

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

On January 18, 2023, the motion below was revised to reflect the vote cast on 06Sep2022. Commissioners were presented with an audio recording of the 06Sep2022 meeting.

*S.A. McCartney also stated that the requirements for the Cease-and-Desist Letter for Greenlight had been satisfied. Motion by Ager Second by Harms for Green Light to begin work again per State's Attorney's LeEllen McCartney's recommendation. *Revision: Vote Unanimous. Motion Carried.*

Motion by Ager Second by Herman to approve revision of 06Sep2022 Meeting Minutes to reflect results of vote (Vote Unanimous. Motion Carried) regarding motion to allow Green Light to begin work again after Cease-and-Desist Order. Roll Call Vote to revise minutes – Harms aye, Ager aye, Walton aye, Herman aye, Erk aye. Motion Carried. Revised minutes will be published in paper and filed in auditor's office.

Tuesday, September 6th, 2022

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on September 6th, 2022. The meeting was recorded. Commissioner's present were Richards, Harms, Ager, Walton, and Herman.

Commissioner Ager asked to moved agenda item #13 after item 11d. Motion by Herman Second by Ager to approve the meeting agenda with the stated change. Vote Unanimous. Motion Carried.

It was noted that the Meeting Minutes of August 16, 2022, needed to have a correction to the Auditor's Settlement Statement with the Treasurer to show the correct date instead of March 2022.

Motion by Harms Second by Herman to approved minutes of 16August and 23August Regular Meeting Minutes with stated corrections. Vote Unanimous. Motion Carried.

Motion by Ager Second by Walton to approve the Bills for Payment as presented by Accounts Payable Becky Bachman. Vote Unanimous. Motion Carried. Approval Sheet signed by all Commissioners and Auditor.

Motion by Harms Second by Herman 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 and Auditor.

Travel Requests: None

Veteran Service Officer Jasen Saivong presented his activity report.

Abatements: Motion by Herman Second by Walton to postpone the abatement request by Gareth Hunt, Director of Finance and Accounting of CBH, until the next meeting on September 20, 2022. Vote Unanimous. Motion Carried.

Treasurer Debbie Lensegrav presented bids for a wall build in her office from Kevin Fuhrer (\$7,421.51) and Greg Cornett (\$5,685.15). Motion by Harms Second by Walton to authorize Greg Cornett to build the wall in the Treasurer's Office. Vote Unanimous. Motion Carried.

9:45 A.M. Opportunity for Public Comment was opened.

- Travis Ismay wanted the Commission to know that he is not in favor of the grow facilities, and he wants them to stop approving them.

Motion by Harms Second by Ager to authorize Chairman Richards to sign the Bureau of Reclamation contract for 2023-2027. Vote Unanimous. Motion Carried.

Sheriff Lamphere presented a bid from Architectural Specialties for a replacement on the Commissioners' door lock at \$1,647.36. Motion by Ager Second by Herman to approve the replacement for the lock on the Commissioners' door. Vote Unanimous. Motion Carried.

Sheriff asked to table decision on panic alarms until the Commissioners received information on the cost and had time to review it.

10:00 A.M. Public Hearing

Motion by Harms Second by Herman to supplement the General Fund Debt Service Principle (101-5-810-441) in the amount of \$760,000.00. Vote Unanimous. Motion Carried. Motion by Walton Second by Ager to supplement the General Fund Service Interest (101-5-820-442) in the amount of \$6,000.00. Vote Unanimous. Motion Carried.

101-5-810-441	General Fund Debt Service Principle	\$	760,000.00
101-5-820-442	General Fund Service Interest	\$	6,000.00

Director of Equalization, Donna Jones, mentioned that there was currently a part-time planning position available.

Motion by Harms Second by Walton to authorize the Register of Deeds to be able to advertise for a replacement Deputy Register of Deeds. Vote Unanimous. Motion Carried.

Highway Superintendent Dwayne Heidrich presented his activity report, gave a report on the traffic counts on McCoy, Orman and Whitewood Valley Roads, and mentioned 2023 Big Primary Engineering grants.

Motion by Herman Second by Walton to approve the Application for Occupancy on the Right of Way of County Highway for MDU to trench a gas line on Helmer Road. Vote Unanimous. Motion Carried.

Motion by Harms Second by Walton to authorize the chairman to sign the 2020 Local Federal Replacement Project – Amendment #717488 for Old Hwy 85 St# 10-125-218, 2020 Local Federal Replacement Project – Amendment #717489 for Old Hwy 212 – St# 10-445-332, and the 2020 Local Federal Replacement Project – Amendment #717490 for Old Hwy 212 – St# 10-522-272. Vote Unanimous. Motion Carried.

Motion by Herman Second by Walton to allow Chairman to sign the 2021 Local Federal Replacement Agreement – Funding Agreement for Orman Road – St# 10-267-330 and the 2021 Local Federal Replacement Agreement – Funding Agreement for Viken Road – St# 10-280-349. Vote Unanimous. Motion Carried.

State's Attorney LeEllen McCartney presented the activity report.

S.A. McCartney presented the High Plains Cannabis Application for Permit to Operate. Motion by Harms Second by Herman to approve High Plains Cannabis for a Permit to Operate Cultivation Facility. Discussion followed regarding regulation of water and sewer water and having a compliance officer to survey businesses. Vote Unanimous. Motion Carried.

Motion by Harms Second by Walton approve GLP Custer DBA Greenlight for a Permit to Operate Cultivation Facility. Vote Unanimous. Motion Carried.

S.A. McCartney also stated that the requirements for the Cease-and-Desist Letter for Greenlight had been satisfied. Motion by Ager Second by Harms for Green Light to begin work again per State's Attorney's LeEllen McCartney's recommendation. ***Revision: Vote Unanimous. Motion Carried.**

Motion by Harms 2nd by Walton to go into Executive Session at 11:36 A.M. Vote Unanimous. Motion Carried. Executive Session ended at 12:00 P.M.

Motion by Harms Second by Walton to approve the transfer of \$340,246.00 from General Fund Cash (101-101) to E-911 Cash (207-101). Vote Unanimous. Motion Carried.

207-101	E-911 Cash	\$	340,246.00
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The 2023 Fund Modifier was recognized as well as a letter from DANR.

Motion by Herman Second by Ager to approve wage adjustments for the following:

- i: Highway: Kordell Stuen – Level 1 \$18.72
- ii: Equalization: Johnna Ramirez – Step 3 \$17.26
- iii: Emergency Management: Fred Lamphere will be at Tier 2 on 09/05 \$360.33
- iv: Emergency Management: Vicki Greenwood will be at Tier 2 on 09/05 \$429.15
- v: States Attorney: Heidi Jensen will be at Tier 2 on 09/07 \$19.36
- vi: Register of Deeds: Julie Brunner will be at Tier 5 on 09/11 \$23.44

Vote Unanimous. Motion Carried.

Correspondence from the Butte Conservation District and the SD Veterans Affairs Office was given to the commissioners.

Committee Reports

- Herman: reported that a Scottish Thistle issue has been addressed by the Weed & Pest Board and that spraying will be done.
- Walton: addressed the issue of a leak in the Administration Building. Ager said it should be presented to insurance and that he would try to find someone to fix the leak.

Motion by Ager Second by Herman to adjourn at 12:15 P.M. Vote Unanimous. Motion Carried.

Payments

SALARY

ASSESSOR'S OFFICE/PLANNING \$14,899.47, AUDITOR'S OFFICE \$14,301.15, BUILDING \$6,882.00, COMMISSIONERS \$7,945.68, DISPATCH \$27,879.63, ELECTION \$4,084.00, EM/911 \$1,730.98, EXTENSION \$2,963.20, HIGHWAY DEPT/WEED CONTROL \$36,591.30, JUDICIAL \$2,541.60, NURSE'S/WIC OFFICE \$3,656.00, REGISTER OF DEEDS OFFICE \$8,366.18, SHERIFF/JAIL DEPT \$34,145.59, STATES ATTORNEY OFFICE \$22,597.14, TREASURER'S OFFICE \$17,495.53, VETERAN SERVICE OFFICE \$1,656.80.

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$15,174.83

SDRS RETIREMENT

BUTTE COUNTY SHARE \$11,316.00

GROUP INSURANCE

BUTTE COUNTY SHARE \$75,877.82

PROFESSIONAL SERVICES

R BCHMN \$110.50, PNNINGTN CO JAIL \$46.49, QUIK SGNS \$124.55, RDWD TXCLGY LAB \$27.34, ETHRTN, F \$20.00, BARNAUD LAW FRM \$7,926.15, J QUNN \$150.00, ROYL SPRYNG \$265.31, CTY RC \$280.00, SD ASSN CO OFF \$364.00, SD SHERFFS ASSN \$202.28, K PAIG HNT \$1,250.00, SBWAY \$154.63, ARCHTCTRL SPEC \$127.55, PENNINGTN CO SHRF \$226.00, D KRNGN \$51.68, Z PRDCTNS \$395.00, SCHLMGN LAW FRM \$511.01, MNMNT HLTH \$938.82, KING, A \$20.00, NAT MED RES \$1,430.00, FST BRK \$38.00, C BRNNAN \$51.68, A CRONE \$50.84, J ENGL \$50.84, C ERK \$91.16, S KRSHR \$50.84, C ROUNDS \$54.20, E STTR \$56.72, TURN-KEY MBL \$1,850.00, D LARSN \$20.00, A OBRN \$20.00, D DVRACK \$38.90, T DAY BOY \$20.00, A-Z SHRDDNG \$20.26, P GEIS \$50.84, GREG CORNTT \$1,281.35, WLLM MOSS \$1,225.00, THE PLMBR \$254.00, SCTT PTRSN MOTRS \$57,874.00

PUBLICATIONS

BH PIONEER \$55.81

RENT/LEASE

CNTRY BSNSS PRDCTS \$1,175.17, DJ CNSTRCTN & DVLPMNT \$1,450.00

REPAIRS/MAINTENANCE

HRSRUDES \$204.97, BH WNDSHLD RPAIR \$50.00, BUTTE-LWRNCE CO FAIR \$2,500.00, CARL'S TRLR SLS \$4.51, GGT LWN SER \$1,179.23, BUTTE CO EQP \$899.45, G & R \$814.75, AUTO PROS \$51.12

SUPPLIES

OFFCE MPORM \$1,026.53, DKOTA LMBR \$160.33, SD DEPT TRANS \$4,142.40, PHSNTLND \$182.71, RUNNINGS \$15.96, LXSXNS \$312.00, THMSN RTRS-WST \$274.19, O'REILLY AUT PRTS \$107.86, AB BSNSS SLTNS \$215.67, PTNY BOWS \$354.96

TRAVEL/CONFERENCE

BF DEV CORP \$1,190.00, SD CEO WEST \$1,000.00, SDSU XTNSN \$276.22

UTILITIES

CTY OF BF \$618.14, BH NRGY \$4,213.17, MDU \$17.05, BLUPEAK \$995.62, REFUS SLTNS \$332.49, BUTTE MEADE \$65.00, AT&T \$37.98

APPROVED BY THE COMMISSION:

Kim Richards, Chairperson

ATTEST: Becky Bachman, Butte County