

Custer County Commission Meeting (Wednesday, June 19, 2019)

Members present:

Commissioners Jim Lintz, Mark Hartman, Jesse Sorenson, Mike Linde, Craig Hindle, States Attorney Tracy Kelley and Deputy States Attorney Susan Anderson.

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

B. Adopting of the agenda

Motion by Hindle and seconded by Linde to move Julie Frye-Mueller out of Executive Session to Public Comment and add an Executive Session for Sheriff, States Attorney and Emergency Management and to approve the agenda with those changes. Motion carried, unanimous.

C. Consent Agenda

Motion by Sorenson and seconded by Hartman to correct the minutes of the June 5, 2019 Commission meeting on page 5 under Petition for the Organization and Incorporation of Lizzie/Kemp Road District item #1 to read "That the proposed name of the District shall be Lizzie/Kemp and to approve the minutes of the June 5th commission meeting with the correction along with the following vouchers, monthly reports and travel requests. Motion carried, unanimous.

Travel requests approved: Terri Cornelison to South Dakota Incode Financial Regional Training in Aberdeen, SD, at a cost of \$824.97; Patty Caster to NST Seminar in Rapid City, SD, at a cost of \$239.90.

Vouchers approved as follows:

PAYROLL: Commissioners \$1,875; Auditor \$5,881.91; Treasurer \$7,325.53; IST \$2,125; States Attorney \$9,239.14; Courthouse Building \$4,802.16; Equalization \$7,881.18; Register of Deeds \$3,020.96; Veterans Service \$936; Human Resource \$1,116.27; Sheriff \$27,972.17; Nurse \$848.64; Library \$6,864.10; Extension \$1,380.48; Weed & Pest \$2,171.67; Planning \$3,711.17; Highway \$26,767.31; Emergency Management \$2,317.96; 24/7 \$256.97; Communications/911 \$12,146.84.

COMMISSIONERS: S & B Motor Parts \$7.79; Verizon Connect \$341.90

DOG PARK: City of Custer \$2500.00

B.H. WORKSHOP: Black Hills Works \$1000.00

AUDITOR: Quill \$54.35; Golden West Telecom \$167.60

TREASURER: A & B Business \$208.33; Golden West Telecom \$167.60

STATE'S ATTORNEY: A & B Business \$50.59; Relix, Inc. \$303.00; Golden West Telecom \$167.60; Culligan \$24.00

COURT APPOINTED ATTORNEY: Beesley Law Office \$2663.70; Justin O’Neill \$2040.92; Garland Goff \$1712.30

COURTHOUSE BUILDING: Ace Hardware \$ 77.80; Golden West Telecom \$33.52

DIRECTOR OF EQUALIZATION: S & B Motor Parts \$136.94; Golden West \$201.13

REGISTER OF DEEDS: A & B Business \$11.83; Golden West Telecom \$134.08

VETERANS SERVICES: A & B Business \$4.40; Golden West Telecom \$33.52

INFO TECHNOLOGY: Golden West Telecom \$67.04 – IST

COMPUTERS: Golden West Telecom \$2090.00; The Schneider Corp \$2715.00

SHERIFF: Pennington Co. Sheriff \$246.80; A & B Business \$79.10; S & B Motor Parts \$159.99; Custer Ace Hardware \$9.18; Golden West Telecom \$339.21; L.N. Curtis \$211.85; H & S Uniforms \$408.00; Kiesler Police Supply \$429.00; Lakota Contracting \$649.00; Culligan \$69.50; Leads Online \$1428.00; Anderson Auto Sales \$80.00; Battle Mt. Humane Society \$1000.00

PRISONER CARE: Pennington Co. Jail \$1940.00; City of Rapid City \$105.00; Western SD Juvenile Services \$780.00; Ann Allen \$75.00; Christine Peters \$225.00; Satellite Tracking \$32.50

AIRPORT: B.H. Electric \$589.84; Custer Ace Hardware \$22.99; Golden West Tech \$112.24

SEARCH & RESCUE: B.H. Energy \$435.77; Frontier Precision \$20,000.00; Mayer Plumbing \$90.56; Amick Sound \$413.27

LIBRARY: Houchen Bindery \$174.50; Mt. Rushmore Telephone \$112.59; B.H. Library \$1428.53; Golden West Tech \$281.43; Centurylink \$14.92

EXTENSION: Golden West Telecom \$220.92; A&B Business \$15.98; Erin McGlumphy \$203.26; Discovery Benefits \$27.77

MENTALLY ILL: Yankton C. Sheriff \$50.00

MENTAL ILLNESS BOARD: Lucy Lewno \$81.50

WEED & PEST: Rushmore Communications \$3019.17; Custer Ace Hardware \$18.99; Golden West Telecom \$-38.86 (cr)

PLANNING: Golden West Telecom \$134.08; Discovery Benefits \$27.78

COUNTY ROAD & BRIDGE: B.H. Electric \$1467.02; Diesel Machinery \$2500.00; Truenorth Steel \$15101.70; Floyd’s Truck \$8274.03; Fastenal Co. \$132.12; Lynn’s Dakotamart \$33.17; Mt. Rushmore Telephone \$116.84; Rushmore Communications \$5642.53; A&B Business \$14.12; S&B Motor Parts \$397.31; Kieffer Sanitation \$172.50; Servall Towel \$106.42; Snap-on Tools \$373.10; B.H. Gravel

\$9823.35; North Central International \$359.13; Golden West Telecom \$272.30; Culligan Water \$46.50; Centurylink \$14.91; Nelson's Oil & Gas \$863.48; Mg Oil \$151.93; Great Western Tire \$4299.28; Home Well Drilling \$4938.78; CBH COOPERATIVE \$3714.88

EMERGENCY MANAGEMENT: Golden West Telecom \$100.56

FIRE PROTECTION: Argyle Fire Protection \$1682.00

CORONER: Regional Health Client \$461.00

HUMAN RESOURCES: Evergreen Office Products \$61.74

STATE GRANTS-GENERAL GOVERNMENT:

EMERGENCY 911: Lynn's Dakotamart \$61.95; A&B Welding \$42.90 Golden West Telecom \$1376.06; Culligan Water \$40.00; Centurylink \$536.93; Discovery Benefits \$27.77; RT Communications \$00.14

BUILDING: B.H.Energy \$4060.57; Sanders Sanitation \$454.94;

24/7 SOBRIETY: Pharmchem \$263.85

Monthly Reports approved:

- Register of Deeds January 2019 statement of fees with \$560 collected in state fees, \$15,415 in county fees, and \$378 for SDACO fees for a total of \$16,353.
- The Auditor's report with the Treasurer for January 2019 as follows: Cash \$2,942; Checks/Drafts \$44,595.49; Petty Cash \$1,050; SD Fit \$511,812.06; 1st Interstate Bank checking \$196,381.89; 1st Interstate Bank Savings \$4,783,369.27; ED Jones MM \$118,352.74; 1st Interstate Flex \$60,547.94; 1st Interstate Investments \$37,698.96; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$33,343.66; Sentinel CU Savings \$80,038.85; Highmark Investment \$152,583.54; Highmark Savings \$10,189.42; Highmark Checking \$5,000; Dacotah Bank Checking \$12,577.50; Dacotah Investments \$692,046.36; Accrued Interest \$3,072.63; Ed Jones Investments \$2,719,866.10 for a total of \$9,467,676.44.
- Custer County Sheriff's November 2018 report: \$20 Fingerprinting; \$24 accident/accrurent reports; \$54 basic concealed weapon permits; \$300 enhanced concealed weapon permits; \$414.52 mileage; \$1,400 service fees; \$190 executions; \$13.60 postage; \$40 CSO Ordered U/As fees for a grand total of \$2,556.12.

D. Conflict of Interest Declarations – none declared.

E. Highway

1. Bob Schmitt appeared before the board with concerns on the road condition in the Morkens Bear Springs Subdivision. The Forest Service has an easement that goes through their property. Schmitt claimed the road is not being maintained properly. Tracy Anderson, Forest Service Hell Canyon District Ranger, was also in attendance and stated the road in question is an open road to the National public. Anderson advised Schmitt that the Forest Service would be willing to talk with the concerned landowners to see if a solution could be reached.

2. Motion by Hartman and seconded by Hindle to approve and authorize the chairman to sign the Apportionment of Highway Infrastructure Program Funds pursuant to the Department of Transportation Appropriations Act, 2019 Fact Sheet. Custer County will receive \$37,150.66 to rehabilitate bridges identified as Str. No. 17-379-260 and Str. No. 17-535-143. Motion carried, unanimous.
3. Linda Fellows and other land owners appeared before the board to express their concerns on Little Italy Road. The county has repaired a portion of the road that is not in a road district and now there are weight limits on the road. These limits do not allow the landowners in the Limbo Road District to haul materials in to fix the issues with their road. The Highway Department will work with the landowners to try to come up with a solution to help them get their road repaired.

F. Planning

1. Motion by Hartman and seconded by Sorenson to approve the Plat of Lot 1R & Lot 2 of Bird Subdivision, Located in the NW4NE4 of Section 33, T2S, R7E, B.H.M., Custer County, South Dakota. Motion carried, unanimous.
2. Motion by Sorenson and seconded by Hindle to approve the Plat of Lot 2R of Shirttail Subdivision and Spangler Tract located in the W2 of Section 30, T5S, R5E, and the E2 of Section 25, T5S, R4E, B.H.M., Custer County, South Dakota. Motion carried, unanimous.

G. Emergency Management

1. Motion by Hartman and seconded by Hindle to approve the surplus of the following items to be sold at an online auction with Bradeen Auction:
 - 1999 Chevy Tahoe 6800 4x4 Vin#1GNEK13R3XJ335958
 - 2002 Honda Rancher 350 4x4 Vine #478TE25402A211565
 - 1999 Yamaha Kodiak 400 4x4 Vin#JY4AH05W4XA001200
 - 1983 Ford Comm Van E350 Vin #1FCJE30G5DHB29301
 - 2004 Polaris snowmobile Vin #SN1NT7DS24C407157
 - 1998 Neuman Trailer 6x8 Vin #41KMA1212W2022901

Motion carried, unanimous.

H. Equalization

1. Patty Caster, Director of Equalization presented ideas on perimeters for a resolution to be drafted regarding the assessment of certain carports and sheds under 160 square feet. A resolution will also be drafted regarding the requirements of submitting a Forest Management Plan with an agriculture application with timber as agricultural use.

I. SDSU Extension

1. Erin McGlumphy, 4-H Advisor, gave an update on the activities of the Extension Office. Currently there are 121 youth enrolled, 32 adult volunteers and 12 youth volunteers. McGlumphy also reviewed the activities shooting sports, YQCA, rodeo, camps, project areas, community service, cloverbuds and upcoming events.

J. Auditor

1. Motion by Hindle and seconded by Linde to approve the following resolution to declare the territory to be incorporated upon the assent of eligible voters for the South Park Road District and an election on the question of formation of the special district be held. Motion carried, unanimous.

PETITION FOR THE ORGANIZATION AND INCORPORATION OF

SOUTH PARK ROAD DISTRICT

To the Board of County Commissioners of Custer County, State of South Dakota

We, the undersigned landowners within the proposed district, seek to be incorporated as a Road District and respectfully petition and advise the Board of County Commissioners as follows:

That the proposed name of the District shall be South Park Road District.;

That there is a need for road work in the territory described therein;

A legal description of the territory proposed to be organized as a Road District is as follows;

- Southpark Ranch Sub Ph 1 Lot 1 in SE4 Sec 8 & SW4 Sec 9, T6, R4
- Southpark Ranch Sub Ph 1 Lot 2 in SE4 Sec 8 & SW4 Sec 9, T6, R4
- Southpark Ranch Sub Ph 1 Lot 3 in SE4 Sec 8 & N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph1 Lot 4 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 5 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 6 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 7 in SE4 Sec 8 & N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 8 in SE4 Sec 8 & N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 9 in SE4 Sec 8 & N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 10 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 11 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 12 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 13 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 14 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 15 in SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 16 in SE4 Sec 8 & N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 17 in N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 18 in N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 19 in N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph1 Lot 20 in N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph1 Lot 21 in N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 22 in N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 23 in SE4 Sec 8 & N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 24 in S2S2 Sec 8 & N2N2 Sec 17, T6, R4
- Southpark Ranch Sub Ph 1 Lot 25 in S2 Sec 8, T6, R4
- Southpark Ranch Sub Ph 1 Lot 26 in S2 Sec 8, T6, R4
- Southpark Ranch Sub Ph 2 Lot 27 in SW4 & SE4 Sec 8 & SW4 Sec 9, T6, R4
- Southpark Ranch Sub Ph 2 Lot 28 in SW4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 3 Lot 29 in SW4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 3 Lot 30 in SW4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 3 Lot 31 in SW4 Sec 8, T6, R4

- Southpark Ranch Sub Ph 3 Lot 32 in SW4, Sec 8, T6,R4
- Southpark Ranch Sub Ph 3 Lot 33 in SW4 & SE4 Sec 8, T6, R4
- Southpark Ranch Sub Ph 3 Lot 34 in SW4 Sec 8 & NW4 Sec 17, T6, R4
- Southpark Ranch Sub Ph 3 Lot 35 in SW4 Sec 8 & NW4 Sec 17, T6, R4
- Southpark Ranch Sub Ph 3 Lot 36 in SW4 Sec 8 & NW4 Sec 17, T6, R4
- Southpark Ranch Sub Ph 3 Lot 37 in NW4 Sec 17, T6, R4
- Southpark Ranch Sub Ph 3 Lot 38 in NW4 Sec 17, T6, R4
- Southpark Ranch Sub Ph 4 Lot 39 in SE4 Sec 8 & SW4 Sec 9, T6, R4

All located in Custer County, South Dakota

That the board of county commissioners define the boundaries for the district; that a referendum be held within the territory so defined on the question of the creation of a road district in the territory; and that the board determine that such a district be created.

Dated this 5th day of June, 2019
 /s/ Jim Lintz, Chairman
 Custer County Board of Commissioners

2. Auditor Cornelison requested the commission to set a date to review proposed 2020 budgets. The commission will review the budgets at the next two commission meetings starting at 11 a.m. on July 10th and July 24th.
3. Motion by Sorenson and seconded by Linde to grant Holiday pay for all county employees for Thursday July 4th and Friday July 5th with the Highway Department working 8 hour days that week. Motion carried, unanimous.

K. Public Comment – Travis Hartshorn commended the Highway Department on the blading that was done on LH Road.

L. Commission

1. Mail call – none
2. Meeting Schedule – Lintz attended a Weed & Pest, Fair Board and Lookout Solar Park meeting
3. Meeting Reports – the commissioners reviewed sections 5 & 6 of the proposed Custer County Employee Handbook with Deputy States Attorney, Susan Anderson.

M. Executive Session

1. Motion by Hindle and seconded by Linde to go into Executive Session pursuant to SDCL 1-25-2(1) and SDCL 1-25-2(4). Executive Session started at 9:27 a.m. to discuss personnel and contract negotiations and concluded at 10:55 a.m.

N. Actions Taken by Commission Outside of Executive Session

1. Motion by Hartman and seconded by Sorenson to approve Sheriff Mechaley to proceed with the purchase of new software for the Sheriff’s Office. Motion carried, unanimous.
2. Motion by Linde and seconded by Hindle to allow Tim Holland, Human Resource, and Susan Anderson, Deputy States Attorney, the authority to deal with a personnel issue as discussed and directed in Executive Session. Motion carried, unanimous.

O. Adjourn

Motion by Sorenson and seconded by Hindle to adjourn the meeting at 10:59 a.m. The next meeting will be at 8 a.m. July 10, 2019, in the Commissioner's Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest:

Terri Cornelison, Custer County Auditor

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