07/17/18

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 1:00 P.M. on July 17, 2018. Commissioners present were Walton, Richards, Herman, Kling and Harms.

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

Motion by Herman Second by Kling to approve the meeting agenda. Vote Unanimous. Motion Carried.

Motion by Richards Second by Harms to approve the minutes from the Regular Scheduled Commissioners' Meeting which was held on June 19, 2018. The minutes from the Regular Scheduled Commissioners' meeting that was held on July 5, 2018 are approved with the following correction:
The Cattle Guard on the Hoover-Zeona Road will be completely redone. The Commissioners are requesting that Hay Creek Grazing Association pay 50% of the material and labor costs and *Butte County will pay 50% of the costs due to damage caused by the Grader*.
The minutes from the Special Commissioners' meeting that was held on July 12, 2018 are approved. Vote Unanimous. Motion Carried.

Motion by Kling Second by Harms to approve the Auditor's Monthly Settlement with Treasurer's report for June 30, 2018. Vote Unanimous. Motion Carried.

AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER

BUTTE COUNTY
June 30, 2018

CHECKING/SAVINGS ACCOUNTS				
Wells Fargo Checking	$	1,092,970.31		
Wells Fargo Savings		157,125.65		
Pioneer Bank & Trust		1,585,773.76		
Simply Service Federal Credit Union		5.68		
Total Checking/Savings Accounts			$	2,835,875.40
INVESTOR ACCOUNTS				
First Interstate Bank Account	$	437,044.61		
Total Investor Accounts			$	437,044.61
CERTIFICATE OF DEPOSIT				
First Interstate	$	236,700.46		
SSFCU		245,557.13		
PB&T		858,444.77		
Total Certificates of Deposit			$	1,340,702.36
Cash on Hand			$	1,600.00
TOTAL CASH ACCOUNTS			$	4,615,222.37
Insufficient Fund Checks In-process			$	1,370.84
Total General Ledger Balance			$	4,616,593.21

/s/: Elaine Jensen **07/11/2018**
COUNTY AUDITOR SIGNATURE DATE

/s/: Debra Lensegrav **07/11/2018**
COUNTY TREASURER SIGNATURE DATE

Motion by Herman Second by Kling to accept the County Lien report for June 2018.
Vote Unanimous. Motion Carried.

LIEN REPORT
BUTTE COUNTY

	EXPENSES JUN 2018	***EXPENSES YTD***	***RECOVERED JUN 2018***	***RECOVERED YTD***
CAA/PUBLIC DEFENDER	$ 19,427.44	$ 134,086.97	$ 3,681.17	$ 21,357.16
JAIL	$ 3,220.59	$ 135,000.94	$ 407.52	$ 5,350.80
POOR LIEN	$ 1,890.73	$ 3,366.06	$ 260.00	$ 487.00
REGIONAL JUVENILLE DETENTION	$ 0.00	$ 25,540.00	$ 0.00	$ 47.00

The following liens for March have been applied:

COMMISSIONER REPORT
(Liens for June 2018)

NAME	AMOUNT	FOR
Antuna, Marika	$ 250.00	Poor Lien
Babcock, Kevin	$ 1690.00	JAIL
Berens, James	$ 650.00	JAIL
Bieber, Janet	$ 170.10	Poor Lien
Braning, Michelle	$ 126.35	Poor Lien
Brennan, Jessica	$ 314.29	CAA
Brown, Bobby	$ 65.00	JAIL
Burdette, Joel & Coreena	$ 183.00	Poor Lien
Coutts, William	$ 172.16	Poor Lien
Dayboy, Trey	$ 455.00	JAIL
Deichert, Nicole	$ 2015.00	JAIL
Delehoy, Devon	$ 2160.00	JAIL
Delehoy, Devon	$ 2400.00	JAIL
Delehoy, Devon	$ 2480.00	JAIL
Dosch, Josh & Sarah	$ 200.00	Poor Lien

IVC	$	400.11	CAA
Eller, Timothy	$	65.00	JAIL
Emerson, Laurel	$	138.87	Poor Lien
Farrokhi, Kobee	$	216.20	CAA
Fenner, Matt	$	520.00	JAIL
Foster, Angela	$	229.68	Poor Lien
Gomez, Domingo	$	65.00	JAIL
Hendricks, Dustin	$	65.00	JAIL
Herman, Marshall	$	65.00	JAIL
JUV	$	912.20	CAA
Hillock, Shannon	$	175.00	Poor Lien
Hoff, Shayne	$	1105.00	JAIL
Jensen, Tucker	$	650.00	JAIL
Jimenez, Rita	$	153.70	Poor Lien
Judd, Larry	$	2015.00	JAIL
Keil, Lindsay	$	650.00	JAIL
Kenstler, Steven	$	5285.06	CAA
Kerstetter, Alex	$	225.00	Poor Lien
Koopinger, Sandy	$	462.50	Poor Lien
Laduke, Samantha	$	585.00	JAIL
Long, Santeea Sage	$	151.00	Poor Lien
Long, Huy Peter	$	43.19	Poor Lien
Magnusson, Brian	$	65.00	JAIL
Martz, Anna	$	130.09	Poor Lien
Martz, Jeremiah	$	244.85	CAA
Martz, Jeremiah	$	244.35	CAA
Martz, Jeremiah	$	379.60	CAA
Marzolf, Tina	$	124.22	Poor Lien

Maliske, Zane	$	65.00	JAIL
Maynard, Clayton	$	8844.58	CAA
McKeown, Lance	$	65.00	JAIL
McLaughlin, Kenneth	$	1037.45	Poor Lien
McQueen, Seth	$	65.00	JAIL
Millage, Cody	$	130.00	JAIL
Milledge, Michael	$	65.00	JAIL
Moore, Michael	$	325.00	JAIL
Nadeau, Michael	$	65.00	JAIL
Nelson, Michael	$	100.00	Poor Lien
Oberle, Stacy	$	65.00	JAIL
Olson, Krista	$	40.00	Poor Lien
Olson, Walter	$	65.00	JAIL
Overstreet, Dever	$	2015.00	JAIL
Overstreet, Dever	$	76.28	JAIL
Parsons, Jordan	$	2015.00	JAIL
Parsons, Jordan	$	48.40	JAIL
Perry, Deanna	$	65.00	JAIL
Pope, Hollye	$	133.90	Poor Lien
Samples, Terry	$	72.28	Poor Lien
Satzinger, James	$	390.00	JAIL
Slutz, Jessica A	$	71.08	Poor Lien
Sprayberry, Daniel	$	2015.00	JAIL
Sprayberry, Daniel	$	271.92	JAIL
Storm, Michael	$	845.00	JAIL
Stone, Kiara	$	65.00	JAIL
Sullivan, Penny	$	773.37	CAA
Synek, Joshua	$	2015.00	JAIL

Thybo, Tate	$	65.00	JAIL
IVC	$	253.80	CAA
Tobar, Justo	$	65.00	JAIL
Trezona, David	$	65.00	JAIL
Trezona, David	$	238.35	CAA
Verry, Thomas Joseph	$	312.10	CAA
Vincent, Raymond	$	910.00	JAIL
Warns, Mary Ann	$	520.00	JAIL
Warrick, Carla	$	300.00	Poor Lien
Weckerly, Marie	$	65.00	JAIL
Wiedmann, Logan	$	195.00	JAIL
Wodarz, Peter	$	260.00	JAIL
Worhtington, John	$	130.00	JAIL
TOTAL	**$**	**53,880.03**	

Motion by Kling Second by Richards to authorize payment of the payables per the computer printouts as presented by Auditor Elaine Jensen. Vote Unanimous. Motion Carried.

Motion by Richards Second by Herman to accept the Register of Deeds report as presented by ROD Paula Walker for June 2018. Vote Unanimous. Motion Carried.

Motion by Herman Second by Harms to accept the May 2018 and June 2018 transfer reports from Director of Equalization Lisa Nelson. Vote Unanimous. Motion Carried.

There were no travel requests.

There were no abatements.

State's Attorney Cassie Wendt and Deputy State's Attorney LeEllen McCartney came before the Commissioners to discuss the items on the agenda pertaining to the State's Attorney's Department.

Motion by Richards Second by Herman to adopt the Butte County Fairgrounds Rental and Use Agreement as presented but modifications may be made to the costs of the rental fees after further research. Vote Unanimous. Motion Carried.

Motion by Kling Second by Richards to postpone the PILT Act Class Action until State's Attorney Cassie Wendt has done more research. Vote Unanimous. Motion Carried.

Motion by Herman Second by Richards to authorize Chairman Walton to sign an Admission of Service regarding SDHDA vs. Terry L. Cazer et al. Vote Unanimous. Motion Carried.

Motion by Kling Second by Herman to change the name of Besler's Lane to River Bottom Lane.
All parties are in agreement. Vote Unanimous. Motion Carried.

Motion by Herman Second by Richards to accept **Resolution 2018-24**.
Resolution Regarding Refund of Wheel Tax Paid in Error as Outlined in HB1195.
Vote Unanimous. Motion Carried**.**

RESOLUTION 2018-24
RESOLUTION REGARDING REFUND OF WHEEL TAX PAID IN ERROR AS OUTLINED IN HB1195

WHEREAS, during the 2018 legislative session, HB1185 provided for an amendment of SDCL 32-5-24; and

WHEREAS, that amendment provided that the "department shall issue to the several county treasurers authorizations to refund to the lawful owner of any motor vehicle from current collections of motor vehicle license fees for overpayments, past or future, paid by the owner for any license plate fees;" and

WHEREAS, HB1195 did not direct counties to refund the wheel tax collected, but left the handling of the wheel tax to the County Commission; and

WHEREAS, HB1195 requires that an application for refund is made within 90 days from the date a license was paid, and the stickers/decals are returned unused and adhered to the registration card at the time of the refund request, and

WHEREAS, in accordance with HB1195, the Butte County Commission has declared that when an application for refund is made as set out by HB1195, the Butte County Treasurer shall refund the wheel tax portion of the collected fees; and

NOW, THEREFORE, BE IT RESOLVED that the Butte County Commission hereby and herewith directs that the Butte County Treasurer, upon receipt of an application for refund of fees, overpayments or payments made in error that meet the requirements as set out in HB1195; the Butte County Treasurer shall refund the wheel tax portion of the fees to the applicant.
Dated this 17th day of July, 2018.

BOARD OF BUTTE COUNTY COMMISSIONERS
/s/: Frank Walton
Frank Walton, CHAIRMAN

ATTEST:
/s/: Elaine Jensen
ELAINE JENSEN
BUTTE COUNTY AUDITOR

Mr. Cliff Reuer from the Local Transportation Assistance Program came before the Commissioners to offer his assistance if needed in the Highway Department. He also distributed some samples of Haul Road Agreements that the County could use.

Motion by Richards Second by Kling to approve an Application To Construct An Approach To A County Road for Kevin Fuhrer on Halle Rae Lane. The approach is for access to a Building site. Vote Unanimous. Motion Carried.

Motion by Kling Second by Richards to authorize Highway Foreman Dwayne Heidrich to spend up to $10,000.00 on a Water Tanker. Vote Unanimous. Motion Carried.

No action was taken at this time on the 25 Ton Tag Trailer for Hauling Equipment. Vote Unanimous. Motion Carried.

Motion by Kling Second by Herman to approve a variance request for Jack and Susan Sterna for a 24 x 32 Pole Barn that is being built. The front of the pole barn needs a setback of 25' instead of 50' based on drainage and topography. Vote Unanimous. Motion Carried.

Motion by Harms Second by Richards to approve a Final Plat for Shirley Wood – Tract 2 located in the NW4 and NW4SW4 of Section 17, T8N, R7E, B.H.M., Butte County, South Dakota. Vote Unanimous. Motion Carried.

Motion by Herman Second by Richards to go into an Executive Session regarding personnel matters at 3:31 p.m. Vote Unanimous. Motion Carried.

Chairman Walton declared the Executive Session out at 4:07 p.m.

Motion by Kling Second by Harms to eliminate the salaried position in the Weed & Pest Department. Due to the elimination of the salaried position Sammi Hansen will be released from her duties effective immediately. Voting yes were: Harms, Kling, Herman and Walton. Commissioner Richards voted no. Motion Carried.

Motion by Kling Second by Harms to authorize Commissioner Richards to go into an Executive Session on July 18, 2018 with the Weed & Pest Board regarding personnel. Vote Unanimous. Motion Carried.

Committee Reports were given.

Motion by Kling Second by Herman to adjourn the meeting at 4:33 p.m. Vote Unanimous. Motion Carried.

SALARY
ASSESSOR'S OFFICE/PLANNING $6,150.15, AUDITOR'S OFFICE $5,436.90, BUILDING $2,583.96, COMMISSIONERS $3,473.14, DISPATCH $12,511.47, ELECTION $433.90, EM/911 $784.64, EXTENSION $1,285.60, HIGHWAY DEPT/WEED CONTROL $20,686.02, JUDICIAL $1,017.53, INFORM TECH $37.70, NURSE'S/WIC OFFICE $1,336.00, REGISTER OF DEEDS OFFICE $3,109.95, SHERIFF/JAIL DEPT $15,150.55, STATES ATTORNEY OFFICE $8,001.29, TREASURER'S OFFICE $6,002.60, VETERAN SERVICE OFFICE $721.89

COUNTY SHARE FICA
BUTTE COUNTY SHARE $ 6,512.79

SDRS RETIREMENT
BUTTE COUNTY SHARE $ 5,023.09

GROUP INSURANCE
BUTTE COUNTY SHARE $35,587.60

PROFESSIONAL SERVICES
MEADE CO AUDITOR $21,645.00, RUSSELL ALBERTSON $10.84, CASEY CVACH $10.84, ROBERT BUSH $18.40, PATRICIA KONECHNE $54.20, BRYON SUTHERLAND $50.84, RAYMOND KREJCI $50.84, CITY OF RAPID CITY FINANCE OFF $140.00, TWO GUYS AND A TRUCK $1,300.00, ROBERT CHAPLIN $12.52, JAMES COOK $11.68, HEATHER GATZKE $13.36, DWAYNE GILBERT $50.84, TIMOTHY HAGEMANN $10.84, WYATT HORN $52.52, ALFRED KASPER $15.04, BRYNNE LOONEY $11.68, JON PETERSON $13.36, CHRISTOPHER RABER $50.84, DARLA RABER $51.68, ANDREA RICHARDS $71.00, MICHAEL RIVERA $53.36, SUSAN SMEENK $10.84, KAREN THORNHILL $35.20, BRUCE TYRRELL $54.20, NANCY WESSELING $13.36, ANN MARIE CARTER $20.00, LACEY HENWOOD $20.00, RENEE BACHMAN $50.00, PENNINGTON CO JAIL $4,560.00, TYLER TECH INC $13.20, BEHAVIOR MGT $1,150.00, SD ASS'N OF CO COMM $3,401.00, SD DPT OF PUBLIC SAFETY $3,090.00, LUCY M LEWNO $114.97, MIKELSON LAW OFFICE $15.00, RAPID CITY REG HOSPITAL $944.39, BROSZ ENGINEERING INC $960.00, BARNAUD LAW FIRM $23,226.60, REGIONAL HEALTH $69.92, MARK KATTERHAGEN $15.00, KATHYRN M MACK $28.80, VERONICA FISH $200.00, HILPERT & HALE PROF LLC $764.80, SHOPKO PHARMACY $89.41, LINCOLN CO TREASURER $70.50, DARCY LOCKWOOD $15.00, KAREN PAIGE HUNT $1,250.00, YANKTON CO TREASURER $118.75, CORRECT RX PHARMACY SERVICES $15.74, BH FAMILY PRACTICE $526.28, DAKOTABILITIES $360.00, BABBS TREE SERV $495.00, RAPID CITY REG HOSPITAL $133.71, JEAN M CARLSON $119.35, HORN LAW OFFICE $210.80, RENA M HYMANS $5,228.00

PUBLICATIONS

RENT/LEASE
ROSS EQUIPMENT RENTALS $275.00, RELX INC DBA LEXISNEXIS $216.26, A & B BUSINESS EQUIP $799.06, CLUTTER BUSTER III STORAGE $115.00, PITNEY BOWES GLOBAL $1,001.76, CENTURY BUSINESS PROD $708.13, DJ CONSTRUCTION & DEVELOP $1,600.00

REPAIRS/MAINTENANCE
BUTLER MACHINERY $660.77, SCOTT PETERSON MOTORS $2,722.66, KONE $406.09, HILLS INTERIORS $6,865.51, FRASIER'S WELDING $1,395.00, A PLUS PLUMBING $787.94, G & R CONTROLS $2,146.70, GREGG CORNETT $2,221.69

SUPPLIES
MCLEODS $59.97, SERVALL $448.25, DAKOTA LUMBER $436.62, WEST TIRE & ALIGNMENT $987.96, SD DEPT OF TRANS $8,517.02, SAND CREEK PRINTING $2,518.16, FAST BREAK SCREEN PRINTING $36.00, RUNNINGS SUPPLY $1,444.66, THOMSON REUTERS-WEST PUBLISHING $1,289.19, O'REILLY AUTO PARTS $38.94, BOB LARSON $5,000.00, HILLYARD $94.69, MG OIL CO $8,740.64, BUTLER MACHINERY $22,923.00

TRAVEL/CONFERENCE EXPENSES
PIZZA HUT $52.45, SDSU EXTENSION $50.00, STADIUM SPORTS GRILL $216.97,
MICHELLE MAY $185.90, SPURS $98.50, SD HUMAN SERVICES CENTER $107.50

UTILITIES
VAST BROADBAND $1,158.31, AT&T $43.23, CENTURYLINK $510.71, EXECUTIVE MGMT FINANCE OFFC $59.50, CITY OF BELLE FOURCHE $729.79, BH ENERGY $4,031.92, AT&T MOBILITY $668.56, VAST BROADBAND $60.65, REFUSE SOLUTIONS INC $281.00, BUTTE-MEADE SANITARY $83.00, CENTURYLINK $1,338.09

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APPROVED: Frank Walton, Chairman

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ATTEST: Elaine Jensen, Auditor