

07/17/12

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 1:08 P.M.

July 17, 2012. Commissioners present were Harms, Hansen, Kling, Fernen and Smeenk. Mr. James Ager and Mr. Doug Mednansky were also present.

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

Butte County Community Health Nurse Linda Hoxie came before the Commissioners and presented a Quarterly Report for April, May and June 2012. The report included information regarding the WIC program and also general public health office activities.

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

Motion by Fernen Second by Hansen to approve the minutes from the July 3, 2012 Regular Commissioner's meeting. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to approve the Auditor's Monthly Settlement with Treasurer report for June 30, 2012. Vote Unanimous. Motion Carried.

AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER

**BUTTE COUNTY
June 30, 2012**

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$	1,229,882.32	
Wells Fargo Savings		656,178.37	
Northern Hills FCU		188,791.13	
Pioneer Bank & Trust		395,579.00	
Simply Service Federal Credit Union		5.68	
Total Checking/Savings Accounts		<hr/>	\$ 2,470,436.50

INVESTOR ACCOUNTS

First Interstate Bank Account	\$	432,132.95	
Wells Fargo Investment Account		0.00	
Total Investor Accounts		<hr/>	\$ 432,132.95

CERTIFICATE OF DEPOSIT

First Interstate	\$	232,945.71	
SSFCU		252,672.93	
PB&T		1,576,434.43	
Total Certificates of Deposit		<hr/>	\$ 2,062,053.07

Cash on Hand 1,500.00

Cash Items 0.00

Postage Meter/Postage 0.00

Butte County Economic Development 76,703.70

Sheriff Drug Seizure 0.00

Sheriff Credit Card Account 1,500.00

Butte County Emergency / Sheriff

 0.00

TOTAL CASH ACCOUNTS \$ **5,044,326.22**

/s/ Elaine Jensen 07/16/2012
COUNTY AUDITOR SIGNATURE DATE

/s/ Debra Lensegrav 07/16/2012
COUNTY TREASURER SIGNATURE DATE

Motion by Hansen Second by Smeenk to accept the County Lien report for June 2012.
Vote Unanimous. Motion Carried.

**LIEN REPORT
BUTTE COUNTY**

	<i>EXPENSES JUNE 2012</i>	<i>EXPENSES YTD</i>	<i>RECOVERED JUNE 2012</i>	<i>RECOVERED YTD</i>
<i>CAA/PUBLIC DEFENDER</i>	\$ 26,376.51	\$ 90,983.80	\$ 4,879.26	\$ 34,411.62
<i>JAIL</i>	\$ 16,654.18	\$ 104,916.28	\$ 1,990.00	\$ 5,918.57
<i>POOR LIEN</i>	\$ 0.00	\$ 8,123.72	\$ 20.00	\$ 1,057.66
<i>REGIONAL JUVENILLE DETENTION</i>	\$ 450.00	\$ 43,381.85	\$ 25.00	\$ 65.00

The following liens for June have been applied:

COMMISSIONER REPORT
Liens for June

Abuse & Neglect	\$ 5,221.45	A&N
Abdallah, Nathan	\$ 350.65	CAA
Bartlett, Jabyn	\$ 334.70	CAA
Boggs, William	\$ 131.20	CAA
Bonefield, Brianna	\$ 638.75	CAA
Brown, Rusty	\$ 997.50	CAA
Brownback, Diane	\$ 396.00	CAA
Campbell, Leo	\$ 223.40	CAA
Carlson, Kevin	\$ 469.10	CAA
Churchwell, Mark	\$ 604.54	CAA
Coleman, Timothy	\$ 476.20	CAA
Counts, Richard	\$ 781.00	CAA
Cudmore, Christopher	\$ 460.35	CAA
Daugherty, Collin	\$ 739.95	CAA
Everett, Branwen	\$ 559.65	CAA
Feather, Enoch	\$ 312.55	CAA
Feather, Enoch	\$ 330.00	JAIL
Fedderson, Kyle	\$ 55.00	JAIL
Figueroa, Antonio	\$ 2,474.75	JAIL
Flanders, David	\$ 55.00	JAIL
Fox, Kathryn	\$ 207.58	CAA
Garza, Abel, Jr	\$ 550.00	JAIL
Garza, Margarito	\$ 393.45	CAA
Gaustad, Jerome	\$ 330.00	JAIL
Groves, Bryce	\$ 42.10	CAA
Hayward, Nickolaus	\$ 345.10	CAA
Hayworth, Gary	\$ 89.20	CAA
Hernandez, Brandon	\$ 293.80	CAA
Hernandez, Desiree	\$ 264.00	CAA
Jensen, Brian	\$ 496.50	CAA
Johnson, Jacob	\$ 934.18	CAA
Jones, Jennifer	\$ 278.80	CAA
Jurisch, Michael	\$ 87.50	CAA
Juvenile	\$ 1,467.73	JUV
Linneman, Russell	\$ 227.60	CAA
Loma-Ramirez, Feliciano	\$ 261.00	CAA
Long, Victor	\$ 1,535.40	CAA
McNew, Katheryn	\$ 364.35	CAA
Martin, Mark E	\$ 639.85	CAA
Miles, Josiah	\$ 618.50	CAA
Miranda, Justin	\$ 365.35	CAA
Miranda, Raynaldo, Jr	\$ 775.60	CAA
Mitchell, Larry	\$ 289.40	CAA
Mitchell, Thomas	\$ 309.40	CAA
Mitchell, Timothy	\$ 123.00	CAA
Moyer, Justin	\$ 147.60	CAA

Nehmer, Paul	\$ 1,408.19	CAA
Odle, Lucas	\$ 1,099.95	CAA
Overstreet, Dever	\$ 775.10	CAA
Peters, James	\$ 205.95	CAA
Poindexter, Billy	\$ 392.30	CAA
Prater, Jonathan	\$ 57.40	CAA
Rafael, Alicia	\$ 144.95	CAA
Reed, Michael	\$ 236.00	CAA
Romey, McKala	\$ 155.80	CAA
Sell, Terry	\$ 233.95	CAA
Slutz, Phillip	\$ 41.00	CAA
Staley, Danielle	\$ 290.35	CAA
Staley, Jarred	\$ 434.30	CAA
Staley, Jesse	\$ 1,048.50	CAA
Strohfus, Toby	\$ 329.40	CAA
Thompson, James E	\$ 4,322.64	CAA
Torres, Daniel	\$ 131.20	CAA
Wheeler, Jonathan	\$ 1,967.71	CAA
TOTAL	\$ 40,323.42	

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

Motion by Hansen Second by Smeenk to accept the Register of Deed's report for June 2012. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to approve a travel request for Deputy Brunner and Sheriff's Administrative Assistant Ragine Hendrickson to attend a LEDS Training in Sioux Falls, SD on September 19-21, 2012. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Hansen to refund Ms. Kay Hall \$874.56 for overpayment of taxes due to a duplicate tax bill on parcel number 17.00.06.07. Vote Unanimous. Motion Carried.

Belle Fourche City Mayor Gary Hendrickson, Mr. Wade Pehl, Mr. Jim Doolittle, Dr. John Jackson and Mr. Todd Tobin – Business Development Representative from the Governor's Office of Economic Development came before the Commissioners to discuss the creation of the Butte County Regional Railroad Authority. The creation of a Railroad Authority would be a benefit to the Belle Fourche Industrial Rail Park.

Motion by Hansen Second by Fernen to adopt Resolution 2012-23 and set a public hearing for Tuesday, August 7, 2012 at 3:00 p.m. Vote Unanimous. Motion Carried.

RESOLUTION No. 2012-23

**A RESOLUTION PROVIDING FOR A PUBLIC HEARING ON THE
CREATION OF THE BUTTE COUNTY REGIONAL RAILROAD
AUTHORITY**

BE IT RESOLVED by Butte County, South Dakota that a hearing shall be held on August 7, 2012 for hearing public comment on the creation of the Butte County Regional Railroad Authority which will encompass the jurisdiction of the County and that the County Auditor shall cause to be published notice to be published not less than 10 days prior to the hearing.

/s/: Stanley J. Harms

Chairman

ATTEST:

/s/: Elaine Jensen
County Auditor

Motion by Smeenck Second by Fernen to donate \$20,000.00 from the CDBG money that is held by Butte County to the City of Belle Fourche for development of the Belle Fourche Industrial Rail Park. Vote Unanimous. Motion Carried.

State's Attorney Heather Plunkett came before the Commissioners to discuss the items on the agenda pertaining to her department.

A discussion was held on the legal procedures to vacate a section line between Section 32 and Section 33, T9N, R2E, B.H.M. Butte County, SD.

A brief discussion was held regarding the necessary road closures that need to be completed so a new Butte County Road Atlas can be drafted.

Motion by Hansen Second by Kling to go into an Executive Session at 2:15 p.m. with State's Attorney Heather Plunkett for legal matters including the Ambulance District, Fisher Sand & Gravel and the Emergency Access for Belle View Acres. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Hansen to come out of Executive Session at 3:13 p.m. Vote Unanimous. Motion Carried. No action was taken.

Highway Superintendent Don Adams came before the Commissioners to discuss items on the agenda pertaining to the Highway Department.

Highway Superintendent Don Adams presented the Commissioners with some pictures of the North Indian Creek Bridge Structure. The construction of the bridge is moving ahead.

Motion by Hansen Second by Kling to authorize Chairman Harms to sign an *Application and Certificate For Payment – Architect's Certificate For Payment* to Heavy Constructors, Inc. for the amount of \$200,152.78. The balance remaining upon completion of the bridge structure is \$209,847.22. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to approve an Application To Construct An Approach To A County Road as a Variance for Monte Howrey on Youngberg Road. The access was granted for farm use. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams discussed the 2013 Balloon Payment that is due on May 23, 2013 for the 928 GZ Cat Loader. This is a budget item and will be discussed during the preparation of the 2013 budget.

Gravel was discussed but no action was taken.

The Commissioners and Highway Superintendent Don Adams discussed additional highway items and concerns.

Sheriff Lamphere came before the Commissioners and distributed the Activity Report for June 2012.

Motion by Smeenck Second by Fernen to give financial support of \$15,000.00 effective immediately to Butte County Fire Protection to help with the cost of fighting the excessive grass fires in Butte County. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to appoint Sheriff Fred Lamphere and Emergency Manager/E911 Coordinator Percy Bekken as the two representatives to represent Butte County for the 2012 Homeland Security Grant. Voting yes were Harms, Hansen, Kling and Smeenck. Voting no was Fernen. Motion Carried. The Regional Manager will be Brent Kolstad from Rapid City, SD.

Motion by Hansen Second by Kling to pay Rushmore Communications, Inc. \$3,967.00 from the 2010 Homeland Security Grant. Vote Unanimous. Motion Carried.

A discussion was held regarding the 2013 budget.

Committee Reports were given.

Motion by Smeenck Second by Hansen to adjourn the meeting at 4:45 p.m. Vote Unanimous. Motion Carried.

SALARY

ASSESSOR'S OFFICE/PLANNING \$6,448.12, AUDITOR'S OFFICE \$10,604.09, BUILDINGS \$1,812.80, COMMISSIONERS \$5,576.86, DISPATCH \$23,489.51, EM/911 \$2,686.32, EXTENSION \$2,110.40, HIGHWAY DEPT/WEED CONTROL \$29,605.49, NURSE'S OFFICE \$2,110.41, REGISTER OF DEEDS OFFICE \$4,743.58, SHERIFF DEPT \$18,333.03, STATES ATTORNEY OFFICE \$14,086.74, TREASURER'S OFFICE \$9,008.60, VETERAN SERVICE OFFICE \$1,198.26

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,294.18

SDRS RETIREMENT

BUTTE COUNTY SHARE \$7,471.39

GROUP INSURANCE

BUTTE COUNTY SHARE \$51,824.56

PROFESSIONAL SERVICES

APEX COURT REPORTING \$291.00, BACHMAN, RENEE \$300.00, BARKER WILSON LAW \$3,400.00, BH FAMILY PRACTICE \$10.00, BH SECURITY \$331.58, BH VISION CARE \$156.00, BRILL, CHRIS \$90.00, BROOKER, JACK \$255.00, BO'S LAWN SYS \$84.00, BUTTE CO SHERIFF \$543.33, CAMPELL CO SHERIFF \$100.00, CAROL BUTZMAN CONSUL \$265.26, CLERK OF CIRCUIT CRIMINAL DIV \$12.00, CITY/COUNTY ALCOHOL & DRUG \$1,830.00, CLINICAL LAB OF THE BH \$1,629.00, CODY, DENISE \$15.00, DAKOTABILITIES \$180.00, DANKO EMERGENCY EQUIP \$5,750.00, DIETRICH, DONNA \$148.95, DINNELL \$392.71, DOUBLE STAR COMPUTING \$1,880.23, DSS DRUG SCREENING \$135.00, ECOLAB \$482.50, ELECTION SYSTEMS & SOFTWARE \$3,369.71, ELLENDORF \$11.42, FISH, VERONICA \$79.80, FITZPATRICK, VIRGINIA \$50.00, GEHRINGER, CINDY \$100.00, GORDON LAW \$1,192.75, HARDISON, DEBRA \$250.00, INTERSTATE ENGINEERING \$4,706.60, KLINE-FROST FUNERAL \$430.00, LEROY HILL LAW \$739.95, LEXISNEXIS \$110.00, LYLE SIGNS \$90.21, MCARTHUR, JANET \$50.00, MEADE CO AUDITOR \$19,360.00, OCCUPATIONAL HEALTH NETWK \$50.00, PENN CO AUDITOR \$96.00, PENN CO STATES ATT \$200.00, PENN CO SHERIFF \$139.20, RADIOLOGY ASSOCIATES \$66.00, RAPID CITY REG HOSPITAL \$1,618.68, REG HEALTH PHYSICIANS \$308.00, REINDL, STACI \$5,500.00, SD DEVELOPMENTAL CENTER \$60.00, SD OFFICE OF EMG MGT \$7,256.33, SD ASS'N OF CO COMM \$2,872.71, SEMERAD, SANDRA \$91.20, SLOWEY COURT REPORTING SERV \$27.50, SPEARFISH EYE CARE CTR \$117.00, STURGIS REG HOSP \$59.41, KAREN SWANDA \$15.00, TRIMBLE NAVIGATION LTD \$239.70, TYLER TECH INC \$2,818.76, WESTERN SD JUVENILE SERV \$562.50, YANKTON SHERIFF OFFICE \$25.00, YANKTON CO TREAS \$103.75

PUBLISHING

BH PIONEER \$179.00, BH WEEKLY GROUP \$36.00, RAPID CITY JOURNAL \$2,440.85

RENTALS

CENTURY BUSINESS PROD \$555.01, DJ CONST & DEV \$650.00, PITNEY BOWES \$456.66, BH PURE INC \$105.49

REPAIR AND MAINTENANCE

A & B BUSINESS \$212.23, BICKLE TRUCK & DIESEL SERV \$200.92, BUCHHOLZ FENCING \$440.00, ENDURANCE POWER PROD \$644.00, FRONTIER GLASS \$117.98, HERSRUDS \$30.19, HOMESTEAD MAINTENANCE \$311.22, JOHN DEERE FINANCIAL \$87.59, KONE INC. \$356.96, LINDSTAD'S ALIGNMENT \$731.91, MARSHALL CONSTRUCTION \$520.00, MKL PLUMBING INC \$384.69, NEWELL SERV CTR \$26.48, ROSS RENTALS \$75.00, ROYAL SPRAYING SERV \$375.00, STURDEVANT'S AUTO PARTS \$82.72, WEST PAYMENT CTR \$113.39, WESTERN STAR \$60.00, WELLS PLUMBING \$2.77, WEST TIRE \$125.44

SUPPLIES AND MATERIALS

BELLE FLOWER \$107.50, BUTLER MACHINE \$3,297.78, CENTURY BUSINESS \$157.39, CERTIFIED LABS \$403.33, DAKOTA LUMBER \$655.85, DAKOTA SECURITY SYS \$375.00, FASTENAL COMPANY \$135.70, FINKBEINER FEED \$508.47, GREAT NORTH AMERICAN \$60.95, HERSRUDS \$58.15, HILLS MATERIALS \$1,110.80, HILLYARD \$129.72, K BAR J ENTERPRISES \$150.00, KARL'S \$559.98,

KIMBALL MIDWEST \$200.07, LYNN'S DAKOTA MART \$40.56, MERCHANTS CAPITAL \$113,979.65, MG OIL \$11,674.08, MOTIVE PARTS \$776.28, MOTOROLA \$10,093.20, NEWELL RANCH SUPPLY \$36.99, OFFICE EMPORIUM \$11.98, OFFICEMAX \$44.70, PAMIDA \$806.58, POWER PLAN \$144.62, QUILL \$349.81, RAGAN COMM \$26.95, ROUNDUP BUILDING CENTER \$5.89, SAND CREEK PRINT \$599.94, SDAAO \$150.00, SERVALL \$416.62, STADIUM SPORTS GRILL \$229.10, STEREOS N STUFF \$190.97, THOMPSON PUBLISHING GROUP \$399.00, USPS \$45.00, WHEELER LUMBER 8,379.68, Z & S DUST CONTROL \$10,354.50

CONFERENCE

CLUBHOUSE HOTEL \$92.00

UTILITIES

AT&T \$57.80, AT&T MOBILITY \$807.64, BLACK HILLS POWER \$3,053.57, BUTTE ELECTRIC COOP \$162.09, BUTTE-MEADE SANITARY \$65.00, CENTURYLINK \$1,641.99, CITY OF BELLE FOURCHE \$206.48, GOLDEN WEST TELECOMMUNICATIONS \$23.45, KNOLOGY \$744.10, REFUSE SOLUTIONS INC \$116.00, TOWN OF NISLAND \$64.44, WEST RIVER COOP \$102.13

OTHER

CENTRAL PARTS \$176.43

APPROVED BY THE COMMISSION:

Stanley J. Harms Chairman

ATTEST: Elaine Jensen, Auditor