**Custer County Commissioner Meeting**

**Date: November 9th, 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**

Oonagh Wood moved and Jim Lintz seconded to approve the minutes of the Oct. 19th, 2016 commission meeting with the addition of “Nancy Christensen, Auditor, requested to hire a part-time temporary worker for the election”. Mark Hartman aye, Oonagh Wood aye, Jim Lintz aye, Travis Bies abstained as he was not present at the meeting. Motion carried.

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

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**Gary Woodford, Highway Superintendent**

-Mark Hartman moved and Jim Lintz seconded to approve an application to occupy right-of-way from Golden West Telecommunications for a telecom facility on Hazelrodt Cutoff in Section 33, Township 3S, Range 5E, Custer County, South Dakota. Motion carried.

-Travis Bies moved and Jim Lintz seconded to approve an application to occupy right-of-way from Golden West Telecommunications for a telecom facility on Beaver Lake Rd in Section 33, Township 3S, Range 4E, Custer County, South Dakota. Motion carried.

-Travis Bies moved and Jim Lintz seconded to accept a notice from Black Hills Electric Co-op regarding Construction of Transmission/Distribution Lines within Custer County, South Dakota for an overhead Utility in Section 30, Township 2S, Range 8E.

-Travis Bies moved and Mark Hartman seconded to accept an abstract bid for SD Department of Transportation project #BRO 8017(03), PCN H072 on Hazelrodt Cutoff which was $7,809.20 above the engineer’s estimate and was the lowest bid. Motion carried.

**Rex Harris, Planning Director**

-Oonagh Wood moved and Travis Bies seconded to approve the following land use permit applications: three additional tower antennas and three rectifiers in existing DC power plant on 183 Howard Street, Pringle, SD and install additional antennas and/or replace antennas on existing tower and install new breakers and rectifiers in Little Teton Subdivision Lot 3 in NW ¼ NE ¼, Section 27, T3, R4, Custer County, South Dakota. Motion carried.

-Mark Hartman moved and Oonagh Wood seconded to approve a plat of tracts 1 and 2 of Osmundson Subdivision containing all of the NW ¼, NE ¼, Section 7, T6S, R4E, BHM, Custer County, South Dakota. Motion carried.

**Mike Carter, Emergency Manager**

-Oonagh Wood moved and Travis Bies seconded to authorize the Chairman to sign an LEPC Homeland Security grant application; $9,800 for bi-directional antennas in the courthouse for improved radio reception; $11,403 for electronic door locks in the courthouse; and $14,400 for electronic tablets for check-in of emergency management authorized identification cards. Motion carried.

**Custer County Longevity Checks**

-The Commissioners were given longevity vouchers to pass out to the County employees that have been employed with the County for 5 years or longer.

**Request for Release of County Poor Lien on Specific Property**

-Travis Bies moved and Mark Hartman seconded to go in and out of executive session for negotiations at 9:28 a.m. until 9:45 a.m. Motion carried.

-Travis Bies moved and Oonagh Wood seconded to authorize the Chairman to sign a specific release of county poor liens on parcel #006425 located in the Lone Star Subdivision TR Loredo in SE ¼ SW ¼ & SE ¼ SE ¼ in Section 6, T6, R4, Custer County South Dakota and parcel #006426 located in Lone Star Subdivison TR Reno in S ½ SE ¼, Section 6, T6, R4, Custer County, South Dakota. Motion carried.

**Bob Schmitt – Custer Limestone Road**

-Bob is requesting that the County maintain a four mile stretch of road located on Custer Limestone Road from Ditch Creek Road to Lemming Draw which receives minimal maintenance and snow plowing. Tracy Anderson from the US Forest Service will work with Gary Woodford, Highway Superintendent, to find the best way to address Bob’s concerns.

**Canvass the 2016 General Election Vote**

-Mark Hartman moved and Travis Bies seconded to approve the 2016 General Election vote canvass. Motion carried.

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| |  | | --- | | **Race Name** | | **Area** | **Party Code** | **Candidate/Question** | **Votes** | **Provisional Votes** |
| Presidential Electors |  | REP | Donald J. Trump | 3293 | 3 |
| Presidential Electors |  | LIB | Gary   Johnson | 256 | 1 |
| Presidential Electors |  | DEM | Hillary   Clinton | 1121 | 1 |
| Presidential Electors |  | CON | Darrell L. Castle | 51 | 0 |
| United States Senator |  | REP | John R. Thune | 3530 | 2 |
| United States Senator |  | DEM | Jay   Williams | 1177 | 0 |
| United States Representative |  | REP | Kristi Noem | 3445 | 4 |
| United States Representative |  | DEM | Paula   Hawks | 1288 | 0 |
| Public Utilities Commissioner |  | REP | Chris   Nelson | 3507 | 3 |
| Public Utilities Commissioner |  | DEM | Henry   Red Cloud | 1086 | 0 |
| State Senator | District 30 | REP | Lance   Russell | 3249 | 3 |
| State Senator | District 30 | DEM | Karla R. LaRive | 1328 | 0 |
| State Representative | District 30 | REP | Julie Frye-Mueller | 2759 | 3 |
| State Representative | District 30 | REP | Tim R. Goodwin | 2922 | 1 |
| State Representative | District 30 | DEM | Kristine Ina Winter | 1042 | 0 |
| State Representative | District 30 | DEM | Sandy   Arseneault | 1466 | 0 |
| Constitutional Amendment R: An Amendment to the South Dakota Constitution regarding postsecondary technical education institutes. |  |  | Yes | 1918 | 1 |
| Constitutional Amendment R: An Amendment to the South Dakota Constitution regarding postsecondary technical education institutes. |  |  | No | 2622 | 3 |
| Constitutional Amendment S: An initiated amendment to the South Dakota Constitution to expand rights for crime victims |  |  | Yes | 2810 | 4 |
| Constitutional Amendment S: An initiated amendment to the South Dakota Constitution to expand rights for crime victims |  |  | No | 1880 | 0 |
| Constitutional Amendment T: An initiated amendment to the South Dakota Constitution to provide for state legislative redistricting by a commission |  |  | Yes | 1853 | 2 |
| Constitutional Amendment T: An initiated amendment to the South Dakota Constitution to provide for state legislative redistricting by a commission |  |  | No | 2694 | 2 |
| Constitutional Amendment U: An initiated amendment to the South Dakota Constitution limiting the ability to set statutory interest rates for loans |  |  | Yes | 1682 | 2 |
| Constitutional Amendment U: An initiated amendment to the South Dakota Constitution limiting the ability to set statutory interest rates for loans |  |  | No | 2898 | 2 |
| Constitutional Amendment V: An initiated amendment to the South Dakota Constitution establishing nonpartisan elections |  |  | Yes | 2154 | 2 |
| Constitutional Amendment V: An initiated amendment to the South Dakota Constitution establishing nonpartisan elections |  |  | No | 2501 | 2 |
| Initiated Measure 21: An initiated measure to set a maximum finance charge for certain licensed money lenders |  |  | Yes | 3446 | 4 |
| Initiated Measure 21: An initiated measure to set a maximum finance charge for certain licensed money lenders |  |  | No | 1198 | 0 |
| Initiated Measure 22: An initiated measure to revise State campaign finance and lobbying laws, create a publicly funded campaign finance program, create an ethics commission, and appropriate funds |  |  | Yes | 2395 | 2 |
| Initiated Measure 22: An initiated measure to revise State campaign finance and lobbying laws, create a publicly funded campaign finance program, create an ethics commission, and appropriate funds |  |  | No | 2197 | 1 |
| Initiated Measure 23: An initiated measure to give certain organizations the right to charge fees |  |  | Yes | 998 | 0 |
| Initiated Measure 23: An initiated measure to give certain organizations the right to charge fees |  |  | No | 3585 | 3 |
| Referred Law 19: An Act to revise State laws regarding elections and election petitions |  |  | Yes | 1275 | 0 |
| Referred Law 19: An Act to revise State laws regarding elections and election petitions |  |  | No | 3218 | 3 |
| Referred Law 20: An Act lowering the State minimum wage for non-tipped employees under age 18 |  |  | Yes | 1510 | 1 |
| Referred Law 20: An Act lowering the State minimum wage for non-tipped employees under age 18 |  |  | No | 3173 | 2 |

**Revised Resolution 2016-12 County Tax Levies**

-Jim Lintz moved and Oonagh Wood seconded to approve the Revised Resolution 2016-12 County Tax Levies. The general fund levy was reduced from 3.027 to 2.947, the building fund levy was reduced from .543 to .528, the fire fund levy was reduced from .377 to .366 and the secondary road fund was reduced from .962 to .926. Motion carried.

**Unfinished Business**

-Mark Hartman moved and Oonagh Wood seconded to approve the amount of $10,000 from the general fund assigned for continuing education 101-276.02 to general fund unassigned reserve 101-277.00. Motion carried.

**Executive Session – Personnel/Indigent**

-Travis Bies moved and Mark Hartman seconded to go in and out of executive session for legal at 10:20 a.m. until 11:25 a.m. Motion carried. Travis Bies moved and Jim Lintz seconded to approve the part-time temporary hire of Pat Winter at $13.00 per hour for election assistance in the Auditor’s office effective Oct. 25th – Nov. 10th, 2016. Motion carried.

-Mark Hartman moved and Travis Bies seconded an indigent claim for burial in the amount of $2,000. Motion carried.

-Oonagh Wood moved and Jim Lintz seconded to approve a pay increase for Leon Cordell, Highway Foreman, to $19.90 effective Oct. 21, 2016. The Highway Department will no longer give 1 and 3 year raises as there was a miscommunication regarding the highway pay scale, but will follow the county pay scale of an annual raise in January if so approved by the Commissioners. Motion carried.

**Mail Call / General Business**

-A letter from the SD Department of Agriculture requesting that a survey be completed regarding an update to the South Dakota Forest Action Plan.

-A $100 donation from Custer Golf Corporation, Inc. for food and paper products for the election precinct workers.

-A copy of the proposed 2017 Commissioner meeting calendar.

-Travis Bies moved and Mark Hartman seconded to authorize the Chairman to sign a bill for the SD Association of County Officials annual membership fees. Motion carried.

**Travel Requests**

-Jim Lintz moved and Mark Hartman seconded to approve the following travel requests: from Mike Carter, Emergency Manager, to travel to Jurisdictional Threat & Hazard Identification and Risk Assessment meeting in Rapid City, SD Nov. 17th - 18th, 2016 at a cost to the county of the use of a county vehicle; a request from Mike Carter, Emergency Manager, to travel to a Critical Infrastructure Security & Resilience Awareness Meeting, in Rapid City, SD on Nov. 16th, 2016 at a cost to the county of the use of a county vehicle. Motion carried.

**Monthly Reports**

Register of Deeds Oct. 2016 statement of fees with $660.00 collected in state fees, $14,171.75 in county fees, and $392.00 for SDACO for a total of $15,223.75. The Auditor’s report with the Treasurer for Oct. 2016 as follows: Cash $8,621.44; Checks/ Drafts <3days $401,804.74; Checks/Drafts >3 days $1,050.00; 1st Interstate Bank checking $538,804.64; 1st Interstate Bank Savings $5,270,242.68; 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 $10,536,833.49. Custer County Sheriff’s Oct. 2016 report: $140.00 fingerprinting service; $34.00 accident reports; $150.00 pistol permits; $100.00 in enhanced pistol permits; $517.29 in mileage; $1,880.00 service fees; $19.06 Distress Warrants; $285.00 executions; $6.47 Commissions; $785.00 from 24/7 Program; $19.41 for postage fees; $100.00 Sheriff Sale; $25.00 Bond Fees; $500.00 Awards; for a total of $4,561.23 submitted to Custer County Treasurer.

**Auto Supplement**

-Mark Hartman moved and Jim Lintz seconded to authorize an automatic supplement to building repairs, account #250-4-511-425.00 in the amount of $55,844.96 from insurance proceeds. Motion carried.

-Jim Lintz moved and Travis Bies second to authorize an automatic supplement to the 24/7 fund, account #248-342.31 in the amount of $18,107.00 from a 24/7 grant. Motion carried.

**4-H Youth Advisor Survey**

-The Commissioners will further review the 4-H Youth Advisor and SDSU Extension survey at the Nov. 22nd, 2016 Commission meeting.

**Wildcat Booster Club Raffle**

-Mark Hartman moved and Travis Bies seconded to authorize a raffle held by the Wildcat Booster Club. Motion carried.

**Vouchers**

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

PAYROLL: COMMISSIONERS 4,898.32; AUDITORS 11,721.10; TREASURERS 12,504.91; GIS 4,758.15; STATES ATTORNEY 16,412.58; MAINTENANCE 10,916.46; DOE 14,583.19; ROD 4,187.63; VETERANS SERVICES 2,527.29; HUMAN RESOURCES 2,367.70; SHERIFF 54,851.70; NURSE 1,352.72; LIBRARY 13,283.09; EXTENSION 2,109.88; CONSERVATION 919.87; WEED & PEST 3,525.42; PLANNING 6,723.11; HIGHWAY 57,135.69; EMERGENCY MANAGEMENT 5,724.18; 24/7 PROGRAM 1,204.41; COMMUNICATIONS 27,326.39 TOTAL PAYROLL 259,033.79

A & B BUSINESS, INC. SOLUTIONS HWY WELD 91.86 AUDRA HILLS CONSULTING COURT APPOINTED ATTORNEY 196.90 BATTLE MT HUMANE SOCIETY SEPT AND OCT 2016 BILLS 1,600.00 BEESLEY LAW OFFICE, P.C.COURT APPOINTED ATTORNEY 854.80 BEST WESTERN HURON STATE FAIR SEPT 2016 312.00 BLACK HILLS ENERGY-6001 4,106.68 BLACK MOUNTAIN ELECTRIC REPAIRS 561.00 BLAIR WAITE WEED CHEM REIMBURSEMENT 147.00 BROSZ ENGINEEERING, INC.FAIRBURN BRIDGE 1,161.37 BUTLER MACHINERY CO INC HWY SUPPLIES 14.96 CBH COOPERATIVE UNLEADED FUEL AND DIESEL 21,861.22 CITY OF RAPID CITY, FINANCE OFFICE BAC 70.00 COUCH VIVIAN ELECTION WORKER 41.31 CROELL, INC HWY GRAVEL 477.09 CULLIGAN WATER BOTTLED WATTER 120.00 CUSTER CITY WATER BILL 742.59 CUSTER CO. SHERIFF'S OFFICE PETTY CASH 74.80 DAKOTA BUSINESS CENTER INC LIBRARY SUPPLIES TONER 169.32

DANA SLAGLE ELECTION WORKER 12.70 DASH MEDICAL GLOVES, INC. 24/7 SUPPLIES 60.90 DEB'S PRINTING SUPPLIES 262.93 EDDIE'S TRUCK SALES INC HWY PARTS 77.57 EVERGREEN OFFICE PRODUCTS TONER/BATTERIES 696.28

FALL RIVER 4-H MEMBERS ASSEMBLY FAIR PARKING 25.00 FASTENAL COMPANY INC HWY SUPPLIES 102.72 FIRST INTERSTATE BANK SEPT 2016 PAYROLL FEES 47.70 FOLSOM FIRE DEPARTMENT SUPPORT 50,000.00

FREEMAN'S ELECTRIC SERVICE INC HWY CFC WIRE 620.99 FRENCH CREEK LOGGERS SUPPLY HWY SUPPLIES 49.46 GARLAND LEE GOFF COURT APPOINTED ATTORNEY 1,664.00 GERALDINE FLUKE WEED CHEM REIMBURSEMENT 174.09 GODFREY BRAKE HWY SUPPLIES 319.44 GOLDEN WEST TECHNOLOGIES OCTOBER 2016 NETWORK SERVICE 5,795.00 GOLDEN WEST TELECOMMUNICATIONS INTERNET AND PHONES 3,919.71 GRIMMS PUMP SERVICE INC HWY HEATER & DIESEL 300.92 HILLS SEPTIC SERVICE 485.00

JANET BOYER ELECTION WORKER 12.75 JENNY'S FLORAL FLORAL ARRANGEMENT FOR FUNERAL 225.68 JERRY NELSON WEED CHEM REIMBURSEMENT 146.58 JERRY WOODWARD WEED CHEM REIMBURSEMENT 118.74 JIM BRICKEY WEED CHEM REIMBURSEMENT 12.50 JIM LINTZ WEED CHEM REIMBURSEMENT 133.23 JOHNSON MACHINE INC HWY SUPPLIES 30.82 KATE LINDE WEED CHEM REIMBURSEMENT 118.65 KEIFFER SANITATION HWY GARBAGE 142.17 KIMBALL MIDWEST HWY SUPPLIES 121.35 LARRY VICKERS WEED CHEM REIMBURSEMENT 81.37 LYLE SIGNS, INC HWY SIGNS 38.43

MARCIA EISENBRAUN ELECTION WORKER 13.17 MARK & SHANNON STITES AIRPORT MANAGEMENT 3,000.00 MARK BRAUN WEED CHEM REIMBURSEMENT 189.48 MARTHA SCHILLING ELECTION WORKER 12.75 MATCO TOOLS HWY SUPPLIES 66.02 MCLEOD'S PRINTING COURTHOUSE SUPPLIES 178.82 MG OIL COMPANY AVIATION GAS & HWY DIESEL 3,944.86 MT RUSHMORE TELEPHONE COMPANY PHONES 229.84 NANCY BAKER ELECTION WORKER 46.35 NEVE'S UNIFORMS INC. SHERIFF UNIFORMS 457.55 PATTI HAUSCHILDT ELECTION WORKER 12.75 PENNINGTON COUNTY JAIL PRISONER CARE 18,980.00

PENNINGTON COUNTY SHERIFF PRISONER CARE 492.70 PRINT MARK-ET COURTHOUSE SUPPLIES 188.20 QUILL CORPORATION COURTHOUSE SUPPLIES 244.32 R&B SUPPLY CO., INC HWY SUPPLIES 398.40 REGIONAL HEALTH BAC 21.90 REGIONAL PHARMACY PRISONER CARE 210.08 RICOH USA, INC COPIERS 118.16 ROBERT PEPLINSKI ELECTION WORKER 29.55 ROCKMOUNT RESEARCH & ALLOY, INC HWY SUPPLIES 165.65 ROYCE HUBER WEED CHEM REIMBURSEMENT 143.10 RT COMMUNICATIONS 911 COMMUNICATIONS 23.60

S&B MOTOR PARTS HWY & WEED PARTS 728.22 SAFETY BENEFITS, INC. 911 EMERGENCY LINE 65.00 SANDER SANITATION SERVICE INC GARBAGE 424.82

SD ASSOC OF COUNTY OFFICIALS SDACO DUES 1,100.12 SD DEPT OF HEALTH PRISONER CARE 20.00 LEGISLATIVE AUDIT AUDIT FEES 39,877.55 SENTINEL FEDERAL CREDIT UNION HWY & COURTHOUSE SUPPLIES 94.36 SHARLENE PAWELSKI ELECTION WORKER 42.10 SNAP ON TOOLS HWY SUPPLIES 571.00

SOUTH DAKOTA SHERIFFS; SHERIFFS ASSOCIATION DUES 596.48 SOUTH DAKOTA STATE TREASURER OCT 2016 MV FEES 153,153.53 SOUTHERN HILLS FIRE & SAFETY RECHARGE 22.00 SOUTHERN HILLS PUBLISHING INC LEGAL PUBLICATIONS 1,889.84 SPRINKLER GUYS, INC. LAWN SPRINKLER 252.60

SUSAN FRANCIS ELECTION WORKER 40.47 TKE CORP ELEVATOR MAINTENANCE 375.00 TYLER TECHNOLOGIES INC TECH SUPPORT FEES 24,530.82 VERIZON WIRELESS PHONES & INTERNET 1,019.31 WALMART COMMUNITY DISINFECTANT 98.72 WEST RIVER INTERNATIONAL HWY SUPPLIES 67.20 WHISLER BEARING CO. HWY FITTINGS 29.96 ZEIMET FAMILY RANCH WEED CHEM REIMBURSEMENT 258.90

Jim Lintz moved and Mark Hartman seconded to adjourn the regular session at 11:30 a.m. with the next meeting being held Nov. 22nd, 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\_\_\_\_\_\_\_\_\_\_.