

12/29/2009

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 9:30 A.M. December 29, 2009, for a special meeting. Commissioners present were Hansen, Kindsfater and Smeenk. Commissioner Kling and Commissioner Harms were both absent.

Chairman Hansen called the special meeting to order.

Motion by Smeenk Second by Kindsfater to adopt the agenda. Vote Unanimous. Motion Carried.

The contracts for Representation of Indigents between Butte County and Trump Law Office and Reindl Law Office needs some language clarification per State's Attorney Tim Vander Heide. The Contracts will be tabled until the January 5, 2010 Commissioner's meeting.

State's Attorney Tim Vander Heide informed the Commissioners that the City of Belle Fourche had signed the 2010 Dispatch Contract between Butte County and the City of Belle Fourche but the amount the City of Belle Fourche had allocated for Dispatch Services was \$181,831.00 not the \$196,000.00 that the County had requested.

Motion by Kindsfater Second by Smeenk to go into an Executive Session at 9:35 a.m. with State's Attorney Tim Vander Heide regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenk to come out of Executive Session at 9:55 a.m. Vote Unanimous. Motion Carried.

Motion by Smeenk to approve the Dispatch Contract with a provision that Chairman Hansen will forward a letter to the City of Belle Fourche recognizing the fiscal problems that exist in the City of Belle Fourche. In the spirit of cooperation, Butte County will accept the Dispatch Contract for 2010 with their allocated amount of \$181,831.00. Chairman Hansen called for a Second. There was no Second to the motion. Again, Chairman Hansen called for a Second. There was no Second to the motion. The motion failed.

Chairman Hansen then turned the meeting over to Marvin Kindsfater at 10:05 a.m. Motion by Smeenk to approve the Dispatch Contract with a provision that Chairman Hansen will forward a letter to the City of Belle Fourche recognizing the fiscal problems that exist in the City of Belle Fourche. In the spirit of cooperation, Butte County will accept the Dispatch Contract for 2010 with their allocated amount of \$181,831.00. Acting Chairman Kindsfater called for a Second. Commissioner Hansen Seconded the motion. Voting yes were Smeenk and Hansen. Voting no was Kindsfater. Motion Carried. Commissioner Kindsfater's reason for voting no was due to the fact that the City uses 60 – 70 % of the Dispatch Services, whereas the county is asking for 50% of the 2010 Budget. The City of Belle Fourche denied the County's original request of \$196,000.00, which is one-half of the Dispatch Budget but instead the City of Belle Fourche offered \$181,831.00.

Acting Chairman Kindsfater then turned the meeting back over to Chairman Hansen.

Motion by Smeenck Second by Kindsfater to supplement the following budgets out of the Commissioner's Contingency Fund. Vote Unanimous. Motion Carried.

Budget Supplements from Commissioner Contingency

Account Number	Description	Amount	Contingency Balance
101-112-429	Commissioners Contingency		\$ 130,000.00
101-120-426	Elections	\$ 70.00	\$ 129,930.00
101-130-426	Judicial	\$ 5,900.00	\$ 124,030.00
101-144-421	Insurance	\$ 4,000.00	\$ 120,030.00
101-161-426	Government Buildings	\$ 14,750.00	\$ 105,280.00
101-212-422	Jail	\$ 36,750.00	\$ 68,530.00
101-215-422	Regional Juvenile Detention	\$ 12,562.00	\$ 55,968.00
101-421-411	Nurse	\$ 75.00	\$ 55,893.00
101-441-422	Mentally Ill	\$ 26,025.00	\$ 29,868.00
101-444-422	Mental Illness Board	\$ 860.00	\$ 29,008.00
101-616-426	Weeds	\$ 25,125.00	\$ 3,883.00

Motion by Kindsfater Second by Smeenck to do the following automatic supplements. Vote Unanimous. Motion Carried.

Account Number	Description	Amount
101-209	Sales Tax	\$ 2,700.00
101-215-422	Regional Juvenile Detention	\$ 34,378.00
201-311-426	Highway Road and Bridge (FEMA)	\$ 98,554.00
202-313-426	Snow Emergency (FEMA)	\$ 230,993.00
248-216-426	24/7 Sobriety Fund	\$ 986.00

No one appeared for the public hearing that was held to adopt supplemental budgets to cover expenses in Fund 201– Road and Bridge for the amount of \$506,479.00 and Fund 207 – E911 for the amount of \$11,611.00.

The funds for the above amounts are to be provided for from restricted cash balance accumulations.

Motion by Smeenck Second by Kindsfater to supplement Fund 207 – E-911 for the amount of \$11,611.00 and supplement Fund 201 – Road and Bridge for the amount of \$506,479.00. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kindsfater to do the following cash transfers. Vote Unanimous. Motion Carried.

\$ 20,000.00	General Fund Cash (101-101) to Civil Defense Fund Cash (226-101)
\$ 19,894.00	Hwy Truck and Equipment Reserve Fund to Hwy Road and Bridge
\$ 100,000.00	Hwy Gravel Reserve Fund to Hwy Road and Bridge

The General Fund Cash Balance must be less than 40% of 2010's budget at year - end. Auditor Jensen reported that there was an accumulation of \$400,000.00 that needed to be transferred. SDCL 7-21-51 allows for an accumulation of funds for capital outlay purposes. Motion by Smeenk Second by Kindsfater to transfer \$85,000.00 to Computer Technology Fund (Fund 101); transfer \$15,000.00 to the Fire Fund (Fund 211); transfer \$100,000.00 to Highway Gravel (Fund 201) and transfer \$200,000.00 to General Fund Maintenance (Fund 101). Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenk to adjourn the meeting at 11:15 a.m. Vote Unanimous. Motion Carried.