

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

Tuesday, January 3, 2023

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on January 03, 2023. Commissioners present were Harms, Herman, Ager, Walton, and Richards. Also present were Chad Erk, Julie Brunner, Fred Lamphere

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

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

Motion by Walton Second by Herman to approve the Regular Scheduled Minutes from December 20, 2022 (one change remove "send back to"), and Special Scheduled Minutes from December 30, 2022, (motions on Fire dept allocation to Harms and Walton). Vote Unanimous. Motion Carried.

Commissioners gave Committee reports.

- Ager: Fair board did not meet due to weather
- Harms: Planning did not meet in Dec due to weather
- Richards: Ambulance changed insurance coverage, changes to treasurer, Commissioner Richards commended Sherry Hocking for going above and beyond during the storm, staying at the ambulance barn for six days.
- Capp: LEPC meet 28Dec2022 to discuss improvements, speakers and

Unfinished Business: Chairperson Richards asked if there was any unfinished business for 2022. There was discussion on insurance claims due to the storm.

Old Business: Commissioner Richards gave a State of the County including the following:

- Timeline of marijuana ordinance and those involved in drafting the rules and regulations provided to state and County's use of guidelines to draft the ordinance.
- An overview of water usage and the authority for enforcement of regulations.
- Information on research he did and enforcement of laws by Department of Health specifically addressing potential for
- Discussed the wages of commissioners and the budgeted amounts and similar board compensation.
- Overview of the budget and process for approval. He also discussed the responsibilities of the commissioners regarding to the budget and emergency expenditure requirements.

No new business was provided

Motion by Ager Second by Herman to close the 2022 year at 9:53 a.m. Vote Unanimous. Motion Carried.

Break was called until Judge Day arrived

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Judge Day provided the Oath of Office for newly elected officials

- a. Butte County Commissioner - District 1 - **James Ager** - Four Year Term
- b. Butte County Commissioner - District 3 - **Chad Erk** - Four Year Term
- c. Butte County Commissioner - District 5 - **Frank Walton** - Four Year Term
- d. Butte County Sheriff/Coroner - **Fred Lamphere** - Four Year Term
- e. Butte County Auditor - **Annie Capp** - Four Year Term
- f. Butte County Register of Deeds - **Julie Brunner** - Four Year Term

Chairperson Richards stated that the Reorganization for 2022 was to commence.

Chairperson Harms called for nominations for 2023 Commission Chairperson.

Commissioner Ager nominated Commissioner Harms to be the 2023 Commission Chairperson, Second, by Walton. Motion by Ager, Second by Herman for nominations to cease and a unanimous vote cast for Commissioner Harms. Motion Carried.

Commissioner Herman nominated Commissioner Ager to be the 2023 Commission Vice Chairperson, Second by Walton. Motion by Herman, Second by Walton for nominations to cease and a unanimous vote cast for Commissioner Ager. Motion Carried

Chairman Harms called for public comment.

- Nevada Ellison spoke on his stance on medical marijuana and provided his personal background. Mr. Ellison said they are here to help and will follow the law strictly.
- Travis Ismay requested that commissioners consider lowering the compensation for commissioners after overview of budgeted amount, voiced concern with length of time for Executive Sessions, and noted discrepancies in time allowed for speakers during 20Dec2022 public comment session.

Chairman Harms distributed the Commission Appointments for 2023 – corrections were made to the Weed and Pest board.

2023 COMMITTEE APPOINTMENTS

EXTENSION	Karrol Herman
AMBULANCE	Karrol Herman and Frank Walton
DISPATCH ADVISORY BOARD	Stan Harms Alternate: Frank Walton
B.H. COUNCIL OF LOCAL GVT	Karrol Herman Alternate: James Ager
COUNTY BUILDINGS	James Ager and Frank Walton
RESOURCE & CONSERVATION DEVELOP	Chad Erk

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JAIL & JUVENILE SERVICE	Frank Walton and Karrol Herman
B.F. ECONOMIC DEVELOPMENT	Frank Walton
BUTTE-LAWRENCE COUNTY FAIR BOARD	Chad Erk
WEED & PEST BOARD	James Ager Belle Fourche Rep: Frank Walton
HIGHWAY/TRANSPORTATION COMMITTEE	Frank Walton and Karrol Herman
PLANNING COMMISSION	James Ager Alternate: Karrol Herman
TIF COMMITTEE	Stan Harms

Chairperson Harms called for a motion to establish Commission meeting times for the 2023 year.

Motion Walton to leave meeting times as is, motion died for lack of second.

Discussion was had on Commission meeting times. Motion by Ager Second by Herman to establish the Commission meeting times on the first Tuesday of each month beginning at 9:30 a.m., the third Tuesday of each month beginning at 1:00 p.m. and three evening meetings to replace 3rd Tue meeting on March 21st, June 20th, and September 19th at 6:00 pm. 1st meeting in July will be Thu July 6th at 9:30 am. Commissioners. Roll Call Vote: Harms Nay, Ager Aye Walton Nay, Herman Aye, Erk Aye. Motion Carried.

** March 21st evening meeting changed to March 7th to allow Commissioner Ager to attend.

Chairperson Harms asked SA McCartney if it was legal to have an official depository outside of the county. Auditor Capp gave history of reason for funds in bank outside of county.

Motion Walton, Second Ager to table Resolution 2023-01 while States Attorney McCartney researched statutes regarding Official Depositories

Motion by Ager, Second by Herman to pass Resolution 2023-02 *Naming Deputies & Clerks*.
Vote Unanimous. Motion Carried.

RESOLUTION 2023-02
Naming Deputies & Clerks

WHEREAS, under SDCL 7-7-20 if in the judgment of the Board of County Commissioners it shall be deemed necessary for the office of County State's Attorney, County Treasurer, County

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Auditor, and Register of Deeds to have deputies or clerks to assist in the daily operations of their offices, and

WHEREAS, the volume and work load of these offices exceed the abilities of one single individual, and

WHEREAS, the Butte County Fiscal Year 2023 Budget has funds allocated for the deputy or clerk positions, and

WHEREAS, the fixed number of deputies or clerks to be employed, the time of employment and compensation which they shall receive must be set,

BE IT THEREFORE RESOLVED, the Butte County Board of Commissioners authorize the County State's Attorney to employ two full full-time deputies, three full-time clerks, the County Auditor's office to employ two full-time deputies, and two full-time clerks, the Register of Deeds office to employ a full-time deputy and the County Treasurer's office to employ a full-time deputy, three full-time clerks for the fiscal year 2023 at the compensation rate as established in the Year 2023 Wage Resolution.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Walton Second by Ager to pass Resolution 2023-03 *To Establish a Disbursement Schedule for Funds Paid Out*. Commissioner Erk would like to discuss with possible changes to some amounts during 2024 budgeting sessions. Vote Unanimous. Motion Carried.

RESOLUTION 2023-03

To Establish a Disbursement Schedule for Funds Paid Out

WHEREAS, each budget year over a half dozen entities receive funds from Butte County's Fiscal Budget, and

WHEREAS, the request for these budgeted funds are as the entities deem and the request for funding are not always timely, and

WHEREAS, in order to eliminate future cash flow and revenue problems and to improve the financial and managerial controls of County Funds and to provide the entities receiving funds for the fiscal year 2023 a firm payment schedule to work with,

BE IT THEREFORE RESOLVED that the established schedule of payments and amounts are authorized for automatic payment with the mid monthly payments:

25% County Road Reversion

to Cities & Towns

Teen Court

Prairie Hills Transit

One payment of \$12,523.00 in January.

One payment of \$5,000.00 in January.

One payment of \$6,000.00 in January.

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Compass Point	One payment of \$1,500.00 in January.
CASA	One payment of \$5,720.00 in January.
Action for the Betterment of the Community	One payment of \$1,500.00 in January.
County Fair	One payment of \$10,000.00 in May.
Artemis House	Four payments of \$962.50 each in March, June, September and December.
Soil Conservation	Two payments of \$1,250.00 each in April and August.
Fire	Two payments of \$27,076.00 each in June & December.
Ambulance	Up to \$94,652 contribution, payment to be made upon Butte County Commission approval.
Community Health Nurse	Four quarterly payments per State billings.
Predatory Animal	Twice a year as prescribed by law and billed by the State.
Library Services	One payment of \$6,297 to the City of Belle Fourche on or before January 20, 2023.
	One payment of \$3,778 to the City of Newell on or before January 20, 2023.
B.F. Economic Development	One payment of \$25,000.00 in May
B.H. Council of Local Govt	One payment of \$5,330.00 in May
BF Chamber of Commerce	One payment of \$20,000.00 in May.
Planning Commissioners	One payment of \$750.00 for each at-large Planning Commissioner in December.
Weed Board	One payment of \$300.00 for each at-large Weed Commissioner in December.

Dated this 3rd day of January 2023.

/s/ Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/ Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Herman Second by Ager to pass Resolution 2023-04 *Name of Official Newspaper for Legal Publication*. Vote Unanimous. Motion Carried.

RESOLUTION 2023-04
Name Official Newspaper for Legal Publication

WHEREAS, under SDCL 7-18-3 the Board of Commissioners are required to designate three (3) legal newspapers in the County, or in case there are not three (3) legal newspapers within the county, then as many as are legal, as the official newspapers for the County, for publication of Commissioner's proceedings and notices and

WHEREAS, SDCL 7-18-3 requires the designation of the County's official newspaper be made at the first meeting in January in each year, and

BE IT THEREFORE RESOLVED, that the Butte County Board of Commissioners name the Black Hills Pioneer as the official newspaper for the year 2023.

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BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Walton, Second Herman to pass Resolution 2023-05 *Establish Election Polling Locations*. Vote Unanimous. Motion Carried.

RESOLUTION 2023-05
Establish Election Polling Locations

WHEREAS, under SDCL 12-14-1 each year the County Board of Commissioners are required to establish the election polling locations for the upcoming year, and

WHEREAS, THE Butte County Auditor's Office has recommended the following polling locations for the year 2023:

Absentee Voting:

Upon availability of ballots until 5:00 P.M. the day prior to Election Day-
Butte County Auditor's Office in the Butte County Administration Building

Election Day Voting:

Belle Fourche Wards & Precincts 1, 2, 3, 4	Belle Fourche Community Hall
Romans #11	Belle Fourche Community Hall
Minnesela #16	Belle Fourche Community Hall
Fruitdale #17	Belle Fourche Community Hall
Union #8, Horsecreek #13 & Newell Independent #14	Newell City Hall
Newell #20	Newell City Hall
Castle Rock #6	Newell City Hall
Orman #12 and Nisland #18	American Legion Hall-Nisland

BE IT THEREFORE RESOLVED, that the Butte County Board of Commissioners approve the above named election polling places for the year 2023.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

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Motion by Herman, Second Walton to pass Resolution 2023-06 *Establishment of Annual Wages for Fiscal Year 2023* with three changes (Thomas Meyers additional wage as 24/7 supervisor, Lincoln Gibbs step 3 wage, Kelly Keegan Tier 2 wage). Vote Unanimous. Motion Carried. *corrected data listed below

RESOLUTION 2023-06

Establishment of Annual Wages for fiscal year 2023

WHEREAS, in accordance with SDCL 6-1-10, a list of annual salaries for Butte County Officials and employees for the Year 2023 must be published, and

BE IT THEREFORE RESOLVED, that the following list is the annualized salaries and hourly pay rates for Butte County employees in the Year 2023.

Salary employees: McCartney, LeEllen - States Attorney \$106,000.18, Tarbay, Edward - Deputy States Attorney \$84,000.02, Lamphere, Fred – Sheriff \$78,836.68, Emergency Manager \$9,743.50, Brunner, Julie – Register of Deeds \$64,219.48, Lensegrav, Deb - Treasurer \$62,721.88, Annie Capp – Auditor \$61,224.28 – Additional Duties \$12,600.12, Jones, Donna – Director of Equalization \$61,224.28, Planning Director \$2,754.18, March, Jason –Chief Deputy Sheriff \$59,146.36, E-911 Assistant \$2,754.96, Myers, Thomas W - Deputy Sheriff, \$52,214.76 \$3,000 24/7 Supervisor, Gibbs, Lincoln - Deputy Sheriff \$50,715.08, Fox, Brandon J - Deputy Sheriff \$52,214.76, Saivong, Jasen - Veteran Service Officer \$21,538.40, EM Administrator \$11,157.90, Ager, James – Commissioner \$19,106.36, Erk, Chad - Commissioner \$19,106.36, Harms, Stanley – Commissioner \$19,106.36, Herman, Karrol - Commissioner \$19,106.36, Walton, Frank – Commissioner \$19,106.36, Commissioners' Technology Allowance \$1,800.00 per year.

Hourly employees: Bachman, Becky \$20.86 + \$114.75 per pay period – Building Maint., Bauer, Bailey \$22.70, Cooper, Kim \$19.95, Crockford, Jodi L \$15.73, Day, Julia \$22.70, Fox, Krinda \$23.93, Freed, Dennis \$24.67, Hale, Cassandra L \$15.73, Hanzlik, Colin \$18.50, Heidrich, Dwayne \$31.48, Heidrich, Sandra \$20.86, Hendrickson, Ragine \$23.21, Jensen, Heidi \$20.31, Johnston, Lorita \$25.70, Keegan, Kelly \$26.42, Kiley, Clara \$23.21, Kindsfater, Mary Elizabeth \$21.85, Larson, Mark D \$21.51, Lewis, Cynthia A \$19.95, Linares, Lexy \$19.30, Mahaffy, Lonnie \$21.51, Mayes, Cyndi J \$16.96, Mitchell, Kenneth \$24.83, Monier, Marc \$21.51, Nelson, Gerald \$29.12 + \$20.31 per hour - part time custodial, Nelson, Jobe \$20.31, Nelson, Lisa \$27.35, Nelson, Twyla \$21.94, Nemire, Karen \$19.95, Ramirez, Johnna \$20.86, Rath, Crystal \$23.06, Dispatch Coordinator, + \$246.85 per pay period, Riley, Cindy \$22.85, Roberts, Paula \$21.58, Scheller, Siri \$19.95, Smith, Anthony \$23.92, Stuen, Kordell \$21.76, Tesch, Krystal A \$19.30, Thompson, Katy \$22.70, Thompson, Mary \$19.95, Welles, Amy \$22.85, Wilson, Cristina \$22.49, Planning Commissioners \$750.00 per year, Coroner \$175.00/call, Guards/Matron \$15.73/hour, part time Certified Law Enforcement \$18.54/hour, Election Workers \$25.00/school - Deputy \$175.00/election – Superintendent \$225.00/election.

General Staff

Skill Level 1 Starting \$16.96– step 2 \$17.96 – step 3 \$18.95– after 9-12 months \$19.95.

Skill Level 2 Starting \$17.73– step 2 \$18.77 – step 3 \$19.82– after 9-12 months \$20.86.

Skill Level 3 Starting \$19.12– step 2 \$20.24 – step 3 \$21.37– after 9-12 months \$22.49.

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Dispatch Center

Starting \$19.30 – step 2 \$20.43 – step 3 \$21.57 – after 9-12 months \$22.70.

Highway Hourly Rates

Starting \$21.51 – Skill Level 1 \$21.76 – Skill Level 2 \$22.07 – Mechanic - \$24.47 – Skill Level 3 \$23.95, Foreman \$23.56.

Butte County Employees rates are adjusted an additional \$0.36/hour at 6, 11, 16, and 21 years of service.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Ager Second by Herman to pass Resolution 2023-07 *Worker's Compensation Declaration*. Vote Unanimous. Motion Carried.

RESOLUTION 2023-07

Worker's Compensation Declaration

WHEREAS, the elected and appointed officials of Butte County are included in the annual Worker's Compensation wage calculations and insurance premiums, and

WHEREAS, SDCL 62-1-3/4 states that elected and appointed officials may be covered under Worker's Compensation if so determined by the County Board of Commissioners, and

BE IT THEREFORE RESOLVED, that the Butte County Board of Commissioners do elect to treat elected and appointed officials of Butte County as employees for the purpose of Worker's Compensation as defined under Chapter 62-1 of the SDCL.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

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Motion by Ager Second by Erk to pass Resolution 2023-08 *Naming of Butte County Sheriff Deputies*. Vote Unanimous. Motion Carried.

RESOLUTION 2023-08
Naming of Butte County Sheriff Deputies

WHEREAS, the Butte County Sheriff's Office has established a reserve sheriff deputy staff, as well as a fulltime deputy staff according to the South Dakota Law Enforcement Board of Standards, and

WHEREAS, the following individuals have been awarded certificates of achievement from the State of South Dakota Law Enforcement Board of Standards, and

WHEREAS, these individuals have been deputized by the Sheriff of Butte County,

WHEREAS, Jason March serves as full-time Chief Deputy Sheriff, and Thomas Myers, Lincoln Gibbs, and Brandon Fox serve as full-time Deputy Sheriff Officers in Butte County and

WHEREAS, Jodi Crockford and Colin Hanzlik serve as Civil/Transport Deputy Officers, and

WHEREAS, Cassandra Hale and Jodi Crockford serve as 24/7 Technicians,

WHEREAS, Butte County Sheriff Fred Lamphere does recommend to the Board of Butte County Commissioners that all officers are in good standing,

BE IT THEREFORE FURTHER RESOLVED, that the Butte County Board of Commissioners upon the recommendation of the Sheriff of Butte County do hereby appoint all deputies in good standing as either volunteer reserve or full-time sheriff deputies in Butte County as stated above, and

BE IT THEREFORE FURTHER RESOLVED, that all the above deputies shall be classified as county employees and shall be covered under Worker's Compensation as defined under Chapter 62-1 of the SDCL.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Herman, Second Walton to pass Resolution 2023-09 *Establishment of Travel Expenditure Rates*. Vote Unanimous. Motion Carried.

RESOLUTION 2023-09
Establishment of Travel Expenditure Rates

WHEREAS, since the cost of fuel, meals, lodging and travel, in general, are ever increasing, and

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WHEREAS, the County Commissioners are required to review the rate of reimbursement annually, and

WHEREAS, the County Commissioners have the duty and authority to establish the County reimbursements methods and rates, and

BE IT THEREFORE RESOLVED, that the Butte County Board of Commissioners set the mileage rate for usage of personal vehicles for County business based at the state rate of \$0.51 per mile, overnight lodging shall be set at the least cost of available room.

In-State Lodging \$75.00 + tax and Out-of-State Lodging \$175.00 + tax. Meal rates based at the state rate for breakfast, lunch and dinner shall be the actual cost up to a maximum (In-State) of: breakfast \$6.00, lunch \$14.00 and dinner \$20.00 and maximum (Out-of-State) of: breakfast \$10.00, lunch \$18.00 and dinner \$28.00. All travel expenditures shall be submitted on a county travel voucher to the Auditor/Treasurer for review and payment.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Walton Second by Ager to pass Resolution 2023-10 *Butte County Investment Policy*.
Vote Unanimous. Motion Carried.

RESOLUTION 2023-10
BUTTE COUNTY INVESTMENT POLICY

WHEREAS the Butte County Treasurer is responsible for the safekeeping of county monies, the investment of county monies and the availability of county monies,

AND WHEREAS the County Treasurer must work in close cooperation with the County Auditor and County Commissioners,

AND WHEREAS the County Treasurer wishes for the input of the County Commissioners in administering these duties,

NOW THEREFORE BE IT RESOLVED according to SDCL 4-5-8, that the county treasurer use the banks designated by the Butte County Commissioners as official depositories for savings accounts, checking accounts and certificate of deposits,

AND that the County Treasurer invest in savings accounts, certificate of deposits, and US treasury bonds as she finds advantageous in the interest of county monies,

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AND that all interest earned, be deposited into the county's general fund or be reinvested into the certificate of deposit and savings account.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Walton Second by Ager to pass Resolution 2023-11 *Designate Engineering Firm*.
Vote Unanimous. Motion Carried.

RESOLUTION 2023-11
Designate Engineering Firm

WHEREAS, the Board of Commissioners are to designate an engineering firm to represent and advise Butte County and

WHEREAS, Butte County has a standing business relationship with Brosz Engineering and

WHEREAS, Brosz Engineering is currently the Engineering Firm on numerous Butte County Road and Bridge Projects,

BE IT HEREBY RESOLVED, that Brosz Engineering shall be named as the designated Engineering firm for Butte County for the year 2023.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Walton Second by Herman to pass Resolution 2023-12 *PILT Money*. Vote Unanimous. Motion Carried.

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**BUTTE COUNTY
RESOLUTION 2023-12
PILT MONEY**

The Butte County Board of Commissioners will designate the PILT payment to the 2023 Budget. The PILT payment will be receipted into General Fund.

Passed and approved this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Walton, Second Ager to pass Resolution 2023-13 *Butte County Weight Per Axle Limits*. Vote Unanimous. Motion Carried.

**RESOLUTION 2023-13
BUTTE COUNTY WEIGHT PER AXLE LIMITS**

WHEREAS, the County of Butte, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction,

WHEREAS, it appears that said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restrictions as to the weight of vehicles are imposed, and

NOW, THEREFORE, pursuant to SDCL 32-14-6 and any laws amendatory thereto, be it resolved that effective March 1, 2023, through April 30, 2023, the load limit on all Butte County oil roads will be posted at 6 ton per axle.

1. Arpan Road - 4 Miles
2. Fruitdale Road – 2 Miles
3. Gray Road – 1.1 Miles
4. Halle Rae Road – 0.5 Miles
5. Helmer Road from Snoma South to Ziebach - 1.5 Miles – **Posted 6 ton per axle year round**
6. Orman Road - 1 Mile
7. Sourdough Road - 1 Mile
8. Valley Township Road - 6 Miles

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9. Ziebach Road
10. Snoma Road from city limits east to McCoy Road – 1.3 miles

IT IS FURTHER RESOLVED; that there shall be erected and maintained signs designating provisions of this resolution as provided by state law and that this resolution shall not be effective until or unless such signs are erected and maintained.

IT IS FURTHER RESOLVED; that the County of Butte shall request the South Dakota Highway Patrol to enter the County of Butte to ensure compliance with State Laws pertaining to vehicle weight and with the weight laws established by this resolution.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/: Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/: Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Walton Second by Erk to pass Resolution 2023-14 *For the Establishment of a Fee to be Charged upon Redemption of a Tax Certificate*. Vote Unanimous. Motion Carried.

**RESOLUTION 2023-14
FOR THE ESTABLISHMENT OF A FEE TO BE CHARGED UPON REDEMPTION OF A TAX
CERTIFICATE**

WHEREAS, upon redemption of a certificate that has been sold or assigned to a purchaser other than the county, a fee shall be paid to the Butte County Treasurer by the certificate holder and the fee shall not exceed fifty dollars.

BE IT HEREBY RESOLVED BY THE BUTTE COUNTY BOARD OF COMMISSIONERS

Section 1: Pursuant to SDCL 10-23-8, the Butte County Board of Commissioners hereby establishes a fee to be charged upon the redemption of a tax certificate. The fee shall be fifty dollars and shall be paid by the redeeming party to the Butte County Treasurer.

Section 2: The Butte County Treasurer shall charge this fee upon the redemption of all certificates sold as set forth in SDCL 10-23-8.

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BOARD OF BUTTE COUNTY COMMISSIONERS

/s/ Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/ Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

Motion by Herman Second by Erk to pass Resolution 2023-01 *Establish Official Depositories*.
Commissioner Harms asked for legal advice on depository out Vote Unanimous. Motion
Carried.

RESOLUTION 2023-01
Establish Official Depositories

WHEREAS, SDCL 7-20-13 requires the County Board of Commissioners to approve the designation of each depository for the deposit of county funds, and
WHEREAS, several different financial institutions are doing business in Butte County and meet the requirements established under SDCL Chapter 7-20, and
WHEREAS, the Butte County Treasurer has requested the following financial institutions be designated as official depositories for the fiscal year 2023: Pioneer Bank & Trust 700 State Street, Belle Fourche, SD, First Interstate Bank 41 5th Avenue, Belle Fourche, SD, Northern Hills Federal Credit Union 504 Grant Street, Belle Fourche, SD, Highmark Federal Credit Union 1842 5th Avenue, Belle Fourche, SD, First National Bank 217 Girard Avenue, Newell, SD, and
WHEREAS, Butte County had maintained funds in Wells Fargo Bank South Dakota prior to the bank's move to Spearfish, SD and
WHEREAS, it is necessary to maintain County funds in Wells Fargo Bank South Dakota, Spearfish, SD to allow for clearance of all County transactions, and
BE IT THEREFORE RESOLVED, that the Butte County Board of Commissioners designate the above named financial institutions as official depositories for Butte County for the fiscal year 2023 and
BE IT THEREFORE RESOLVED, that Butte County accounts at Wells Fargo Bank South Dakota, Spearfish, SD be closed at the earliest possible time, after all County transactions have been cleared or resolved.

Dated this 3rd day of January 2023.

BOARD OF BUTTE COUNTY COMMISSIONERS

/s/ Stan Harms
Stan Harms, CHAIRPERSON

ATTEST: /s/ Annie Capp
Annie Capp, BUTTE COUNTY AUDITOR

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Motion by Herman Second by Walton to set the Indigent County Burial Rate at \$1,000.00 and the Indigent County Cremation Rate at \$800.00 for 2023. Vote Unanimous. Motion Carried.

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

Motion by Herman Second by Ager to approve payment of Allocations and Other Payments as presented by Auditor Annie Capp with no changes. Vote Unanimous. Motion Carried. Approval Sheet signed by all Commissioners.

There were no abatements or travel requests to present.

Highway Supervisor Dwayne Heidrich provided an activity report - snow removal was the main work.

Heidrich provided information on need for revision of the Butte County Cattle Guard Policy. Commissioner Erk suggested the section on cleaning cattle guards remain in place, so landowners are required to notify County of cleaning and general maintenance. Motion Erk Second by Walton to postpone approval to next regular scheduled meeting, following review by Highway Committee. Vote Unanimous. Motion Carried.

Motion by Herman Second by Ager to approve Surplus of Equipment: 1995 Trailer Belly Dump & 1996 Trailer 8x30. Vote Unanimous. Motion Carried.

Sheriff Lamphere will provide an activity Report at the next regular scheduled meeting to include annual statistics. Lamphere recognized commissioners and employees with positive comments and work done in 2022.

Chairman Harms recognized the Highway and Sheriff Departments for a job well done in 2022.

State's Attorney LeEllen McCartney presented her activity report including progress on availability to report trends to commissioners, rescheduling of court days, upcoming tax deed process discussion with Treasurer Lensegrav, and status of hiring deputy states attorney, and intern/extern planning for 2023.

SA McCartney thanked the 2022 Grand Jury for their service. 2023 Grand Jury will be set soon.

McCartney thanked Emergency responders and Highway Dept with all their hard work during the storms.

Highway Superintendent Heidrich and Butler representative Beau Riopel presented information and pricing on Henke FV12 medium wheel loader work tools to be used on existing loader. This will provide an additional more efficient piece of equipment for removing snow. 200-day lead-time currently on this piece of equipment - could be a 2024 expense.

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Motion by Ager Second by Herman to approve Purchase of Henke FV12 medium wheel loader work tools to be used on loader (not a 2023 budgeted item) at a cost of \$32,184.15.

Break until 11:40 am

Motion by Ager Second by Herman to enter Executive Session: Personnel SDCL 1-25-2(1) at the request of Treasurer Debbie Lensegrav at 11:41 am. Out of Executive Session at 11:54 am.

Motion Ager Second Herman to hire temporary employee up to six months in the Treasurer's office up to 120 hours per month at \$16.96 General Staff, Skill level one

Auditor Capp presented her activity report including

Deb Elliot came before the commission to discuss her role on Visit Belle Fourche board, shared some graphs on trends in tourism tax revenue, and discussed the importance of improving tourism in the slower months (Jan-May). Ms. Elliot asked commissioners to consider what could be done by the county and potential partnerships with other entities to increase tourism.

Deb Elliot provided County website suggestions including improvement in communications using the website, search engines, and social media.

Motion by Ager Second by Herman to approve wage increase to Tier 2 (longevity) for Jo Nelson \$20.31

Auditor Capp presented Correspondence to commissioners.

Unfinished Business

Old Business

New Business:

- Butte County Lease was renewed for five years
- Auditor Capp and States Attorney McCartney asked for commissioner availability to attend Commissioner Orientation in January. Tuesday the 24th at 10:30am was chosen as best for majority of commissioners. This will be a public meeting.
- Commissioner Ager requested that the evening meeting (6 PM) in March be changed from March 21st to March 7th so he and Auditor Capp could be present.

Motion by Ager Second by Herman to Adjourn at 12:21 pm

Payments

SALARY

ASSESSOR'S OFFICE/PLANNING \$10,765.09, AUDITOR'S OFFICE \$7,199.10, BUILDING \$3,441.00, COMMISSIONERS \$4,077.84, DISPATCH \$12,434.79, ELECTION \$2,124.90,

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EM/911 \$461.21, EXTENSION \$1,481.60, HIGHWAY DEPT/WEED CONTROL \$29,058.87, JUDICIAL \$1,347.20, NURSE'S/WIC OFFICE \$1,828.00, REGISTER OF DEEDS OFFICE \$5,707.89, SHERIFF/JAIL DEPT \$24,218.39, STATES ATTORNEY OFFICE \$11,955.09, TREASURER'S OFFICE \$8,811.89, VETERAN SERVICE OFFICE \$788.95.

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$9,295.62

SDRS RETIREMENT

BUTTE COUNTY SHARE \$6,833.45

GROUP INSURANCE

BUTTE COUNTY SHARE \$32,238.50

PROFESSIONAL SERVICES R BACHMAN \$50.00, PENN CO JL \$1,219.25, BLL FLWRS DSGN \$56.99, RDWD TOX LAB \$68.35, A HILL CONS \$251.59, VNGRD APPR \$12,350.00, BRSZ ENG \$2,842.50, BRND LAW FRM \$282.00, J QUINN \$50.00, THMSN RTRS W \$293.38, CTY OF RC \$160.00, HLPRT & HL \$2,445.00, LWS CLRK BHV \$368.00, SD ASSN CO OFF \$320.00, KP HUNT \$212.10, L G LENSEGRAV \$50.00, ARCHTCTRL SPEC \$1,445.01, PENN CO SHRFF \$452.00, DAK GFT CO \$37.45, V PETERSON \$20.00, A-Z SHR \$10.14, DAVIS, I \$20.00

PUBLICATIONS BH PNR \$306.31

RENT/LEASE RLX LXSXNS \$312.00, SCRM SYSTMS \$703.20, CPFRST EQPMNT FNNC \$92,633.56, CNTRL SQR TECH \$7,644.00, CNTRY BUS PRDCTS \$982.89

REPAIRS/MAINTENANCE LWRNC CO HWY DEPT \$106,082.32, SCT PTRSN MTRS \$251.01

SUPPLIES MCGS PRPN \$1,460.27, OFF EMP \$159.00, DAK LUMB \$143.65, FRNTR GLSS BLL \$115.63, PHSNTLND IND \$260.74, RNNNGS SPPLY \$40.84, CBH COOP \$3,749.06, BRTE \$238.00, A&B BSNS SLTNS \$209.55, SNTCH \$4,382.00

TRAVEL/CONFERENCE

UTILITIES CTY BF \$366.96, BH ENRGY \$3,840.53, AT&T \$36.34, CNTRYLNK \$28.08

APPROVED: Stan Harms, Chairperson

ATTEST: Annie Capp, Auditor