

FALL RIVER COUNTY MINUTES OF DECEMBER 20, 2012

The Fall River Board of County Commissioners met in regular session on December 20, 2012. Present: Mike Ortner, Joe Allen, Anne Cassens, Joe Falkenburg, Deb Russell and Sue Ganje, Auditor. Absent: none.

The Pledge of Allegiance was given and the meeting called to order at 9:02 AM. The agenda was reviewed for conflicts; none were indicated.

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

Motion by Falkenburg, seconded by Cassens, to approve the minutes of December 6, 2012. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the Auditor's Account with the Treasurer as follows. 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 30th day of November, 2012.

Total Amt of Deposit in Wells Fargo Bank:	\$ <u>3,891.98</u>
Total Amt of Deposit in First Interstate Bank, Hot Springs:	\$ <u>1,220,354.39</u>
Total Amount of Cash:	\$ <u>3,422.68</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>22,293.74</u>
MONEY MARKET SAVINGS, First Interstate Bank:	\$ <u>119,016.21</u>
CERTIFICATES OF DEPOSIT, First Interstate Bank:	\$ <u>3,470,000.00</u>
Black Hills FCU:	\$ <u>250,000.00</u>

Itemized list of all items, checks and drafts that 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:

Armentrout, Jimmy, \$672.27, TAXES	McMillin, Robert, \$272.95
Crocker, Carney, \$15.00, LIC	Nielsen, Krista, \$336.10, LIC
Henry, Raymond, \$290.64, LIC	Nielsen, Krista, \$150.61, LIC

TOTAL: \$5,092,151.57

Dated this 30th day of November, 2012.

/s/Sue Ganje

Sue Ganje, Auditor, Fall River County

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 & AMBULANCE DISTRICTS AND STATE.

Motion by Russell, seconded by Falkenburg, to surplus as junk a mop bucket, courthouse asset #01709, a chair, auditor asset #1976, a chair, extension asset #01552 and to destroy, archaic GIS ArcReader software; and to surplus to sell from the auditor's office a typewriter, asset #1500, a desk lamp, asset #106 and a printer, asset #1783. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to set a hearing for supplements and contingency transfers for December 27, 2012 at 1:15 PM. With no further discussion and all voting yes, the motion carried.

The Board reviewed a listing of individuals with county liens who are receiving statements but not making payments. The matter and possible actions will be discussed at a later meeting.

Discussion was held on the close out of documents for the Provo Township Water Project and an easement that was to have been filed for the project but has not been done to date. Motion by Falkenburg, seconded by Allen, to postpone completion approval of the Provo Township Water project until the December 27, 2012 meeting. With no further discussion and all voting yes, the motion carried.

Ganje advised the Board that the designation of the Jail Reserve Fund will be on the December 27, 2012 agenda.

Fuel bids were presented for approval.

Top off two 1,000 gal. tanks in Hot Springs
and one 500 gal. tank in Edgemont

D&J Petroleum	\$1.167 per gal.
Hi D Way	\$1.258 per gal.
Nelson's Oil	\$1.34 per gal.
McGas Propane	\$1.38 per gal.

Motion by Falkenburg, seconded by Cassens, to approve D&J Petroleum's bid of \$1.167 per gallon to top off two 1,000-gallon tanks in Hot Springs and one 500-gallon tank in Edgemont. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve the Memorandum of Understanding between Fall River County and SDSU Extension, authorizing the chairman to sign. With no further discussion and all voting yes, the motion carried.

Recognition and thanks were given to Joan Nettinga, Auditor's Office, for making Fall River county ornaments for inclusion on the South Dakota Counties tree, currently on display for Christmas at the Capitol and on the Christmas tree at the SD Counties office in Pierre.

The Auditor presented certificates of election to commissioners Allen, Cassens and Ortnier, Treasurer Lori Bachand and Coroner Rebecca Sotherland. A certificate for State's Attorney Jim Sword will be presented to him at a later date.

Keith Andersen, Andersen Engineering, presented a plat for approval. Motion by Falkenburg, seconded by Allen, to approve the following plat of Lot 38 of Cobblestone Mountain Estates, contingent upon Highway Superintendent Randy Seiler's signature. With no further discussion and all voting yes, the motion carried.

FALL RIVER COUNTY RESOLUTION #2012-43

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within Plat of Lot 38 of Cobblestone Mountain Estates Subdivision located in the SE ¼ SE ¼ of Section 2, 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 section 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 20th day of December, 2012.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Fall River County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Nina Steinmetz met with the Board to request travel approval. Motion by Russell, seconded by Falkenburg, to approve travel for Steinmetz and a county representative to attend the state Weed and Pest Conference in Huron on February 19-22, 2013. With no further discussion and all voting yes, the motion carried.

Ortner and Ganje reported on the SDACC / SDACO Executive Board meetings they attended in Pierre on December 12-13, 2012.

Stacey Martin, GIS, asked the Board for approval to purchase equipment as they are re-organizing the Equalization / GIS office. Motion by Falkenburg, seconded by Allen, to approve the purchase of two locking file cabinets at a total cost of \$444.60. With no further discussion and all voting yes, the motion carried.

Martin also sought approval to provide the South Dakota Bureau of Information Technology with county address data. Motion by Falkenburg, seconded by Russell, to allow GIS data to be sold to the State of South Dakota for addressing purposes, including the new statewide voter system, with the state to reimburse the county via \$1,500.00 in grant funds. With no further discussion and all voting yes, the motion carried.

Discussion was held on a cost schedule for selling GIS data to other entities, organizations or individuals. Martin will prepare a fee schedule based on the number of addresses purchased and return with it for Board consideration at a later date.

Susie Hayes, Director of Equalization, met with the Board for hire approval. Motion by Falkenburg, seconded by Russell, to approve hiring Cindy Peacock as a clerk at \$9.00 per hour, twenty four hours per week, per Union contract. With no further discussion and all voting yes, the motion carried.

Motion by Cassens, seconded by Falkenburg, to approve the transfer of Kimberlee Beldin from clerk to appraiser in the Department of Equalization. With no further discussion and all voting yes, the motion carried.

Hayes provided the Board with a recap of her attendance at a conference on the Bakken and West River Expansion, which addressed opportunities and issues accompanying the recent boom in oil production in North Dakota.

Brief discussion was held on the valuation process used with the new Vanguard / Marshall and Smith software system and that Board members concurred with the advice of the Deputy State's Attorney.

Frank Maynard, Emergency Management, provided the Board with a report on a recent inspection of the courthouse boiler, their recommendations and the development of a maintenance schedule. Maynard also noted that the county has been awarded an \$18,749.00 grant to update the Pre-Disaster Mitigation Plan, requesting approval to contract with Black Hills Land Analysis to begin the process. Motion by Russell, seconded by Falkenburg, to approve signing a contract to hire Rob Mattox for an update of the PDM plan. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve the purchase of tires for the maroon Durango, paid by GIS and Equalization funds. With no further discussion and all voting yes, the motion carried.

Maynard advised the Board of the fourth quarter SLA reimbursement of \$12,777.99, which represents fifty percent of the cost of the emergency management program. Maynard suggested purchase of a generator and new GIS equipment and will bring cost proposals to a future meeting.

Motion by Falkenburg, seconded 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	\$397.36
Applied Concepts Inc	Supply	\$384.00
AT&T Teleconference	Telephone	\$5.59
Bingham, James	CAAF	\$3,036.76
BH Family Health Clinic	Inmate	\$208.00
Bogner, John	Travel	\$91.02
Bryan, Connie	Reimburse	\$26.50

Cardmember Service	Misc	\$1,490.07
CBM Food Service	Inmate	\$3,804.18
Century Business Leasing	Copier	\$262.24
Cheyenne Sanitation	Utility	\$80.00
Crop Production Services	Supply	\$2,060.00
Dakota Business Center	Copier	\$239.44
DeMersseman Jensen	CAAF	\$471.50
Dell Business Credit	Equip	\$613.00
Diamond Pharmacy	Inmate	\$151.58
Division Of Motor Vehicle	Title Work	\$10.00
Edgemont Herald Tribune	Subs	\$146.20
Executive Mgmt Finance	BIT	\$18.00
Fall River Clinic	Disp	\$25.00
Ganje, Sue	Travel	\$22.03
Golden West	Telephone	\$1,498.68
Greenough, Heath	Travel	\$35.52
Grimm's Pump Service Inc	Repair	\$31.93
Hageman, Wayne	Travel	\$2.22
Hot Springs Ace Hardware	Supply; Repair	\$179.94
Hot Springs Automotive	Supply; Repair	\$49.14
Lone Star Heating & Air	Repair	\$175.64
Lyle's Handyman	Labor	\$163.20
McLeods Office Supply Co.	Supply	\$495.42
Miller, Wade	Airplane	\$1,297.25
Mobile 311 LLC	Software	\$200.00
National 4-H Council	Supply	\$25.85
Norton's Sinclair	Car Maint	\$119.95
Olson, Bea	Assistance	\$350.00
O'Neill, Justin	CAAF	\$2,176.85
Orrock, Ken	Conflict Dep	\$203.00
Ortner, Michael P.	Travel	\$490.00
Penn Co Sts Attny Office	MI	\$200.00
Penn Co Jail	Inmate	\$2,268.00
Penn County Sheriff	Inmate	\$927.35
Witness	Witness Fee	\$37.76
Prochem	Spray	\$1,875.00
Quill Corporation	Supply	\$595.63
Rapid City Journal (The)	Publishing	\$1,312.79
Rapid City Regional	MI	\$2,125.44
Sanichem	Supply	\$367.00
SD Human Services Center	MI	\$600.00
Servall	Supply	\$8.93
SHI International	Software	\$242.00

Skinner, Matthew L. PC	CAAF	\$715.70
Software Services Inc	Support	\$1,520.00
State Remittance Center	MI; Nurse	\$2,205.00
Summit Signs & Supply Inc	Repair	\$12.00
Schoenfelder, Paul	Inmate	\$105.00
Temperature Technology	Repair	\$105.95
United States Postal Serv	Postage	\$925.22
Vanguard Appraisals Inc	Supply	\$8,102.00
Warne Chemical & Equip.	Supply	\$64.75
Wilkins, Wade	Travel	\$11.10
Western SD Juv Serv Ctr	JUV	\$2,250.00
Winter, Paul R	CAAF	\$428.00
Sides, John	Travel	\$88.80
Rickel, Merissa	Inmate	\$35.00
Witnesses	Witness Fee	\$612.65
	General Fund Total	\$48,778.13

Road & Bridge

Al's Metal Work, Inc	Repair	\$61.58
B H Electric Coop Inc.	Utility	\$11.31
Butler Machinery Co.	Repair	\$504.38
Cardmember Service	Misc	-\$17.44
Cheyenne Sanitation	Utility	\$74.00
D&J Petroleum	Utility	\$1,925.56
Diesel Machinery, Inc	Repair	\$350.00
Fall River Auto Supply	Repair; Supply	\$436.01
FR County Highway Dept.	Petty Cash	\$20.00
Golden West	Telephone	\$243.09
Great Western Tire	Supply; Repair	\$1,143.88
Hoar, Mark	Clothing	\$100.00
Hot Springs Ace Hardware	Supply; Repair	\$19.84
Hot Springs Automotive	Supply; Repair	\$189.99
Nelsons Oil & Gas Inc.	Supply	\$107.45
Rapid Delivery	Repair	\$25.20
Safety Kleen	Repair	\$106.00
SD Dept Of Transportation	Prof Ser	\$188.92
SDACHS/DJ Buthe	Supply	\$225.00
Sioux City Foundry	Supply	\$2,880.00
Sonny's Super Foods	Repair	\$6.43
Southern Hills Fire	Repair	\$314.00
Summit Signs & Supply Inc	Repair	\$480.00
Pro Build	Supply	\$25.11
	Road & Bridge Total	\$9,420.31

911 Surcharge Reimbur.

Golden West	Telephone	\$44.62
Century Link	Telephone	\$624.11
	911 Reimbur. Total	\$668.73

Emergency Mgt

Cardmember Service	Misc	\$296.82
Golden West	Telephone	\$129.36
Hot Springs Ace Hardware	Supply; Repair	\$9.89
Lynn's Dakota Mart	Supply	\$13.49
Quill Corporation	Supply	\$35.99
Rushmore Communications	Repair	\$110.00
United States Postal Serv	Postage	\$3.50
	Emergency Mgmt Total	\$599.05

L.E.P.C. Grant

Burt, Curtis	LEPC	\$100.00
HSR Fueling LLC	Fuel	\$84.97
Pudwill, Norman	LEPC	\$60.00
	L.E.P.C. Grant Total	\$244.97

Alabaugh Grant Fund

Maher, Tom	Reimburse	\$96.50
	Alabaugh Grant Fund Total	\$96.50

Due To Schools

First Interstate Bank	Taxes	\$46,944.72
Hot Springs School	Taxes	\$263,773.68
Oelrichs School District	Taxes	\$28,598.31
	Due To Schools Total	\$339,316.71

Due To Townships

First Interstate Bank	Taxes	\$389.09
	Due To Townships Total	\$389.09

Due To Cities & Towns

Bank Of The West	Taxes	\$83,385.84
First Interstate Bank	Taxes	\$26,904.41
Hot Springs City Td 7	Taxes	\$521.50
Oelrichs, Town Of	Taxes	\$3,544.56
	Due To Cities & Towns Total	\$114,356.31

Ambulance Districts

Bank Of The West	Taxes	\$5,539.17
First Interstate Bank	Taxes	\$840.85
First Interstate Bank	Taxes	\$1,239.75
	Ambulance Districts Total	\$7,619.77

Due To Fire Districts

Ardmore Fire District	Taxes	\$472.77
First Interstate Bank	Taxes	\$6,805.87
First Interstate Bank	Taxes	\$284.54
Minnekahta Fire	Taxes	\$464.14
Oelrichs Vol. Fire Dept	Taxes	\$1,093.66
	Due To Fire Districts Total	\$9,120.98

Pine Shadow Rd District

First Interstate Bank	Taxes	\$659.58
	Pine Shadow Rd Dist Total	\$659.58

Cascade Mtn Rd District

First Interstate Bank	Taxes	\$373.32
	Cascade Mtn Rd Dist Total	\$373.32

Eagle Valley Rd District

Black Hills Federal	Taxes	\$429.67
	Eagle Valley Rd Dist Total	\$429.67

Country Club Est Rd District

First Interstate Bank	Taxes	\$632.18
	Country Club Est Rd Dist Total	\$632.18

Hot Brook Road District

Hot Brook Road District	Taxes	\$554.97
	Hot Brook Rd District Total	\$554.97

Waters Edge Road District

Water's Edge Rd District	Taxes	\$203.79
	Waters Edge Road Dist Total	\$203.79

Cedar Hills Road District

Cedar Hills Road District	Taxes	\$129.97
	Cedar Hills Road Dist Total	\$129.97

M & P Flow Thru

SD Assn Of Co. Officials	M&P	\$258.00
	M & P Flow Thru Total	\$258.00
	Grand Total	\$533,852.03

A break was taken at 10:24 AM. The meeting resumed with public comment. Stacy Swinney, a commissioner from Dawes County, NE, was present to comment on the positive experience they have had with an in-situ mine in Crawford, NE. Swinney stated the mine has provided taxes and good jobs with no complaints about water quality, although some roads have required more maintenance. Further information on the revenues the county has received because of the mine can be addressed to the county's finance officer.

Val Henry discussed a legislative proposal that would raise alcohol taxes to help offset costs and one proposal that would address social hosting of underage drinkers in homes, along with a brief note on the Toys for Tots program put on by the Southern Hills bikers.

Lori Bachand, Treasurer, met with the Board to update them on the tax certificate sale of property in Fall River County held on December 17, 2012. Approximately \$78,000.00 of tax certificates were sold.

On behalf of the county officials, Bachand also asked the Board to consider designating Christmas Eve morning a holiday. Cassens stated that as it is not included in the contract, departments must be open.

A hearing was held on supplements and transfers at 10:50 AM as advertised. Motion by Falkenburg, seconded by Russell, to approve contingency transfers in the following amounts. With no further discussion and all voting yes, the motion carried.

CONTINGENCY TRANSFERS:

<u>DEPT</u>	<u>AMOUNT</u>
Commissioners	\$ 1,000.00
Data Processing	\$ 3,970.00
Court Appointed Attorney	\$ 8,450.00
Abuse and Neglect	\$ 1,400.00
Courthouse Building Fund	\$ 5,400.00
Veterans Services Office	\$ 5,200.00
County Jail	\$21,950.00
County Jail 24/7	\$ 200.00
Fire Protection	\$ 425.00
Dispatch Center	\$21,450.00
Mental Illness Board	<u>\$ 400.00</u>
	\$79,845.00

Motion by Cassens, seconded by Falkenburg, to approve supplements in the following amounts. With no further discussion and all voting yes, the motion carried.

SUPPLEMENTS:

<u>Description</u>	<u>Amount</u>
Commissioner Travel	<u>\$ 170.20</u>
	\$ 170.20

Marian Atkins, Bureau of Land Management, met with the Board to discuss oil and gas leases, and the process for the leases. Mike McNeil, US Forest Service, was also present. Atkins noted that there will be a sale of leases for Fall River County in July, 2013, which between the BLM and Forest Service, could potentially include 123 nominated parcels. Falkenburg stated that there is a need for coordination between the BLM and the Forest Service and that both need to communicate with the county and landowners. He further stated that restrictions should be the same for oil and gas leases as they are with grazing leases.

Don Ackerman, representing the American Legion Riders, asked the Board for financial assistance in bringing the Vietnam wall to Hot Springs July 31 through August 4, 2013. The wall will be displayed in Centennial Park and will be open 24 hours per day during its display. Funding already secured includes \$4,000.00 from the City of Hot Springs, \$3,500.00 from the Hot Springs Chamber of Commerce, \$1,000.00 from the Volunteer Firefighters and an additional \$1,500.00 Ackerman has arranged. Motion by Falkenburg, seconded by Allen, to approve \$4,000.00 in funding for the display of the Vietnam wall in Hot Springs in 2013. With no further discussion and all voting yes, the motion carried.

An applicant for assistance met with the Board. Motion by Allen, seconded by Russell, to approve \$350.00 in rent assistance for CP #2012-40, with a repayment plan. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to enter in Executive Session for legal and personnel matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 11:52 AM.

The Board came out of Executive Session at 12:02 PM. Motion by Cassens, seconded by Russell, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 12:02 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