

09/01/09

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 9:35 A.M. September 1, 2009. Commissioners present were Hansen, Kling, Kindsfater and Harms. Commissioner Smeenck was absent.

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 with the addition of an Executive Session with the State's Attorney regarding legal matters and personnel matters at 11:45 a.m. Vote Unanimous. Motion Carried.

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

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

Motion by Kling Second by Harms to approve the following travel requests: Emergency Manager/E911 Coordinator Percy Bekken to attend West Region EM 101 training in Rapid City, SD on September 9 – 10, 2009 in Rapid City, SD; Emergency Manager/E911 Coordinator Percy Bekken to attend the 2009 Annual Conference in Brookings, SD on September 14 – 17, 2009; Auditor Elaine Jensen, Treasurer Debra Lensegrav, Register of Deeds Paula Walker and Welfare Director Dorothy Connelley to attend the County Convention in Watertown, SD on September 20-23, 2009 and for Highway Secretary Melissa Mitchell to attend a DWARE (County Highway Software) training in Rapid City, SD on October 8 – 9, 2009. Vote Unanimous. Motion Carried.

Commissioner Smeenck arrived at 9:55 a.m.

There were no abatements to present.

Department Heads reported on undertakings within their respective offices.

Mr. Bob Rahja, Former FSA County Executive Director will be coming before the Butte County Commissioners on Thursday, September 03, 2009 at 2:30 p.m. to discuss thoughts and options regarding the new State imposed Property Tax Productivity Valuation for Ag Land.

Linda Hoxie – County Health Nurse came before the Commissioners to discuss the different options that are available for rental space for the Nurse's office.

Mr. Duallen Tichi presented the Commissioners with an Approach Application on Fishermen's Road. The Commissioners would like to observe the site before any action will be taken. The Commissioners have some safety concerns. Highway Superintendent Don Adams was also present.

Patrons from the Town of Fruitdale came before the Commissioners to discuss some road concerns. The name of the street is High Street and it is located in the Town of Fruitdale. The Commissioners informed the patrons that dust control and maintenance of the road would be the town's responsibility. The Patron's concerns with speeders would have to be addressed with Sheriff Lamphere. The Commissioners also made the recommendation for the Town of Fruitdale to seek their Town's Attorney for legal advice. Those in attendance were Mr. Dave Mulleney, Mrs. Audrey Friedel and Ms. Keri Van Metre.

Mr. Bob Orwick, Mr. Doug Hohenberger, Mr. Faye Mutchler and Mr. Gilbert Rittberger all from the Union Township came before the Commissioners asking if the Butte County Highway Department would mow approximately 9 miles of road within the Township. They also wanted to know if the County would do snow removal for the Township this winter. Chairman Hansen told the group that as soon as the clarification of the roads within the Township was designated Primary Roads or Secondary Roads then a contract could be drawn up between Butte County and Union Township for these services.

Motion by Kling Second by Kindsfater to go into an Executive Session with State's Attorney Tim Vander Heide at 11:25 a.m. regarding legal & personnel matters. Vote Unanimous. Motion Carried.

Motion by Kling Second by Smeenck to come out of Executive Session at 12:00 p.m. Vote Unanimous. Motion Carried. No action was taken.

Mr. Scott Gullickson from Butler Machinery Company came before the Commissioners to discuss Skid Steer Loaders. The Commissioners would like to purchase a Skid Steer Loader for snow removal at the Butte County Courthouse.

The Commissioners recessed for lunch at 12:25 p.m. with the public invited.

The meeting was called back to order by Vice – Chairman Kling at 1:39 p.m. Chairman Hansen was absent.

Sheriff Lamphere reported to the Commissioners that he had received word that the Bureau of Information and Telecommunications (BIT) will increase their rates by 25% effective January 1, 2010. This is for the South Dakota Law Enforcement Telecommunications System teletype that is used in Dispatch.

Sheriff Lamphere also reported to the Commissioners that a new operational mandate will take effect on January 1, 2011. PSAP must be continually staffed with at least two 911 telecommunicators on duty at all times. Sheriff Lamphere will be attending a meeting in Pierre, SD on September 30, 2009 at the State Capitol Building to learn more about these requirements.

It was brought to the Commissioners attention by the Emergency Manager/E911 Coordinator Percy Bekken that there is a Generator that is owned by Butte County at the KBFS radio station. This generator has never been used by the radio station. There is an individual that is interested in purchasing the Generator. The Commissioners directed the Highway Department to take the Generator to the Highway Shop and see what kind of condition it is in.

Sheriff Lamphere discussed with the Commissioners the importance of passing a Resolution on the proper placement of mailboxes. The criteria for the Resolution will be based off of the State Highway Plan. Sheriff plans for this Resolution to be on the September 24, 2009 Commissioner's meeting agenda.

The Commissioners were given draft copies of the Butte County 2009/2010 Emergency Services Atlas Book. Emergency Manager/E911 Coordinator Percy Bekken and MaPS, Inc., the (County's E-911 Consultant) has put these draft copies together. The Atlas consists of the Global Positioning System (GPS) and Geographic Information System (GIS) mapping and addressing of Butte County. The future plan is have these books and or maps for sale.

Motion by Harms Second by Smeenck to surplus the 1998 Freightliner Truck. The VIN number for this truck is 2FUYPDSEBOWA915224. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenk to surplus the antique cabinet that is located in the State's Attorney's office and to surplus the table that is located in the vault in the Commissioner's room. Sealed Bids will be taken on each of these items until September 24, 2009. The items can be viewed in the Commissioner's room which is located in the Butte County Courthouse. Vote Unanimous. Motion Carried.

Committee Reports were given.

Vice - Chairman Kling recused himself at 4:00 p.m. due to a conflict of interest. Commissioner Kindsfater was appointed to temporarily Chair the meeting.

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

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

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

212 Enterprises, LLC

Motion by Harms Second by Smeenk to approve the Retail (on-off sale) Malt Beverage (Sunday Sales) application as presented by Auditor Jensen. Vote Unanimous. Motion Carried.

The meeting was turned back to Vice-Chairman Kling at 4:03 p.m.

Auditor Jensen was asked to put the Rental Space for the Nurse's office and the approach application on Fishermen's Road for Duallen Tichi on the September 8, 2009 meeting agenda.

Motion by Smeenk Second by Kindsfater to adjourn the meeting at 4:15 p.m. Vote Unanimous. Motion Carried.