

07/06/10

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

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

Motion by Hansen Second by Smeenck to approve the amended meeting agenda which includes
a discussion regarding repair of the Court House Dome, approval of a SubAgreement Between The
South Dakota Secretary Of State and Butte County, amendments to the Compact Agreement and
Bylaws between Butte County and Western Dakota Juvenile Detention Center, discuss painting the
County Shop at Nisland and add Legal matters to the Executive Session. Vote Unanimous.
Motion Carried.

Motion by Hansen Second by Harms to approve the corrected minutes from the June 1, 2010
meeting and to approve the minutes from the July 1, 2010 meeting and to table the minutes from
the June 16, 2010 meeting. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to approve the bills for payment with the exception of holding
check #73277 payable to Sioux City Foundry Company. The Commissioners are questioning if
Sioux City Foundry Company was awarded the Bid during the Supply Bids process which was held in
March 2010. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to accept the VSO report for June 2010.
Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Harms to approve the following travel request:
Deputy Clements to attend training in Pierre, SD on June 28, 2010 – July 02, 2010.
Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to deny an abatement for the amount of \$1,920.74 for
Theodore & Stacy Corean. Mr. & Mrs Theodore Corean are asking for a Veteran's Exemption on
parcel number 15.58.01.18. Vote Unanimous. Motion Carried.

VSO Robert Wagner and Building Maintenance Don Peck reported on undertakings within their
respective departments.

Motion by Kindsfater Second by Smeenck to authorize Chairman Kling to sign the Amendments to the
Compact Agreement and Bylaws with Western South Dakota Juvenile Detention Center. Vote
Unanimous. Motion Carried.

The Commissioners briefly discussed the estimated cost of repairing the Dome on the Butte County
Courthouse. Chairman Kling had received an estimated repair cost of \$25,000.00 - \$50,000.00 from
Lowe's Roofing. No action was taken at this time.

Butte County Planning Coordinator – Charles Richardson came before the Commissioners to discuss
the two applications for Temporary Campground Permits. The first one is Iron Hogz Campground
which will be located at 13750 U.S. Hwy 212 Newell, SD and the second one is Randy Longtine's
Wild Mustang Ranch which will be located at 16001 U.S. Hwy 85 Belle Fourche, SD. Mr. Richardson
informed the Commissioners that both Campgrounds have met all contingencies that Butte County
Planning had requested. Mr. Richardson is satisfied with both applications.

Highway Superintendent Don Adams and Highway Foreman Gary Berglund came before the Commissioners to discuss the necessary engine repairs for the 2000 Freightliner Truck #48. The Truck is at Bickle's Truck & Diesel Service. The Commissioners told Highway Superintendent Don Adams to proceed with the engine repairs.

Motion by Smeenck Second by Kindsfater to authorize Chairman Kling to sign the South Dakota Department of Transportation Contract Proposal for Weed Spraying FY 2011 for the amount of \$27,740.50. The spot weed spraying would be done in Butte, Harding, Lawrence, Meade and Perkins County. Vote Unanimous. Motion Carried.

Motion by Smeenck Second by Hansen to approve an Application To Construct An Approach To A County Road for Melvin C. Pittman on the Vale Cutoff Road as a Variance. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to approve a Construction Change Order No 4F on Project Number BRF 6410(04). This Change Order is for the Willow Creek Bridge on Old Highway 212. The Net Change to this Order is -\$1,011.25. Vote Unanimous. Motion Carried.

Highway Superintendent Don Adams had received a draft from American Colloid Company showing their changes to the Colloid Bypass & Haul Agreement. The draft was given to State's Attorney Tim Vander Heide for him to review. No action was taken.

Commissioner Hansen reported that TSP Engineering Firm is still working on the final design in regards to the North Indian Creek Bridge Structure (10-091-161) on Camp Crook Road & Bypass.

Motion by Hansen Second by Kindsfater to authorize Chairman Kling to sign the Agreement For Voluntary Right Of Way between Butte County and Chance Davis. The Agreement 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.

Highway Superintendent Don Adams reported to the Commissioners that the Nisland Centennial Committee asked Butte County to paint the outside of the Butte County Highway Shop which is located in Nisland, SD. This topic will be put on the next meeting's agenda after the Commissioners have had some time to view the building.

Highway Superintendent Don Adams reported the current gas & fuel prices.

A discussion was held regarding the possibility of adding a weed spraying unit. This will be discussed in more detail during budget talks.

Motion by Hansen Second by Smeenck to pay check #73277 payable to Sioux City Foundry Company for the amount of \$10,479.12 after Highway Superintendent Don Adams gave the Commissioners clarification pertaining to this matter. This is for grader blades. Vote Unanimous. Motion Carried.

The Commissioners recessed for lunch at 11:55 a.m.

The Commissioners reconvened at 1:35 p.m.

Sheriff Lamphere recognized Deputy Doug Parrow, Dispatcher Chandi Zimmerschied and Dispatcher Vicki DeSart for their outstanding efficiency and professionalism during the boating accident on June 27, 2010. Letters of Commendation were given from Sheriff Lamphere to Deputy Parrow, Dispatcher Chandi Zimmerschied and Dispatcher Vicki DeSart. Chairman Kling reiterated a special Thank you to the three individuals on behalf of the Board of Butte County Commissioners.

A BID was received from Zuercher Technologies LLC for a new Computer Aided Dispatch System. The amount of the BID is \$133,284.00. Sheriff Lamphere's proposal is to pay for the system over a two year period. Sheriff Lamphere would like to pay 25% out of the Sheriff's Budget, 25% from the City of Belle Fourche and 50% from the E911 Fund.

Motion by Hansen Second by Smeenck to accept the BID from Zuercher Technologies LLC for the amount of \$133,284.00 contingent upon the City of Belle Fourche writing a letter confirming their commitment to pay 25% over a two year period and for the City of Belle Fourche committing to pay 25% for recurring maintenance costs. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to authorize Chairman Kling to sign the Emergency Management State and Local Agreement (SLA) for the period of October 1, 2009 – September 30, 2010. The amount being awarded to Butte County is \$21,241.28. This is to pay 50% of the Emergency Manager's Salary and Administrative Costs. Vote Unanimous. Motion Carried.

Sheriff Lamphere distributed the Activity Report for June 2010.

Motion by Kindsfater Second by Hansen to accept the Activity Report for June 2010. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to supplement the Emergency Management Expense and Revenue Budget Fund 226 for the amount of \$20,043.02. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenck to go into an Executive Session at 2:08 p.m. regarding legal and personnel matters. Vote Unanimous. Motion Carried. State's Attorney Tim Vander Heide, Deputy State's Attorney Heather Plunkett and Director of Equalization Polly Odle were present for the Executive Session.

Motion by Hansen Second by Smeenck to come out of Executive Session at 3:15 p.m. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to deny the Indigent Claim for T.R. because of an incomplete application. Vote Unanimous. Motion Carried.

Mr. Vernon Davis and Ms. Jeannine Guern came before the Commissioners to discuss Cemetery Awareness.

Ms. Christine Smith and her Service Dog – Elsa Rose came before the Commissioners to inform them about Service Dogs. Ms. Smith wants to educate people about the use of Service Dogs in public and government entities.

Motion by Hansen Second by Smeenck to authorize Chairman Kling to sign a Grant Agreement between Butte County and the South Dakota Department of Health. The State will award Butte County financial assistance of \$426.25. This is to help with expenses incurred while providing the H1N1 vaccinations during the 2009-2010 influenza season. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to accept the following Retail (on-off sale) Malt Beverage Applications for License Years 2010 – 2011 for Sunday Sales and set a Public Hearing for Wednesday, July 21, 2010 at 4:00 p.m. Voting yes were Kindsfater, Smeenck, Harms and Hansen. Kling abstained from voting due to a conflict of interest. Motion Carried.

Randy M. Longtine – dba Steel Horse Saloon
16001 U.S. Highway 85 Belle Fourche, SD 57717
S1/2 SE1/4 – Section 18, T13N, R5E

Gloria Adamson – dba Iron Hogz Campground
13750 U.S. Highway 212 Newell, SD 57760
W1/2 NE1/4 – Section 32, T10N R7E

Robert or Becky Boylan – dba Spur Creek Saloon
17712 S.D. Hwy 79 Newell, SD 57760

A SubAgreement between the South Dakota Secretary of State and Butte County will be entered into by designating and setting aside \$284.11. This is the required match money necessary so Butte County will receive \$5,303.03 which will be held in the state account for Elections. Motion by Kindsfater Second by Smeenck to transfer \$284.11 from General Fund (101) Unrestricted Cash to General Fund (101) Restricted Cash – Election. Vote Unanimous. Motion Carried.

A discussion was held pertaining to the Bioareosol Sampling and Analysis for the Butte County Courthouse. It was decided to proceed with the clean up process in regards to the books in the Treasurer's office vault.

It was decided to paint the east side of the State's Attorney/Extension Office Building. Commissioner Kindsfater will obtain a price quote for the painting project and will bring to the next meeting.

The Commissioners decided to proceed with putting in a suspended ceiling in the Ladies Bathroom which is located on the second floor of Butte County Courthouse.

Committee Reports were given.

Motion by Smeenck Second by Kindsfater to adjourn the meeting at 5:50 p.m. Vote Unanimous. Motion Carried.

SALARY

ASSESSOR / PLANNING OFFICE-\$9,338.95, AUDITOR'S OFFICE-\$10,573.90, BUILDINGS-\$1,374.01, COMMISSIONERS-\$5,414.40, DISPATCH-\$19,492.69, EM / 911-\$2,588.66, EXTENSION-\$2,048.00, HIGHWAY DEPT / WEED CONTROL-\$29,674.37, NURSE'S OFFICE-\$2,048.00, REG OF DEEDS OFFICE-\$5,057.87, SHERIFF DEPT-\$16,642.99, STATE'S ATTORNEY OFFICE-\$12,725.48, TEEN COURT-\$1,384.62, TREASURER'S OFFICE-\$8,398.10, VETERAN SERVICE OFFICE-\$1,163.34

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,478.43

SDRS (RETIREMENT)

BUTTE COUNTY SHARE \$7,528.77

GROUP INSURANCE

BUTTE COUNTY SHARE \$30,461.46

PROFESSIONAL SERVICES & FEES

A & B BUSINESS EQUIPMENT \$179.55, ACCURINT-ACCOUNT \$68.50, AMERICAN LEGION POST #23 \$35.00, AMUNSON, HELEN \$135.00, BACHMAN, RENEE \$150.00, BACHMAN, ROBERT \$50.00, BARRY, LANCE \$20.00, BERDAN, MARILYN \$135.00, BF REGIONAL MEDICAL CENTER \$100.00, BIEGLER, GREG \$60.00, BISGAARD, ANGIE \$135.00, BLACK HILLS FAMILY PRACTICE \$321.33, BLACK HILLS SECURITY \$299.40, BLAKE, SHIRLEY \$135.00, BO'S LAWN SYSTEMS \$50.00, BOGGS, LORI \$50.00, BONEFIELD, PAM \$141.66, BRADY PLUIMER PC \$1,353.71, BRIST, CHRISTOPHER \$135.00, BRUNER, BETTY J. \$75.00, BRUNNER, GARY \$100.00, BUDMAYR, HALLIE \$75.00, STATE OF SOUTH DAKOTA \$116.30, BUYS, DONNA \$135.00, CAROL BUTZMAN CONSULTING \$827.83, CASTLEROCK-MOREAU HALL \$35.00, CENTURY BUSINESS PRODUCT \$323.48, CERMAK, LISA \$50.00, CITY/COUNTY ALCOHOL & DRUG \$1,570.00, CLARK, NORMAN \$50.00, CLEVELAND, FRANCES P. \$135.00, CONNER, CINDI \$173.48, COUNTY DRUG \$1.10, COX, NANCY A \$135.00, CSD \$264.50, CUNDALL, LANELLE \$146.10, DARDIS LAW OFFICE PC \$166.00, DAY MORRIS LAW FIRM \$150.00, DIETRICH, DONNA K. \$171.82, DJ CONSTRUCTION \$650.00, DON'S HANDYMAN SERVICE \$918.67, DONAHEY, DOLORES M. \$125.00, DONALD A. JANZ PHD \$3,300.00, DOOLAN, TIMOTHY \$50.00, DSCHAAK, RUTH \$135.00, DUNN, COLLETTE

\$125.00, DUNN, KEITH \$153.00, FARRIS, JUDY \$135.00, FROST, SHEILA \$135.00, GINSBACH, BONNIE \$135.00, GOODWIN, DELBERT \$75.00, GOSS, EDWARD \$85.00, GOTFREDSON, BRUCE \$50.00, GREAT WESTERN BANK \$151.00, GREEN, ROSE \$135.00, GROHMANN, BERNITA \$135.00, GRUSING, VIRGINIA ROSE \$20.00, HAGMAN, NORMA \$135.00, HARKINS, CAROLYN M \$845.80, HARVEY, ALAN \$50.00, HERMAN, KARROL \$148.32, HESS, BERNICE \$135.00, JEWETT, JOAN \$139.44, JOHNSON ELECTRIC \$430.20, JOHNSON MINER MARLOW WOOD \$157.43, KILMER, STONEY \$50.00, KINKADE FUNERAL CHAPEL \$700.00, KLINGLER, LORRAINE \$50.00, KNAPP, WENDY \$50.00, KOK, JANE \$140.18, KONE INC. \$321.75, KOOISTRA, NELVA \$15.00, KURTZ, CHRISTINE M \$140.92, LAMPHERE, FRED \$100.00, LARSON, GLENDA \$50.00, LARSON, ROSE \$143.88, LEOPOLD, MARGARET \$135.00, LEROY HILL LAW OFFICE \$1,129.79, LYFTOGT, SHARON \$135.00, LYNN'S DAKOTAMART \$18.99, MEADE COUNTY AUDITOR \$21,419.79, MEADE COUNTY SHERIFF \$78.60, MILBERG, ELEANOR \$135.00, MITCHELL, STEVIE LEE \$20.00, MONCUR CPA, DEBRA K \$319.00, MOORE, PEGGY R. \$135.00, MW PAINTING \$1,502.00, NENABER, LOUISE J \$125.00, NJS ENGINEERING \$1,173.60, NORTHERN HILLS REPORTING \$52.50, OCCUPATIONAL HEALTH NETWORK \$50.00, ODLE, JEANETTE J. \$135.00, OLSON, ESTER \$85.00, OLSON, FRANCES J \$194.94, ORWICK, IDA MAE \$143.50, ORWICK, JAMES \$136.10, OSTER, SANDRA \$50.00, OZUNA, LARRY \$20.00, OZUNA, SHARON \$20.00, PAMIDA \$569.52, PARKS, JEAN \$150.54, PELLE, JOAN \$137.22, PENNINGTON CO. AUDITOR \$503.70, PIERCE, BONNIE \$85.00, PIZZA HUT \$79.92, PROEFROCK, SUSAN \$75.00, PUMMEL, G \$50.00, RAISANEN, STACEY M. \$125.00, REHFUSS, CATHY \$15.00, REINDL, STACI L. \$5,500.00, RITTBERGER, MARY ANN \$135.00, ROBERTS, PAULA \$272.25, RUZICKA, LEONA \$140.18, RUZICKA, PATRICIA \$135.00, RYTHUR, MARVA \$135.00, SD ASS'N OF COUNTIES \$200.00, SD DEPT OF REVENUE \$315.07, SD DEPT OF TRANS \$1,743.17, SEXTON, JOANETTE \$50.00, SHELLHAMMER, JUSTIN \$20.00, STRICKLAND, ALANA \$50.00, STUMPF, GERRY \$158.31, THIEL, MARK \$50.00, TRUMP LAW OFFICES PC \$3,500.00, VALLERY, GWENN \$164.60, VOLLMER, LINDA \$28.50, WATKINS, MIKE \$180.00, WELLS FARGO FINANCIAL LEASING \$20.01, WENDT, MARY \$135.00, WESTERN S.D. JUVENILE SERVICES \$1,600.00, WESTLAND, BONNIE \$135.00, WILBUR, ROBERT \$50.00, WOLFER, CARLOTTA \$172.00

PUBLISHING

RAPID CITY JOURNAL \$933.75

RENTALS

A & B BUSINESS EQUIPMENT \$25.65, MARLIN LEASING \$247.40, WELLS FARGO FINANCIAL LEASING \$220.08

SUPPLIES & MATERIALS

A & B BUSINESS EQUIPMENT \$128.16, ADAMS MACHINING AND WELDING \$131.72, BERRETH, SETH W \$10.00, BLACK HILLS PURE INC \$52.00, BLACK HILLS WINDSHIELD \$345.00, BRUNNER, GARY \$199.99, BUNNEY'S BODY & COLLISION \$324.00, BUTLER MACHINERY \$6,219.27, SHERIFF SUPPLIES \$535.65, POSTAGE \$1,280.97, CBH COOPERATIVE \$3,258.31, CENTRAL PARTS \$1,962.11, CHAIN SAW CENTER \$50.94, DAKOTA LUMBER \$323.01, DOUBLE STAR COMPUTING \$4,302.33, DS SOLUTIONS INC \$50.00, EDDIE'S TRUCK CENTER \$4,042.94, EZ FABRICATION AND WELDING \$2.32, FAST BREAK SCREEN PRINTING \$10.00, FERNEN ELECTRONICS \$935.80, FINKBEINER FEED & SEED \$2,870.51, FRONTIER GLASS OF BELLE \$35.00, FUHRER/BOWMAN STORAGE \$160.00, GALLS \$873.67, GODFREY BRAKE INC \$1,333.28, HERSRUDS OF B.F. \$230.10, HILLYARD/SIOUX FALLS \$286.69, HOMESTEAD NURSERY \$103.11, HURON CULVERT & TANK \$227.50, JENSEN, ELAINE \$70.11, LAB SAFETY SUPPLY INC \$99.96, LAR-JO'S \$190.44, LEXISNEXIS \$110.00, LYNN'S DAKOTAMART \$13.54, MG OIL COMPANY \$15,865.44, MOTIVE PARTS & SUPPLY \$255.04, ND DEPARTMENT OF VETERAN \$45.00, NELSON, GERALD \$2.00, NEWELL RANCH SUPPLY INC \$408.21, NEWMAN TRAFFIC SIGNS \$1,847.00, OFFICE DEPOT \$19.39, OFFICE EMPORIUM \$50.35, PAMIDA \$56.92, QUILL CORPORATION \$478.02, RANDY'S DISCOUNT TIRES \$918.50, RAPID DELIVERY \$51.70, SAND CREEK PRINTING \$801.37, SD DEPT OF TRANS \$6,130.34, SD OFFICE OF EMERGENCY MGT. \$7,917.30, SERVALL UNIFORM/LINEN \$590.98, SPEARFISH REGIONAL MEDICAL \$342.00, STEREOS N STUFF \$1,029.92, SUBWAY \$219.39, TOWN OF NISLAND \$64.10, TRI STATE BAKERY STUDIO \$44.16, WARNE CHEMICAL \$347.66, WELLS PLUMBING \$2,009.86, WEST PAYMENT CENTER \$102.85, WEST TIRE \$3,517.11

TRAVEL & CONFERENCE

BACHMAN, ROBERT \$1.48, BARRY, LANCE \$12.58, BEST WESTERN RAMKOTA INN \$730.98, BOGGS, LORI \$2.96, PRISONER TRANSPORT \$400.00, CLARK, NORMAN \$12.58, FORD, DALLAS \$8.88, FOX, KRINDA \$27.50, GARRETT, WESTON \$6.10, GOTFREDSON, BRUCE \$33.30, GRUSING, VIRGINIA ROSE \$0.74, HANSEN, KENNETH \$18.50, HARVEY, ALAN \$0.74, JOCHIM, KILEE \$19.98, KILMER, STONEY \$25.90, KINDSFATER, MARVIN \$5.55, KLING, KIM \$13.32, KLINGLER, LORRAINE \$0.74, KNAPP, WENDY \$0.74, LAMPHERE, FRED \$50.00, LARSON, GLENDA \$3.70, MITCHELL, STEVIE LEE \$0.74, NETTERBERG, JENNIFER \$86.19, ODLE, POLLY \$103.53, OSTER, SANDRA \$3.70, OZUNA, LARRY \$0.74, OZUNA, SHARON \$0.74, PUMMEL, G \$0.74, RAMADA MITCHELL \$656.55, RICHARDSON, CHARLES \$102.13, SEXTON, JOANETTE \$1.48, SMEENK, STEVEN \$55.50, STRICKLAND, ALANA \$1.48, SWAN, THOMAS \$319.31, THIEL, MARK \$3.70, WAGNER, ROBERT \$43.66, WILBUR, ROBERT \$12.58

UTILITIES

A T & T \$61.52, ALLTEL \$977.67, BH POWER & LIGHT CO \$95.49, QWEST INTERNET \$29.99, BUTTE ELECTRIC COOP \$160.26, BUTTE-MEADE SANITARY \$43.00, CITY OF BELLE FOURCHE \$149.46, GOLDEN WEST COMPANIES \$23.45, KNOLOGY \$692.34, QWEST \$1,574.69, REFUSE SOLUTIONS INC \$112.30, WEST RIVER COOP TELEPHONE \$101.80

OTHER

ARTEMIS HOUSE \$962.50, BUTTE CO FIRE PROTECTION \$19,149.00, EXTENSION POSTAGE \$173.39, OFFICEMAX INCORPORATED \$349.95, PAMIDA \$31.47, SAND CREEK PRINTING \$158.92

SHERIFF HIGHWAY SAFETY GRANT

BROOKER, JACK \$50.00, NEVE'S UNIFORMS INC. \$878.63

PRINCIPAL

BULLBERRY SYSTEMS, INC. \$1,200.00, BUTLER MACHINERY \$9,751.04, FIRST INTERSTATE BANK \$6,911.80,
GE CAPITAL \$2,509.03

APPROVED BY THE COMMISSION:
Kim W. Kling, Chairman

ATTEST: Elaine Jensen, Auditor