

4/21/10

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 1:00 P.M.
April 21, 2010. Commissioners present were Kling, Kindsfater,
Harms and Hansen. Commissioner Smeenk was absent.

Chairman Kim Kling called the meeting to order and led the group in the
Pledge of Allegiance.

Motion by Kindsfater Second by Hansen to approve the amended meeting agenda
which includes two *Agreements For Voluntary Right Of Way Donations* which will be heard under the
Highway time and a concerned patron's tax concern which will be heard during abatements.
Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to approve the corrected minutes from April 6, 2010 stating
that Commissioner Smeenk left the meeting at 5:00 p.m. Vote Unanimous. Motion Carried.

Motion by Harms Second by Hansen to accept the Auditor's Monthly Settlement with
Treasurer Report for March 31, 2010. Vote Unanimous. Motion Carried.
The Auditor also distributed a General Ledger Fund Balance Report for March 31, 2010.

**AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER
BUTTE COUNTY
March 31, 2010**

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$ 495,005.69
Wells Fargo Savings	\$ 193,450.49
Simply Service Federal Credit Union	<u>\$ 5.68</u>

Total Checking/Savings Accounts

\$688,461.86

INVESTOR ACCOUNTS

First Interstate Bank Account	\$ 426,305.87
Wells Fargo Investment Account	<u>\$ 196,336.10</u>

Total Investor Accounts

\$ 622,641.97

CERTIFICATES OF DEPOSIT

First Interstate	\$ 227,121.64
FNB	\$ 114,750.97
NHFCU	\$ 311.03
SSFCU	\$ 244,806.87
PB&T	<u>\$1,413,003.98</u>

Total Certificates of Deposit

\$1,999,994.49

Cash on Hand	1,250.00
Cash Items	3,857.74
Postage Meter/Postage	3,478.15
Butte County Economic Development	76,522.24
Sheriff Drug Seizure	571.06
Sheriff Credit Card Account	1,500.00
Butte County Emergency/Sheriff	<u>2,136.95</u>

Total Cash Accounts

\$3,400,414.46

/s/: Elaine Jensen 04/20/2010
COUNTY AUDITOR SIGNATURE

/s/: Debra Lensegrav 04/20/2010
COUNTY TREASURER SIGNATURE

Motion by Hansen Second by Harms to accept the following County Lien Report for March 2010. Vote Unanimous. Motion Carried.

CAA/Public Defender Expenses – YTD-\$44,248.35
CAA/Public Defender Recoveries – YTD - \$10,373.79

Jail Expenses – YTD - \$44,897.97
Jail Lien Recoveries – YTD - \$5,679.00

Juvenile Detention Expenses – YTD - \$6,014.99
Juvenile Detention Recoveries – YTD - \$140.00

Poor Lien Expenses – YTD - \$4,772.68
Poor Lien Recoveries – YTD - \$130.00

LIENS APPLIED – March 2010

Jesse Ozuna – CRIM - \$1,692.86
Ray Marsh– CRIM - \$378.00
Christopher Collins – CRIM- \$299.20
Justin Dennis – CRIM - \$252.00
Natasha Darrington – CRIM - \$335.00
Steven Kenstler- CRIM - \$831.80
Thomas Mitchell – CRIM - \$681.90
Jake Wainman – CRIM - \$738.10
Christina Williamson – CRIM - \$858.68
Joseph Gregersen – CRIM - \$725.10
Joseph Harris – CRIM - \$1,679.55
Joe Judd – CRIM - \$581.25
A & N - \$3,531.05
IVC - \$1,225.60

Total: \$13,810.09

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

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

Motion by Harms Second by Kindsfater to approve the following travel requests: Register of Deeds Paula Walker to attend the Spring Workshop in Pierre, SD on May 12 – 14, 2010 at an estimated cost of \$603.00, Deputy Register of Deeds Julie Brunner to attend a Deputy Workshop in Pierre, SD on May 19 – 20, 2010 at an estimated cost of \$434.00, Director of Equalization Polly Odle, Deputy Director of Equalization Heather Collins, Planning Coordinator/Appraiser Charles Richardson and Appraiser Jennifer Netterberg to attend the Annual Conference in Mitchell, SD on May 25 – 28, 2010 at an estimated cost of \$1,500.00 and Director of Equalization Polly Odle, Planning Coordinator/Appraiser Charles Richardson and Appraiser Jennifer Netterberg to attend a Uniform Standards Policies & Procedures (USPAP) in Chamberlain, SD on June 8 – 10, 2010 at an estimated cost of \$825.00. Vote Unanimous. Motion Carried.

Director of Equalization Polly Odle and Deputy Director of Equalization Heather Collins presented the following abatements to the Commissioners.

Motion by Harms Second by Hansen to approve an abatement for Denise Arnold on parcel number 708755201. The amount being abated is \$41.12. The applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in SDCL 10-6A-4. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Harms to approve an abatement for Arthur & Denise Garcia on parcel number 67-A5870. The amount being abated is \$5.54. The applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in SDCL 10-6A-4. Vote Unanimous. Motion Carried.

Motion by Harms Second by Hansen to approve an abatement for Herman Falk on parcel number 16.01.058.02A. The amount being abated is \$930.72. The applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in SDCL 10-6A-4. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to approve an abatement for Evalyne Schmaltz on parcel number 15.33.04.07. The amount being abated is \$1,572.66. The applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in SDCL 10-6A-4. Vote Unanimous. Motion Carried.

Motion by Harms Second by Hansen to deny a classification change which would result in an abatement on parcel number 09.4.02.3 for James & Kathy LaDuke. Vote Unanimous. Motion Carried.

Sheriff Lamphere presented the Commissioners with an Activity Report for March 2010.

Sheriff Lamphere also presented the Commissioners with a Proposed Computer Aided Dispatch and Records Management System from Zuercher Technologies LLC. The estimated cost of the system is \$133,284.00. The updated system will help with personnel hours. The Belle Fourche Police Department will have to 100% on board before any action can be taken. The system will have to be bid.

Sheriff Lamphere told the Commissioners that Ms. Dawn Martin had been hired as full time in the Dispatch Department.

Motion by Hansen Second by Kindsfater to go into an Executive Session regarding personnel at 3:05 p.m. with Sheriff Lamphere. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Hansen to come out of Executive Session at 3:17 p.m. Vote Unanimous. Motion Carried. No action was taken.

Highway Superintendent Don Adams was present for the Highway Department Report. Jim Parker from NJS Engineering was also present.

An Application To Construct An Approach To A County Road was presented from Mr. Bill Keester. Mr. Keester wants to re-establish an old approach on Crow Creek Road to be used by Half Mile Inc. DBA Butte County Speedway. Mr. Keester feels there is a great need for the approach which would be mainly used for Emergency Personnel. It would also help the flow of traffic move smoother. Terry and Wendy Carr were both present to voice their concerns about the increased traffic and the condition of the road. After a discussion it was decided to abandon the old approach application and rewrite a new application. Motion by Hansen Second by Kindsfater to approve the rewritten application submitted from Mr. Bill Keester to widen the existing approach approximately 30 feet to the north on Crow Creek Road. Vote Unanimous. Motion Carried.

The Commissioners discussed the North Indian Creek Bridge Structure (10-091-161) & Bypass on the Camp Crook Road. TSP Engineering is currently doing some Hydraulic Testing. There is a chance that seven culverts that are 5' x 60' could be installed instead of putting a bridge in.

Motion by Kindsfater Second by Hansen to authorize Chairman Kling to sign a Bridge Inspection Work Order No. BI-08-10 For Consultant Services for NJS Engineering to do Bridge Inspections for 83 Structures in Butte County. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Harms to Re-Grind, Mag Water and Shape ½ mile of old asphalt on Helmer Road. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to lift the weight limits on all asphalt roads except for the Helmer Road from National Street to Ziebach Street. This is effective April 22, 2010. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to approve an Agreement For Voluntary Right Of Way Donation between Butte County and Tom Davis. This Easement is for the Construction of a detour on the east side of structure 10-093-178 in Section 34, T12N, R2E, BHM which shall remain in place until the replacement of the existing bridge. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to approve an Agreement For Voluntary Right Of Way Donation between Butte County and Chance Davis. This Easement is for the Construction of a detour on the west side of structure 10-100-213 in Section 23, T11N, R2E, BHM which shall remain in place until the replacement of the existing bridge. Vote Unanimous. Motion Carried.

State's Attorney Tim Vander Heide presented the Commissioners with a draft copy of the Colloid Bypass and Haul Road Agreement. The agreement will go to the Highway Committee for review and then will come back to the Commissioners. Additional areas of concern and issues needs to be identified and included in the agreement.

Motion by Hansen Second by Kindsfater to go into an Executive Session at 5:00 p.m. regarding personnel matters. Vote Unanimous. Motion Carried. Highway Superintendent Don Adams and State's Attorney Tim Vander Heide were both present. State's Attorney Tim Vander Heide left the Executive Session at 5:30 p.m.

Motion by Hansen Second by Kindsfater to come out of Executive Session at 5:55 p.m. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Harms to advertise for a full time position in the Highway Department. The position would be part time as a weed sprayer and part time in the highway department. This position is under the supervision of Highway Superintendent Don Adams. Vote Unanimous. Motion Carried.

Butte County Auditor Elaine Jensen presented the Commissioners with a Transfer Application. Miki V. Scheef / Transfer of Butte County Liquor License No. RL-5292 to 212 Enterprises, L.L.C. This is a Retail On-Sale Liquor License for Sunday Sales.

Motion by Hansen Second by Kindsfater to set a public hearing on May 19, 2010 at 4:00 p.m. for the Liquor License Transfer from Miki V. Scheef to 212 Enterprises, L.L.C. Voting yes were Kindsfater, Smeenk, Harms and Hansen. Chairman Kling abstained from voting due to a conflict of interest. Motion Carried.

Motion by Harms Second by Hansen to sign a "Memo of Understanding" Agreement between Newell School District 9-2 and Butte County. This Agreement is pertaining to the June 8, 2010 Combined Elections. Vote Unanimous. Motion Carried.

Motion by Harms Second by Hansen to authorize Auditor Jensen to do the following operating transfers according to the adopted 2010 Budget. Vote Unanimous. Motion Carried.

1. Transfer \$121,728.22 from General Fund Cash (101) to Fund (201) Highway Road and Bridge.
2. Transfer \$5,913.95 from General Fund Cash (101) to Fund (231) WIC.
3. Transfer \$44,126.00 from General Fund Cash (101) to Fund (226) Emergency Management.
4. Transfer \$3,000.00 from General Fund Cash (101) to Fund (235) Teen Court Fund.

Committee Reports were given.

Motion by Hansen Second by Harms to adjourn the meeting at 6:35 p.m. Vote Unanimous. Motion Carried.

APPROVED BY THE COMMISSION:
Kim W. Kling, Chairman

ATTEST: Elaine Jensen, Auditor