

4/07/09

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 9:35 A.M.
April 7, 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 Kling to approve the amended meeting agenda. The final plat for a
Subdivision for Monte Raber – Lot B was not ready for final approval and the addition of discussing
Lease-Purchase Options for the new 2009 Cat Graders would be included during the Highway time
under Scott Gullickson-Butler CAT. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to approve the minutes from the March 16, 2009 Commissioner's
meeting and the March 19, 2009 Commissioner's meeting. Vote Unanimous. Motion Carried.

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

Motion by Harms Second by Smeenk to accept the VSO report for March 2009. Vote Unanimous.
Motion Carried.

David and Judy Morris came before the Commissioners to discuss their property values.
Mr. & Mrs. Morris could not understand the fluctuation in the property valuation from one year to the
next. They were asking for an abatement on parcel number 15.00.13.01A for the amount of \$154.98.
Motion by Harms Second by Kindsfater to deny the abatement request for David & Judy Morris.
Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to approve an abatement for Paula Gregg on parcel number
08.2.19.12. The amount of the abatement is \$287.01. The acreage was recorded incorrectly by the
Director of Equalization. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to deny two abatements for Michael Philipsen on parcel number
08.5.10.1.2M for the amount of \$211.28 and parcel number 16.01.031 for the amount of \$1,776.64.
Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenk to approve an abatement for Irine Bekken on parcel number
08.2.29.31.2. Applicant qualified for the Assessment Freeze for the Elderly and Disabled. The
amount of the abatement is \$1,168.99. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Harms to approve an abatement for Marjorie J. Hafner on parcel
number 16.01.025.10. Applicant qualified for the Assessment Freeze for the Elderly and Disabled.
The amount of the abatement is \$1,391.24. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenk to approve two abatements for Lilia Dutra on parcel number
15.25.0B.02 for the amount of \$6.74 and parcel number 15.25.0B.01.1A for the amount of \$413.65.
Applicant qualified for the Assessment Freeze for the Elderly and Disabled. Vote Unanimous.
Motion Carried.

Motion by Harms Second by Kling to approve the following travel requests: Director of Equalization Polly Odle, Deputy Director of Equalization Heather Collins and Appraiser Jennifer Swaby to attend the SDAAO Conference in Watertown, SD on May 19 -22, 2009; Deputy Treasurer Tracy Monier to attend the New Officials Workshop in Pierre on April 8 – 9, 2009; Auditor Elaine Jensen, Treasurer Deb Lensegrav and Register of Deeds Paula Walker to attend the Spring Workshop in Pierre, SD on May 5 – 7, 2009. The travel request that was submitted from Emergency Manager/E911 Coordinator Scott Jensen will be tabled until the afternoon when clarification can be received from Sheriff Lamphere. Vote Unanimous. Motion Carried.

Department Heads reported on undertakings within their respective offices.

Motion by Harms Second by Kling to approve a final plat for a Lot Line Revision of Lots J-R and M-R of the Wells Subdivision. Vote Unanimous. Motion Carried.

Derald and Kelly Hill came before the Commissioners to discuss the culvert issue on Ziebach Street. Flooding occurred in 2008 on Ziebach Street near Hill's Interiors, Inc. Also present for the discussion were Jim Parker from NJS Engineering and Registered Land Surveyor Randy Deibert. This matter is currently under review with FEMA. Mr. Deibert's recommendation was to do a study showing the flow of the water before installing new culverts.

At 11:00 a.m. Highway Superintendent Don Adams publicly opened and read orally the bids that were submitted for the 1999 John Deere 770 Grader and the 1993 140G Caterpillar Motor Grader. Mr. Scott Gullickson from Butler Cat, Scott Clyde from RDO Equipment and Mr. Forgey from Forgey Construction were also present for the bid opening. The following bids were received:

Forgey Construction	140G Caterpillar Grader	\$36,101.00
Lee & Sons Partnership	140G Caterpillar Grader	\$20,100.00
Northern Engine & Supply	140G Caterpillar Grader	\$51,800.00
Butler Cat	140G Caterpillar Grader	\$50,000.00
Butler Cat	JD 770 Grader	\$35,000.00
Alex Smith	JD 770 Grader	\$ 8,640.00
Forgey Construction	JD770 Grader	\$45,100.00
Alex Smith	140G Caterpillar Grader	\$ \$6,870.00
RDO Equipment	1999 JD 770 Grader	\$45,000.00
Clint Feland, Inc.	1999 JD 770 Grader	\$41,501.00

Motion by Smeenk Second by Kling to use an existing approach off of Ziebach Street for Robert and Shirley Heinbaugh. The approach will line up with the approach to the north. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Harms to authorize a change order for the amount of \$593.46 for additional work to the **North Indian Creek Bridge on Camp Crook Road, Structure # 10-091-161**. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenk to authorize Chairman Hansen to sign the **Construction Contract and Notice to Proceed Agreement** with Heavy Constructors, Inc. for the **North Indian Creek Bridge on Camp Crook Road, Structure # 10-091-161**. Vote Unanimous. Motion Carried.

The Commissioners reviewed the Graf Bridge Agreement. There was an area that needed to be revised therefore the agreement will be sent back to Attorney Wes Buckmaster and the Agreement will be revisited at the April 22, 2009 Commission meeting.

The road issue concerning Mr. Jake Miller is not a county matter. This is a private matter amongst the surrounding land owners.

The Utility Easement application that was submitted from Butte Electric for River Loop Road will be held until the April 22, 2009 Commission meeting.

The 2009 road schedule for the Ridge Mulcher will be presented at a later date.

Highway Superintendent Don Adams delivered the current fuel prices and also discussed snow plowing strategies for the 850 miles of Butte County roads.

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

The Commissioners reconvened at 1:35 p.m.

The Commissioners congratulated Auditor Jensen on her 5 year anniversary with Butte County as Auditor and thanked her for her 5 years of service.

Sheriff Lamphere presented a Proclamation to declare April 12 – 18, 2009 as National Telecommunicator Week. There will be an Open House on April 16, 2009 from 10:00 a.m. – 2:00 p.m. with the public invited. This will take place in the Commissioner's room at the Butte County Courthouse.

A *Certificate of Appreciation* was presented to Dispatcher Chandi Zimmershied from Sheriff Lamphere for saving a life on February 16, 2009. Ms. Zimmershied will be acknowledged for her service during the Open House on April 16, 2009.

Motion by Kling Second by Kindsfater to table a travel request that was submitted from Emergency Manager/E911 Coordinator Scott Jensen to attend a GIS training in Rapid City, SD on May 14 – 15, 2009. Vote Unanimous. Motion Carried.

The Activity Report from the Sheriff's office will be presented at the April 22, 2009 meeting.

Motion by Harms Second by Smeenck to authorize Chairman Hansen to sign the Emergency Management State and Local Agreement. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to authorize Chairman Hansen to sign the ***Memorandum of Understanding between the South Dakota Cooperative Extension Service and Counties of South Dakota***. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to supplement the Extension Budget for \$1,350.00. This is the 2009 postage allocation. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to do an automatic supplement to the Emergency Management "Grants Pass Thru" Expense and Revenue Budgets for the amount of \$3,084.00. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenck to offer space as long as space is available to Butte County Awareness and Prevention Coalition. The Butte County Awareness and Prevention Coalition will be sharing office space with the Artemis Office. The two organizations will work out the sharing of time and the space allocation within the office to the mutual agreement of both parties. Vote Unanimous. Motion Carried.

Auditor Jensen is to ask the Butte County Fire Protection for financial statements for the years 2007 and 2008. This is being done regarding the possible 2010 Opt Out that is being considered for the Fire Budget.

Mr. Jim Schwartz and Mr. Mike Carlson from the South Dakota Department of Transportation came before the Commissioners to further discuss the Highway 85 Street Project. They relayed to the Commissioners that the state would not share any of the costs incurred by the street project.

Motion by Harms Second by Kling to waive the appraisal fee and accept the monetary amount of \$891.00 for the 181 square feet of deeded land and 1,754 square feet of temporary easement area and authorize Chairman Hansen to sign the Right of Way Agreement and the Temporary Easement Agreement with the South Dakota Department of Transportation. The property is described as: The North Half of Lot 1 in Block 32 of Original Town of Belle Fourche, Butte County, South Dakota. Lot C-8 in Block 31 of Original Town of Belle Fourche, Butte County, South Dakota. This is Project Number NH 0085 (51) 55 PCN No. 5935 Parcel Number 23 & 24 – Butte County, South Dakota. Vote Unanimous. Motion Carried.

Based on Highway Superintendent Don Adams's recommendation a motion was made by Smeenk and a second by Kling to accept the bid from Northern Engine & Supply for the amount of \$51,800.00 for the 140G Caterpillar Grader and accept the bid from Forgey Construction for the amount of \$45,100.00 for the JD 770 Grader. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenk to surplus two of the 140 H Cat Graders. Vote Unanimous. Motion Carried.

The Equalization Hearings have been set for Tuesday, April 14, 2009 beginning at 9:30 a.m. Vote Unanimous. Motion Carried.

Motion by Kling Second by Kindsfater to change the regular scheduled Commissioner's meeting from April 15, 2009 to April 22, 2009. Vote Unanimous. Motion Carried.

Motion by Kling Second by Kindsfater to authorize the Highway Department to spend up to a total of \$4,000.00 for the next four days – (April 8, 9, 10 & 11, 2009) to widen spots on Butte County Roads. Vote Unanimous. Motion Carried.

Motion by Kling Second by Kindsfater to go into an Executive Session at 5:14 p.m. for personnel matters. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kling to come out of Executive Session at 5:38 p.m. Vote Unanimous. Motion Carried. Auditor Jensen was given the authority to advertise for a maintenance person for 20 hours per week.

Committee Reports were given.

Motion by Smeenk Second by Kindsfater to adjourn the meeting at 5:58 p.m. Vote Unanimous. Motion Carried.

SALARY

ASSESSOR'S OFFICE \$8,188.92, AUDITOR'S OFFICE \$13,230.56, BUILDINGS \$1,215.50, COMMISSIONERS \$7,962.30, DISPATCH \$25,473.92, EM/911 \$3,822.71, EXTENSION \$2,896.80, HIGHWAY DEPT \$46,620.56, NURSE'S OFFICE \$3,009.60, REG OF DEEDS OFFICE \$7,429.71, SHERIFF DEPT \$25,194.25, STATE'S ATTORNEY OFFICE \$13,476.84, TEEN COURT \$2,076.93, TREASURER'S OFFICE \$13,490.67, VETERAN SERVICE OFFICE \$1,710.78, WEED CONTROL \$461.16

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$13,198.62

SDRS (RETIREMENT)

BUTTE COUNTY SHARE \$10,361.75

GROUP INSURANCE

BUTTE COUNTY SHARE \$12,796.84

PROFESSIONAL SERVICES & FEES

A & B BUSINESS EQUIPMENT \$763.81, ACCURINT-ACCOUNT \$70.00, BACHMAN, ROBERT \$50.00, BITTNER, D'ANNA \$20.00, BLACK HILLS COUNSELING \$660.00, BLACK HILLS WEEKLY GROUP \$50.12, BOGGS, LORI \$50.00, BRADY PLUIMER PC \$1,282.14, BRUNNER, GARY \$100.00, BURKE, RONNA \$67.50, BUTTE COUNTY TREASURER \$356.62, CITY OF RAPID CITY \$350.00, DIETRICH, DONNA K. \$137.62, ECOLAB \$250.00, ELLINGSON, JOSEPH \$3,903.44, FOYE, ED \$160.00, FRANKE, DONALD \$50.00, FREDERICKSON LAW OFFICE \$363.60, G & R CONTROLS \$1,366.18, GINSBACH, CALI \$20.00, GOTTFREDSON, BRUCE \$50.00, HARVEY, ALAN \$50.00, JACKSON DENTAL CLINIC DD \$86.00, JENSEN, TENA \$50.00, JOHNSON ELECTRIC \$130.40, KEBLER, DANYELL \$24.75, KING, BRILEE \$20.00, KLOPFENSTEIN MD, DAVID \$66.65, KONE INC \$304.18, KOOISTRA, NELVA \$15.00, LARSON, GLENDA \$50.00, LEXISNEXIS \$100.00, LYNN'S DAKOTAMART \$10.79, MEADE COUNTY SHERIFF \$49.40, MERLE'S LANDSCAPING \$1,500.00, MIKELSON, GARY \$186.49, MORAVA, ALVIN \$20.00, NORTHERN HILLS REPORTING \$846.75, OSTER, SANDRA \$50.00, PAMIDA \$2,019.79, PENN CO AUDITOR \$76.00, PENNINGTON COUNTY SHERIFF \$286.21, PENNINGTON COUNTY STATES \$600.00, PRICE, STERLING M \$20.00, PUMMEL, G \$50.00, QWEST \$1,370.60, RABER, ERNEST \$20.00, RAPID CITY MEDICAL CENTER \$67.45, RAPID CITY REGIONAL HOSPITAL \$3,894.84, REGIONAL BEHAVIORAL HEALTH \$747.37, REHFUSS, CATHY \$15.00, REIF, GARY \$50.00, REINDL, STACI \$4,788.62, SCOVEL PSYCHOLOGICAL \$515.00, SD ASS'N CO.WEED BD. \$100.00, SD ASSOC. OF CO WEED & PEST \$50.00, SD DEPT OF REVENUE \$3,775.26, SPEARFISH EXTINGUISHER \$164.60, SPEARFISH REGIONAL MEDICAL \$183.00, STURGIS REGIONAL HOSPITAL \$57.79, TRUMP LAW OFFICES PC \$2,500.00, WELLS FARGO FINANCIAL \$190.54, WESTERN S.D. JUVENILE \$8,600.00, WETZ, DALTON \$20.00, WETZ, JENNIFER \$20.00, WETZ, TYLER \$20.00, YANKTON SHERIFF OFFICE \$25.00

PUBLISHING

BLACK HILLS WEEKLY GROUP \$1,251.86

RENTALS

A & B BUSINESS EQUIPMENT \$67.30, GREAT WESTERN BANK \$48.50, MARLIN LEASING \$284.51, WELLS FARGO FINANCIAL \$225.08

REPAIRS & MAINTENANCE

A & B BUSINESS EQUIPMENT \$27.39, BLACK HILLS WEEKLY GROUP \$68.00, BUTLER MACHINERY \$1,260.43, JOHNSON ELECTRIC \$2,565.70

SUPPLIES & MATERIALS

BELLE FLOWER SHOP \$65.50, BELLE FOURCHE VOLUNTEER FIRE DEPT \$100.00, BLACK HILLS PURE INC \$52.20, BUTLER MACHINERY \$3,785.06, BUTTE CO. SHERIFF'S OFFICE \$980.58, BUTTE COUNTY TREASURER \$3,209.89, CENTRAL PARTS \$314.54, CHUCK HANES \$150.00, CLARY, NAOMI \$12.62, DAKOTA BATTERY \$59.50, DAKOTA LUMBER \$66.96, DAL CAM OIL COMPANY \$8,697.22, EXPRESS WIRELESS \$20.00, FARM PLAN \$251.76, GODFREY BRAKE INC \$20.32, HERSRUDS OF B.F. \$30.74, HILLS INTERIORS INC \$3,136.34, HILLYARD/SIOUX FALLS \$74.00, HOSETH AUTO \$268.50, HSBC BUSINESS SOLUTIONS \$1,035.57, HUFFMAN, RODNEY \$150.00, INLAND TRUCK PARTS \$52.74, JOHNSON ELECTRIC \$596.60, KIMBALL MIDWEST \$178.45, LAMPHERE, FRED \$20.00, LYNN'S DAKOTAMART \$15.80, MAPPING AND PLANNING \$7,331.75, MICHAEL TODD & COMPANY \$147.92, MID AMERICAN SPECIALTIES \$200.00, MOTIVE PARTS & SUPPLY \$504.92, MYERS ENTERPRISES \$885.00, NEWELL RANCH SUPPLY INC \$60.07, OBERLE'S RADIATOR \$200.00, OCCUPATIONAL HEALTH NETWORK \$78.00, OFFICE EMPORIUM \$47.88, PAMIDA \$43.24, PORTERFIELD ELECTRIC \$137.75, POWER PLAN \$72.92, QUILL CORPORATION \$187.98, QWEST \$41.66, RANDY'S DISCOUNT TIRES \$33.00, RAPID CITY POLICE DEPT \$270.81, RAPID DELIVERY \$45.00, SAND CREEK PRINTING \$1,947.81, SCOTT PETERSON MOTORS \$819.82, SD CONTINUING LEGAL EDUC \$150.00, SD DEPT OF AG \$330.00, SD DEPT OF TRANS \$3,053.83, SERVALL UNIFORM/LINEN \$438.26, SPEARFISH EXTINGUISHER \$543.50, STEREOS N STUFF \$274.97, STREET IMAGE \$375.00, SUMMIT SIGNS & SUPPLY \$34.00, THE TECH CONNECT \$65.00, THE TECHNOLOGY CENTER \$180.00, TITAN ACCESS ACCOUNT \$2,421.33, WELLS PLUMBING \$25.66, WEST TIRE \$311.94

TRAVEL & CONFERENCE

BACHMAN, ROBERT \$1.48, BOGGS, LORI \$2.96, BUTTE COUNTY TREASURER \$80.00, COOPER, TOMMY \$18.13, FOX, KRINDA \$27.50, FOYE, ED \$12.00, FRANKE, DONALD \$0.74, GOTTFREDSON, BRUCE \$33.30, HANSEN, KENNETH \$18.50, HARVEY, ALAN \$0.74, JENSEN, ELAINE \$196.02, JENSEN, SCOTT \$18.00, JENSEN, TENA \$0.74, KINDSFATER, MARVIN \$66.60, KLING, KIM \$13.32, LARSON, GLENDA \$3.70, MELANSON, DERA E \$9.00, MILLER, RONDA \$14.80, MORAVA, ALVIN \$31.08, NELSON, TWYLA \$8.00, OSTER, SANDRA \$3.70, PARROW, DOUGLAS \$44.92, PITTS, CLINT \$35.52, PUMMEL, G \$0.74, REIF, GARY \$22.20, SD SHERIFFS ASSOCIATION \$85.00, SMEENK, JAMES \$74.00, SMEENK, STEVEN \$37.00, SWAN, THOMAS \$377.88, ZIMMERSCHIED, CHANDI \$9.00

UTILITIES

A T & T \$68.37, ALLTEL \$662.47, BH POWER & LIGHT CO \$1,954.93, BUTTE CO. SHERIFF'S OFFICE \$28.99, BUTTE ELECTRIC COOP \$509.28, BUTTE-MEADE SANITARY \$39.00, CITY OF BELLE FOURCHE \$94.65, EXECUTIVE MGMT FINANCE \$6.07, GOLDEN WEST COMPANIES \$23.45, KNOLOGY \$815.14, MCGAS PROPANE \$350.00, MONTANA-DAKOTA UTIL.CO \$2,539.82, QWEST \$2,123.05, TOWN OF NISLAND \$61.50, TRASH BUSTERS \$109.00, WEST RIVER COOP TELEPHONE \$100.53

OTHER

ARTEMIS HOUSE \$962.50, BUTTE COUNTY TREASURER \$41.89, OFFICE EMPORIUM \$134.63

FY 08 HLS SHSP GRANT

CORNETT, GREG \$1,427.50, EZ FABRICATION \$155.20, MANUFACTURING SYSTEMS \$222.90, PORTERFIELD ELECTRIC \$6,122.40, RABER'S WELDING \$384.31

FY2007 HSGP EQUIPMENT

M & T FIRE SAFETY \$2,163.46

SHERIFF HIGHWAY SAFETY GRANT

BROOKER, JACK \$160.00, BRUNNER, GARY \$127.50, JEWETT, WILLIAM O \$80.00, WAHLFELDT, BRANDON \$35.00

PRINCIPAL

GE CAPITAL \$2,509.03

APPROVED BY THE COMMISSION:

Kenneth D. Hansen, Chairman

ATTEST: Elaine Jensen, Auditor