

7/07/09

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 9:39 A.M.  
July 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 Smeenk Second by Harms to approve the amended meeting agenda with the  
addition of discussing budget requests from Prairie Hills Transit and Butte County Fire Protection.  
This discussion will be held after Committee Reports. Vote Unanimous. Motion Carried.

Motion by Harms Second by Kindsfater to approve the minutes from June 17, 2009.  
Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenk to approve the bills for payment with the exception of  
holding check # 968920 payable to Butler Machinery until clarification from  
Highway Superintendent Don Adams. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Kling to accept the VSO report for June 2009.  
Vote Unanimous. Motion Carried.

There were no abatements to present.

Mr. Allan Schreier from Schreier Engineering came before the Commissioners to offer  
Engineering Services to help with projects associated with the FEMA declaration.

Motion by Smeenk Second by Harms to approve the following travel request:  
VSO – Robert Wagner to attend a Congressional Forum in Rapid City, SD on July 10, 2009.  
Vote Unanimous. Motion Carried.

Department Heads reported on undertakings within their respective offices.

Register of Deeds Paula Walker, Accounts Payable / Administrative Assistant Mary Rosenau and  
Extension Secretary Amy Hauck came before the Commissioners to discuss the inefficiency of the  
printer that is currently shared by County offices. There are 19 months remaining on the contract.  
The contract will be given to State's Attorney Tim Vander Heide for his review.

At 11:00 a.m. Highway Superintendent Don Adams arrived at the Commissioner's meeting to  
publicly open and read orally the BIDS for the two (2) 2004 140 H Caterpillar Motor Graders.

The following BIDS were received from Iron Planet:

2004 Caterpillar 140H, serial # CCA00814 - \$75,900.00  
2004 Caterpillar 140H, serial # CCA00838 - \$75,900.00

Butte County is guaranteed the buy - back price of \$98,124.00 for each machine from Caterpillar  
Financial Services Corporation. The *Exercise to Purchase Option* is also available if the  
Commissioners choose to do so. Mr. Scott Gullickson from Butler Cat was also present.  
This will be revisited at the July 22, 2009 meeting.

Motion by Smeenk Second by Kling to authorize Chairman Hansen to sign the South Dakota  
Department of Transportation Fuel Site Use Agreement. The agreement will expire on  
June 30, 2011. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kindsfater to authorize Chairman Hansen to sign an Application for Occupancy on the Right of Way of County Highways for Melvin Youngberg to install a 15" culvert on Lewis Road. This is for irrigation purposes. The method of installation will be trenching. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to add Structure Number 10-114-395 which is located 1.5 miles South and 1.5 miles East of Belle Fourche, SD (Gaver Road) to the Statewide Transportation Improvement Program (STIP) Projects for Butte County. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kling to add 1 mile Ziebach Street, ½ mile of Snoma Road and ½ mile of Business Loop 212 to the Statewide Transportation Improvement Program (STIP). These are Chip Seal Projects for Butte County, SD. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to add ½ mile of Fruitdale Road to the Statewide Transportation Improvement Program (STIP). This is for Asphalt Surfacing to the current Chip Seal Portion. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kindsfater to add 1 ¼ miles of Fruitdale Road to the Statewide Transportation Improvement Program (STIP). This is to Chip Seal the Asphalt Portion. Vote Unanimous. Motion Carried.

The Bypass on Camp Crook Road was discussed.

The Commissioners recessed for lunch at 11:55 a.m. with the public invited.

The meeting was called back to order at 1:40 p.m.

Sheriff Lamphere reported on current undertakings within the Sheriff's Department, Emergency Management / E911 Department and Dispatch.

State's Attorney Tim Vander Heide came before the Commissioners to discuss some legal issues pertaining to the North Indian Creek Bridge Structure (10-091-161) and Director of Equalization Polly Odle and Deputy Director of Equalization Heather Collins sought clarification for Ag property assessments.

Motion by Kindsfater Second by Smeenck to go into an Executive Session at 2:05 p.m. regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenck to come out of Executive Session at 3:15 p.m. Vote Unanimous. Motion Carried. No action was taken.

There were no indigent claims to present.

Motion by Kling Second by Smeenck to deny the 2 (two) BIDS that were received from Iron Planet for the 2 (two) 2004 Caterpillar 140 H Graders. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Kindsfater to approve check # 968920 payable to Butler Machinery for the amount of \$4,393.54. Vote Unanimous. Motion Carried.

The FEMA Kick Off meeting for Butte County will be held on Wednesday, July 15, 2009 beginning at 10:00 a.m. The meeting will be in the Commissioner's room at the Butte County Courthouse.

Motion by Smeenck Second by Kindsfater to set a Public Hearing for Wednesday, July 22, 2009 at 4:00 p.m. for the purpose of adopting a budget supplement to cover a gravel purchase for the amount of \$81,438.50. The amount of \$81,438.50 will be transferred from the Restricted Gravel Fund (201) to Highway Cash Fund (201). Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to approve check # 969014 payable to Merchants Capital for the amount of \$113,979.65. This is for 4 (four) 2009 140M AWD Grader Payments. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams reported to the Commissioners that he is still looking for a part – time weed sprayer.

Motion by Kling Second by Smeenck to authorize Chairman Hansen to sign a letter of support to the South Dakota Stockgrowers Association showing that the Butte County Commissioners are in support of having Rozol Prairie Dog Bait approved for use in South Dakota. This is for management and control of the Black Tailed Prairie Dogs. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to designate \$398.73 to be placed in the County Held Election account so \$7,575.75 can be credited in the State's Election Fund for the benefit of Butte County. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to supplement the Coroner's Budget by the amount of \$1,561.52. Vote Unanimous. Motion Carried.

The new windows are being installed in the Butte County Courthouse. There is also the need for additional shelving in the Auditor's office, the Treasurer's office and in the vault that is located downstairs next to the Emergency Management / Sheriff's office. Commissioner Kindsfater is checking into these requests.

A 2010 Budget Session will be held on Tuesday, July 21, 2009 beginning at 1:30 p.m. This session will be held in the Commissioner's Room which is located in the Butte County Courthouse.

An auction will be held at 11:00 a.m. on Wednesday, July 22, 2009 for the County Owned Property which is located at 1064 Elkhorn Street in Belle Fourche, SD. The auction will be held in the Commissioner's Room which is located in the Butte County Courthouse. Auditor Jensen will show the house on Wednesday, July 15, 2009 from 6:00 – 8:00 p.m.

Commissioner Smeenck informed the Commissioners that Ms. Rita Wiegand from Newell, SD is asking Butte County to consider contributing to Prairie Hills Transit for the 2010 Budget Year. This along with the budget request from the Butte County Fire Protection will be addressed during the 2010 Budget Sessions.

Motion by Kindsfater Second by Smeenck to adjourn the meeting at 5:30 p.m. Vote Unanimous. Motion Carried.

#### SALARY

ASSESSOR'S OFFICE \$7,342.02, AUDITOR'S OFFICE \$8,852.28, BUILDINGS \$899.25, COMMISSIONERS \$5,308.20, DISPATCH \$18,353.31, EM/911 \$869.61, EXTENSION \$2,006.40, HIGHWAY DEPT \$31,075.70, NURSE'S OFFICE \$2,006.40, PLANNING \$645.21, REG OF DEEDS OFFICE \$4,953.14, SHERIFF DEPT \$16,429.68, STATES ATTORNEY'S OFFICE \$8,925.81, TEEN COURT \$1,384.62, TREASURER'S OFFICE \$8,750.57, VETERAN SERVICE OFFICE \$1,140.52, WEED CONTROL \$1,524.34  
COUNTY SHARE FICA  
BUTTE COUNTY SHARE \$8,951.26  
SDRS (RETIREMENT)

BUTTE COUNTY SHARE \$7,100.53

GROUP INSURANCE

BUTTE COUNTY SHARE \$24,993.52

PROFESSIONAL SERVICES & FEES

A & B BUSINESS EQUIPMENT \$288.91, ACCURINT-ACCOUNT \$71.00, AFFORDABLE TREE \$165.00, ANDERSON PLUMBING \$68.90, BACHMAN, RENEE \$90.00, BACHMAN, ROBERT \$50.00, BELLE/BUTTE TITLE CO \$212.00, BF REGIONAL MEDICAL CLINIC \$93.00, BO'S LAWN SYSTEMS \$56.12, BRUNNER, GARY \$300.00, BUCKMASTER LAW OFFICES \$944.54, BURKE, RONNA \$448.25, BUTTE COUNTY TREASURER \$347.68, CERMAK, LISA \$50.00, CITY OF RAPID CITY \$245.00, CLINICAL LABORATORY \$3,123.04, COYLE, KENNETH \$20.00, CROOKED FOOT, MAYREN \$20.00, DAKOTA HILLS FAMILY PRACTICE \$455.50, DON'S HANDYMAN SERVICE \$992.83, DROPPERS, ALISHIA \$20.00, DROPPERS, JOLEENE \$20.00, DUBOIS, TIMOTHY \$50.00, ELLINGSON, JOSEPH \$769.49, FORENSIC ANTHROPOLOGICAL \$1,056.00, FRANKE, DONALD \$50.00, G & R CONTROLS \$1,474.50, GEHRINGER, CINDY \$50.00, GEIS, PEARL \$50.00, GOTFREDSON, BRUCE \$50.00, GREENTREE PSYCHOLOGICAL \$135.00, HARDISON, DEBRA \$30.00, HARVEY, ALAN \$50.00, HUNSUCKER, EDWIN A \$330.00, JACKSON DENTAL CLINIC DD \$618.00, JAKOBER, STEVE \$50.00, JENSEN, TENA \$50.00, JOHNS & KOSEL ATTORNEYS \$10,800.70, JOHNSON ELECTRIC \$460.02, KEEGAN, JAMIE \$20.00, KINNEY LAW PC \$1,866.27, KLOPFENSTEIN MD, DAVID \$26.66, LAMPHERE, FRED \$200.00, LARSON, GLENDA \$50.00, LAWRENCE CO. SHERIFF \$165.00, LEWIS & CLARK BEHAVIORAL \$36.00, LEXISNEXIS \$110.00, MEADE COUNTY AUDITOR \$775.09, MERLE'S LANDSCAPING & YARD \$2,131.14, MILLIKEN, ROSS \$20.00, MONCUR CPA, DEBRA K \$341.50, MYERS, JULIA \$50.00, NEWELL REGIONAL MEDICAL \$93.00, NEWSOME, JENNIFER \$50.00, NJS ENGINEERING \$9,408.10, NORTHERN HILLS REPORTING \$22.00, OCCUPATIONAL HEALTH NETWORK \$344.50, OSTER, SANDRA \$50.00, OTTRE, ELMER \$20.00, PALMER, JAMIE \$20.00, PENN CO AUDITOR \$77.00, PENNINGTON COUNTY JAIL \$2,371.98, PENNINGTON COUNTY SHERIFF \$56.45, PENNINGTON COUNTY SA \$400.00, PUMMEL, G \$50.00, RAPID CITY MEDICAL CENTER \$117.05, REED, RICHARD \$20.00, REINDL, STACI L. \$3,992.21, RICHTER, CAROLYN \$20.00, RUZICKA, TERI \$50.00, SD DEPT OF TRANS \$12,065.59, SD TEEN COURT ASSOC \$575.00, SERVALL UNIFORM/LINEN \$237.02, SEWARD AND ODENBACH PC \$2,871.81, STETTER, SHELLEY \$20.00, STURGIS REGIONAL HOSPITAL \$61.90, TRUMP LAW OFFICES PC \$1,250.00, ULRICH, ANITA \$20.00, ULRICH, STEVIE LEE \$20.00, WAHLFELDT, BRANDON \$480.00, WELLS FARGO FINANCIAL \$192.68, WESTERN S.D. JUVENILE \$9,200.00

PUBLISHING

BLACK HILLS WEEKLY GROUP \$858.22

RENTALS

A & B BUSINESS EQUIPMENT \$22.26, GREAT WESTERN BANK \$48.50, MARLIN LEASING \$247.40, WELLS FARGO FINANCIAL \$222.94

REPAIRS & MAINTENANCE

A & B BUSINESS EQUIPMENT \$21.91, HERSRUDS OF B.F. \$114.26, KONE INC. \$304.18, RANDY'S DISCOUNT TIRES \$16.50

SUPPLIES & MATERIALS

212-79 SERVICE CENTER \$67.93, ALL NET CONNECTIONS \$75.00, BELLE LAUNDRY & DRYCLEAN \$20.00, BF IRRIGATION DIST \$3,510.00, BLACK HILL PC \$5,053.97, BLACK HILLS PURE \$46.45, BLAKE, KYLE \$60.00, BROOKER, JACK \$2.92, BUTLER MACHINERY \$1,843.14, BUTTE CO. SHERIFF \$735.84, BUTTE COUNTY TREASURER \$1,349.31, CENTRAL PARTS \$1,289.48, CITY OF BELLE FOURCHE \$11.71, CLARY, NAOMI \$16.94, COPY COUNTRY INC \$162.00, CREATIVE PRODUCT SOURCE \$124.92, DAKOTA LUMBER \$191.99, DAKOTA SUPPLY GROUP \$50.64, DAL CAM OIL COMPANY \$10,230.63, DELUXE BUSINESS CHECKS \$112.08, EXPRESS WIRELESS \$210.00, FARM PLAN \$28.50, FINKBEINER FEED & SEED \$1,658.80, FORD, DALLAS \$223.86, GENE'S LOCK SHOP \$1.89, HERSRUDS OF B.F. \$179.21, HILLS MATERIALS COMPANY \$1,051.78, HILLYARD/SIOUX FALLS \$198.20, JEWETT, WILLIAM O \$30.00, JOHNSON ELECTRIC \$203.49, JURGENS PRINTING \$110.40, LAMPHERE, FRED \$15.00, LONG, SARAH \$48.78, LYNN'S DAKOTAMART \$151.60, MAPPING AND PLANNING \$3,479.50, MOTIVE PARTS & SUPPLY \$53.02, NEWELL RANCH SUPPLY INC \$27.39, OFFICE EMPORIUM \$81.25, PAGE AUTO SUPPLY \$74.68, PAMIDA INC - STURGIS \$287.95, QUILL CORPORATION \$136.69, SAND CREEK PRINTING \$1,419.14, SCOTT PETERSON MOTORS \$4.76, SD DEPT OF TRANS \$7,643.94, SERVALL UNIFORM/LINEN \$234.70, STADIUM SPORTS GRILL \$46.35, STEREOS N STUFF \$657.94, THE TECHNOLOGY CENTER \$50.00, WARNE CHEMICAL \$127.71, WELLS PLUMBING \$2,147.04, WEST TIRE \$710.07

TRAVEL & CONFERENCE

BACHMAN, ROBERT \$1.48, BEST WESTERN RAMKOTA INN \$711.00, BRUNNER, GARY \$11.45, COLLINS, HEATHER \$60.60, CROOKED FOOT, MAYREN \$178.22, DUBOIS, TIMOTHY \$0.74, FOX, KRINDA \$27.50, FRANKE, DONALD \$0.74, GEIS, PEARL \$0.74, GOTFREDSON, BRUCE \$33.30, HARVEY, ALAN \$0.74, HENDRICKSON, RAGINE \$24.52, JAKOBER, STEVE \$1.48, JENSEN, ELAINE \$12.00, JENSEN, TENA \$0.74, KLOEPPNER, WENDY \$19.61, LAMPHERE, FRED \$40.41, LARSON, GLENDA \$3.70, LOWDEN, MICHAL \$23.23, MILLIKEN, ROSS \$79.92, MYERS, JULIA \$0.74, NEWSOME, JENNIFER \$0.74, ODLE, POLLY \$60.73, OSTER, SANDRA \$3.70, PUMMEL, G \$0.74, REED, RICHARD \$22.20, RUZICKA, TERI \$3.70, SD ASS'N OF CO COMM \$110.00, SDAAO \$1,000.00, SWABY, JENNIFER \$38.79, SWAN, THOMAS \$379.71

UTILITIES

A T & T \$68.70, ALLTEL \$964.63, BH POWER & LIGHT CO \$2,190.95, BUTTE ELECTRIC COOP \$161.21, BUTTE-MEADE SANITARY \$39.00, CITY OF BELLE FOURCHE \$95.35, GOLDEN WEST COMPANIES \$23.45, KNOLOGY \$875.92, MONTANA-DAKOTA UTIL \$593.88, QWEST \$1,553.05, TOWN OF NISLAND \$64.10, TRASH BUSTERS \$109.00, WEST RIVER COOP TELEPHONE \$102.25

OTHER

ARTEMIS HOUSE \$962.50, BUTTE CO FIRE PROTECTION \$17,500.00, BUTTE COUNTY TREASURER \$9.27, OFFICE EMPORIUM \$256.24

SHERIFF HIGHWAY SAFETY GRANT

BERRETH, SETH W \$75.00, BROOKER, JACK \$115.00, HUNSUCKER, EDWIN A \$40.00, JEWETT, WILLIAM O \$120.00, NULLE, CURT \$160.00, WAHLFELDT, BRANDON \$300.00

PRINCIPAL

GE CAPITAL \$2,509.03

\_\_\_\_\_  
APPROVED BY THE COMMISSION:

Kenneth D. Hansen, Chairman

\_\_\_\_\_  
ATTEST: Elaine Jensen, Auditor