

**FALL RIVER COUNTY MINUTES OF MAY 17, 2011**

The Fall River Board of County Commissioners met in regular session on May 17, 2011. Present: Michael Ortner, Anne Cassens, Joe Allen, Joe Falkenburg, Deb Russell and Sue Ganje, Auditor. Absent: none.

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

Applicants for County assistance met with the Board for approval. Motion by Russell, second by Falkenburg, to approve cremation assistance for CP #11-25 in the amount of \$1,300.00. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, second by Allen, to approve burial assistance for CP#11-24 in the amount of \$1,700.00. With no further discussion and all voting yes, the motion carried.

An application for assistance was presented for approval. Motion by Russell, second by Allen, to approve assistance for CP #11-23 in the amount of \$127.20, with a repayment schedule that includes a prior balance. The Ministerial Association also assisted with \$127.20. With no further discussion and all voting yes, the motion carried.

An applicant met with the Board to request assistance for electrical expenses beyond \$400.00 they have secured from another source. Motion by Falkenburg, second by Allen, to approve assistance for CP#11-21 in the amount of \$1,119.59 for electricity, with a repayment schedule. With no further discussion, Cassens voting no and all others voting yes, the motion carried.

Motion by Falkenburg, second by Cassens, to set June 7, 2011 at 10:50 a.m. as the time for the hearing on 2011-2012 Malt Beverage licenses. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, second by Cassens, 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 29<sup>th</sup> day of April, 2011.

—  
Total Amt of Deposit in Wells Fargo Bank: \$ 3,889.86

Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>2,340,412.87</u>
Total Amount of Cash:	\$ <u>2,294.61</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>346,204.13</u>
Provo Township Water Checking, First Interstate Bank:	\$ <u>300.00</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>157,534.51</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	Petersen, Lynda: \$1,433.00, TAXES
Goddard, Isaac, \$213.95, LIC	Henry, Raymond, \$290.64, TAXES

**TOTAL: \$6,924,034.17**

Dated this 29<sup>th</sup> Day of April, 2011.

/S/Sue Ganje

Sue Ganje, County Auditor, Fall River County

County Monies:	\$4,697,282.30
Held for other Entities:	\$2,115,979.18
Held in Trust:	\$116,090.14
Total:	\$6,929,351.62

**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 Falkenburg, second by Cassens, to approve and authorize the Chairman to sign a resolution to quit claim property to the City of Hot Springs as follows. With no further discussion and all voting yes, the motion carried.

**FALL RIVER COUNTY RESOLUTION #2011-18:**

WHEREAS, Nancy Bogner, the then County Treasurer of Fall River County in the State of South Dakota, did on the 16<sup>th</sup> day of December, 2002, issue a Certificate of Tax Sale to Fall River County, South Dakota for the property at 110 South 4<sup>th</sup> Street, Hot Springs, South Dakota, and

WHEREAS, on October 19<sup>th</sup>, 2006 the said property was conveyed to Fall River County, and,

WHEREAS, Fall River County has attempted to sell this property two times at tax deed sales and has been unsuccessful, in part due to the special assessments attached to the property, and

WHEREAS, part of the said property sits in the flood plain, and

WHEREAS, Fall River County is desirous of deeding the property to the City of Hot Springs, South Dakota, and the City of Hot Springs is desirous of receiving such property, and

NOW THEREFORE BE IT RESOLVED that the Fall River Board of County Commission authorizes the Chairman to sign a quit claim deed to the City of Hot Springs, South Dakota the following legal description: East One Hundred Ten Feet (E110') of Lots Twenty-Two (22) through Twenty-Five (25) and Lots Five (5) through Eight (8) Inclusive, Block Twenty-Five (25), Catholican Addn to the Town, now City of Hot Springs, Fall River County, South Dakota.

Dated this 17<sup>th</sup> day of May, 2011.

ATTEST:

/S/Sue Ganje

Sue Ganje, Fall River County Auditor

/S/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

Motion by Russell, second by Falkenburg, to approve the transfer of \$1.77 from Cottonwood Township to the Highway fund. With no further discussion and all voting yes, the motion carried.

Travel approval for staff to attend workshops was discussed. Falkenburg asked if employees that attend meetings would provide written follow-up reports for the Board. Motion by Falkenburg, second by Russell, to approve a travel request for the Auditor, Register of Deeds and the Treasurer to attend the HSC management workshop in Rapid City on June 22 or 23, 2011 at a cost of \$50.00 each for registration fees. With no further discussion and all voting yes, the motion carried.

Motion by Russell, second by Falkenburg, to surplus as junk the following items: from the Auditor, #0883, a computer cabinet, #0683, a computer vacuum, #0519, a printer stand; Treasurer, #0936, an IBM typewriter, #1261, a chair; Register of Deeds, #1716, a shredder, #1718, a shredder, #1350, a grey chair; Weed Dept., #1520, a digital camera; Emergency Mgmt, #1026, a chair; and to surplus and transfer the following items to Shannon County: from the Auditor, #1954, a flash drive, #1743, a chair. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, second by Russell, to approve the minutes of the May 3, 2011 meeting. With no further discussion and all voting yes, the motion carried.

Cassens provided a recap of the NACO 2011 Rail Conference she and Ortner attended in Illinois. Discussion included rail lines and the trend towards rail for freight hauling as it is four times more fuel efficient than hauling by truck. The commissioners met with the Vice President of the BNSF Railroad and representatives of the Canadian Pacific Railroad; Ortner also visited the Joliet, IL rail yard.

Falkenburg revisited the issue of the documents required for issuance of a driver's license. Current documentation requirements are in response to what was to be a federal law that was never enacted and Falkenburg believes them to be excessive. Auditor Ganje will follow up with Representative Mike Verchio.

Falkenburg also discussed the Predator District funds as area producers are losing the service of a state trapper who flies locally for predator purposes. Falkenburg asked the Board if they would support funds for the local predator control district. The County currently budgets \$3,800.00 which is paid to the state, and the local Fall River Predator assesses a special assessment in the amount of \$.25 per sheep. After discussion, it was determined the Board chose not to approve funds for the local Predator District at this time.

Highway Superintendent Randy Seiler presented two approach permits for approval. Motion by Russell, second by Falkenburg to approve approach permits for William Bolln Sr., Clearwater Lake Estates, to construct approaches, both for road connections to the West side of N. Angostura Road #1A, to serve residences at Lot 2 and at Lot 15. With no further discussion and all voting yes, the motion carried.

Seiler also presented two sign permit applications for signs on Highway 71, which is not subject to state sign regulations. Motion by Falkenburg, seconded by Russell, to approve two sign permits as submitted by Steve Simunek, subject to Commissioner Allen verifying that the signs conform to state specs. With no further discussion, Allen voting no and all others voting yes, the motion carried.

A request for a culvert in a County road was presented by Seiler on behalf of John Staben. The Board agreed culvert installation is the Highway Superintendent's prerogative.

Seiler requested additional gravel be crushed at the Shep's Canyon pit due to the low bid price received. Russell questioned purchasing additional gravel and bid requirements were discussed. Deene Dayton, Dept. of Legislative Audit, was consulted for advice by phone. Motion by Falkenburg, second by Cassens, to crush an additional 10,000 ton at \$5.40 per ton, subject to the same conditions and penalties as the current contract. With no further discussion and all voting yes, the motion carried.

Discussion was held on the county road tour, scheduled for the afternoon.

Frank Maynard, Emergency Management, met with the Board to ask the commissioners to consider a fire ban resolution due to dry conditions in the County. Discussion was held and it was determined that should conditions warrant a ban, approval may be considered by a special teleconference meeting.

Approval to hire a dispatcher prior to the next Board meeting was also requested by Maynard. Motion by Falkenburg, second by Russell, to authorize Maynard to hire a dispatcher after consulting with Chairman Ortner, and that the name would be brought to the next meeting for the authorizing motion. With no further discussion and all voting yes, the motion carried.

Maynard also provided updates including information that a Regional exercise for Emergency Operations Centers will be held on May 23, 2011 and Fall River will be participating; the Corps of Engineers will be doing some work at the Black Hills Army Depot; PDM grant

applications are being completed and a Disaster Declaration has been signed for twenty-eight counties.

Public comment was scheduled for 10:30 a.m. with no comments made; therefore the Board took a break at 10:34 a.m.

The meeting resumed with a motion by Falkenburg, second by Russell, to approve the bills as follows. With no further discussion and all voting yes, the motion carried.

**GENERAL FUND**

A&B BUSINESS EQUIPMENT	COPIER	\$388.05
AMICK SOUND, INC.	UTILITY	\$87.34
BLACK HILLS CHEMICAL	SUPPLY	\$332.62
BINGHAM, JAMES	MI	\$204.50
CARDMEMBER SERVICE	MISC	\$1,071.18
CAROL BUTZMAN CONSULTING	MI	\$1,073.44
CBM FOOD SERVICE	INMATE	\$3,922.68
CENTURY BUSINESS LEASING	LEASE	\$506.41
CHEMSEARCH	SUPPLY	\$753.75
CHEYENNE SANITATION	UTILITY	\$280.00
CULLIGAN SOFT WATER	WATER	\$84.25
DEMERSSEMAN JENSEN	CAAF	\$414.10
DIAMOND PHARMACY	INMATE	\$87.16
EDGEMONT HERALD TRIBUNE	PUBLISHING	\$418.27
ENVIRONMENTAL PRODUCTS	REPAIR	\$23.96
FAMILY THRIFT CENTER	GRANT	\$560.64
GOLDEN WEST	ASSISTANCE	\$83.24
GOLDEN WEST	TELEPHONE	\$1,251.85
H & R SPRINKLER SYSTEMS	CONTRACT	\$55.00
HOT SPRINGS HOUSING	ASSISTANCE	\$192.00
LEWIS, KEVIN	CAAF	\$869.20
LYNNS DAKOTA MART	SUPPLY; ASSISTANCE	\$154.27
MANLOVE PSYCHIATRIC GROUP	INMATE	\$900.00
MARCHAND, LINDA	GRANT	\$100.00
MICROFILM IMAGING SYSTEMS	LEASE	\$195.00
NELSONS OIL & GAS INC.	ASSISTANCE	\$127.20
NETTINGA, JOAN	SUPPLY	\$10.66
NEVE'S UNIFORM INC	UNIFORM	\$73.29
ORTNER, MICHAEL P.	TRAVEL	\$1,012.46
PENN CO STS ATTNY OFFICE	MI	\$400.00
PENN CO REVOLVING FUND	GRANT	\$561.44
POWELL, DEBRA J	INMATE	\$35.00
PRINT MARK-ET	GRANT	\$52.50

RAPID CITY JOURNAL	PUBLISHING	\$390.74
OELRICHS SCHOOL DISTRICT	GRANT	\$400.00
SERVALL	SUPPLY	\$110.23
SKINNER, MATTHEW L. PC	CAAF	\$845.35
SOFTWARE SERVICES INC	SUPPORT	\$1,160.00
SOTHERLAND, BECKI	TRAVEL	\$17.02
STATE REMITTANCE CENTER	MI	\$60.00
STEVENS AUTOMOTIVE	REPAIR	\$744.15
VERIZON WIRELESS	CELL PHONE	\$495.34
WARNE CHEMICAL & EQUIP	SUPPLY; REPAIR	\$49.60
WESTERN SD JUV SERV CTR	JUVENILE	\$107.50
SIDES, JOHN	TRAVEL	\$22.20
	<b>GENERAL FUND TOTAL</b>	<b>\$20,683.59</b>

**ROAD & BRIDGE**

EDGEMONT, CITY OF	UTILITY	\$41.94
GOLDEN WEST	TELEPHONE	\$251.82
VERIZON WIRELESS	CELL PHONE	\$31.89
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$325.65</b>

**911 SURCHARGE REIMBUR.**

GOLDEN WEST	TELEPHONE	\$61.12
QWEST	TELEPHONE	\$620.02
	<b>911 REIMBUR. TOTAL</b>	<b>\$681.14</b>

**EMERGENCY MGT**

CARDMEMBER SERVICE	MISC	\$128.29
DELL FINANCIAL SERVICES	EQUIP	\$180.28
GOLDEN WEST	TELEPHONE	\$119.68
VERIZON WIRELESS	CELL PHONE	\$120.70
	<b>EMERGENCY MGMT TOTAL</b>	<b>\$548.95</b>

**24/7 SOBRIETY FUND**

GEN DIAGNOSTICS INC	24/7	\$714.50
	<b>24/7 SOBRIETY FUND TOTAL</b>	<b>\$714.50</b>

	<b>GRAND TOTAL</b>	<b>\$22,953.83</b>
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Sheriff Rich Mraz met with the Board to request approval to surplus a vehicle. Motion by Cassens, second by Falkenburg, to surplus to sell by sealed bids a Ford F250 pickup from the Sheriff's office, with the sale to be held on June 21, 2011 at 11:00 a.m. and to authorize Mraz to obtain three appraisals of the truck's value. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, second by Cassens to enter Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried. The Board went into Executive Session at 10:50 a.m.

The Board came out of Executive Session at 11:16 a.m.

Carl Neisner, Building Maintenance, met with the Board and presented quotes from Cloyd's in the amount of \$4,180.00 and from Black Hills Heating and Cooling in the amount of \$4,580.00 to clean the jail ducts. The Board asked him to bring additional quotes to the next meeting for consideration.

Treasurer Lori Bachand met with the Board to present a delinquent tax agreement. Motion by Russell, second by Cassens, to approve a delinquent tax agreement for Raymond Massey in the amount of \$900.00 per month for parcels #75500-00800-00100 and #72150-13400-01000 and to authorize the Chairman to sign. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, second by Russell, to enter Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:26 a.m.

The Board came out of Executive Session at 11:46 a.m.

Misti Cantrell, President of the County Extension and 4H Leaders Board, met with the Board to present a proposal for continuing 4H/Youth Advisor services when the State ceases County Extension funding, which would include a shared advisor splitting time between Fall River and Custer Counties, assisted by a support staff member in each local office. Ortner noted that Custer County officials are in consensus with Fall River that if the counties share an advisor, each county would prefer a separate, local office but that the Fall River salary proposed for support staff seemed excessive. At this point, work load for support staff is difficult to predict as it would be proportionate to the activities of the advisor. Russell questioned the proposed job description. It was discussed how the youth programs in the county would benefit, including the Boys and Girls Club, Edgemont YMCA and others.

Motion by Russell, second by Falkenburg, to recess for lunch and the county road tour, scheduled for 1:30 pm. With no further discussion and all voting yes, the motion carried and the Board recessed at 12:20 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