

09/07/10

THE BUTTE COUNTY COMMISSIONERS CONVENED AT 9:42 A.M.  
September 7, 2010. Commissioners present were Kling, Smeenk,  
Harms and Hansen. Commissioner Kindsfater was absent.

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

Motion by Smeenk Second by Hansen to approve the amended meeting agenda which includes  
adding a work session at the end of day for the 2011 budget. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenk to approve the minutes from the Commissioner's meetings  
which were held on August 18, 2010 and August 26, 2010 and table the Equalization Minutes.  
Vote Unanimous. Motion Carried.

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

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

Motion by Smeenk Second by Harms to approve the following travel requests:  
VSO Robert Wagner to attend a Congressional Forum at Ft. Meade, SD on September 10, 2010,  
Auditor Elaine Jensen, Treasurer Deb Lensegrav, and Register of Deeds Paula Walker to attend the  
County Convention in Pierre, SD on September 21 – 23, 2010, Director of Equalization Polly Odle,  
Deputy Director of Equalization Heather Collins and Appraiser Jennifer Netterberg to attend the  
Annual Assessor's School in Pierre, SD on September 12 – 17, 2010, Emergency Manager /E911  
Coordinator Percy Bekken to attend the 2010 SDEMA Conference in Hot Springs, SD on  
September 14 – 16, 2010, Highway Secretary Melissa Mitchell to attend a DWARE Workshop in  
Deadwood, SD on October 7 – 8, 2010 and Highway Superintendent Don Adams to attend a  
Regional Local Road Conference in Rapid City, SD on October 20 – 21, 2010. Vote Unanimous.  
Motion Carried.

There were no abatements to present.

Motion by Smeenk Second by Harms to surplus a HP 3700 printer in the Extension Office and  
dispose of accordingly. Vote Unanimous. Motion Carried.

Commissioner Kindsfater arrived at 10:30 a.m.

Butte County Director of Equalization / Planning Director Polly Odle came before the Commissioners  
to discuss proposed revisions for the Temporary Campground Permit Application and proposed  
revisions for the Temporary Campground Ordinance # 7 and  
Temporary Campground Ordinance # 8.

Motion by Hansen Second by Kindsfater to schedule the first reading on  
Monday, September 20, 2010 and the second reading on Tuesday, October 5, 2010  
for the proposed revisions to the Temporary Campground Ordinance # 7 and  
Temporary Campground Ordinance # 8. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to accept the changes to Ordinance 2002-1 "Building Permit Ordinance" and proceed with the second reading. Vote Unanimous. Motion Carried. No one was present to make comment. The Ordinance 2002-1 (Proposed Revisions) "Building Permit Ordinance" will become effective on September 27, 2010.

The Commissioners and Director of Equalization / Planning Director Polly Odle discussed wind towers. It was decided that each wind tower structure would be subject to a building permit at a cost of \$50.00.

Chris & Rose Ann Besler owners of the Cadillac Ranch came before the Commissioners to discuss the condition of the Helmer Road. The road is very rough and full of wash boards. This is a secondary road. Highway Superintendent Don Adams was also present for the discussion.

NJS Engineer Neil Stodolski came before the Commissioners to discuss the Asphalt Failure on the Gray Road. Mr. Stodolski brought core samples from the Gray Road for the Commissioners to inspect. Bituminous Paving, Inc. was the contractor for the project. The Commissioners directed NJS Engineer Neil Stodolski and Highway Superintendent Don Adams to proceed with finding a solution to fix the Asphalt Failure on the Gray Road.

No one was present for the scheduled Public Hearing for the Highway Gravel Transfer.

The Commissioners recessed for lunch at 12:00 p.m. with the public invited.

The Commissioners reconvened at 1:39 p.m. with all Commissioners present.

Sheriff Lamphere came before the Commissioners to update them on happenings within his department. Sheriff Lamphere reported that State's Attorney Tim Vander Heide and he would be meeting with Belle Fourche City Acting Mayor Gary Hendrickson later in the afternoon to discuss the 2011 Dispatch Budget.

Mr. Robert Albright came before the Commissioners to discuss a public safety concern in the City of Belle Fourche. Sheriff Lamphere informed Mr. Albright that he would put a letter together addressed to the Belle Fourche City Council stating his concerns.

State's Attorney Tim Vander Heide and Deputy State's Attorney Heather Plunkett came before the Commissioners to discuss their agenda items.

State's Attorney Tim Vander Heide presented the Commissioners with a draft proposing changes to the residency requirements in the Butte County Informational Booklet.

Motion by Harms Second by Smeenck to accept the draft as presented by State's Attorney Tim Vander Heide to redesign the residency requirements in the Butte County Informational Booklet. Vote Unanimous. Motion Carried.

Motion by Harms Second by Smeenck to amend the motion stating that the proposed changes to the residency requirements will be effective immediately. Vote Unanimous. Motion Carried.

No action was taken on the matter pertaining to the gravel at the Buchholz Pit. State's Attorney Tim Vander Heide and Highway Superintendent Don Adams are drafting a letter addressed to Fisher Sand & Gravel expressing Butte County's concern regarding the gravel.

Motion by Hansen Second by Smeenck to authorize Chairman Kling to sign the InVision Migration System Agreement between Tyler Technologies, Inc. and Butte County. This is for total hardware and system software and installation fees for the amount of \$79,585.00. This upgrade is for Financial Applications, Personnel Management, Cash Collections, SD Voter Registrations & Absentee Voters, Real Estate Tax Records and SD Tax Management System. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to transfer \$98,098.00 from the Highway Gravel Reserve Fund 201 to Highway Cash Fund 201 and to supplement the Highway Budget for the same amount. This is to cover expenses incurred for gravel crushing and royalty costs. Vote Unanimous. Motion Carried.

The Application For Occupancy On The Right Of Way Of County Highways for Woelber Excavation, Inc. to Trench a Water Line on the North Side of West Wood Road will be held until Highway Superintendent Don Adams has received clarification from Mr. Woelber regarding the project.

Motion by Smeenck Second by Hansen to approve the following Variance as an Approach Variance: The Applicant is Sunday Bossert. The current physical address is 11594 Rocky Road, Belle Fourche, SD. The Approach is needed so Ms. Bossert can access her personal property. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Smeenck to approve the following Variance as an Approach Variance: The Applicant is Jennifer Arias. The current physical address is 19275 Whitewood Valley Road, Nisland, SD. The Approach is needed so Ms. Arias can access her personal property. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kindsfater to authorize Chairman Kling to sign Construction Change Orders on Project Number P 6503(05) for the amount of (-5,732.34) and Project Number P 6106(06) for the amount of (-9,900.40). The Change Orders are for the Cold Recycling of Asphalt Concrete and Asphalt Concrete Surfacing on the Orman Road and the Whitewood Valley Road. Vote Unanimous. Motion Carried.

The North Indian Creek Bridge Structure (10-091-161) on Camp Crook Road & Bypass was discussed. No action was taken.

The Commissioners and Auditor Jensen proceeded to work on balancing the 2011 budget.

Motion by Kindsfater Second by Smeenck to adjourn the meeting at 7:03 p.m.

#### SALARY

ASSESSOR / PLANNING-\$11,520.98, AUDITOR'S OFFICE-\$13,197.35, BUILDINGS-\$2,769.81, COMMISSIONERS-\$8,121.60, DISPATCH-\$25,980.52, EM / 911-\$3,882.99, EXTENSION-\$3,254.40, HIGHWAY DEPT / WEED CONTROL-\$46,799.35, NURSE'S OFFICE-\$3,072.00, REG OF DEEDS OFFICE-\$7,579.29, SHERIFF DEPT-\$24,801.19, STATE'S ATTORNEY'S OFFICE-\$19,097.87, TEEN COURT-\$2,076.93, TREASURER'S OFFICE-13,339.86, VETERAN SERVICE OFFICE-\$1,745.01

#### COUNTY SHARE FICA

BUTTE COUNTY SHARE \$13,979.80

#### SDRS (RETIREMENT)

BUTTE COUNTY SHARE \$10,943.10

#### GROUP INSURANCE

BUTTE COUNTY SHARE \$31,588.24

#### PROFESSIONAL SERVICES & FEES

A & B BUSINESS EQUIPMENT \$225.77, ARNOLD, DENISE \$20.00, BACHMAN, RENEE \$60.00, BECKER, KEVIN \$10.00, BIEGLER, GREG \$120.00, BINDER, TRACY L \$47.60, BLACK HILLS FAMILY PRACTICE \$50.00, BRADY PLUIMER PC \$327.69, BROOKER, JACK \$230.00, INDIGENT ASSISTANCE \$1,381.15, CAROL BUTZMAN CONSULTING \$738.75, CENTURY BUSINESS PRODUCT \$316.96, CHARLES, MYLAN \$50.00,

CITY OF RAPID CITY \$245.00, CITY/COUNTY ALCOHOL & DRUG \$1,530.00, DARDIS LAW OFFICE PC \$6,209, DAY MORRIS LAW FIRM \$135.00, DICK, NETTIE \$50.00, DJ CONSTRUCTION \$650.00, DON'S HANDYMAN SERVICE \$1,115.96, DONALD A. JANZ PHD \$1,100.00, ECOLAB \$471.00, ELLINGSON, JOSEPH \$1,994.38, FJM COLLECTIONS, INC. \$820.29, FLOREZ, OPAL \$10.00, GEORGE, WADE \$50.00, GORDER, ELSIE \$10.00, HARDISON, DEBRA \$30.00, HARKINS, CAROLYN M \$214.30, HEIDRICH, SANDRA \$50.00, HOFFER, LAURA \$20.00, HOLSO, DELORES \$10.00, HUNT, BRENDA \$10.00, JEWETT, WILLIAM O \$240.00, KIRKSEY, DOROTHY \$50.00, KONE INC. \$321.75, LAMPHERE, FRED \$100.00, LINCARE INC \$133.16, MARLOW, KATERINA \$20.00, MASHTARE, JOHN \$10.00, MEADE COUNTY AUDITOR \$25,308.00, MONAHAN, WILLIAM \$20.00, MONCUR CPA, DEBRA K \$285.00, MW PAINTING \$3,539.86, NELSON, JOYCE \$10.00, NJS ENGINEERING \$774.80, NORTHERN HILLS REPORTING \$32.00, PAMIDA INC-STURGIS \$415.38, PENN CO AUDITOR \$247.00, PENNINGTON COUNTY JAIL \$2,728.90, PENNINGTON COUNTY SHERIFF \$229.66, PENNINGTON COUNTY STATES ATTORNEY \$600.00, PETREE, HERBERT \$10.00, PITTMAN, TERESA \$10.00, RADIOLOGY ASSOCIATES \$66.00, RAPID CITY REGIONAL HOSPITAL \$2,792.00, REGIONAL BEHAVIORAL HEALTH \$358.66, REINDL, STACI L. \$5,500.00, ROEHLER, SAMANTHA \$20.00, ROESSING, MILDRED \$50.00, SCHERR, JODI \$50.00, SD ASS'N OF CO COMM \$400.62, SD DEPT OF REVENUE \$2,313.87, SD HUMAN SERVICES CENTER \$198.00, SEIM, JUSTIN \$10.00, SNYDER, DESIRAE \$10.00, STATE RADIO COMMUNICATION \$2,250.00, SUITER, BRETT \$50.00, TEPPPO, DEBRA \$10.00, TOKLEY, PETER \$50.00, TRUMP LAW OFFICES PC \$3,500.00, UDE, BRUCE \$50.00, WELLS FARGO FINANCIAL \$20.01, WEST PAYMENT CENTER \$34.28, WESTERN S.D. JUVENILE SERVICES \$3,600.00, YANKTON SHERIFF OFFICE \$50.00

#### PUBLISHING

RAPID CITY JOURNAL \$782.52

#### RENTALS

A & B BUSINESS EQUIPMENT \$32.25, MARLIN LEASING \$284.51, WELLS FARGO FINANCIAL \$220.08

#### REPAIRS & MAINTENANCE

A & B BUSINESS EQUIPMENT \$159.62, ADAMS MACHINING AND WELD \$5.18, BF IRRIGATION DIST. \$2,124.00, BICKLE TRUCK & DIESEL \$2,689.40, BUTLER MACHINERY \$148.50, CAN AM AUTO REPAIR \$70.00, HERSRUDS OF B.F. \$501.20, MOTIVE PARTS & SUPPLY \$434.79, OBERLE'S RADIATOR & REPAIR \$120.00, POWER PLAN \$663.55, PRIORITY DISPATCH \$39.00, SD DEPT OF TRANS \$8,221.81, WELLS PLUMBING \$3,211.13, WEST TIRE \$336.60

#### SUPPLIES & MATERIALS

BF IRRIGATION DIST. \$1,040.00, BICKLE TRUCK & DIESEL \$6,884.56, BLACK HILLS PURE INC \$46.45, BLACK HILLS WINDSHIELD \$100.00, BUCKSTOP \$568.93, BUTLER MACHINERY \$1,787.00, BUTTE CO. SHERIFF'S OFFICE SUPPLIES \$510.56, BUTTE COUNTY POSTAGE \$1,070.32, CAN AM AUTO REPAIR \$14.72, CBH COOPERATIVE \$2,335.92, CENTRAL PARTS \$770.34, CORN BELT MANUFACTURING \$708.95, DAKOTA FLUID POWER INC \$95.00, DAKOTA LUMBER \$623.01, DIAMOND MOWERS INC \$765.74, EMBLEM ENTERPRISES INC \$12.52, EXPRESS WIRELESS \$79.98, FARM PLAN \$404.20, FASTENAL COMPANY \$255.77, FINKBEINER FEED & SEED \$8,229.04, GRIMM'S PUMP & INDUSTRIAL \$322.71, HERSRUDS OF B.F. \$451.08, HILLYARD/SIOUX FALLS \$605.03, HURON CULVERT & TANK \$19,216.30, LAW ENFORCEMENT SYSTEMS \$72.00, LAWSON PRODUCTS INC \$61.59, LEXISNEXIS \$110.00, LYNN'S DAKOTAMART \$95.49, MARSHALL & SWIFT \$957.65, MG OIL COMPANY \$9,552.78, MOTIVE PARTS & SUPPLY \$164.58, NEVE'S UNIFORMS INC. \$61.85, NEWELL CONOCO STOP & SHOP \$24.58, NEWELL RANCH SUPPLY INC \$6.92, OFFICE EMPORIUM \$92.75, PAGE AUTO SUPPLY \$57.25, PAMIDA \$126.73, PITNEY BOWES INC \$239.96, POWER PLAN \$221.64, QUILL CORPORATION \$727.11, QWEST \$395.46, RAPID DELIVERY \$23.65, ROCKMOUNT/NASSAU \$1,161.53, SAND CREEK PRINTING \$784.71, SD DEPT OF TRANS \$3,234.88, SERVALL UNIFORM/LINEN \$862.44, STEREOS N STUFF \$480.34, STURDEVANT'S AUTO PARTS \$31.06, WARNE CHEMICAL \$521.50, WEST PAYMENT CENTER \$594.57, WEST TIRE \$1,393.74, Z & S DUST CONTROL \$3,290.84

#### TRAVEL & CONFERENCE

ARNOLD, DENISE \$2.22, BECKER, KEVIN \$4.44, CHARLES, MYLAN \$22.20, DICK, NETTIE \$0.74, DWARE INC \$80.00, FLOREZ, OPAL \$0.74, FOX, KRINDA \$224.48, GEORGE, WADE \$5.92, GORDER, ELSIE \$1.48, HANSEN, KENNETH \$18.50, HEIDRICH, SANDRA \$11.10, HOFFER, LAURA \$0.74, HUNT, BRENDA \$22.94, KINDSFATER, MARVIN \$12.95, KIRKSEY, DOROTHY \$6.66, KLING, KIM \$13.32, MARLOW, KATERINA \$18.50, MASHTARE, JOHN \$17.76, NELSON, JOYCE \$1.48, PARROW, DOUGLAS \$45.60, PITTMAN, TERESA \$18.50, ROEHLER, SAMANTHA \$9.62, ROESSING, MILDRED \$0.74, SCHERR, JODI \$0.74, SEIM, JUSTIN \$0.74, SMEENK, STEVEN \$74.00, SNYDER, DESIRAE \$0.74, SWAN, THOMAS \$275.77, TOKLEY, PETER \$2.96, UDE, BRUCE \$2.22, WALKER, PAULA \$94.47

#### UTILITIES

A T & T \$58.26, ALLTEL \$1,025.16, BH POWER & LIGHT CO \$2,799.50, QWEST INTERNET \$30.99, BUTTE ELECTRIC COOP \$129.15, BUTTE-MEADE SANITARY \$51.00, CITY OF BELLE FOURCHE \$149.46, GOLDEN WEST COMPANIES \$23.45, KNOLOGY \$341.65, MONTANA-DAKOTA UTIL.CO \$298.83, QWEST \$1,688.76, REFUSE SOLUTIONS INC \$112.30, TOWN OF NISLAND \$64.10, WEST RIVER COOP TELEPHONE \$100.48

#### OTHER

EXTENSION POSTAGE \$101.62, PAMIDA \$19.47, SAND CREEK PRINTING \$174.53

#### SHERIFF HIGHWAY SAFETY GRANT

CLEMENTS, TRISTAN \$520.20

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APPROVED BY THE COMMISSION:  
Kim W. Kling, Chairman

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ATTEST: Elaine Jensen, Auditor