

Regular Meeting Minutes
Butte County Courthouse
Commission Meeting Room
839 5th Avenue
Belle Fourche, SD 57717
Phone: 605-892-4485

Tuesday, September 17, 2024

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 6:00 P.M. on Tuesday, September 17, 2024. Commissioners present were Ager, Herman, Walton, Erk and Batterman.

Chair Ager called the meeting to order and led the group in the Pledge of Allegiance.

Motion by Walton, Second by Terry to approve the meeting agenda with no changes. Vote Unanimous. Motion Carried

Chair Ager called for a moment of silence/reflection.

Motion by Erk, Second by Herman, to approve the Consent Agenda Items with pulling of bills to be paid - item 3c which was added as item 3.5. Vote Unanimous. Motion Carried.

Consent Agenda - The following items were placed on the consent agenda for final action to be taken on all items by a single vote. Any item may be removed from the consent agenda by any member of the Commission for separate consideration.

- a. Approval of regular meeting minutes – 03Sep2024
- b. County Lien Report

**LIEN REPORT
BUTTE COUNTY**

	<i>EXPENSES</i>	<i>EXPENSES</i>	<i>RECOVERED</i>	<i>RECOVERED</i>
	<i>AUGUST 2024</i>	<i>YTD</i>	<i>AUGUST 2024</i>	<i>YTD</i>
<i>CAA/PUBLIC DEFENDER</i>	\$ 13,631.64	\$ 178,485.78	\$ 3,042.65	\$ 23,038.39
<i>JAIL</i>	\$ 21,020.57	\$ 266,194.74	\$ 2,983.21	\$ 29,984.66
<i>POOR LIEN</i>	\$ 1,151.86	\$ 3,303.72	\$ 0.00	\$ 0.00
<i>REG JUV DETENTION</i>	\$ 9,300.00	\$ 89,350.00	\$ 0.00	\$ 84,077.98

- c. Bills per Printout
- d. Apportioning and Other payments
- e. Register of Deeds Report
- f. Travel Requests
 - i. States Attorney –LeEllen McCartney to attend Stay in South Dakota Job Fair in Vermillion, SD September 27-28, 2024.
- g. **Wage Increase:**
 - i. Dispatch - Victoria Pickett Step 4 (Full Wage) \$23.38
 - ii. 24/7 - Brian Franke Step 4 (Full Wage) \$19.06.
 - iii. Dispatch - Katy Thompson Tier 2 increase \$26.71.

Motion by Erk, Second by Herman, to approve the bills for payment, 208197 and 208195. Vote Unanimous. Motion Carried.

Wyatt Leismeister, Butte/Lawrence 4H member, presented read Resolution 2023 SD 4-H Legislature HR6001. The first full week of October 2024 has been proclaimed National 4-H Week.

Beginning at 6:15 PM a public hearing was held to consider a special event retail (on-sale) liquor license. No one was present to speak for or against

Beginning at 6:17 PM a public hearing was held to consider the Five-Year County Highway And Bridge Improvement Plan for Butte County.

- Jason Hansen from Brosz Engineering provided an overview of the 2025-2029 Five-Year County Highway And Bridge Improvement Plan for Butte County.
- Travis Ismay asked about creating a maintenance plan/schedule.
- Highway Administrator Lori Johnston shared the current process for maintaining over 800 miles of county roads and how to contact the Highway Department regarding issues with roads.
- Dusta Ismay spoke about concerns regarding Wilson Cemetery Road and the Sheriff's ability to respond quickly during emergencies.
- Dale Simanton spoke about the condition of Stone Lake Road from the highway to the top of the hill and Hope Road from the highway to the Landfill. Mr. Simanton suggested taking more time on parts of the road.
- Kacy Jones asked if it was possible to focus on roads that need more attention at certain times of the year.
- Commissioner Ager asked about the status of the Gaver Road Bridge
- Commissioner Batterman asked about the financing of projects and how it affects the plan
- Dusta Ismay asked about the bridge on Gammon Road. Mr. Hansen explained this bridge is not part of the five-year plan as it has been closed. Discussion was held on other possible ways to ensure the bridge is not used and funding/requirements to remove the bridge at this time.

Motion by Herman, Second by Erk, to approve the 2025-2029 Five-Year County Highway And Bridge Improvement Plan for Butte County as presented. Vote Unanimous. Motion Carried.

Beginning at 6:44 PM opportunity for public comments was opened with Sue Broadhurst, and Dale Simanton providing comments regarding recent bridge repair, condition of roads, bids on skid steer, purchasing new vs used or renting of equipment, shopping local, and need for additional building.

Highway Administrator Lori Johnston provided an activity report including mowing, culvert repairs, blading, and mowing. Commissioner Ager passed on messages received regarding work on Sourdough and Jarvi Roads – residents are happy with the work.

Highway Administrator Lori Johnston provided information regarding the recently awarded BIG Grant.

Motion by Herman, Second by Erk, to approve and permit Chairman Ager and Auditor Capp to sign the 2025 Preliminary Engineering Bridge Improvement Grant Structure # 10-320-069. Vote Unanimous. Motion Carried.

States Attorney LeEllen McCartney provided an activity report stating they are busy and that Tim Barnaud has begun working as a part-time Deputy States Attorney while he finishes cases outside of Butte County. The office has also received an applicant for the additional Deputy States Attorney position.

Sheriff Lamphere provided a monthly activity report.

Discussion was held regarding water coolers/bottle fillers. There have been issues with the bottle filler in the lower level of the courthouse. Sheriff Lamphere stated the need for dispatch personnel to have water available. Additional discussion included the cost of new fillers vs preexisting machines and public access. Sheriff Lamphere to work with Auditor Capp regarding payment of renting coolers, State's Attorney, Admin building, and Register of Deeds are all paying for coolers in their respective offices. Questions were asked regarding purchasing vs renting equipment and the process for switching to new fillers.

Discussion was held regarding Cease-and-Desist order issued to Black Hills Bud. The order was issued due to foster children residing within 1000' of a medical marijuana facility. Since the order was issued, the children have been adopted resolving the violation. Other discussion included the security fence and proximity of children to the facility. The ordinance was reviewed specifically related to section involving proximity of children to facilities.

Motion by Herman, Second by Batterman to lift the Cease-and-Desist order issued to Black Hills Bud LLC. Roll Call Vote; Ager – Aye, Herman – Aye, Walton – Aye, Erk – Nay, Batterman – Aye. Motion Carried.

Motion by Walton, Second by Batterman to approve the 2025 Butte County Final Budget with changes from published Preliminary Budget below. Vote Unanimous. Motion Carried. Reasons for changes from provisional to final budgets were discussed.

Department	Provisional	Final
Auditor	\$ 601,326	\$ 629,661
Sheriff	\$ 962,085	\$ 964,185
Highway	\$ 2,657,210	\$ 2,677,210
Fire	\$ 58,779	\$ 59,239
Library	\$ 10,854	\$ 10,939

Motion by Erk, Second by Herman to approve special event retail (on-sale) liquor license. Vote Unanimous. Motion Carried

Said applicant is as follows:

Retail (on-sale) Liquor Special Event License:

APPLICANT	LEGAL DESCRIPTION	TYPE OF LICENSE
Branding Iron Steakhouse	Lot 1 Subd TRA in SE1/4	Retail (on-sale) Liquor
19079 US Hwy 85	SE1/4 Ex. Lot H1 & H2	Special Event Retail Liquor
Belle Fourche, SD 57717	Section 22, Twp 8, Range 2	Wedding September 28, 2024.

Committee Reports were given:

- Commissioner Batterman – Dispatch meeting was held. Focus during the meeting was on renewal of the contract between City of Belle Fourche and Butte County. Draft agreement has been sent to City of Belle Fourche attorney and Finance Officer. Everyone from the city present indicated they are pleased with Dispatch operations.
- Additional discussion was held regarding future Dispatch needs, financing, and regionalization of dispatch services.
- Commissioner Walton - attended the Soil Conservation meeting
- Commissioner Herman – attending the SDACC Fall Convention

Informational

- Commissioner Batterman – Building committee will meet at 8:30 prior to commission meeting. Batterman would like to look into creating a comprehensive plan for buildings similar to the five-year road plan. Commissioner Herman will reach out to BHALG to see if they can help.
- KOTA will be at Newell Ambulance Hall September 18, 2024 to report on and recognize them on recent award.
- Commissioner Erk – an individual contacted him on potentially grazing the fairgrounds with sheep. After discussion it was determined that the County will not allow grazing on the fairgrounds at this time.
- Commissioner Herman – received AED training from Sherry Hocking, Newell ambulance.
- Commissioner Ager – led a discussion on upcoming opening on the Planning Commission and the process to fill the opening.

Motion by Erk, Second by Herman to adjourn the meeting at 8:15 P.M. Vote Unanimous. Motion Carried.

PAYMENTS

SALARY

ASSESSOR'S OFFICE/PLANNING \$8,875.62, AUDITOR'S OFFICE \$8,475.65, BUILDING \$4,289.62, COMMISSIONERS \$4,158.92, DISPATCH \$14,891.16, ELECTION \$2,214.03, EM/911 \$940.58, EXTENSION \$1,881.60, HIGHWAY DEPT/WEED CONTROL \$26,348.78, JUDICIAL \$1,574.28, NURSE'S/WIC OFFICE \$1,180.80, REGISTER OF DEEDS OFFICE \$4,658.22, SHERIFF/JAIL DEPT \$23,948.83, STATES ATTORNEY OFFICE \$10,550.45,

TREASURER'S OFFICE \$10,143.02, VETERAN SERVICE OFFICE \$853.25.

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,221.38

SDRS RETIREMENT

BUTTE COUNTY SHARE \$7,204.16

GROUP INSURANCE

BUTTE COUNTY SHARE \$32,312.44

PROFESSIONAL SERVICES

AT&T \$893.04, A HILL \$1,378.72, AZ SHRD \$14.20, B SHNL \$95.85, BH PURE \$207.75, M BRN \$132.53, CNTRY BSNS \$570.09, CLGN \$55.20, DMSN JNSN \$823.00, DBL STR \$1,675.00, ECOLB \$697.17, ELCT STMS \$1,022.65, FST INRST \$1,470.69, FSHWNDW \$99.00, HLPT HL \$1,224.50, J NCHLS \$56.55, J DVS \$60.48, K TP \$52.62, KNY Law \$836.50, KONE \$507.51, LS RSRTN \$900.00, LANG SRVS \$118.65, L ML \$63.10, L LWN \$166.73, MAPS \$1667.00, M KTHN \$15.00, MNMT HLTH \$599.19, N LTSK \$51.31, P PRSN \$53.93, PNTN CO \$190.00, R BCHMN \$120.00, ROYL SPRY \$824.00, SCRAM \$27.90, SDDOT \$325.90, SD DVLP \$60.00, SD LAB \$40.00, SRVL \$824.90, C SNSTRM \$53.93, T SWN \$ 77.51, A BYSN LAW \$1,155.89, TMSN RUTS \$410.00, TRI CHYRO \$100.00, TYLR TECH \$9,385.00, V LRSN \$15.00, WD LRSN \$4,922.84, YNTN CO \$145.00

PUBLICATIONS

BH PIONR \$1,253.39,

RENT/LEASE

OFNDRWTCH \$1,490.44

REPAIRS/MAINTENANCE

AUTO PRO \$656.58, BTLR MCHN \$2,384.90, WST TTIRE \$173.50

SUPPLIES

A&J SPLS \$225.97, AUTO VAL \$420.57, CWSR GRVL \$435.78, E&M STL \$51,872.50, OFC EMP \$139.12, OLRYS \$127.08, PRAI AUTO \$64.40, RPD DLVY \$5.20, RETC \$1,855.00, RSN CNST \$40,974.69, RNNS \$6,125.31, 4H INTNL \$178.72, WRNG MTRS \$93.33

TRAVEL/CONFERENCE

UTILITIES

BH ENGY \$483.06, BUTTE ELTC \$142.80, BUTTE MEADE SNTRY \$55.00, CNTRYLNK \$1,460.00, GLDN WST \$23.80, MDU \$147.19,

APPROVED BY

THE COMMISSION:

James Ager, Chairperson

ATTEST: Annie Capp, Butte County Auditor