

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

**Tuesday, December 20<sup>th</sup>, 2022**

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 6:00 P.M. on December 20<sup>th</sup>, 2022. Commissioners present were Richards, Ager, Walton, Herman. Absent Harms

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

Motion by Ager Second by Herman to approve the meeting agenda with two changes (Executive Session under States Attorney and Retention Bonus for Dispatch under Auditor).  
Vote Unanimous. Motion Carried

Motion by Walton Second by Herman to approve the Regular Scheduled Minutes from December 6<sup>th</sup>, 2022, with no changes, Vote Unanimous. Motion Carried

Motion by Ager Second by Walton to approve the Auditor's Monthly Settlement with Treasurer.  
Vote Unanimous. Motion Carried.

**AUDITOR'S MONTHLY SETTLEMENT WITH TREASURER  
BUTTE COUNTY  
November 30, 2022**

**CHECKING/SAVINGS ACCOUNTS**

Wells Fargo Checking	\$	103,316.74	
First Interstate Bank	\$	2,872,378.18	
Pioneer Bank & Trust	\$	<u>50,947.29</u>	
Total Checking/Savings Accounts	\$		3,026,642.21

**INVESTOR ACCOUNTS**

Pioneer Bank and Trust		918,782.25	
First Interstate Bank Account		<u>1,509,204.83</u>	
Total Investor Accounts	\$		2,427,987.08

**CERTIFICATE OF DEPOSIT**

First National Bank	\$	2,744,055.33	
Pioneer Bank & Trust		<u>1,000,000.00</u>	
Total Certificates of Deposit	\$		3,744,055.33

Cash on Hand	\$		<u>1,745.00</u>
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<b>TOTAL CASH ACCOUNTS</b>	\$		<u><u>9,200,429.62</u></u>
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Insufficient Fund Checks In-process	\$		<u>0.00</u>
Total General Ledger Balance	\$		9,200,429.62

<u>/s/: Annie Capp</u>	<u>12/19/22</u>
COUNTY AUDITOR SIGNATURE	DATE

<u>/s/: Debra Lensegrav</u>	<u>12/19/22</u>
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COUNTY TREASURER SIGNATURE      DATE

Motion by Herman Second by Ager to approve the County Lien Report. Vote Unanimous.  
Motion Carried.

**LIEN REPORT  
BUTTE COUNTY**

	<i><b>EXPENSES</b></i> <i><b>Nov 2022</b></i>	<i><b>EXPENSES</b></i> <i><b>YTD</b></i>	<i><b>RECOVERED</b></i> <i><b>OCT 2022</b></i>	<i><b>RECOVERED</b></i> <i><b>YTD</b></i>
<b>CAA/PUBLIC DEFENDER</b>	\$ 17,110.58	\$ 181,690.08	\$ 2,042.22	\$ 42,817.85
<b>JAIL</b>	\$ 31,553.34	\$ 254,909.10	\$ 1,615.00	\$ 29,004.26
<b>POOR LIEN</b>	\$ 0.00	\$ 3,314.74	\$ 165.62	\$ 540.62
<b>REGIONAL JUVENILE DETENTION</b>	\$ 2,062.50	\$ 8,327.00	\$ 0.00	\$ 0.00

Motion by Ager Second by Walton to approve payment of Bills per Printout as presented by Auditor Annie Capp with no changes. Vote Unanimous. Motion Carried. Approval Sheet signed by all Commissioners and Auditor.

Motion by Herma 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 Ager Second by Herman to approve the Register of Deeds Report. Vote Unanimous. Motion Carried

Travel Request/s: None  
Abatements: None

Highway Administrator Lori Johnston presented an activity report including moving of snow and discussed invoice received on the Lawrence County Highway shared cost for Bridge # 41-110-008 @ \$106,082.32. No Action.

Motion by Herman Second by Walton to approve Order for Consultant Services – LGA-161-20 – Viken Road St# 10-280-349 over Horse Creek. Vote Unanimous. Motion Carried. Bids will be done 2023, work to begin 2024

Beginning at 6:15 PM the following citizens appeared during the Public Comment Session:

- Dale Simanton talked about a screen shot shown to him on Facebook regarding 6' tall marijuana plants. Mr. Simanton mentioned that attorneys cannot profit from violations of Federal laws, and this should be kept in mind when renewing applications. Mr. Simanton encouraged Commissioner Ager to apologize to Ms. Hoffman regarding 06Dec2022 meeting.
- Katie Hoffman brought State of SD Boards and Commission Meeting Guidelines and mentioned several items including open meeting laws, removal of public from meetings, recording of meetings, freedom of speech, and minutes. Ms. Hoffman also shared her beliefs regarding cannabis, spending, draft ordinances, and view on freedom of speech.
- Travis Ismay - apologized to K. Hoffman for taking her time during public comment on 06Dec. Mr. Ismay encouraged continuing having evening meetings, holding meetings in Courtroom, and use of metal detector.
- Brandon Manger – discussed three issues related to cannabis facilities – water usage, pesticides, riffraff. Mr. Manger gave background on his family and knowledge of cannabis industry. Manger shared documents and statistics regarding usage of water, soil, fertilizers, products used in their facility, and material safety data sheets.

Beginning at 6:30 a Public Hearing for Wagon Wheel Weddings LLC - New Application for Retail (On-Off Sale) Malt Beverage & SD Farm Wine, Retail (On-Off Sale) Wine & Cider, and Sunday Sales

- Auditor Capp provide application and documents submitted by Wagon Wheel Weddings LLC.
  - No one from the public provided comments

Motion Herman, Second Ager to send back to approve Wagon Wheel Weddings LLC - New Application for Retail (On-Off Sale) Malt Beverage & SD Farm Wine, Retail (On-Off Sale) Wine & Cider, and Sunday Sales. Vote Unanimous. Motion Carried

Motion Ager, Second Walton to approve and authorize Emergency Manager Fred Lamphere's signature of Acknowledgement of LOMR as presented by Director of Equalization Donna Jones. Vote Unanimous. Motion Carried.

Sheriff Lamphere discussed the Emergency Manager Administrative Assistant position. Motion by Walton Second by Herman to approve offering Jasen Saivong the position at annual salary of \$11,151.40 beginning Jan 1, 2023. Vote Unanimous. Motion Carried.

State's Attorney LeEllen McCartney presented the State's Attorney office activity report including criminal activities, grand jury cases, number of people in confinement, civil activities. SA McCartney is researching how to gather information from system so statistics can be shared with commission board. Cases scheduled during the storm were postponed and rescheduling is being done with all involved. Tax Certificate sales were held 19Dec with five certificates sold.

Auditor Capp presented an activity report including status of Levies, end of year activities, cross training, and 2023 scheduling.

Auditor Capp discussed recent changes to county health insurance agreements with Wellmark and Sunlife. Financial savings also shared based on going direct vs using an agent.

Motion Walton, Second Ager to approve Auditor Capp sign Software as Services Agreement with Tyler Technologies to upgrade Incode from 9 to Incode 10, including cloud services. Vote Unanimous. Motion Carried.

Motion Walton, Second Ager to approve \$500.00 retention bonuses to dispatch employees Crystal Rath, Katie Thompson, and Bailey Bauer. Vote Unanimous. Motion Carried. Sheriff Lamphere shared the reasoning and need for compensation.

Committee Reports were given

- Richards: Ambulance meeting moved to 22Dec
- Ager: Fair board meeting held early December.
- Walton: EDC Meeting held via Zoom – a lot of discussion regarding the railroad. Underbudget so some money will be returned to the county at a later date.
- Herman: Weed and pest meeting held - the county will not be applying for grants this year and a new board member will be starting in Jan
- Capp gave an overview of Dec 12<sup>th</sup> meeting with new Secretary of State M. Johnsen

### **Old Business**

- Audio visual recording – options will be presented on some options for commissioners during 30Dec meeting.
- Request for proposal will be going out for updating county website in 2023

### **New Business**

- Belle Fourche Leadership session with County to be rescheduled for February

- The request for office space by Shawn Burke, Executive Director of Western South Dakota Community Action was discussed. Capp will ask Mr. Burke to attend a future meeting and review potential space in old jail.
- Dec 30<sup>th</sup> draft agenda presented to commissioners with addition of audio/vision discussion

Motion Herman by Second by Ager to adjourn the meeting at 7:16 p.m. Vote Unanimous.  
Motion Carried.

## **Payments**

### **SALARY**

ASSESSOR'S OFFICE/PLANNING \$7,782.87, AUDITOR'S OFFICE \$8,310.52, BUILDING \$3,424.66, COMMISSIONERS \$3,927.84, DISPATCH \$12,894.27, ELECTION \$1,154.93, EM/911 \$890.36, EXTENSION \$1,481.60, HIGHWAY DEPT/WEED CONTROL \$19,237.45, JUDICIAL \$2,414.96, NURSE'S/WIC OFFICE \$1,828.00, REGISTER OF DEEDS OFFICE \$5,707.89, SHERIFF/JAIL DEPT \$23,071.80, STATES ATTORNEY OFFICE \$11,955.09, TREASURER'S OFFICE \$8,888.57, VETERAN SERVICE OFFICE \$788.95.

### **COUNTY SHARE FICA**

BUTTE COUNTY SHARE \$8,382.01

### **SDRS RETIREMENT**

BUTTE COUNTY SHARE \$6,372.36

### **GROUP INSURANCE**

BUTTE COUNTY SHARE \$31,362.16

### **PROFESSIONAL SERVICES**

SD SCRTRY OF STATE \$30.00, ALLRT NSRNCE \$60.00, SD PBLC HLTH LAB \$40.00, R BCHMN \$50.00, PNNINGTN CO JAIL \$2,635.00, SRVLL \$1,016.21, SDACC \$2,486.00, D-WARE \$4,350.00, YNKTN CO SHRFF \$50.00, TYLR TECH \$25,449.04, SD DEPT OF TRANS \$25,739.32, ES&S \$3,203.76, WESTRN SD JUVNLE SRVCS \$5,510.00, MEADE CO AUDTR \$34,000.00, CHRS BRLL \$126.00, ROYL LAWN CARE \$1,265.00, LUCY LEWNO \$156.57, BARNAUD LAW \$6,038.30, SDACO \$1,264.25, DOUBL STAR \$4,583.81, KONE \$463.04, SD SHRFFS ASSOC \$807.29, DARCY LCKWD \$12.00, PNNINGTN CO SA \$215.00, SD STATE'S ATTY ASSOC \$972.00, NLSN LAW \$1,459.70, Z PRODUCTIONS \$ 395.00, MNMNT HLTH \$251.00, NATL MDCL RSRCS \$245.20, ALPINE MPRSSNS \$271.00, DANR \$200.00, VAL LARSON \$12.00, SD STATE 4-H OFFCE \$960.00, STTRWHITE THRPY \$400.00, BRMNGHM & CWACH LAW \$339.95, PWRPHONE \$728.00, E-Z FAB \$2,406.54, CO DRG \$385.63

### **PUBLICATIONS**

BH PIONEER \$1,684.25

### **RENT/LEASE**

CLLIGN \$40.00, BH PURE \$154.00, CNTRY BSNSS \$277.47

### **REPAIRS/MAINTENANCE**

BUTLR MCHNRY \$1,978.79, FRNTIER GLSS \$481.68, WST TIRE \$2,489.25, NWLL SRVCE CNTR \$16.90, BICKLS \$663.97, ALLSTATE PETRBLT \$1,040.80, AUTO PROS \$7.47, CORNTT CNSTRCTN \$465.42, BARBARA UDGR \$100.00

### **SUPPLIES**

LYNN'S DKOTAMART \$109.44, STRDVNT'S \$995.06, OFFCE MPORM \$69.44, SAND CREEK PRINTING \$2,180.36, STEREOS N STUFF \$35.98, BIG SKY COMM \$528.00, RNNINGS \$8,077.14, FRST INTRSTATE-MASTR CARD \$3,175.48, CBH \$27.75, MCHLL

MAY \$189.15, CARL'S TRAILR SALES \$50.70, NWLL HARDWARE \$38.28, PRAIRIE  
AUTO PARTS \$150.52, SIGN SLUTNS \$292.22, PTNY BOWS \$182.58, HLLYRD  
\$605.26, MG OIL \$17,690.44

**TRAVEL/CONFERENCE**

RAMKOTA \$103.28, FNDNG FNDATNS \$398.00, SDSU XTNSN \$170.51

**UTILITIES**

BH NRGY \$496.16, MDU \$3,080.08, BUTTE ELCTRC \$318.64, AT&T \$1,016.15,  
BLUEPEAK \$1,692.00, TOWN OF NSLND \$75.76, GOLDN WST \$23.45, CNTRYLNK  
\$1,490.52

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APPROVED BY THE COMMISSION:

Kim Richards, Chairperson

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ATTEST: Annie Capp, Butte County

Auditor