

**Custer County Commission Meeting (Wednesday, August 19, 2020)**

**Members present:**

Commissioners Jim Lintz, Mark Hartman, Jesse Sorenson, Mike Linde, Craig Hindle 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**

1. Motion by Sorenson and seconded by Hartman to approve the agenda as presented; vote taken, all aye; motion carried.

**C. Consent Agenda**

1. Motion by Linde and seconded by Sorenson to approve the minutes of the August 5, 2020 commission meeting, the following vouchers, monthly reports and travel requests; vote taken, all aye; motion carried.

Travel requests approved: Jess Doyle and Kevin Treloar to SDACHS Certification Class in Pierre, SD, at a cost of \$80; Lindsey Lockett, Alexis Rhew and Laura Eickhoff to SDAAO Annual School in Pierre, SD at a cost of \$2,232.

Vouchers approved as follows:

**PAYROLL:** Commissioners \$2,084.98; Auditor \$5,837.74; Treasurer \$7,868.18; IST \$2,343.72; States Attorney \$10,448.76; Courthouse Building \$5,549.21; Equalization \$8,639.14; Register of Deeds \$3,667.69; Veterans Service \$1,274.75; Human Resource \$1,273.21; Sheriff \$32,482.76; Coroner \$322.95; Nurse \$843.97; Library \$7,329.46; Extension \$656.17; Conservation \$461.25; Weed & Pest \$2,239.30; Planning \$5,357.55; Highway \$37,336.47; Emergency Management \$3,076.80; Communications \$11,240.91

**COMMISSIONERS:** Jenny's Floral \$53.20; Catastrophic Legal Expense Relief Program \$4,054.00; Golden West Telecommunications \$31.79

**ELECTION:** Beesley Law Office \$675.00

**AUDITOR:** Quill LLC \$65.42; Golden West Telecommunications \$109.44

**TREASURER:** Quill LLC \$61.85; Golden West Telecommunications \$138.13

**INFO SYSTEMS & TECH:** Quill LLC \$983.94; Golden West Telecommunications \$56.22

**STATES ATTORNEY:** Lexisnexis SA \$337.00; Golden West Telecommunications \$137.80; Culligan Water \$37.00

**DIRECTOR OF EQUALIZATION:** Golden West Telecommunications \$378.74

**REGISTER OF DEEDS:** Western Stationers \$411.22

**VETERANS SERVICES:** Quill LLC \$65.64; Golden West Telecommunications \$27.36

**INFO TECHNOLOGY:** Golden West Telecommunications \$119.44

**HUMAN RESOURCES:** Golden West Telecommunications \$27.36

**SHERIFF:** Black Hills Electric Coop \$67.11; Pennington County Sheriff's Office \$254.30; Pheasantland Industries \$778.73; Golden West Telecommunications \$283.59; Rapid Towing \$382.55; L&A Welding \$629.80; Culligan Water \$33.50; Battle Mt Humane Society \$1,000.00

**PRISONER CARE:** Kevin Kirschenmann MLS (ASCP) \$150.00; Rapid City Police Dept. \$120.00; Ann Allen \$75.00; Satellite Tracking of People LLC \$100.75; Pennington County Sheriff's Office \$6,690.00

**SEARCH & RESUE:** Golden West Telecommunications \$99.95

**AIRPORT:** Custer Do It Best \$45.56; Golden West Telecommunications \$113.18; MG Oil Company \$5,432.37

**POOR:** Rapid City Emergency Services \$162.88

**MENTALLY ILL:** South Dakota Human Service Center \$611.63

**MENTAL ILLNESS BOARD:** Beesley Law Office \$574.00

**LIBRARY:** Golden West Technologies \$2,116.00; Mt Rushmore Telephone Company \$132.32; Golden West Telecommunications \$89.95; CenturyLink \$14.95

**EXTENSION:** Golden West Telecommunications \$123.08

**WEED & PEST:** Black Hills Electric Company \$54.00; Golden West Telecommunications \$27.50

**PLANNING:** Golden West Telecommunications \$109.94; Discovery Benefits \$ 50.00; IWORQ Systems \$1,584.00; Western Stationers \$591.08

**COUNTY ROAD & BRIDGE:** A&B Welding Inc. \$92.31; Black Hills Electric Company \$724.64; Butler Machinery Co Inc. \$733.74; Custer Do It Best \$3.99; Floyd's Truck Center-Rapid City \$1,322.52; French Creek Supply Inc. \$410.38; Fastenal Company Inc. \$116.74; Mt Rushmore Telephone Company \$117.57; Quill LLC \$19.18; S&B Motor Parts \$259.96; Kieffer Sanitation \$172.50; Servall Towel & Linen \$111.34; Snap On Tools \$407.50; Rockmount Research & Alloy, Inc. \$357.66; Custer Ace Hardware \$47.65; Golden West Telecommunications \$136.23; Pop's Grocery Shoppe \$22.23; Loiseau Construction, INC. \$123,446.55; Dale's Tire & Retreading, INC. \$201.96; Culligan Water \$40.00; CenturyLink \$14.96; Matco Tools \$26.95; Nelson's Oil & Gas, INC. \$2,546.70; MG Oil Company \$303.86; Powerplan \$59.52; CBH Cooperative \$15,777.60

**EMERGENCY MANAGEMENT:** Black Hills Chemical \$360.00; Sam Smolnisky \$368.00; Teresa Obenauer \$228.67; Golden West Telecommunication \$44.23

**BUILDING:** Black Hills Electric Coop \$507.19; Thyssenkrupp Elevator Corporation \$375.00

**EMERGENCY LINE:** Golden West Telecommunication \$1,628.55; Culligan Water \$46.50; CenturyLink \$431.98

Monthly Reports approved:

- Register of Deeds July 2020 statement of fees with \$530 collected in state fees, \$21,701.50 in county fees, and \$488 for SDACO fees for a total of \$22,719.50.
- The Auditor's report with the Treasurer for July 2020 as follows: Cash \$1,659.26; Checks/Drafts \$39,938.38; Petty Cash \$1,050; SD Fit \$520,358.09; 1<sup>st</sup> Interstate Bank checking \$139,118.71; 1<sup>st</sup> Interstate Bank Savings \$2,638,905.47; ED Jones MM \$399,189.45; 1<sup>st</sup> Interstate Flex \$61,153.42; 1<sup>st</sup> Interstate Investments \$37,981.70; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$105,890.45; Sentinel CU Savings \$10,103.45; Highmark Investment \$153,567.10; Highmark Savings \$10,194.45; Highmark Checking \$5,000; Dacotah Bank Checking \$12,727.50; Dacotah Investments \$705,433.37; Accrued Interest \$4,490.72; Ed Jones Investments \$2,568,205.81 for a total of \$7,415,176.36.
- Custer County Sheriff's July 2020 report: \$28 accident/accurint reports; \$69 basic concealed weapon permits; \$50 enhanced concealed weapon permits; \$30 gold concealed weapon permits; \$62.35 mileage; \$1,060 service fees; \$25 warrant processing; for a grand total of \$1,324.35.

**D. Conflict of Interest Declarations** – Commissioner Hartman declared a conflict of interest with the variance request under Planning and Commissioner Lintz declared a conflict of interest with the Final Plat of Lintz Subdivision under Planning.

**E. Highway**

1. Motion by Hartman and seconded by Linde to approve the Application for Occupancy on the Right of Way of County Highways from Black Hills Energy for a permit on Highway Number 333 in Section 16, T6S, R4E, Custer County, South Dakota; vote taken, all aye; motion carried.

**F. Planning**

1. Motion to approve a variance request from applicant Mark Hartman, requesting a variance for going against the lot requirements from Custer County Ordinance #2 and requesting to subdivide a 2.01 acre lot into 3 parcels consisting of two lot sizes of .49 acres +/- and 1 lot of 1+/- acre; vote taken, motion carried. Aye – Sorenson, Linde and Hindle. Commissioner Hartman abstained.
2. Motion by Hartman and seconded by Hindle to approve the Final Plat of Herman Tract North and Herman Tract South of Wind Dance Farms Subdivision, Located in the SE4SW4 and Govt Lot 4 of Section 31, T3S, R4E, and in Govt Lots 3 and 9 of Section 6, T4S, R4E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.
3. Motion by Sorenson and seconded by Linde to approve the Final Plat of Lintz Subdivision Lot 5 and Lot 6, Located in the SW4SW4 and in the SE4SW4, Section 2, T3S, R7E, B.H.M., Custer County, South Dakota; vote taken, motion carried. Aye – Hartman, Linde and Hindle. Commissioner Lintz abstained.

4. Motion by Hartman and seconded by Linde to approve the Final Plat of Lot 12 Revised of Rushmore View Subdivision, BHHEC Tract 1 and BHHEC Tract 2 of Battle Creek Subdivision, Located in the W2 of Section 28, T2S, R7E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.

**G. Auditor**

1. Motion by Hartman and seconded by Linde to approve the new hires of Sarah Mowery as full-time permanent Deputy Auditor starting August 12, 2020 at a wage of \$13.89 per hour and Thresa Maddix as full-time permanent Deputy Auditor starting September 10, 2020 at a wage of \$13.89; vote taken, all aye; motion carried.

**H. Resolution 2020-17**

1. Motion by Sorenson and seconded by Linde to approve Resolution 2020-17; vote taken, all aye; motion carried.

**Custer County Resolution Number 2020-17**

**A RESOLUTION AUTHORIZING THE EXECUTION OF  
CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH  
DAKOTA FOR THE RECEIPT OF CARES ACTS FUNDS TO  
ADDRESS THE  
COVID-19 PUBLIC HEALTH CRISIS**

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, Custer County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, Custer County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, Custer County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, Custer County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for Custer County most recently approved as of March 27, 2020; and

WHEREAS, Custer County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the County Commission of Custer County that the chairman of the Custer County Commission may execute any and all documents as required by the State in order to receive CARES Act funds.

It is further

RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further

RESOLVED that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.

**I. Extension/Conservation**

1. Motion by Hartman and seconded by Linde to move this agenda item to Executive Session; vote taken, all aye; motion carried.

**J. Equalization**

1. Motion by Linde and seconded by Hindle to approve the new hire of Laura Eickhoff as a full-time permanent appraiser starting August 31, 2020, at a wage of \$13.89 per hour; vote taken, all aye; motion carried.

**K. Public Comment** – there were no comments from the public.

**L. Commission**

1. Mail call – Letter received from SD Dept of Ag regarding USDA Landscape Scale Restoration grants
2. Meeting Schedule – The South Dakota Department of School and Public Lands will hold a public auction at the Custer County Courthouse for the STAR Academy property on September 16, 2020 at 11:00 a.m.

3. Meeting Reports – Commissioner Hindle and Planning Director, Terri Kester met with representatives of the US Forest Service on the airport land; Commissioner Sorenson attended a Custer City meeting regarding possible land acquisition

#### **M. Old Business**

1. Motion by Linde and seconded by Sorenson to amend the motion made at the Special Commission meeting on August 17, 2020 adopting the Level of Action 1 as amended from the recommendation of the EOC regarding county operations with COVID positive cases:

Trigger 1 – 5 positive active cases of Custer County employees

- Restricted access to Courthouse building
  1. Only north door of Courthouse will be open to the public and employee access (excludes Sheriff, and Dispatch employees on all days of the week and Judge and Reporter on Court days). All other doors closed.
  2. Someone will be monitoring north door entrance taking temps., asking self-assessment questions, and highly recommending masks be worn before entry to the courthouse. This will be documented.
- Employees
  1. Daily self- assessment monitoring (including temps.) This will be documented.
  2. PPE use – highly recommend masks be worn when employees leave their office and enter the hallways and are no longer behind their protective germ shields
  3. Self-quarantine per healthcare provider recommendations and Department Heads will have the flexibility to allow the self-quarantined employee to work off-site
  4. Clinical testing, if exposed and/or symptomatic
  5. Surveillance and contact tracing/testing
  6. Departmental shelter in place
  7. All common areas to be used with social distancing guidelines
  8. All meetings to have the option to be held virtually (MS Teams, conference call, stand outside social distanced and PPE)
  9. Encourage the public to use outside drop boxes
  10. First floor limited access (court, essential services)
  11. Mail: as internal protocol – handle with PPE (gloves and mask), spray, etc. – minimize handling by multiple parties
  12. In a county vehicle – limit number of employees in a vehicle
- Social media – press releases – newspaper contact – establish chain of responsibility

#### **N. Executive Session**

1. Motion by Sorenson and seconded by Linde to go into Executive Session pursuant to SDCL 1-25-2(1). Executive Session started at 8:42 a.m. and was suspended at 9:04 a.m.; vote taken, all aye; motion carried. Motion by Sorenson and seconded by Linde to go back into Executive Session for the above matters starting at 9:35 a.m. and ended at 11:18 a.m.; vote taken, all aye; motion carried.

#### **O. Actions Taken By Commission Outside of Executive Session**

1. Motion by Hindle and seconded by Sorenson to amend the motion made at the August 17, 2020 special committee meeting to allow Caley Buckert to work up to 15 hours per week in a temporary part-time position with the Weed Department; vote taken, all aye; motion carried.

2. Motion by Sorenson and seconded by Linde to set the date of starting the restricted access to the courthouse building as Thursday, August 20, 2020.
3. Motion by Sorenson and seconded by Hartman to set up a committee to organize payments to be reimbursed as per Resolution 2020-17 with final review from the Auditor and Commissioners; vote taken, all aye; motion carried.
4. Motion by Hindle and seconded by Linde to increase the salary of Auditor Cornelison by \$3,000 annually effective with the next payroll; vote taken, all aye; motion carried.

**P. Adjourn**

Motion by Linde and seconded by Sorenson to adjourn the meeting at 11:39 a.m. The next meeting will be at 8 a.m. September 2, 2020 in the Commissioner's Room in the Custer County Courthouse.

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Jim Lintz, Chairman

Attest:

Terri Cornelison, Custer County Auditor

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