

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

Tuesday October 3, 2023

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on October 3, 2023. The meeting was recorded. Commissioners present were Harms, Ager, Walton, Herman, and Erk.

Motion by Walton, Second by Ager to approve the meeting agenda with no changes. Vote Unanimous. Motion Carried.

Motion by Walton, Second by Herman to approve minutes of 19Sep2023 Regular Meeting Minutes with no changes. Vote Unanimous. Motion Carried.

Motion by Ager, Second by Erk to approve the Bills for Payment as presented by Auditor Annie Capp. Vote Unanimous. Motion Carried. Approval Sheet signed by all Commissioners and Auditor.

Motion by Erk, Second by Ager 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.

Motion by Herman, Second by Erk to approve Travel Request as presented with no changes. Vote Unanimous. Motion Carried.

- Sheriff Office – Brandon Fox to attend internal investigation training in Jamestown, ND from October 8-10, 2023.

No Abatements

Beginning at 9:35 AM an opportunity for Public Comment was opened.

- Sue Broadhurst spoke on GLP Custer LLP renewal asking about the timing of the renewal and because they did not meet deadlines, asked if they had to begin the process over again. Ms. Broadhurst finished by asking commissioners to deny the application and fine the company for violating Ordinance 2021-02.
- Travis Ismay read the sections of Butte County Ordinance 2021-02 and South Dakota codified laws regarding medical cannabis. Mr. Ismay cited several sections where he believes that GLP Custer violated the ordinance and as such their license should be revoked and made to file under new ordinance.

Veterans Service Officer, Jasen Saivong, presented an activity report for August and September including recent training attended, disability compensation claims, spousal death, discharge papers, home loan assistance, and DAV transportation numbers.

Highway Administrator, Lori Johnston, presented an activity report including replacement of culverts, bridge activities, hauling gravel, finish of mowing expected current week.

Motion by Herman, Second by Erk to approve Application to Construct an Approach or Driveway to a County Road – Garrit Hix – Beet Road. Vote Unanimous. Motion Carried.

States Attorney LeEllen McCartney presented an activity report including quarterly statistics of court events such as offenses against persons, offenses against property, drug and alcohol,

sexual, law enforcement and court related, and driving offenses. SA McCartney also discussed grand jury, social services cases, current county residents in jail and charges related to inmates.

Sheriff Lamphere presented a status for the building committee. Sheriff Lamphere discussed the purchase of the ShopKo building with thoughts that Butte County is not in a position to purchase the building at this time. The Belle Fourche Police department will likely move forward based on discussions with Chief Cherveney. Sheriff Lamphere went on to say we will need to address the immediate needs of the courthouse such as roof, courtroom, and HVAC.

Auditor Capp presented an activity report including Board of Elections meeting held 27Sep2023 and provided a list of items to be sent to legislation as a result of Summer study on County funding.

Motion by Erk, Second by Herman to authorize Chairman Harms to sign Resolution in support of U.S. Sheep Industry. Vote Unanimous. Motion Carried.

Motion by Ager, Second by Heman to go into Executive Session for Legal Counsel 25-2-1 at 10:10 AM. Vote Unanimous. Motion Carried. Out of Executive Session at 10:55 AM with no action taken.

A short recess was called at 10:55 AM. Chairman Harms called the meeting back in session 11:02 AM.

Discussion was held regarding renewal application for GLP Custer LLC Manufacturing and Cultivation Licenses. There was a concern with missing information on the original and renewal application forms. While reviewing the application there were documents found that did list Butte County resident which is necessary to meet the requirements of Ordinance 2021-2.

Commissioner Ager said speaking for the board all future applications must contain all required information in the required format.

Motion by Ager, Second by Walton to approve GLP Custer LLC Manufacturing License Renewal application. A roll call vote was held with Erk – Nay , Herman – Aye, Walton – Aye, Ager – Aye, Harms - Aye. Vote four to one. Motion Carried.

Motion by Herman, Second by Walton to approve GLP Custer LLC Cultivation License Renewal application. A roll call vote was held with Erk – Nay, Herman – Aye, Walton – Aye, Ager – Aye, Harms - Aye. Vote four to one. Motion Carried.

Committee Reports were given:

- Walton – Ambulance and Weed and Pest meetings did not have any issues.
- Building – roof was patched – seems to have worked. The carpet will be replaced.
- Commissioner Ager provided a quote for the courthouse roof.
- Building committee will gather quotes for HVAC.

Unfinished Business

- Auditor Capp to follow up with Architectural Specialties on audio/video.

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

Payments

SALARY

ASSESSOR'S OFFICE/PLANNING \$9,011.02, AUDITOR'S OFFICE \$8,770.30, BUILDING \$3,851.84, COMMISSIONERS \$4,158.92, DISPATCH \$13,778.25, ELECTION \$2,113.18,

EM/911 \$913.21, EXTENSION \$1,828.00, HIGHWAY DEPT/WEED CONTROL \$28,509.61, JUDICIAL \$915.95, NURSE'S/WIC OFFICE \$1,914.40, REGISTER OF DEEDS OFFICE \$4,525.99, SHERIFF/JAIL DEPT \$21,704.54, STATES ATTORNEY OFFICE \$12,646.10, TREASURER'S OFFICE \$9,000.59, VETERAN SERVICE OFFICE \$911.25.

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,528.31

SDRS RETIREMENT

BUTTE COUNTY SHARE \$7,134.89

GROUP INSURANCE

BUTTE COUNTY SHARE \$0.00

PROFESSIONAL SERVICES

R BCHMN \$50.00, PNNINGTN CO JAIL \$3,720.00, WITNESS FEES \$100.00, SD DPT TRANS \$24,966.77, WSTRN SD JVNL SRVCS \$21,000.00, BHAVR MNGMNT \$800.00, C BRLL \$90.00, SD DPT PBLC SAFTY \$3,090.00, MNMNT HLTH \$36.73, RDWD TXCLGY \$27.34, BARNAUD LAW \$5,064.90, STRGS AMBLNCE \$58.17, K DLHOYDE \$259.20, CITY RPD CTY \$440.00, M MAY \$202.42, DUBL STAR \$6,352.68, AMG - AVRA OCCPTNL MDC \$35.18, K HUNT \$1,250.00, PNNINGTN CO PBLC DFN \$107.00, RSHMORE COMM \$7,894.57, PNNINGTN CO SHRFF \$452.00, Z PRDCTNS \$399.00, FSH WNDW CLEANING \$99.00, NATL MDCL RSOURCS \$965.00, G&R CNTRLS \$881.25, SD DPT RVNU \$362.55, TYLR \$449.00, KNNY LAW \$77.70, COUNTY DRG \$4,277.23,

PUBLICATIONS

BH PIONEER \$25.72, LXSXNS \$322.00, THMSN REUTRS-WST \$337.39, BLUE360 MEDIA \$291.72, SCHLMGN \$74.90

RENT/LEASE

A&B BSNSS SLUTNS \$239.19, CNTRY BSNSS PRDCTS \$1,088.34 DJ CNSTRCTN & DVLPMNT \$1,450.00

REPAIRS/MAINTENANCE

SCTT PETRSN MOTRS \$117.05, LNDSTD'S ALIGNMNT \$75.00, KONE \$479.01, ATLS XTERIORS \$7,289.83

SUPPLIES

MCLEODS \$229.56, OFFCE MPORM \$396.62, DKOTA LMBR \$426.56, VFW POST 3312 \$35.00, CBH \$3,620.71, O'REILLY AUTO PARTS \$186.84, GROSSNBURG IMPLEMENT \$17.53, SIGN SLUTNS \$170.33

TRAVEL/CONFERENCE

SDACC \$40.00, QUALTY INN \$985.60

UTILITIES

CITY OF BF \$953.08, BLACK HILLS ENERGY \$692.72, MDU \$284.75, BLUPEAK \$298.73, AT&T \$36.67, CENTRYLNK \$30.10

APPROVED BY THE COMMISSION:

Stan Harms, Chairperson

ATTEST: Annie Capp, BC Auditor