

02/01/11

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 9:35 A.M.  
February 1, 2011. Commissioners present were Smeenk, Harms, Kling,  
Hansen and Fernen.

Chairman Steve Smeenk called the meeting to order and led the group in the  
Pledge of Allegiance.

Motion by Hansen Second by Harms to approve the amended meeting agenda which includes  
changing the mid month regular meeting from Wednesday to Tuesday and have an  
Executive Session regarding legal and personnel matters. Vote Unanimous. Motion Carried.

Motion by Harms Second by Hansen to approve the minutes from the Commissioner's meeting  
which was held on January 19, 2010. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Fernen to approve the bills for payment per the computer printout.  
Vote Unanimous. Motion Carried.

Motion by Kling Second by Harms to approve an abatement for Ms. Helen Stearns for the amount of  
\$361.27 on parcel number 15.00.44.06 . An error had occurred in the Equalization Office in regards  
to the Owner Occupied Status being accidentally removed from Ms. Stearns parcel.  
Vote Unanimous. Motion Carried.

Motion by Harms Second by Hansen to approve an abatement for Lloyd & Anna Lehman for the  
amount of \$486.30 on parcel number 16.01.042.29. The tax freeze was not applied by the  
Director of Equalization. Vote Unanimous. Motion Carried.

Motion by Kling Second by Harms to approve the following travel requests:  
Register of Deeds Paula Walker to attend County Days in Pierre, SD on February 13 -14, 2011,  
Treasurer Debra Lensegrav and Deputy Treasurer Tracy Monier to attend a New Officials Workshop  
in Pierre, SD on March 15 -17, 2011 and Treasurer Debra Lensegrav and Deputy Treasurer  
Tracy Monier to attend the Spring Workshop in Pierre, SD on May 17 – 20, 2011. Vote Unanimous.  
Motion Carried.

Department Heads reported on undertakings within their respective offices.

Motion by Hansen Second by Kling to accept the VSO report for January 2011. Vote Unanimous.  
Motion Carried.

The Commissioners discussed the Proposed Changes to the Butte County Subdivision Ordinance  
2005-2 and Butte County Subdivision Ordinance 2005-2 Subdivision Checklist with  
Director of Equalization/Planning Director Polly Odle.

Motion by Kling Second by Harms to accept the proposed changes to the Butte County Subdivision  
Ordinance 2005-2 and Butte County Subdivision Ordinance 2005-2 Subdivision Checklist and set the  
first reading of the revised Subdivision Ordinance for March 1, 2011 at 10:30 a.m. Vote Unanimous.  
Motion Carried.

**Butte County Subdivision Ordinance 2005-2 proposed change:**

**Article IV Section 5 No. 5 Page 12**

\*Before final approval of the Butte County Commissioners, it is the responsibility of the developer, engineer or property owner to have a check made out to the Register of Deeds for the exact amount of the recording fees. This is to be attached to the Final Plat and documents when presented to the Butte County Commissioners. If the check or cash for the exact amount is not attached, the final approval will not be done.

**Butte County Subdivision Ordinance 2005-2 Subdivision Checklist, proposed change:**

**Section 4 Final Plan Page 6**

\*Before final approval of the Butte County Commissioners, it is the responsibility of the developer, engineer or property owner to have a check made out to the Register of Deeds for the exact amount of the recording fees. This is to be attached to the Final Plat and documents when presented to the Butte County Commissioners. If the check or cash for the exact amount is not attached, the final approval will not be done.

The Butte County Covenants discussion will be held during State's Attorney's time at 2:00 p.m.

Motion by Kling Second by Harms to approve the Final Plat of Schalesky Lot 1 which is located in the NW1/4 of Section 8, Township 9, North Range 6 East of the B.H.M. Butte County, South Dakota. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams came before the Commissioners to discuss highway issues and concerns.

The Caterpillar Skid Steer's engine has been replaced and is back in use at the Butte County Courthouse Complex.

Highway Superintendent Don Adams reported the fuel prices.

The Commissioners and Highway Superintendent Don Adams discussed gravel amount needs. Gravel Bids from other counties were also reviewed.

Motion by Hansen Second by Kling to authorize Chairman Smeenck to sign An Agreement To Provide For The Striping and Continuing Maintenance Of County Roads Within Butte County. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to change the mid month regular meeting from the third Wednesday to the third Tuesday beginning at 1:00 p.m. Vote Unanimous. Motion Carried.

Committee Reports were given.

The Commissioners recessed for lunch at 11:50 a.m. with the public invited.

Sheriff Lamphere came before the Commissioners to discuss the happenings within the Sheriff's Department and the Dispatch Department.

Motion by Hansen Second by Harms to supplement the Judicial Revenue Budget (10133121) for the amount of \$1,063.00 and supplement the Judicial Expense Budget (10113042923) for the amount of \$2,126.00. A steel door to improve safety of the court facilities will be installed. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Fernen to go into an Executive Session at 1:46 p.m. regarding personnel and legal matters. Vote Unanimous. Motion Carried. Deputy State's Attorney Tim Vander Heide and Sheriff Lamphere were both present.

Sheriff Lamphere left the Executive Session at 2:10 p.m.

Motion by Hansen Second by Fernen to come out of the Executive Session at 3:40 p.m. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to make the following revision to § 3.9.2 in the Butte County Informational Booklet. Vote Unanimous. Motion Carried. The amendment will read as follows:

### **Safety Eyewear and Steel Toe Work Boots**

With the prior written consent of the highway superintendent, the County will reimburse each active non-clerical highway department employee up to \$75.00 per year for safety eyewear and \$100 for steel toe work boots. The employee will make the purchase and submit the receipt of purchase together with the written consent to the highway department, and in turn, the auditor's office for payment. The employee may carry over the safety eyewear allocation from one year to the next year for a maximum accumulation of \$150.00. No reimbursement will be made to employees who purchase safety eyewear and/or steel toe work boots during any period when the employee is unable to perform the duties for which these items are required.

Motion by Hansen Second by Kling to increase the amount paid to Barker Wilson Law Firm from \$3,000.00 to \$3,400.00 per month. This is effective on February 1, 2011. Butte County currently has a contract with Barker Wilson Law Firm for part time Deputy State's Attorney services that are provided by Mr. Tim Vander Heide. Vote Unanimous. Motion Carried.

Commissioner Hansen left the meeting at 3:45 p.m.

Motion by Harms Second by Fernen to authorize Chairman Smeenk to sign a letter addressed to the Belle Fourche City Mayor and Belle Fourche City Council that the Butte County Commissioners are in support of the Belle Fourche City Public Works Committee Motion that was made on January 25, 2011 stating that Highway 85 from National Street to Faulk Street be marked as 3 lanes with curbside parking. Vote Unanimous. Motion Carried.

Additional Committee Reports were given.

Motion by Fernen Second by Harms to adjourn the meeting at 4:27 p.m. Vote Unanimous. Motion Carried.

#### **SALARY**

ASSESSOR / PLANNING-\$6,624.86, AUDITOR'S OFFICE-\$8,615.49, BUILDINGS-\$1,758.55, COMMISSIONERS-\$5,624.40, DISPATCH-\$18,436.05, EM / 911-\$2,588.66, EXTENSION-\$2,048.00, HIGHWAY DEPT / WEED CONTROL-\$32,105.25, NURSE'S OFFICE-\$2,048.00, REG OF DEEDS OFFICE-\$4,781.46, SHERIFF DEPT-\$17,003.12, STATES ATTORNEY OFFICE-\$11,396.67, TEEN COURT-\$692.31, TREASURER'S OFFICE-\$8,814.46, VETERAN SERVICE OFFICE-\$1,163.34

#### **COUNTY SHARE FICA**

BUTTE COUNTY SHARE \$8,805.05

#### **SDRS (RETIREMENT)**

BUTTE COUNTY SHARE \$7,136.83

GROUP INSURANCE

BUTTE COUNTY SHARE \$34,425.48

OTHER INSURANCE

SD PUBLIC ASSURANCE ALLIANCE \$85,423.68

PROFESSIONAL SERVICES & FEES

ADAMS, RAMONA ANN \$48.00, BACHMAN, RENEE \$300.00, BARKER WILSON LAW FIRM \$3,000.00, BELLE FOURCHE AMBULANCE \$35.00, BELLE FOURCHE CHAMBER OF COMMERCE \$50.00, BH COUNCIL LOCAL GOV. \$3,312.00, BRADY PLUIMER PC \$1,800.86, BROOKER, JACK \$30.00, BUTTE CO. SHERIFF'S OFFICE \$38.80, BUTTE COUNTY TEEN COURT \$3,000.00, CARLSON, JEAN M. \$180.00, CAROL BUTZMAN CONSULTING \$419.25, CERMAK, LISA \$50.00, CLINICAL LABORATORY OF THE BLACK HILLS \$1,807.00, DAKOTABILITIES \$180.00, DAVID M. HOSMER LAW OFFICE \$664.57, DEMOS AUTO BODY & TOWING \$125.00, DICK, NETTIE \$50.00, FERNEN, KENNETH \$50.00, FOX YOUNGBERG & LEWNO PC \$171.16, GALLAGHER, TRACEY \$50.00, GARR, HARVEY \$50.00, GEHRINGER, CINDY \$100.00, GEORGE, WADE \$50.00, GIFFIN, DARCIÉ \$10.00, GOODROAD, CLINTON \$50.00, HARDISON, DEBRA \$50.00, HAVEMEIER, LESLIE \$115.40, HEIDRICH, SANDRA \$50.00, JACKSON COUNTY SHERIFF'S OFFICE \$80.04, KARI, JASON \$50.00, KEIL, CHARITY \$10.00, KELLER, STEPHEN \$50.00, KIRKSEY, DOROTHY \$100.00, KNAPP, DEWAYNE \$50.00, LANE, SHAWN \$50.00, LEXISNEXIS \$110.00, LYNN'S DAKOTAMART \$7.79, MEADE COUNTY AUDITOR \$7,865.00, MEADE COUNTY SHERIFF \$11.20, MIDSTATES ORGANIZED CRIME \$100.00, MONCUR CPA, DEBRA K \$295.00, PAMIDA \$57.68, PARROW, JENNIFER \$50.00, PENN. CO. AUDITOR \$34.00, PENNINGTON COUNTY STATES ATTORNEY \$200.00, RAPID CITY REGIONAL HOSPITAL \$698.00, REGIONAL BEHAVIORAL HEALTH \$126.07, REINDL, STACI L. \$5,500.00, RHODEN, KATHRYN \$10.00, ROESSING, MILDRED \$50.00, RUZICKA, ROCKY \$10.00, SD DEPT OF REVENUE \$2,130.00, SD EMERGENCY MANAGEMENT \$30.00, SLOWEY COURT REPORTING \$27.50, STATE BAR OF SOUTH DAKOTA \$290.00, STATE RADIO COMMUNICATION \$2,750.00, SUITER, BRETT \$50.00, TOPE, DONNA \$50.00, TRUMP LAW OFFICES PC \$3,500.00, UDE, BRUCE \$50.00, WEST PAYMENT CENTER \$102.85, WINNER'S CIRCLE \$17.00, YANKTON COUNTY TREASURER \$372.75, YANKTON SHERIFF OFFICE \$25.00

PUBLISHING

RAPID CITY JOURNAL \$1,306.83

RENTALS

BLACK HILLS PURE INC \$52.20, CENTURY BUSINESS PRODUCT \$504.87, DJ CONSTRUCTION \$650.00, MARLIN LEASING \$247.40, PITNEY BOWES GLOBAL \$456.66

REPAIRS & MAINTENANCE

A & B BUSINESS EQUIPMENT \$295.34, ADAMS MACHINING AND WELDING \$836.24, AIR DOC \$250.41, BUNNEY'S BODY & COLLISION \$94.40, BUTLER MACHINERY \$4,211.12, CENTRAL PARTS \$302.78, CENTURY BUSINESS PRODUCT \$103.39, DON'S HANDYMAN SERVICE \$1,941.01, HERSRUDS OF B.F. \$73.74, JOHNSON ELECTRIC \$1,139.30, KONE INC. \$321.75, NEWELL RANCH SUPPLY INC \$6.29, QWEST \$18,763.58, RANDY'S DISCOUNT TIRES \$155.50, SCOTT PETERSON MOTORS \$12.95, WEST TIRE \$36.00, WESTERN STAR INC. \$30.45

SUPPLIES & MATERIALS

BUTTE CO. SHERIFF'S OFFICE \$97.46, BUTTE COUNTY POSTAGE \$591.47, CBH COOPERATIVE \$2,101.22, CENTRAL PARTS \$217.35, DAKOTA LUMBER \$185.73, DOCUSOURCE \$61.92, DOUBLE STAR COMPUTING \$1,249.00, ERK, WILLIAM \$60.00, EXPRESS WIRELESS \$40.00, FARM PLAN \$116.75, FASTENAL COMPANY \$79.72, FRONTIER GLASS OF BELLE FOURCHE \$9.68, HILLYARD/SIOUX FALLS \$164.51, HOXIE, LINDA \$34.21, LYNN'S DAKOTAMART \$6.00, MCLEODS \$544.79, MG OIL COMPANY \$9,032.99, MONAHAN, WILLIAM \$10.00, MOTIVE PARTS & SUPPLY \$293.05, OFFICE DEPOT \$143.99, OFFICE EMPORIUM \$42.95, PAMIDA \$80.25, QUILL CORPORATION \$265.19, RAPID DELIVERY \$68.20, ROCKINGTREE LANDSCAPES \$100.00, SAND CREEK PRINTING \$837.66, SCHAUB, LOREN \$20.00, SD DEPT OF TRANS \$4,912.34, SERVALL UNIFORM/LINEN \$745.81, STEREOS N STUFF \$268.92, STURDEVANT'S AUTO PARTS \$41.86, WELLS PLUMBING \$54.73, WHEELER LUMBER \$3,119.04

TRAVEL & CONFERENCE

BUTTE COUNTY EXTENSION TRAINING \$50.00, COOPER, TOMMY \$120.25, DICK, NETTIE \$0.74, EXTENSION SERVICE \$122.30, FERNEN, KENNETH \$0.74, FOX, KRINDA \$58.70, GALLAGHER, TRACEY \$0.74, GARR, HARVEY \$3.70, GEORGE, WADE \$5.92, GIFFIN, DARCIÉ \$1.48, GOODROAD, CLINTON \$13.32, HANSEN, KENNETH \$37.00, HEIDRICH, SANDRA \$11.10, KARI, JASON \$0.74, KEIL, CHARITY \$14.80, KELLER, STEPHEN \$0.74, KIRKSEY, DOROTHY \$13.32, KLING, KIM \$17.76, KNAPP, DEWAYNE \$1.48, LANE, SHAWN \$11.84, MILLER, RONDA \$74.00, PARROW, DOUGLAS \$5.19, PARROW, JENNIFER \$18.50, PENNINGTON COUNTY JAIL \$462.80, PITTS, CLINT \$195.36, RHODEN, KATHRYN \$18.50, ROESSING, MILDRED \$0.74, RUZICKA, ROCKY \$1.48, SMEENK, JAMES \$444.00, SMEENK, STEVEN \$74.00, TOPE, DONNA \$0.74, UDE, BRUCE \$2.22, WALKER, PAULA \$8.00, WEED AND PEST CONFERENCE \$330.00

UTILITIES

A T & T \$88.15, ALLTEL \$891.37, BH POWER & LIGHT CO \$2,962.02, BUTTE CO. SHERIFF'S OFFICE WEB HOSTING \$31.99, BUTTE ELECTRIC COOP \$443.10, BUTTE-MEADE SANITARY \$43.00, CITY OF BELLE FOURCHE \$149.46, EXPRESS WIRELESS \$50.00, GOLDEN WEST COMPANIES \$23.80, KNOLOGY \$684.54, MCGAS PROPANE \$671.30, MCPHERSON PROPANE \$25.00, QWEST \$2,118.04, REFUSE SOLUTIONS INC \$112.30, TOWN OF NISLAND \$64.10, WEST RIVER COOP TELEPHONE \$99.77

OTHER

BELLE FOURCHE CITY LIBRARY \$5,000.00, BUTTE COUNTY EXTENSION POSTAGE \$45.50, NEIL W AND  
DENISE L SMEENK \$4,500.00, NEWELL CITY LIBRARY \$3,000.00  
FY 08 HLS SHSP GRANT  
HAWKI, KEN \$2,293.46, LYNN'S DAKOTAMART \$71.28, WELLS, FRED \$760.94  
SHERIFF HIGHWAY SAFETY GRANT  
PARROW, DOUGLAS \$559.21  
  
EDWARD BYRNE MEM JUST ASSIST GRN  
BROOKER, JACK \$55.00  
MACH, EQP, BOOKS & SOFTWARE  
TYLER TECHNOLOGIES INC \$14,937.28

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APPROVED BY THE COMMISSION:  
Steve Smeenk, Chairman

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ATTEST: Elaine Jensen, Auditor