

5/17/11

THE BUTTE COUNTY COMMISSIONERS CONVENE AT 1:00 P.M.
May 17, 2011. Commissioners present were Smeenk, Harms, Hansen,
Kling and Fernen.

Chairman Steve Smeenk called the meeting to order and led the group in the Pledge of Allegiance.

Motion by Harms Second by Hansen to approve the meeting agenda. Vote Unanimous.
Motion Carried.

Motion by Kling Second by Fernen to approve the minutes from the May 3, 2011
Regular Commissioners' meeting. Vote Unanimous. Motion Carried.

Motion by Hansen Second by Kling to approve the Auditor's Monthly Settlement with Treasurer report for April 30, 2011. Vote Unanimous. Motion Carried.

AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER

BUTTE COUNTY

April 30, 2011

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$	1,669,550.77	
Wells Fargo Savings		2,355,203.73	
Simply Service Federal Credit Union		5.68	
Total Checking/Savings Accounts			\$ 4,024,760.18

INVESTOR ACCOUNTS

First Interstate Bank Account	\$	430,068.78	
Wells Fargo Investment Account		0.00	
Total Investor Accounts			\$ 430,068.78

CERTIFICATE OF DEPOSIT

First Interstate	\$	229,509.36	
NHFCU		0.00	
SSFCU		250,067.46	
PB&T		1,556,893.13	
Total Certificates of Deposit			\$ 2,036,469.95

Cash on Hand			1,250.00
Cash Items			20,457.74
Postage Meter/Postage			1,747.34
Butte County Economic Development			76,649.60
Sheriff Drug Seizure			571.37
Sheriff Credit Card Account			1,500.00
Butte County Emergency / Sheriff			<u>1,946.91</u>
TOTAL CASH ACCOUNTS			\$ <u>6,595,421.87</u>

/s/ Elaine Jensen 5/16/2011
COUNTY AUDITOR SIGNATURE DATE

/s/ Debra Lensegrav 5/16/2011
COUNTY TREASURER SIGNATURE DATE

Motion by Harms Second by Fernen to accept the County Lien report for April 2011.
Vote Unanimous. Motion Carried.

**LIEN REPORT
BUTTE COUNTY**

	EXPENSES APR 2011	EXPENSES YTD	RECOVERED APR 2011	RECOVERED YTD
CAA/PUBLIC DEFENDER	\$12,112.15	\$56,755.26	\$ 4,674.99	\$15,188.68
JAIL	\$13,150.99	\$54,008.70	\$ 195.00	\$ 3,298.79
POOR LIEN	\$ 358.78	\$ 4,592.78	\$ 50.00	\$ 120.00
REGIONAL JUVENILE DETENTION	\$ 430.00	\$ 7,153.14	\$ 400.00	\$ 655.00

The following liens have been applied:

Rob Akerstrom	1,155.00	JAIL
Joshua Aurand	55.00	JAIL
Robert Bonner	330.00	JAIL
Cristina Bryan	55.00	JAIL
Dara Carlson	1,485.00	JAIL
Joseph Carroll	55.00	JAIL
Ronald Cazer	55.00	JAIL
Lanci Chapman	495.00	JAIL
Christopher Collins	110.00	JAIL
Salvadore Delatore	1,265.00	JAIL
George Dick	385.00	JAIL
Elizabeth Dickeson	110.00	JAIL
Jose Domingues	6,646.12	JAIL
John Franklin	110.00	JAIL
David Glasgow	9,361.00	JAIL
Tylor Hanzlik	110.00	JAIL
Jeremy Henderson	3,795.00	JAIL
Brandon Jensen	2,805.00	JAIL
Stephen Jensen	880.00	JAIL
Justin Johnson	90.00	JAIL
Katrina Johnston	55.00	JAIL
Brandon Kahl	55.00	JAIL
Linda Kapinus	55.00	JAIL
Tim Karas	440.00	JAIL
Lindsay Keil	743.34	CAA
Robert Kenstler	665.00	JAIL
Jesse Kirschman	55.00	JAIL
Derek Lyons	440.00	JAIL
Jesse Miller	385.00	JAIL
Ronald F Miller	1,320.00	JAIL
Dallas Mitchell	310.00	JAIL
Justin Moyer	55.00	JAIL
Theresa Nelson	7,242.25	JAIL
Michael Nixon	165.00	JAIL

Kasey Noren	55.00	JAIL
Sarah Noren	55.00	JAIL
Lucas Pierce	55.00	JAIL
Jesse Porep	3,960.00	JAIL
Claude Powell	1,650.00	JAIL
Jason Puckett	275.00	JAIL
Teresa Roberts	55.00	JAIL
Norman Shaw	1,300.00	JAIL
Ethlene Smalls	546.40	CAA
Ashley Stehling	2,460.00	JAIL
Amiel Talks	550.00	JAIL
Bryan Thul	935.00	JAIL
Jeffrey Weir	110.00	JAIL
Joshua Westover	2,622.31	JAIL
Total	55,966.42	

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

Motion by Hansen Second by Kling to accept the Register of Deeds report for April 2011. Vote Unanimous. Motion Carried.

There were no travel requests to present.

There were no abatments to present.

Sheriff Fred Lamphere and Emergency Manager/E911 Coordinator Percy Bekken came before the Commissioners to discuss purchasing a Generator which will be stored in Newell, SD. The Generator will be readily available if an Emergency should arise.

Motion by Hansen Second by Harms to purchase a 60 KW Towable Generator for the amount of \$31,139.00. The Generator is being purchased off of a Minnehaha County Bid. The Generator is 100% fully funded from Homeland Security Grant. Vote Unanimous. Motion Carried.

Motion by Kling Second by Hansen to go into an Executive Session at 1:23 p.m. regarding personnel matters. Vote Unanimous. Motion Carried. Sheriff Lamphere was also present.

Motion by Harms Second by Hansen to come out of Executive Session at 1:35 p.m. Vote Unanimous. Motion Carried. No action was taken.

Sheriff Lamphere introduced Ms. Nancy Kitzler whom is the new part time dispatcher.

Deputy State's Attorney Tim Vander Heide came before the Commissioners.

Motion by Hansen Second by Fernen to go into an Executive Session at 2:03 p.m. regarding legal matters. Vote Unanimous. Motion Carried. Deputy State's Attorney Tim Vander Heide was also present.

Motion by Hansen Second by Kling to come out of Executive Session at 2:27 p.m. Vote Unanimous. Motion Carried. No action was taken.

Mr. Chuck Loomis – Vice President, Operations Black Hills Power, T. Aaron Carr – Director, Corporate Development and Julio “Mutch” Usera – Director, Energy Services & External Affairs came before the Commissioners to discuss the proposed 20-megawatt wind farm that will be located approximately 6 miles north of Belle Fourche. Mr. Ken Wetz – Manager from Butte Electric and Butte County Emergency Manager/E911 Coordinator Percy Bekken were also present.

Highway Superintendent Don Adams came before the Commissioners to discuss items from the Highway Department.

Highway Superintendent Don Adams gave an update on the North Indian Creek Bridge Structure. The weather is hindering the completion of the project.

The Commissioners and Highway Superintendent Don Adams discussed the “90/10 swap program”. Governor Daugaard tasked the South Dakota Department of Transportation Department to develop a plan to provide some immediate financial assistance to help with maintaining, repairing and preserving local highways and bridges. The opportunity exists to exchange federal fund sub allocation for this year only for state highway funds to assist in infrastructure needs both on and off the federal aid system. Butte County’s allocation is estimated at \$240,000.00. Motion by Hansen Second by Kling to enter into an agreement with the Department of Transportation and participate in the “90/10 swap program”. Vote Unanimous. Motion Carried.

Mr. Jim Parker from NJS Engineering was present to discuss various asphalt projects that need to be addressed in the near future. The Commissioners asked Mr. Parker to proceed with getting some estimates for resurfacing the Old Belle Highway.

Mr. Parker informed the Commissioners that Bituminous Paving is scheduled to do the chip seal repair project on the Gray Road in mid June.

Mr. Jim Parker also discussed the culvert issue on Ziebach Street. Mr. Parker reported that their office is still waiting for the study from FEMA regarding the culvert size. Once the study is received NJS Engineering will be able to proceed with engineering the project.

If the weather cooperates Bob Bak Construction is planning to start crushing gravel at the Newth Pit which is located near Nisland, SD sometime the week of May 23, 2011. The bid agreement states that 2500 cubic yards is to be crushed by June 3, 2011.

Motion by Kling Second by Harms to purchase 6 basic GPS units for 6 road graders. The cost for each unit is \$695.00 for a total cost of \$4,170.00. There is a one-time set up fee of \$20.00 for each unit. The Highway Committee will determine which service contract will be used after the installation of the units. Vote Unanimous. Motion Carried.

The Highway Superintendent Don Adams and the Commissioners discussed various road concerns within the County.

A public hearing was held at 4:00 p.m. for the transfer of Liquor License No. RL-5292 from 212 Enterprises, L.L.C. d/b/a 212 Bait and Tackle to Miki V. Scheef, d/b/a Mishmash. Commissioner Kling recused himself due to a conflict of interest. Attorney Mike Day appeared in favor of the transfer. No one appeared that was against the transfer.

Motion by Fernen Second by Hansen to approve the transfer of Liquor License No. RL-5292 from 212 Enterprises, L.L.C. d/b/a 212 Bait and Tackle to Miki V. Scheef, d/b/a Mishmash. Vote Unanimous. Motion Carried.

Commissioner Kling returned to the meeting at 4:03 p.m.

Motion by Hansen Second by Kling to go into an Executive Session at 4:03 p.m. regarding personnel matters. Vote Unanimous. Motion Carried. Highway Superintendent Don Adams was present.

Motion by Hansen Second by Harms to come out of Executive Session at 4:06 p.m. Vote Unanimous. Motion Carried. No action was taken.

The following malt beverage applications were presented to the Commissioners for license year 2011-2012. Commissioner Kling recused himself due to a conflict of interest.

The applications are as follows:

- a. Leona McFarland
d/b/a - Hoover Store
Retail (on-off sale) Malt Beverage & SD Farm Wine
Sunday Sales
- b. Stone House Saloon LLC
Retail (on-off sale) Malt Beverage & SD Farm Wine
Sunday Sales
- c. Miki V. Scheef
d/b/a – Mishmash
Retail (on-off sale) Malt Beverage
Sunday Sales
- d. Besler's Cadillac Ranch LLC
Retail (on-off sale) Malt Beverage & SD Farm Wine
Sunday Sales
- e. Duallen Tichi
d/b/a Wheel In Bait Shop
Package (off-sale) Malt Beverage
Sunday Sales
- f. Spur Creek Saloon LLC
Retail (on-off sale) Malt Beverage
Sunday Sales

Motion by Harms Second by Hansen to accept the malt beverage applications and set a public hearing for Tuesday, June 7, 2011 at 4:00 p.m. Vote Unanimous. Motion Carried.

Mr. Robert Boylan d/b/a Spur Creek Saloon LLC was also present.

Commissioner Kling returned to the meeting.

Committee Reports were given.

Motion by Hansen Second by Harms to adjourn the meeting at 4:50 p.m. Vote Unanimous. Motion Carried.

APPROVED BY THE COMMISSION:
Steve Smeenk, Chairman

ATTEST: Elaine Jensen, Auditor

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