

11/03/09

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 9:30 A.M.
November 3, 2009. Commissioners present were Hansen, Kling,
Kindsfater, Smeenk and Harms.

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

Motion by Harms Second by Smeenk to approve the meeting agenda.
Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to approve the minutes from the October 9, 2009 meeting
and the October 21, 2009 meeting. Vote Unanimous. Motion Carried.

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

Motion by Smeenk Second by Kindsfater to accept the VSO report for October 2009.
Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to approve the following travel requests: VSO Robert Wagner
to attend a Quarterly Congressional Forum in Hot Springs, SD on November 13, 2009 and for
Register of Deeds Paula Walker and Mary Rosenau to attend a Document Management
presentation in Sturgis, SD on November 6, 2009. Vote Unanimous. Motion Carried.

Mr. John Charlson came before the Commissioners asking for a real estate tax refund amount of
\$488.22 on parcel number 09.3.20.4.3. Mr. Charlson claims that a structure has been placed on his
property in error by the Director of Equalization. The structure belongs to an adjoining neighbor.
The Commissioners would like for the State's Attorney to review the requested refund amount before
a decision can be made. Deputy Director of Equalization Heather Collins was also present.

Department Heads reported on undertakings within their respective offices.

Motion by Smeenk Second by Kindsfater to approve a travel request for Director of Equalization
Polly Odle and Deputy Director of Equalization Heather Collins to go to Pierre, SD on
November 12 – 13, 2009 for an Ag Assessment training class. Vote Unanimous. Motion Carried.

Butte County Planning Coordinator Charles Richardson came before the Commissioners to present a
Preliminary Plat and Final Plat of Tracts 4R-1 & 4R-2, Buffalo Ridge Subdivision, formerly Tract 4R of
Buffalo Ridge Subdivision. Motion by Harms Second by Smeenk to approve the Final Plat of Tracts
4R-1 & 4R-2, Buffalo Ridge Subdivision, formerly Tract 4R of Buffalo Ridge Subdivision.
Commissioner Kling expressed his concern the need for an additional emergency access entrance
into this Subdivision. Vote Unanimous. Motion Carried.

Butte County Planning Coordinator Charles Richardson told the Commissioners about the
Energy Efficiency and Conservation Block Grant Program (EECBG). A discussion was held
regarding eligible projects.

Highway Superintendent Don Adams informed the Commissioners that if the weather permits,
Tri-State Construction, Inc. anticipates starting the gravel hauling project on the Erk Road on
Wednesday, November 4, 2009.

An approach application was presented from Mr. Martin Bonato on Upper Redwater Road. Mr. Bonato would like to place a culvert 150 feet from the existing field approach and 330 feet south of the section line row intersection. This application needs to be reviewed in more detail before any action can be taken.

Mr. Harvey Paulson would like to place 2 – 3 cattle guards on an improved section line. It was agreed upon by the Commissioners that this is not a county matter because the road on the section line is not on the county road system.

Highway Superintendent Don Adams told the Commissioners that Corr Construction Services, Inc. had completed the Twilight Road Bridge Project. Seeding was all that remained to be finished.

Highway Superintendent Don Adams asked FEMA for an extension for the Indian Creek Bridge Replacement Structure (10-220-309) - (Beet Bridge) construction project. An extension has been granted until April 30, 2010 per Jason Bauder – South Dakota Office of Emergency Management.

Stephanie Herseth Sandlin has been notified by Mr. Rathbun to assist with the decision made by FEMA to not allow funding for the repair of the river bank that was eroded during the June 2008 flood. The eroded river bank is next to the Rathbun Road.

Highway Superintendent Don Adams told the Commissioners that the Harding County Commissioners will converse to see if they can spare 30,000 plus or minus yards of gravel.

The Commissioners recessed for lunch at 12:05 p.m. with the public invited.

Chairman Hansen called the meeting back to order at 1:52 p.m.

Sheriff Lamphere informed the Commissioners that he has hired a new Deputy Sheriff. Mr. Tristin Clements has been hired and he will begin his duties with Butte County on November 23, 2009.

Motion by Smeenck Second by Kling to authorize Chairman Hansen to sign the Emergency Management FY2010 State and Local Agreement (SLA) between the State of South Dakota and Butte County. Vote Unanimous. Motion Carried.

State's Attorney Tim Vander Heide and Deputy State's Attorney Heather Plunkett came before the Commissioners along with Treasurer Lensegrav to discuss the remaining balances in the Partial Payment Fund. More research needs to be done before the Commissioners will pass a Resolution.

Motion by Kling Second by Smeenck to go into an Executive Session at 2:40 p.m. with State's Attorney Tim Vander Heide regarding legal matters. Vote Unanimous. Motion Carried. Deputy State's Attorney Heather Plunkett was also present.

Motion by Kindsfater Second by Smeenck to come out of Executive Session. Vote Unanimous. Motion Carried. No action was taken.

Motion by Smeenck Second by Kling to approve a refund for Mr. John Charlson for the amount of \$488.22 and to approve an abatement on the 2009 taxes payable in 2010. A structure was placed in error on Parcel number 09.3.20.4.3. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Kling to rent office space at the Belle Fourche Plaza from DJ Construction & Development for relocation of the Nurse's Office. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to give the day after Thanksgiving off (November 27, 2009) and Christmas Eve Day off (December 24, 2009) to the employees of Butte County. These days off are with pay. Vote Unanimous. Motion Carried.

Committee Reports were given.

Motion by Kling Second by Kindsfater to adjourn the meeting. Vote Unanimous. Motion Carried.