wage	\$15.48
Mraz, Jennifer	Hourly wage	\$14.10
Nettinga, Joan	Hourly wage	\$11.67
Potter, Kristy	Hourly wage	\$10.50
Rhoe, Kelli	Hourly wage	\$11.45
Sadowsky, Jan	Hourly wage	\$10.50
Seegrist, Brenda	Hourly wage	\$11.90
Seegrist, Loren	Hourly wage	\$15.89
Seegrist, Patricia	Hourly wage	\$14.96
Simunek, Jan	Hourly wage	\$14.88
Smart, Jennifer	Hourly wage	\$12.18
Sotherland, Becky	Hourly wage	\$10.50
Spitzer, Kristi	Hourly wage	\$13.79
Strehlow, Richard	Hourly wage	\$10.50
Strehlow, Roberta	Hourly wage	\$14.17
Thurlow, Donald	Hourly wage	\$15.70
Timmins, Kathleen	Hourly wage	\$11.88
Willis, Michael	Hourly wage	\$13.78
Winslow, Shari	Hourly wage	\$9.00

Motion by Russell, seconded by Allen to set the Weed Board per diem at \$15.00 and mileage at \$.37 per mile. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to set the Extension Board per diem at \$15.00 and mileage at \$.37 per mile. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to not rehire any full time employee for a period of one year, if that employee has resigned and withdrawn their Retirement Funds. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen to authorize a Weed Board member to drive the County vehicle while traveling to the Annual Weed meetings. With no further discussion and all voting yes, the motion carried.

An application for County burial assistance was presented for approval. Motion by Cassens, seconded by Russell to approve cremation assistance in the amount of \$1,300.00 for CP #11-01. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to approve the minutes of the December 28, 2010 meeting. With no further discussion and all voting yes, the motion carried.

Allen stated that a policy should be established for County Poor applicants who have not made repayments on previously agreed repayment plans and the Board should also consider a policy of automatic denial of drug and alcohol treatment expenses for returning clients, suggesting it be an agenda item at the next meeting.

Motion by Cassens, seconded by Russell to table the appointment of Misti Cantrell to the Extension Board until the January 18, 2011 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Falkenburg to surplus as junk shredder-#1134; file rack#96800; 4230 printer #982; and surplus to sell a monitor #1906; Lexmark printer #1121; scanner #1123; Dell keyboard; Ultra hard-drive #1124; Wordsmith typewriter #1904 and mouse. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to go into Executive Session for legal matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 9:32 a.m.

The Board came out of Executive Session at 9:37 a.m.

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

GENERAL FUND

BLACK HILLS POWER	UTILITY	\$	4.21
CBM FOOD SERVICE	INMATE	\$	958.36
CENTURY BUSINESS LEASING	COPIER	\$	89.13
CONGER, LESTA	TRAVEL	\$	11.10
CULLIGAN SOFT WATER	SUPPLY	\$	84.25
DAKOTA LEASING COMPANY	COPIER	\$	190.00
FR COMMUNITY ACTION	ALLOTMENT	\$	3,000.00
CITY OF HOT SPRINGS	UTILITY	\$	244.45
INTOXIMETERS	INMATE	\$	960.00
NATIONAL ASSN OF COUNTIE	DUES	\$	400.00
NELSONS OIL & GAS INC.	ASSISTANCE	\$	79.50
PENN CO JAIL	INMATE	\$	1,953.00
PITNEY BOWES	SUPPLY	\$	500.24
QUILL CORPORATION	SUPPLY	\$	736.38
RAPID CITY JOURNAL (THE)	PUBLISHING	\$	276.64
SD DEPARTMENT OF REVENUE	INMATE	\$	140.00
SERVALL	SUPPLY	\$	86.71

YANKTON CO TREASURER	MI	\$	103.75
	GENERAL FUND TOTAL	\$	9,817.72
ROAD & BRIDGE			
BLACK HILLS POWER	UTILITY	\$	805.72
	ROAD & BRIDGE TOTAL	\$	805.72
911 SURCHARGE REIMBUR.			
QWEST	TELEPHONE	\$	5.12
	911 REIMBUR. TOTAL	\$	5.12
EMERGENCY MGT			
GLASS PRO +	REPAIR	\$	283.08
PITNEY BOWES	SUPPLY	\$	10.20
	EMERGENCY MGMT TOTAL	\$	293.28
	GRAND TOTAL	\$	10,921.84

Highway Superintendent Randy Seiler met with the Board to present a Right of Way agreement. Motion by Falkenburg, seconded by Cassens to approve the Right of Way agreement for EM 0018(152)53, Fall River County PCN 00Q8 Parcel 6A and to further authorize Chairman Ortner to sign the agreement. With no further discussion and all voting yes, the motion carried.

Seiler presented the Board with 2010 year-to-date records of costs per County road, which the Board reviewed. Seiler requested travel approval but as this is not on the agenda, it will be on the January 18th meeting.

Motion by Cassens, seconded by Falkenburg to set February 1, 2011 at 10:15 a.m. as the date and time of a hearing for continued Private Road work, as per S.D.C.L. 31-11-41 thru 31-11-45. With no further discussion and all voting yes, the motion carried.

Russell asked about the County policy on snow removal and a discussion was held.

Treasurer Lori Bachand met with the Board to request direction on County investments. Bachand reviewed CD's, interest rates, money market and checking accounts. Susan Henderson advised against investing in money markets. Falkenburg asked that all financial institutions are asked for quotes for County monies.

Public comment was held and Chachi Palmer asked why the County can't use a Federal Credit Union and it was explained they don't qualify under State Codified Laws. Tom Davis spoke of the reverse mortgage he had been contacted about and discussion was held. Davis also asked how many letters of interest were received for Coroner and was informed there were three.

The Board recessed for a break at 10:40 a.m.

The meeting resumed at 10:50 a.m. with a hearing for the transfer of two malt beverage licenses and one liquor license from the Stateline Casino to C&G Brown, LLC. Motion by Falkenburg, seconded by Russell to approve the transfer as indicated. With no further discussion and all voting yes, the motion carried.

Newly elected Sheriff Rich Mraz presented his Oath of Office to the Auditor, which was placed on file.

Veterans Services Officer Paul Miller presented the Board with his monthly activity report and informed the Board he will be submitting articles to local newspapers.

Frank Maynard, Emergency Management, met with the Board and requested approval for Andy Timmins to travel to a Communications Course in Sioux Falls on January 24 and 25, 2011 and for Maynard to travel to Web EOC training in Deadwood on January 26, 2011. Cassens asked if there was a fee for the training and if overtime was incurred.

Motion by Falkenburg, seconded by Allen to approve the travel request for Andy Timmins to attend the Communications Course in Sioux Falls. With Cassens voting no and all others voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to approve the travel request for Maynard to attend Web EOC training in Deadwood. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen to transfer the supervision of Dispatch Services to Emergency Management, effective immediately. Tom Davis asked why the supervision was being transferred and Ortnier explained that it was to keep supervision of all dispatch, communications and electronic equipment under one entity. With no further discussion and all voting yes, the motion carried.

Maynard asked the Board for approval to purchase Emergency Medical Dispatch cards. Motion by Russell, seconded by Falkenburg to approve the purchase of two sets of EMD cards in the amount of \$888.00. This does not include the software. With no further discussion and all voting yes, the motion carried.

The need for a snow or blizzard policy for the courthouse was suggested by Maynard. Possible plans will be brought back to the commission at the next meeting. Maynard also mentioned that Federal Surplus has a few high-volume water pumps available, but as they are used primarily for flooding, the Board was uninterested.

Hazard Mitigation Funding is available and possible needs were reviewed. Maynard indicated a portable generator would be beneficial for emergency power in Oral, Oelrichs,

Edgemont and Hot Springs. A 15% cash or in-kind match would be required for funding and Maynard will prepare figures for the Board to consider at a future meeting.

Motion by Allen, seconded by Russell to reappoint Cassens and Falkenburg to the Provo Area Water System Board. With no further discussion and all voting yes, the motion carried.

Letters of interest in the position of County Coroner were received by the Board from Terry Cates, Jeff Shannon and Rebecca Sotherland. Motion by Falkenburg, seconded by Russell to enter into Executive Session for personnel matters. With no further discussion and all voting yes, the motion passed and the Board went into Executive Session at 11:37 a.m.

The Board came out of Executive Session at 11:47 a.m.

Motion by Falkenburg, seconded by Russell to appoint Rebecca Sotherland to a two-year appointment as County Coroner, until the next election in 2012. With no further discussion and all voting yes, the motion carried.

Several community members attended the meeting to discuss tax incentives for commercial additions or construction. The current County Resolution providing for a discretionary formula is a 100% exemption the first year, 75% the second year, 50% the third year, 25% the fourth year and fully taxable the fifth year for new or additions to commercial properties. The value of such new construction or addition must be at least \$30,000.00. State law allows for a five-year exemption. Terri Halls, Director of Equalization, presented a copy of the 1996 Resolution which provides for the existing formula. Ortner asked some of those in attendance for their input. Edgemont Mayor Jim Turner explained the tax incentive program that city utilizes. Don Olstad asked if the State recognizes only the step increases in value, which Halls indicated is correct. Mark Hollenbeck of the Edgemont Chamber of Commerce indicated that the incentives, especially for businesses in the first three years, will certainly give a long-range benefit. Casey Derflinger of First Interstate Bank talked about revolving loan funds for attracting business. State law allows Counties to create a revolving fund but it would be out of County funds. Hot Springs Chamber of Commerce Director George Kotti indicated that he has seen interest from businesses in locating here, but that the lack of incentives has been a stumbling block. Local advantages of weather, water and location are offset by the lack of incentives. Older buildings need programs to assist in renovations; TIFs and revolving loans can assist with those and other developments. Tim Hammil indicated that a need exists for county-wide assistance and that currently the incentives are only for commercial ventures or housing units of four or more. Several members suggested ideas for incentives and Ortner thanked all for their input, indicating he would ask that the item be on the agenda for the January 18, 2011 meeting.

Ortner read a Proclamation naming January 4, 2011 as "Jeff Tarrell Day" in honor of retiring Sheriff Jeff Tarrell. On behalf of the Board, Ortner expressed their appreciation to Tarrell for his years of service to Fall River County, wishing him the best in his future.

The 2011 Edgemont Law Enforcement Agreement was received from the city. Changes to the agreement were read by Ortner and reviewed by the Board. Motion by Falkenburg, seconded by Allen to approve the 2011 Law Enforcement Agreement for the City of Edgemont. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 12.27 p.m.

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

ATTEST:

Sue Ganje, Fall River County Auditor