

10/20/10

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 1:00 P.M.
October 20, 2010. Commissioners present were Kindsfater, Smeenk,
Harms and Hansen. Commissioner Kling was absent.

Vice - Chairman Marvin Kindsfater called the meeting to order and led the group in the
Pledge of Allegiance.

Motion by Harms Second by Smeenk to approve the meeting agenda.
Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenk to approve the minutes from the October 5, 2010
meeting and to table the Equalization Minutes. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to approve the Auditor's Monthly Settlement with Treasurer report for September 30, 2010. Vote Unanimous. Motion Carried.

AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER

BUTTE COUNTY

September 30, 2010

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$	439,467.70	
Wells Fargo Savings		369,264.95	
Simply Service Federal Credit Union		5.68	
Total Checking/Savings Accounts		<hr/>	\$ 808,738.33

INVESTOR ACCOUNTS

First Interstate Bank Account	\$	428,464.47	
Wells Fargo Investment Account		98,276.26	
Total Investor Accounts		<hr/>	\$ 526,740.73

CERTIFICATE OF DEPOSIT

First Interstate	\$	229,509.36	
NHFCU		311.15	
SSFCU		247,231.74	
PB&T		1,541,885.12	
Total Certificates of Deposit		<hr/>	\$ 2,018,937.37

Cash on Hand 1,250.00

Cash Items 1,634.73

Postage Meter/Postage 4,076.31

Butte County Economic Development 76,599.01

Sheriff Drug Seizure 571.20

Sheriff Credit Card Account 1,500.00

Butte County Emergency / Sheriff 2,001.89

TOTAL CASH ACCOUNTS \$ **3,442,049.57**

/s/ Elaine Jensen 10/20/2010
 COUNTY AUDITOR SIGNATURE DATE

/s/ Debra Lensegrav 10/20/2010
 COUNTY TREASURER SIGNATURE DATE

GENERAL FUND SURPLUS ANALYSIS

The amount of General Fund dollars that counties can retain as surplus is restricted by SDCL 7-21-18.1 which states: "The total unreserved, undesignated fund balance of the general fund may not exceed forty percent of the total amount of all general fund appropriations contained in the budget for the next fiscal year. The total unreserved, undesignated fund balance of the general fund of the county as of March thirty-first and September thirtieth shall be published in the minutes of the proceedings of the board of county commissioners and reported to the Department of Legislative Audit. The report shall be on forms prescribed by the Department of Legislative Audit."

The following analysis should be completed as of March thirty-first and September thirtieth of each year. Thereafter, the unreserved, undesignated fund balance amount should be published in the minutes of the governing board. This analysis should also be filed with the Department of Legislative Audit.

BUTTE COUNTY

DATE: SEPTEMBER 30, 2010

ASSETS:

10100	Cash	<u>2,006,733.28</u>
10200	Cash Change	<u> </u>
10300	Petty Cash	<u> </u>
10400	Interest Bearing Accounts	<u> </u>
10500	Savings Certificates	<u> </u>
10700	Restricted Cash in Banks	<u> </u>
10800	Taxes Receivable--Current	<u> </u>
10900	Estimated Uncollectible Taxes Receivable--Current	<u> </u>
11000	Taxes Receivable--Delinquent	<u> </u>
11100	Estimated Uncollectible Taxes Receivable--Delinquent	<u> </u>
11400	Judgment Receivable	<u> </u>
11700	Accounts Receivable	<u> </u>
11800	Estimated Uncollectible Accounts Receivable	<u> </u>
12800	Notes Receivable	<u> </u>
13100	Due from Other fund	<u> </u>
13200	Due from Other Government	<u> </u>
13300	Advance to Other Fund	<u> </u>
13500	Interest Receivable	<u> </u>
14100	Inventory of Supplies	<u> </u>
15100	Investments	<u> </u>
TOTAL ASSETS		<u><u>2,006,733.28</u></u>

GENERAL FUND SURPLUS ANALYSIS

LIABILITIES AND EQUITY:

20100	Claims Payable	
20200	Accounts Payable	
20800	Due to Other Funds	
20900	Due to Other Governments	
21600	Accrued Wages Payable	
21700	Payroll Withholding Payable	
22300	Revenues Collected in Advance	
22400	Deferred Revenue	

FUND BALANCES:

27102	Reserved for Inventory	
27103	Reserved for Advance to Other Funds	
27199	Reserved for Other Purposes (Specify)	
	Building	302,225.45
	5th Avenue	30,000.00
	Maintenance	720,000.00
	Elections	13,471.77
	Technology and Equipment	85,000.00
27201	Designated for Next Year's Appropriations (one of the following)	
	March - 3/4 of the current year	
	September - 1/4 of current year + subsequent year	
	December - subsequent year	
27202	Designated for Other Purposes (Specify)	

27203	Designated for Capital Outlay Accumulations	
27209	Undesignated	856,036.06

TOTAL LIABILITIES AND EQUITY	2,006,733.28
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Following Year General Fund Budget (use current year for March analysis)	3,220,076.53
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The unreserved, undesignated fund balance, account 27209, divided by the following year General Fund budget resulting in the fund balance percentage	26.58%
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Motion by Smeenk Second by Hansen to accept the County Lien report for September 2010.
Vote Unanimous. Motion Carried.

**LIEN REPORT
BUTTE COUNTY**

	EXPENSES SEPT 2010	EXPENSES YTD	RECOVERED SEPT 2010	RECOVERED YTD
CAA/PUBLIC DEFENDER	\$26,571.96	\$153,420.43	\$18,491.91	\$43,048.77
JAIL	\$35,934.78	\$213,158.87	\$ 370.00	\$10,696.30
POOR LIEN	\$ 165.90	\$ 9,377.53	\$ 0.00	\$ 220.00
REGIONAL JUVENILE DETENTION	\$ 400.00	\$ 53,414.89	\$ 70.00	\$ 625.00

LIENS APPLIED FOR JUNE, JULY, AUGUST & SEPTMEBER 2010

Juvenile Cases	JUV	\$8,720.97
Abused & Neglected	A&N	\$5,872.98
Harold Gibson	CRIM	\$ 287.00
James Cook	CRIM	\$3,931.70
Justin Hogan	CRIM	\$ 982.90
Danielle Tripp	CRIM	\$ 213.75
Jake Wainman	CRIM	\$ 257.20
Vaughn Brandis	CRIM	\$1,150.22
Joseph Harris	CRIM	\$1,827.60
Joe Ray Miranda	CRIM	\$1,298.60
Joseph Gregersen	CRIM	\$ 998.10
Shawn Clem	CRIM	\$ 951.70
Dustin Dimmick	CRIM	\$ 212.40
Jeremy Henderson	CRIM	\$1,534.00
Dawn Huhn	CRIM	\$ 708.95
Jesse Morrison	CRIM	\$ 392.15
Bryan Thul	CRIM	\$1,538.53
Mindy West	CRIM	\$ 779.70
Joshua Westover	CRIM	\$1,230.63
Josiah Guerrero	CRIM	\$1,193.19
Jose Dominguez	CRIM	\$1,085.10
Leonard Toohey	CRIM	\$1,467.95
Ashley Stehling	CRIM	\$ 871.65
Jerome Stanton	CRIM	\$ 380.30
Cheena Bennet	CRIM	\$ 581.60
Dawn Huhn	CRIM	\$ 432.10
Brad Niehoff	CRIM	\$ 447.40
Robert Rodriguez	CRIM	\$ 447.40
Shawn Sapp	CRIM	\$ 553.80
Timothy Gibson, Jr	CRIM	\$ 498.00
Randy Harvey	CRIM	\$ 457.83
Derek Lyons	CRIM	\$ 400.75
Lucas Odle	CRIM	\$ 848.65

Daniel Bertalot	CRIM	\$ 617.35
Jesse Morrison	CRIM	\$ 532.85
Jerome Stanton	CRIM	\$ 119.70
Lynn Briggs	CRIM	\$ 708.75
Alex Kerstetter	CRIM	\$ 457.40
Philip Slutz	CRIM	\$ 213.20
Ricky Tripp	CRIM	\$ 533.00
Amiel Talks	CRIM	\$ 394.50
Autumn Brandis	CRIM	\$ 287.00
Theresa Nelson	CRIM	\$ 287.00
Charles Larsen	CRIM	\$ 211.20
Rose Westland	CRIM	\$ 467.40
Bernadette Anderson	CRIM	\$ 492.00
Mark Strohschein	CRIM	\$ 246.00
Karlene Pearse	CRIM	\$ 237.80
Mark Fisher	CRIM	\$ 374.00
Alexandra McDonald	CRIM	\$ 328.00
Bobby Deleon	CRIM	\$ 379.00
Odell Hinders	CRIM	\$ 292.00
Justin Udager	CRIM	\$ 946.60
JR Sescher	CRIM	\$2,347.80
Aaron Pope	CRIM	\$2,423.00
Mike Kurzenberger	CRIM	\$ 541.20
Doug Ipsen	CRIM	\$3,612.90
Stacy Volk	CRIM	\$ 594.00
Vincent Boesom	CRIM	\$1,053.60
Misty Esenberg	CRIM	\$ 333.50
TOTAL		\$61,585.55

Motion by Hansen Second by Smeenck to approve the bills for payment per the computer printout. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Harms to accept the Register of Deeds report for September 2010. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to approve a travel request for Auditor Jensen, Treasurer Lensegrav, Register of Deeds Paula Walker and Director of Equalization Polly Odle to attend a seminar in Rapid City, SD on December 10, 2010. The seminar is entitled ***How to Deal with Difficult People***. Vote Unanimous. Motion Carried.

There were no abatements to present.

Sheriff Lamphere came before the Commissioners.

Motion by Harms Second by Smeenck to supplement the (226) Emergency Management Budget for the amount of \$29,276.40. This supplement is for a grant entitled 2007 Public Safety Interoperable Communications (PSIC). This grant will be used to purchase (12) XTS1500 Astro Digital Radios. This includes programming and installation of the radios.

State's Attorney Tim Vander Heide came before the Commissioners to discuss legal matters. Also present for the discussion was Attorney Mike Day.

Motion by Smeenck Second by Hansen to go into an Executive Session at 2:00 p.m. regarding legal matters. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to come out of Executive Session at 3:00 p.m. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to authorize the Chairperson of the Butte County Commissioners to execute on behalf of Butte County the Settlement Agreement and Mutual Release between Heavy Constructors, Inc. and Butte County regarding the North Indian Creek Bridge Structure (10-091-161) on the Camp Crook Road. The Bridge was destroyed due to a fire in April 2009. Vote Unanimous. Motion Carried.

State's Attorney Tim Vander Heide with the assistance of Highway Superintendent Don Adams compiled a letter addressed to Mr. Ray Leahy of Fischer Sand & Gravel regarding the gravel that was removed from the Buchholz Pit.

No action was taken regarding the Teen Court funding.

Dorothy Snowden and Dale Simanton came before the Commissioners to discuss a concern they have regarding the Junction of Viken Road and Hope Road. The Junction is located North of the Horsecreek Bridge. The Butte County Highway Department will reshape the road to make the curve wider. Also present for the discussion were Raymond and Barb Garness.

The Commissioners discussed the concern regarding the Highway Right Of Way on the Olson Road.

No action was taken in regards to the Application To Construct An Approach To A County Road on the Upper Redwater Road for Martin Bonato. The Application is incomplete and clarification is needed from Mr. Bonato before the Application can be approved.

Motion by Hansen Second by Smeenck to accept the SDDOT Construction Change Order No 2 on the Orman Road for a decrease of - \$16,694.09. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to accept the SDDOT Construction Change Order No 2 on the Whitewood Road for an increase of \$15,225.80. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to accept the SDDOT Construction Change Order No 1 on the Arpan Road for a decrease of - \$916.12. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to accept the SDDOT Construction Change Order No 1 on the Sourdough Road for a decrease of -\$4,695.06. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to lift the Weight (Load) Limit on the Whitewood Valley Road effective October 25, 2010. Vote Unanimous. Motion Carried.

The Commissioners discussed the Courthouse Cleanup.

Auditor Jensen read a written report that was received from Ms. Sandberg. Ms. Sandberg came into the Courthouse and retrieved air samples following the Cleanup that was completed by Horsely Specialities, Inc.

In conclusion Ms. Sandberg stated that one could conclude from the results that any mold contamination for which the remediation was initiated has been successfully removed. Standard air sampling protocols, which represent only a fraction of the air present in the building, have substantiated the possibility that a mold-containing aerosol is not present.

Vice – Chairman Kindsfater discussed with the Commissioners that Mr. Marlow Wilder will come in the weekend of October 30 – 31, 2010 to spray paint the shelves and walls in the Treasurer's Vault. The estimated cost is \$1,200.00.

Committee Reports were given.

The Employees Health Insurance renewal for 2011 was discussed.

Motion by Smeenk Second by Hansen to surplus the Frigidaire Window Air Conditioner – Model number FAC106PIA and dispose of accordingly. The Air Conditioner is 10,000 BTU's. Vote Unanimous. Motion Carried.

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

APPROVED BY THE COMMISSION:
Kim W. Kling, Chairman

ATTEST: Elaine Jensen, Auditor