

04/06/10

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 9:43 A.M.
April 6, 2010. Commissioners present were Kindsfater, Smeenk,
Harms and Hansen.

Vice - Chairman Marvin Kindsfater called the meeting to order and led the group in the Pledge of Allegiance. Chairman Kling arrived at 9:44 a.m.

Motion by Smeenk Second by Hansen to approve the amended meeting agenda which included a discussion pertaining to a membership with Black Hills Community Development. This discussion will be held before Committee Reports will be given. Vote Unanimous. Motion Carried.

Motion by Smeenk Second by Harms to approve the minutes from the March 17, 2010 meeting and to approve the corrected minutes from the March 31, 2010 meeting. The correction is adding clarification that Mr. Russ Surdez agreed to leaving the natural drainage as is and he will not dig out the bar pit on Water Tank Road. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Harms to approve the bills for payment. Vote Unanimous. Motion Carried.

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

Motion by Smeenk Second by Hansen to approve the following travel request:
VSO Robert Wagner to attend a VSO Certification in Bismarck N.D. on
April 18, 2010 – April 23, 2010 at the estimated cost of \$785.00.
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 Smeenk Second by Harms to approve an abatement for Michael R. Philipsen on parcel number 08.5.10.1.2M for tax year 2008 for the amount of \$106.16 and for tax year 2009 for the amount of \$105.12. Ms. Connelley in the Auditor's office is to send these amounts to the collection agency for collection. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenk to approve an abatement for Judith Shevling on parcel number 08.4.11.31 for the amount of \$1,250.60. 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 Smeenk Second by Harms to approve an abatement for Cynthia Ellefson on parcel number 09.6.33.22 for the amount of \$898.53. The applicant qualifies for the Paralyzed Vet Exemption. Vote Unanimous. Motion Carried.

Chairman Kling read a Recognition Letter which was received from Field Officer Paul C. Gremse recognizing VSO Robert (Bob) Wagner's outstanding performance evaluation regarding his one year of employment as VSO.

Department Heads reported on undertakings within their respective offices.

Director of Equalization Polly Odle discussed proposed changes to the current County Building Permit Ordinance. The Commissioners will wait to see what the Butte County Planning Commission's recommendations are. This will be brought back for discussion at a later time.

Mr. Roger Riley of Hidden Valley Subdivision discussed possible covenant changes. No action was taken.

At 11:00 a.m. Highway Superintendent Don Adams publicly opened and read orally the bids that were submitted for Gravel Crushing and Stockpiling at the Davis Pit in Harding County. The following bids were received:

SUPPLIER	GRAVEL CRUSHING
Western Construction	\$3.43 per cubic yard $\frac{3}{4}$ " plus \$1.00 royalties paid separately.
Aggregate Construction, Inc.	\$4.45 per cubic yard $\frac{3}{4}$ " plus \$1.00 royalties paid separately
Fisher Sand & Gravel	\$4.35 per cubic yard $\frac{3}{4}$ " plus \$1.00 royalties paid separately

The following persons from SRK Ranchettes were present to discuss with the Commissioners the removal of a bridge and a culvert update on Bait Road: Rick & Elecia Carbaugh, Ms. Lona Tibbs and Mr. Joel Van Eaton.

Motion by Kindsfater Second by Smeenk for State's Attorney Tim Vander Heide to draft a letter signed by the Butte County Commissioners stating that Butte County's involvement and maintenance on Bait Road stops at the 66' County Right – Of- Way. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams is to visit with Mr. Clyde Rische to instruct him that he is not allowed to do any blading on a county road.

There is also a tree on Bait Road that does need some attention.

The approach application on Crow Creek Road was not submitted from Bill Keester. No action was taken.

Motion by Hansen Second by Smeenk to approve an Application For Occupancy On The Right Of Way Of County Highways for Doug Cox. This is to trench a water line and also for an electrical line for an irrigational pivot. The trenching will be done on the Wetz Road. The trenched area is to be re-graveled and compacted. Vote Unanimous. Motion Carried.

A brief discussion was held regarding a culvert on Knutson Road. This is a FEMA Project. The county will reinstall a (same as) new culvert. If Mr. Ginsbach would like for a larger culvert to be installed he will have to pay the additional cost.

The Commissioners recessed for lunch at 12:10 p.m. with the public invited.

The Commissioners reconvened at 1:40 p.m.

Motion by Hansen Second by Kindsfater to go into an Executive Session at 1:41 p.m. with Sheriff Lamphere regarding personnel matters. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenck to come out of Executive Session at 2:25 p.m.
Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to authorize Sheriff Lamphere to hire a part – time dispatcher at 29 hours or less per week. Vote Unanimous. Motion Carried.

Mr. Greg Donat came before the Commissioners to visit about the speed limit on the Whitewood Valley Road. He is asking for additional signs addressing the speed limit and kids at play. The Commissioners will discuss this matter with Highway Superintendent Don Adams.

At 3:00 p.m. the Commissioners publicly opened the bids that were received for various surplus items. Motion by Smeenck Second by Harms to accept all high bids that were received. Voting yes were Kling, Smeenck and Harms. Commissioner Hansen and Commissioner Kindsfater abstained from voting due to a conflict of interest. Motion Carried.

Accepted Bids for Surplus Items are as follows:

SURPLUS ITEM	ACCEPTED BID
Lot #1 - Chevy 4 x 4 pickup with Utility Box -- mileage 239,424	Jim Thybo - \$300.00
Lot #2 – 1985 Dodge 4x4 pickup – mileage 146,358	City of Belle Fourche - \$657.50
Lot #3 – 1994 Jeep Cherokee – mileage 123,407	Keith Jolink - \$1,200.00
Lot #4 – 1997 Ford Crown Victoria – mileage 160,365	Jim Thybo - \$200.00
Lot #5 – 2005 Chevy Trail Blazer – mileage 168,377	Asia Motors - \$2,639.00
Lot #6 – Set of 4 Webb Truck Brake Drums 66,864F – New	No Bid
Lot #7 – Falls V Plow (damaged) snow removal equipment	Butler Caterpillar - \$150.00
Lot #8 – Semi Truck 5 th Wheel Fontaine (used)	No Bid
Lot #9 – Army Surplus Generator – condition unknown – 10kw – 120-240v – gas	Jim Thybo - \$75.00
Lot #10 – Plastic Mag Water Tanks off sanders (Quantity 4)	Joe Bunnellan - \$25.00 each
Lot #11 – Lift Groups for 140H Cat Blade (good) snow removal equipment	Butler Caterpillar - \$1,800.00
Lot #12 – Lift Group for 140G Cat Blade (good) snow removal equipment	Butler Caterpillar - \$400.00
Lot #13 – Set of 4 Tires for Radial Blade 14:00x24 (used)	Jim Thybo - \$80.00
Lot #14 – Group of 3 Tires for Radial Blade 14:00x24 (used)	Jim Thybo - \$60.00
Lot #15 – 1968 Miller Tilt-Bed Trailer	Joe Bunnellan - \$1,200.00
Lot #16 – Antique Oak Cabinet	Naomi Clari - \$350.00
Lot #17 – Table – 36” x 96” x 29½”	Marvin Kindsfater - \$55.00
Lot #18 – Metal Shelving	No Bids
Lot #19 – Metal File Boxes	No Bids

Lot #20 – 1947 Philco Refrigerator (antique)	No Bids
Lot #21 - Butte County Sheriffs Door – 36” x 84”	Tracy Monier - \$46.00
Lot #22 – 3-Door Cabinet – wood – 62” x 20” x 42”	No Bid
Lot #23 – Old Desk – pressed board – 24” x 48” x 26”	No Bid
Lot #24 – Old Metal Cabinet	Jim Thybo - \$5.00
Lot #25 – Bucket for JD 310E backhoe (fair)	Ken Hansen - \$12.00
Lot #26 – 8’ x 14’ Truck flat bed w/Braeden winch	Joe Bunnellan - \$200.00
Lot #27 – 2’ Blade extension for John Deere	Ken Hansen – \$96.00

Motion by Smeenck Second by Kindsfater to accept the Gravel Crushing and Stockpiling Bid that was submitted from Western Construction at the price of \$3.43 per cubic yard. This is for Gravel Crushing and Stockpiling at the Davis Pit in Harding County. Commissioner Hansen abstained from voting due to a conflict of interest. Vote Unanimous Motion Carried.

Additional Highway & Road Concerns were discussed.

Motion by Hansen Second by Smeenck to approve the minutes from the March 15, 2010 Commissioner’s meeting. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to renew the 2010 membership for Black Hills Community Development at a cost of \$500.00. Chairman Kling called for a vote. Hansen – No, Harms – Yes, Smeenck – Yes, Kindsfater – No and Kling – Yes. Motion Carried.

Motion by Hansen Second by Harms to go into an Executive Session regarding legal matters at 4:25 p.m. State’s Attorney Tim Vander Heide was also present. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenck to come out of Executive Session at 4:40 p.m. Vote Unanimous. Motion Carried.

Committee Reports were given.

Commissioner Smeenck left the meeting at 5:00 p.m.

Motion by Kindsfater Second by Hansen to remove the old sidewalk and steps facing the east side of old jail building and plant grass in the area. Mr. Don Peck will be doing the work. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Harms to adjourn the meeting at 5:15 p.m. Vote Unanimous. Motion Carried.

SALARY

ASSESSOR/PLANNING OFFICE-\$13,938.88, AUDITOR’S OFFICE-\$13,699.58, BUILDINGS-\$1,287.51, COMMISSIONERS-\$8,167.85, DISPATCH-\$25,328.37, EM/911-\$3,882.99, EXTENSION-\$3,072.00, HIGHWAY/WEED DEPT-\$42,514.52, NURSE’S OFFICE-\$3,072.00, REG OF DEEDS OFFICE-\$7,416.46, SHERIFF DEPT-\$24,608.80, STATE’S ATTORNEY OFFICE-\$19,030.25, TEEN COURT-\$2,076.93, TREASURER’S OFFICE-\$10,547.50, VETERAN SERVICE OFFICE-\$1,745.01

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$13,430.67

SDRS (RETIREMENT)
BUTTE COUNTY SHARE \$10,585.70

GROUP INSURANCE
BUTTE COUNTY SHARE \$28,811.92

PROFESSIONAL SERVICES & FEES

A & B BUSINESS EQUIPMENT \$333.46, BACHMAN, RENEE \$150.00, BLACK HILLS ORTH AND SPINE \$223.49, BRADY PLUIMER PC \$3,109.50, BRUNNER, GARY- CORONER CALL \$100.00, BURKE, RONNA \$470.25, UTILITIES-POOR LIEN \$349.43, CENTURY BUSINESS PRODUCTS \$271.67, CERMAK, LISA \$50.00, CITY OF RAPID CITY \$245.00, CITY/COUNTY ALCOHOL & DRUG \$1,775.00, CLARK, NORMAN \$50.00, DAY MORRIS LAW FIRM \$210.00, DJ CONSTRUCTION & DEVELOPMENT \$650.00, DON'S HANDYMAN SERVICE \$1,772.87, DOOLAN, TIMOTHY \$50.00, DOUBLE STAR COMPUTING \$1,770.00, ELLINGSON, JOSEPH \$3,224.80, EXECUTIVE MGMT FINANCE O \$120.00, G & R CONTROLS \$311.23, GENE'S LOCK SHOP \$65.00, HARDISON, DEBRA \$90.00, HUNSUCKER, EDWIN A \$105.00, HYMANS, RENA M \$1,815.13, JOHNSON ELECTRIC \$3,313.31, KIDDER COUNTY SHERIFF'S \$30.00, KILMER, STONEY \$50.00, KINNEY LAW PC \$388.90, KLINGLER, LORRAINE \$50.00, KLOPFENSTEIN MD, DAVID \$10.58, KNAPP, WENDY \$50.00, KONE INC. \$321.75, LAMPHERE, FRED-CORONER CALL \$100.00, LEROY HILL LAW OFFICE \$566.25, LEWIS & CLARK BEHAVIORAL \$142.00, LEXISNEXIS \$110.00, LYNN'S DAKOTAMART \$12.59, MEADE COUNTY AUDITOR \$14,410.00, MEADE COUNTY SHERIFF \$25.80, MILLER, RONDA \$274.86, MONCUR CPA, DEBRA K \$275.00, NORTHERN HILLS REPORTING \$112.50, PARROW, DOUGLAS \$5.14, PENN CO AUDITOR \$54.00, PIZZA HUT \$34.98, RAPID CITY REGIONAL HOSPITAL \$818.10, REGIONAL BEHAVIORAL HEALTH \$189.94, REINDL, STACI L. \$5,500.00, RYKEN, RON \$22.40, SD DEPT OF REVENUE \$196.83, SD DEPT OF TRANS \$299.33, SD HUMAN SERVICES CENTER \$68.65, SERVALL UNIFORM/LINEN \$145.92, SEXTON, JOANETTE \$50.00, SHEPARD REPORTING LLC \$25.00, SPEARFISH REGIONAL MEDICAL \$300.00, SPEARFISH SEAMLESS INC \$1,482.64, STRICKLAND, ALANA \$50.00, STURGIS REGIONAL HOSPITAL \$61.90, THIEL, MARK \$50.00, TRUMP LAW OFFICES PC \$3,500.00, WELLS FARGO FINANCIAL \$20.01, WILBUR, ROBERT \$50.00

PUBLISHING

RAPID CITY JOURNAL \$1,341.21

RENTALS

A & B BUSINESS EQUIPMENT \$34.25, MARLIN LEASING \$247.40, WELLS FARGO FINANCIAL \$220.08

REPAIRS & MAINTENANCE

A & B BUSINESS EQUIPMENT \$71.37, GRABER VOICE AND DATA \$2,956.00, HERSRUDS OF B.F. \$58.23

SUPPLIES & MATERIALS

A TO Z SHREDDING \$195.00, BLACK HILLS PURE INC \$50.60, BLACK HILLS WEEKLY GROUP \$52.50, BRUNNER, GARY \$25.43, BUTLER MACHINERY \$5,521.53, BUTTE CO AMBULANCE SERICE \$380.10, BUTTE CO. SHERIFF'S OFFICE \$61.76, POSTAGE \$5,625.28, CENTRAL PARTS \$545.80, CITY OF BELLE FOURCHE \$2.00, CORR CONSTRUCTION SERVICE \$117,641.25, CREATIVE PRODUCT SOURCE \$274.05, DAKOTA LUMBER \$893.69, DAL CAM OIL COMPANY INC. \$14,883.31, EDDIE'S TRUCK CENTER \$2,017.55, FERNEN ELECTRONICS \$7.90, FRONTIER GLASS OF BELLE FOURCHE \$413.92, HILLYARD/SIOUX FALLS \$115.58, HOGEN, DALE \$49.99, HOSETH AUTO INC. \$11.82, INVENTORY TRADING COMPANY \$144.00, JENSEN, ELAINE \$23.44, JOHNSON ELECTRIC \$2,106.30, LAMPHERE, FRED \$10.00, LAWSON PRODUCTS INC \$153.58, LEWIS, MELODIE \$104.66, MCLEODS \$59.89, MONAHAN, WILLIAM \$10.00, MOTIVE PARTS & SUPPLY \$124.06, NEWELL RANCH SUPPLY INC \$19.33, OCCUPATIONAL HEALTH NETWORK \$262.00, OFFICE DEPOT \$19.49, OFFICE EMPORIUM \$2.49, OWEN D DUNN CO INC \$569.43, PAMIDA \$166.47, PITNEY BOWES INC \$101.97, QUILL CORPORATION \$156.32, RANDY'S DISCOUNT TIRES \$94.00, RAPID DELIVERY \$72.60, SAND CREEK PRINTING \$794.90, SCOTT PETERSON MOTORS \$25,600.65, SD DEPT OF TRANS \$5,229.54, SERVALL UNIFORM/LINEN \$235.04, SPEARFISH EXTINGUISHER \$443.00, STEREOS N STUFF \$102.96, STREETER, JUSTIN EDWARD \$10.00, SUNDSTROM, SHELDON \$74.20, THE TECHNOLOGY CENTER \$207.00, WEST GOVERNMENT SERVICES \$102.85, WEST TIRE \$4,213.18, WINNER'S CIRCLE \$28.00

TRAVEL & CONFERENCE

A T & T \$55.78, ADAMS, DONALD \$372.60, BEST WESTERN RAMKOTA INN \$296.97, BRUNNER, GARY \$11.07, CLARK, NORMAN \$12.58, FOX, KRINDA \$55.00, GARRETT, WESTON \$12.73, HANSEN, KENNETH \$18.50, JENSEN, ELAINE \$18.83, KILMER, STONEY \$25.90, KLING, KIM \$13.32, KLINGLER, LORRAINE \$0.74, KNAPP, WENDY \$0.74, LENSEGRAV, DEBRA \$19.21, PARROW, DOUGLAS \$5.03, PLUNKETT, HEATHER \$89.84, RAMADA INN \$630.00, ROSENAU, MARY \$18.87, SD ASS'N OF CO COMM \$100.00, SD ASSN CO HWY SUPTS \$120.00, SDAAO \$400.00, SEXTON, JOANETTE \$1.48, SMEENK, STEVEN \$55.50, STRICKLAND, ALANA \$1.48, SWAN, THOMAS \$193.39, THIEL, MARK \$3.70, WAGNER, ROBERT \$21.83, WALKER, PAULA \$197.69, WILBUR, ROBERT \$12.58

UTILITIES

ALLTEL \$866.03, BH POWER & LIGHT CO \$150.23, INTERNET SERVICE \$17.99, BUTTE ELECTRIC COOP \$852.15, BUTTE-MEADE SANITARY \$39.00, CITY OF BELLE FOURCHE \$131.95, EXECUTIVE MGMT FINANCE \$6.00, GOLDEN WEST COMPANIES \$23.77, KNOLOGY \$677.70, MCGAS PROPANE \$537.02, QWEST \$1,535.68, TOWN OF NISLAND \$64.10, TRASH BUSTERS INC. \$109.00, WEST RIVER COOP TELEPHONE \$99.84

OTHER

ARTEMIS HOUSE \$962.50, EXTENSION OFFICE POSTAGE \$92.11, PAMIDA \$48.44, SAND CREEK PRINTING
\$7.25

FY 08 HLS SHSP GRANT

CABELAS \$741.97

SHERIFF HIGHWAY SAFETY GRANT

BROOKER, JACK \$60.00

PRINCIPAL

GE CAPITAL \$2,509.03

APPROVED BY THE COMMISSION:
Kim W. Kling, Chairman

ATTEST: Elaine Jensen, Auditor