

09/20/10

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 10:20 A.M. September 20, 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 Hansen Second by Kindsfater to approve the amended meeting agenda which includes a discussion with Mr. Tom Davis pertaining to the Building Permit Ordinance at 4:45 p.m. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Hansen to go into an Executive Session at 10:15 a.m. for personnel matters pertaining to the 2011 Budget. Vote Unanimous. Motion Carried.

Commissioner Smeenk arrived at 11:05 p.m.

Motion by Hansen Second by Harms to come out of Executive Session at 12:23 p.m. Vote Unanimous. Motion Carried. No action was taken.

The Commissioners recessed for lunch at 12:23 p.m. with the public invited.

Chairman Kling called the meeting back to order at 1:10 p.m.

Motion by Hansen Second by Kindsfater to approve the minutes from the September 7, 2010 meeting and to table the Equalization Minutes. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenck to approve the Auditor's Monthly Settlement with the Treasurer report for August 31, 2010. Vote Unanimous. Motion Carried.

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

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$	412,117.18	
Wells Fargo Savings		369,204.25	
Simply Service Federal Credit Union		5.68	
Total Checking/Savings Accounts		_____	\$ 781,327.11

INVESTOR ACCOUNTS

First Interstate Bank Account	\$	428,170.03	
Wells Fargo Investment Account		195,970.78	
Total Investor Accounts		_____	\$ 624,140.81

CERTIFICATE OF DEPOSIT

First Interstate	\$	228,312.38	
FNB		0.00	
NHFCU		311.15	
SSFCU		247,231.74	
PB&T		1,540,189.80	
Total Certificates of Deposit		_____	\$ 2,016,045.07

Cash on Hand 1,250.00

Cash Items 2,168.18

Postage Meter/Postage 2,014.04

Butte County Economic Development 76,586.42

Sheriff Drug Seizure 571.15

Sheriff Credit Card Account 1,500.00

Butte County Emergency / Sheriff 2,039.19

TOTAL CASH ACCOUNTS **\$ 3,507,641.97**

/s/ Gerald Nelson / Deputy 9/20/2010
COUNTY AUDITOR SIGNATURE DATE

/s/ Debra Lensegrav 9/20/2010
COUNTY TREASURER SIGNATURE DATE

Motion by Smeenck Second by Hansen to accept the County Lien report for August 2010.
Vote Unanimous. Motion Carried.

**LIEN REPORT
BUTTE COUNTY**

	EXPENSES AUG 2010	EXPENSES YTD	RECOVERED AUG 2010	RECOVERED YTD
CAA/PUBLIC DEFENDER	\$18,339.01	\$126,848.47	\$3,753.34	\$24,556.86
JAIL	\$49,609.38	\$177,224.09	\$ 922.00	\$10,326.30
POOR LIEN	\$ 1,338.95	\$ 9,211.63	\$ 50.00	\$ 220.00
REGIONAL JUVENILLE DETENTION	\$ 3,600.00	\$ 53,014.89	\$ 100.00	\$ 555.00

Motion by Hansen Second by Smeenck to approve the bills for payment per the computer printout with the exception of holding voucher number 74365 payable to Zuercher Technologies LLC.
Vote Unanimous. Motion Carried.

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

There were no travel requests to present.

There were no abatements to present.

Sheriff Lamphere distributed the Activity Report for August 2010.

A discussion was held with the City of Belle Fourche regarding the Dispatch Budget for 2011. Those present for the discussion were Acting Mayor Gary Hendrickson, City Finance Officer Gloria Landphere and City Council Members Cindy Snook and Toni Moncur.

A tentative date of Wednesday, January 12, 2011 at 12:00 p.m. has been set for the City of Belle Fourche / Butte County to discuss the Dispatch Budget for 2012. The meeting will take place at the City Council Chambers.

Motion by Hansen Second by Smeenck to hold voucher number 74365 payable to Zuercher Technologies LLC until the October 5, 2010 meeting and to table the action to surplus the Sheriff's Budget, the Jail Budget and the E911 Budget until October 5, 2010. Vote Unanimous.
Motion Carried.

Motion by Harms Second by Smeenck to approve the 2010 LEOP manual. Vote Unanimous.
Motion Carried.

A brief discussion was held regarding the events that have transpired at the Belle Fourche Reservoir in the past couple of months. These events are creating public safety concerns. Sheriff Lamphere and State's Attorney Tim Vander Heide will get together to draft a letter addressed to the Bureau of Reclamation voicing Butte County's concerns. The Commissioners plan to authorize Chairman Kling to sign the letter along with Sheriff Lamphere and State's Attorney Tim Vander Heide.

The North Indian Creek Bridge Structure (10-091-161) on Camp Crook Road & Bypass was discussed regarding a FEMA Waiver on Water Levels. Those present for the discussion were Dave Gustafson – President of Heavy Constructors, Inc., Mr. Philip Hahn from Heavy Constructors, Inc. and Todd Schultz Civil Engineer from TSP, Inc., Mr. Tom C. Davis and Highway Superintendent Don Adams.

Highway Superintendent Don Adams came before the Commissioners to discuss the Asphalt Failure on the Gray Road. Bituminous Paving Inc. has done some repairs already and will present Butte County with further plans to repair the road.

Mr. Russ Surdez, whom represents Community Visn came before the Commissioners with an Application For Occupancy On The Right Of Way Of County Highways to trench a water line on Water Tank Road.

Motion by Hansen Second by Kindsfater to authorize Chairman Kling to sign a Water Line Easement on Water Tank Road. Vote Unanimous. Motion Carried.

The Commissioners and Highway Superintendent Don Adams discussed the Orman Road and the Whitewood Valley Road Paving Projects concerning the soft spots in the sub-base.

Director of Equalization / Planning Director Polly Odle came before the Commissioners to conduct the First Reading of the Temporary Campground Ordinance # 8 and Ordinance # 7. Chairman Kling asked if anyone was present to object. No one was present. The Second Reading is scheduled for October 5, 2010.

Director of Equalization / Planning Director Polly Odle was present to discuss and give clarification to Mr. Tom C. Davis regarding the Proposed Revision to Ordinance 2002 -1. This is the Building Permit Ordinance.

A brief discussion was held regarding the Courthouse Cleanup that will be done on October 2, 2010. Horsely Specialties, Inc. will be doing the cleanup.

A special meeting to adopt the 2011 budget will be held on Tuesday, September 28, 2010. The meeting will start at 1:30 p.m.

Commissioner Harms left the meeting at 4:00 p.m.

Committee Reports were given.

Motion by Hansen Second by Smeenk to go into an Executive Session at 4:45 p.m. regarding personnel matters. Vote Unanimous. Motion Carried.

Motion by Kindsfater Second by Smeenk to come out of Executive Session at 6:10 p.m. Vote Unanimous. Motion Carried. No action was taken.

Motion by Kindsfater Second by Smeenk to adjourn the meeting at 6:10 p.m. Vote Unanimous. Motion Carried.

APPROVED BY THE COMMISSION:
Kim W. Kling, Chairman

ATTEST: Elaine Jensen, Auditor