

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

**Tuesday March 05, 2024**

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on March 05, 2024. The meeting was recorded with audio/video. Commissioners present were Herman, Walton, Erk, and Harms. Absent Ager.

Vice-Chair Herman called for a moment of silence/reflection.

Motion by Walton, Second by Harms to approve the meeting agenda with the addition of security doors and camera under old business. Vote Unanimous. Motion Carried.

Motion by Erk, Second by Walton to approve minutes of 06February2024 Regular Meeting Minutes and 20February2024 Regular Meeting Minutes with no changes. Vote Unanimous. Motion Carried.

Motion by Walton, Second by Erk to approve the Auditor's Monthly Settlement with Treasurer. Vote Unanimous. Motion Carried.

**AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER  
BUTTE COUNTY  
January 31, 2024**

**CHECKING/SAVINGS ACCOUNTS**

Wells Fargo Checking	\$	-	
First Interstate Bank	\$	1,012,645.41	
Pioneer Bank and Trust	\$	50,999.09	
Total Checking/Savings Accounts			\$ 1,063,644.50

**INVESTOR ACCOUNTS**

Pioneer Bank and Trust	\$	788,481.48	
First Interstate Bank	\$	436,586.84	
Total Investor Accounts			\$ 1,225,068.32

**CERTIFICATES OF DEPOSIT**

First National Bank	\$	2,832,416.44	
First Interstate Bank	\$	1,801,312.75	
Pioneer Bank and Trust	\$	1,290,019.01	
Total Certificates of Deposit			\$ 5,923,748.20

Cash on Hand	\$	1,745.00
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<b>Total Cash Accounts</b>	\$	<b>8,214,206.02</b>
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Insufficient Fund Checks In-process	\$	45.00
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Total General Ledger Balance	\$	8,214,251.02
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DATE \_\_\_\_\_

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Motion by Walton, Second by Erk to approve the Bills for Payment as presented by Auditor Annie Capp with no changes. Vote Unanimous. Motion Carried. Approval Sheet signed by all Commissioners and Auditor.

Motion by Erk, Second by Harms to approve payment of Apportioning and Other payments per printout as presented by Auditor Annie Capp with no changes. Vote Unanimous. Motion Carried. Approval Sheet signed by all Commissioners.

Motion Harms, Second by Walton to approve two travel requests as presented by Auditor Capp with no changes. Vote Unanimous. Motion Carried.

- Sheriff: Jodi Crockford to attend Sex Offender Register Training in Deadwood, SD April 9-10, 2024.
- Register of Deeds – Julie Brunner to attend SDACO spring workshop in Pierre, SD May14-16

Motion by Harms, Second by Erk to approve the abatement request for parcel 15.73.02.05 in the amount of \$2,278.20 as presented by DOE Cristina Wilson. Vote Unanimous. Motion Carried.

Motion by Walton, Second by Harms to approve the abatement request for parcel 08.2.08.3 in the amount of \$1,542.00 as presented by DOE Cristina Wilson. Vote Unanimous. Motion Carried.

Beginning at 9:41 AM an opportunity for Public Comment was opened.

- Sue Broadhurst: Ms. Broadhurst explained the count of fifteen cannabis applications that received initial certificate of compliance (15) and the difference of what was approved for Permits to Operate (10) and 2023 renewals (10). Ms. Broadhurst spoke on the initial and first draft of the cannabis ordinance, stating that these were done prior to administrative rules being implemented by the State, further suggesting Commissioners “jumped the gun” by six months. Ms. Broadhurst also said the minutes did not reflect the motions made and reasons for the motions causing confusion.
- Dale Simanton: Mr. Simanton has been to several meetings with various complaints. Mr. Simanton gave some history of reasons to speak in previous meetings and long time to get results with previous Highway personnel. Mr. Simanton then said there was a recent issue with a pipe and said that by the time he went home Highway Superintendent Heidrich was already there looking at the problem.
- Travis Ismay – Mr. Ismay said that the audio for the meetings is not up to par and requested a microphone be placed at the table to mitigate the poor audio.

Highway Supervisor Dwayne Heidrich presented an activity report including snow removal, repaired a guard rail repaired and fixing a lot of signs. There has been a lot of recent damage (run over and shot) on signs recently. Lori Johnston and Dwayne Heidrich attended the Weed and Pest conference last week.

Motion by Walton, Second by Erk to approve Highway Employee – Remote Contact Policy. Vote Unanimous. Motion Carried. More research will be done on available dashcams and potential grants available.

Additional discussion was held regarding the sign damage. Potentially the Sheriff's office can do additional patrols and public observation. The roads with most sign damage are 3V, Rehorst, and Sourdough.

Beginning at 10:00 AM a Public hearing was held Public hearing on application by Black Hills Experience for new retail (on-off sale) malt beverage & SD farm wine retail (on-off sale) wine & cider, Sunday sales. No one spoke for or against.

<b><u>Applicant</u></b>	<b><u>Legal Description</u></b>	<b><u>Type of License</u></b>
Black Hills Experience 19343 Shortgrass Lane Spearfish, SD 57783	Tract BHT of NE1/4 of SW1/4 in Section 5, Township 7 North, Range 2 East of the Black Hills Meridian, Butte County, SD <b>and</b> Township 7 North, Range 2 East of the Black Hills Meridian, Butte County, SD. Section 5: that portion of the NW1/4 of SE1/4 and that portion of the South1/2, SE1/4 line North of Redwater River.	*Retail (on-off sale) Malt Beverage & SD Farm Wine *Sunday Sales *Retail (on-off sale) Wine and Cider

Beginning at 10:00 AM Public hearing was held Public hearing on BUTTE COUNTY ORDINANCE NUMBER 2024-01an Ordinance for State and Federal Background Investigations For Applicants For County Employment. No one spoke for or against.

States Attorney LeEllen McCartney presented an activity report including status of job offer to Deputy States Attorney opening, preparation for departure of Deputy States Attorney Tarbay, and current workload. SA McCartney shared information on current cases including DUIs, upcoming trials currently scheduled, as well as discussions with Meade County States Attorney to share services as needed.

Motion by Harms, Second by Erk to approve application by Black Hills Experience for new retail (on-off sale) Malt Beverage & SD Farm Wine Retail (on-off sale) Wine & Cider, Sunday sales. Vote Unanimous. Motion Carried.

Vice-Chair Herman read the Second Reading: BUTTE COUNTY ORDINANCE 2024-01: An Ordinance for State and Federal Background Investigations for Applicants for County Employment.

Motion by Walton, Second by Harms to adopt BUTTE COUNTY ORDINANCE 2024-01: An Ordinance for State and Federal Background Investigations for Applicants for County Employment. Vote Unanimous. Motion Carried. Effective Date will be 20 days after publication.

Auditor Capp presented an activity report including election activities, Election Workshop, legislation updates. Capp to request Cornett Construction to come out and glue a plank as a fix.

Auditor Capp said the Annual Report will be ready for approval in the next meeting. Legislative Audit had some changes to make to beginning balances after review of 2021 and 2022 information.

Motion Erk, Second by Walton to set County Board of Equalization Monday, April 8<sup>th</sup>, 2024 at 9:30AM in the Commissioner Room. A majority of the board is required. Vote Unanimous. Motion Carried.

Motion Walton, Second Erk to approve Wage increase for Equalization - Megan Goshorn Step 2 \$18.50. Vote Unanimous. Motion Carried.

Committee Reports were given:

- Erk Fair board meeting was held on 04Mar2024 and set official dates for the fair -July 29<sup>th</sup> through August 3<sup>rd</sup> 2024. Discussion was held regarding quotes for upgrading the electricity in the Pavilion. No recommendations were made.

- Walton Economic Development last week and Ambulance last Thursday.
- BHACCO meeting will be held 08Mar2024. Any commissioner interested in attending let Auditor Capp know.

#### Old/Unfinished Business

- Auditor Capp shared quotes for States Attorney Security Door upgrade, Register of Deeds Security Door, and camera replacement per Sheriff's Office request from Architectural Specialties.
  - Motion Erk, Second Harms to Architectural Specialties Quote 401301 for \$6,821.75 and Quote 401303 for \$2,938.58. Vote Unanimous. Motion Carried.
- Auditor Capp provided quotes for Electric Upgrades to the Butte/Lawrence Fairgrounds Pavilion.
  - Motion Erk, Second Walton to approve quote by Swaney Electric in the amount of \$36,858.10. Vote Unanimous. Motion Carried.
- Auditor Capp informed Commissioners that the Juvenile Detention Reimbursement was received for \$84,077.98.
- Commissioner Herman mentioned a call regarding salvage yard decision at the last meeting. There is a concern that things will be unloaded on the road and items being discarded on the county road while the fencing requirement only covers Highway 212. Request was made to also fence along county road but was at the discretion of the owner.
- Auditor Capp mentioned the County Property sale status is currently to get appraisals and Owner and Encumbrance reports for all parcels.

#### Informational:

- Auditor Capp mentioned the upcoming Election 101 presentation to be held at Belle Fourche Community Hall March 14, 2024 beginning at 6:00 PM.
- States Attorney McCartney mentioned that the County received distributions for Opioid Settlement and will be divided between three predetermined organizations.
- Commissioner Erk asked if we could ask about adding one microphone to be used at the table for better audio online.

Motion by Erk, Second by Harms to adjourn the meeting at 10:44AM. Vote Unanimous. Motion Carried.

#### Payments

##### **SALARY**

ASSESSOR'S OFFICE/PLANNING \$8,521.42, AUDITOR'S OFFICE \$9,985.20, BUILDING \$3,979.02, COMMISSIONERS \$4,158.92, DISPATCH \$16,405.26, ELECTION \$1,951.78, EM/911 \$940.58, EXTENSION \$1,881.60, HIGHWAY DEPT/WEED CONTROL \$27,448.72, JUDICIAL \$1,036.48, NURSE'S/WIC OFFICE \$1,968.00, REGISTER OF DEEDS OFFICE \$4,658.23, SHERIFF/JAIL DEPT \$24,062.15, STATES ATTORNEY OFFICE \$13,878.15, TREASURER'S OFFICE \$9,950.23, VETERAN SERVICE OFFICE \$853.25.

##### **COUNTY SHARE FICA**

BUTTE COUNTY SHARE \$9,727.67

##### **SDRS RETIREMENT**

BUTTE COUNTY SHARE \$7,525.77

##### **GROUP INSURANCE**

BUTTE COUNTY SHARE \$34,841.69

**PROFESSIONAL SERVICES**

R BCHMN \$150.00, RDWD TXCLGY LAB, \$102.29, BARNAUD LAW \$4,339.60, QUALFD PRESRT \$4,617.51, LWS & CLRK BHAVRL HLT \$213.00, DUBL STAR \$1,050.00, AMG AVRA OCC MDC \$102.50, BH SCURTY & SYSTMS \$134.85, K HUNT \$1,250.00, YNKTN CO TREAS \$110.50, ARCHTCTRL SPCLTS, \$2,845.54, NLSN LAW \$1,123.70, Z PRDCTNS \$774.00, SCHLMGN LAW \$7,350.05, MNMNT HLTH \$171.00, NMR \$1,050.00, HUGHES CO FNANCE OFFCE \$97.50, D FWLR \$399.00, WTNSS FEE \$20.00, KNNY LAW \$908.80, FBI-LEEDA \$50.00, A-Z SHRDDNG \$29.04

**PUBLICATIONS**

BH PIONEER \$240.63

**RENT/LEASE**

THMSN REUTRS \$337.39, CNTRY BSNSS PRDCTS \$783.72, DJ CNSTRCTN & DEV \$1,450.00

**REPAIRS/MAINTENANCE**

G&R CNTRLS \$5,076.98, CRNTT CNSTRCTN \$630.76

**SUPPLIES**

MCLEODS \$310.04, WARNG MOTRS \$68,264.00, OFFCE MPORM \$298.93, DKOTA LMBR \$194.67, SD DPT TRANS \$134,848.23, O'REILLY AUTO PRTS \$96.68, SIGN SLUTNS \$85.49, A&L CNTRCTRS \$6,800.00, PTNY BOWS \$127.80

**TRAVEL/CONFERENCE****UTILITIES**

BF CITY \$398.76, BH NRGY \$4,251.43, BLUEPK \$1,673.05, AT&T \$38.08, CENTURYLINK \$29.38

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APPROVED BY THE COMMISSION:

James Ager, Chairperson

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ATTEST: Annie Capp, BC Auditor