

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

Tuesday, June 18, 2024

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 6:00 P.M. on Tuesday, June 18, 2024. Commissioners present were Ager, Herman, Walton, Erk and Harms.

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

Motion by Herman, Second by Walton to approve the meeting agenda with moving item # 5 Executive Session to #10.5. Vote Unanimous. Motion Carried

Chair Ager called for a moment of silence/reflection.

Motion by Erk, Second by Walton, to approve the Consent Agenda Items with removal of 3.c Bills for Payment moving to #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 – 07June2024
- b. County Lien Report

**LIEN REPORT
BUTTE COUNTY**

	EXPENSES MAY 2024	EXPENSES YTD	RECOVERED MAY 2024	RECOVERED YTD
CAA/PUBLIC DEFENDER	\$ 18,631.89	\$ 107,544.06	\$ 1,887.62	\$ 13,846.95
JAIL	\$ 32,881.81	\$ 197,160.80	\$ 3,244.03	\$ 23,370.16
POOR LIEN	\$.00	\$ 1,125.86	\$ 0.00	\$ 0.00
REG JUV DETENTION	\$ 2,275.00	\$ 45,070.00	\$ 0.00	\$ 84,077.98

- c. Bills per Printout
- d. Apportioning and Other payments
- e. Auditors Monthly Settlement with the Treasurer

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

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$	-	
First Interstate Bank	\$	2,191,860.27	
Pioneer Bank and Trust	\$	51,012.05	
Total Checking/Savings Accounts			\$ 2,242,872.32

INVESTOR ACCOUNTS

Pioneer Bank and Trust	\$	440,529.33	
First Interstate Bank	\$	92,116.18	
Total Investor Accounts			\$ 532,645.51

CERTIFICATES OF DEPOSIT

First National Bank	\$	2,851,514.77
First Interstate Bank	\$	1,820,377.27

Pioneer Bank and Trust	\$ 1,292,110.59	
Total Certificates of Deposit		\$ 5,964,002.63
Cash on Hand		\$ 1,745.00
Total Cash Accounts		\$ 8,741,265.46
Insufficient Fund Checks In-process		\$ 1,655.92
Total General Ledger Balance		\$ 8,742,921.38
<u>Annie Capp</u>	<u>6/17/2024</u>	
COUNTY AUDITOR SIGNATURE	DATE	
<u>Debbie Lensegrav</u>	<u>6/17/2024</u>	
COUNTY TREASURER SIGNATURE	DATE	

- f. Register of Deeds Report
- g. Final; Owner: OWNER: AUBREY & EMILY RONE AND DAVID & KARRIE VINYARD TRACTS B-1A AND B-2A IN SW4SW4 OF SECTION 24 AND THE W2NW4 OF SECTION 25, T8N, R2E, B.H.M., BUTTE COUNTY, SOUTH DAKOTA FORMERLY TRACTS B-1 & B-2.
- h. Application for Occupancy on the ROW of County Highways – Butte Electric Coop., Inc. – Beet Road – Underground secondary power line.
- i. Application for Occupancy on the ROW of County Highways – Gallatin Wireless/Heavy Constructors – Sourdough Rd from pavement to WY border – Fiber Installation.
- j. Application for Occupancy on the ROW of County Highways –Heavy Constructors/Gallatin Wireless – Rehorst Rd from Sourdough Rd – Fiber Installation.
- k. Application for Occupancy on the ROW of County Highways –Heavy Constructors/Gallatin Wireless – Gray Rd from Sourdough Rd – Fiber Installation.
- l. Application for Occupancy on the ROW of County Highways –Heavy Constructors/Gallatin Wireless – Hay Creek Rd from Hwy 34 – Fiber Installation.
- m. Application for Occupancy on the ROW of County Highways –Heavy Constructors/Gallatin Wireless – Halle Rae Ln from Gray Rd – Fiber Installation.

Motion by Walton, Second by Herman, to approve the bills for payment. Vote Unanimous.
Motion Carried. Questions were asked about late fees and an item under States Attorney Office.
**The SA charge was later determined to be treats for teens that had successfully completed the Juvenile Truancy Diversion Program.

Beginning at 6:09 PM opportunity for public comments was opened with Dale Simanton and Sue Broadhurst, providing comments regarding Commissioner moving, bridge repair, department purchases, and legal fees.

Veterans Service Officer, Jasen Saivong, presented an activity report for May including disability compensation claims, death and spousal benefits, and DAV transportation numbers. Mr. Saivong will be leaving for National Guard deployment in a couple of weeks – regional VSOs will serve Butte County Vets while he is gone. Mr. Saivong also gave an update on Emergency Management activities regarding flood plains.

State's Attorney LeEllen McCartney and Judge Foral, representing Northern Hills Drug Court, gave an overview of the 4th Circuit Treatment Court history, services, success rate, and needs. McCartney and Foral requested that Northern Hills Drug Court be added to the distribution group for National Opioid Settlements.

Motion by Erk, Second by Herman to add Northern Hills Drug Court to Opioid Settlement distributions. Vote Unanimous. Motion Carried. Future distributions will be equally distributed between ABC, Teen Court, New Dawn, and Northern Hills Drug Court.

State's Attorney LeEllen McCartney gave an activity report including current cases, upcoming trials, and number and type of cases in May 2024, and status of open Deputy States Attorney position.

Sheriff Lamphere provided the monthly activity report.

Sheriff Lamphere gave an update on a Joint Building with BF Police. Sheriff Lamphere believes the best option at this time is to continue to work on repairing the courthouse and form a building committee for future needs. The old jail has possibilities but would require a lot of work.

Commissioner Herman asked about the issue raised during the last meeting regarding lack of connection with Fire Department radios. Repeaters are not working – trying to raise, other options include another tower, reserve funds may be available.

Sheriff mentioned increase in transportation mileage to go into effect 2025.

Auditor Annie Capp presented an activity report for the Auditor's Office including building repairs in May, generator issues at Admin building, Recount of two races of 2024 Primary Election, and Tyler Incode 10 upgrade training.

Auditor Annie Capp presented a request for indigent burial costs (cremation). Motion by Herman, Second by Erk to indigent burial request (cremation) to Kline Funeral for \$800.00. Vote Unanimous. Motion Carried.

Auditor Capp shared that she had hired Heather Abraham as Full Time Payroll and Benefits Administrator- General Skill Level 1 Step 1 \$17.47 (\$20.55 full wage).

Auditor Capp shared information on request from Administrative Building Offices (Auditor, Equalization, and Treasurer) to install a picnic table behind the building. Would be shared amongst all office budgets.

Motion by Herman, Second by Erk to approve installation of a 46" Hexagon picnic table behind the Administrative Building. Costs to be split between Auditor, Equalization, and Treasurer budgets. Vote Unanimous. Motion Carried.

Motion by Herman, Second by Walton to approve Annual Renewal Rushmore Cannabis Care LLC. Cultivation. Vote Unanimous. Motion Carried.

Review with possible action of Revised Cannabis Ordinance 2024-XX

States Attorney McCartney went over the revisions made to the **draft** Revised Cannabis Ordinance 2024-XX, any outstanding, and additional edits needed. A first reading and public hearing for the Revised Cannabis Ordinance 2024-XX was set for 23Jul2024.

The July 10, 2024 Special Meeting (Provisional Budget) was rescheduled to July 23, 2024.

Motion by Erk, Second by Herman to enter into Executive Session for Personnel 1-25-2(1) at 7:27 PM. Vote Unanimous. Motion Carried. Came out of Executive Session at 7:40PM. No action was taken as a result of executive session.

Committee Reports were given:

- Commissioner Erk said that at the last Planning meeting Chief of Belle Fourche Fire Department spoke about EDRS and said a secondary egress was needed because of the terrain.

- Commissioner Walton discussed EDC and questions on tax deeds. SA McCartney shared some updates on where the County is on tax deeds sales. Auditor Capp offered to attend the next EDC meeting to share some information.

Old/Unfinished Business

- New sign has been Installed
- An update on the surplus property of Butte County was given by Auditor Capp.
- Budget requests have been sent to commissioners for review with time for 23Jul2024 approval.

Informational

- Commissioner Herman responded to public comment regarding commissioner moving. Until a commissioner submits a resignation, they are a commissioner.
- Commissioner Harms gave notice that he will be resigning effective 30Jun2024.
- Commissioner Ager, Commissioner Herman, States Attorney McCartney and members of the public thanked Commissioner Harms for his knowledge, many years of dedicated service and mentorship. Butte County will miss him! Good luck Stan Harms!

Motion by Erk, Second by Harms to adjourn the meeting at 7:55 P.M. Vote Unanimous. Motion Carried.

PAYMENTS

SALARY

ASSESSOR'S OFFICE/PLANNING \$8,886.16, AUDITOR'S OFFICE \$7,618.21, BUILDING \$4,146.46, COMMISSIONERS \$4,308.92, DISPATCH \$14,062.31, ELECTION \$3,118.84, EM/911 \$831.47, EXTENSION \$1,881.60, HIGHWAY DEPT/WEED CONTROL \$25,871.79, JUDICIAL \$1,532.16, NURSE'S/WIC OFFICE \$1,180.80, REGISTER OF DEEDS OFFICE \$4,658.22, SHERIFF/JAIL DEPT \$19,732.47, STATES ATTORNEY OFFICE \$11,750.45, TREASURER'S OFFICE \$10,031.83, VETERAN SERVICE OFFICE \$853.25.

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,122.82

SDRS RETIREMENT

BUTTE COUNTY SHARE \$7,000.66

GROUP INSURANCE

BUTTE COUNTY SHARE \$31,959.11

PROFESSIONAL SERVICES

R BCHMN \$189.00, WTNSS FEES \$60.00, ECOLAB \$133.50, SRVALL \$1001.53, FRNTR GLS \$155.98, TYLR TECH \$48,202.36, SDDOT \$3559.05, ES&S \$3402.47, WSTRN SD JUV SRVCS \$13,635.00, BMS \$400.00, C BRLL \$693, AT&T \$917.84, GENS LCK SHP \$40.00, BRZ ENGRNG \$8,175.00, BARNAUD LAW \$3459.00, SD SOS \$30.00. K DLAHOYD \$53.90, ROYL SPRAYNG \$834.00, M MAY \$318.60, DBL STR \$2,562.39, K HUNT \$126.50, KLIN FNRL \$800.00, BH TTL \$259.64, SCRAM \$27.90, Z PRDCTNS \$511.50, SCHLMG LAW \$2,083.67, ROSANE CNSTRCTN \$44,715.00, CNTRL SQR TECH \$2,340.00, LENVO FNCL \$6,857.47, SOLR BRO \$300.00, WAKRLE LAW 473.50, D FWLR \$1,428.00, MORIS LAW \$427.50, MOTRLA SLUTNS \$299.00, CONVNE \$10.00, O'CNNR CMPNY \$2,475.00, WTNSS FEES \$20.00, PHNX NVST \$485.09, AZ SHRD \$19.64, CNTRY BSNSS \$728.07

PUBLICATIONS

BH Pioneer \$1876.24

RENT/LEASE

THMSN RTRS \$410.00

REPAIRS/MAINTENANCE

BTLR MCHNRY \$2840.51, WST TIRE \$126.50, BNNYS BDY & RPR \$19819.35, OBRLE RDTR & RPR \$2270.00, BCKLS TCK RPR \$121.73, KONE \$507.51, NWLL HARDWR \$123.78, WD LRSN \$1814.45, RNDY TIRES \$578.45

SUPPLIES

DKTA MRT \$119.29, STRDVNTS \$3820.67, STRO N STF \$56.42, INLND TCK PRTS \$2014.32, RUNGS \$2756.67, FRST INTER \$2322.62, CBH \$4392.19, SBWY \$690.66, O'REILLY AUTO PRTS \$88.56, NTL TST SYS \$1,331.24, SGNS SLUTNS \$54.56, M COLEMN \$41.66, HLYRD \$453.73, MG OIL \$12,195.71

TRAVEL/CONFERENCE**UTILITIES**

BH NGRY \$3549.14, MDU \$649.90, BUTTE ELCTRC \$220.04, TWN NSLND \$75.76, GOLDN WST \$24.00, BUTTE/MDE \$55.00, CNTRYLNK \$1462.81

APPROVED BY THE COMMISSION:

James Ager, Chairperson

ATTEST: Annie Capp, Butte County

Auditor