

01/19/2011

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 1:03 P.M.
January 19, 2011. Commissioners present were Smeenck, Harms, Hansen
and Fernen.

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

Motion by Harms Second by Hansen to approve the amended meeting agenda which includes the
addition of an Executive Session regarding personnel matters during State's Attorney's time.
Vote Unanimous. Motion Carried.

Commissioner Kling arrived at 1:05 p.m.

Motion by Hansen Second by Harms to approve the corrected minutes from the January 4, 2011
Commissioner's meeting. The correction will be made to the 2011 Committee Appointments.
The change is that Ken Fernen was appointed by Chairman Smeenck to the Resource & Conservation
Development Committee with Chairman Smeenck as an alternate. Vote Unanimous. Motion Carried.

The County Lien report for December 2010 was not presented.

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

Motion by Hansen Second by Harms to accept the Register of Deeds report for December 2010.
Vote Unanimous. Motion Carried.

Motion by Kling Second by Harms to accept the VSO Report for December 2010. Vote Unanimous.
Motion Carried.

Motion by Hansen Second by Kling to approve the travel request for Ragine Hendrickson and Debra Jankord to attend a Civil Process Training in Pierre, SD on January 31, 2011 – February 01, 2011. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to approve a travel request for Deputy Clements to attend a Narcotics Investigator Training on May 15, 2011 – May 20, 2011 in Pierre, SD. Vote Unanimous.
Motion Carried.

The following abatements were presented by Director of Equalization Polly Odle. They are as follows:

Motion by Hansen Second by Kling to approve an abatement for Lucille Bennett for the amount of \$122.66. This abatement is on parcel number 08.3.11.13M. The Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in 10-6A-4. Vote Unanimous. Motion Carried.

Motion by Kling Second by Hansen to approve an abatement for Stacy Corean for the amount of \$1,942.09. This abatement is on parcel number 15.58.01.18. The Applicant qualifies for a Vet Exemption. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Harms to approve an abatement for Belle Fourche Development Corporation for the amount of \$441.70. This abatement is on parcel number 15.30.AM.01. The property is exempt from tax. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to approve an abatement for Julie or Janice Richardson for the amount of \$251.32. This abatement is on parcel number 08.3.24.2.1.2M. The same property has been assessed twice. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Harms to approve an abatement for Dave Baumiller for the amount of \$383.00. This abatement is on parcel number 09.6.34.13. The structure has been removed. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to approve an abatement for Julie Wallace for the amount of \$82.16. This abatement is on Tax Bill number 238404. A duplicate tax bill was produced. Vote Unanimous. Motion Carried.

Sheriff Lamphere came before the Commissioners. Sheriff Lamphere distributed the 2010 year end activity report. Sheriff Lamphere reported that there were 11 Sheriff Sales in 2009 for Foreclosures and 25 Sheriff Sales in 2010 for Foreclosures.

Sheriff Lamphere reported that Judge Bastian requested that a Deputy be present during Protection Order Hearings to keep the court proceedings in line.

Sheriff Lamphere read the Rosters of Names for the Volunteer Fire Departments that are within Butte County. They are as follows:

MEMBERS OF THE CASTLE ROCK VOLUNTEER FIRE DEPARTMENT – 2011

1. Kevin Deschamps
2. Neil Smeenk
3. Gary Wendt
4. Randy Fox
5. Pat Burke
6. Clay Olson
7. Dan Olson
8. Blayne Olson
9. Jack Orwick
10. Jim Orwick
11. James Orwick
12. Paul Erk
13. John Erk
14. Rob Fox
15. Joe Burke
16. Cody Burke
17. Mark Jensen
18. Bret Burke
19. Kenny Carlsen
20. Rory Wendt
21. JD Wendt
22. Kenny Mc Farland
23. G.B. Fishbach
24. Dan Thompson
25. Raydelle Sperle

MEMBERS OF THE NISLAND-ARPAN VOLUNTEER FIRE DEPARTMENT – 2011

1. Randy Vallery
2. Bill Heidrich
3. Stan Lewis
4. Ken Seieroe
5. Doug Clark
6. Bryce Foos
7. Joe Dell
8. Tyrel Lewis
9. Bob Lewis
10. Jake Bachman
11. Eric Lewis
12. Tom Lewis

MEMBERS OF THE VALE VOLUNTEER FIRE DEPARTMENT – 2011

1. Britton Blair
2. Chad Blair
3. Ed Blair
4. Terry Bohnet
5. Bruce Bruch
6. Joel Brunner
7. Mike Casteel
8. Ryan Casteel
9. Ian Chiller
10. Clay Cross
11. Doug Cox
12. Dale Grant
13. Mike Grubl
14. Jim Hansen
15. Scott Hymans
16. Jacob Karrels
17. Cole Ketelsen
18. John Kjellsen
19. Dale Knutson
20. Karl Knutson
21. Dave Leber
22. Phil McQuirk
23. Nicklaus Olson
24. Glen Schummer
25. Ryan Stark
26. Charles Tennis
27. Darron Trohkimoinen
28. Don Trohkimoinen
29. James Wanless
30. Fred Wells
31. Greg Wetz
32. Lyle Wetz

Sheriff Lamphere reported on the Dispatch meeting that was held with the City of Belle Fourche on January 12, 2011. Sheriff Lamphere felt that it was a productive meeting. The next meeting will be held on February 23, 2011. Sheriff Lamphere suggested that a viability study should be conducted in financial fairness to everyone in regards to a Regional Dispatch Center.

Mr. Ed Goss came before the Commissioners to voice his concern in regards to the Keystone Pipeline and or TransCanada Pipeline. Mr. Goss advised the Commissioners to take into consideration the road damages that will occur within Butte County while the project is being completed. Mr. Goss advised that a monetary bond be set high enough to cover the costs for the damages that will probably be done to the roads. No one was present from TransCanada Pipeline. No action was taken. Deputy State's Attorney Tim Vander Heide was present.

Motion by Hansen Second by Kling to go into an Executive Session at 1:56 p.m. for legal and personnel matters. Vote Unanimous. Motion Carried. Deputy State's Attorney Tim Vander Heide was also present.

Motion by Fernen Second by Harms to come out of Executive Session at 2:40 p.m. Vote Unanimous. Motion Carried. No action was taken.

The delinquent remittance in regards to the Highway Surplus Property was discussed. Deputy State's Attorney Tim Vander Heide advised the Commissioners to re-advertise the property. The original bidder had paid ½ of the outstanding balance but is unable to pay the remaining balance. A refund will be made to the original bidder less the difference of the advertising costs.

Deputy State's Attorney Tim Vander Heide and Attorney Max Main are corresponding back and forth in regards to the Union Township. No action was taken.

The Butte County Information Booklet was discussed. Deputy State's Attorney Tim Vander Heide will draft the proposed changes and this matter will come to the Commissioners for their review at the next meeting.

Highway Superintendent Don Adams came before the Commissioners to discuss Items from the Highway Department.

Mr. Tom Wing came before the Commissioners to discuss the minimum maintenance and snow concerns on the Olson Road. The Board sympathizes with Mr. Wing but Butte County will not maintain a minimum maintenance road.

A discussion was held regarding the ruined engine in the Caterpillar Skid Steer. The machine has 860 hours on it with the County only contributing 100 of those hours. Mr. Scott Gullickson Customer Account Technician from Butler Machinery Company was present for the discussion. Mr. Gullickson stated that there isn't any warranty on the engine. Butler Machinery Company is willing to offer a 10% discount on a new engine.

Motion by Kling Second by Hansen for the Highway Committee to make the best possible decision in regards to the replacement of the Engine for the Caterpillar Skid Steer. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams informed the Commissioners that 4,100 cubic yards of gravel is needed to complete the FEMA projects. Highway Superintendent Don Adams is to check with the other counties across the state to see if there is a possibility that Butte County could buy off of one of their gravel bids. This matter will be discussed at the next meeting.

Highway Superintendent Don Adams informed the Commissioners that he will set the date of Tuesday, March 1, 2011 at 11:00 a.m. to open Bids for supplies and equipment rentals for 2011.

Motion by Kling Second by Fernen to approve An Application for Kevin Fuhrer *To Construct An Approach To A County Road* on Marvin Road. Vote Unanimous. Motion Carried.

The designation of an Engineering Firm will be tabled until the next meeting.
Highway Superintendent Don Adams and the Commissioners discussed the North Indian Creek Bridge Structure (10-091-161) on Camp Crook Road.

Motion by Kling Second by Harms to approve the Final Covenants for Hidden Valley Ranch Subdivision lots 1-8 located in the NE1/4 SE1/4 & N1/2 SE1/4 SE1/4 of Section 28, T8N, R1E, B.H.M. Vote Unanimous. Motion Carried.

The proposed changes to Subdivision Ordinance No. 2005-2 Subdivision Checklist will be taken to the Planning Commission for further review.

Motion by Fernen Second by Kling to accept the Bid from K&K Kustoms to install the new steel door into the Judge's Chambers in the Butte County Courthouse. Vote Unanimous. Motion Carried.

The purchase of a snow blower for the Courthouse Complex Grounds was discussed. Commissioner Kling and Commissioner Fernen had information in regards to this purchase. The consensus was to purchase a self – propelled snow blower.

Committee Reports were given.

Motion by Hansen Second by Kling to supplement the 2011 Election Budget for the amount of \$12,127.22. This is a 2010 Title II Reimbursement from the State Held Election Fund which is held at the Secretary of State's office. Vote Unanimous. Motion Carried.

Motion by Kling Second by Hansen to adjourn the meeting at 5:35 p.m. Vote Unanimous. Motion Carried.

APPROVED BY THE COMMISSION:
Steve Smeenk, Chairman

ATTEST: Elaine Jensen, Auditor