

04/03/12

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 9:32 A.M.
April 3, 2012. Commissioners present were Harms, Hansen, Kling and Smeenck.
Commissioner Fernen was absent.

Chairman Stan Harms called the meeting to order and led the group in the
Pledge of Allegiance.

Motion by Hansen Second by Smeenck to approve the meeting agenda.
Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to approve the minutes from the March 20, 2012
Regular Commissioner's meeting and the March 30, 2012 Special Commissioner's meeting.
Vote Unanimous. Motion Carried.

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

Motion by Smeenck Second by Kling to accept the VSO report for March 2012. Vote Unanimous.
Motion Carried.

Motion by Hansen Second by Smeenck to approve the following travel requests: Ms. Paula Roberts
to attend a Custodial Seminar in Deadwood, SD on April 19, 2012; Director of Equalization Polly Odle
and Appraiser Jennifer Netterberg to attend the 2012 SDACCO Conference in Sioux Falls, SD on
May 15-18, 2012; Director of Equalization Polly Odle, Deputy Director of Equalization
Heather Schmidt and Appraiser Jennifer Netterberg to attend a Sales Ratio Workshop in Sturgis, SD
on June 7, 2012; Treasurer Debbie Lensegrav and Deputy Treasurer Tracy Monier to attend the
Spring Workshop in Pierre, SD on May 9-11, 2012 and VSO Robert Wagner to attend a Spring Mini
Training in Rapid City, SD on May 8, 2012. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Hansen to approve a refund for Robert Brownfield for the amount of
\$26.45 on parcel number 501755K. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to approve an abatement for Pauline Smith for the amount of
\$1,366.49. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to approve an abatement for Marjorie Hafner for the amount of
\$1,196.59. Vote Unanimous. Motion Carried.

Belle Fourche City Engineer Rick Schlechter presented a slide show to the Commissioners
showing the beginning to near end completion of the construction that is being done on
Helmer Road. The total amount of the project is \$183,004.66. The Commissioner's had
previously approved to contribute 25% or up to \$50,000.00 to the City of Belle Fourche to help with
repairing Helmer Road.

Department Heads came before the Commissioners to discuss the happenings within their respective
departments. A discussion was held in regards to computer service in each of the departments.

Motion by Smeenck Second by Kling to approve a Final Plat of Tract 1 and 2 located in the SW1/4 of
Section 32, T8N, R7E, B.H.M. Butte County, SD. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams came before the Commissioners to discuss the agenda items pertaining to his department.

Bryant and Carol Herman came before the Commissioners to discuss the dust on the Whitewood Valley Road. The situation is very dangerous and has become a major safety concern. The section of road that needs immediate attention is from the Belle Fourche River Bridge on Whitewood Valley Road to Vallery Road.

Motion by Kling Second by Hansen to apply two applications of Mag Water to the portion of road from the Belle Fourche River Bridge on Whitewood Valley Road to the Vallery Road. Butte County will pay 100% of one application of Mag Water. Bryant and Carol Herman agreed to pay \$500.00 towards one application. Highway Superintendent Don Adams is to contact the owners of the heavy trucks that frequently use the road asking them for monetary participation towards one application. Vote Unanimous. Motion Carried.

A proposal was submitted from Interstate Engineering and American Technical Services, Inc. for construction observation on the North Indian Creek Bridge.

Motion by Smeenck Second by Hansen to hire Interstate Engineering and American Technical Services, Inc. to observe the construction of the North Indian Creek Bridge Structure 3 days per week or on a per needed basis. This motion is contingent upon the signing of the amended Settlement Agreement and Mutual Release between Heavy Constructors, Inc. and Butte County. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to remove the 6 ton per axle load limits on the following asphalt roads: Arpan Road – 4 miles; Orman Road – 1 mile; Sourdough Road – 1 mile; Valley Township – 6 miles; Fruitdale Road – 2 miles; Gray Road – 1.1 miles; Halle Rae Road - .05 mile and Ziebach Road but leave the 6 ton per axle load limit on Helmer Road from Snoma South to Ziebach - 1.5 miles. The removal is effective immediately. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to deny an Application To Construct An Approach To A County Road on West Custer Street. The application was submitted from The Smith Ramsey Foundation. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to approve an Application For Occupancy On The Right Of Way Of County Highways for Butte Electric Cooperative, Inc. to trench an underground 7200v power line on Mail Road. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Hansen to approve an Application For Occupancy On The Right Of Way Of County Highways for Travis Schenk to install a 15" plastic pipe for an irrigation pivot on Capp Road. Vote Unanimous. Motion Carried.

Jason Hanson from Brosz Engineering, Inc. came before the Commissioners to discuss the inspection of the Horsecreek Bridge structure #10-290-351 on Dillinger Road.

Motion by Smeenck Second by Hansen to accept the recommendation of Brosz Engineering, Inc. to reduce weight restrictions by 20% from the existing posting of 11-19-18 to 9-15-14 on Horsecreek Bridge structure # 10-290-351 on Dillinger Road. The controlling factor in the weight restriction is the condition of the existing wood beams and decking not the corroded piling. Rails also need to be placed on the bridge structure. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to let bids for the Twilight Road Bridge Berm Repair project. The bids will be received in the Butte County Auditor's office until 11:00 a.m. on May 1, 2012.

The bids will then be publicly opened and read aloud at 11:00 a.m. during the Butte County Commissioner's meeting. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams reported that the automatic transmission had went out of the 1998 Ford Pickup that is used in his department. The pickup currently has 167,000 miles. The estimated cost to repair the transmission is \$1,250.00. The Commissioners told Adams to proceed with repairing the transmission.

Highway Superintendent Don Adams and Weed & Pest Coordinator Bill Erk came before the Commissioners to discuss the BLM Weed Spraying Contract. The amount awarded to Butte County is \$20,000.00.

Motion by Smeenk Second by Kling to accept the BLM Weed Spraying Contract. Voting yes were Harms, Kling and Smeenk. Commissioner Hansen voted no. Motion Carried.

The Commissioners recessed for lunch at 12:15 p.m. with the public invited

The Commissioners reconvened at 1:30 p.m.

Sheriff Lamphere distributed the Activity Report for March 2012.

Funeral Services for retired dispatcher Liz Herman will be held on Friday, April 6, 2012 at 10:30 a.m. Liz will be forever missed. On behalf of the Butte County Commissioners, heartfelt condolences are extended to the family of Liz Herman.

Sheriff Lamphere reminded the Commissioners that there will be an open house on April 11, 2012 from 1:00 p.m. – 3:00 p.m. for Telecommunications Week.

Deputy State's Attorney Tim Vander Heide came before the Commissioners to discuss the existing legal matter with Fisher Sand & Gravel. A letter has been sent to Fisher Sand & Gravel. Deputy State's Attorney Tim Vander Heide is awaiting a reply.

Motion by Smeenk Second by Hansen to pay Prairie Winds Consulting C/O Dick Loper \$2,800.00 for his initial comments pertaining to the BLM Resource Management Plan. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Hansen for Auditor Jensen to forward a copy of Mr. Loper's comments to Meade County and Harding County. Harding County is to be invoiced for \$1,000.00 and Meade County is to be invoiced for \$500.00 for Mr. Loper's services. Auditor Jensen is to deliver a copy of Mr. Loper's comments to Marian Atkins at the BLM office in Belle Fourche, SD. Vote Unanimous. Motion Carried.

Emergency Manager/E911 Coordinator came before the Commissioners to discuss the agenda items pertaining to his department.

Motion by Hansen Second by Smeenk to authorize Chairman Harms to sign the Emergency Management State and Local Agreement for the period October 1, 2011 through September 30, 2012. The amount of funds Butte County will receive is \$23,107.77 which is to be used for salary and administrative costs. The funds require a 50% non-federal match. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to add Matt Komes to the Nisland-Arpan Volunteer Fire Department Roster. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to hire Royal Spraying to do the lawn spraying and fertilizing at the Butte County Courthouse Complex for the 2012 summer season. The four step program (Queen's Request) was chosen. Royal Spraying has also been hired to do the lawn mowing and trimming at the Butte County Courthouse Complex for the 2012 summer season. Vote Unanimous. Motion Carried.

Committee Reports were given.

Motion by Hansen Second by Kling Motion to complete the following 2012 Butte County approved operation cash transfers. Vote Unanimous. Motion Carried.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
General Fund (Fund 101)	Highway Fund (Fund 201)	\$75,271.68
General Fund (Fund 101)	Fire (Fund 211)	\$ 2,112.40
General Fund (Fund 101)	Emergency Management (Fund 226)	\$41,880.00
General Fund (Fund 101)	Domestic Abuse (Fund 229)	\$ 1,052.63
General Fund (Fund 101)	Teen Court (Fund 235)	\$ 3,000.00

Motion by Smeenck Second by Hansen to supplement the approved 2012 Butte County Fire Protection Budget for \$15,000.00. The supplement is to cover the additional payment made to the Butte County Fire Protection District in January 2012 as approved by the Butte County Commission during the meeting on December 30, 2011. Vote Unanimous. Motion Carried.

Equalization Hearings for 2012 will be held on Tuesday, April 10, 2012. The hearings will start at 9:30 a.m.

Motion by Smeenck Second by Hansen to adjourn the meeting at 4:05 p.m. Vote Unanimous. Motion Carried.

SALARY

ASSESSOR'S OFFICE/PLANNING \$7,415.32, AUDITOR'S OFFICE \$10,047.32, BUILDINGS \$1,812.80, COMMISSIONERS \$5,576.86, DISPATCH \$17,836.82, EM/911 \$2,666.32, EXTENSION \$2,110.40, HIGHWAY DEPT/WEED CONTROL \$27,054.84, NURSE'S OFFICE \$2,110.40, REGISTER OF DEEDS OFFICE \$4,631.74, SHERIFF DEPT \$18,064.28, STATES ATTORNEY OFFICE \$12,307.61, TREASURER'S OFFICE \$8,950.91

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$8,522.39

SDRS RETIREMENT

BUTTE COUNTY SHARE \$7,075.07

GROUP INSURANCE

BUTTE COUNTY SHARE \$42,140.56

PROFESSIONAL SERVICES

AMY L ZOLLER REPORTING, INC. \$186.10, ARMSTRONG EXTINGUISHER SERV \$749.00, BACHMAN, RENEE \$100.00, BARKER WILSON LAW \$6,800.00, BERRETH, SETH \$10.00, BF VET CLINIC \$20.00, BH FAMILY PRACTICE \$20.00, BH FUNERAL HOME \$700.00, BH ORTH AND SPINE CEN \$25.25, BH PEST CONTROL \$5,185.00, BH SECURITY AND SYS \$419.40, BOLLWITT, RITA \$50.00, BRILL, CHRIS \$25.00, BROOKER, JACK \$285.00, BURTZLAFF, ELIZABETH \$60.00, CAMPBELL CO SHERIFF DEPT \$50.00, CAROL BUTZMAN CONSULTING SERV \$696.48, CENTURY BUSINESS PROD \$13.31, CERMAK, LISA \$50.00, CITY OF RAPID CITY \$595.00, CITY/COUNTY ALCOHOL & DRUG \$280.00, CLARK, LESLIE \$74.42, CLINICAL LABORATORY OF THE BH \$2,305.40, COMMUNITY HLTH CTR OF THE BH \$323.96, DAWSON CO SHERIFF \$25.00, DEMOS AUTO BODY & TOWING \$98.95, DENVER CO

SHERIFF \$43.05, DIETRICH, DONNA K. \$83.45, DOUBLE STAR COMPUTING \$3,162.64, FUNERAL HOME NH \$1,025.00, GRABER VOICE AND DATA INC. \$3,044.00, GORDON LAW, PC \$7,000.00, HARDISON, DEBRA \$150.00, HARKINS, CAROLYN M \$301.80, HEIDEGGER, ANGELA \$51.48, HERSRUDS \$3,037.98, HOMESTEAD MAINTENANCE \$9,235.07, HOSMER LAW OFFICE \$232.99, HUGHES CO SHERIFF DEPT \$25.00, INTERSTATE ENGINEERING \$11,672.85, INTOXIMETERS INC \$177.50, KLOPFENSTEIN MD, DAVID \$33.20, KROEZE, MURIEL \$50.74, LAFAYETTE, JASON \$51.48, LANGUAGE LINE SERVICES \$50.16, JACKSON DENTAL CLINIC \$219.75, LARIVE, JUSTIN \$51.48, LEXISNEXIS \$110.00, MAPPING AND PLANNING SPECIALIST \$4,004.12, MEADE CO AUDITOR \$31,845.00, MEADE CO SHERIFF \$25.00, MERLE'S LANDSCAPING & YARD \$518.00, MG OIL COMPANY \$12,668.22, MITCHELL, LAWRENCE \$20.00, MURPHY LAW OFFICE, P.C. \$807.94, MUTCHLER, TRICIA L \$133.00, NATIONAL SHERIFF'S ASSOCIATION \$50.00, OTERO CO SHERIFF'S OFFICE \$21.20, PENNINGTON CO AUDITOR \$246.00, PENNINGTON CO SHERIFF \$987.15, PENNINGTON CO STATES ATTOR \$200.00, PUMMEL, KELLIE \$20.00, RAPID CITY REG HOSP \$6,236.12, REGIONAL BEHAVIORAL HEALTH CTR \$424.21, REID, DIANE \$53.70, REINDL, STACI L. \$12,734.61, REYNOLDS, BRETT \$20.00, SDSU EXTENSION \$5,437.00, SD DEVELOPMENTAL CENTER \$60.00, SD POLICE CHIEF'S ASSOC \$95.00, SNYDER, BRENDA \$20.00, SD STATE ATTY ASSOC \$803.00, SODERLIN, ROBERT \$69.98, SPEARFISH EXTINGUISHER \$37.00, TRIMBLE NAVIGATION LIMITED \$389.40, TYLER TECHNOLOGIES INC \$2,772.07, VANDERMAY, VALERIE \$168.00, WALTON, APRIL \$51.48, WELLS, FRED \$9,407.82, WEST PAYMENT CENTER \$113.39, WESTERN S.D. JUVENILE SERVICES \$2,025.00, WILDE & HUNT \$298.15, YANKTON SHERIFF OFFICE \$50.00

PUBLISHING

BLACK HILLS WEEKLY GROUP \$57.00, RAPID CITY JOURNAL \$2,854.32

RENTALS

BLACK HILLS PURE INC \$77.26, CENTURY BUSINESS PROD \$504.87, DJ CONSTRUCTION & DEVELOP \$1,300.00, PITNEY BOWES GLOBAL \$456.66

REPAIR AND MAINTENANCE

A & B BUSINESS EQUIP \$136.79, BICKLE TRUCK & DIESEL SERV \$2,858.79, BUTLER MACHINE \$10,491.94, CARL'S TRAILER SALES \$40.16, CENTRAL PARTS \$387.64, CENTURY BUSINESS PROD \$283.20, EZ FAB & WELDING \$121.28, FRONTIER GLASS \$399.55, HILLS PRODUCTS GROUP \$275.84, JOHN DEERE FINANCIAL \$99.53, KONE INC \$339.32, LINDSTAD'S ALIGNMENT \$40.00, MKL PLUMBING INC \$550.00, NEWELL SERV CENTER \$40.09, RANDY'S DISCOUNT TIRES \$18.50, STURDEVANT'S AUTO PARTS \$232.22,

SUPPLIES AND MATERIALS

BROST, HAROLD \$78.20, BUTLER MACHINE \$1,276.61, BUTTE CO SHERIFF \$322.02, CBH COOPERATIVE \$1,280.92, CENTURY BUSINESS PROD \$200.00, CERTIFIED LABORATORIES \$543.25, CREATIVE PRODUCT SOURCE \$159.51, DAKOTA FLUID POWER \$99.35, DAKOTA LUMBER \$16.98, EAGLE ENTERPRISES \$420.00, FASTENAL COMPANY \$548.52, FINKBEINER FEED \$22.25, GRIMM'S PUMP & INDUSTRIAL SUPP \$93.13, HILLYARD/SIOUX FALLS \$281.10, JMS INC \$213.00, KIMBALL MIDWEST \$387.86, LAB SAFETY SUPPLY INC \$405.61, LAR-JO'S \$182.20, LYLE SIGNS INC \$1,110.56, LYNN'S DAKOTAMART \$19.77, MCLEODS \$781.36, MOTIVE PARTS \$364.51, NADA APPRAISAL GUIDES \$286.00, NEVE'S UNIFORMS INC. \$177.12, OFFICEMAX \$10.15, OFFICE EMPORIUM \$53.95, QUILL CORP \$806.04, PAMIDA \$282.63, PHARMCHEM INC \$71.00, PITNEY BOWES \$272.66, RELIABLE OFFICE SUPPLIES \$266.91, ROBERT A TELKAMP \$42.45, ROCKMOUNT RESEARCH & ALLOYS \$244.79, SAND CREEK PRINTING \$3,137.82, SD DEPT OF TRANS \$3,230.01, SERVALL UNIFORM/LINEN \$273.01, STEREOS N STUFF \$210.94, WELLS PLUMBING \$15.44, WEST TIRE \$1,684.36, WESTERN COMM INC \$200.00

TRAVEL AND CONFERENCE

BF AREA COMMUNITY CNTR \$32.00, BUTTE COUNTY SHERIFF \$1,440.42, CROSSROADS HOTEL \$93.00

UTILITIES

AT&T \$120.64, AT&T MOBILITY \$1,238.62, BH POWER & LIGHT \$3,002.81, BUTTE CO SHERIFF \$63.98, BUTTE ELECTRIC COOP \$517.06, BUTTE-MEADE SANITARY \$134.00, CENTURYLINK \$1,615.58, CITY OF BELLE FOURCHE \$281.26, GOLDEN WEST TELECOMMUNICATIONS \$23.80, JOHNSON ELECTRIC \$178.50, KNOLOGY \$700.36, MCGAS PROPANE \$547.63, MONTANA-DAKOTA UTIL \$1,699.78, REFUSE SOLUTIONS \$232.00, TOWN OF NISLAND \$64.10, WEST RIVER COOP TELEPHONE CO. \$102.10, WHEELER LUMBER \$4,961.28

APPROVED BY THE COMMISSION:

Stanley J. Harms, Chairman

ATTEST: Elaine Jensen, Auditor