

6/17/09

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 1:00 P.M.
June 17, 2009. Commissioners present were Hansen, Kindsfater, Smeenk and Harms. Commissioner Kling was absent.

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 includes surplussing property at the Butte County Fairgrounds; discuss the closure of county offices during Tom Connelley's funeral and a cattle guard discussion. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Harms to approve the minutes from the June 2, 2009 Commissioner Meeting. Voting yes were Hansen, Smeenk and Harms. Commissioner Kindsfater abstained from voting as he was not in attendance at the June 2, 2009 meeting. Motion Carried.

Motion by Kindsfater Second by Harms to accept the Auditor's Monthly Settlement with Treasurer Report for May 31, 2009. Vote Unanimous. Motion Carried.

AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER

BUTTE COUNTY

May 31, 2009

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$ 1,088,283.84	
Wells Fargo Savings	<u>900,660.79</u>	
Total Checking/Savings Accounts		\$1,988,944.63

INVESTOR ACCOUNTS

First Western Bank	\$421,723.87	
Wells Fargo Investment Account	<u>361,412.97</u>	
Total Investor Accounts		\$783,136.84

CERTIFICATES OF DEPOSIT

FWB	\$221,746.04	
FNB	\$112,680.13	
NHFCU	\$106,989.94	
SSFCU	\$102,368.71	
PB&T	<u>\$1,083,865.12</u>	

Total Certificates of Deposit \$1,627,649.94

Postage Meter/Postage 4,388.70

Cash on Hand 1,250.00

Cash Items 2,276.26

Butte Co Economic Development 76,335.98

Sheriff Drug Seizure 570.79

Sheriff Credit Card Account 1,420.94

Butte Co Emergency/Sheriff 2,136.95

Total Cash Accounts \$4,488,111.03

Motion by Smeenk Second by Harms to accept the following County Lien Report for

May 2009. Vote Unanimous. Motion Carried.

CAA/Public Defender Expenses – YTD-\$48,429.53
CAA/Public Defender Recoveries – YTD - \$14,876.14

Jail Expenses – YTD - \$106,576.15
Jail Lien Recoveries – YTD - \$3,848.98

Juvenile Detention Expenses – YTD - \$34,200.00
Juvenile Detention Recoveries – YTD - \$34,377.18

Poor Lien Expenses – YTD - \$4,657.08
Poor Lien Recoveries – YTD - \$ 80.00

LIENS APPLIED – May 2009

Brandon Feist – CAA - \$2,871.81
Robert Rodriguez – CAA - \$365.90
Jason Johnson – CAA- \$581.50
John Holso – CAA - \$446.60
Michael Dresel – CAA - \$603.14
Abel Garza, Jr. – CAA - \$769.49
Michael Tracy – CAA - \$1,866.27
Karl Kalkbrenner – CAA - \$540.10
Keith Jahner – CAA - \$591.70
Juvenile - \$863.27

Total: \$9,499.78

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

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

Motion by Smeenck Second by Harms to approve a travel request for Deputy Brunner
to attend a *NIBRS* training in Pierre, SD on September 15 – 16, 2009. Vote
Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to authorize Department Heads to close
their respective offices from 10:30 a.m. – 1:00 p.m. on Monday, June 22, 2009 for
Tom Connelley's funeral. Vote Unanimous. Motion Carried.

President Obama signed the Declaration which authorizes the federal government to
cover up to 75 percent of eligible damages caused by March 2009 snowstorms and
subsequent floods. A FEMA Kickoff meeting has been scheduled for Wednesday,
June 24, 2009 at 11:00 a.m. at Bison, SD. Emergency Manager / E911 Coordinator
Percy Bekken and Highway Superintendent Don Adams will attend this meeting.

Sheriff Lamphere introduced Mr. Percy Bekken as the new Emergency Manager / E911 Coordinator. The Commissioners welcomed Percy to the new position.

The following members from the Butte County Fire Protection came before the Commissioners to discuss the 2010 Budget and the financial shortfall in the current 2009 Budget. Members that were in attendance were: Randy Fox, Fred Wells, Mark Hespe, Randy Vallery, Doug Cox and Mike Grubl. Emergency Manager / E911 Coordinator Percy Bekken was also present. Randy Vallery – spokesman for the group discussed the need for an additional supplement of \$25,000.00 to the 2009 budget. Many of the members are personally paying for supplies and fuel out of their own monies. A discussion was held regarding the Commissioners doing an *Opt –Out* for Fire meant for 2010 taxes payable in 2011. The members relayed to the Commissioners that there is no interest in the possibility of forming Fire Districts.

Commissioner Kling arrived at 2:05 p.m.

State's Attorney Tim Vander Heide was present to discuss with the Commissioners County Owned property in Nisland, SD.

Motion by Smeenk Second by Harms to authorize Chairman Hansen to sign a Quit Claim Deed to N.V.N. Country Community Action Team. The property that is being conveyed is: Lots 17 and 18 of Block 20, Original Town of Nisland, South Dakota. Vote Unanimous. Motion Carried.

Motion by Kling Second by Kindsfater to go into an Executive Session at 2:27 p.m. regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to come out of Executive Session at 2:40 p.m. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to do a release lien for R.F. for \$3,000.00 cash on two properties but not satisfy total debt. Vote Unanimous. Motion Carried.

Director of Equalization Polly Odle came before the Commissioners to give them an update on the Director of Equalization office.

Motion by Smeenk Second by Kling to authorize Aggregate Construction, Inc. to crush 30,000 CY of 1" gravel at the price of \$2.74 - (Aggregate Construction, Inc. has agreed to the price of \$2.65) at the Torp Pit which is located 2 miles east of Nisland, SD. This was based on the November 26, 2008 Harding County Bid. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kindsfater to receive BIDS until 3:00 p.m. on July 22, 2009. This is for the Indian Creek Bridge Replacement – Structure Number 10-220-309. Vote Unanimous. Motion Carried.

Commissioner Kling recused himself at 3:55 p.m. due to a conflict of interest.

At 4:00 p.m. a public hearing was held for the consideration of a new malt beverage application for the 2009 – 2010 licensing year. No one was present to comment.

Butte County Auditor Elaine Jensen presented the Board the following application for their consideration:

Retail (on-off sale) Malt Beverage (Sunday Sales)

Iron Hogz Campground - W1/2 NE1/4 of Section 32 Twp 10 N Range 7E
Richards Ranch # 30

Motion by Harms Second by Kindsfater to approve the Retail (on-off sale) Malt Beverage (Sunday Sales) application as presented by Auditor Jensen. Voting yes were Hansen, Kindsfater and Harms. Voting no was Smeenk. Motion Carried.

Commissioner Kling returned at 4:05 p.m.

Motion by Smeenk Second by Kling to put in Steel Culverts instead of Concrete Box Culverts on Zeona Road. This change is based on cost. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams informed the Commissioners that the Highway Department hauled 4 (four) loads of gravel to the temporary bypass on the Camp Crook Road. Adams is to assess the cost for this project.

The City / County Road Maintenance Agreement was discussed.

Motion by Kindsfater Second by Smeenk to receive BIDS until 3:00 p.m. on July 22, 2009. This is for the Twilight Road Bridge over Moreau River – Structure Number 10-496-106, Berm Repair and Protection. Vote Unanimous. Motion Carried.

It was a consensus from the Commissioners for the entire Butte County Highway Department to attend a Gravel Road Maintenance training on Tuesday, June 23, 2009 from 9:00 a.m. – 3:45 p.m. This is being provided by Butler Cat in Rapid City, SD.

The cattle guard on Crow Creek Road is in need of repair. Highway Superintendent Don Adams is to call Terry Kudlock first and then send him a written notice to inform him of the needed repair.

Motion by Smeenk Second by Harms to accept the Roster of Names from the following Volunteer Fire Departments for 2009. This is necessary for Work Comp Insurance Benefits. Vote Unanimous. Motion Carried.

CASTLE ROCK VOLUNTEER FIRE DEPARTMENT

- Kevin Deschamps
- Neil Smeenk
- Gary Wendt
- Randy Fox
- Pat Burke
- Clay Olson
- Dan Olson
- Blayne Olson
- Jack Orwick
- Jim Orwick
- James Orwick
- Paul Erk
- John Erk
- Rob Fox
- Joe Burke
- Cody Burke
- Lyanne Fox
- Mark Jensen
- Bret Burke
- Kenny Carlsen
- Gary Martian
- Rory Wendt
- JD Wendt
- Kenny Mc Farland
- G.B. Fischbach

NISLAND – ARPAN VOLUNTEER FIRE DEPARTMENT

- Randy Vallery
- Bill Heidrich
- Stan Lewis
- Ken Seieroe
- Doug Clark
- Bryce Foos
- Joe Dell
- Tyrell Lewis
- Bob Lewis
- Maklain Harrison
- Joe Heidrich
- Eric Lewis
- Tom Lewis
- Colin Wood

VALE VOLUNTEER FIRE DEPARTMENT

- Mike Grubl
- Doug Cox
- Fred Wells
- Joel Brunner
- Chad Blair
- Mike Casteel
- Jim Hansen
- Britton Blair
- Ed Blair
- Terry Bohnet
- Bruce Bruch
- Clay Cross
- Dale Grant
- Troy Hadrick
- Doug Halbmaier
- Scott Hymans
- Cole Ketelsen
- Jason Lehrkamp
- Nicklaus Olson
- Toby Peters
- Robert Reedy
- Ryan Stark
- Charles Tennis
- Darron Trohkimoinen
- Don Trohkimoinen
- Tyler Trohkimoinen
- Leroy Wetz
- Ian Chiller
- Levi Grant
- Brett Johnson
- John Kjellsen
- Dale Knutson
- Kari Knutson
- Dave Leber
- Phil McQuirk
- Clint Pitts
- Glen Schummer
- Greg Wetz
- Lyle Wetz

Motion by Smeenk Second by Kling to surplus the 2 (two) old Bathrooms at the Butte County Fairgrounds and dispose of accordingly. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to adjourn the meeting at 6:40 p.m. Vote Unanimous. Motion Carried.

APPROVED BY THE COMMISSION:
Kenneth D. Hansen, Chairman

ATTEST: Elaine Jensen, Auditor