

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

Tuesday, April 16, 2024

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on Tuesday, April 16, 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 Erk, Second by Herman to approve the meeting agenda with pulling of 3.g.i from Consent Agenda and move to 3.5. 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. 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 – 02Apr2024
- b. Auditor's Settlement with the Treasurer

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

CHECKING/SAVINGS ACCOUNTS

Wells Fargo Checking	\$	-	
First Interstate Bank	\$	1,359,926.53	
Pioneer Bank and Trust	\$	51,005.46	
Total Checking/Savings Accounts			\$ 1,410,931.99

INVESTOR ACCOUNTS

Pioneer Bank and Trust	\$	438,322.70	
First Interstate Bank	\$	91,694.28	
Total Investor Accounts			\$ 530,016.98

CERTIFICATES OF DEPOSIT

First National Bank	\$	2,841,884.54	
First Interstate Bank	\$	1,801,312.75	
Pioneer Bank and Trust	\$	1,292,110.59	
Total Certificates of Deposit			\$ 5,935,307.88

Cash on Hand	\$	1,745.00
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Total Cash Accounts \$ 7,878,001.85

Insufficient Fund Checks In-process \$ 45.00

Total General Ledger Balance \$ 7,878,046.85

/s/ Annie Capp 04/16/2024
COUNTY AUDITOR SIGNATURE DATE

/s/ Debra Lensegrav 04/16/2024
COUNTY TREASURER SIGNATURE DATE

c. County Lien Report

**LIEN REPORT
BUTTE COUNTY**

	<i>EXPENSES</i> <i>MAR 2024</i>	<i>EXPENSES</i> <i>YTD</i>	<i>RECOVERED</i> <i>MAR 2024</i>	<i>RECOVERED</i> <i>YTD</i>
CAA/PUBLIC DEFENDER	\$ 29,115.43	\$ 66,977.20	\$ 4,553.42	\$ 9,731.42
JAIL	\$ 40,306.20	\$ 123,383.19	\$ 8,001.49	\$ 16,107.99
POOR LIEN	\$.00	\$ 1,125.86	\$ 0.00	\$ 0.00
REG JUV DETENTION	\$ 1,800.00	\$ 42,000.00	\$ 0.00	\$ 84,077.98

- d. Bills per Printout
- e. Apportioning and Other payments
- f. Register of Deeds Report
- g. Travel Requests
 - i. Equalization: Cristina Wilson, Johnna Ramirez, and Stephanie Lippincott to attend SDAAO Conference in Aberdeen, SD June 4-7, 2024.
- h. Abatements
 - i. Parcel: 17.00.10.01 in the amount of \$582.38
- i. **Final**; Owner: OWNER: KEVIN & TOIA TANNINEN; LOTS 2A AND 2B OF BUENA VISTA ESTATES #2 FORMERLY LOT 2 OF BUENA VISTA ESTATES #2 OF THE SUBDIVISION OF THE NW4SE4 OF SECTION 28, T8N, R1E, B.H.M. BUTTE COUNTY, SOUTH DAKOTA
- j. Wage Increases
 - i. Dispatch: Victoria Pickett Step 2 at \$21.04

Beginning at 9:34 AM opportunity for public comments was opened with no citizens requesting to speak.

Motion by Erk, Second by Walton, to approve travel request from Equalization: Cristina Wilson, Johnna Ramirez, and Stephanie Lippincot to attend SDAAO Conference in Aberdeen, SD June 4-7, 2024. Vote 4 Aye, Ager abstained. Motion Carried.

Butte/Lawrence County 4H Director Melanie Coleman introduced herself to the commissioners. Ms. Coleman shared activities that have taken place since she began in her new role.

Planning Director Cristina Wilson presented information on Request for subdividing – Owner: BAUER, BRICE A & KECK, MICHEL L; LOT 3 BUFFALO RIDGE 3. Ms. Wilson discussed the history and reasoning for request to allow landowners opportunity to subdivide land. Director of Planning Wilson, Commissioner Ager, Commissioner Erk, Sheriff Lamphere, Loren , Calvin Fickbohm of Butte County Fire District, and members of the public previous decisions, concerns, and potential mitigation of emergency access and fire mitigation issues.

Beginning at 10:01 AM public hearing was held for RESOLUTION 2024-17; A Resolution Providing for the Cancellation of Liens Issued by Butte County After Being Determined Uncollectable Due to Death, Bankruptcy, or Other Circumstances. There was no one for or against.

Beginning at 10:01 AM public hearing was held for RESOLUTION 2024-18; A Resolution Providing for the Cancellation of Liens Issued by Butte County After Being Determined Uncollectable Due to Death, Bankruptcy, or Other Circumstances. There was no one for or against.

Director of Equalization Cristina Wilson gave a public report including 2024 parcel count, assessed value, growth, Ag factors, and crop dollars. DOE Wilson also gave plan for properties to be reappraised in 2025. The area in question has not been reassessed since 2016.

Highway Superintendent Dwayne Heidrich gave an activity report which mainly included repair of signs. More discussion was held regarding additional damage, cost, and law enforcement monitoring. Due to time and cost focus is currently on repairing 911 and any safety related signs.

Motion by Herman, Second by Erk to authorize Chairman Ager to sign Work Order BI-08-24 Consultant Service – Butte County Bridge Inspections. Vote Unanimous. Motion Carried.

Motion by Herman, Second by Walton to authorize Chairman Ager to sign Security Mine Permit Application – BPM hauling agreement. Vote Unanimous. Motion Carried.

State's Attorney LeEllen McCartney gave an activity report including 2024 1st quarter statistics, trends, comparison of cases between 2023 and 2024, types of cases/charges, current cases, upcoming trials, and upcoming Opioid Settlement distribution of \$4,753.18.

State's Attorney LeEllen McCartney provided updates on legislation passed in latest State legislative session that will affect the county and the State's Attorney office. SA McCartney said that as a result of many of the updates to medical cannabis it will be important to revise Butte County Cannabis Ordinance 2021-02.

Sheriff Lamphere gave an overview of the monthly activity report and will pass on the report at a later time.

Sheriff Lamphere mentioned that there will be an open house beginning at 11:00 AM for National Dispatcher Recognition week. All public was invited to attend.

Motion by Walton, Second by Erk to surplus of 2008 Chevrolet Uplander van. Vote Unanimous. Motion Carried.

Sheriff Lamphere shared increased activities regarding signs and encouraged members of the public to share anything they see and hear with Dispatch. Future public announcements may be done.

Motion by Herman, Second by Harms to adopt **RESOLUTION 2024-17**; A Resolution Providing for the Cancellation of Liens Issued by Butte County After Being Determined Uncollectable Due to Death, Bankruptcy, or Other Circumstances. Vote Unanimous. Motion Carried

RESOLUTION 2024-17

A RESOLUTION PROVIDING FOR THE CANCELLATION OF LIENS ISSUED BY BUTTE COUNTY AFTER BEING DETERMINED UNCOLLECTABLE DUE TO DEATH, BANKRUPTCY, OR OTHER CIRCUMSTANCES.

WHEREAS, the following is a list of the liens where the County Auditor has confirmed that person or persons have been declared deceased, have declared bankruptcy, or otherwise are unable to pay the debt incurred.

BE IT THEREFORE RESOLVED, that the County Auditor and Register of Deeds be authorized to cancel these accounts in the lien register and cease to carry these as outstanding liens.

<u>Name</u>	<u>Amount</u>	<u>Reason</u>
Bandy, Dwight	\$4,155.37	Deceased
Bender, Kyle	\$100.00	Deceased
Fletcher, Jeffrey	\$50.00	Deceased
Hix, Harry	\$1,043.64	Deceased
Kaufman, Tim	\$1,553.00	Deceased
Respects Nothing, Amy	\$7,001.06	Deceased
Ryckman, James	\$2,953.31	Deceased
Vice, David	\$947.95	Deceased

Dated this 21st day of March 2024

Butte County Board of Commissioners

James Ager
Chair, Butte County Commission

ATTEST:

Annie Capp
Butte County Auditor

Published: April 6th, 2024, and April 13th, 2024

Motion by Erk, Second by Walton to approve **RESOLUTION 2024-18**; A Resolution Providing for the Cancellation of Checks and Warrants Issued by Butte County Outstanding for a Period of Two (2) Years or More. Vote Unanimous. Motion Carried

RESOLUTION 2024-18

A RESOLUTION PROVIDING FOR THE CANCELLATION OF CHECKS AND WARRANTS ISSUED BY BUTTE COUNTY OUTSTANDING FOR A PERIOD OF TWO (2) YEARS OR MORE.

WHEREAS, in accordance with SDCL 7-22-17, the Board of County Commissioners may, by resolution, cancel any check or warrant that has not been presented for payment at any time within two years of the date on which the check or warrant was issued and

WHEREAS, the following is a list of the checks and warrants outstanding prior to April 15, 2022 and

BE IT THEREFORE RESOLVED, that the County Treasurer be authorized to cancel these items in the check register and cease to carry these as outstanding checks.

Date	Number	Name	Amount
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04/04/2022

1018

WELLS FARGO BANK

\$ 4.00

Dated this 1st day of April 2024

Butte County Board of Commissioners

James Ager
Chair, Butte County Commission

ATTEST:

Annie Capp
Butte County Auditor

Published: April 6th, 2024, and April 13th, 2024

Auditor Annie Capp presented an activity report for the Auditor's Office including city/school elections recently held, upcoming election activities, building activities, and County website update.

Auditor Capp shared information on the 2024 Wind Energy Tax Payment and distribution of funds.

Committee Reports were given:

- Commissioner Harms attended the TIF Committee Meeting 03Apr2024 following city planning meeting. Two TIFs (143 and 52 lots) were unanimously approved by the committee to move forward.
- Commissioner Erk attended the planning meeting 09Apr2024.
- Commissioner Walton Economic Development and Ambulance meetings upcoming.
- Commissioner Herman visiting with Dwayne on highway concerns.

Old/Unfinished Business

- Commissioner Ager asked about timeline for signs for courthouse – Auditor Capp said need to get sign permit and determine setbacks.

Informational

- Commissioner Ager wants to set up work meetings to review Medical Cannabis Ordinance and make revisions. Work sessions set for Thursday the 16th and Thursday the 30th 5:30–7:30 pm in Courtroom.
- Auditor Capp mentioned that she has revised how minutes are developed. Prior to video recording more detail was included in comments and discussion, that information can now be accessed in video and audio recordings if requested.

Motion by Herman, Second by Erk to adjourn the meeting at 11:15 A.M. Vote Unanimous.
Motion Carried.

PAYMENTS

SALARY

ASSESSOR'S OFFICE/PLANNING \$8,820.37, AUDITOR'S OFFICE \$7,672.84, BUILDING \$3,967.90, COMMISSIONERS \$4,158.92, DISPATCH \$14,274.73, ELECTION \$1,939.83, EM/911 \$940.58, EXTENSION \$1,881.60, HIGHWAY DEPT/WEED CONTROL \$26,842.08, JUDICIAL \$1,030.25, NURSE'S/WIC OFFICE \$1,968.00, REGISTER OF DEEDS OFFICE

\$4,658.22, SHERIFF/JAIL DEPT \$21,442.68, STATES ATTORNEY OFFICE \$13,878.14, TREASURER'S OFFICE \$9,950.23, VETERAN SERVICE OFFICE \$853.25.

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,172.63

SDRS RETIREMENT

BUTTE COUNTY SHARE \$7,167.74

GROUP INSURANCE

BUTTE COUNTY SHARE \$33,714.23

PROFESSIONAL SERVICES

R BCHMN \$120.00, JUROR FEES \$1,193.78, MAPS \$7,926.25, WSTRN SD JVNL SRVCS \$795.00, MEADE CO AUDTR \$36,575.00, C BRLL \$270.00, MNMNT HLTH \$84.93, BRSZ NGNEERNG \$16,780.00, BARNAUD LAW \$2,482.00, FIRE PRO \$399.50, K DLAHYDE \$30.55, RYL SPRYNG \$1,300.01, STREET IMG \$819.95, DUBL STAR \$1,670.00, SDPAA \$783.76, ARCHTCTRL SPCLTS \$535.82, BH TITL \$1,259.93, SCRAM \$27.90, Z PRDCTNS \$1,116.75, FSH WNDW CLEANING \$99.00, CPFRST \$10,527.99, NMR \$875.00, DAKOTABLT \$360.00, EXCTVE MGMT FNANCE \$217.32, V LARSN \$18.00, FOX LAW \$172.14, H LNDBRG \$60.00, B SCHAEFFR \$18.00, KINNY LAW \$3,159.24, A-Z SHRDDNG \$36.79

PUBLICATIONS

BH PIONEER \$54.35

RENT/LEASE

CLLGN \$62.40, BH PURE \$176.75, CBP \$538.42

REPAIRS/MAINTENANCE

BTLR MCHNRY \$3,581.67, SCTT PETRSN MOTRS \$3,946.35, BICKLES \$1,210.17, ENRSN PLMBNG \$141.93, WRK RGS \$358.50, AUTO PROS \$272.13

SUPPLIES

STRDVNT'S \$602.90, MCGAS PROPANE \$1,158.67, SRVLL \$818.54, OFFICE EMPORIUM \$219.93 OFFCE MPORM \$219.93, STREOS N STFF, BIERSCBCH EQPMNT \$1,144.80, RUNNINGS \$5,164.18, CBH \$3,972.46, CARL'S TRAILR SALES \$1,198.58, DMC WEAR PRTS \$18,850.00, W.D. LARSN \$8.06, O'REILLY AUTO PRTS \$34.95, SIGN SLUTNS \$148.77, STRGS RSPNDR SPPLY \$149.97, MG OIL \$11,963.65

TRAVEL/CONFERENCE

UTILITIES

BH NRGY \$3,345.56, BUTTE ELCTRC \$723.26, BLUEPK \$87.42, TWN OF NSLND

APPROVED BY THE COMMISSION:

James Ager, Chairperson

ATTEST: Annie Capp, Butte County
Auditor