

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

**Tuesday, November 19, 2024**

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on Tuesday, November 19, 2024. Commissioners present were Ager, Herman, Walton, Erk, and Batterman.

Chair Ager called the meeting to order and led the group in the Pledge of Allegiance.

Motion by Herman Second by Erk to approve the meeting agenda with addition of item 3.5 Executive Session 1-25-2(3) and 10e recent sale of county surplus property. Vote Unanimous. Motion Carried

Chair Ager called for a moment of silence/reflection.

Motion by Erk, Second by Batterman, to approve the Consent Agenda Items with removal of 3.a (08Nov minutes) and 3.c (bills for payment) move to 3.25. 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. County Lien Report

**LIEN REPORT  
BUTTE COUNTY**

	<b>EXPENSES OCT 2024</b>	<b>EXPENSES YTD</b>	<b>RECOVERED OCT 2024</b>	<b>RECOVERED YTD</b>
CAA/PUBLIC DEFENDER	\$ 31,200.76	\$ 225,749.53	\$ 5,293.74	\$ 31,500.65
JAIL	\$ 31,840.04	\$ 320,943.97	\$ 1,957.18	\$ 36,213.04
POOR LIEN	\$ 0.00	\$ 3,253.78	\$ 0.00	\$ 0.00
REG JUV DETENTION	\$ 35,595.00	\$ 124,945.00	\$ 3,065.00	\$ 87,422.98

b. Apportioning and Other payments

c. Register of Deeds Report

d. Planning

- i. Final; Owner: Mike E. & Cheryl R. Nehl, Matt E. Nehl & Sara P. Nehl, William O. & Lesa Jewett; Tract Jr Being All of Tract 5A, the Unplatted Portion of the SE4 of Section 11, a Portion of Lot B of Tract 4 of the Jeffery Subdivision, and the Remainder of Tract C and Tract MS the Unplatted Portion of the SE4 OF Section 11, a Portion of Lot B of Tract 4 of the Jeffery Subdivision, and a Portion of Tract C all Located in Section 11, T8N, R2E, BHM, Butte County, South Dakota
- ii. Final; Black Hills Holdings LLC; Plat of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and Dedicated Public Road Right of Ways of Old Race Track Subdivision Formerly Lot A-2 of Tract a Located in the NE4, SE4, NW4, SW4 of Section 29, T9N, R2E, B.H.M., Butte County, South Dakota
- iii. Final; Owner: Richard D. & Sherry S. Kokesch; Tract R-1, Formerly all of Tract R, Located in Gov't Lot 4, S2NW4, and SW4 in Section 1; Gov't Lot 1, SE4NE4, NE4SE4, SE4SE4 in Section 2; NE4NE4 IN Section 11; and the NW4, NE4SW4 in Section 12; all in T8N, R3E, BHM, Butte County, South Dakota

e. Highway:

- i. Hwy Dept Software License Agreement 2025

Motion by Erk, Second by Herman to approve bills as presented. The late fees were questioned with the auditor sharing plans to set up ACH payments to avoid late fees in the future. Vote Unanimous. Motion Carried.

Motion by Erk, Second by Herman to enter into Executive Session: Legal Counsel 1-25-2(3) at 9:40 am. Vote Unanimous. Motion Carried. Exited Executive Session at 10:05 am. There was no action taken as a result of Executive Session.

Motion by Erk, Second by Herman to approve regular meeting minutes with correction of amount for A. Hill under professional services. Vote Unanimous. Motion Carried.

Beginning at 10:07 AM opportunity for public comments was opened with Dale Simanton and Wyatt Lesmeister providing comments regarding condition of roads - shoulders being pulled, crowning of road, and roads not being bladed. Roads mentioned were Viken, Dillinger, and Upper Redwater Roads in particular.

Hillary Schwab Executive Director of Compass Point in Sturgis and Spearfish – Butte County Opioid funds. Ms. Schwab requested \$30,000 to have a stronger presence in Butte County. They are the only medically monitored in house care for those withdrawing from Opioid addictions. States Attorney McCartney provided some background on distribution of funds and requested that the issue be tabled until meeting with Judge Floral on Friday, November 22, 2024. Motion Herman, Seconded by Erk to table until after meeting with Judge Floral is held. Vote Unanimous. Motion Carried.

ABC Coalition Kara Graveman presented a presentation of ABC activities in the Northern Hills. Topics included Opiate data, State of SD vs Butte County stats, PIN map, local information, and education efforts, Youth Leadership activities, New Dawn Center activities, successes, addition of recovery tiny homes, and new facility plans.

Motion by Herman Second by Walton to approve the closing of Butte County Offices on December 23, 2024, with any employee wishing to take the day off using vacation time. Vote Unanimous. Motion Carried

Equalization/Planning – Cristina Wilson provided an activity report including her thanks for her team, certifications achieved, reappraisals (875/890 properties), building permits (77/500+ new homes), 2025 goals, anticipated new subdivisions in 2025, AG and Owner-Occupied audits, uses of the GIS system and publishing property cards online, ended assessments and moving on the appraisals and intentions(market value review), potential 2025 legislation, Veteran exemption changes, and DOR activities. Ms. Wilson and several others discussed the needs to create a full-time Planning Director position due to workload, potential efficiencies and future anticipated demands.

Additional discussion and questions held between commissioners, Gina Watson, and members of the public regarding future growth, requirements of planning set by statute, legal knowledge, landowner cooperation, and collaboration internally and externally. Discussions will continue as needed.

DOE Wilson provided information regarding Surety Bond set July 2023 for emergency access. Discussion was held on what was required at the time the bond was set and what version of the ordinance was in place at the time. No action will be taken until road meets the 16' width requirement.

Spencer Dockter and Christian Hamlin with Brosz Engineering submitted the 2024 Bridge Inspection report. There were 108 bridges and culverts inspected with 17 bridges that have some concerns. Each of the 17 bridges were discussed with recommendations given for each one.

Highway Superintendent Dwayne Heidrich provided an activity report including Vanguard bridge may begin in next couple of weeks, preparation of snow equipment, repair of roads, process of and reason for crowning roads. Additional discussion was held regarding recent rains, timing of repairing roads, and culverts.

States Attorney LeEllen McCartney provided an activity report including, the transition of workload to incoming SA Barnaud, tax deeds moratorium and those that fall into 3-year window (27), current cases and charges.

States Attorney McCartney presented information regarding Parcel 15.02.06.09W Property tax deed. McCartney asked the commissioners to surplus so the county could begin the process of selling the property.

Motion by Batterman, Second by Erk to surplus 909 Edmunds St., Belle Fourche, SD 57717 (Parcel 15.02.06.09W). Vote Unanimous. Motion Carried

Chief Deputy Sheriff March provided a monthly activity report including call statistics, cost of boarding inmates, and the effect on the County due to female jail capacity.

Auditor Capp presented the Certificate of Post-Election Audit for November 5, 2024 General Election. Initiated Measure 28 and Initiated Measure 29 in Precinct 23 were audited by the five-person Post-Election Audit Board on November 14, 2024. The results of the Post Election Audit are as follows: Initiated Measure 28, official canvass and election night tabulator: Yes-94, No-158; and Post Election Audit: Yes-94, No-158; the Second Race: Initiated Measure 29, official canvass and election night tabulator: Yes-115, No-144; and Post Election Audit: Yes-115, No-144. Secretary of State Monae Johnson attended the audit, which was 100% accurate.

Auditor Capp presented the 2025 Fair Agreement w/Lawrence County. No changes from 2024 agreement. Discussion was held regarding recent upgrades to the electricity at the Fairgrounds. Motion by Herman, Second by Walton to permit Chairman Ager and Auditor Capp to sign the 2025 Fair Agreement w/Lawrence County. Vote Unanimous. Motion Carried

Motion by Erk, Seconded by Batterman to approve Auditor Capp to accept sale offers and sign the purchase agreements for land sold at auction. Vote Unanimous. Motion Carried

Motion by Batterman, Second by Erk to approve a 2025 Liquor License Renewal Application. Vote Unanimous. Motion Carried

<u>APPLICANT</u>	<u>LEGAL DESCRIPTION</u>	<u>TYPE OF LICENSE</u>
Branding Iron Steakhouse & Saloon 19079 US Hwy 85 Belle Fourche, SD 57717	Lot 1 Subd TR A in SE4SW4 Ex. Lot H1 & H2 Section 22, Twp 8, Range 2	Retail (on-sale) Liquor (Sunday Sales)

**Committee Reports were given:** Commissioner Erk – initial 4H Educator interview held and will continue until position is filled, there is a group that is looking into grant application for siding pavilion.

**Old/Unfinished Business:** Auditor Capp presented the commissioners with an update on the HVAC upgrade.

Informational;

- DOR doing training for new Motor Vehicle system with dates for training.
- A letter from citizen on Orman and Riley road was shared.
- Discussion held regarding split with additional Opioid funds to Compass Point.
- Travis Ismay requested that when equipment is needed commissioners consider purchasing used vs new equipment.

Motion by Herman, Second by Erk to adjourn the meeting at 12:55PM. Vote Unanimous. Motion Carried.

**PAYMENTS**

**SALARY**

ASSESSOR’S OFFICE/PLANNING \$8,325.40, AUDITOR’S OFFICE \$8,567.29, BUILDING \$4,050.93, COMMISSIONERS \$4,158.92, DISPATCH \$13,556.36, ELECTION \$4,836.13, EM/911 \$940.58, EXTENSION \$1,881.60, HIGHWAY DEPT/WEED CONTROL \$27,458.84, JUDICIAL \$1,423.85, NURSE’S/WIC OFFICE \$1,180.80, REGISTER OF DEEDS OFFICE \$4,658.22, SHERIFF/JAIL DEPT \$21,297.82, STATES ATTORNEY OFFICE \$14,249.99, TREASURER’S OFFICE \$10,143.02, VETERAN SERVICE OFFICE \$853.25.

**COUNTY SHARE FICA**

BUTTE COUNTY SHARE \$9,485.10

**SDRS RETIREMENT**

BUTTE COUNTY SHARE \$7,378.53

**GROUP INSURANCE**

BUTTE COUNTY SHARE \$32,802.17

**PROFESSIONAL SERVICES**

ALPINE & FB \$70.00, A. LAW OFF \$2,720.75, BRND LAW \$8,767.75, BRZ ENG \$2,457.50, CNTRY BSNS \$345.83, D-WARE \$4,700, ECOLB \$697.17, FST INRST \$2,528.33, FSHWNDW \$99.00, J HAHNE \$47.14, LNG LN SER \$146.65, M D ISEN \$20.00, MD DAK VEG MGMT \$3,923.14, PRAI H PHMCY \$240.00, RDWD TOX LAB \$57.40, ROYL SPRY \$665.50, R N ESTR \$20.00, SD ASSN OFFI M&P FND \$322.00, SDACC \$3,453.00, SDACO \$1,297.57, SRVALL \$285.18, S L BOOS \$52.64, STRG AMBU SERV \$305.24, SUBWAY \$726.61, T KIN \$20.00, T MYE \$218.90, T REU WST \$205.00, TWN NSLD \$75.26, WAE LAW PROF \$1,354.00, WLLM MOSS \$1,400, WKWSE COMPLI \$1,126.61P

**PUBLICATIONS**

BH PIONR \$1,091.68,

**RENT/LEASE**

**REPAIRS/MAINTENANCE**

AUTO VALUE \$1,323.82, BTLR MCHN \$8,064.35, FRNTR GLS \$505.00, RDYS \$1,210.00, WSTRN COMM \$342.00

**SUPPLIES**

MCGAS PROP \$50.00, MG OIL \$17,953.88, NAT TEST SYS \$1,565.14, OFF EMP \$814.86, PRAI AUTO \$487.38, RNNS \$4,487.12, WD LRSN \$8,131.68, WRNG TRLRS \$13.18,

**TRAVEL/CONFERENCE**

AM INN \$108.70, ARRW RESORT \$1,143.20,

**UTILITIES**

BH ENGY \$409.10, BLUPK \$1,465.89, BUTTE MEADE SNTRY \$55.00, CNTRYLNK \$1,275.49, GLDN WST \$23.80, MDU \$595.65,

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APPROVED BY THE COMMISSION: James Ager, Chairperson

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ATTEST: Annie Capp, Butte County Auditor