

**Custer County Commissioner Meeting
October 22, 2008**

Chairman Bies called the meeting to order at 8:00 a.m. with the Pledge of Allegiance. Marvin Bishop, Joe McFarland, Don Gifford, Leonard Wood, Dedrich Koch, Assistant State's Attorney and the Auditor were present. Chairman Bies approved the agenda as presented. In the following proceedings, all action taken was first duly moved and seconded, received a unanimous vote of the Commissioners without dissenting vote or abstention, unless otherwise stated.

John Culberson, Highway Superintendent

-John recommended the hire of Kevin Treloar to fill the permanent full-time Equipment Operator position effective October 27, 2008 at \$12.90 per hour pursuant to the union pay scale. The Board moved to approve the hire. Motion carried.

-Executive Session. Action was taken to go in and out of executive session for discussion of contractual matters. The session began at 8:07 a.m. and adjourned at 8:28 a.m. No action taken.

Mike Carter, Director of Emergency Management

-A meeting is scheduled between SDDOT Aeronautics, KLJ, Rex Harris, David Green and Mike Carter to discuss current positions and future development plans for the airport. Carter advised that a tower has been ordered from Glenmartin Associates per an FAA grant. The erection of the tower will be bid locally and construction should be completed prior to the end of the year.

-Carter is in the process of rewriting the 2003 Pre-Disaster Mitigation Program. Custer County will receive a PDM grant for \$13,000 for completion of the new document. Custer County's portion of the soft match will be met by using our GIS data base. Richard Smith has been given access to the Beacon System and has requested a payment of \$4,900.00 from the PDM grant to start on the program. The Board moved to authorize payment from the grant funds. Motion carried.

-Carter advised that the Special Use Agreement has been signed for Hazelrodt Campground on lower French Creek. The County needs to install a sign that addresses the new management and a cleanup day will be scheduled to do minimal upkeep, some gravel application and pumping of the bathroom facilities.

Executive Session Action was taken to go in and out of executive session for discussion of contractual matters. The session began at 8:38 a.m. and adjourned at 8:55 a.m. No action taken.

David Green, Planning

-Final Plat 2008-9- Casimir Subdivision. Plat of Lot A and Lot B of Lot 1; in Tin Reef Lode of MS 627 and in Custer Lode of MS 629; Located in the SE4NW4, the SW4NE4, the NE4SW4 and the NW4SE4 of Section 10, T3S, R4E, BHM, Custer County, South Dakota. Casimir Ziolkowski is the owner. The Board moved to approve the final plat as recommended by the Planning Commission, providing an agreement is in place between Custer County and Casimir Ziolkowski and his bank, guaranteeing financing for construction of a road that meets county specifications by October 20, 2009. Motion carried.

-The Board moved to appoint Sue Brown to fill the alternate seat on the Planning Commission per the recommendation of the planning director. Motion carried.

-Application for a Land Use Permit made by John Rowe, Agent for Verizon Wireless, to secure land use permit for the construction of a wireless communication tower was discussed. The proposed location is off of Hasselstrom Place Road (NE corner of Sec 8, T3S, R8E) southeast of the town of Hermosa. The Planning Director and staff have reviewed the application for compliance with Ordinance 15 and have determined it to be complete with one exception. Verizon Wireless will not be able to provide replacement or renewal insurance policies 15 days prior to the policy expiration as set forth in the ordinance, but could provide replacement or renewal policies 10 business days after the expiration of a current policy. The Board had no problem with the insurance exception providing that an insurance policy is in affect when the building permit is issued.

Land Use Application-Cell Tower Hearing

-A public hearing was held October 22nd at 10:00 a.m. in the Custer County Annex at which time no interested person appeared to give public testimony on a land use application for a wireless telecommunication tower. The Board moved to approve the application. Motion carried.

Joel Behlings, Safety Officer

-Joel presented the Commissioners with the Gold Level and Platinum Level Loss Control/ Safety Award on behalf of the SD Public Assurance Alliance and the SDML Worker's Compensation fund. This awards honors the employees for their efforts in protecting the assets of Custer County by make the workplace safer for employees, reducing liability exposures and saving taxpayers' dollars through loss control. Stephanie Herseth Sandlin sent Custer County a letter of congratulations on receiving the awards.

Minutes

The Board moved to approve the minutes of the October 8th, 2008 meeting as presented. Motion carried.

Mail Call/General Business

-The Commissioners received a request from Hermosa Neighborhood Watch for a donation of \$31.50 for a beacon light and batteries. County funds are not budgeted for this sort of thing but the Commissioners, Auditor and Assistant States Attorney made personal donations to cover the request.

-Fall River County asked the Commissioners do a motion to support their request to Verizon to remit tax revenues collected from Zip Code 57735 to Fall River County instead of Custer County. Mike Carter will research the subject.

Travel Requests

-Gordon Kirsch made a travel request for himself and one other person to attend the annual weed meeting in Wall on 11-05-08 at a cost to the county of approximately \$58.00 plus use of county vehicle. The Board moved to approve the request. Motion carried.

-Lili Momeyer made a travel request to attend the SD Planners Associations 15th Annual Planning and Zoning Conference in Watertown on October 29-30, 2008 at a cost to the county of \$424.00. The Board moved to approve the request. Motion carried.

-John Culberson and Mike Carter made a travel request to attend the Statewide Incident Management Team Meeting October 30th in Pierre at a cost to the county of use of a county vehicle. The Board moved to approve the request. Motion carried.

-Joel Behlings made a travel request to attend the 2008 Annual Safety & Loss Control Conference in Pierre on November 12th & 13th at a cost to the county of \$164.00 plus use of county vehicle. The Board moved to approve the request. Motion carried.

-Rick Wheeler made a travel request to attend the Law Enforcement Polices and Procedures training in Pierre on November 6th at an approximate cost to the county of \$89.00 plus use of county vehicle. The Board moved to approve the request. Motion carried.

Meeting Schedule

-Black Hills Association of County Commissioners & Elected Officials Meeting, Friday, October 24th, 2008 at Laughing Water Restaurant at Crazy Horse at 12:00 noon.

Human Resources/Personnel

-Les Struble hired Sara Albertson in the permanent part-time position of Administrative Assistant I at \$9.50 per hour effective 10-27-08. The Board moved to approve the hire. Motion carried.

-Gordon Kirsch advised that Steve Wiese has met his 6 month probationary status and a 6 month performance evaluation has been completed.

TIF Letter

-Gifford made a motion, seconded by Wood, to authorize the Chairman to sign the letter to the editor regarding Tax Incentive Financing (TIF). Gifford, Wood, McFarland and Bies voted for and Bishop abstained. Motion carried.

Union Negotiations

-Dedrich Koch advised that union negotiations are still in progress.

Weed Grant

-\$8,000.00 in Weed Grant funds though a joint program between Custer County Weed & Pest and Custer County Conservation District will be used to reimburse landowners for chemicals purchased or contracted in the suppression of noxious weeds in Custer County.

PILT/SRSA

-Secure Rural Schools and Communities Act(SRSCA-2008) was included in the Tax Extender Financial Stimulus Package approved by congress and signed by the President 10-3-08 and provides for 4 years of county payments starting 2008 through 2011. SRSCA-2008 also authorized full payment of Payment In Lieu of Taxes (PILT) for fiscal years 2008 through

2012. Custer County received \$185,596 in PILT funds in July and will receive an additional \$112,621.00 sometime in November.

Custer County Housing Liability

-Dedrich Koch advised that Custer County Housing is an independent legal entity created by statute. Although it is authorized by resolution by Custer County, Custer City and the City of Hermosa, those government bodies are not liable for bonds or other obligations of Custer County Housing.

Vouchers

-The Board moved to approve the vouchers as presented. Motion carried.

BEESLEY LAW OFFICE, P.C. 4240.80 9/11-30/08 COURT APPOINT ATTR, BLACK HILLS POWER & LIGHT 1453.49 8/20-10/1/08 COUNTY ELECTRICTY, BROWN & SAENGER 311.48 9/29/08 1248210 AUD LASER CHKS, BUTLER MACHINERY CO INC 2300.95 8 & 9-08 PARTS AND REPAIRS, CARDIOLOGY ASSOCIATES PC 2642.63 2/19/20/08 PRISONER MED CARE, CARSON DRUG 73.00 9/15/08 51478 INDIGENT PRESCR, CASCADE FIRE EQUIPMENT 4708.23 9/15-10/1/08 PRINGLE FD SUPPLI, SOUTHERN HILLS PUBLISHING INC 235.93 9/30/08 COUNTY NOTICES/PROCEED, CHRIS SUPPLY COMPANY INC. 21.33 10-02-08 513037 HWY SUPPLIES, CUSTER DO IT BEST 76.34 9/20/08 COUNTY SUPPLIES/RPRS, CUSTER BUS. ENTERPRISES 8.95 9/26/08 ELECTION YELLOW PAPER, CUSTER CITY 1352.13 7/28-8/28/08 COUNTY WTR/SWR, DAKOTA BUSINESS CENTER INC 118.29 9/29-10/6/08 TREAS/PLAN/LIB, DAKOTA STEEL 200.70 9-22-08 48495 HWY STEEL, DALE'S TIRE & RETREADING, INC 1923.24 9-08 HWY-SHRF TIRES, DASH MEDICAL GLOVES 59.90 9/25/08 375875 SO MED GLOVES, DEMCO 21.43 9/22/08 3333354 LIB SUPPLIES, DEMERSSEMAN JENSEN CHRISTIANO 100.00 9/2/08 COURT APPOINT ATTORNEY, DIAMOND PHARMACY SERVICES 1717.40 8/1-9/30/08 PRISONER MEDS, DIAMOND PHARMACY SERVICES 777.28 8/1-9/30/08 PRISONER MEDS, DIAMOND PHARMACY SERVICES 855.04 8/1-9/30/08 PRISONER MEDS, ROBERT DUGAN 600.00 OCTOBER 2008 PAYROLL DRAW, EDDIE'S TRUCK SALES INC 41.37 9-30-08 1282740054 HWY PARTS, ELECTION SYSTEMS & SOFT- 3974.79 6/20-9/25/08 ELECTION SUPPLIES, EMERY PRATT CO INC 154.64 9/22-26/08 LIB BOOKS/CARDS, STATE OF SOUTH DAKOTA 33.00 9/18-10/3/08 BIT/MICRO STORAGE, FEDEX 89.32 9/24/08 ANGELS POSTAGE, FENNEL DESIGN INC 5000.00 9/24/08 173 BUILDING RETAINER, FISH GARBAGE SERVICES, INC 26.25 9/25/08 89P04570 WEED GARBAGE, FRENCH CREEK LOGGERS SUPPLY 1270.09 9-08 HWY/SO/AIRP SUPPLIES, FRESH START 20.00 9/4/08 1007 INDIGENT FUEL, GAYLORD BROS. 382.53 9/23/08 1218866 LIB SUPPLIES, GODFREY BRAKE 167.94 9-30-08 HWY PARTS, GOLDEN WEST TELECOMMUNICA 1591.01 10/1/08 COUNTY TELEPHONE SERVC, GOLDEN WEST TELECOMMUNICA 2027.86 10/1/08 COUNTY TELEPHONE SERVC, GOLDEN WEST TECHNOLOGIES 3456.27 9/24-10/1/08 COUNTY SERVICES, HERMOSA VOLUNTEER FIRE DEPT 960.00 9/30/08 REIMB FIRE TRAINING, HILLS MATERIAL INC. 72489.39 9-08 HWY ASPHALT FAS 793, HILLYARD/SIOUX FALLS 103.32 8/25/08 2596318 MAINT GLOVES, LAVON W HUGHES DBA 81.60 9/22/08 1671 E ANNEX METERING, IKON OFFICE SOLUTIONS 717.72 9/19-30/08 COPIER LEASES, INTERSTATE BATTERY OF THE 138.42 8/7/08 69241 SO BATTERIES, APEX TECHNOLOGY SOLUTIONS 7940.00 9/22-10/1/08 NTRWK SRV/COMPUTR, JUNIOR LIBRARY GUILD INC 1539.00 11/08 LIB RENEWAL OPTIONS, KNECHT HOME CENTER 26.47 9/18/08 522933 MAINT SUPPLIES, ELLEN KUHLER 1871.25 8/5-9/25/08 ANGELS TRANSCRPT, LYNN'S DAKOTAMART 38.34 10-6-08 0034 HWY MTG/SUPPLIES, MARSHALL & SWIFT LLC 2174.43 10/7/08 776637 DOE ESTIMATOR R, MAUNA TOWERS LLC 229.01 10-01-08 2015 BEAR MT RENT, MENARDS 62.79 9/22/08 98384 MAINT TOOLS, M. G. OIL COMPANY 13703.19 10-08 HWY/AIRP OIL-GAS, MICROMARKETING LLC 206.64 9/18/08 267115 LIB CD'S/CASES, MINNEHAHA CO. SHERIF'S OFFICE 4855.84 9/19/08 ANGELS PRISONER CARE, ATTNY LYNN MORAN 792.00 9/11/08 COURT APPT ATTORNEY, MT RUSHMORE TELEPHONE COMPANY 267.13 9-25-08 EAST COUNTY TELEPHONES, N.A.D.A. APPRAISAL GUIDES 120.00 10/1/08 160872 DOE MNF HOUS GD, NASAP 39.00 10/1/08 1909 NASASP ASSOC MEMB, NELSON'S OIL & GAS, INC. 4090.23 9-19-08 500159 HWY GAS, VALARIE M O'DAY 114.00 9/5/08 C08-49 TRANSCRIPTS, PAPERDIRECT 24.93 9/22/08 3480167100016 LIB SUP, SALLY PARK HAGEMAN 128.06 8/1-9/29/08 EXT TRAVEL/CONFERE, PENNINGTON COUNTY SHERIFF

53.17 10/2-6/08 ANGELS CASE SUBPOENA, QUILL CORPORATION 86.71 9/10/08 SOIL SUPPLIES, RANCHERS FEED & SEED 457.49 9-10-08 106911 HWY FENCING, RAPID CITY REG. HOSPITAL INC 70.36 9/23/08 RCAM2710 ANGEL MED EX, RICE HONDA SUZUKI 19.50 9/17/08 20452672 WEED PARTS, S&B MOTOR PARTS 286.01 9-15-08 HWY/SHRF/CRT HS PARTS, SANDER SANITATION SERVICE INC 397.50 10/1/08 270644 COUNTY GARBAGE, SD DEPT OF GAME FISH & PARKS 896.76 9/18/08 1/2 ANIMAL CONTRL FND, SD DEPT. OF HEALTH 1287.50 9/24/08 4TH QRTR HEALTH NURSE, SD DEPT OF TRANSPORTATION 458.22 9-29-08 S50646 BRG INSPECTION, TIME EQUIPMENT RENTAL & SALES 79.90 9-24-08 01-165804-01 HWY PARTS, TOWN OF BUFFALO GAP 40.00 10/1/08 HWY BG WATER/GARBAGE, TOWN OF HERMOSA 66.04 9/1/08 HWY HERMOSA WTR/SWR/GAR, UAP DISTRIBUTION, INC 2071.00 9/9-17/08 WEED CHEMICALS, US BANK 180.00 9/29/08 ROD SAFEBOX ACCOUNT, WENDY WAGER 500.00 OCTOBER 2008 PAYROLL DRAW, WESTERN COMMUNICATIONS 467.55 9/23/08 652552 SO RADIO REPAIR, WITT'S HEATING & AC INC 4745.66 9/29/08 BUILD CHIMNEY/CIRC PMP.

-Chairman Bies adjourned the meeting at 11:15 a.m. with the next meeting being held November 6th, at 8:00 a.m. in the Commissioner's Room of the Courthouse Annex.