

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

Tuesday, March 1, 2022

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on March 1, 2022. The meeting was recorded. Commissioner's present were Richards, Harms, Ager, Walton, Herman.

Motion by Harms Second by Herman to approve the meeting agenda with one change – removed Public Hearing. Vote Unanimous. Motion Carried.

Motion by Walton Second by Harms to approve the Regular Scheduled Minutes from 01February, 15February bid meeting, and 15February regular meetings with one change – name on 15February regular meeting changed from Harmon to Herman ; Vote Unanimous. Motion Carried. Auditor Reich will provide a list of questions from 15Feb meeting to the commissioners.

Motion by Ager Second by Herman to approve the Bills for Payment as presented Auditor Annie Reich. Vote Unanimous. Motion Carried. Sign in Sheet signed by all Commissioners and Auditor.

Travel Requests – None

Motion by Harms Second by Herman to approve four Abatements that met criteria (one did not) as presented by Treasurer Debbie Lensegrav. Vote Unanimous. Motion Carried
Parcel 40.08.2.06A, 15.31.15.01, 16.01.035.01, 08.2.03.11.07

Motion by Harms Second by Herman to approve three mobile homes not located as presented by Treasurer Debbie Lensegrav. Vote Unanimous. Motion Carried
Parcel 08.2.RH.15M, 15.HV.073M, 15.TP.310M

Motion by Harms Second by Herman to approve one mobile home with duplicate tax bills as presented by Treasurer Debbie Lensegrav. Vote Unanimous. Motion Carried
Parcel 84.08.2.2M

9:47 A.M. Opportunity for Public Comment was opened.

Vincent Brechtel spoke about several bridges and the concern over Dillinger Bridge being closed. Brechtel requested that the Dillinger Bridge remain open as closing it would cause a hardship to several ranchers in the area after the closing of Dunn Bridge.

Mr. Brechtel voiced concerns on the perceived prejudice against smaller farms (<140 acres) that do not achieve AG status.

The Commissioners provided the following guidance to the public

- Commissioner Richards said they would investigate the specifications for AG status
- Viken Bridge has a grant that will be part of 2023 project
- The Highway department is applying for a grant for Dillinger Bridge
- Dunn Bridge is over Belle River and is approximately a \$2,000,000 bridge

10:00 AM a Public Hearing was held to Open Bids – Articulated Concrete Mattress (Highway Department).

The Highway Department will consolidate bids and award

Director of Equalization Donna Jones;

Motion by Harms Second by Walton to approve the Approval Final Plat as presented by Director of Equalization Donna Jones presented – Kelli McFarland, Lots 1-3 of McFarland Estates, Located in Section 28, T9N, R2E, B.H.M., Butte County, South Dakota. Vote Unanimous. Motion Carried.

Motion by Harms Second by Ager to approve the Approval Final Plat as presented by Director of Equalization Donna Jones presented – Robert Shear, Lots A, B, C, D, E & F of Peaceful Pines Subdivision, Located in the NE4SE4SE4 of Section 8, T8N, R2E, B.H.M., Butte County, South Dakota Vote Unanimous. Motion Carried.

Director of Equalization Donna Jones presented wage study and case for Cristina Wilson to move to Deputy of Equalization and/or give a skill level increase. No Action taken.

Director Jones discussed changes for 2022 assessments, including a five-year plan for assessing properties. During this agenda item DOE Jones discussed errors made on the 2022 assessments (incorrect date, DOE) and the process regarding assessing values, levies, and property taxes.

Butte/Lawrence County 4-H SDSU Extension Michelle May provided an activity report including;

- February Meetings
- 4-H Youth Programming (Consumer Decision Making Kits, Black Hills Stock Show participation, the Beef Cook Off, and All Stars to name a few)
- Professional Development
- SDSU Extension Administrative Report provided by Cindy Riley

Ms. May asked what the process is for emergency building closures in case of bad weather. Hwy Superintendent Heidrich notified the audience that the Sherriff (Emergency Management) and Auditor Reich will make determination and inform all department heads.

Highway Superintendent Dwayne Heidrich presented an Activity Report including the Weed & Pest conference attended, Orman Bridge status (to be completed 01Jun22), and road status.

Heidrich provided a Traffic Count on Upper Redwater Road. Discussion was held to determine if the speed limit should be lowered from 55 to 35. The commissioners requested traffic counts on multiple roads, including cost for changing signs, etc. to be presented during public hearing at fall road meeting.

Motion by Herman Second by Walton to approve the Agreement for Voluntary Right of Way Donation – Old Hwy 85 St# 10-125-218-- Harold Horman. Vote Unanimous. Motion Carried.

****The commissioners and Highway department wish to thank Mr. Horman for his cooperation and support!**

Motion by Herman Second by Walton to approve the Agreement for Voluntary Right of Way Donation – Old Hwy 212 St# 10-522-272 – Faye Mutchler. Vote Unanimous. Motion Carried.

****The commissioners and Highway department wish to thank Mr. Mutchler for his cooperation and support!**

Motion by Walton Second by Harms to approve and Chairman Richards to sign the CM Contract with Brosz Engineering– Whitewood Valley Road St #10-250-375. Vote Unanimous. Motion Carried.

Motion by Walton Second by Herman to approve and Chairman Richards to sign the 2022 Bridge Inspections -- County Inspection Resolution 2022. Vote Unanimous. Motion Carried.

Motion by Walton Second by Herman to approve the Project Work Order – Viken Road St# 10-280-349 (Engineering). Vote Unanimous. Motion Carried.

Motion by Herman Second by Walton to approve the Application for Occupancy on the Right of Way of County Highways – Butte Electric Coop., Inc – Hook Road & Snoma Road. Vote Unanimous. Motion Carried.

Committee Reports were given

- Commissioner Herman attended the Weed and Pest Conference where Butte County received 1 of 3 grants applied for.
- Commissioner Walton shared the Ambulance Board will be sending one Newell EMS to attend the Home Health Counselor training. Home Health Counselor provide services to people not needing ambulance transport but still needing some health services. These services are file thru Medicaid
- Commissioner Harms mentioned Planning has lots of little things coming thru
- Commissioner Herman attended a Cracker Barrel and said there was a lot of discussion on road and bridge funds. It was further discussed that commissioners would benefit from continuing to track legislation.

11:20 Recess for Lunch

1:30 PM out of Recess

Sheriff's Office

Sheriff Lamphere of Sheriff's Office will present an Activity Report at 15March2022 meeting

Sheriff Lamphere shared Chief Deputy March recent work on the Bureau of Reclamation Agreement and research done to recoup approximately \$25,000 of owned fees to the Butte County Sheriff's Office. The agreement is being revised to reflect wage adjustments.

Vehicle information was presented on options for a truck (to be budgeted in 2023). Delivery times for new vehicles is currently 6-7 months. It was agreed to order during budget time.

States Attorney Office

State's Attorney, Cassie Wendt presented the State's Attorney office activity Report Activity Report

Ms. Wendt shared information with commissioners on when/if bonds are available to a defendant

Motion by Herman Second by Harms to approve an Amendment of **Resolution 2022-14 FEE TO BE CHARGED UPON REDEMPTION OF A TAX CERTIFICATE**. Vote Unanimous. Motion Carried.

Auditor Office

Auditor Annie Reich discussed the following;

- Juneteenth – Bill signed by Governor Noem 11Feb2022. Discussion was held regarding the number of holidays provided to Butte County employees and the handbook. Butte County will not be honoring Juneteenth as a holiday.
- Reich shared a Notice of Determination of Special, Exceptional, Critical, or Unique Lands: Bentonite Performance Minerals, LLC with commissioners. No action required
- Reich brought to commissioners' attention that the county is looking at potentially upgrading Incode from 9 to 10. Reich will research options and bring back to commissioners for decision. If upgrade is done, target completion is summer of 2022 (in between elections)

Unfinished Business

- Dispatch Agreement – The city has some revisions to discuss. Annie Reich and Vern Hintz will arrange a meeting with all parties' week of March 7th.

Old Business

- Review Bids – land Sale
 - Motion by Harms Second by Ager to reject both bids received. Vote Unanimous. Motion Carried.
 - Discussion was held with guidance from Deputy States Attorney LeEllen McCartney on future options.
 - SD Statutes for Real Estate and Sealed Bids were reviewed.
 - This topic was tabled.

New Business

- Public Comments discussed with some guidance from Deputy States Attorney LeEllen McCartney
 - a. Future meeting agendas will provide some language on what Public Comment period entails
 - b. Future meeting guidelines will be provided when Public Comment period is opened.
- During the last Planning Committee enforcing County Ordinances was brought up. There are no consistent practices in place for enforcement of county ordinances.

Motion by Herman Second by Harms to adjourn the meeting at 3:09 p.m. Vote Unanimous. Motion Carried.

Payments

SALARY

ASSESSOR'S OFFICE/PLANNING \$5,954.85, AUDITOR'S OFFICE \$7,017.09, BUILDING \$3,268.48, COMMISSIONERS \$3,927.84, DISPATCH \$11,979.18, ELECTION \$1,974.00, EM/911 \$719.10, EXTENSION \$1,452.80, HIGHWAY DEPT/WEED CONTROL \$20,003.77, JUDICIAL \$955.84, NURSE'S/WIC OFFICE \$1,568.00, REGISTER OF DEEDS OFFICE \$3,975.89, SHERIFF/JAIL DEPT \$20,643.94, STATES ATTORNEY OFFICE \$11,582.97, TREASURER'S OFFICE \$8,334.29, VETERAN SERVICE OFFICE \$820.51

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$7,589.21

SDRS RETIREMENT

BUTTE COUNTY SHARE \$5,674.85

GROUP INSURANCE

BUTTE COUNTY SHARE \$39,733.41

PROFESSIONAL SERVICES

RENEE BACHMN \$50.00, BEHVR MNGMT \$1,200.00, SD DEPT OF PBLC SAFTY \$3,340.00, SD ASS'N OF CO COMM \$964.00, REDWOOD TOXCLGY LAB \$92.35, LUCY M LEWNO \$112.25, AUDRA HILL CNSLTNG \$87.13, BROSZ NGNEERNG \$22,308.00, BARNAUD LAW \$2,981.20, MARK KATTRHAGN \$6.00, DOUBLE STAR \$4,434.11, AMG - AVRA OCCUPTNL MEDC \$67.00, SD ASSN OF CO OFFCLS \$360.00, DARCY LOCKWOOD \$6.00, WTNSS FEES \$209.21, MONMNT HLTH \$1,826.28, XCTVE MGMT FNANCE \$6.00, KNNY LAW \$1,607.74

PUBLICATIONS

BH PIONEER \$488.62

RENT/LEASE

LEXISNEXIS \$312.00, THOMSN REUTRS-WEST \$274.19, A&B BSNSS SLTNS \$212.98, CENTRY BSNSS PRODCTS \$614.09

REPAIRS/MAINTENANCE

FRNTR GLASS \$224.35, TITAN MACHNRY \$86.86, LNDSTAD'S ALIGNMNT \$50.00, ARCHTCTRL SPCLTS \$1,293.35, KARPL SLTNS \$3,375.00, BRNR AUTO RPAIR \$871.62

SUPPLIES

MCLEODS \$67.48, SD DEPT OF TRANS \$2,749.95, BOOM CNCRETE \$816.00, O'REILLY AUTO PARTS \$18.07, NATL TEST SYSTMS \$1,880.50, SIGN SLTNS USA \$43.75, MG OIL \$10,992.65

TRAVEL/CONFERENCE

MICHELLE MAY \$280.14, BRNDY MEIER, NCRAAO \$650.00

UTILITIES

CITY OF BF \$366.96, BH NRGY \$190.25, RFUSE SLTNS \$259.90, AT&T \$32.46

BUTTE COUNTY RESOLUTION 2022-14 (AMENDED)

**A RESOLUTION FOR THE ESTABLISHMENT OF A FEE TO BE CHARGED
UPON REDEMPTION OF A TAX CERTIFICATE**

WHEREAS, SDCL 10-23-8 permits the sale or assignment of tax certificates to persons other than the County, and

WHEREAS, these tax certificates may be redeemed by payment of taxes owed, along with applicable interest; and

WHEREAS, upon redemption of any tax certificate held by someone other than the County, pursuant to SDCL 10-23-8 a fee shall be deducted from the proceeds paid to the holder of the tax certificate, and

WHEREAS, SDCL 10-23-8 permits the County Commission to establish a fee not to exceed Fifty Dollars (\$50.00),

NOW, THEREFORE BE IT RESOLVED by the Butte County Board of County Commissioners that upon redemption of a tax certificate held by someone other than the County, a fee of Fifty Dollars (\$50.00) shall be charged to the holder of a tax certificate to be paid out of the proceeds due to the holder of that certificate.

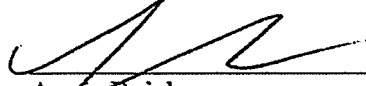
IT IS FURTHER RESOLVED the fee charged pursuant to SDCL 10-23-8 and this Resolution shall be paid to the Butte County Treasurer.

Approved and adopted this 1st day of March, 2022



Kim Richards
Chair Butte County Commission

ATTEST:



Annie Reich
Butte County Auditor

