

02/07/12

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 9:00 A.M.
February 7, 2012. Commissioners present were Harms, Hansen, Kling,
Fernen and Smeenk.

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

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

A Public Hearing was held at 9:00 a.m. regarding the proposed decennial revision of
commissioner districts and precinct boundaries. No one was present to comment.

Motion by Fernen Second by Hansen to pass Resolution 2012-16 which is a ***Resolution Providing for the Decennial Revision of County Commissioner District Boundaries and Precinct Boundaries in Butte County, South Dakota.*** Vote Unanimous. Motion Carried.

RESOLUTION 2012-16

A RESOLUTION PROVIDING FOR THE DECENNAL REVISION OF COUNTY COMMISSIONER DISTRICT BOUNDARIES AND PRECINCT BOUNDARIES WITHIN BUTTE COUNTY, SOUTH DAKOTA.

WHEREAS, Butte County is divided into five County Commissioner districts and,

WHEREAS, the Butte County Board of Commissioners has determined that changes in the Commissioner districts are necessary so each district shall be as regular and compact in form and practicable and contain as near as possible an equal number of residents, as determined by the 2010 Census; and,

WHEREAS, the Butte County Board of Commissioners has determined that changes in the precinct boundaries are also necessary,

WHEREAS, the Butte County Board of Commissioners has published notice for and has held the required public hearing; and

WHEREAS, commissioner districts and precincts shall be defined and denoted as shown on the attached Exhibit "A" entitled "Butte County Commissioner Districts" and on the attached Exhibit "B" entitled "Precinct Boundaries", which maps are kept and maintained in the office of the Butte County Auditor and available for public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BUTTE COUNTY, SOUTH DAKOTA:

That the redistricting maps referenced herein shall be for all purposes the official district and precinct maps for Butte County, South Dakota and that the boundaries of the commission districts and precincts shall be those set forth on such maps.

Dated this 7th day of February, 2012.

/s/: Stanley J. Harms

Stanley J. Harms

Chairperson, Butte County Board of County Commissioners

ATTEST:

/s/: Elaine Jensen

Elaine Jensen

Butte County Auditor

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

In absence of VSO Bob Wagner, Veterans Field Officer Paul Gremse presented the VSO report for January, 2012.

Motion by Hansen Second by Smeenck to approve a travel request for Civil Transport Officer Debra Jankord to attend a Law Enforcement Training in Watertown, SD on April 11-14, 2012. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to authorize a refund payable to Mr. Charles Boring on parcel number 09.6.31.13MA for the amount of \$356.08. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to authorize an abatement for Ms. Stacy Corean on parcel number 15.58.01.18 for the amount of \$1,887.70. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Hansen to authorize an abatement for Nisland Independent Community Church on parcel number 17.00.11.10 for the amount of \$508.96 and an abatement on parcel number 17.00.11.08 for the amount of \$103.14. Vote Unanimous. Motion Carried.

Motion by Kling Second by Fernen to authorize an abatement for Mr. Carl Ogaard on parcel number 49.08.2.2OD for the amount of \$366.70. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to authorize an abatement for Ms. Geraldine Heck on parcel number 08.2.27.31.3 for the amount of \$449.34. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to authorize an abatement for Mr. Dale Robinson on parcel number 15.55.05.J for the amount of \$58.52. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to authorize an abatement for Ryan & Kerbi Bowden on parcel number 15.83.01.01 for the amount of \$620.88. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to authorize an abatement for Jeanette or Scott Stearns on parcel number 09.3.32.44M for the amount of \$230.54. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to authorize an abatement for Kyle & Theresa Lewis on parcel number 88.08.2.07 for the amount of \$919.76. Vote Unanimous. Motion Carried.

Ms. Gloria Newlander did not appear to discuss a lien release request.

Department Heads reported on undertakings within their respective offices.

Motion by Hansen Second by Smeenck to authorize Chairman Harms to sign an Application Package for the Certified Floodplain Manager Program for Emergency Manager/E911 Coordinator/Floodplain Manager Percy Bekken. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to approve a final plat of Lot 1 of the Stonelake Road Subdivision located in Government Lot 4, Section 3 T8N, R5E, BHM, Butte County, South Dakota for James Mickelson. Vote Unanimous. Motion Carried.

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

The North Indian Creek Bridge Structure was discussed. No action was taken.

Highway Superintendent Don Adams and Interstate Engineer Jim Parker discussed with the Commissioners the Twilight Bridge Structure on the Moreau River. Engineered Plans for the project will be sent to Mr. Jason Bauder at the South Dakota Office of Emergency Management for FEMA's approval. The estimated cost of the project is \$51,000.00.

Motion by Smeenck Second by Hansen to extend the contract with Homestead Maintenance to April 30, 2012 for completion of the Riley Road Relocation Project. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Hansen to authorize Chairman Harms to sign Progressive Pay Estimate Number Two for the amount of \$61,337.57 payable to Homestead Maintenance. Vote Unanimous. Motion Carried.

A brief discussion was held regarding Helmer Road. No action was taken.

Motion by Hansen Second by Kling to authorize Chairman Harms to sign a Purchase Agreement between the Butte County Commission and Coughlin Recycling for the purchase of surplus scrap iron which is located at the Butte County Highway Shop in Belle Fourche, SD. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck for Highway Superintendent Don Adams to follow up on payment and removal of the bridge plank at the Fruitdale site. Payment must be received and the bridge plank must be removed by March 1, 2012. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams gave an update on the GPS units in the blades.

Highway Superintendent Don Adams reported the fuel prices.

The Commissioners and Highway Superintendent Don Adams discussed other road issues and concerns.

The Commissioners recessed for lunch at 11:55 a.m. with the public invited.

The Commissioners reconvened at 1:32 p.m.

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

Sheriff Lamphere distributed the Activity Report for January 2012.

Sheriff Lamphere discussed the utilization of the Critical Incident (Crisis) Center in Rapid City, SD for Butte County mental occurrences. An informational presentation will be held at a later date to learn more about the center.

Mr. Ed Baker came before the Commissioners to discuss the Bridge on Hanger Lane. No action was taken.

Motion by Hansen Second by Smeenck to go into an Executive Session at 1:45 p.m. with Deputy State's Attorney Tim Vander Heide regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Kling Second by Ferner to come out of Executive Session at 2:40 p.m. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to set the first reading of the Address Fee Ordinance 2012-1 for Tuesday, February 21, 2012. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to direct State's Attorney Heather Plunkett to not proceed with redemption of Bradseth/American Baptist Churches of the Dakotas. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to authorize Chairman Harms to sign 2012 Memorandum Of Understanding between SDSU Extension and Butte County, SD. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to renew the 2012 Public Defender Contracts on same terms and conditions as applied in 2011. Vote Unanimous. Motion Carried.

Commissioner Smeenck extended a special thank you to Sheriff Fred Lamphere, Emergency Manager/E911 Coordinator Percy Bekken and the entire Butte County Fire Protection Members for the outstanding support and effort that was shown during the fire that destroyed the Prairie Rose building in Newell, SD on Thursday, January 19, 2012.

Emergency Manager/E911 Coordinator Percy Bekken and Mr. Fred Wells came before the Commissioners to discuss the Butte County Pre-Disaster Mitigation Plan.

Motion by Hansen Second by Smeenck to amend Resolution 2012-15. Vote Unanimous. Motion Carried.

**BUTTE COUNTY
RESOLUTION 2012-15**

The Butte County Board of Commissioners deems it advisable and in the best interest of Butte County to approve the Pre-Disaster Mitigation Plan, December 2010, as amended in change one.

PASSED AND APPROVED THIS 7TH DAY OF FEBRUARY 2012.

BOARD OF BUTTE COUNTY
COMMISSIONERS

/s/: Stanley J. Harms
STANLEY J. HARMS, CHAIRMAN

ATTEST: /s/: Elaine Jensen
ELAINE JENSEN
BUTTE COUNTY AUDITOR

Committee Reports were given.

Assistant Fire Chief Doug Cox from Vale, SD extended a special thank you to the Commissioners for the additional fire funding for 2012.

A Public Hearing was held on Tuesday, February 7, 2012 at 4:00 p.m. to consider a temporary malt beverage license for the Vale Fire Department for use on Saturday, February 11, 2012. Those present were Doug and Reva Cox from Vale, SD. No one was present to oppose the license.

Motion by Smeenck Second by Hansen to grant the one day temporary retail (on-off sale) malt beverage license for Saturday, February 11, 2012. Vote Unanimous. Motion Carried.

Assistant Fire Chief Doug Cox told the Commissioners that the Vale Fire Department would pay for the advertising costs for the public hearing notice.

Motion by Kling Second by Hansen to adjourn the meeting at 4:03 p.m. Vote Unanimous. Motion Carried.

SALARY

ASSESSOR'S OFFICE/PLANNING \$11,270.21, AUDITOR'S OFFICE \$14,482.03, BUILDINGS \$2,714.80, COMMISSIONERS \$8,434.06, DISPATCH \$32,502.39, EM/911 \$3,960.65, EXTENSION \$3,070.40, HARKINS, CAROLYN M \$249.40, HIGHWAY DEPT/WEED CONTROL \$36,491.60, NURSE'S OFFICE \$3,134.40, REGISTER OF DEEDS OFFICE \$7,252.32, SHERIFF DEPT \$26,187.12, STATES ATTORNEY OFFICE \$17,670.94, TREASURER'S OFFICE \$13,349.63, VETERAN SERVICE OFFICE \$1,779.93

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$13,020.60

SDRS RETIREMENT

BUTTE COUNTY SHARE \$10,512.88

GROUP INSURANCE

BUTTE COUNTY SHARE \$37,569.42, COMPUTER SOFTWARE ASSOC \$375.84

PROFESSIONAL SERVICES

ADAMS, RAMONA ANN \$48.00, ANLIKER, MARTI MARIE \$50.00, APCO INTERNATIONAL INC \$69.00, APPLE TIME INC \$183.44, BACHMAN, RENEE 250.00, BARKER WILSON LAW FIRM LLP \$3,400.00, BELLE FOURCHE CHAMBER OF COMM \$50.00, CAROL BUTZMAN CONSULTING SER \$676.48, CERMAK, LISA \$100.00, BH FAMILY PRACTICE \$282.50, BICKLE TRUCK & DIESEL SERVICE \$75.34, BIEGLER, GREG \$120.00, BROOKER, JACK \$419.60, BUTTE CO SHERIFF'S OFFICE PET \$8.40, CARLSON, JEAN M. \$18.75, CITY/COUNTY ALCOHOL & DRUG \$400.00, CITY OF RAPID CITY \$385.00, CODY, DENISE \$15.00, DAKOTABILITIES \$180.00, DEMOS AUTO BODY & TOW \$50.00, DIETRICH, DONNA K. \$148.94, DJ CONST & DEVELOP \$650.00, FIRST DIST ASSOC OF LOCAL \$48.00, GOLDEN WEST TELECOMM \$23.45, GORDON LAW, PC \$3,500.00, GREENTREE PSYCHO SERV \$225.00, HARDISON, DEBRA \$150.00, INTERSTATE ENGINEERING \$1,685.00, JOCHIM, KILEE \$715.53, LEXISNEXIS \$110.00, LYON CO CLERK OF CTS \$11.00, MARSHALL & SWIFT \$438.10, MEADE CO AUDITOR \$11,825.00, MERLE'S LANDSCAPING & YARD SER \$37.12, MIDSTATES ORGANIZED CRIME INFO \$100.00, MILLER, RONDA \$353.34, MUTCHLER, TRICIA L \$78.20, PENN CO AUDITOR 69.00, PENN CO JAIL \$663.75, PHARMCHEM INC \$42.00, PRIMERO INS \$80.00, RAPID CITY REG HOSP \$2,051.46, REG BEHAVIORAL HEALTH \$126.07, REINDL, STACI L. \$5,500.00, SD PUBLIC ASSURANCE \$79,365.36, SD SEC OF STATE \$60.00, SLOWEY COURT REPORT SERV \$27.50, STURGIS REG HOSP \$322.36, SWANDA, KAREN \$15.00, TRIMBLE NAVIGATION LIMITED \$149.70, WELD CO COURT \$45.00, WESTERN SD JUVENILE SERV \$1,505.00, WILDE & HUNT \$1,086.38, WOLFF LAW OFF PLLC \$349.00, YANKTON CO TREAS \$103.75, YANKTON SHERIFF OFFICE \$25.00

PUBLISHING

BH PIONEER \$122.00, RAPID CITY JOURNAL \$1,513.70, WEST PMT CENTER \$449.99,

RENTALS

BLACK HILLS PURE INC \$75.36, PITNEY BOWES GLOBAL \$456.66,

REPAIR AND MAINTENANCE

A & B BUSINESS EQUIPMT \$123.28, BUTLER MACHINERY \$4,338.83, CENTURY BUSINESS PROD \$598.97, DAKOTA FLUID POWER INC \$240.00, HERSRUDS OF BF \$103.67, JOHN DEERE FINANCIAL \$155.95, JT VEHICLE SYSTEMS \$70.00, MAPPING & PLANNING SPECIALIS \$5,217.50, MARSHALL CONST \$65.00

SUPPLIES AND MATERIALS

212-79 SERVICE CENTER \$42.34, BELLE FLOWER SHOP \$57.50, BENTZ EQUIPMENT \$255.00, BUTTE CO SHERIFF \$638.02, CBH COOPERATIVE \$2,949.51, CENTRAL PARTS \$33.59, COUNTY DRUG \$12.10, DAKOTA LUMBER \$24.49, DIGITAL ALLY INC \$4,995.00, FASTENAL COMPANY \$51.90, GALLS \$403.98, HILLYARD/SIOUX FALLS \$280.54, LYNN'S DAKOTAMART \$171.59, MCLEODS \$90.07, MCPHERSON PROPANE \$25.00, MG OIL COMPANY \$9,269.43, MOTIVE PARTS & SUPPLY \$59.22, MOTOROLA \$12,696.35, OFFICE DEPOT \$101.32, OFFICE EMPORIUM \$22.00, QUILL CORP \$303.75, PAMIDA \$93.23, PIZZA HUT \$47.47, POSY PALACE \$26.50, REDWOOD BIOTECH INC \$71.50, ROBERT A TELKAMP \$18.90, ROCKINGTREE LANDSCAPES INC \$78.00, ROCKMOUNT/NASSAU \$243.94, ROUNDUP BUILDING CENTER \$10.50, SAND CREEK PRINTING \$1,508.62, SD ASSN CO HWY SUPTS \$195.00, SD ATTORNEY GENERAL'S OFFICE \$75.00, SD DEPT OF REV AND REG \$126.10, SD DEPT OF TRANS \$4,633.69, SERVALL UNIFORM/LINEN \$988.22, STEREOS N STUFF \$4.99, STURDEVANT'S AUTO PARTS \$113.90, TEE'S PLUS \$14.00, TOWN OF NISLAND \$64.10, TWILIGHT, INC \$114.75, TYLER TECHNOLOGIES INC \$4,630.45, WEST TIRE \$50.00, WESTERN COMM INC \$800.00, WINNER'S CIRCLE \$70.00, USPS \$133.95

TRAVEL AND CONFERENCE

WEED AND PEST CONFER \$500.00

UTILITIES

AT&T \$58.19, AT&T MOBILITY \$625.57, BH POWER & LIGHT CO \$2,675.41, BUTTE ELECTRIC COOP \$490.77, BUTTE-MEADE SANITARY \$65.00, CENTURYLINK \$1,614.14, CITY OF BELLE FOURCHE \$160.20, KNOLOGY \$713.37, MCGAS PROPANE \$502.42, REFUSE SOLUTIONS INC \$116.00, WEST RIVER COOP TELEPHONE CO. \$100.09,

OTHER

APPROVED BY THE COMMISSION:

Stanley J. Harms, Chairman

ATTEST: Elaine Jensen, Auditor