

**Custer County Commissioner Meeting
October 8, 2008**

-Chairman Bies called the meeting to order at 9:10 a.m. in the Beef Building at the Fairgrounds in Hermosa. Marvin Bishop, Joe McFarland, Leonard Wood, Detrich Koch, Assistant State's Attorney and the Auditor were present. Chairman Bies approved the agenda with the following additions under Work Session: Custer County Housing Liability and Neighborhood Watch. 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.

Minutes

The Board moved to approve the minutes of the September 26th, 2008 meeting as presented. Motion carried.

Mail Call/General Business

-The Board acknowledged the following: Letter from Attorney General Larry Long concerning a request he received to investigate Brown County for passing a resolution opposing Initiated Measure #10 and he found that the county did nothing against SD law; Notice of Filing Uranium Exploration Permit Application by Powertech; Notice of application to amend Pacer Corporations mine permit #467; Notice from Canadian Pacific saying that the US Surface Transportation Board had approved CP'S application to acquire control of DM&E and IC&E railroads effective 10-30-08; a copy of Meade County's resolution opposing SD Brand Law application by the SD Brand Board and a resolution of recommended changes to the SD Brand Board.

- The Board authorized payment of a bill from Witt's Heating & Air Conditioning for 1880 Court House Museum for \$395.76.

Monthly Reports

The Board acknowledged the following reports:

- Register of Deeds September 2008 statement of fees with \$474.00 collected in state fees, \$10,214.82 for county fees for a total of \$10,688.82.

-The Auditor's report with the Treasurer for September 2008 as follows: Cash \$1496.48; Checks/Drafts <3days \$24,472.56; Checks/Drafts >3 days \$1,200.00; 1st Western Bank checking \$34,638.23; 1st Western Bank Savings \$21,530.59; FWB Flex \$54,314.94; ED Jones MM \$111,302.11; 1st Western Investment \$31,690.45; TELCO Checking \$196.03; TELCO TIIA \$15,136.37; TELCO Savings \$79,373.50; TELCO CD \$90,000.00; Accrued Interest \$333.29, ED Jones \$3,436,784.16 for a total of \$3,902,468.71.

Travel Request

-Allen Trask made a request to attend a 24/7 Program training in Pierre on November 4, 5 & 6 at a cost to the county of use of county vehicle. The Board moved to approve the request. Motion carried.

-LaDonna McKnight made a request to attend the CES Annual Conference in Brookings on October 14-17 at a cost to the county of \$256.00. The Board moved to approve the request. Motion carried.

Copperleaf Road District – Order to Incorporate

-The Board moved to approve the Order to Incorporate Copperleaf Road District. Motion carried.

ORDER TO INCORPORATE

Pursuant to SDCL 31-12A-11 and the verified statement being presented to the Custer County Commissioners on this date and the Board of County Commissioners being satisfied that legalities of the election have been met.

IT IS HEREBY ORDERED that Copperleaf Road District described as Plat of Lots 1 – 26 located in the W1/2SE1/4 of Section 33, T2S, R7E, BHM in Custer County, SD. is incorporated and this Order shall be conclusive of the fact of such incorporation in all suits by or against such road district.

Dated this 8th day of October, 2008.

s/s commissioners

Meeting Schedule

-Black Hills Association of County Commissioners and Elected Officials Meeting on October 24th, at noon at the Laughing Water Restaurant at Crazy Horse.

-Meeting with the Fair Board on October 21st at the Custer County Annex at 3:00 p.m.

Human Resources/Personnel

-Les Struble hired Greg Riley as an Appraiser I, Level 2 at \$10.50 per hour effective 10-27-08. The Board moved to approve the hire. Motion carried.

Custer State Park-Boundary Project

-Custer State Park made a request to Custer County to participate in a Grant Application with them for GPS locating of Custer State Park boundaries. Custer County will be paid approximately \$5,500 for GPS services. The Board moved to approve Custer County's participation in the grant with Custer State Park. Motion carried.

BHACC Meeting

-Black Hills Association of County Commissioners and Elected Officials meeting will be held on Friday, October 24th at Crazy Horse Memorial. Lunch will served at 12:00 noon in the dining room of Laughing Water Restaurant. After the meeting those who stay will take a trip to the top of Crazy Horse Mountain weather permitting.

John Culberson, Highway Superintendent

-The SD Department of Transportation requested a temporary easement in Lot 21, 22 and 23 in Block 3, in the Town of Hermosa for proper completion of highway facilities. The Board moved to authorize the Chairman to sign the easement agreement. Motion carried.

-Larry Walker, a grade operator with the highway department, rendered a letter of resignation effective October 9th. Larry has been an employee with Custer County since May of 1998 and the Board expressed their appreciation for his 10 years of service with the county and wished him well.

Fair Board

-Mel Steen, Fred Matthews and Jack Dye spoke for the Fair Board and advised the Board that the Fair Board rejected the Fairgrounds Policy and Bylaws sent to them for review. The Fair Board will meet on October 14th to discuss the documents and will meet with the Commissioners and the Assistant State's Attorney on October 21st in the Commissioner's Room at the Custer County Annex to finalize the documents. A deadline of December 10th was established for completion of the agreements.

David Green, Planning

Request for flood plain development permit Legal Description: Mulcahy Sub-Tract 13 of Lot 1B of Lot 1 of Tract Mulcahy of HES #437, Sections 7/8 T4, R4, BHM, Custer County, SD. LPS, Inc. is the applicant. The Board moved to approve the request as recommended by the Planning Commission providing all the conditions have been met. Motion carried.

Request for flood plain development permit Legal Description: 14198 Yellow Oak Road, Hermosa, SD. SE4 SE4 SE4 and E 134.5' of SW4 SE4 SE4 Section 36 T2S, R7E, BHM, Custer County, SD. James Culpeper is the petitioner. The Board moved to approve the request as recommended by the Planning Commission providing all the conditions have been met. Motion carried.

Variance request- Legal Description: Lot B of Best Tract 2 of HES #177 of Section 2, T4, R4 of the BHM. Michael and Sara Janson are the petitioners. The Board moved to deny the variance request and to refund the \$200.00 application fee. Motion carried. The Board moved to issue a land use permit for placement of their house in the "clear zone". Motion carried.

Request for off-premise sign: John Krawic on behalf of the Town of Buffalo Gap applied for an off-premise sign that would inform passing traffic of the locations of the Town of Buffalo Gap. The Board moved to approve the request as recommended by the Planning Commission providing all the conditions have been met. Motion carried.

Vouchers

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

PAYROLL: COMMISSIONERS 5207.95 INCLUDES TRAVEL 275.30;AUDITOR 13375.09 INCLUDES TRAVEL 47.00 ;TREASURER 12935.18 INCLUDES TRAVEL 47.00;IST 7089.18;ST ATTORNEY 12889.43 INCLUDES UTILITIES 40.00;BUILDING 8115.46;DOE 13449.74 INCLUDES TRAVEL 260.00;ROD 7502.30;VETERANS 1756.29 INCLUDES TRAVEL 27.43; SHERIFF 54153.32; CORONER 337.94 INCLUDES TRAVEL 25.75; COMMUNICATIONS 18267.24 INCLUDES TRVEL 24.00;AIRPORT 2801.20; NURSE 1686.82; LIBRARY 10405.89; EXTENSION 1767.17; SOIL 654.93 INCLUDES 31.03;WEED 16877.41; PLANNING 7302.31

INCLUDES TRAVEL 98.42; HIGHWAY 64267.78 INCLUDES UTILITIES 70.00 & TRAVEL 40.00; TITLE III 1897.45; EMERGENCY MGMT 4259.80; WIC 394.97; 24/7 SOBRIETY 1158.02; 911 EM 201.04. TOTAL PAYROLL \$268,753.91. G ZIOLKOWSKI 600.00 CONTRACT 106.00 SHELTER; COBRA ESCROW 166.78; ELECTION 80.03; LON BAILLARGEON 217.88 11/08 ANGELS CASE WITNESS FEES, EDWARD BECK 226.08 11/08 ANGELS CASE WITNESS FEES, RENEE BECK 226.08 11/08 ANGELS CASE WITNESS FEES, BERT BULEN 238.24 11/08 ANGELS CASE WITNESS FEES, MICHAEL CAIN 187.08 11/08 ANGELS CASE WITNESS FEES, SHERRI DAVIS 629.54 11/08 ANGELS CASE WITNESS FEES, STEVEN DAVIS 629.54 11/08 ANGELS CASE WITNESS FEES, SUSAN EVANS-MARTIN 204.08 11/08 ANGELS CASE WITNESS FEES, DENNIS FEECE 124.72 11/08 ANGELS CASE WITNESS FEES, LEROY FRASIER 266.74 11/08 ANGELS CASE WITNESS FEES, NATHAN FRASIER 183.64 11/08 ANGELS CASE WITNESS FEES, JOHN GREEN 626.58 11/08 ANGELS CASE WITNESS FEES, THOMAS HAAS 294.16 11/08 ANGELS CASE WITNESS FEES, DAVID HARTMAN 238.04 11/08 ANGELS CASE WITNESS FEES, JOSEPH HAWLEY 208.84 11/08 ANGELS CASE WITNESS FEES, CHRISTOPHER JACKS 186.24 11/08 ANGELS CASE WITNESS FEES, GREG KAEMMERER 187.28 11/08 ANGELS CASE WITNESS FEES, JAMES KEY 196.50 11/08 ANGELS CASE WITNESS FEES, MICHELLE LEWIS 187.08 11/08 ANGELS CASE WITNESS FEES, ANTHONY LUPICA 183.18 11/08 ANGELS CASE WITNESS FEES, ALLEN MATTHEWS 291.36 11/08 ANGELS CASE WITNESS FEES, CHRISTOPHER MIRE 213.92 11/08 ANGELS CASE WITNESS FEES, DANNY NEACE 1178.38 11/08 ANGELS CASE WITNESS FEES, DANIEL NOVAK 209.84 11/08 ANGELS CASE WITNESS FEES, TED RAMSDELL 189.92 11/08 ANGELS CASE WITNESS FEES, CRYSTAL SCHUSTER 266.74 11/08 ANGELS CASE WITNESS FEES, PV2 WABLES 179.64 11/08 ANGELS CASE WITNESS FEES, TERRY LEE ZIEGLER 128.73 11/08 ANGELS CASE WITNESS FEES, THOMAS KOBES 349.29 11/08 ANGELS CASE WITNESS FEES.

-Chairman Bies adjourned the meeting at 11:10 a.m. The Board planned to do a walk through of the fairground buildings to review the hail damage. The next meeting will be held October 22nd, at 8:00 a.m. in the Commissioner's Room of the Courthouse Annex.