

FALL RIVER COUNTY MINUTES OF APRIL 19, 2011

The Fall River Board of County Commissioners met in regular session on April 19, 2011. Present: Joe Falkenburg, Anne Cassens, Joe Allen and Sue Ganje, Auditor. Absent: Michael Ortner and Deb Russell.

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

The agenda was reviewed for conflicts; none were found.

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

An applicant for County assistance met with the Board for approval. Motion by Cassens, second by Allen, to approve assistance for CP #11-18 in the total amount of \$1,424.06 to be paid in two installments; \$924.06 paid immediately for rent and utilities due and \$500.00 to be paid for rent on 5/3/11, with a repayment schedule. The Ministerial Association is paying an additional \$150.00 toward utilities. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve assistance for CP#11-17 in the amount of \$126.93 for propane, with the Ministerial Association paying an additional \$150.00, and with a repayment schedule. With no further discussion and all voting yes, the motion carried.

Motion by Russell, seconded by Allen, to approve assistance for CP#11-16 in the amount of \$473.29 for propane, with the Ministerial Association paying an additional \$150.00, and with a repayment schedule. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, second by Allen, to approve the Auditor's Account with the County Treasurer. 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 March, 2011.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,889.67</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>311,594.83</u>
Total Amount of Cash:	\$ <u>1,428.53</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>39,918.46</u>
Provo Township Water Checking, First Interstate Bank:	\$ <u>300.00</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>149,659.28</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,620,000.00</u>
Wells Fargo Bank:	\$ <u>450,000.00</u>

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	Ostenson, Nicole, \$321.97, LIC
Goddard, Isaac, \$213.95, LIC	Petersen, Lynda: \$1,433.00, TAXES
Henry, Raymond, \$290.64, TAXES	

TOTAL: \$4,580,580.93

Dated this 31st Day of March, 2011.

/S/Sue Ganje

Sue Ganje, County Auditor, Fall River County

County Monies:	\$4,071,795.26
Held for other Entities:	\$365,100.01
Held in Trust:	\$148,933.11

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.

Motion by Cassens, second by Allen to accept a petition presented for establishing Water's Edge Area Road District and to set May 31, 2011 as the date for the election. With no further discussion and all voting yes, the motion carried.

Discussion was held on hours of business for Friday, April 22nd, 2011. Frank Maynard reported that both the State and City of Hot Springs governmental offices will be closed on that date. Motion by Allen, second by Cassens, to approve the closure of County offices at noon on Friday, April 22nd, 2011. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, second by Allen, to approve and place on file the March 31, 2011 General Fund Surplus Analysis as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY GENERAL FUND SURPLUS ANALYSIS
DATE: MARCH 31 2011**

The amount of General Fund dollars that counties can retain as surplus is restricted by SDCL 7-21-18.1 which states: "The total unreserved, undesignated fund balance of the general fund may not exceed forty percent of the total amount of all general fund appropriations contained in the budget for the next fiscal year. The total unreserved, undesignated fund balance of the general fund of the county as of March thirty-first and September thirtieth shall be published in the minutes of the proceedings of the board of county commissioners and reported to the Department of Legislative Audit. The report shall be on forms prescribed by the Department of Legislative Audit."

The following analysis should be completed as of March thirty-first and September thirtieth of each year. Thereafter, the unreserved, undesignated fund balance amount should be published in the minutes of the governing board. This analysis should also be filed with the Department of Legislative Audit.

ASSETS:

10100 Cash	<u>\$ 1,934,450.96</u>
10800 Taxes Receivable--Current	<u>\$ 2,009,305.64</u>
11000 Taxes Receivable--Delinquent	<u>\$ 74,708.94</u>

TOTAL ASSETS	<u><u>\$ 4,018,465.54</u></u>
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LIABILITIES AND EQUITY:

22400 Deferred Revenue	<u>\$ 2,084,014.58</u>
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FUND BALANCES:

27500 Committed (list)	
<u>Capital Outlay Accumulations (Jail Building)</u>	<u>\$ 600,000.00</u>
27600 Assigned (one of the following)	
March - 3/4 of the current year	<u>\$ 270,100.20</u>
September - 1/4 of current year + subsequent year	
27700 Unassigned	<u>\$ 1,064,350.76</u>

TOTAL LIABILITIES AND EQUITY	<u><u>\$ 4,018,465.54</u></u>
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Following Year's General Fund Budget (use current year for March analysis)	<u><u>\$ 3,601,336.00</u></u>
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The unassigned fund balance, account 27700,
divided by the following year's General Fund budget
resulting in the fund balance percentage

29.55%

Auditor Sue Ganje presented the 2010 year-end annual report which was briefly reviewed and will be readdressed on the May 3rd, 2011 agenda.

Motion by Cassens, second by Allen, to approve the bills as follows. With no further discussion and all voting yes, the motion carried.

GENERAL FUND

A&B BUSINESS EQUIPMENT	COPIER	\$173.79
ALANO SOCIETY	ALLOTMENT	\$750.00
BARNYARD VETERINARY SER	ANIMAL CARE	\$60.41
BESSELY LAW OFFICE	CAAF	\$699.00
BEHAVIOR MANAGEMENT SYS	MI	\$7,500.00
BINGHAM, JAMES	CAAF	\$2,703.80
BLACK HILLS POWER	ASSISTANCE	\$473.29
CARDMEMBER SERVICE	MISC	\$2,378.43
CAROL BUTZMAN CONSULTING	MI	\$178.16
CBM FOOD SERVICE	INMATE	\$2,920.92
CENTURY BUSINESS LEASING	COPIER	\$361.68
CHEYENNE SANITATION	UTILITY	\$348.10
DIAMOND PHARMACY	INMATE	\$3,640.47
DIVISION OF MOTOR VEHICLE	LIC/REG	\$9.00
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$768.62
EXECUTIVE MGMT FINANCE	SUPPLY	\$19.00
FOX, YOUNGBERG & LEWNO PC	MI	\$171.16
FRYMIRE, STACY	INS REIMB	\$500.00
GOLDEN WEST	TELEPHONE	\$1,542.34
HILLYARD FLOOR CARE SUPP	SUPPLY	\$178.04
HOBART SALES & SERVICE	REPAIR	\$522.80
JERRY'S AUTO	CAR MAINT	\$37.50
LYLE'S HANDYMAN	REPAIR	\$35.70
MAVERICK TIRE & AUTO	REPAIR	\$398.93
MICROFILM IMAGING SYSTEMS	LEASE	\$195.00
NEVE'S UNIFORM INC	UNIFORM	\$278.37
NORTONS SINCLAIR	CAR MAINT	\$215.99
O'DAY, VALARIE	CRT REP	\$178.60
O'NEILL, JUSTIN	CAAF	\$1,694.62
PENN CO JAIL	INMATE	\$2,315.99
PITNEY BOWES	POSTAGE	\$1,401.38
PURCHASE POWER	FEES	\$39.00
QUILL CORPORATION	SUPPLY	\$1,397.94
RADIOSHACK	SUPPLY	\$119.98
RAPID CITY JOURNAL (THE)	PUBLISHING	\$404.56
REGIONAL HEALTH	MORGUE	\$728.00
RUSHMORE COMMUNICATIONS	UTILITY	\$230.00
SD ASSN OF CO. OFFICIALS	REGISTRATION	\$450.00
SD ATSA	REGISTRATION	\$75.00
SDAAO	TRAVEL	\$100.00
SKINNER, MATTHEW L. PC	CAAF	\$43.13
STATE REMITTANCE CENTER	MI;NURSE	\$1,605.00
TWILIGHT FIRST AID &	SUPPLY	\$109.30
VILLAGE REPAIR	CAR MAINT	\$291.10
WESTERN SD JUV SERV CTR	JUVENILE	\$2,795.00
WINTER, PAUL R	CAAF	\$82.00
CASSENS, ANNE	TRAVEL	\$185.74

CURRAN, BILL	TRAVEL	\$81.40
	GENERAL FUND TOTAL	\$41,388.24
ROAD & BRIDGE		
CARDMEMBER SERVICE	MISC	\$76.64
GOLDEN WEST	TELEPHONE	\$244.41
	ROAD & BRIDGE TOTAL	\$321.05
911 SURCHARGE REIMBUR.		
GOLDEN WEST	TELEPHONE	\$44.71
QWEST	911	\$620.02
	911 REIMBUR. TOTAL	\$664.73
EMERGENCY MGT		
CARDMEMBER SERVICE	MISC	\$93.37
GOLDEN WEST	TELEPHONE	\$123.26
HOLIDAY INN	TRAVEL	\$97.00
NORTONS SINCLAIR	CAR MAINT	\$203.59
PENNINGTON CO EM MGT	REGISTRATION	\$600.00
PITNEY BOWES	FEE	\$28.60
QUILL CORPORATION	SUPPLY	\$116.27
RADIOSHACK	SUPPLY	\$27.99
RAPID CITY JOURNAL (THE)	PUBLISHING	\$137.60
TWILIGHT FIRST AID &	SUPPLY	\$233.55
	EMERGENCY MGMT TOTAL	\$1,661.23
L.E.P.C. GRANT		
BURT, CURTIS	LEPC	\$75.00
HSR FUELING LLC	AIRPLANE FUEL	\$80.17
PUDWILL, NORMAN	LEPC	\$45.00
	L.E.P.C. GRANT	\$200.17
	GRAND TOTAL	\$44,235.42

David Drach, Canadian Pacific Railroad, met with the Board to present plats for approval. Pat Evans, Highway Foreman, was present, representing the Highway Department. Drach presented a map designating crossings and informed the Board it was a working project when asked about possible road relocations and crossings.

Motion by Cassens, second by Allen, to approve the plat as presented for SD010-Lot 1 of WDRPI-SD010 Subdivision as follows, contingent upon the signature of Randy Seiler, Highway Superintendent. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2011-16:

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD010-Lot 1 of WDRPI-SD010 Subdivision located in the SE ¼ SW ¼ of Section 9, and in the NE ¼ NW ¼, NE ¼, NE ¼ SE ¼ of Section 16, and in the SW ¼ of Section 15, and in the NW ¼ NW ¼, E½ NW ¼, SW ¼ NE ¼ and NW ¼ SE ¼ of Section 22, all in T8S, 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 19th day of April, 2011.

/S/Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Motion by Cassens, second by Allen, to approve the plat as presented for SD013-Lot 1 of WDRPI-SD013 Subdivision and Dedicated Right-of-Way as follows, contingent upon the signature of Randy Seiler, Highway Superintendent. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2011-17:

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of SD013-Lot 1 of WDRPI-SD013 Subdivision and Dedicated Right of Way located in the SE ¼, S ½ SW ¼, S ½ N ½ SW ¼ of Section 25, and in the N ½ NE ¼ of Section 36, all in T8S, 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 19th day of April, 2011.

/S/Joe Falkenburg

Joe Falkenburg, Vice-Chairman

Board of Fall River County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

Marianne Atkins, Bureau of Land Management, met with the Board to provide updates. The BLM currently administrates 7,334 surface acres and 68,281 mineral acres in Fall River County and Atkins presented a draft Memorandum of Understanding between the County and the SD Field Office of the BLM. Atkins also spoke on several issues including land use, weed treatments, uranium mining and oil and gas leasing reform. Fall River County has 285,527 federal acres and received \$596,025.00 in Payment of Lieu Taxes in 2010.

Pat Evans, Highway Foreman, met to present a pipeline easement and work orders for approval. Motion by Falkenburg, second by Cassens, to approve a pipeline easement for Jerry and Melissa Stearns for a 15' wide easement for pipeline access over, upon, under and across Fall River County Highway #6A, Plains Creek Road, as submitted. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, second by Allen, to approve work order BR NBIS (26) for Brosz Engineering to inspect county bridges. With no further discussion and all voting yes, the motion carried.

John Beard met with the Board to inquire about County policies regarding road construction, gravelling and signing of roads to new private construction. Highway Superintendent Seiler will be asked to visit with Beard and follow-up on the request at the next meeting with any questions.

Motion by Cassens, second 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 10:30 a.m.

The Board came out of Executive Session at 10:33 a.m. and a break was taken.

The meeting reconvened at 10:50 a.m. with discussion on an appointment to the Fall River Housing and Redevelopment Board. The opening is for a five-year term for a County resident outside of Hot Springs. David Batchelor was present for Gregory Foust, FRH&R Executive Director, along with Connie Gerard who submitted a letter of interest in the position. Motion by Cassens, second by Allen, to appoint Connie Gerard to the Fall River Housing and Redevelopment Board for a non Hot Springs resident, five-year term. With no further discussion and all voting yes, the motion carried.

Tracy Bowman, County Health Nurse, met with the Board to present her quarterly report which included updates on several programs including the WIC and Nutrition Program.

Motion by Allen, second by Cassens, to approve the travel request for Kristi Spitzer to travel to

Spearfish on April 28, 2011 for WIC training at no expense to the County. With no further discussion and all voting yes, the motion carried.

Commissioner Cassens reported that she has not received a report from Yenter Co. on rock stabilization and the item will be moved to the next agenda.

Health insurance quotes were provided to the Board for consideration. Mary Kaiser, agent for Wellmark Blue Cross and Blue Shield, presented the Board with renewal information for May 2011 – May 2012. Joe Kalina and Monie Byrne, both agents of Avera Health, each met with the Board to present their quotes for policies through Avera.

Carl Neisner, Building Supervisor, met with the Board to discuss purchase of a boiler tank as the current one is leaking. Quotes ranged from \$1,350.00 to \$2,690.00 and the Board asked Neisner to research additional options.

Motion by Cassens, second by Allen, to recess for lunch. With no further discussion and all voting yes the motion carried and the Board recessed for lunch at 12:07 p.m.

The Board reconvened at 1:35 p.m. as the Consolidated Equalization Board along with Perry Holmes of the Hot Springs School District and Carl Atchley of the City of Hot Springs. Oaths of Office were taken by all members.

Terri Halls, Director of Equalization, was also present and the Board considered via teleconference the appeal of Martin and Gayle Miller, #2011-1, on property parcel #65070-00000-00403. The Millers were requesting the appeal based on the reasons that there has been a drop in property value, the structure doesn't have a foundation but sits on blocks and is only a three-season home.

Motion by Cassens, second by Holmes, to deny the request of Martin and Gayle Miller for appeal #2011-1 to lower the value on property parcel #65070-00000-00403. With no further discussion and all voting yes, the motion carried.

Appeal #2011-2 was heard regarding parcel #75180-00705-23216 with Steven Wyatt, Ron Rossknecht of Rossknecht Appraisal Services, Robert Miller and Barry Epstein, Pine Hills Executive Director, present. Discussion was held on valuing properties with appraisals based on cost or income. Halls indicated that income-based appraisals lead to lower values and don't reflect actual property values.

Representatives of Pine Hills advocated using an income-approach to assess a value and indicated an appropriate value of \$1,690,000.00 for the facility, which they were requesting. The current assessed value is \$4,634,615.00 and Halls stated the assessment used cost, income and sales-comparison figures to determine value.

While the Board indicated a reduction to the figure requested would not be supported, Cassens spoke that a reduction would be considered. Motion by Cassens, second by Atchley, to table the appeal until the May 3rd, 2011 meeting. With no further discussion, Holmes voting no and all others voting yes, the motion carried.

The Board adjourned as the Consolidated Equalization Board at 2:36 p.m. and reconvened as the Board of County Commissioners.

Halls presented a travel request for her to attend the SDAAO annual conference. Motion by Cassens, second by Allen, to approve the travel request for Director of Equalization Terri Halls, to attend the SDAAO conference in Chamberlain on May 24-27, 2011 at an approximate cost to the County of \$388.05. With no further discussion and all voting yes, the motion carried.

Extension Educator Sally Park-Hageman, Lesta Conger and Peggy Woehl met with the Board to discuss changes made to SDSU's Statewide Extension program. Regional offices are replacing County locations and options for providing services were presented.

Motion by Allen, second by Cassens, to initiate contact with SDSU for follow-up meetings to discuss options for a shared 4-H/youth advisor, and initiate meetings with other counties. With no further discussion and all voting yes, the motion carried.

Frank Maynard, Emergency Management, met with the Board to inform them that three PDM grant applications have been submitted; projects included are restoration of the Cold Brook channel, the Fall River PDM plan and a Courthouse generator.

Motion by Cassens, second by Allen, to surplus as junk two EF Johnson handheld radios, serial #51120A282A 11195 and #51130A282A 11038. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, second by Allen, to approve a travel request for Courtney Stottler, Deputy State's Attorney, to attend ATSA (Assoc. for Treatment of Sexual Abusers) training in Rapid City on April 29, 2011, with a \$75.00 registration fee. With no further discussion and all voting yes, the motion carried.

Motion by Allen, second by Cassens, to enter into Executive Session for personnel and legal matters. With no further discussion and all voting yes, the motion carried and the Board entered into Executive Session at 3:14 p.m. with the State's Attorney present.

The Board came out of Executive Session at 3:24 p.m. Motion by Cassens, second by Allen, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 3:24 p.m.

Joe Falkenburg, Vice-Chairman
Board of Fall River County Commissioners

ATTEST:

Sue Ganje, Fall River County Auditor