

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

**Tuesday, February 4, 2025**

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on February 4, 2025. Commissioners present were Ager, Erk, Walton, Batterman, and Brunner.

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

Pastor Tim Smith led with a moment of prayer.

Motion by Brunner, Second by Erk to approve the meeting agenda with swapping order of #8 and #9 and addition of 8.5 Executive Session Legal Counsel; 1-25-2(3). Vote Unanimous. Motion Carried

Motion by Erk, Second by Brunner, to approve the Consent Agenda Items with no changes. Vote Unanimous. Motion Carried. Discussion was held regarding two bills and application for occupancy on right away.

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 – 21Jan2025
- b. Bills per Printout
- c. Apportioning and Other payments
- d. Auditor's Monthly Settlement with Treasurer

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

**CHECKING/SAVINGS ACCOUNTS**

Wells Fargo Checking	\$	-	
First Interstate Bank	\$	486,023.02	
Pioneer Bank and Trust	\$	51,033.56	
Total Checking/Savings Accounts			\$ 537,056.58

**INVESTOR ACCOUNTS**

Pioneer Bank and Trust	\$	448,022.52	
First Interstate Bank	\$	297,513.40	
Total Investor Accounts			\$ 745,535.92

**CERTIFICATES OF DEPOSIT**

First National Bank	\$	2,955,041.72	
First Interstate Bank	\$	2,095,086.67	
Pioneer Bank and Trust	\$	1,342,869.19	
Total Certificates of Deposit			\$ 6,392,997.58
Cash on Hand			\$ 1,745.00
<b>Total Cash Accounts</b>			<b>\$ 7,677,335.08</b>

Insufficient Fund Checks In-process	\$ 45.00
Total General Ledger Balance	\$ 7,677,380.08

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COUNTY AUDITOR SIGNATURE	DATE
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COUNTY TREASURER SIGNATURE	DATE
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- e. Travel Request
  - i. Sheriff: Sheriff Lamphere to speak to congressmen on immigration reform in Washington, DC, from February 25-26, 2025.
  - ii. Sheriff: Cassandra Hale to attend SCRAM Systems Level 2 Training in Deadwood, SD, from April 30-May 02, 2025.
- f. Wage Increases
  - i. Auditor – Sandy Heidrich Longevity Tier 2 \$27.62
- g. Highway
  - i. Application for Occupancy on the Right of Way of County Highways – Butte Electric Coop – Beet Rd – Underground Powerline

Beginning at 9:39 AM, the opportunity for public comments was opened with Dale Simanton and Sue Broadhurst speaking on the condition of roads, Highway Committee members, the addition of prayer, the description of bills in the report, water and food expenses, Auditor employees, the increase of levies, spending, and budgeting.

Dispatch Supervisor Julia Day provided a monthly activity report with a breakdown of calls and a brief explanation of statistics. 40% of calls are from the county and 60% are from the City of Belle Fourche.

Sheriff Lamphere provided quotes for Generator and transfer switch repair. Summer of 2024 issues began occurring with switch, observation and testing was done. It was determined transfer switch needs to be replaced. Discussion was held regarding generator, load capacity, and budget.

Motion by Erk, Second by Brunner, to approve the quote for Repairs and Switch Replacement from White's Electric Service & Technology. Vote Unanimous. Motion Carried.

States Attorney Tim Barnaud gave an activity report that included charged cases, types of cases, number of people in custody, Dispatch Agreement with the City of Belle Fourche, and recent arrest led by Butte and Lawrence Counties.

Auditor Capp gave an activity report including building repair and maintenance activities and the status of property tax bills.

Auditor Capp presented the 2024 Butte County Report Fair Board Report. Motion by Erk, Second by Brunner, to accept the 2024 Butte County Fair Board Report. Vote Unanimous. Motion Carried.

Auditor Capp presented Resolution 2024-20 Opposition to Mandatory Electronic Identification (MEID) Livestock Tags. Discussion was held

Motion by Brunner, Second by Erk to approve Amendment of Resolution 2024-20. Vote Unanimous. Motion Carried. Discussion was held regarding the stance of several surrounding counties. Resolution 2024-20 is a supportive, political document and has no liability for the County. Current processes by industry are effective and the bill is not needed.

**BUTTE COUNTY RESOLUTION 2024-20**  
**OPPOSITION TO MANDATORY ELECTRONIC IDENTIFICATION (MEID) LIVESTOCK TAGS**

**WHERE AS:** The traceability program is incremental. USDA APHIS stated on its website, updated October 11th, 2024 after approving the new rule, that it "is committed to implementing a modern system that tracks animals from birth to slaughter", and

**WHERE AS:** The cost of EID tags disproportionately burdens small and medium sized independent farmers and ranchers. The USDA rule allows large, corporate-owned herds to be grouped and tagged as one group, creating huge loophole that keep costs low for larger companies, and

**WHERE AS:** The EID mandate would potentially interfere with price discovery found in traditional markets, thereby furthering vertical integration of the US food supply at the expense of the consumer and independent producer, and

**WHERE AS:** South Dakota Codified Law 40-3-27 provides for identification of animals and premises involved in animal movement. The Animal Industry Board may develop and implement specific programs for the identification of animals and premises involved in animal movements. Any program implemented pursuant to §§ 40-3-27 to 40-3-29, inclusive, must provide for confidentiality of identification records other than those records requested by law enforcement officers of the state and those records used for mandatory disease control or eradication efforts. A livestock owner may choose to identify animals using any methods set forth in 9 C.F.R. part 86, as adopted on January 9, 2013, as well as any additional methods that are later approved by the South Dakota Animal Industry Board pursuant to this section, and

**WHERE AS:** The EID mandate is far overreaching, intrusive and potentially circumvents privacy laws, threatening the livelihood of independent cattle and bison producers, and

**WHERE AS:** Independent, family-owned cattle ranches are of paramount importance to our local economy and to the economy as a whole, and

**WHERE AS:** The comments received by USDA APHIS in the rulemaking process were overwhelmingly against the new rule, and

**WHERE AS:** America has the safest and highest quality meat in the world using our current, fully functioning and effective traceability system. The mandated rule claims to be about animal health, but does nothing to prevent or treat disease, and

**THEREFORE BE IT RESOLVED:** The Butte County Commissioners vehemently opposes the implementation of any EID mandate by the USDA, with the suggestion that funds currently earmarked for this program be reallocated to efforts to restore import standards that protect all livestock producers and consumers from introduction to foreign animal disease.

**BE IT FURTHER RESOLVED:** The Butte County Commissioners requests that all elected officials make every effort to block this government overreach by the USDA.

Approved and adopted this 4<sup>TH</sup> day of February 2025

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James Ager, Chair, Butte County Commission

ATTEST: \_\_\_\_\_  
Annie Capp, Butte County Auditor

Motion by Erk, Second by Brunner to enter into Executive Session: Legal Counsel 1-25-2(3) at 10:11 AM. Vote Unanimous. Motion Carried. Exited Executive Session at 10:53 AM. No action was taken as a result of Executive Session.

Motion by Erk, Second by Brunner to enter into Executive Session: Cyber Security 1-25-2(6.d) at 10:55 AM. Vote Unanimous. Motion Carried. Exited Executive Session at 11:20 AM. No action was taken as a result of Executive Session.

**Committee Reports were given:**

- Batterman – Butte County Railroad Authority, officers elected, projects discussed
- Walton – Ambulance purchase in progress
- The upcoming SDACC workshop was discussed.
- Building working group met regarding building needs, courtroom flip, needed assessment, current and future needs, and collaboration with the City of Belle Fourche.

**Old/Unfinished/New Business:**

**Informational:** The legislative calendar and the status of some bills were discussed. Commissioners also discussed moving away from hard copy packets at meetings by using tablets. More research will be done with the County's IT contractor.

Motion by Erk, Second by Brunner to adjourn the meeting at 11:52 A.M. Vote Unanimous. Motion Carried.

**PAYMENTS**

**SALARY**

ASSESSOR'S OFFICE/PLANNING \$9,098.21, AUDITOR'S OFFICE \$17,011.75, BUILDING- \$0, COMMISSIONERS \$4,158.92, DISPATCH \$17,810.43, ELECTION- \$0, EM/911 \$989.72, EXTENSION \$1,936.80, HIGHWAY DEPT/WEED CONTROL \$26,821.47, JUDICIA- \$0, NURSE'S/WIC OFFICE \$1,213.92, REGISTER OF DEEDS OFFICE \$4,794.20, SHERIFF/JAIL DEPT \$25,093.80, STATES ATTORNEY OFFICE \$12,417.22, TREASURER'S OFFICE \$10,518.99, VETERAN SERVICE OFFICE \$878.85,

**COUNTY SHARE FICA**

BUTTE COUNTY SHARE \$10,170.05

**SDRS RETIREMENT**

BUTTE COUNTY SHARE \$7,573.58

**GROUP INSURANCE**

BUTTE COUNTY SHARE \$0

**PROFESSIONAL SERVICES**

ALPN IMP & FB \$70.00, ANDRSN PLMB \$903.43, A-Z SHRD \$11.46, BMS \$400.00, BH TITL \$179.99, JURORS \$929.54, WITNESSES \$73.50, B KOOL \$120.00, CNTY DRUG \$295.97, DBL STAR \$2,404.98, FISH \$99.00, H SBERS \$60.00, J VAN RKEL \$60.00, JDOG \$600.00, K HUNT \$1,250.00, KNY LAW \$11,180.59, KLNE FNRAL \$2,000, KONE \$507.51, LYCOX ENTPR \$53,780.00, MNMNT HLTH NTRWK \$393.21, MNMNT HSPTL RC \$171.00, NLSN LAW \$1,037.10, O'CNOR CMPNY \$187,007.40, - RDWD TOXLGY \$43.05, R BCHMN \$180.00, S FSCHR \$60.00, STGIS AMBULN \$360.00, THMSN RUTRS \$354.26, TYLR TECH \$ 5,040.00

**PUBLICATIONS**

BH PIONR \$625.51

**RENT/LEASE**

A&B BSNS \$245.86, CNTRY BSNS \$1,082.67, CLGN BH \$20.38, DJ CNSTRCTN \$2,800.00, RELX \$349.00

**REPAIRS/MAINTENANCE**

G&R CNTRL \$1,240.00, RNDY TIRE \$174.98, WHTSTAR \$65.20

**SUPPLIES**

A & J CLOTH \$75.25, A & J SPLY \$109.09, ARCT SPLC \$692.96, BRITE \$252.00, BTLR MCHN \$136,001.17, DKTA FLUD \$816.51, DKTA LMBR \$30.26, DMC PRTS \$2,833.00, FRST INTRSTE \$3,837.89, HLYRD SF \$400.01, OFCE EMP \$246.07, SD DOT \$12,651.83, SD SCTRY STE \$50.00, SBWY \$150.95

**UTILITIES**

BHE \$ 566.11, BLEPK \$2,359.42, CTY BF \$398.76, MDU \$2,043.37, REFSE SLTNS \$393.55

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APPROVED BY THE COMMISSION: James Ager, Chairperson

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ATTEST: Annie Capp, Butte County Auditor