12/16/09

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 1:13 P.M. December 16, 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 Kindsfater Second by Smeenk to approve the amended meeting agenda which included moving the State's Attorney to 1:00 p.m. and to discuss the available office space that will be vacant when the County Health Nurse moves her office to the Belle Plaza. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenk to go into an Executive Session with State's Attorney Tim Vander Heide at 1:15 p.m. regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to come out of Executive Session at 1:50 p.m. Vote Unanimous. Motion Carried. No action was taken.

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

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

Motion by Kling Second by Smeenk to approve the bills for payment with the exception of holding voucher number 970996 payable to Butte Electric for the amount of $8,012.54 and voucher number 970997 payable to Butte Electric for the amount of $234.36. Vote Unanimous. Motion Carried.

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

Motion by Harms Second by Smeenk to approve a travel request for Emergency Manager / E911 Coordinator Percy Bekken to attend a HSEEP Toolkit Training in Pierre, SD on January 5 – 6, 2010. Mr. Bekken would be traveling with the Emergency Manager from Lawrence County. Vote Unanimous. Motion Carried.

There were no abatements to present.

Sheriff Lamphere distributed the November Activity Report.

Sheriff Lamphere asked the Commissioners to revisit the Butte County policy in regards to vacation carry over.

Sheriff Lamphere recognized Deputy Brunner and gave him a Letter of Commendation for the outstanding way he handled the investigation of the vandalism incident at the Butte County Fairgrounds.

Sheriff Lamphere introduced Butte County's newest Deputy Tristan Clements to the Butte County Commissioners.

Sheriff Lamphere informed the Commissioners that he would be attending the Sheriff's Association meeting on December 18, 2009 regarding the rule changes concerning PSAP.

The Newell FFA Advisor David Ollila had visited with Sheriff Lamphere about having the FFA students build break-away mailboxes for a possible fund raiser and or community project.

Motion by Smeenk Second by Harms to authorize Chairman Hansen to sign an Agreement for Supervision of the Belle Fourche Police Department. This agreement is between the Butte County Commissioners and the Common Council of the City of Belle Fourche. The City of Belle Fourche presently does not have a Police Chief and Sheriff Lamphere has been approached to provide supervision of the Belle Fourche Police Department until a Police Chief has been selected.
Vote Unanimous. Motion Carried.

The Second Reading of ***"An Ordinance of Butte County: Criteria for Mailbox and Newspaper Containers"*** was scheduled to be held. The following persons were present to object to the Ordinance: Mr. Tom Davis, Mr. Al Schreier, Mr. Earl Capp, Mr. David Brown and Mr. Pepin. The concerned patrons feel there is no need for such an ordinance.

Motion by Harms Second by Smeenk to table the Second Reading of ***"An Ordinance of Butte County: Criteria for Mailbox and Newspaper Containers"*** until the January 5, 2010 meeting. The matter needs to be researched further. Vote Unanimous. Motion Carried.

Auditor Jensen needs to validate signatures on the petitions for the Ridge Road - Road District. This matter will be brought back to the December 29, 2009 special meeting.

Motion by Smeenk Second by Kling to approve a construction change order number 3 with the SD DOT for the Willow Creek Bridge for the amount of $2,875.00. Vote Unanimous. Motion Carried.

Motion by Kling Second by Kindsfater to approve paying voucher number 970996 payable to Butte Electric for the amount of $8,012.54 and to approve paying voucher number 970997 for the amount of $234.26. Vote Unanimous. Motion Carried.

Chairman Hansen informed the Commissioners that a phone conference was held that morning at 10:00 a.m. with himself, Attorney Mike Day, DOT and Heavy Constructors, Inc. regarding the North Indian Creek Bridge Structure – (10-091-161) & Bypass. The Commissioners took no action.

Highway Superintendent Don Adams was instructed by the Commissioners to visit with Deputy State's Attorney Heather Plunkett regarding 911 Signage Issues and Concerns.

Mr. Derrick Nedved – Chief Court Services Officer came before the Commissioners asking them to consider moving the Secretary and Probation Officer over to the vacant space that will be left by the County Health Nurse. They are in such need of more space because of the increase for Probation Services.

There were no Committee Reports given.

Motion by Smeenk Second by Kling to adjourn the meeting at 4:55 p.m.
Vote Unanimous. Motion Carried.