

11/09/12

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 9:35 A.M.
November 9, 2012. Commissioners present were Harms, Hansen, Kling and Fernen.
Commissioner Smeenck was absent.

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

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

Motion by Hansen Second by Kling to table the minutes. Vote Unanimous. Motion Carried.

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

Motion by Hansen Second by Fernen to accept the VSO report for October 2012.
Vote Unanimous. Motion Carried.

Motion by Kling Second by Hansen to accept the Butte-Lawrence County 4-H Youth Program Advisor
October Report from Betsy Burtzlaff. Vote Unanimous. Motion Carried.

There were no travel requests.

Director of Equalization Polly Odle came before the Commissioners to present them with an
abatement for Belle Estates, LLC. The discretionary formula was not applied for the 2011 taxes
payable in 2012.

Motion by Hansen Second by Fernen to approve an abatement for Belle Estates, LLC. on parcel
number 15.76.01.12 for the amount of \$15,133.12. Vote Unanimous. Motion Carried.
Those also present were Jennifer Stephens, Lezlie Snoozy-Kaitfors and Mike Kaitfors.

Department Heads came before the Commissioners to discuss the happenings within their
departments.

Auditor Jensen presented the Commissioners with the November 6, 2012 General Election Butte
County Canvass. The Commissioners were also presented with the precinct poll books which they
viewed.

Motion by Hansen Second by Fernen to accept the November 6, 2012 General Election Butte County
Canvass as presented by Auditor Jensen. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams came before the Commissioners and reported the current fuel
prices.

The North Indian Creek Bridge was discussed. The North Indian Creek Bridge Structure is complete.

Motion by Hansen Second by Kling to accept a change order from Heavy Constructors, Inc. for a
decrease of \$4,560.88. Justification for the change order is as follows: The delineators with posts
were furnished and installed by the County; the type 3 object markers were furnished and installed by
the County and 54 cubic yards of gravel was furnished, hauled and placed by the County. Vote
Unanimous. Motion Carried.

Motion by Hansen Second by Kling to void check number 083335 payable to Heavy Constructors, Inc. for the amount of \$174,273.49. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling for State's Attorney Heather Plunkett, Attorney Tim Vander Heide and Attorney Mike Day to review all final documents and final pay estimates that have been prepared by Interstate Engineering. If all documents are in order Auditor Jensen is authorized to proceed with full payment of the project less the change order payable to Heavy Constructors, Inc. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Fernen to approve an Application For Occupancy On The Right Of Way Of County Highways for Tom Swan to trench a water line for livestock use on Knutson Road. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Fernen to approve an Application For Occupancy On the Right Of Way Of County Highways for Lynn Hollingsworth to trench a water line on Knutson Road. Vote Unanimous. Motion Carried.

Motion by Kling Second by Hansen to authorize Chairman Harms to sign the South Dakota Department of Transportation Fuel Site Use Agreement between the SDDOT and Butte County. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams presented the Commissioners with a Bid Proposal from Corr Construction Services, Inc. for Pile Driving on the Orman Road Bridge. The estimated cost of the project is \$15,570.00.

Motion by Hansen Second by Fernen to accept the Bid proposal from Corr Construction Services, Inc. for Pile Driving on the Horsecreek Bridge on Orman Road at the estimated cost of \$15,570.00 and proceed with the project. Vote Unanimous. Motion Carried.

Motion by Fernen Second by Kling for Butte County Highway Department to purchase steel deck to put on the Horsecreek Bridge on Orman Road Bridge. Vote Unanimous. Motion Carried.

A discussion was held regarding the dirt at the new Cenex work site which is located on the north side of Belle Fourche. Cenex would give the dirt to the County to use as fill dirt for the County property which is located at the south side of Belle Fourche. The County would be responsible for the hauling costs. The Commissioners would like samples of the dirt to be taken to check for compactability before making a decision.

The Commissioners recessed for lunch at 12:00 p.m. with the public invited.

The Commissioners reconvened at 1:35 p.m.

Sheriff Lamphere distributed the activity report for October 2012.

Sheriff Lamphere discussed with the Commissioners the annual phone record/ALI audit. The audit is used to catch updates to people moving and to keep the structure points as current as possible. The estimated cost of the audit is \$2,300.00. This topic will be discussed at the next meeting therefore no action was taken.

Sheriff Lamphere and Jeremy Biegert discussed with the Commissioners the Narrow Banding project which must be complete by December 31, 2012.

Currently a grant is available through Homeland Security for the amount of \$36,440.00. The projects that the grant funding would provide for are a repeater for the Belle Fourche Police Department and mobile and portable radios for the Butte County Volunteer Fire Departments that would be state radio compatible.

Motion by Hansen Second by Kling to authorize Chairman Harms to sign the State Homeland Security Grant Program Reimbursement Terms and Conditions Agreement. Vote Unanimous. Motion Carried.

State's Attorney Heather Plunkett was unavailable at 2:00 p.m. for the agenda items pertaining to the State's Attorney due to being in court.

Petitions are being circulated to vacate a portion of section line highway per the request of Pipeline Plastics, LLC. When the petitions are filed and when the signatures have been verified by Auditor Jensen a public hearing will be set.

Governor Dugaard will come to Belle Fourche on Tuesday, November 20th at 10:00 a.m. for the ground breaking for Pipeline Plastics, LLC.

Commissioner Kling recused himself at 2:10 p.m. for the Liquor License Transfer due to a conflict of interest.

Motion by Hansen Second by Fernen to accept the Liquor License – (RL 5292) Transfer from Miki Scheef to Spur Creek Saloon LLC contingent upon the signature of Brad Scheef, Personal Representative of the Estate of Miki V. Scheef, d/b/a "Mishmash". A public hearing for the transfer will be held on Tuesday, December 4, 2012 at 4:00 p.m. Vote Unanimous. Motion Carried. Attorney Mike Day was also present.

Commissioner Kling returned to the meeting at 2:12 p.m.

The Vale Volunteer Fire Department cannot be covered under the county's liability policy because of their status as a 501(c)(3) organization. Fred Wells came before the Commissioners asking for a refund Butte County would have received after the July 2012 cancellation of the liability insurance coverage. Mr. Wells also requested that Butte County pay the Vale Volunteer Fire Department the portion that Butte County would normally pay to Hagan Benefits, Inc. for their share of liability insurance coverage in future years.

Motion by Kling Second by Hansen to refund the 2012 liability insurance portion to the Vale Volunteer Fire Department and pay the Vale Volunteer Fire Department the portion that Butte County would pay to Hagan Benefits, Inc. in 2013 for liability coverage on fire vehicles and equipment. Vote Unanimous. Motion Carried.

Motion by Kling Second by Hansen to go into an Executive Session at 2:20 p.m. regarding legal and personnel matters with State's Attorney Heather Plunkett and Sheriff Lamphere. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to come out of Executive Session at 3:10 p.m. Vote Unanimous. Motion Carried. No action taken.

The Belle Fourche Economic Development Corporation (BFEDC) came before the Commissioners to give a report/update on the Economic Development Corporation Reorganization Activities. Mayor Gary Hendrickson asked if Butte County would consider contributing \$10,000.00 to BFEDC to help with operating costs. Those also present were Renae Schaeffer, Vicky Thiel, Lynn Hammerstrom, Wade Pehl and Jim Doolittle.

The group also thanked the Commissioners for their support in helping to create the Railroad Authority. They also announced that the Busfield site name has been changed to the Belle Fourche Industrial and Rail Park.

Committee Reports were given.

Motion by Hansen Second by Ferner to give the employees the day after Thanksgiving off with pay and also Christmas Eve Day off with pay. The dates are November 23rd and December 24th.
Vote Unanimous. Motion Carried.

SALARY

ASSESSOR'S OFFICE/PLANNING \$7,097.73, AUDITOR'S OFFICE \$8,838.02, BUILDINGS \$2,698.51, COMMISSIONERS \$5,576.86, DISPATCH \$20,285.35, EM/911 \$4,432.10, EXTENSION \$2,209.33, HIGHWAY DEPT/WEED CONTROL \$29,876.71, NURSE'S OFFICE \$2,110.40, REGISTER OF DEEDS OFFICE \$5,002.21, SHERIFF DEPT \$17,735.94, STATES ATTORNEY OFFICE \$16,210.89, TREASURER'S OFFICE \$9,438.93, VETERAN SERVICE OFFICE \$1,198.26

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,472.57

SDRS RETIREMENT

BUTTE COUNTY SHARE \$7,672.79

GROUP INSURANCE

BUTTE COUNTY SHARE \$52,213.39

PROFESSIONAL SERVICES

ECOLAB PEST ELIMINATION \$482.50, BARKER WILSON LAW FIRM LLP \$4,663.22, MEADE COUNTY AUDITOR \$20,680.00, MARSHALL CONSTRUCTION \$630.00, GORDON LAW, PC \$558.00, TRIMBLE NAVIGATION LIMITED \$239.70, BRIGGS, AMBER \$51.48, HOSTETTER, ANN-MARIE \$53.70, KIDD, RAY \$52.22, MCQUEEN, PAMELA \$52.22, SYMONDS, ROBERT \$54.44, TRANSTROM, LARRY \$115.34, CONLEY, L. \$20.00, ARACELI, SANTIAGO \$20.00, NOELLER, GERALD, \$20.00, RESPECTS NOTHING, FELIX \$42.20, ERHART, HEIDI \$31.10, STROHSCHIEIN, T. \$38.50, PETERSON, ISAAC \$23.70, REDINGER, DIANE \$27.40, AUDRA MALCOMB CONSULTING \$509.86, WEST PAYMENT CENTER \$113.39, CITY OF RAPID CITY \$385.00, ELLINGSON, JOSEPH \$389.19, BERRY, SUZANNE \$38.50, WALKER, JENNIFER \$57.40, JAKOBER, TYLER \$50.74, HEIDRICH, DWAYNE \$62.58, BACHMAN, RENEE \$100.00, BARKER WILSON LAW FIRM LLP \$4,668.54, HARDISON, DEBRA \$150.00, DSS DRUG SCREENING SERVICES \$225.00, DILL LAW OFFICE, PC \$3,500.00, RAPID CITY REGIONAL HOSPITAL \$197.31, REINDL, STACI L. \$5,500.00, DAY MORRIS LAW FIRM \$8,588.17, ELLINGSON, JOSEPH \$2,424.36, MUTCHLER, TRICIA L \$34.20, AMERICINN \$50.00, CARLSON, JEAN M. \$220.00, BROOKER, JACK \$245.00, CERMAK, LISA \$50.00, GEHRINGER, CINDY \$50.00, BLACK HILLS FAMILY PRACTICE \$178.50

PUBLISHING

RENTALS

ROSS RENTALS, LLC \$100.00, RYDER TRANSPORTATION SERVICES \$3,962.68

REPAIR AND MAINTENANCE

RBCS \$5,435.70, JOHNSON ELECTRIC \$2,277.61, BUTLER MACHINERY \$212.00, HERSRUDS OF B.F. \$198.91, SCOTT PETERSON MOTORS \$523.06, WESTERN COMMUNICATIONS INC \$1,075.00, BLACK HILLS WINDSHIELD REPAIR \$50.00, A & B BUSINESS EQUIPMENT \$221.44, COYLE CONSTRUCTION \$6,329.10, G & R CONTROLS \$1,319.59

SUPPLIES AND MATERIALS

ELAINE JENSEN \$635.99, BLACK HILLS WEEKLY GROUP \$36.00, OFFICE EMPORIUM \$29.43, LAW ENFORCEMENT SYSTEMS \$94.00, SD SECRETARY OF STATE \$30.00, PRIMERO INSURANCE \$40.00, LEXISNEXIS \$110.00, BLACK HILLS PURE INC \$37.15, NACVSO \$30.00, GRABER VOICE AND DATA \$97.00, DAVIS, ALFREDA \$140.00, MCLEODS \$1,112.00, HOSETH AUTO INC. \$39.99, DAKOTA LUMBER

\$552.20, ROUNDUP BUILDING CENTER \$72.33, SAND CREEK PRINTING \$644.57, STEREOS N STUFF \$387.06, SUMMIT SIGNS & SUPPLY INC \$264.00, JT VEHICLE SYSTEMS \$275.00, ROBERT A TELKAMP \$83.00, TRUENORTH STEEL \$10,267.20, SDAAO \$165.00, SD DEPT OF REVENUE \$440.00, HOXIE, LINDA \$218.17, NATIONAL 4-H COUNCIL SUPPLY \$17.10, HILLYARD/SIOUX FALLS \$202.1, CENTURY BUSINESS PRODUCTS \$550.90

CONFERENCE & TRAVEL

BUTTE COUNTY SHERIFF \$1,398.79

UTILITIES

BLACK HILLS POWER \$329.23, MONTANA-DAKOTA UTIL.CO \$341.09, KNOLOGY \$687.40, CITY OF BELLE FOURCHE \$267.50, AT&T \$63.98, AT&T MOBILITY \$419.12, REFUSE SOLUTIONS INC \$116.00, GOLDEN WEST TELECOMMUNICATIONS \$23.45, BUTTE-MEADE SANITARY \$73.00, CENTURYLINK \$970.21

OTHER

SD ASS'N OF CO COMM \$2,872.71, SD DEPT OF TRANS \$11,347.51, SDML WORKERS' COMPENSATION FUND \$33,926.00

APPROVED BY THE COMMISSION:

Stanley J. Harms, Chairman

ATTEST: Elaine Jensen, Auditor