

03/03/2009

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 9:35 A.M.
March 3, 2009. Commissioners present were Hansen, Kling, Kindsfater,
Smeenck and Harms.

Chairman Hansen called the meeting to order and led those present in the
Pledge of Allegiance.

Motion by Smeenck Second by Kindsfater to approve the meeting agenda.
Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to approve the minutes from the Commissioner's
meeting, which was held on February 18, 2009. Vote Unanimous. Motion Carried.

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

Motion by Harms Second by Kling to accept the VSO report for February 2009.
Vote Unanimous. Motion Carried.

There were no abatements to present.

Motion by Kling Second by Smeenck to move the regular scheduled mid month meeting
for March from Wednesday, March 18, 2009 to Monday, March 16, 2009 beginning at
1:00 p.m. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to approve a travel request for Auditor Jensen to
attend the County Commissioners and Welfare Officials Workshop in Pierre, SD on
March 18 – 19, 2009. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to supplement the Extension Budget for \$330.00.
Vote Unanimous. Motion Carried.

Department Heads reported on undertakings within their respective offices.

Highway Superintendent Don Adams and Highway Foreman Gary Berglund were both
present to give the Highway Report.

Chris Besler and Adam Besler were both present to ask the Commissioners for a
variance in regards to the two approaches on Helmer Road that are each used for
access to their separate businesses. Motion by Smeenck Second by Harms to authorize
both approaches on Helmer Road for Chris & Rose Anne Besler with the understanding
that trees will be removed to provide better visibility to both the north and south of the
approaches. Chairman Hansen called for a roll call vote. Voting yes were Kling,
Smeenck and Harms. Voting no were Hansen and Kindsfater. Motion Carried.

Attorney Wes Buckmaster and Mr. Ed Wiezbicki were both present to discuss with the
Commissioners their offer in regards to repairing the Graf Bridge. The road committee
will have a meeting to discuss the offer.

Highway Superintendent Don Adams has received one bid to remove the old door at the Nisland Highway Shop and to repair the 12' x 12' space that will remain after the door is removed. The bid was submitted from Cornett Construction for \$920.00.

At 11:00 a.m. Highway Superintendent Don Adams and Highway Foreman Gary Berglund publicly opened and read orally the bids that were submitted for Supplies and Materials for 2009. The following bids were received:

SUPPLIER	MATERIALS
Wierzbicki Dirt Moving – Ed Wierzbicki	Hourly Rental of Equipment for Road Repair and Maintenance.
Wierzbicki Dirt Moving – Ed Wierzbicki	Hourly Snow Removal
DalCam Oil Company	Fuel Quote
M.G. Oil Company	Fuel Quote
Z&S Dust Control Systems	Magnesium Chloride - \$.69 per gallon
Huron Culvert & Tank Company	Corrugated Metal Culverts, Bridge Lumber, Steel Decking, Steel Piling, Galvanized Sheet Piling and Grader Blades
J.D. Evans, Inc.	Equipment Rentals
Presco Sales & Service, Inc.	Cutting Edges
Wheeler Lumber, LLC	Treated Pine Posts, Treated Pine Piling and Treated Fir Stringers
Wierzbicki Earthmoving	Equipment Rentals
CreteX Concrete Products West, Inc.	Prestressed Concrete Bridge Deck, Culvert Boxes, Abutment Plank, Concrete Culverts and Concrete Pipe
West Tire	Tires and Tubes
Dale's Tire & Retread	Tires

Highway Superintendent Don Adams and Highway Foreman Gary Berglund will review the bids and will return at 3:00 p.m. so the bids can be acted upon.

Bituminous Paving, Inc. is wanting to visit with the Commissioners about the 10% Retainage Fee that is being held by the County for the Gray Road Paving Project, P 8010, PCN 00R7. At the December 19, 2007 meeting the Butte County Commissioners passed a motion to assess Bituminous Paving, Inc. the full fine of \$20,000.00 as the Gray Road Paving project was 40 days late in getting completed. A letter is to be drafted to Bituminous Paving, Inc. addressing the same.

Highway Superintendent Don Adams will be advertising for a seasonal weed & pest person at a starting wage of \$10.73. This person will also be utilized in the Highway Department on days when spraying cannot be done.

Mr. Scott Gullickson from Butler Cat was present to discuss with the Commissioners different advertising options for the 1993 140 G Cat Grader and the 1999 770 CH John Deere Grader that Butte County is currently taking bids on. The bids will be publicly opened on April 7, 2009.

Mr. Al Schreier from Schreier Engineering came before the Commissioners stating that all the necessary paper-work for his firm to do Engineering Work for Butte County has been submitted to Mr. Lance Birger's attention at Secondary Roads in Pierre, SD.

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

The Commissioners reconvened at 1:40 p.m. with all Commissioners present.

Sheriff Lamphere told the Commissioners that he had received vehicle bids from the local dealerships for a vehicle that he wants to purchase for his department. The Sheriff's recommendation was to purchase a Chevrolet 1500 Crew Cab from Hersrud's of Belle Fourche for \$23,998.00. This matter will be revisited at the March 16th meeting at which time it will be placed on the agenda.

Since there has been lots of inquiry from Butte County residents wanting to purchase maps of Butte County, a brief discussion was held regarding the cost of purchasing Butte County Maps from Mapping and Planning Specialist, Inc.

Sheriff Lamphere informed the Commissioners that he has received two quotes for the 84' x 6' chain link fence that he plans to have placed around the Courthouse Generator. The prices range from \$2,900.36 for a residential grade to \$3,639.89 for a commercial grade. This matter will be placed on the March 16th agenda so action can be taken.

State's Attorney Tim Vander Heide discussed with the Commissioners the first draft of *Indigent Assistance Guidelines for Butte County*. More reviewing needs to be done before the guidelines are adopted.

Motion by Kling Second by Kindsfater to go into an Executive Session at 2:20 p.m. regarding legal and personnel matters. Vote Unanimous. Motion Carried. State's Attorney Tim Vander Heide was also present.

Motion by Harms Second by Kling to come out of Executive Session at 3:05 p.m. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to pay an indigent assistance claim for a prescription charge to Lynn's Pharmacy for J.B. for the amount of \$52.21. A repayment plan for this loan is to be set up with the Butte County Auditor's office. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to authorize the purchase of 150 gallons of propane for indigent assistance for M.C. and S.C. A repayment plan for this loan is to be set up with the Butte County Auditor's office. Vote Unanimous. Motion Carried.

At 3:00 p.m. Highway Superintendent Don Adams and Highway Foreman Gary Berglund came to discuss with the Commissioners their recommendations for the supply and material bids. The following action was taken:

SUPPLIER	MATERIALS
<p>Wierzbicki Dirt Moving – Ed Wierzbicki</p> <p>Motion by Smeenk Second by Kling to accept the bid from Wierzbicki Dirt Moving for the hourly rental of equipment for road repair and maintenance. This bid includes an operator. Vote Unanimous. Motion Carried.</p>	<p>Hourly Rental of Equipment for Road Repair and Maintenance and Snow Removal</p>
<p>Wierzbicki Dirt Moving – Ed Wierzbicki</p> <p>Motion by Smeenk Second by Kling to accept the bid from Wierzbicki Dirt Moving for the hourly rental for snow removal. This bid includes an operator. Vote Unanimous. Motion Carried.</p>	<p>Hourly Snow Removal</p>
<p>DalCam Oil Company</p> <p>Motion by Kindsfater Second by Smeenk to accept the fuel quote from DalCam Oil Company. Vote Unanimous. Motion Carried.</p>	<p>Fuel Quote</p>
<p>M.G. Oil Company</p> <p>Motion by Kindsfater Second by Smeenk to deny the fuel quote from M.G. Oil Company. Vote Unanimous. Motion Carried.</p>	<p>Fuel Quote</p>
<p>Z&S Dust Control Systems</p> <p>Motion by Kling Second by Smeenk to accept the bid for Mag Water from Z&S Dust Control Systems. Vote Unanimous. Motion Carried.</p>	<p>Magnesium Chloride - \$.69 per gallon</p>
<p>Huron Culvert & Tank Company</p> <p>Motion by Smeenk Second by Kindsfater to purchase off of the Beadle County bid for corrugated metal culverts, bridge lumber, steel decking, steel piling, galvanized sheet piling and grader blades from Huron Culvert & Tank Company. Vote Unanimous. Motion Carried.</p>	<p>Corrugated Metal Culverts, Bridge Lumber, Steel Decking, Steel Piling, Galvanized Sheet Piling and Grader Blades</p>

<p>J.D. Evans, Inc.</p> <p>Motion by Smeenk Second by Harms to accept the bid for equipment rentals from J.D. Evans, Inc. This bid is equipment only. Vote Unanimous. Motion Carried.</p>	<p>Equipment Rentals</p>
<p>Presco Sales & Service, Inc.</p> <p>Motion by Kling Second by Smeenk to accept the bid for cutting edges from Presco Sales & Service, Inc. Vote Unanimous. Motion Carried.</p>	<p>Cutting Edges</p>
<p>Wheeler Lumber, LLC</p> <p>Motion by Smeenk Second by Kindsfater to accept the bids for treated pine posts, treated pine piling and treated fir stringers from Wheeler Lumber, LLC. Vote Unanimous. Motion Carried.</p>	<p>Treated Pine Posts, Treated Pine Piling and Treated Fir Stringers</p>
<p>Wierzbicki Earthmoving</p> <p>Motion by Kindsfater Second by Smeenk to accept the bid for equipment rental for snow removal and accept the bid for equipment rental for bridge and road repairs from Wierzbicki Earthmoving. These bids include an operator. Vote Unanimous. Motion Carried.</p>	<p>Equipment Rentals</p>
<p>Cretex Concrete Products West, Inc.</p> <p>Motion by Kling Second by Kindsfater to accept the bids for prestressed concrete bridge deck, culvert boxes, abutment plank, concrete culverts and concrete pipe from Cretex Concrete Products West, Inc. Vote Unanimous. Motion Carried.</p>	<p>Prestressed Concrete Bridge Deck, Culvert Boxes, Abutment Plank, Concrete Culverts and Concrete Pipe</p>
<p>West Tire</p> <p>Motion by Kling Second by Smeenk to accept the bid for tires and tubes from West Tire. Vote Unanimous. Motion Carried.</p>	<p>Tires and Tubes</p>

<p>Dale's Tire & Retread</p> <p>Motion by Kindsfater Second by Smeenk to accept the bid for tires from Dale's Tire & Retread. This is a state bid. Vote Unanimous. Motion Carried.</p>	<p>Tires</p>
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A bid from Sheehan Mack Sales & Equipment was rejected because it was received after the 10:00 a.m. deadline on March 3, 2009. It was received at 11:50 a.m. on March 3, 2009.

Chairman Hansen asked Highway Superintendent Don Adam for a list of the roads that he plans to use the ridge mulcher on in 2009. The list is to be presented at the Tuesday, April 7, 2009 Commissioner's meeting.

Committee Reports were given.

Motion by Harms Second by Smeenk to adjourn the meeting at 5:12 p.m.
Vote Unanimous. Motion Carried.

SALARY

ASSESSOR'S OFFICE \$6,951.98, AUDITOR'S OFFICE \$8,866.91, COMMISSIONERS \$5,458.20, DISPATCH \$17,846.33, EM/911 \$2,537.90, EXTENSION \$1,931.20, HIGHWAY DEPT \$29,157.68, NURSE'S OFFICE \$2,006.40, REG OF DEEDS OFFICE \$4,953.14, SHERIFF DEPT \$17,134.00, STATE'S ATTORNEY'S OFFICE \$9,074.15, TEEN COURT \$1,384.62, TREASURER'S OFFICE \$8,870.66, VETERAN SERVICE OFFICE \$1,140.52

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$8,646.97

SDRS (RETIREMENT)

BUTTE COUNTY SHARE \$6,849.88

GROUP INSURANCE

BUTTE COUNTY SHARE \$24,940.73

OTHER INSURANCE

BUTTE COUNTY TREASURER \$285.00

PROFESSIONAL SERVICES & FEES

A & B BUSINESS EQUIPMENT \$157.56, ACCURINT-ACCOUNT \$70.00, BACHMAN, RENEE \$120.00, BACHMAN, ROBERT \$100.00, BECKMAN, MAUREEN \$572.79, BH RESOURCE CONSERVATION \$100.00, BLACK HILLS NEUROLOGY \$8.17, BLACK HILLS SECURITY \$240.00, BOGGS, LORI \$100.00, BRUNNER, GAR Y \$100.00, BRYSON, JAMES \$10.00, BURKE, RONNA \$44.00, CITY/COUNTY ALCOHOL & DRUG \$2,185.00, COLLINS CLEANING SYSTEMS \$1,467.72, COREAN, THEODORE \$10.00, DAKOTA HILLS FAMILY PRACTICE \$235.00, DARDIS, SUZANNE \$457.75, DIETRICH, DONNA K. \$138.12, DONALD A. JANZ PHD \$1,100.00, DUBOIS, TIMOTHY \$50.00, DUSEK, DAWN \$50.00, ECOLAB \$214.50, ELLINGSON, JOSEPH \$269.66, ENGESSER, DONALD \$20.00, FLANAGAN, DIXIE E \$20.00, FOYE, ED \$95.00, FRANKE, DONALD \$100.00, FREDERICKSON LAW OFFICE \$5,295.06, GEIS, PEARL \$50.00, GOTFREDSON, BRUCE \$100.00, HARVEY, ALAN \$100.00, ISENBERG, MISTI \$20.00, JAKOBER, STEVE \$50.00, JENSEN, SCOTT \$23.79, JENSEN, TENA \$100.00, JOHNSON MINER MARLOW WOOD \$159.61, KEBLER, DANYELL \$206.25, KEIL, ROBERT \$10.00, KINNEY & DARDIS, LLP \$722.87, KITTELSON, JOAN \$15.00, KONE INC \$304.18, KOOISTRA, NELVA \$15.00, LARSON, GLENDA \$100.00, LAUTERS, RONALD \$10.00, LEROY HILL LAW OFFICE \$434.60, LEWIS & CLARK BEHAVIORAL \$142.00, LEXISNEXIS \$100.00, LYNN'S DAKOTAMART \$10.79, MEADE COUNTY AUDITOR \$41,250.00, MEDICAP PHARMACY \$1,933.08, MERLE'S LANDSCAPING \$255.00, MONCUR CPA, DEBRA K \$320.00, MONCUR, RYAN \$20.00, MYERS, JULIA \$50.00, NATIONAL SHERIFF'S ASSOCIATION \$50.00, NEIMAN, RICKY \$10.00, NEWSOME, JENNIFER \$50.00, NICKELS, ROBERT \$20.00, NJS ENGINEERING \$584.50, NORTHERN HILLS REPORTING \$364.25, OCCUPATIONAL HEALTH NETWORK \$123.00, OSTER, SANDRA \$100.00, PAMIDA INC - STURGIS \$2,041.56, PENNINGTON COUNTY JAIL \$499.40, PENNINGTON COUNTY SHERIFF \$40.16, PIZZA HUT \$78.92, PUMMEL, G \$100.00, RAPID CITY MEDICAL CENTER \$173.05, RAPID CITY REGIONAL HOSPITAL \$698.00, REGIONAL BEHAVIORAL HEALTH \$532.38, REIF, GARY \$100.00, REINDL, STACI L. \$4,378.55, RISCHE, CLYDE \$10.00, RUZICKA, TERI \$50.00, SD DEPT OF HEALTH \$558.00,

SPEARFISH REGIONAL MEDICAL \$164.60, STALEY, BELVA \$10.00, STATE RADIO COMMUNICATION \$2,300.00, TRUMP LAW OFFICES PC \$2,500.00, ULRICH, STEVE \$20.00, WARD, DARRELL \$10.00, WELLS FARGO FINANCIAL \$190.54, WESTERN S.D. JUVENILE \$9,200.00, YANKTON COUNTY TREASURER \$103.75, YULE, MAYNARD \$10.00

PUBLISHING

BLACK HILLS WEEKLY GROUP \$196.48, BUTTE COUNTY TREASURER \$576.00

RENTALS

A & B BUSINESS EQUIPMENT \$19.70, GREAT WESTERN BANK \$48.50, MARLIN LEASING \$247.40, WELLS FARGO FINANCIAL \$225.08

REPAIRS & MAINTENANCE

A & B BUSINESS EQUIPMENT \$27.39, BLACK HILLS WINDSHIELD REPAIR \$55.00, BUTLER MACHINERY \$666.70, CAN AM AUTO REPAIR \$174.00, CHAIN SAW CENTER \$116.69, DICK'S REPAIR \$54.39, GRABER VOICE AND DATA \$2,956.00, HOSETH AUTO \$145.07, INLAND TRUCK PARTS \$233.71, JOHNSON ELECTRIC \$1,783.98

SUPPLIES & MATERIALS

212-79 SERVICE CENTER \$30.08, A & B WELDING SUPPLY \$450.70, A & J SUPPLY \$103.40, ALTSTAR REBUILDERS \$42.85, BLACK HILLS CHEMICAL \$73.98, BLACK HILLS PURE \$40.70, BUCKSTOP \$303.00, BUTLER MACHINERY \$1,736.98, BUTTE CO. SHERIFF'S OFFICE \$275.42, BUTTE COUNTY TREASURER \$3,262.83, CAN AM AUTO REPAIR \$298.94, CENTRAL PARTS \$525.05, DAKOTA LUMBER \$183.00, DAL CAM OIL COMPANY \$2,784.65, DELUXE BUSINESS CHECKS \$50.36, FRONTIER GLASS OF BELLE FOURCHE \$813.86, GODFREY BRAKE \$601.17, GRIMM'S PUMP & INDUSTRIAL \$386.88, HERSRUDS OF B.F. \$62.73, HILLYARD/SIOUX FALLS \$59.83, JOHNSON ELECTRIC \$3,380.34, K & J AG INDUSTRIES \$62.50, KIMBALL MIDWEST \$319.91, LAWRENCE CO EXTENSION OFFICE \$30.00, LAWSON PRODUCTS \$150.05, LYLE SIGNS \$1,639.89, LYNN'S DAKOTAMART \$26.88, MAPPING AND PLANNING \$1,717.38, MCLEODS \$474.02, MICHAEL TODD & COMPANY \$79.28, MITCHELL, MELISSA \$46.90, MOBILE BINDERS \$539.33, MOTIVE PARTS & SUPPLY \$1,471.04, NATIONAL 4-H COUNCIL SUPPLIES \$109.09, NEWELL RANCH SUPPLY INC \$19.98, NOBLE INK & TONER \$317.94, OFFICE EMPORIUM \$169.80, PACIFIC STEEL & RECYCLING \$844.69, PAMIDA \$162.44, QUILL CORPORATION \$639.66, RABER'S WELDING \$443.40, RAPID DELIVERY \$40.80, ROCKMOUNT/NASSAU \$571.68, SAND CREEK PRINTING \$2,811.77, SCOTT PETERSON MOTORS \$403.46, SD DEPT OF REVENUE \$440.00, SD DEPT OF TRANS \$1,311.83, SERVALL UNIFORM/LINEN \$532.26, SPEARFISH EXTINGUISHER \$720.50, STEREOS N STUFF \$91.97, STREET IMAGE \$375.00, TITAN ACCESS ACCOUNT \$3,175.82, WELLS PLUMBING \$36.97, WEST TIRE \$4,401.31

TRAVEL & CONFERENCE

BACHMAN, ROBERT \$2.96, BEST WESTERN RAMKOTA INN \$95.99, BOGGS, LORI \$5.92, BROOKER, JACK \$11.44, BRUNNER, GARY \$9.52, BRYSON, JAMES \$0.74, BUTTE COUNTY TREASURER \$250.00, COOPER, TOMMY \$67.34, COREAN, THEODORE \$1.48, DUBOIS, TIMOTHY \$0.74, DUSEK, DAWN \$20.72, ENGESSER, DONALD \$8.88, FLANAGAN, DIXIE E \$13.32, FOX, KRINDA \$27.50, FRANKE, DONALD \$1.48, GEIS, PEARL \$0.74, GOTFREDSON, BRUCE \$66.60, HANSEN, KENNETH \$27.75, HARMS, STANLEY \$39.96, HARVEY, ALAN \$1.48, HENDRICKSON, RAGINE \$35.43, JAKOBER, STEVE \$1.48, JENSEN, ELAINE \$62.90, JENSEN, TENA \$1.48, KEIL, ROBERT \$22.20, KINDSFATER, MARVIN \$5.55, KLING, KIM \$26.64, LARSON, GLENDA \$7.40, LAUTERS, RONALD \$22.20, MILLER, RONDA \$37.00, MYERS, JULIA \$0.74, NEIMAN, RICKY \$1.48, NEWSOME, JENNIFER \$0.74, OSTER, SANDRA \$7.40, PITTS, CLINT \$106.56, PUMMEL, G \$1.48, REIF, GARY \$44.40, RISCHE, CLYDE \$3.70, RUZICKA, TERI \$3.70, SMEENK, JAMES \$222.00, SMEENK, STEVEN \$55.50, STALEY, BELVA \$0.74, SWAN, THOMAS \$235.88, ULRICH, STEVE \$287.86, WALKER, PAULA \$160.55, WEED AND PEST CONFERENCE \$305.00, YULE, MAYNARD \$13.32

UTILITIES

A T & T \$64.99, ALLTEL \$417.88, BH POWER & LIGHT CO \$2,097.90, BUTTE CO. SHERIFF'S OFFICE \$29.99, BUTTE ELECTRIC COOP \$528.79, BUTTE-MEADE SANITARY \$35.00, CITY OF BELLE FOURCHE \$98.57, GOLDEN WEST COMPANIES \$23.45, KNOLOGY \$811.17, MCGAS PROPANE \$546.00, MONTANA-DAKOTA UTIL.CO \$2,556.62, QWEST \$1,729.83, SD DEPT OF TRANS \$951.17, TOWN OF NISLAND \$61.50, TRASH BUSTERS INC \$109.00, WEST RIVER COOP TELEPHONE \$100.68

OTHER
BH COUNCIL LOCAL GOV. \$3,312.00, BUTTE COUNTY TREASURER \$35.36, BUTTE-LAWRENCE FAIR \$7,500.00, OFFICE EMPORIUM \$3.49, PAMIDA \$80.21

FY2007 HSGP EQUIPMENT

M & T FIRE SAFETY \$519.18, PORTERFIELD ELECTRIC \$5,102.00, PUBLIC SAFETY EQUIPMENT \$17,271.76

SHERIFF HIGHWAY SAFETY GRANT

BROOKER, JACK \$76.64, JEWETT, WILLIAM \$100.00, NULLE, CURT \$90.00, WAHLFELDT, BRANDON \$45.00

PRINCIPAL

GE CAPITAL \$2,509.03

APPROVED BY THE COMMISSION:
Kenneth D. Hansen, Chairman

ATTEST: Elaine Jensen, Auditor