

06/19/12

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 1:00 P.M.  
June 19, 2012. Commissioners present were Hansen, Fernen and Smeenk.  
Commissioner Harms and Commissioner Kling were absent.

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

Motion by Smeenk Second by Fernen to approve the amended meeting agenda which includes the addition of discussing the placement of a cattle guard on Butte County owned property. The discussion will be held during the Highway Superintendent's time. Vote Unanimous. Motion Carried.

Motion by Fernen Second by Smeenk to approve the minutes from the June 8, 2012 Regular Commissioner's meeting. Vote Unanimous. Motion Carried.



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

**LIEN REPORT  
BUTTE COUNTY**

	<i><b>EXPENSES MAY 2012</b></i>	<i><b>EXPENSES YTD</b></i>	<i><b>RECOVERED MAY 2012</b></i>	<i><b>RECOVERED YTD</b></i>
<i><b>CAA/PUBLIC DEFENDER</b></i>	\$ 10,824.43	\$ 64,607.29	\$ 6,381.85	\$ 29,532.36
<i><b>JAIL</b></i>	\$ 17,358.01	\$ 88,262.10	\$ 1,305.48	\$ 3,928.57
<i><b>POOR LIEN</b></i>	\$ 402.74	\$ 8,123.72	\$ 0.00	\$ 1,037.66
<i><b>REGIONAL JUVENILLE DETENTION</b></i>	\$ 34,001.85	\$ 42,931.85	\$ 0.00	\$ 40.00

The following liens for May have been applied:

COMMISSIONER REPORT  
Liens for May

Abuse & Neglect	\$ 850.04	A&N
Bald Eagle, David	\$ 110.00	JAIL
Brooks, Katherine	\$ 496.80	CAA
Collins, James	\$ 55.00	JAIL
Dominguez, Jose	\$ 6,976.12	JAIL
Dubray, Emilo	\$ 55.00	JAIL
Dubois, Lacy	\$ 55.00	JAIL
Dunham, Trisha	\$ 50.00	JAIL
Duran, William	\$ 40.00	JAIL
Durst, Larry	\$ 275.00	JAIL
Eatherton, Patrick	\$ 55.00	JAIL
Elmore, Michael	\$ 1,666.50	JAIL
Endicott, Skye	\$ 55.00	JAIL
Erfman, Paul	\$ 55.00	JAIL
Estrada, Enrique	\$ 1,200.00	JAIL
Etherton, Forrest	\$ 55.00	JAIL
Haynes, Michael	\$ 236.94	CAA
Peck, Misty	\$ 220.00	JAIL
TOTAL	\$12,506.40	

Motion by Smeenck Second by Fernen to approve the bills for payment but void check number 82694 payable to Kline-Frost Funeral Chapel. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Fernen to accept the Register of Deed's report for May 2012. Vote Unanimous. Motion Carried.

There were no travel requests.

Motion by Fernen Second by Smeenck to declare the taxes uncollectible on parcel number 22821 for John F. McInerney for the years 2008 and 2009. The total amount is \$98.60. The mobile home is uninhabitable. Vote Unanimous. Motion Carried. Mr. Tyler Fritz was present.

Commissioner Kling arrived at 1:40 p.m.

Sheriff Lamphere came before the Commissioners to give an update on the happenings within his department.

State's Attorney Heather Plunkett and Deputy State's Attorney Cassie Bennett came before the Commissioners to address the items on the agenda pertaining to the State's Attorney.

Motion by Smeenk Second by Kling to approve Resolution 2012-21 to Cancel Outstanding Checks in the Butte County Register of Deeds. Vote Unanimous. Motion Carried.

**RESOLUTION 2012-21**

**RESOLUTION TO CANCEL OUTSTANDING CHECKS  
BUTTE COUNTY REGISTER OF DEEDS  
SDCL 7-22-17**

<b>Check Number</b>	<b>Date</b>	<b>Amount</b>	<b>Payee</b>
2391	08/22/2007	\$ 4.00	Kennedy, Rokahr, Pier, Knoff
2395	09/28/2007	\$ 3.00	Mardella Gonzalez
2480	01/14/2009	\$ 1.00	Aurora Loan Service
2509	07/01/2009	\$12.00	Jana Meyers
2556	04/22/2010	\$10.00	Northern Hills Federal Credit Union
2585	10/14/2010	\$ 10.00	Charles Crago

Dated this 19th day of June, 2012.

Butte County Board of Commissioners

/s/: Ken Hansen  
Ken Hansen  
Vice Chairperson

ATTEST:

/s/: Elaine Jensen  
Elaine Jensen  
Butte County Auditor

Motion by Fernen Second by Kling to go into an Executive Session at 1:57 p.m. with State's Attorney Heather Plunkett and Deputy State's Attorney Cassie Bennett regarding legal matters. Vote Unanimous. Motion Carried. Treasurer Lensegrav was present.

Commissioner Fernen left the meeting at 2:25 p.m.

Treasurer Lensegrav left the meeting at 2:30 p.m.

Motion by Kling Second by Smeenck to come out of Executive Session at 3:05 p.m. Vote Unanimous. Motion Carried.

The Butte County Commissioners received an official Notice of Termination from Gordon Law, PC to discontinue the Court Appointed Attorney Contract between himself and Butte County for representation of indigents.

Motion by Smeenck Second by Kling to allow Attorney Brad Gordon to assign his portion of the Court Appointed Attorney Contract to Attorney John Dill for the remainder of 2012. Vote Unanimous. Motion Carried.

No action was taken on Tax Sale Certificate – Parcel No. 09.8.06.4 for Kristal Lewis. State's Attorney Heather Plunkett will do more research into this matter.

Mr. Matt Stoltenberg – Rangeland Scientist and Mr. Tim Reich came before the Commissioners to discuss the Belle Fourche River Watershed Groundwater Compilation Project.

In order to complete the first portion of the project they are asking for commitments of \$6,000.00 from Butte County, City of Belle Fourche, Lawrence County and the City of Sturgis. Meade County and the City of Spearfish has each committed \$6,000.00.

Motion by Smeenck Second by Kling to commit \$6,000.00 to the Belle Fourche River Watershed Groundwater Compilation Project. Vote Unanimous. Motion Carried.

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

Motion by Kling Second by Smeenck to authorize Vice Chairman Hansen to sign the Joint Powers Agreement for Weed Spraying Services between the State of South Dakota Department of Transportation and Butte County. The Agreement will commence on June 1, 2012 and will end on September 28, 2012. Vote Unanimous. Motion Carried.

The North Indian Creek Bridge Structure was discussed. Highway Superintendent Don Adams reported that construction on the bridge is underway.

Motion by Smeenck Second by Kling to approve an Application To Construct An Approach To A County Road for Randi Stairs on Arpan Road. The access is for residential use. The culvert on the approach must be of an appropriate size and be approved by Highway Superintendent Don Adams. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to approve an Application To Construct An Approach To A County Road for Dakota Ranches on Snoma Road. The access is for field use. The culvert on the approach must be of an appropriate size and be approved by Highway Superintendent Don Adams. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to approve an Application To Construct An Approach To A County Road for Mr. Harold Dodson on Lewis Road. The access is for field use. The application is being granted as a variance because of topography. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to approve a South Dakota Department of Transportation Construction Change Order No 1F on Project No BRF 6313 (07). The net change is \$402.60. This is for two box culverts on the Camp Crook Road. Vote Unanimous. Motion Carried.

The Commissioners and Highway Superintendent Don Adams discussed the placement of a cattle guard on the road going into the property owned by Butte County off of Summit Street. A gate will be placed over the cattle guard and will be locked at all times and monitored by the Highway Superintendent. The Commissioners invite contractors and individuals to dump excess clean fill dirt with absolutely no debris on the property.

Motion by Smeenck Second by Kling to surplus a 1978 Ford L800 Fire Truck from the Vale Volunteer Fire Department and for the Vale Volunteer Fire Department to dispose of it accordingly. Vote Unanimous. Motion Carried.

Committee Reports were given.

Motion by Kling Second by Smeenck to adjourn the meeting at 4:30 p.m. Vote Unanimous. Motion Carried.

#### **SALARY**

ASSESSOR'S OFFICE/PLANNING \$4,471.77, AUDITOR'S OFFICE \$5,857.55, BUILDINGS \$923.40, COMMISSIONERS \$2,788.43, DISPATCH \$11,071.71, EM/911 \$1,333.16, EXTENSION \$1,055.21, HIGHWAY DEPT/WEEED CONTROL \$15,058.09, NURSE'S OFFICE \$1,055.20, REGISTER OF DEEDS OFFICE \$2,266.94, SHERIFF DEPT \$8,498.27, STATES ATTORNEY OFFICE \$5,338.42, TREASURER'S OFFICE \$4,429.28, VETERAN SERVICE OFFICE \$599.13

#### **COUNTY SHARE FICA**

BUTTE COUNTY SHARE \$4,684.97

#### **SDRS RETIREMENT**

BUTTE COUNTY SHARE \$3,808.97

#### **GROUP INSURANCE**

BUTTE COUNTY SHARE \$30,657.29

#### **PROFESSIONAL SERVICES**

AMUNSON, HELEN \$135.00, BELLE FOURCHE VETERINARY CLINIC \$47.00, BIEGLER, GREG \$60.00, BISGAARD, ANGIE \$10.00, BLAKE, SHIRLEY \$135.00, BLAND, KARA \$20.00, BOLLWITT, RITA \$50.00, BRADLEY, RANDY \$75.00, BROOKER, JACK \$230.00, BRUNER, BETTY J. \$75.00, BUDMAYR, HALLIE \$75.00, BURGESS, LISA \$20.00, BURKE, CAMARAE \$173.84, BURKE, RONNA \$173.84, BUYS, DONNA \$135.00, CAROL BUTZMAN CONSULTING SERVICE \$978.36, CITY OF RAPID CITY \$140.00, CITY/COUNTY ALCOHOL & DRUG \$280.00, CLARK, LESLIE \$74.42, CLEVELAND, FRANCES P. \$135.00, CLINICAL LABORATORY OF THE BLACK HILLS \$334.00, COLLINS, JANET \$148.32, CONNELLEY, DOROTHY \$125.00, COX, NANCY A \$135.00, DAILEY, CARLA JEAN \$135.00, DUNN, COLLETTE \$148.68, DUNN, KEITH \$148.68, EDWARDS, LYNDA \$135.00, FARRIS, JUDY \$125.00, FROST, SHEILA \$135.00, GINSBACH, BONNIE \$135.00, GREEN, ROSE \$135.00, GREGORY, ROBIN R. PROF, LLC \$4,322.64, GREWELL, TODD \$20.00, \$GROHMANN, BERNITA \$135.00, GROSS, EMMIE \$135.00, HARRIS, DEB \$125.00, HERMAN, KARROL \$159.66, JEWETT, JOAN \$135.00, KOK, JANE \$137.59, KROEZE, MURIEL \$50.74, KURTZ, CHRISTINE M \$135.00, LAFAYETTE, JASON \$51.48, LARIVE, JUSTIN \$51.48, LARSON, ROSE \$135.00, LEIPOLD, KATHLEEN \$125.00, LEOPOLD, MARGARET \$135.00, LEXISNEXIS \$110.00, LYFTOGT, SHARON \$135.00, MARTINEZ, RAYMOND \$20.00, MCFARLAND, KELLIE \$127.22, MCKENNA, MARY \$50.74, MEYER, DELILAH R \$135.00, MILBERG, ELEANOR \$135.00, MOREY, BETH \$135.00, MORTON, HEIDI \$135.00, NENABER, LOUISE J \$135.00, NIELSEN, CHERYL \$126.85, ODLE, ASHLEE \$159.66, ODLE, JEANETTE J.

\$135.00, ORWICK, IDA MAE \$153.50, PARKS, JEAN \$151.28, PENN. CO. AUDITOR \$219.00, PENNINGTON COUNTY SHERIFF \$522.00, PENNINGTON COUNTY STATES ATTOR. \$200.00, PIERCE, BONNIE \$135.00, RAISANEN, STACEY M. \$135.00, RAPID DELIVERY \$27.60, RAPOSA, MICHELE \$125.00, REGIONAL HEALTH CLIENT BILLING \$375.00, REGIONAL HEALTH PHYSICIANS \$125.00, REID, DIANE \$53.70, RITTBERGER, MARY ANN \$135.00, ROSENCRANZ, ANNA \$20.00, RUZICKA, LEONA \$137.22, RUZICKA, PATRICIA \$125.00, SD DEVELOPMENTAL CENTER \$60.00, SODERLIN, ROBERT \$69.98, STUMPF, GERRY \$156.46, SUWYN, ROBERT \$20.00, TOPE, DONNA \$135.00, VICE, SYREETA \$20.00, VOLLMER, LINDA \$125.00, WENDT, MARY \$135.00, WENNINGBERG, MEREL \$141.66, WESTERN S.D. JUVENILE SERVICES \$450.00, WESTLAND, BONNIE \$135.00, WILDE & HUNT \$697.65, WOLFER, CARLOTTA \$172.00, Z & S DUST CONTROL \$3,905.46

#### **PUBLISHING**

RAPID CITY JOURNAL \$306.70

#### **RENTALS**

AMERICAN LEGION POST #233 \$30.00, BF AREA COMMUNITY CNTR \$15.00, BURTZLAFF, ELIZABETH \$20.00, CENTURY BUSINESS PRODUCTS INC \$547.52

#### **REPAIR AND MAINTENANCE**

A & B BUSINESS EQUIPMENT \$32.99, B AND B AUTO SALVAGE, INC \$102.00, BLACK HILLS PURE INC \$81.46, CELLULAR CONCRETE NORTHERN PLAINS \$3,750.00, DOUBLE STAR COMPUTING \$757.50, JOHNER AND SONS INC \$17,525.00, KONE INC. \$356.96, LAWRENCE COUNTY HIGHWAY DEPARTMENT \$676.48, ROYAL SPRAYING SERVICE \$225.00, SCOTT PETERSON MOTORS \$303.25, SERVALL UNIFORM/LINEN \$566.22, WESTERN STAR INC. \$196.38

#### **SUPPLIES AND MATERIALS**

BELLE FLOWER SHOP \$53.25, BUTLER MACHINERY \$4,207.75, CBH COOPERATIVE \$3,016.51, CENTRAL PARTS \$237.79, CROP PRODUCTION SERVICES INC \$507.00, FINKBEINER FEED & SEED LLC \$1,458.43, FRONTIER GLASS OF BELLE \$251.15, HILLYARD/SIOUX FALLS \$407.00, JURGENS PRINTING INC. \$95.40, LAR-JO'S \$1,023.86, LYNN'S DAKOTAMART \$71.21, MG OIL COMPANY \$14,903.64, MOTIVE PARTS & SUPPLY \$708.89, NEWELL RANCH SUPPLY INC \$114.70, NEWELL SERVICE CENTER \$14.49, PAMIDA \$317.75, PAMIDA INC – STURGIS \$254.38, PHARMCHEM INC \$105.00, QUILL CORPORATION \$86.04, RANDY'S DISCOUNT TIRES \$840.00, ROBERT A TELKAMP \$25.90, SAND CREEK PRINTING \$443.26, SD DEPT OF TRANS \$2,300.96, STEREOS N STUFF \$162.16, STURDEVANT'S AUTO PARTS \$32.30, SUBWAY SANDWICHES & SALADS \$23.94, TRUENORTH STEEL \$15,494.96, WEST TIRE \$245.98

#### **UTILITIES**

BLACK HILLS POWER & LIGHT CO \$2,554.42, CENTURYLINK \$632.13, MONTANA-DAKOTA UTIL.CO \$297.56,

#### **OTHER**

ARTEMIS HOUSE \$962.50, BUTTE CO FIRE PROTECTION ASS'N \$20,070.00,

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APPROVED BY THE COMMISSION:

Ken Hansen, Vice Chairman

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ATTEST: Elaine Jensen, Auditor