**Custer County Commissioner Meeting**

**Date: December 7, 2016**

Chairman Lampert called the meeting to order at 8:00 a.m. with the Pledge of Allegiance. Mark Hartman, Jim Lintz, Oonagh Wood, Travis Bies, Tracy Kelley, State’s Attorney and the Auditor were present.

Mark Hartman moved and Oonagh Wood seconded to approve the agenda as presented. Motion carried. 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**

Mark Hartman moved and Oonagh Wood seconded to approve the minutes of the Nov. 22, 2016 commission meeting. Motion carried.

**Declaration of Conflict of Interest** - None declared.

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**Gary Woodford, Highway Superintendent**

-The County has been given some cement box culvert sections that are 30’ long. Gary would like to use these on Battle Creek Road and is requested the purchase two box ends to complete the culvert. Jim Lintz moved and Travis Bies seconded to accept the box culverts. Motion carried.

-Oonagh Wood moved and Travis Bies seconded to authorize Gary to purchase the two box culvert ends needed. Motion carried.

**Rex Harris, Planning Director**

-Travis Bies moved and Oonagh Wood seconded to approve a plat of HES 168 East, HES 168 West and a private access easement, containing all of HES 168 Less Tract A of HES 168 and Lot A of HES 168, (Located in the W ½ of Section 23 and the East ½ of Section 22), T4S, R4E, BHM, Custer County, South Dakota. Motion carried.

-Oonagh Wood moved and Travis Bies seconded to approve Resolution 2016-15 for the vacation of a section line that was presented and approved at the Nov. 22, 2016 Commission meeting. Motion carried.

**Resolution 2016-15 Vacation of Section-Line Highway Right-of-Way**

WHEREAS, application has been made for the purpose of vacating that portion of the Section-Line-Highway Rights-of-Way that runs east and west between SE ¼ of Section 4 and the NE ¼ of Section 9 T5S, R5E, BHM. The Section Line Right of Way vacation is intended to eliminate the ROW from Tanner Sub. – Tract 1D (formerly Tr 1A, 1B & 1C) in the SE 1/4, Sec. 4 & NE ¼ Sec. 9, T5S, R5E and Tanner Sub. – Tract 1AR(formerly Tr 1A, 1B, & 1C) in the SE ¼, Sec 4.& NE 1/4, Sec. 9,T5S, R5E, BHM, Custer County, South Dakota. Petitioners: Randall & Debra Zurn and Sam R. Wyngaarden and Suzann J. Stoner-Wyngaarden

WHEREAS, The Board of Custer County Commissioners have determined that the public's interest will be better served by vacation of this section line highway Right-of-Way,

NOW THEREFORE, BE IT RESOLVED THAT The Custer County Board of Commissioners approves the vacation of the aforementioned section line Highway Right-of-Way.

Dated this 7th day of December, 2016

**Supplemental Budget Requests**

-Mark Hartman moved and Jim Lintz seconded to authorize the Auditor to publish a supplemental budget hearing. Motion was tabled on a motion by Jim Lintz and a second by Oonagh Wood for further discussion. Motion carried.

-Travis Bies moved and Jim Lintz seconded to authorize the publication of a supplemental budget hearing. Motion carried.

A supplemental budget hearing will be held December 28, 2016 at 8:30 a.m. in the Custer County Courthouse Commissioner’s Room, 420 Mt. Rushmore Road, Custer, SD at which time and place any person interested may appear to give public testimony on the consideration and adoption the following supplements to budgets: $20,000 for the Commissioner Budget; $23,000 for the Election Budget; $5,000 for the States Attorney Budget; $6,500 for the Human Resources Budget and $69,500 for the Sheriff Budget. Means of finance will come from the General Fund Balance Unassigned Reserve in the amount of $124,000. $9,240 for the Register of Deeds Office, means of finance will come from the Modernization and Preservation Unassigned Fund Reserve and $10,200 for the 911 Communications Budget, means of finance will come from the 911 Communications Unassigned Reserve. In the event you are unable to attend the hearing, you may present information, opinions and arguments in writing to the Custer County Auditor, 420 Mt. Rushmore Road, Custer, South Dakota 57730 prior to the date of the hearing.

**Executive Session – Personnel**

-Travis Bies moved and Mark Hartman seconded to go in and out of executive session for negotiations at 8:12 a.m. until 8:20 a.m. Motion carried. No action taken.

-Travis Bies moved and Jim Lintz seconded to go in and out of executive session for personnel at 8:50 a.m. until 11:10 a.m. Motion carried. No action taken.

**Mail Call / General Business**

-Travis Bies moved and Jim Lintz seconded to approve the 2017 Commissioner meeting calendar as follows: January 11, 2017; January 25, 2017; February 8, 2017; February 23, 2017; March 8, 2017; March 29, 2017; April 12, 2017; April 26. 2017; May 10, 2017; May 24, 2017; June 14, 2017; June 28, 2017; July 12, 2017; July 26, 2017; August 9, 2017; August 23, 2017; September 13, 2017; September 27, 2017; October 12, 2017; October 25, 2017; November 8, 2017; November 29, 2017; December 13, 2017 and December 28, 2017. Motion carried.

-Oonagh Wood moved and Jim Lintz seconded to authorize the Chairman to sign the 2017 Public Health Services contract. Motion carried.

-Jim Lintz moved and Mark Hartman seconded to authorize the Chairman to sign the 2016 EMPG Sub-Award Agreement in the amount of $5,010.81. Motion carried.

**Meeting Schedule**

-More than two commissioners may be in attendance at the following:

The Black Hills Association of County Commissioners meeting to be held at the Meade County Administration building in Sturgis, SD on Dec. 16, 2016 at 2:00 pm.

The Custer County Holiday party to be held at the Buglin’ Bull Restaurant in Custer, SD on Dec. 16, 2016 at 5:30 p.m.

**Human Resources**

-The Board acknowledged the completion of the new hire six month probation by Paul Kock, Hwy Operator II, effective Nov. 23, 2016.

**Monthly Reports**

Register of Deeds Nov. 2016 statement of fees with $290.00 collected in state fees, $10,674.25 in county fees, and $356.00 for SDACO for a total of $11,320.25. The Auditor’s report with the Treasurer for Nov. 2016 as follows: Cash $4,241.67; Checks/ Drafts <3days $45,649.85; Checks/Drafts >3 days $1,050.00; 1st Interstate Bank checking $191,191.18; 1st Interstate Bank Savings $3,670,242.68; ED Jones MM $14,276.36; SD FIT $500,242.67; 1st Interstate Bank Flex $59,790.71; 1st Interstate Investment $37,356.24; Sentinel Checking $208.03; Sentinel TIIA $31,207.93; Sentinel Savings $79,940.76; Highmark Investment $151,155.72; Highmark Savings $10,185.33; Highmark Checking $5,000.00; Dacotah Bank Checking $12,000.00; Dacotah Investments $673,590.37; Accrued Interest $204.78, ED Jones $2,741,151.09 for a total of $8,228,685.37. Custer County Sheriff’s Nov. 2016 report: $110.00 fingerprinting service; $44.00 accident reports; $126.00 pistol permits; $150.00 in enhanced pistol permits; $215.86 in mileage; $1,300.00 service fees; $155.00 executions; $50.00 Commissions; $547.00 from 24/7 Program; $19.41 for postage fees; $25.00 for Sheriff Levy Fees; $25.00 Bond Fees; $7,636.31 for Grant Awards; for a total of $10,603.58 submitted to Custer County Treasurer.

**Auto Supplement**

-Mark Hartman moved and Jim Lintz seconded to authorize an automatic supplement to Weed and Pest, account #101-4-615-426.90 in the amount of $7,948.63 from a weed & pest grant and an automatic supplement to Sheriff Department #101-4-211-425.10 in the amount of $2,194.24 from insurance proceeds. Motion carried.

**Cash Transfer**

-Oonagh Wood moved and Jim Lintz seconded to authorize the Auditor to make a cash transfer from fund 784-210.00 in the amount of $714.47 as follows: to the 101-277.00 General Fund Unassigned in the amount of $392.72 and to fund 785-210.00 in the amount of $321.75. Motion carried.

**Airport Grant Close-out**

-Travis Bies moved and Jim Lintz seconded to authorize the Chairman to sign a close out report for the 2012 Grant Project #3-46-0011-11-2012 for Airport Improvements. Motion carried.

**Delinquent Taxes To Be Published**

-Dawn McLaughlin, Treasurer, presented to the Commissioners and the Auditor a list of delinquent taxes that will be published in the Custer Chronicle on Dec. 14, 2016 with tax sale certificates being issued on Dec 19, 2016 if taxes are not paid.

**Vouchers**

-Jim Lintz moved and Travis Bies seconded to approve the vouchers as presented. Motion carried.

PAYROLL: COMMISSIONERS 4,261.88; AUDITORS 12,700.83; TREASURERS 11,710.50; GIS 4,696.78; STATES ATTORNEY 15,015.82; MAINTENANCE 10,277.76; DOE 14,621.41; ROD 5,605.98; VETERANS SERVICES 2,554.28; HUMAN RESOURCES 2,384.75; SHERIFF 54,781.45; NURSE 1,359.25; LIBRARY 11,804.50; EXTENSION 1,861.66; CONSERVATION 811.65; WEED & PEST 3,073.10; PLANNING 8,217.61; HIGHWAY 50,394.08; EMERGENCY MANAGEMENT 4,928.63; 24/7 PROGRAM 1,223.59; COMMUNICATIONS 25,681.88 TOTAL PAYROLL 247,967.38

A & B WELDING INC HWY WELDING SUPPLIES 94.86 ADVANCED DRUG TESTING INC DOT TESTING 36.00

AMERICAN LIBRARY ASSOCIATION LIBRARY FEES 175.00

ARGYLE FIRE DEPARTMENT QUARTERLY SUPPORT 11,750.00

BEESLEY LAW OFFICE, P.C. COURT APPOINTED ATTORNEY 3,993.06 BEST WESTERN RAMKOTA INN TRAVEL 99.99

BUFFALO GAP FIRE DEPT. QUARTERLY SUPPORT 4,250.00

BLACK HILLS POWER EQUIP HWY REPAIRS 144.00 BLACK HILLS ENERGY-6001 UTILITIES 4,672.39 BROSZ ENGINEEERING, INC. ENGINEER PROF FEES 378.36

BUCK'S ELECTRIC INC.HWY WIRIING 1,771.80 CBH COOPERATIVE HWY DIESEL 4,958.34 CUSTER COUNTY FAIR ASSOC BALL FIELD LIGHTS 35,081.39 CUSTER CO. SHERIFF'S OFFICE PETTY CASH 122.16 ANGELA M COLBATH COURT APPOINTED ATTORNEY 1,168.90 COLORADO DEPARTMENT OF REVENUE COURT RECORDS 10.00 CROELL, INC GRAVEL 300,000.00 CULLIGAN WATER WATER SERVICE 148.50 CUSTER CITY WATER BILL 368.38 CUSTER DO IT BEST COURTHOUSE SUPPLIES 122.41 CUSTER VOLUNTEER FIRE DEPART. QUARTERLY SUPPORT 35,000.00 CUSTER STOREHOUSE QUARTERLY SUPPORT 875.00 CUSTER TRUE VALUE COURTHOUSE SUPPLIES 293.10 D-WARE INC HWY SOFTWARE 2,500.00 DANIELLE T. SCHADE PLANNING SUPPLIES 7.88 DEWEY FIRE DEPT. QUARTERLY SUPPORT 1,250.00 DEWEY J ERTZ, ED.D. COURT APPOINTED ATTORNEY 1,775.00 DIAMOND D DIESEL HWY FUEL 520.00

EDDIE'S TRUCK SALES INC HWY PARTS 420.24 ELECTION SYSTEMS & SOFT ELECTION SUPPLIES 2,033.79 FASTENAL COMPANY INC HWY SUPPLIES 121.48 FEDEX SHIPPING 21.37

FLINT ELECTRIC INC HWY BLDG LIGHT REPAIR 168.82

FOLSOM FIRE DEPARTMENT QUARTERLY SUPPORT 5,800.00

FRENCH CREEK LOGGERS SUPPLY HWY PARTS 53.97 GARLAND LEE GOFF COURT APPOINTED ATTORNEY 307.05 GODFREY BRAKE HWY PARTS 151.72 GOLDEN WEST TELECOMMUNICATIONS UTILITIES 3,976.68 GOLDEN WEST TECHNOLOGIES UTILITIES 5,795.00 GREY & EISENBRAUN ATTORNEYS COURT APPOINTED ATTORNEY 426.33 GRIMMS PUMP SERVICE INC HWY PARTS 17.16 HERMOSA SENIOR CITIZENS ANNUAL SUPPORT 1,550.00 HIGHLANDS FIRE DEPARTMENT QUARTERLY SUPPORT 4,250.00 HIGHMARK FEDERAL CREDIT UNION ELECTION EXPENSE 636.00

JAX HWY WELDING 1,575.00 JENNY'S FLORAL FUNERAL ARRANGEMENT 120.24 KENNY BRENDEL INS. DED MATCH 500.00 KIMBALL MIDWEST HWY SUPPLIES 188.25

LABORATORY CORP OF AMERICA DOT TESTING 23.00 LYNN PEAVEY COMPANY SHERIFF SUPPLIES 107.85 MG OIL COMPANY HWY FUEL 2,131.02 MICROFILM IMAGING SYSTEMS, INC ROD FEES 4,455.00 MINNEHAHA COUNTY REGIONAL JUV PRISONER CARE 1,140.00 MISTER HANDY SERVICE SPECIALIST LIBRARY REPAIRS 34,820.27 MT RUSHMORE TELEPHONE COMPANY UTILITIES 242.34 NELSON'S OIL & GAS, INC. HWY FUEL 599.04 POWERPLAN HWY SUPPLIES 18,719.10 PRINGLE FIRE DEPT. QUARTERLY SUPPORT 4,250.00 QUILL CORPORATION OFFICE SUPPLIES 1,216.77

RAPID CHEVROLET HWY REPAIRS 2,061.40 CITY OF RAPID CITY, FINANCE PRISONER CARE BAC 105.00 REDWOOD TOXICOLOGY LABORATORY 24/7 PROGRAM 233.24 REGIONAL PHARMACY PRISONER CARE 379.60 RELX INC. DBA LEXISNEXIS LAW LIBRARY 289.00 RICOH USA, INC COPIER SUPPLIES 146.92 RT COMMUNICATIONS 911 LINE 27.80

S&B MOTOR PARTS HWY PARTS 402.45 SANDER SANITATION SERVICE INC COUNTY GARBAGE 254.82 SD ASSOCIATION OF ASSESSING DOE FEES 300.00 S.D.HUMAN SERVICES CENTER MENTAL ILL 600.00 WESTERN SD SENIOR SERVICES ANNUAL SUPPORT 1,000.00 SERVALL TOWEL & LINEN COURTHOUSE SUPPLIES 98.17 SOUTHERN HILLS PUBLISHING INC PUBLICATIONS 1,744.05 TERESA L. FINK COURT REPORTER 64.60 VANGUARD APPRAISALS, INC. DOE SOFTWARE 250.00

VERIZON WIRELESS CELL PHONES 1,046.29 VFW POST 3442 VETERANS SERVICES 250.00 WALMART COMMUNITY OFFICE SUPPLIES 126.72 MARK & SHANNON STITES AIRPORT CONTRACT 3,000.00 WESTERN SD JUVENILE SERVC PRISONER CARE 8,120.00 WESTERN STATIONERS OFFICE SUPPLIES 360.00 YOUNG'S MOBIL-PIERRE AMOCO TRAVEL 85.49

Jim Lintz moved and Mark Hartman seconded to adjourn the regular session at 11:15 a.m. with the next meeting being held Dec. 28, 2016 at 8:00 a.m. in the Commissioner’s Room in the Custer County Courthouse.

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nancy Christensen, Auditor Phil Lampert, Chairman

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