

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

Tuesday, October 4th, 2022

THE BOARD OF BUTTE COUNTY COMMISSIONERS CONVENED AT 9:30 A.M. on October 4th, 2022. Commissioner's present were Richards, Harms, Ager, Walton, and Herman.

Motion by Ager Second by Harms to approve the meeting agenda with one change (move #9 Mark Hespe to 18Oct2022 meeting). Vote Unanimous. Motion Carried.

Motion by Herman Second by Walton to approve minutes of Regular 20Sep2022 and Special 26Sep2022 meeting minutes with no corrections. Vote Unanimous. Motion Carried.

Motion by Harms Second by Ager 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 Herman Second by Harms to approve payment of Apportioning and Other payments per Printout as presented by Auditor Annie Capp. Vote Unanimous. Motion Carried. Approval Sheet signed by all Commissioners and Auditor.

Travel Requests: Motion by Ager Second by Walton to approve Travel Requests as presented by Auditor Annie Capp with no changes. Vote Unanimous. Motion Carried.

- Sheriff Office – Fred Lamphere to attend SD Sheriff's Association Fall Training Conference in Aberdeen, SD from October 10-13, 2022
- Dispatch Office – Crystal Rath to attend Supervisor Training in Wahpeton, ND from Oct 10-14, 2022
- State's Attorney Office – Clara Kiley to attend SDPA Seminar and Meeting in Brookings, SD from Oct 20-21, 2022

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

- Travis Ismay attended seminar on Initiated Measure 27 and shared some of his observations and thoughts on consequences to the county. Mr. Ismay also mentioned the differences between the old and new ordinance and recommended the commissioners follow the new ordinance.

Highway Superintendent Heidrich gave an activity report including, completion of box culvert on Sonoma, hauling of gravel, fixing signs, removing trees, moved culvert from Rapid to Butte County, now available to use when needed, and status of mowing of ditches.

Motion by Ager Second by Herman to approve Commissioner 2023 Preliminary Engineering Bridge Improvement Grant Agreement for Youngberg Rd St# 10-340-368 over Dry Creek. Vote Unanimous. Motion Carried.

Motion by Herman Second by Walton to approve 2023 Preliminary Engineering Bridge Improvement Grant Agreement for Mail Rd St # 10-230-210 over Indian Creek. Vote Unanimous. Motion Carried.

Motion by Walton Second by Harms to approve Application to Construct an Approach or Driveway to a County Road – Zane Rosencranz – Hallie Rae Road. Vote Unanimous. Motion Carried.

Motion by Harms Second by Walton to approve Application to Construct an Approach or Driveway to a County Road – Elaina Vell Parker – Upper Redwater Road, Lot #1 and Lot # 7. Vote Unanimous. Motion Carried.

Motion by Herman Second by Harms to approve Application for Occupancy on the Right of Way of County Highways – Curt Marchiando – Sourdough Road. Vote Unanimous. Motion Carried.

10:00 A.M. A Public Hearing for the 2023-2027 Five Year Butte County Highway and Bridge Improvement Plan was held at 10:00 a.m. as scheduled.

- Jason Hanson presented the 5-year plan to commissioners including annual update of project status, 5-year programmed project listing with financing, revenue sources table, how wheel tax improves eligibility for grants, highway tax also helps to fund bridge replacements.
- Public Comments:
 - Travis Ismay asked about Gammon Bridge and what the plan was for the structure. There are some funds in program for removal of bridge. Hanson mentioned that we could apply for 100% funding to remove.

Motion by Walton Second by Herman to approve five-year road plan as presented by Jason Hermanson of Brosz Engineering, Inc. Motion Carried

Extension Office Director Michelle May presented an activity report for Aug and Sep including County and State fair statistics, 4-H programming/Events/Extension activities, character all-stars, professional development, teen mental health first aid, October beginning new year, and enrollment numbers

Veteran Service Officer Jasen Saivong presented an activity report including claims, deaths, and transportation numbers.

Five-minute break taken at 10:32

Auditor Annie Capp presented letters received from Center of Nation and States Attorney LeEllen McCartney.

Motion by Harms Second by Walton to approve Permit to Operate Cannabis Cultivation – Center of Nation Cultivation. Vote Unanimous, Motion carried. Cistern to be used and changes to operating procedures were discussed.

Motion by Harms Second by Walton to approve Permit to Operate Permit to Operate Cannabis Manufacturing – Center of Nation Manufacturing. Vote Unanimous, Motion carried. Cistern to be used.

Matt Kinney Attorney Center of Nation Cultivation addressed water concerns and updates to application (downsizing of facilities)

- Ager asked about water sources and the initial application request. Ager also asked about building permits and initial construction, testing needed for cistern and wastewater. Mr. Kinney said all permits have been applied for and received.
- Ager asked if there were any requirements to make changes during the permitting process.
- Mr. Kinney said all regulations and rules are being followed by state standards and any changes are being submitted to state and county as they occur rather than waiting for the renewal time frame.

2nd Reading of 2022-01 Discretionary Formula Ordinance was held.

Motion by Ager Second by Herman to approve second reading of 2022-01 Discretionary Formula Ordinance as adopted by Butte County Commissioners on 04Oct2022. Effective date will be 20 days after publication.

Motion by Herman Second by Ager to authorize Chairman Richards to sign National Opioid Settlement Memorandum of Understanding (MOU). Vote Unanimous, Motion carried.

Auditor Capp mentioned the growth report was completed and submitted to DOR, Thursday 06Oct2022 Assessor file will be rolled to Auditor and 2022 payable 2023 levy process will begin. Deadline is 01Nov2022.

Correspondence from the South Dakota Legislative Audit was given to the commissioners.

Committee Reports

- Herman: Weed and Pest, spraying needs to be done again and county will continue to hand out Escort to public. County will attend future annual meeting.
- Walton: Economic Development met with no significant mentions. Albany Farms will be sending 11 trucks 05Oct2022
- Harms: Economic Development meeting in regard to railroad and applications for grants – upgrade rail and future industrial park. Railroad board will need to meet in order to allow EDC to submit applications.
- Ager: Fair board update on damages, power turned off.
- Capp: Dispatch, twice annual meetings
- Capp: Gave an overview of the LEPC meeting

New Business – Fair board has had interest in selling chutes and what the process was. Would need to be surprised.

Motion by Walton Second by Herman to adjourn at 11:28 a.m. Vote Unanimous. Motion Carried.

Payments

SALARY

ASSESSOR'S OFFICE/PLANNING \$6,868.77, AUDITOR'S OFFICE \$7,199.09, BUILDING \$3,431.92, COMMISSIONERS \$2,110.00, DISPATCH \$8,800.74, ELECTION \$2,110.00, EM/911 \$890.36, EXTENSION \$1,481.60, HIGHWAY DEPT/WEED CONTROL \$20,890.81, JUDICIAL \$2,043.84, NURSE'S/WIC OFFICE \$1,828.01, REGISTER OF DEEDS OFFICE \$4,211.89, SHERIFF/JAIL DEPT \$17,422.77, STATES ATTORNEY OFFICE \$11,955.10, TREASURER'S OFFICE \$8,811.89, VETERAN SERVICE OFFICE \$788.95.

COUNTY SHARE FICA

BUTTE COUNTY SHARE \$7,853.74

SDRS RETIREMENT

BUTTE COUNTY SHARE \$5,636.73

GROUP INSURANCE

BUTTE COUNTY SHARE \$0.00

PROFESSIONAL SERVICES

HRSRDS \$1,300.04, SCTT PETRSN MOTRS \$92.07, BELL FLOWRS \$67.50, MAPPNG AND PLNNING SPCLS \$3,359.75, QUK SIGNS \$117.25, CHRS BRLL \$495.00, RDWOOD TXCLGY LAB \$35.53, TRI-STATE CHRPRCTC \$27.55, AUDRA HLL \$651.03, MID DKOTA VGTATN MNGMNT \$14,733.66, BARNAUD LAW \$7,317.50, ROYL SPRAYNG \$265.31, SD DEPT OF REVNU \$476.00, MIKE WLBR TRCKNG \$4,950.00, LUKE YELLOW ROBE

\$1,500.00, LEWIS & CLARK BHAVRL HLTH \$184.00, AMG-AVERA OCCUPATNL MEDC \$105.54, SD SHERFFS ASSOC \$215.83, KARN PAIGE HNT, \$1,250.00, YANKTN CO TREASURER \$127.50, RSHMORE COMM \$1,320.00, CRRCT RX \$1,508.00, PNNINGTN CO SHERFF \$226.00, PRAIRIE NDSTRIES \$1,756.00, SD DEPT OF LABR AND REGLATN \$289.32, MNMNT HLTH \$571.75, MDCL WASTE TRNSPRT \$137.14, LSLIE TLLSCH \$34.00, G & R CNTRL \$512.00, WM HEATNG & COOLNG \$330.00, MNNEHAHA CO, SD \$994.50, THOMS L. BENNTT \$2,265.00, AGC OF SD \$400.00, ISC \$480.00, CLNCL LAB OF THE BH \$2,032.00, AUTO PROS \$101.91, E-Z FAB \$1,455.69, A-Z SHRDDNG \$74.69, GREG CORNTT \$3,871.92

PUBLICATIONS

BH PIONEER \$83.95

RENT/LEASE

LEXSNEXS \$312.00, THOMSN REUTRS-WST \$274.19, A&B BSNS SLUTNS \$232.82, CNTRY BSNS PRDCTS \$827.66, DJ CNSTRCTN & DVLPMNT \$1,450.00

REPAIRS/MAINTENANCE

WEST TIRE & ALIGNMNT \$1,051.76,

SUPPLIES

OFFCE MPORM \$622.50, DKOTA LMBR \$45.86, SD DEPT OF TRNSPRTATN \$1,717.18, ELCTN SYSTMS & SFTWARE \$3,138.25, MCHLL MAY \$1,033.10, CARL'S TRAILR SALES \$227.49, ARCHTCTRL SPCLTS \$666.23, O'REILLY AUTO PARTS \$105.56, ROSANE CNSTRCTN \$3,206.79, HLLYRD \$268.61

TRAVEL/CONFERENCE

CLUBHOUSE \$386.64, RMKOTA \$422.00

UTILITIES

CITY OF BF \$815.88, BH NRGY \$4,119.73, AT&T MOBLTY \$922.98, BLUEPEAK \$87.45, REFUSE SLTNS \$332.49, BUTTE MEAD SANTRY DST \$55.00, AT&T \$37.40

APPROVED BY THE COMMISSION:

Kim Richards, Chairperson

ATTEST: Annie Capp, County Auditor