**Custer County Commissioner Meeting**

**Date: August 10th, 2016**

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

 The Board moved to approve the agenda with the addition of Resolution 2016-9 under Black Hills Electric Cooperative Application for Franchise and ball field lights purchase under unfinished business. 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**

Travis Bies moved and Jim Lintz seconded to approve the minutes of the July 20th, 2016 commission meeting as presented. Motion carried.

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

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**Gary Woodford, Highway Superintendent**

-Travis Bies moved and Jim Lintz seconded to approve the following applications to occupy right-of-way. Motion carried.

Golden West Telecommunications to parallel to provide service on 2 Hour Road in Section 24, Township 3S, Range 4E, Custer County, South Dakota.

Golden West Telecommunications for a utility facility to provide service on Four Wheel Drive in Section 18, Township 3S, Range 5E, Custer County, South Dakota.

-Oonagh Wood moved and Mark Hartman seconded to approve the following applications to occupy right-of-way. Motion carried.

Golden West Telecommunications for a utility facility on Silver Star Drive in Section 15, Township 4S, Range 4E, Custer County, South Dakota.

Golden West Telecommunications for a utility facility on 313A (Lime Kiln Road) in Section 14, 22 & 23, Township 5S, Range 4E, Custer County, South Dakota.

Golden West Telecommunications for a utility facility on 316 (18 Mile Road) in Section 30, 31, 32 & 33, Township 5S, Range 4E, Custer County, South Dakota.

Golden West Telecommunications for a utility facility on 315 (Hopkins Flat Road) in Section 17, 18, 20-22 & 30, Township 5S, Range 4E, Custer County, South Dakota.

Golden West Telecommunications to parallel & bore on CS333 (Argyle Loop) in Section 16, Township 6S, Range 4E, Custer County, South Dakota.

-Mark Hartman moved and Oonagh Wood seconded to approve a Road Project Agreement, Schedule A and Operating Plan between Custer County and USDA, Forest Service, Region 2, Black Hills National Forest with a county match of $12,000. Motion carried.

-Travis Bies moved and Jim Lintz seconded to accept a Bridge Improvement Grant Award to pay for engineering costs in the amount of $30,400 with a 20% match. Motion carried.

**State and Local Agreement**

-Jim Lintz moved and Oonagh Wood seconded to authorize the Chairman to sign the 2017 State and Local Agreement Terms and Conditions, Local Agreement Work Plan & the Emergency Management Performance Grant Sub-award Agreement. Motion carried.

**Mark Stites, Airport Manager**

-Oonagh Wood moved and Jim Lintz seconded to authorize Tracy Kelley, States Attorney, to send a follow-up letter regarding airplanes currently occupying tie down spaces at the airport. Mark Hartman aye, Oonagh Wood aye, Jim Lintz aye, Travis Bies abstained. Motion carried.

**Black Hills Electric Co-op Franchise Approval Hearing**

-A public hearing was held at 9:00 a.m. to determine if the Board of Commissioners should approve Resolution 2016-9 granting Permit/Franchise rights and privileges

-Travis Bies moved and Oonagh Wood seconded to approve Resolution 2016-9.

Motion carried

STATE OF SOUTH DAKOTA ) THE HONORABLE BOARD

 )SS OF COUNTY COMMISSIONERS

COUNTY OF CUSTER ) OF CUSTER COUNTY

 **RESOLUTION NO. 2016-9**

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| IN THE MATTER OF THE APPLICATION OF **BLACK HILLS ELECTRIC COOPERATIVE, INC.**, FOR APPROVAL OF A FRANCHISE/PERMIT PURSUANT TO SDCL 31-26. |  | **RESOLUTION GRANTING PERMIT/FRANCHISE** |

**WHEREAS** on the 10th day of August, 2016, Black Hills Electric Cooperative, Inc., a South Dakota corporation, with its principal place of business at Custer, South Dakota applied to the Board of County of Commissioners of Custer County, South Dakota, for the right and privilege of maintaining a franchise for electric power lines constructed on certain highways and roadways in said County, as more particularly set out in the Application for franchise on file in the Auditor’s office of said County, which Application is hereby made a part of this resolution; and

WHEREAS, the electric transmission, telegraph and telephone companies operating lines in, near or adjacent to said highways and roadways were duly notified by the County Auditor for Custer County that a hearing would be held on the Application in accordance with SDCL §-31-26; and

WHEREAS, the Board of Commissioners of Custer County have examined said Application and found:

1. That said Application is in the form and contains the information required by law.

 2. That the Application was appropriately filed with the Custer County Auditor and that all persons, firms or corporations owning transmission, telegraph, and telephone lines within Custer County were notified by registered or certified mail at least ten (10) days prior to the Custer County Board of Commissioner’s hearing on said Application and that said Notice stated the time and place when and where such Application would be heard.

3. That the Custer County Board of Commissioners has considered the complaints of all parties appearing, and has adjusted all differences between Black Hills Electric Cooperative, Inc., and the owner or owners of any transmission, telegraph or telephone lines affected by the Board’s decision upon said petition.

4. That the operation, maintenance and construction (if and when found necessary by Applicant) of said lines will be in the public interest, and that said permit/franchise should be granted, subject to the conditions hereinafter set forth.

THEREFORE BE IT RESOLVED by the Board of County Commissioners of Custer County, South Dakota, that Black Hills Electric Cooperative, Inc., a corporation organized and existing under and by virtue of the laws of the State of South Dakota, qualified and authorized to operate and transact business in the State of South Dakota, its successors and assigns hereinafter called the grantee be and hereby are authorized and granted a right-of-way permit/franchise to construct, operate, and maintain as wherever necessary, electric transmission and distribution lines on and along all public highways in Custer County, South Dakota. That this permit/franchise is granted specifically pursuant to SDCL §31-26-12, authorizing a general grant as to all public highways for rural electrification purposes; and it is found and resolved

hereby that the grantee, Black Hill Electric Cooperative, Inc., is operating its entire system primarily and principally for rural electrification purposes.

BE IT FURTHER RESOLVED that this permit is subject to the following conditions and such other reasonable conditions and regulations as the South Dakota legislature may hereinafter prescribe:

1. The grantee shall not have the exclusive right to use such highway(s) for the construction of electricity.

2. The poles, fixtures and transmission line shall be constructed so as not to prevent the public use of any road or the navigation of any stream.

3. When any highway along which such a line has been constructed shall be changed, grantee shall, upon ninety (90) days notice in writing, remove such line to the highway as changed.

4. Grantee shall construct and maintain said poles, wires and line in accordance with the National Electric Safety Code adopted by the Bureau of Standards of the United States Department of Commerce.

5. This right-of-way permit/franchise shall be effective and in full force for a period of twenty (20) years from the date hereof.

6. That the grantee shall notify the County in writing at least thirty (30) days prior to the construction of any additional transmission or distribution lines along and on all public highways in Custer County, South Dakota.

Approved at the regular meeting of the Custer County Board of County Commissioners held on the 10th day of August, 2016.

 BOARD OF COUNTY COMMISSIONERS,

 CUSTER COUNTY, SOUTH DAKOTA

**Executive Session – Personnel/Legal**

-Mark Hartman moved and Oonagh Wood seconded to go in and out of executive session for personnel and legal at 9:29 a.m. until 11:01 a.m. Motion carried.

-Mark Hartman moved and Travis Bies seconded to approve reimbursement of a perk test fee in the amount of $510.00. Motion carried.

-Mark Hartman moved and Travis Bies seconded to amend the County Employee Handbook to read “Payday will be bi-weekly”. Motion carried.

**Mail Call / General Business**

-A letter from the Corporation for National & Community Service inviting the Commissioners to a recognition event of the Black Hills Foster Grandparent Program and the Senior Companions of South Dakota.

-A letter of notification of a final compliance inspection and liability release from the South Dakota Board of Minerals and Environment being done for Powertech (USA) Inc.

-Information on the Juvenile Justice Reinvestment Initiative Diversion Program.

-A letter from US Department of Agriculture requesting comments on a septic tank and cistern at the Tatanka Hotshot Base on US Hwy 385.

**Monthly Reports**

Register of Deeds July 2016 statement of fees with $830.00 collected in state fees, $13,343.00 in county fees, and $354.00 for SDACO for a total of $14,527.00. The Auditor’s report with the Treasurer for July 2016 as follows: Cash $2,097.47; Checks/ Drafts <3days $37,866.69; Checks/Drafts >3 days $1,050.00; 1st Interstate Bank checking $168,903.85; 1st Interstate Bank Savings $3,027,872.98; ED Jones MM $12,635.21; SD FIT $500,191.92; 1st Interstate Bank Flex $59,699.19; 1st Interstate Investment $37,244.51; Sentinel Checking $208.03; Sentinel TIIA $31,203.33; Sentinel Savings $79,934.85; Highmark Investment $150,904.37; Highmark Savings $10,184.06; Highmark Checking $5,000.00; Dacotah Bank Checking $12,000.00; Dacotah Investments $659,079.91; Accrued Interest $204.78, ED Jones $2,725,882.09 for a total of $7,522,163.24. Custer County Sheriff’s July 2016 report: $140.00 fingerprinting service; $46.00 accident reports; $150.00 pistol permits; $200.00 in enhanced pistol permits; $294.55 in mileage; $1025.00 service fees; $25.00 Distress Warrants; $130.00 executions; $57.66 Distress Warrant Commissions; $1,135.00 from 24/7 Program; $7,926.65 Awards/Grants; $6.47 for postage fees; $215.00 Work Release; for a total of $11,351.33 submitted to Custer County Treasurer.

**Travel Requests**

-Travis Bies moved and Mark Hartman seconded to approve the following travel requests: from Terri Cornelison, Director of Equalization, to travel to a Tyler Workshop and User’s Meeting in Oacoma, SD Aug 16th – 18th, 2016 at a cost to the county of $381.00 plus the use of a county vehicle; A request from Teri Morgan, Register of Deeds, to travel to a Tyler Workshop and User’s Meeting in Oacoma, SD Aug 17th – 18th, 2016 at a cost to the county of $227.85 plus the use of a county vehicle; from Nancy Christensen, Auditor and Christie Behlings, Deputy Auditor, to travel to a Tyler Workshop and User’s Meeting in Oacoma, SD Aug 16th – 18th, 2016 at a cost to the county of $762.00; from Mike Carter, Emergency Manager, to travel to a SDEMA Conference in Aberdeen, SD Sept. 12th – 15th, 2016 at a cost to the county of $375.00 plus the use of a county vehicle; from Steve McMillin, Lieutenant, to travel to a Black Hills Photography Investigations Class in Rapid City, SD Sept. 12th – 13th, 2016 at a cost to the county of $100 plus the use of a county vehicle; from Nancy Christensen, Auditor and Christie Behlings, Deputy Auditor, to travel to the 2016 County Convention in Sioux Falls, SD September 11th – 13th, 2016 at a cost to the county of $782.00 plus the use of a county vehicle; from Christine Browning, Deputy Auditor, to travel to an Essentials of Collections Law Seminar in Rapid City, SD on Aug. 29th, 2016 at a cost to the county of $248.32. Motion carried.

**Meeting Schedule**

-More than two Commissioners will be present at the Custer County Fair August 11th through the 14th at the Fairgrounds in Hermosa, SD.

**Human Resources**

-The Board acknowledged the resignation of Ben Grams, Deputy Sheriff, effective Aug. 19th, 2016.

**Unfinished Business**

-Jim Lintz moved and Mark Hartman seconded to approve Resolution 2016-6 for supplements to the following budgets: Motion carried.

**Resolution 2016-6** Supplemental Budget 2016

**Whereas,** The Board of County Commissioners propose a supplement to the General Fund Budget (101) in the amount of $110,045.13 as follows: $78,545.13 for Commissioners Budget and $31,500 for Custer County Fair Budget. Means of finance will come from the General Fund Unassigned Reserve: to the 911 Communications Fund Budget (255) in the amount of $7,020.00. Means of finance will come from the 911 Communications Fund Unassigned Reserve: to the Highway Fund Budget (201) in the amount of $138,816.38. Means of finance will come from the Highway Fund Unassigned Reserve.

**Now Therefore Be It Resolved** by the Board of County Commissioners to adopt the Supplemental Budget for 2016.

Dated this 10th day of August, 2016.

**Bank Signature Cards**

-Mark Hartman moved and Travis Bies seconded to approve an updated list for signatures on accounts held at banking institutions for the Custer County Treasurer and Auditor as follows. Motion carried.

Certificate of Authority - Account changes & Updated signatures.

Dacotah Bank: Names to be deleted: Aleta Stender and Linda Nelson. Names to be added - Peggy Lindbloom, Deputy Treasurer and Tammie Price, Deputy Auditor. New signatures - Dawn McLaughlin, Treasurer; Peggy Lindbloom, Deputy Treasurer; Nancy Christensen, Auditor; Tammie Price, Deputy Auditor.

Sentinel Federal Credit Union: Names to be deleted: Aleta Stender and Dianna Olson

Names to be added: Peggy Lindbloom, Deputy Treasurer and Tammie Price, Deputy Auditor. New signature cards: Dawn McLaughlin, Treasurer; Peggy Lindbloom, Deputy Treasurer; Nancy Christensen, Auditor; Tammie Price, Deputy Auditor.

Highmark Credit Union: Names to be deleted: Aleta Stender, Dianna Olson and Linda Nelson. Names to be added: Peggy Lindbloom, Deputy Treasurer and Tammie Price, Deputy Auditor. New signature cards; Dawn McLaughlin, Treasurer; Peggy Lindbloom, Deputy Treasurer; Nancy Christensen, Auditor; Tammie Price, Deputy Auditor.

South Dakota Public Funds Investment Trust: Names to be deleted: Aleta Stender

Names to be added: Nancy Christensen, Auditor and Peggy Lindbloom, Deputy Treasurer. New signature cards: Dawn McLaughlin, Treasurer; Peggy Lindbloom, Deputy Treasurer and Nancy Christensen, Auditor.

Edward Jones: Names to be deleted: Linda Nelson and Aleta Stender.

Names to be added: Peggy Lindbloom, Deputy Treasurer and Nancy Christensen, Auditor. New signatures: Dawn McLaughlin, Treasurer; Peggy Lindbloom, Deputy Treasurer and Nancy Christensen, Auditor.

**Custer County Fairgrounds**

-Travis Bies moved and Mark Hartman seconded to approve the purchase of ball field lights at the Custer County Fairgrounds in Hermosa at a cost of $27,266. Motion carried.

**New Library Board Member**

-The Board acknowledged Patricia Hoffman as a newly-appointed member of the Custer County Library Board.

**Vouchers**

-Travis Bies moved and Oonagh Wood seconded to approve the vouchers as presented. Motion carried.

PAYROLL: COMMISSIONERS 4,261.88; AUDITORS 11,539.27; TREASURERS 12,055.99; GIS 4,751.33; STATES ATTORNEY 15,304.50; MAINTENANCE 9,569.71; DOE 15,017.34; ROD 5,765.09; VETERANS SERVICES 2,628.16; HUMAN RESOURCES 2,384.75; SHERIFF 57,118.11; NURSE 1,045.58; LIBRARY 11,832.57; EXTENSION 1,950.30; CONSERVATION 850.30; WEED & PEST 3,542.47; PLANNING 8,642.92; HIGHWAY 56,115.45; EMERGENCY MANAGEMENT 4,928.63; 24/7 PROGRAM 1,189.07; COMMUNICATIONS 25,751.50 TOTAL PAYROLL 256,244.91

A TO Z SHREDDING, INC. 25.50 AINSWORTH HAGEN FORESTRY GRANT REIM 46.20 AIRPORT LIGHTING COMPANY 570.17 APPLIED CONCEPTS, INC 214.30 ARDELL NELSON 72616 WEED STATE GRANT 53.38 BARRY MARCY 72816 WEED STATE GRANT 95.37 BEESLEY LAW OFFICE, P.C. 16CRI14-192.00 1,135.15 BEN MEADOWS 2701099 HWY PAINT 81.48 BLACK HILLS ENERGY-6001 SHERIFF TOWER 4,453.88 BRAD OLSON FORESTRY GRANT REIM 52.00 JIM BRICKEY 8216 WEED FORESTRY GRN 30.99 BROSZ ENGINEEERING, INC. 4630 HWY FAIRBURN BRD G 2,274.21 BUTLER MACHINERY CO INC 482594 HWY 2620 PART 198.47

CBH COOPERATIVE 60378 HWY PREM/UNLD 12,294.52 CUSTER CO. SHERIFF'S OFFICE 100.47 CNA SURETY DIRECT BILL 525.00 ANGELA M COLBATH CRI14-175/13-AO 950.80 COLLEEN WERKMEISTER FORESTRY GRANT REIM 23.68

RANDAL CONNELLY JUV16-07/L.D. 1,622.23 CONTRACTOR'S SUPPLY, INC. 213346 HWY SHOP SUP 131.00 CRESCENT ELECTRIC SUPPLY INC 592.66 CROELL REDI-MIX, INC 130167 HWY PIT 50 GRVL 154,976.08 CULLIGAN WATER 147026 HWY WATER/RNT 113.50 CUSTER AMBULANCE SERVICE I AED BATTERY 332.79

CUSTER CITY 742.59 CUSTER DO IT BEST 295.29 CUSTER GAS COMPANY 63.88

CUSTER TRUE VALUE A91787 260.35 CUSTER'S YMCA 2,100.00 DAKOTA BATTERY & ELECTRIC 39749 HWY STARTER 319.90 DASH MEDICAL GLOVES, INC. 60.90 DEB'S PRINTING 259.62 DEPT OF SOCIAL SERVICES 35.20 DICK'S SERVICE 1879 HWY 1207 RPRS 80.00 DISCOVERY BENEFITS 41.66 DIXIE METZ STATE GRANT REIM 308.50 DIESEL MACHINERY INC C39756 HWY 2502 PIPE 186.44 DODGE TOWN 86.00 EDDIE'S TRUCK SALES INC X19859 HWY CREDIT 783.58 EDWIN PETERS 72016 WEED FORESTRY GR 24.95 ELECTRICAL ENG & EQUIPMENT 806414 HWY ECS GENERAT 670.22 FASTENAL COMPANY INC 237661 HWY SHOP SUP 182.19 FORWARD DISTRIBUTING 281546 HWY TIRE RPR 124.95 FRENCH CREEK LOGGERS SUPPL 138421 WEED TRLR BALL 251.78

GOLDEN WEST TELECOMMUNICAT 4,004.32 GOLDEN WEST TECHNOLOGIES 5,785.00 GRAFIX SHOPPE 513.69 GRIMMS PUMP SERVICE INC 65228 HWY 0515 PIPE 165.24 INSURANCE BENEFITS INC 2,467.00 INTERSTATE ALL BATTERY CEN 31014357 HWY 3515 BTRY 118.95 JEFF BAIRD FORESTRY GRANT REIM 330.08

JIM BRUNNER` FORESTRY GRANT REIM 63.25 JOHNSON MACHINE INC 642991 HWY ECS SUP 6.99 KADRMAS LEE & JACKSON INC 107.71 BRAD KEIZER 515.76

KENNEDY IMPLEMENT CT26670 HWY 1209 WHEEL 371.07 LARRY PARQUET 8216 WEED STATE GRANT 46.20 LOWERY CONSTRUCTION & CONC FINE ARTS BUILDING-SMITH-BEEF 6,539.30 LOWRY, HEATH 41.36 LUNE HOUSE PUBLISHING 24.95 MARVIN BISHOP FORESTRY GRANT REIM 79.95 MARY JO MARCY 148.00 MATCO TOOLS 94883 HWY VAC PUMP 350.90 MG OIL COMPANY 16 298035 HWY DEF`2,635.94 MICK WILHELM 72116 WEED FORESTRY GR 67.06 MPG/P. COOLEY 83.33 MT RUSHMORE TELEPHONE COMP 11310387 HWY ECS INT/PH 227.92 NACVSO/ATTENTION BARRY JOHNS 40.00 NELSON'S OIL & GAS, INC. 459483 HWY PROPANE 316.17 NEVE'S UNIFORMS INC. 270.79 PENNINGTON COUNTY SHERIFF' 16-004785 26,495.00 PITNEY BOWES/PURCHASE POWER 2,015.00 QUILL CORPORATION 7690556 HWY OFFICE SUP 723.00 CITY OF RAPID CITY BAC 35.00 TELCO FED CREDIT UNION 3,570.07 REDWOOD TOXICOLOGY LABORATORY 454.69 REGIONAL PHARMACY PCJ5404241 92.07 RELX INC. DBA LEXISNEXIS 289.00 RICOH USA, INC 292.37 RODNY VELDHUIZEN 8116 WEED FORESTRY GRNT 36.99 ROGER DIKOFF 72516 WEED FORESTRY GRN 390.00

RT COMMUNICATIONS CUSTER COUNTY 911 25.70 S&B MOTOR PARTS 26513 HWY PARTS/SUP 617.31 SANDER SANITATION SERVICE 304.82 SD ASSOCIATATION OF COUNTY COM 1,731.48 SD DEPT OF PUBLIC SAFETY 2,340.00 SD PUBLIC ASSURANCE ALL. 362.16 SD VETERAN'S SERV OFFICE ASSOC 85.00 SD EMERGENCY MANAGEMENT ASSOC 75.00 SDSU WEST RIVER AG CENTER 98.60 SERVALL TOWEL & LINEN 2460600 HWT CVRL/TWL R 206.91

SIGN & TROPPHY/WESTEX 154.00 MATTHEW L SKINNER, P.C. A&N 16JUV15-19 2,060.80 SOUTHERN HILLS PUBLISHING 461.48 STURDEVANT'S -PRONTO PREVIOUS CREDIT 10.22 SUE SUGZDA FORESTRY GRANT REIM 156.57 SUMMIT SIGN & SUPPLY INC 49420 HWY 911 VANDAL 73.00 THOMSON REUTERS - WEST 359.25 TKE CORP/FULL MAINTENANCE 375.00 TOPHAT TINTING 175.00 TRUENORTH STEEL HU15359 HWY 656 CULV 4,143.72 ACCURACY INC FEDERAL 12GA TACT FLIGHT CONT 125.00 VANGUARD APPRAISALS, INC. SD PROVERSION SERVICE FEES 650.00 VERIZON WIRELESS 1,117.05 WALMART COMMUNITY 70.62 WEST RIVER INTERNATIONAL T230490 HWY 0517 STRPS 659.36 MARK & SHANNON STITES 3,000.00 WESTERN SD JUVENILE SERVC 16-000423 560.00 WHISLER BEARING CO. 219764 HWY SHOP SUPP 282.56 WITT WALKER 92.00 YOUNG'S MOBIL-PIERRE AMOCO TRAINING IN PIERRE 49.90 Z & S DUST CONTROL SERV. 25937 HWY MAG CLOR 16,133.00.

Chairman Lampert adjourned the regular session at 11:02 a.m. with the next meeting being held August 24th, 2016 at 8:00 a.m. in the Commissioner’s Room in the Custer County Courthouse.

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

Nancy Christensen, Auditor Phil Lampert, Chairman

Published once at the total approximate cost of\_\_\_\_\_\_\_\_\_\_.