

FALL RIVER COUNTY MINUTES OF DECEMBER 28, 2010.

The Fall River Board of County Commissioners met in special session on December 28, 2010. Present Michael Ortner, Glen Reaser, Joe Allen, Anne Cassens, Joe Falkenburg, and Sue Ganje, Auditor. Absent none.

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

Agenda was reviewed for conflicts and none were found.

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

An application for county assistance was presented for approval. Motion by Reaser, seconded by Cassens to approve assistance in the amount of \$80.00 for propane, CP#10-73, along with a repayment plan. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Cassens to approve the minutes of the December 21, 2010 meeting. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen to approve the 2011 contract between Fall River and Shannon Counties. With no further discussion and all voting yes, the motion carried.

A hearing was held on Contingency Transfers and Supplements. Motion by Falkenburg, seconded by Reaser to approve Supplements as follows, with authorization to additionally supplement the 911 fund if grant monies are received by the year's end. With no further discussion and all voting yes, the motion carried.

MR #	DATE	AMOUNT	DEPT	GRANT
4767	3/26/10	\$8,936.32	EM Mgmt	No
5594	12/7/10	\$765.00	Auditor	No - Shannon Co Reimbursement
Cash Bal.	12/28/10	\$10,834.20	Weed Dept	Yes - Salt Cedar

Motion by Reaser, seconded by Falkenburg to approve Contingency Transfers as follows. Ortner expressed concerns over Mental Health costs and asked for a future review of costs, and possible options, and also authorize the correction to decrease supplements to the Provo Twp Water Rehab CDBG project fund in the amount of \$3,750, and increase the supplements to the Fall River Water Users project CDBG fund in the amount of \$3,750. With no further discussion and all voting yes, the motion carried.

Commissioners	\$5,954.00
Auditor	\$14,581.00
Building	\$14,125.00

24/7 Program	\$6,215.00
Juvenile Care	\$4,138.00
Smithwick Fire	\$9.00
Emergency Mgmt	\$4,906.00
LEPC	\$195.00
911	\$49,595.00
Nurse	\$455.00
Mental Illness	\$8,059.00
Mental Illness Board	\$1,034.00
Museum	\$69.00

Motion by Reaser, seconded by Cassens to approve Cash Transfers as follows. With no further discussion and all voting yes, the motion carried.

Transfer from General Fund to Provo CDBG fund	\$846.37
Transfer from General Fund to LEPC fund	\$195.00
Transfer from General Fund to EM fund	\$47,290.00
Transfer from General Fund to Highway Dept. fund	\$275,000.00

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

GENERAL FUND

COMMISSIONERS	DEC. SALARIES	\$ 4,100.00
AUDITOR'S OFFICE	DEC. SALARIES	\$ 10,394.48
ELECTION	DEC. SALARIES	\$ 1,128.72
TREASURER'S OFFICE	DEC. SALARIES	\$ 8,832.49
& ADDITIONAL OVERTIME FOR BRENDA SEEGRIST		\$ 8.91
KELLI RHOE		\$ 8.57
STATE'S ATTORNEY OFFICE	DEC. SALARIES	\$ 6,393.64
& ADDITIONAL OVERTIME FOR LINDA KLUENDER		\$ 25.49
SHARI WINSLOW		\$ 20.25
MAINTENANCE	DEC. SALARIES	\$ 4,796.55
& ADDITIONAL OVERTIME FOR JOSE MENDEZ		\$ 168.75
DIRECTOR OF EQUALIZATION	DEC. SALARIES	\$ 5,891.12
REGISTER OF DEEDS	DEC. SALARIES	\$ 5,357.47
VETERANS SERVICES	DEC. SALARIES	\$ 2,166.66
NURSE'S OFFICE	DEC. SALARIES	\$ 2,313.36
& ADDITIONAL OVERTIME FOR KRISTI SPITZER		\$ 30.98
SHERIFF'S OFFICE	DEC. SALARIES	\$ 22,700.90

& ADDITIONAL OVERTIME FOR		
ROBERT BENINATI		\$ 610.06
JASON MARCH		\$ 595.56
RICH MRAZ		\$ 1,028.28
WILLIAM DAVIS		\$ 303.75
JAIL	DEC. SALARIES	\$ 9,246.84
& ADDITIONAL OVERTIME FOR		
WALLACE CAMPBELL		\$ 1,500.82
BRADLEY HANSEN		\$ 332.82
MICHAEL WILLIS		\$ 221.76
KRISTY POTTER		\$ 596.40
DISPATCH	DEC. SALARIES	\$ 8,714.68
& ADDITIONAL OVERTIME FOR		
KELLY ALEXANDER		\$ 177.83
JENNIFER MRAZ		\$ 535.04
BECKI SOTHERLAND		\$ 585.65
CHARLES GINTER		\$ 516.50
CORONER	DEC. SALARIES	\$ 75.00
EXTENSION OFFICE	DEC. SALARIES	\$ 2,219.29
WEED DEPT.	DEC. SALARIES	\$ 3,578.00
WEED BOARD	DEC. SALARIES	\$ 390.00
CBM FOOD SERVICE	INMATE	\$ 1,047.60
D&J PETROLEUM	UTILITY	\$ 14,592.00
DAKOTA BUSINESS CENTER	SUPPLY	\$ 3,444.34
EXECUTIVE MGMT FINANCE	SUPPLY	\$ 19.00
FALKENBURG, JOE	TRAVEL	\$ 206.46
FALL RIVER HISTORICAL SOC	2010 ALLOTMENT	\$ 2,538.77
HEARTLAND PAPER CO	SUPPLY	\$ 1,175.64
HILLYARD FLOOR CARE SUPP	SUPPLY	\$ 168.32
HOT SPRINGS ACE HARDWARE	SUPPLY	\$ 217.30
JERRY'S AUTO	CAR MAINT	\$ 259.34
NELSONS OIL & GAS INC.	UTILITY	\$ 368.34
OLSON, BEA	ASSISTANCE	\$ 325.00
PARK-HAGEMAN, SALLY	TRAVEL;SUPPLY	\$ 116.04
MILLER, PAUL	TRAVEL	\$ 10.73
QUILL CORPORATION	SUPPLY	\$ 122.29
RADIOSHACK	SUPPLY	\$ 73.96
RAPID CITY JOURNAL (THE)	PUBLISHING	\$ 548.66
RASMUSSEN MECHANICAL SERV	REPAIR	\$ 394.90
REASER, GLEN	TRAVEL	\$ 68.45
SDML WORKERS COMP	INS	\$ 23,843.92
SPITZER, KRISTI	TRAVEL	\$ 9.00
PRO BUILD	SUPPLY	\$ 709.46

US BANK	COPIER	\$ 146.14
UNITED STATES POSTAL SERV	POSTAGE	\$ 108.00
SIDES, JOHN	TRAVEL	\$ 22.20
	GENERAL FUND TOTAL	\$ 156,102.48

ROAD & BRIDGE

ROAD & BRIDGE ADMIN & ADDITIONAL OVERTIME FOR JAN SIMUNEK	DEC. SALARIES	\$ 6,324.57
		\$ 27.86
ROAD & BRIDGE CONSTR. & ADDITIONAL OVERTIME FOR GARY CROWLEY	DEC. SALARIES	\$ 26,700.25
		\$ 6.25
PATRICK EVANS		\$ 13.07
MARCUS HOAR		\$ 11.85
CALVIN MACIEJEWSKI		\$ 28.73
MIKE MONTGOMERY		\$ 5.80
LOREN SEEGRIST		\$ 47.61
MG OIL	FUEL	\$ 20,720.00
RUSHMORE OFFICE SUPPLY	EQUIP	\$ 257.42
SDML WORKERS COMPENSATION	INS	\$ 21,676.87
	ROAD & BRIDGE TOTAL	\$ 75,820.28

911 SURCHARGE REIMBUR.

911 INCLUDING OVERTIME FOR STACEY MARTIN	DEC. SALARIES	\$ 3,063.79
		\$ 83.43
SDML WORKERS COMPENSATION	INS	\$ 95.63
	911 REIMBUR. TOTAL	\$ 3,242.85

24/7 PROGRAM

24/7 PROGRAM	DEC. SALARIES	\$ 2,200.00
	24/7 TOTAL	\$ 2,200.00

FIRE PROTECTION FUND

SDML WORKERS COMPENSATION	INS	\$ 402.90
	FIRE PROTECTION FUND TOTAL	\$ 402.90

EMERGENCY MGT

EMERGENCY MANAGEMENT	DEC. SALARIES	\$ 4,288.51
HOT SPRINGS ACE HARDWARE	SUPPLY	\$ 8.54
QUILL CORPORATION	SUPPLY	\$ 7.19
SDML WORKERS COMPENSATION	INS	\$ 979.68
	EMERGENCY MGMT TOTAL	\$ 5,283.92

GRAND TOTAL

\$ 243,052.43

Highway Superintendent Randy Seiler met with the Board to present year-end transfers and fuel bids. Seiler answered a question from the Board with regard to purchase of an office chair, which was approved in the bills.

Motion by Reaser, seconded by Falkenburg to approve transfers to reimburse the highway department for fuel used for the period of November 30th, 2010 through December 27, 2010 by the Sheriff's Office in the amount of \$2,234.73; by Building Maintenance in the amount of \$182.24; by Emergency Management in the amount of \$191.69; by the Department of Equalization in the amount of \$35.12; by the Veterans Services Officer in the amount of \$52.81; and Courthouse snow removal for the period of November 30th, 2010 through December 20th, 2010 in the amount of \$87.34. With no further discussion and all voting yes, the motion carried.

Fuel quotes were presented for approval:

8,000 GAL. UNLEADED GAS

MG OIL \$2.59 PER GALLON

NELSON'S \$2.615 PER GALLON

Motion by Falkenburg, seconded by Reaser to approve the MG Oil Bid on 8,000 gallons of unleaded gasoline at \$2.59 per gallon as the low bid. With no further discussion and all voting yes, the motion carried.

Keith Andersen of Andersen Engineering met with the Board to present a plat for approval. Motion by Cassens, seconded by Allen to approve the following plat resolution of Hot Brook Estates Subdivision. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-39

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Hot Brook Estates Subdivision Lots 34R and 35R containing all of Lots 34 and 35, Block 4, Lying in the North 1/2 of Section 16, T7S, 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 sections 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 28th day of December, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Commissioner Allen spoke on the issue of transporting prisoners and would like to confirm plans for visits to Valentine, NE and Newcastle, WY with Sheriff-elect Mraz and any interested commissioners. Allen would like to see the Board vote on the issue at the February 1st, 2011 meeting.

Mraz advised the Board on damage a Deputy Sheriff's vehicle incurred during the ice storm on December 23rd, 2010.

Janelle Finck, Fisk Land Surveying, presented plats for approval. Motion by Cassens, seconded by Ortner to approve a plat resolution for SD003 Lot 1 of WDRPI-SD003 Subdivision. Falkenburg asked about crossings. With no further discussion and Ortner and Cassens voting yes, Falkenburg, Allen and Reaser voting no, the motion failed. Ortner advised the Board they have no authority to deny the plat and to do so may put them at risk of a lawsuit. After further discussion, Reaser changed his vote to a yes vote and the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-40

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD003-Lot 1 of WDRPI-SD003 Subdivision located in portions of the S ½ NE ¼ and NE ¼ and NE ¼ SE ¼ of Section 23; and portions of the NW ¼ SW ¼ of Section 24, all in T7S, R1E, 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 sections 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 28th day of December, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Falkenburg, seconded by Cassens to approve a plat resolution for SD006-Lot 1 and SD006 Lot-2 of WDRPI-SD006 Subdivision. Falkenburg again voiced the importance of obtaining information on railroad plans as it will affect County law enforcement, roads and other issues. Finck informed the Board that David Drach will be attending an upcoming

meeting to provide the Commission with their requested information and indicated she would not bring any further plats to the Board for approval until such time. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2010-41

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD006-Lot 1 and SD006 Lot-2 of WDRPI-SD006 Subdivision (formerly part of Ruth Tract ((Plat Book XXIII page 75)) located in the SE ¼ NW ¼ of Section 31; and in portions of the SW ¼ NE ¼ , NE ¼ SW ¼ and SE ¼ of Section 31) Located in Section 31, T7S, R2E, 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 sections 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 28th day of December, 2010.

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

The appointment of Provo Area Water System Board members was discussed. At their January 11, 2011 meeting, the Provo Water Board will vote to create staggered board appointments. County Commission-appointed positions to their board will be made at the January 4, 2011 meeting.

The 2011 Law Enforcement Agreement with the city of Edgemont was discussed. A proposal from the City in the amount of \$115,000.00 was presented which includes 30 hours per week of patrol services plus additional duties. Falkenburg suggested the deputies need GPS systems to document where they have patrolled.

Jeff Shannon asked the Board why the City of Edgemont is able to dictate where a Sheriff's Deputy resides. Barb Bryan, Edgemont City Council member, responded that the requirement that a deputy live within five miles of Edgemont helps insure law enforcement availability and quicker response at all hours. Concerns were voiced about how the residence requirement would be handled should a deputy resign or become injured and unable to work. With no further discussion and Reaser, Allen, Falkenburg and Ortner voting yes, Cassens voting no, the motion carried.

A proclamation was presented to retiring Commissioner Glen Reaser by Chairman Ortner in recognition of his service to Fall River County, with deep appreciation for his dedication as a County Commissioner.

Motion by Cassens, seconded by Allen to adjourn, the time being 10:46 a.m. With no further discussion and all voting yes, the motion carried.

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

ATTEST:

Sue Ganje, Fall River County Auditor