

1/25/10

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 1:10 P.M.
January 25, 2010. Commissioners present were Kling, Smeenck, Harms
and Hansen. Commissioner Kindsfater was absent.

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

Motion by Smeenck Second by Harms to approve the amended meeting agenda
which includes the approval and signing of the 2010 Butte – Lawrence County Fair agreement and the
approval and signing of the 2010 contract between the Butte County Commissioners and the South Dakota
Department of Health & Community Health Services. The County Highway Road Map will also be
discussed. Vote Unanimous. Motion Carried.

Motion by Harms Second by Hansen to approve the minutes from the
December 8, 2009 meeting. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to table the remaining minutes until
February 2, 2010. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to accept the Auditor's Monthly Settlement with
Treasurer Report for December 31, 2009. Vote Unanimous. Motion Carried.
The Auditor also distributed a General Ledger Fund Balance Report for December 31, 2009.

**AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER
BUTTE COUNTY
DECEMBER 31, 2009**

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$ 514,168.36
Wells Fargo Savings	\$ 969,234.56
Simply Service Federal Credit Union	<u>\$ 5.68</u>

Total Checking/Savings Accounts **\$1,483,408.60**

INVESTOR ACCOUNTS

First Interstate Bank Account	\$ 425,308.96
Wells Fargo Investment Account	<u>\$ 196,300.65</u>

Total Investor Accounts **\$ 621,609.61**

CERTIFICATES OF DEPOSIT

First Interstate	\$ 225,962.73
FNB	\$ 114,468.72
NHFCU	\$ 108,064.60
SSFCU	\$ 104,247.19
PB&T	<u>\$1,099,515.13</u>

Total Certificates of Deposit **\$1,652,258.37**

Cash on Hand	1,250.00
Cash Items	3,083.33
Postage Meter/Postage	7,824.49
Butte County Economic Development	76,482.21
Sheriff Drug Seizure	570.99
Sheriff Credit Card Account	1,500.00
Butte County Emergency/Sheriff	<u>2,136.95</u>
Total Cash Accounts	<u>\$3,850,124.55</u>

/s/: Elaine Jensen 01/25/2010
COUNTY AUDITOR SIGNATURE

/s/: Debra Lensegravy 01/19/2010
COUNTY TREASURER SIGNATURE

Motion by Hansen Second by Smeenck to accept the following County Lien Report for December 2009. Vote Unanimous. Motion Carried.

CAA/Public Defender Expenses – YTD-\$154,727.78
CAA/Public Defender Recoveries – YTD - \$50,405.54

Jail Expenses – YTD - \$209,359.66
Jail Lien Recoveries – YTD - \$9,248.41

Juvenile Detention Expenses – YTD - \$120,731.68
Juvenile Detention Recoveries – YTD - \$34,377.18

Poor Lien Expenses – YTD - \$9,808.82
Poor Lien Recoveries – YTD - \$ 1,299.12

LIENS APPLIED – December 2009

Dawn Huhn – CRIM - \$884.68
Joseph Harris – CRIM - \$657.19
Vincent Henry – CRIM- \$527.81
Duwayne Kester – CRIM - \$246.00
Anthony Geffre – CRIM - \$4,962.19
Sean Bear – CRIM - \$127.00
Theresa Lange – CRIM - \$124.40
Juanita Luna – CRIM - \$802.50
Ronald Delao – CRIM - \$765.62
Jake Wainman – CRIM - \$607.87
Brad Niehoff – CRIM - \$773.90
Joshua Houck – CRIM - \$497.95
Janet Pope – CRIM - \$334.00
Dori Thomas – CRIM - \$492.00
Courtney Rodriguez – CRIM - \$1,497.90
Isaac Kermu – CRIM - \$522.56
Jennifer Wetz – CRIM - \$294.00
John McElwain – CRIM - \$246.00
Jerome Sechser – CRIM - \$328.00
Matthew Ramsey – CRIM - \$328.00
Jesse Morrison – CRIM - \$434.60
Chareena Holsinger – CRIM - \$623.20
Rosemary Romey – CRIM - \$82.00
Peggy Kramer – CRIM - \$287.00
Wanda Haring – CRIM - \$246.00
Mark Roehler – CRIM - \$496.00
Timothy Mitchell – CRIM - \$294.00
JUV - \$2,747.45
A & N - \$900.70

Total: \$21,130.52

Motion by Harms Second by Smeenck to approve the bills for payment.
Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to accept the Register of Deeds report for December 2009. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to approve the following travel requests: Auditor Elaine Jensen, Treasurer Debra Lensegrav and Register of Deeds Paula Walker to attend County Days in Pierre, SD on February 21 – 22, 2010 and for Highway Superintendent Don Adams, Weed & Pest Technician Bill Erk and Belle Fourche Irrigation District Manager Clint Pitts to attend a Weed & Pest Supervisor Training and Conference in Aberdeen, SD on February 16 – 19, 2010. Butte County will pay the registration costs and room costs for three individuals and the Belle Fourche Irrigation District will pay the transportation cost. Vote Unanimous. Motion Carried.

There were no abatements to present.

Sheriff Lamphere distributed the December Activity Report. Sheriff Lamphere informed the Commissioners that the transmission in the 2005 Chevy Trailblazer went out. This is the vehicle that Deputy Brunner currently drives. The estimated repair cost is \$3,000.00. Sheriff Lamphere will bring bids for new and used vehicles for the Commissioners to review at the February 2, 2010 meeting.

Mr. Michael Pisciotta, Circuit Court Administrator and Mr. Derrick Nedved, Chief Court Service Officer came before the Commissioners to discuss the open office space – (previous nurse's office) that is currently available. The current office space that the Court Services is using is barely adequate for the increased probation case loads. A letter was presented from Judge Bastian thanking the Commissioners for their consideration regarding this important request. State's Attorney Tim Vander Heide and Deputy State's Attorney Heather Plunkett were also present.

Motion by Smeenck Second by Hansen to go into an Executive Session at 2:29 p.m. regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to come out of Executive Session at 2:50 p.m. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to authorize Chairman Kling to sign the 2010 Butte – Lawrence County Fair Agreement with the clarification that **Butte County agrees to pay the entire premium to insure the structures located at the fairgrounds against damage** instead of **Butte County agrees to pay the entire insurance premium for the Butte-Lawrence County Fair**. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to authorize Chairman Kling to sign the 2010 contract between the Butte County Commission and the South Dakota Department of Health, Community Health Services. This agreement is to provide community health nursing services. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Hansen to authorize Chairman Kling to sign a letter addressed to Mr. Michael Pisciotta to offer the (previous nurse's office) to Court Services. This space is being offered to Court Services in its current condition. Vote Unanimous. Motion Carried.

Mr. Brett Penning from Double Star Computing gave a presentation and a proposal on the computer technical support that his company could provide to Butte County. No action was taken.

Highway Superintendent Don Adams, Deputy State's Attorney Heather Plunkett and Neil Stodolski from NJS Engineering were present to discuss road issues with the Commissioners.

Motion by Smeenck Second by Harms to sign a Resolution to Delete Bridge Structure Number 10-402-101 from NBIS. The Bridge is located 3.0S & 1.5E of Hoover, SD on the Graf Road. The structure was replaced with a culvert. Voting yes were Kling, Smeenck and Harms. Commissioner Hansen voted no. Motion Carried.

A brief discussion was held regarding the cold storage shop in Newell, SD. The Commissioners may surplus the building and offer it for sale. The idea is to be discussed with the City of Newell. The Commissioners will re-visit the matter at the February 2, 2010 meeting.

Motion by Hansen Second by Smeenck to surplus one (1) lift group for a 140 H Cat Grader. The serial number is XOO4645. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to approve an Application For Occupancy On The Right Of Way Of County Highways for a water line to be trenched on the Erk Road. The application was submitted from Randy Stark. Vote Unanimous. Motion Carried.

The Bentonite Hauling Project on the Camp Crook Road was discussed. The project is scheduled for 2011 but Highway Superintendent Don Adams stated that the American Colloid would like to start the project sooner. Adams has been visiting with Mr. Greg Fuller from the American Colloid. Chairman Kling asked the Highway Committee to review the situation and bring it back to the Commissioners at another time.

Highway Superintendent Don Adams and Deputy State's Attorney Heather Plunkett are making good progress on the County Road Map system. The map will have all Primary, Secondary and Minimum Maintenance Roads specified.

Director of Equalization Polly Odle presented the Commissioners with a worksheet for implementation of productivity valuation of agricultural land for the 2010 assessment year. Due to time constraints, the presentation that DOE Polly Odle was scheduled to give at 4:00 p.m. will be postponed until Tuesday, February 2, 2010.

Motion by Smeenck Second by Harms to appoint Mr. Jim Smeenck to a 4 year term on the Butte County Planning Board. This term will begin on January 1, 2010 and end on December 31, 2013. Vote Unanimous. Motion Carried.

Committee Reports were given.

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

APPROVED BY THE COMMISSION:
Kim W. Kling, Chairman

ATTEST: Elaine Jensen, Auditor