

11/05/13

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 9:35 A.M.
November 5, 2013. Commissioners present were Kling, Smeenck, Ager,
Geis and Fernen.

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

Motion by Geis Second by Smeenck to approve the amended meeting agenda with the addition of an
Executive Session with State's Attorney Heather Plunkett regarding personnel and legal matters.
Also a discussion pertaining to a Joint Powers Agreement for Juvenile Services in Pennington
County during Sheriff's time. Vote Unanimous. Motion Carried.

Motion by Geis Second by Ager to go into an Executive Session at 9:27 a.m. regarding legal and
personnel matters with State's Attorney Heather Plunkett. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Ager to come out of Executive Session at 10:41 a.m. Vote Unanimous.
Motion Carried. No action was taken.

Motion by Smeenck Second by Ager to table the minutes from October 15, 2013 and
October 18, 2013 and the approval of the payables until afternoon. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Ager to approve the VSO report for October 2013 as presented by
VSO Bob Wagner. Vote Unanimous. Motion Carried.

Certified Appraiser Louise Hohn from the Director of Equalization office came before the
Commissioners to notify them that Megin Lang has met all requirements necessary to hold the
professional designation of "Certified Appraiser Assessor" effective November 1, 2013.
Congratulations Megin.

Butte-Lawrence County 4-H Youth Program Advisor – Betsy Burtzlaff presented the Commissioners
with the Activity Report for October 2013.

Motion by Smeenck Second by Geis to surplus the HP Color Laserjet 2840 Copy/Fax/Printer at a zero
value. The Serial Number is CNHC6D7004. The machine can be donated. Vote Unanimous. Motion
Carried.

Motion by Ager Second by Smeenck to approve a petition to vacate a portion of the Plat of Lots 1, 2
and 3 of Buffalo Ridge Subdivision #3, which is located in Section 25, T8N, R1E, B.H.M.,
Butte County, South Dakota and authorize Chairman Kling to sign an *Affidavit Reflecting County
Commissioner Action of Vacating a Portion of A Plat* and file with the Register of Deeds.
Vote Unanimous. Motion Carried. Attorney Rhonda Miller was present.

Motion by Geis Second by Ager to approve a Final Plat of Livestock Road Entrance Lot located in the
NW4 of the SE4 of Section 33, Township 9 North, Range 2 East of the B.H.M., and Lot E1 of Tract E
located in the S2 of Section 33, Township 9 North, Range 2 East of the B.H.M., Butte County, South
Dakota. Authorization was given to the county employees that need to sign the plat. Vote
Unanimous. Motion Carried. Attorney Ken Barker was present.

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

Motion by Smeenck Second by Fernen to leave the Reid Road as is. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Geis to approve an Application For Occupancy On The Right Of Way Of County Highways for Butte Electric Cooperative, Inc. to put in an Underground 25kV power line on Cemetery Road. The method of installation will be done by boring. Vote Unanimous. Motion Carried.

Motion by Fernen Second by Ager to approve an Application For Occupancy On The Right Of Way Of County Highways for Butte Electric Cooperative, Inc. to put in an Underground 25kV power line on the Garness Road. The method of installation will be done by boring. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Ager to approve an Application For Occupancy On The Right Of Way Of County Highways for Troy & Elaine Hewson to put in a 3 – 350kcm 1-4 aught ACM Electrical wire on Youngberg Road. The intended usage is for drying bins for air and grain storage. The method of installation will be trenching and backhoe. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Fernen to approve an Application To Construct An Approach To A County Road to access personal property because of drainage. The approach will be on Dillinger Road which is a minimum maintenance road. The applicant is Don Vitto. The approach is being granted as a variance. Vote Unanimous. Motion Carried.

Motion by Ager Second by Fernen to table the Application To Construct An Approach To A County Road. The applicant is Bryan Culver. The approach is needed for a second approach on Orman Road for a truck turn around. Vote Unanimous. Motion Carried.

The gravel issue with Fisher Sand & Gravel was discussed.

The project on W. Woods Road was discussed. The weather has caused some delay. The asphalt may have to be completed in 2014.

An update was given regarding road concerns and issues, culverts, debris and livestock removal.

Motion by Ager Second by Smeenck to authorize the Highway Crew to haul cattle from the County Road Right of Way on the Twilight Road. The cattle could not be accessed until now because of the road being wet and muddy. The limitation on time is November 15, 2014. Vote Unanimous. Motion Carried.

Commissioner Smeenck acknowledged Auditor Jensen for her role as Acting Emergency Manager. Commissioner Smeenck said that a FEMA representative had given Auditor Jensen highest praises for her assistance in the preparation of documentation from the October blizzard for Butte County to get the Presidential Declaration.

Motion by Geis Second by Ager to approve the bills for payment as presented by Auditor Jensen. Vote Unanimous. Motion Carried.

Lacey Henwood came before the Commissioners asking for an Ag Classification to be given on land that was purchased in 2012. Ms. Henwood states that the Director of Equalization failed to send the application. Director of Equalization Polly Odle was unavailable for the discussion. This matter will be addressed at the November 19th meeting.

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

The Commissioners reconvened at 1:30 p.m.

Sheriff Lamphere commended the Butte County Dispatchers, the Butte County Sheriff's Deputies and Deputy Reserve Jack Brooker for their outstanding dedication and hard work during the October blizzard. Deputy Gary Brunner was recognized for his outstanding efforts in helping a stranded motorist during the blizzard.

Motion by Geis Second by Ager to authorize Sheriff Lamphere to start the purchase procedure for two new vehicles to be added to the Sheriff's Department fleet of vehicles. These vehicles will be purchased in 2014. Vote Unanimous. Motion Carried.

Motion by Ager Second by Geis to authorize Sheriff Lamphere to start the advertisement process for a full time Deputy in the Sheriff's Department. The start date would be January 1, 2014. Vote Unanimous. Motion Carried.

Eric Erickson – Major Account Manager from Century Link Business came before the Commissioners to explain the radio connectivity issue that had recently occurred in the Dispatch Center since the installation of the Internet Protocol-based Voice and Data 911 Controller system.

Motion by Ager Second by Fernen to authorize Chairman Kling to sign the Joint Powers Agreement for Juvenile Services between Butte County and Pennington County for three years. Vote Unanimous. Motion Carried.

Sheriff Lamphere distributed the Activity Report for October 2013.

Motion by Ager Second by Fernen to enter into an Executive Session at 2:28 p.m. with Sheriff Lamphere and State's Attorney Heather Plunkett regarding personnel matters. Vote Unanimous. Motion Carried.

Motion by Geis Second by Ager to come out of Executive Session. Vote Unanimous. Motion Carried.

Motion by Geis Second by Fernen to officially terminate Emergency Manager/E911 Coordinator/Floodplain Coordinator Martha Wierzbicki effective November 5, 2013. Vote Unanimous. Motion Carried.

Project Supervisor Barb Cline from Prairie Hills Transit came before the Commissioners to discuss the Administrative Budget and Operating Budget for 2014.

Motion by Ager Second by Geis for the City/County to match up to \$4,000.00 if other funds can be contributed from another donor. A deadline of November 15, 2013 has been set for this venture to be accomplished. Vote Unanimous. Motion Carried.

Motion by Geis Second by Fernen to authorize Wilen Masonry, Inc. to do Emergency Repair for drainage issues to the exterior of the Butte County Courthouse. The estimated cost is \$24,957.19. Vote Unanimous. Motion Carried.

Motion by Ager Second by Fernen to approve the minutes from the Regular Commissioner's Meeting which was held on October 15, 2013 and the Special Meeting which was held on October 18, 2013. Vote Unanimous. Motion Carried.

Motion by Geis Second by Ager to give the employees of Butte County the Friday after Thanksgiving off with pay. Vote Unanimous. Motion Carried.

Motion by Geis Second by Fernen to adjourn the meeting at 4:20 p.m. Vote Unanimous. Motion Carried.

SALARY

ASSESSOR'S OFFICE/PLANNING \$9,983.19, AUDITOR'S OFFICE \$9,426.82, BUILDINGS \$2,784.94, COMMISSIONERS \$5,744.16, DISPATCH \$23,694.55, ELECTION \$1,087.20, JUDICIAL \$691.20, EM/911 \$2,091.03, EXTENSION \$2,204.98, HIGHWAY DEPT/WEED CONTROL \$39,307.62, NURSE'S/WIC OFFICE \$2,174.40, REGISTER OF DEEDS OFFICE \$4,669.98, SHERIFF/JAIL DEPT \$18,799.56, STATES ATTORNEY OFFICE \$13,161.68, TREASURER'S OFFICE \$9,523.75, VETERAN SERVICE OFFICE \$1,234.22

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$10,779.31

SDRS RETIREMENT

BUTTE COUNTY SHARE \$8,479.67

GROUP INSURANCE

BUTTE COUNTY SHARE \$56,250.15

PROFESSIONAL SERVICES

SHOPKO PHARMACY-STURGIS \$89.23, HARKINS, CAROLYN M \$174.40, BROOKER, JACK \$373.50, BACHMAN, RENEE \$50.00, MAPPING AND PLANNING SPECIALIST \$6,665.83, SD DEPT OF TRANS \$8,857.39, MEADE COUNTY AUDITOR \$8,800.00, DILL LAW OFFICE, PC \$3,500.00, RAPID CITY REGIONAL HOSPITAL \$199.86, AUDRA MALCOMB CONSULTING \$342.40, BROSZ ENGINEERING INC \$3,370.00, STURGIS REGIONAL HOSPITAL \$58.83, VALARIE O'DAY \$38.78, LACEY JOENS \$100.00, SPEARFISH REGIONAL HOSPITAL \$221.57, DEBRA M MCKEEVERC CSR, RPR \$125.00, BARNAUD LAW FIRM \$739.77, CITY OF RAPID CITY \$245.00, REINDL, STACI L \$7,000.00, DOUBLE STAR COMPUTING \$1,260.00, ELLINGSON, JOSEPH \$1,408.80, BROOKER, JACK \$138.10, CERMAK, LISA \$50.00, BLACK HILLS FAMILY PRACTICE \$16.00

PUBLISHING**RENTALS**

CENTURY BUSINESS PRODUCTS INC \$430.84, DJ CONSTRUCTION & DEVELOPMENT \$700.00

REPAIR AND MAINTENANCE

SCOTT PETERSON MOTORS \$775.35, A & B BUSINESS EQUIPMENT \$203.45, BUTLER MACHINERY \$1,025.68, HOSETH AUTO INC \$50.39, SCOTT PETERSON MOTORS \$58.55, ZUERCHER TECHNOLOGIES \$17,849.48, ROYAL LAWN CARE \$292.58, FRAME GARAGE \$2,435.00, 3J OIL MEDICS, LLC \$38.49, BELLE FOURCHE IRRIGATION \$1,566.00, SD WILDLAND FIRE \$32,988.32, BACHMAN CONSTRUCTION \$1,759.74, BO'S LAWN SYSTEMS \$100.00, WIERZBICKI EARTHMOVING \$5,450.00, CENTURY BUSINESS PRODUCTS \$136.48, DAKOTA FLUID POWER \$1,638.55

SUPPLIES AND MATERIALS

BLACK HILLS WEEKLY GROUP/BUTTE \$36.00, JOHN DEERE FINANCIAL \$67.17, SAND CREEK PRINTING \$301.28, MATTHEW BENDER \$388.08, LEXISNEXIS \$180.00, WEST PAYMENT CENTER \$119.06, DAKOTA LUMBER \$51.53, SAND CREEK PRINTING \$478.25, TRUENORTH STEEL \$10,920.00, STATE BAR OF SOUTH DAKOTA \$75.00, ALL AROUND AUTO LLC \$394.59, MATT PARROTT/STOREY KENWORTHY \$268.18, THE FLOWER BOX \$53.00, SUBWAY SANDWICHES & SALADS \$917.00, FINKBEINER FEED & SEED LLC \$1,566.89, HILLYARD/SIOUX FALLS \$297.90

CONFERENCE & TRAVEL

BUTTE COUNTY SHERIFF \$1,984.57, STEINLEY REAL ESTATE APPRAISAL \$310.00

UTILITIES

BLACK HILLS POWER \$56.57, MONTANA-DAKOTA UTIL CO \$353.75, W.O.W. BUSINESS \$704.87, AT&T MOBILITY \$926.90, TRIMBLE NAVIGATION LIMITED \$239.70, AT&T \$74.93, CENTURYLINK \$551.09, CITY OF BELLE FOURCHE \$231.41, BLACK HILLS POWER \$36.80, MCGAS PROPANE \$397.50, REFUSE SOLUTIONS INC \$118.00, NORTHERN HILLS RECYCLING CENTER \$51.00, BUTTE-MEADE SANITARY \$73.00

OTHER

SD ASS'N OF CO COMM \$1,464.07, US IMAGING \$4,580.40, SD ASSN OF COUNTY OFFICIALS \$330.00, SD ASS'N OF CO COMM \$1,915.40, SD ASSN OF COUNTY OFFICIALS \$1,232.70, SD SHERIFFS ASSOCIATION \$653.30

APPROVED BY THE COMMISSION:
Kim W. Kling, Chairman

ATTEST: Elaine Jensen, Auditor