

Custer County Commission Meeting (Wednesday, October 10, 2018)

Members present:

Commissioners Travis Bies, Phil Lampert, Jesse Sorenson, Jim Lintz, Mark Hartman and States Attorney Tracy Kelley.

A. Commission Meeting was called to order at 8:00 AM followed by the Pledge of Allegiance.

B. Adopting of the agenda – Chairman Lampert called for any additions or corrections to the agenda. Motion by Bies and seconded by Lintz to remove item #1 under Commission. Motion carried, unanimous.

C. Consent Agenda

Motion by Lintz and seconded by Hartman to approve the September 26, 2018 commission minutes, the following vouchers, monthly reports and travel requests. Motion carried, unanimous.

Vouchers approved as follows:

PAYROLL: Commissioner \$1,875; Auditor \$5,266.71; Treasurer \$5,309.20| IST \$2,083.50; States Attorney \$7,078.49; Courthouse Building \$3,392; Equalization \$7,331.64; Register of Deeds \$2,830.91; Veteran Service \$830.88; Human Resource \$1,094.38; Sheriff \$21,425.97; Nurse \$816; Library \$5,485.57; Extension \$1,217.04; Weed & Pest \$1,420; Highway \$5,141.34; Emergency Management \$21,797.39; 24/7 \$787.27; Communications/911 \$8,474.16

COMMISSIONERS: Southern Hills Publishing \$194.07; Jenny’s Floral \$62.78

COURT: Beesley Law Office \$4,532.20; Justin O’Neill \$1,826.65; Garland Goff \$1,142; Grey & Eisenbraun Law \$764.06; Wade Moseley \$38.48; Heather Moseley \$20; Dennis Vozella \$45.20

AUDITOR: Golden West Telecommunications \$175.41

TREASURER: Southern Hills Publishing \$66.10; Quill \$63.13; Golden West Telecommunications \$175.42

INFO SYSTEMS & TECH: Golden West Telecommunications \$70.16

STATE’S ATTORNEY: Lexisnexi \$303; Golden West Telecommunications \$175.41; Culligan Water \$30.50

COURTHOUSE BUILDING: Servall Towel & Linen \$58.26; Custer Ace Hardware \$38.15; Golden West Telecommunications \$35.08

DIRECTOR OF EQUALIZATION: S & B Motor Parts \$41.98; Golden West Telecommunications \$210.49

REGISTER OF DEEDS: A & B Business \$15.24; US Bank \$119.70; Vector Design \$146.80; Golden West Telecommunications \$140.33; Evergreen Office Products \$113.99

VETERANS SERVICES: Golden West Telecommunications \$35.08

INFO TECHNOLOGY: Golden West Technologies \$1,940; A & B Business \$99.91; Golden West Telecommunications \$10

SHERIFF: Corner Station \$24.50; Black Hills Energy \$62.71; Southern Hills Publishing \$48; A & B Business \$21.94; S & B Motor Parts \$77.89; Sherry Weber \$24; Innovative Office Solutions \$114.68; Golden West Telecommunications \$354.82; Culligan Water \$57.50; CBH Cooperative \$4,862.07; Creative Product Sourcing \$1,308.92; Battle Mt Humane Society \$800

PRISONER CARE: Kevin Kirschenmann MLS \$75; Manlove Psychiatric Group \$59.90; Ann Allen \$150; Christine Peters \$75

AIRPORT: OT Pod \$667.60; French Creek Loggers \$77.97; Custer Ace Hardware \$19.98; Golden West Telecommunications \$112.40; MG Oil Company \$4,409; Mark & Shannon Stites \$3,100

INDIGENT: Chamberlain McColley's \$2,000

MENTAL ILLNESS BOARD: Beesley Law Office \$252.50

LIBRARY: Southern Hills Publishing \$38.80; Mt Rushmore Telephone \$112.71; Golden West Telecommunications \$282.13

EXTENSION: A & B Business \$13.52; Golden West Telecommunications \$221.44

WEED & PEST: A & B Business \$8.01; Golden West Telecommunications \$48.90

PLANNING: Southern Hills Publishing \$26.80; Quill \$54.06; Vector Design \$39.95; Golden West Telecommunications \$140.33

COUNTY ROAD & BRIDGE: Butler Machinery \$3,844.13; Eddie's Truck Sales \$12.82; French Creek Loggers \$48.96; Fastenal Company \$458.68; Godfrey Brake \$115.40; Mt Rushmore Telephone \$114.96; S & B Motor Parts \$659.83; SD Public Assurance Alliance \$683.05; Kieffer Sanitation \$162.25; Summit Signs & Supply \$120; Servall Towel & Linen \$98.86; Snap on Tools \$918.45; Newman Traffic Signs \$206.08; Black Hills Truck & Trailer \$624.44; Craig Golder \$1,000; Black Hills Gravel \$6,750; Custer Ace Hardware \$3.29; Golden West Telecommunications \$271.29; Culligan Water \$46.50; Nelson's Oil & Gas \$543.74; MG Oil Company \$145.84; Powerplan \$1,587.68; CBH Cooperative \$5,460.80

EMERGENCY MANAGEMENT: Corner Station \$37.95; Baymont Inn \$62; Golden West Telecommunications \$105.25

24/7: Redwood Toxicology \$274

BUILDING: Custer City \$319.58; Sander Sanitation \$669.88; North Central Supply \$154.49; A to Z Shredding \$32.80; SD Department of Transportation \$256.04

ROD MODERNIZATION & PRESERVATION: Microfilm Imaging Systems \$822.25

EMERGENCY LINE: A & B Business \$9.62; Golden West Telecommunications \$1,376.20; Culligan Water \$33.50; RT Communications \$23.42

Monthly Reports approved:

- Register of Deeds September 2018 statement of fees with \$220 collected in state fees, \$14,218.50 in county fees, and \$372 for SDACO fees for a total of \$14,810.50.
- The Auditor's report with the Treasurer for September 2018 as follows: Cash \$1,806.53; Checks/Drafts \$37,349.40; Petty Cash \$1,050; SD Fit \$505,678.07; 1st Interstate Bank checking \$179,933.07; 1st Interstate Bank Savings \$2,039,248.19; ED Jones MM \$170,636.94; 1st Interstate Flex \$60,547.94; 1st Interstate Investments \$37,581.09; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$32,280.18; Sentinel CU Savings \$79,993.91; Highmark Investment \$152,355.59; Highmark Savings \$10,186.42; Highmark Checking \$5,000; Dacotah Bank Checking \$12,577.50; Dacotah Investments \$683,658.79; Accrued Interest \$3,072.63; ED Jones Investments \$2,647,550.01 for a total of \$6,660,714.29.
- Custer County Sheriff's September 2018 report: \$20 fingerprinting service; \$46 accident reports; \$126 basic concealed weapon permits; \$100 enhanced concealed weapon permits; \$90 gold concealed weapon permits; \$491.67 mileage; \$1,370 service fees; \$325 Distress Warrants; \$190 executions; \$127.70 fees & postage for a grand total of \$2,886.37.

Travel Requests approved: Gary Woodford to 33rd Annual Regional Local Road Conference in Rapid City, SD, at a cost of \$250; Deputy Matt Warren to Glock Armorer training in Spearfish, SD, at a cost of \$250; Kim Kerkvliet, Mike Carter and Tim Holland to Joint Safety and Loss Control Training Conference in Pierre, SD, at a cost of \$544

D. Conflict of Interest Declarations – Commissioner Hartman declared a conflict of interest with item #1 under Equalization, Revised Resolution 2015-06.

E. Emergency Management

Motion by Bies and seconded by Lintz to approve and authorize the Chairman to sign the 4th Quarter SLA Quarterly Activity Report – FY 2018. Motion carried, unanimous.

F. Planning

1. Motion by Lintz and seconded by Bies to approve the Plat of Lots 10, 12, and 13 of Rushmore View Subdivision, Tract A Revised of Battle Creek Subdivision, and Private Access Easements in Tract A, All in the NE4SW4, and the SE4NW4 of Section 28, T2S, R7E, B.H.M., Custer County, South Dakota. Motion carried, unanimous.
2. Motion by Hartman and seconded by Sorenson to approve the Plat of Timber Ridge Tract of the S2NW4 and a Private Access Easement across Tract Hunter Hill of Box Canyon Subdivision, All in Section 4, T3S, R7E, B.H.M., Custer County, South Dakota. Motion carried, unanimous.

G. Equalization

1. Motion by Bies and seconded by Lintz to approve Revised Resolution 2015-6. Motion carried, Hartman abstained.

Second Revised Resolution 2015-6
COMMERICAL / INDUSTRIAL DISCRETIONARY FORMULA

WHEREAS, the Commissioners of Custer County previously adopted a discretionary tax formula to encourage development of certain commercial and industrial property within the boundaries of Custer County per SDCL 10-6-35.2; and

WHEREAS, the Commission has the authority to enact, amend, and repeal such ordinances and resolutions as may be proper and necessary to carry into effect the powers granted to it by law; and

WHEREAS, after further consideration and discussion the Commissioners have determined that said discretionary formula needs to be further revised; and

WHEREAS, SDCL 10-6-35.2 authorizes the board of county commissioners to adopt any formula for assessed value of specifically classified structures; and

WHEREAS, the formula may include for any or all of the five years following construction all, any portion or none of the assessed valuation for tax purposes; and

WHEREAS, the Commissioners of Custer County, South Dakota believe it to be in the best interest of the County to adopt a formula for reduced taxation in accordance with SDCL 10-6-35.2; now therefore

IT IS HEREBY RESOLVED that the following discretionary tax formula for property classified pursuant to SDCL 10-6-35.2 be and is hereby adopted:

Structures specifically classified pursuant to SDCL 10-6-35.1, 10-6-35.22 and 10-6-35.24, excepting structures located within a Tax Incremental Financing District, shall be assessed under the following formula: 20% of the assessed value in the 1st year; 60% of the assessed value in the 2nd year; and at 100% of the assessed value in the 3rd year.

IT IS FURTHER RESOLVED that this Resolution shall amend in its entirety that one certain Revised Resolution 2015-6 adopted by the Commission on May 9, 2018 and that this Resolution shall become effective on the twentieth day after its completed publication.

Dated this 10th day of October, 2018 at Custer, South Dakota.

2. Patty Caster, Director of Equalization, spoke to the commission about placing a service window on the west wall of the Equalization office to help with the air flow. The commission asked that Caster get estimates for the new window and bring to the next commission meeting.

H. Register of Deeds

1. The commission acknowledged the completion of six month employment probation for Wanda Gramkow, Deputy Register of Deeds.

I. Public Hearing

1. A public hearing was held at 8:30 a.m. to discuss the 5 Year Plan for County Highway and Bridge Improvement. Gary Woodford, Highway Superintendent, and Tom Wilsey from Brosz Engineering were in attendance to answer any questions. Woodford reviewed the 5 year plan. The meeting was opened for public comment for the 5 Year Plan for County Highway and Bridge Improvement. Those in attendance included: Teri Morgan, Jana Virtue, Doug Kimball, Craig Hindle, Tim Holland, Kim Kerkvliet, Mike Carter, Harry Martinez, Jason Ferguson, Patty Caster, Linda Kramer, Mark Stites, and Rex Harris. There were no comments or questions from the public. Motion by Bies and seconded by Lintz to approve the 5 Year Plan for County Highway and Bridge Improvement. Motion carried, unanimous (4 Aye and 0 Nay).

J. Highway Department

1. Motion by Hartman and seconded by Sorenson to approve the Application for Occupancy of the Right of Way of County Roads from Golden West Telecommunications for a utility facility on Highway Number CS341 (Lower French Creek Road) in Section 33, T3S, R5E, Custer County, South Dakota. Motion carried, unanimous.

K. Sheriff

1. Motion by Hartman and seconded by Sorenson to approve the State of South Dakota Lease Agreement Lease #2900-449-41 for the east office space rent of \$500 per month. Motion carried, unanimous.
2. Motion by Sorenson and seconded by Bies to approve the hiring of Steve Yenulonis as a Certified Deputy Sheriff at a starting wage of \$20.50 per hour. Motion carried, unanimous.
3. Motion by Hartman and seconded by Lintz to approve the surplus of 12 LED lights to the Folsom Fire Department. Motion carried, unanimous.
4. Sheriff Mechaley informed the commission that his office has received a Homeland Security Grant in the amount of \$44,004.36 which will be used to replace dispatch radios and portable radios for deputies.

L. Airport

1. Motion by Sorenson and seconded by Hartman to approve the Amendment Number 1 to Agreement Number 511697 which modifies the dollar amounts on the original contract agreement with the South Dakota Department of Transportation for relocation assistance. Motion carried, unanimous.
2. Discussion was held on the Airport Manager position. Mark Stites, current Airport Manager, will be resigning the position at the end of the year. Stites handed the commission his recommendation for the transition of hiring a new Airport Manager. The recommendation includes a one month overlap to provide for a smooth transition. The commission agreed that the position should be advertised as soon as possible.

M. Veteran Service

1. Jana Virtue, Veteran Service Officer, gave a quarterly report to the commission. Virtue has filed 12 new disability and/or pension claims with the South Dakota State of Veterans Affairs and has worked with Veterans to file over 14 Intent to File (for future claims).

N. Auditor

1. Bruce Hintz from South Dakota Legislative Audit presented a Letter of Understanding for the 2016 and 2017 Audit he has begun for Custer County. Motion by Hartman and seconded by Sorenson to approve and authorize the chairman to sign the Letter of Understanding between the State of South Dakota Department of Legislative Audit and Custer County. Motion carried, unanimous.

O. Commission

1. Motion by Lintz and seconded by Bies to decline the offer from the State of South Dakota regarding the purchase of HES 168 East, and HES West, and a Private Access Easement containing all of H.E.S. 168 Less Tract A of H.E.S. 168 and Lot A, Located in the W1/2 of Section 23, and the E1/2 of Section 22, T4S, R4E, B.H.M., Custer County, South Dakota. Motion carried, Bies, Lintz and Sorenson Aye and Hartman Nay.

- P. Public Comment** – Travis Hartshorn spoke to the commission regarding the work session that was supposed to be scheduled to take a look at the different types of roads and types of maintenance. The commission told Hartshorn the work session had not been scheduled. Bies suggested having a special meeting with the Highway Department and Commission so that the issues could be discussed and voted on. Doug Kimball, Independent Candidate for Custer County Sheriff, introduced himself to the commission. Linda Kramer with the Hermosa Town Board gave an update on the Town of Hermosa.

Q. Commission

1. Mail call – a letter was received from the Seventh Judicial Circuit Court regarding the Court Security Grant Program to help offset the costs of security improvements in courthouses.
2. Meeting Schedule – none
3. Meeting Reports – Lintz missed the Weed Board meeting but reported that the board met and reviewed the different types of weeds. The Weed Board will be applying for grants once again for spraying weeds. Lintz attended a Fair Board meeting and reported that the board is in the process of improving the small ball field and will use \$30,000 of their money to fund the project. The Fair Board is still working on their 5 year plan.

R. Executive Session

1. Motion by Lintz and seconded by Sorenson to go into Executive Session pursuant to SDCL 1-25-2(4). Executive Session started at 8:59 a.m. and was suspended at 9:17 a.m. Motion by Bies and seconded by Lintz to go back into Executive Session pursuant to SDCL 1-25-2(3). Executive Session started at 9:52 a.m. and concluded at 10:50 a.m.
2. Motion by Sorenson and seconded by Hartman to approve Rex Harris, Mike Carter and Tracy Kelley to assist with relocation efforts in an attempt to finalize the RPZ project. Motion carried, unanimous.

S. Adjourn

Motion by Lintz and seconded by Hartman to adjourn the meeting at 10:50 a.m. The next meeting will be at 8 a.m. October 24, 2018, in the Commissioner's Room in the Custer County Courthouse.

Phil Lampert, Chairman

Attest:

Terri Cornelison, Custer County Auditor

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