

10/21/09

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 1:15 P.M.  
October 21, 2009. Commissioners present were Hansen, Kling, Kindsfater, and Smeenk and Harms.

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

Motion by Smeenk Second by Kindsfater to approve the amended meeting agenda which includes a discussion at 3:00 p.m. pertaining to the graveling and maintenance of the Erk Road. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenk to table minutes until the October 27, 2009 special meeting. Vote Unanimous. Motion Carried.

Motion by Kling Second by Harms to accept the Auditor's Monthly Settlement with Treasurer Report for September 30, 2009. Vote Unanimous. Motion Carried.

Motion by Kling Second by Harms to accept the General Fund Surplus Analysis for September 30, 2009.

Motion by Kindsfater Second by Smeenk to accept the following County Lien Report for September 2009. Vote Unanimous. Motion Carried.

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

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

Motion by Smeenk Second by Kindsfater to approve a travel request for Auditor Elaine Jensen, Dorothy Connelley and Mary Rosenau to attend an Election Workshop in Pierre, SD on November 18 – 20, 2009. Vote Unanimous. Motion Carried.

There were no abatements to present.

Motion by Kindsfater Second by Smeenk to lift the Burn Ban that went into effect on July 23, 2009. This is effective immediately. Vote Unanimous. Motion Carried.

Emergency Manager / E911 Coordinator Percy Bekken is to check with Highway Superintendent Don Adams on the condition of the Generator that was removed from the KBFS Radio Station. The possibility of surplussing the generator and disposing of accordingly will be discussed at the next meeting.

Butte County State's Attorney Tim Vander Heide and Deputy State's Attorney Heather Plunkett came before the Commissioners to discuss legal matters.

Motion by Kling Second by Harms to go into an Executive Session at 2:00 p.m. regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to come out of Executive Session at 2:52 p.m. Vote Unanimous. Motion Carried. No action was taken.

Highway Foreman Gary Berglund came before the Commissioners to present the Highway Report. Jim Parker from NJS Engineering was also present.

Motion by Kindsfater Second by Smeenk to hire Joe Graf Drilling at a cost of \$850.00 to abandon the shop domestic well at the Butte County Highway Shop which is located near Belle Fourche, SD. Chairman Hansen excused himself from voting due to a conflict of interest. Voting yes were Kling, Kindsfater, Smeenk and Harms. Motion Carried.

A brief discussion was held regarding the Gravel Contract with Fisher Sand & Gravel. The proposal that was recently received is not cost effective for Butte County. No action was taken.

Mr. Paul Erk came before the Commissioners wanting to know why the gravel hauling to the Erk Road is not in progress. He is tired of the delays. Chairman Hansen relayed to Mr. Erk that SDDOT will not let Tri State Construction LLC begin hauling gravel until the Road Surfacing project in the Town of Newell is complete. The project will begin depending upon truck scheduling and when weather and road conditions are workable.

Motion by Smeenk Second by Kindsfater to authorize Chairman Hansen to sign the **Notice To Proceed** Agreement with Corr Construction Services, Inc. for the Indian Creek Bridge (Beet Bridge) Replacement Project. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to authorize Chairman Hansen to sign the **Notice Of Award** and **Notice To Proceed** Agreements with Corr Construction Services, Inc. for the Twilight Road Bridge Project – Structure (10-496-106). Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenk to purchase 30,000 yards (plus or minus) of crushed gravel at a cost of \$2.74 per yard from Aggregate Construction, Inc. The royalty will be an additional cost of \$1.00 per yard. The gravel is located at the Davis Pit in Harding County. This purchase is based off of the Gravel Crushing bid that was awarded to Aggregate Construction, Inc. by Harding County on November 26, 2008 for year 2009. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to offer flu shots to all Butte County Employees. The shots must be given by Community Health Nurse Linda Hoxie. The shots will be available after October 26, 2009. Vote Unanimous. Motion Carried.

The Commissioners will continue to research different possibilities for purchase and/or rental options for the Nurse's Office. This will be visited again at the November 3, 2009 meeting.

Motion by Kling Second by Kindsfater to go into an Executive Session at 4:33 p.m. regarding personnel matters. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kindsfater to come out of Executive Session at 5:10 p.m. Vote Unanimous. Motion Carried. No action was taken.

Committee Reports were given.

Motion by Kling Second by Smeenck to change the Commissioner's regular scheduled meeting from Wednesday, November 18, 2009 to Tuesday, November 17, 2009. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to adjourn the meeting at 5:35 p.m. Vote Unanimous. Motion Carried.