

Custer County Commission Meeting (Wednesday, April 11, 2018)

Members present:

Commissioners Travis Bies, Phil Lampert, Jesse Sorenson, Jim Lintz, and Mark Hartman

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

B. Adopting of the agenda

C. Chairman Lampert called for any corrections to the agenda. With no corrections, the agenda will stand as presented.

D. Consent Agenda

Motion by Bies and seconded by Hartman to approve the March 28, 2018 commission meeting minutes, the following vouchers and travel requests. Motion carried, unanimous.

Travel requests approved: Mike Carter to Gathering in Belle Fourche, SD, at a cost of \$65; Angie Keierleber to 4-H online training in Rapid City, SD, at a cost of \$50.28; Marty Mechaley to SD Police Chief's and SD Sheriff's Association Conference in Deadwood, SD, at a cost of \$195

Vouchers approved as follows:

COMMISSIONERS: Southern Hills Publishing \$205.70; CJ Designs \$36; SD Association of County Commissioners \$3,246

ELECTION: Southern Hills Publishing \$33.63

Court: Beesley Law Office \$1,838.05; Justin O'Neill \$299.30; Garland Goff \$1,140.10; Grey & Eisenbraun Law \$1,849

AUDITOR: CJ Designs \$60; LCA Bank (copier lease) \$78.29; Golden West \$173.71

TREASURER: CJ Designs \$90; Quill Corporation \$71.56; A & B Business \$6.92; Golden West \$173.71

IST: Golden West \$69.48; ESRI Inc. \$6,350

STATE'S ATTORNEY: Bridgett Banks \$34.20; Custer True Value \$4.29; A & B Business \$.05; Lexisnexi \$289; SD Dept of Health \$100; Golden West \$173.71

COURTHOUSE BUILDING: Custer True Value \$112.53; Golden West \$34.74

DIRECTOR OF EQUALIZATION: Southern Hills Publishing \$309.42; Julie Jenniges \$1,000; Golden West \$208.45; Ricoh \$.93

REGISTER OF DEEDS: Quill \$32.98; A & B Business \$26.83; Golden West \$138.97; State of SD \$21

VETERANS SERVICES: CJ Designs \$6; Golden West \$34.74

INFO TECHNOLOGY: Golden West \$2,540; A & B Business \$1,422.06; Golden West \$10; Ricoh \$3.57

HUMAN RESOURCE: Division of Criminal Investigation \$43.25

SHERIFF: Black Hills Energy \$101.51; SHI International \$63.50; Interstate Batteries \$345.80; A & B Business \$52.73; Golden West \$351.42; Pennington County Sheriff \$636.10; Ricoh \$7.37; Battle Mountain Humane Society \$1,600

PRISONER CARE: Manlove Psychiatric Group \$59.90; Correct RX Pharmacy \$57.59; Halloway Vision Care \$80

AIRPORT: QT POD \$11,745; Chris Supply \$212.40; Custer True Value \$36.96; Grimms Pump Service \$272.70; Golden West \$199.62; Mark & Shannon Stites \$3,100

POOR: Stevens Plumbing \$1,000

NURSE: SD Department of Health \$1,287.50

MENTAL ILLNESS BOARD: Beesley Law Office \$1,250; Lincoln County Treasurer \$188.70

LIBRARY: Dakota Business Center \$274.37; Gumdrop Books \$748.72; Mt Rushmore Telephone \$112.55; Golden West \$281.28

EXTENSION: A & B Business \$4.26; Golden West \$220.52; Discovery Benefits \$13.89; Brad Keizer \$556.29

WEED & PEST: A & B Business \$8.63; Golden West \$48.69; Ricoh \$.46

PLANNING: Golden West \$138.97; Discovery Benefits \$13.89

COUNTY ROAD & BRIDGE: Butler Machinery \$2,524.17; Custer True Value \$126.22; French Creek Loggers \$125.47; Godfrey Brake \$9.89; Grimms Pump Service \$101.27; Johnson Machine \$7.71; Mt Rushmore Telephone \$114.65; Quill \$91.82; S & B Motor Parts \$1,410.35; Keiffer Sanitation \$157.79; Servall \$99.82; Town of Buffalo Gap \$54; Snap On Tools \$1,831.75; West River International \$64.08; Terry Morgan \$6,500; Evans Repair \$710; Golden West \$274.67; Croell Inc. \$179.83; Culligan Water \$46.50; Nelson's Oil & Gas \$133.99; MG Oil \$241.55; Nebraska Salt & Grain \$2,458.13; Great Western Tire \$431.75; Dakota Fluid Power \$546.05; CBH Cooperative \$1,717.80; Federal Safety \$298.50; Whisler Bearing \$85.34; Custer Industrial \$45.50

EMERGENCY MANAGEMENT: Golden West \$104.23

STATE GRANTS-EMERGENCY MANAGEMENT: Black Hills Land Analysis \$4,375

24/7: Intoximeters \$205.25; Samuel Dean \$42

BUILDING: Mayer Plumbing \$65; Sander Sanitation \$334.94; Freeman's Electric \$151.20

EMERGENCY LINE: A & B Business \$60.68; Golden West \$1,376.68; Ricoh \$2.78; Discovery Benefits \$13.88; RT Communications \$23.49

E. Conflict of Interest Declarations –Sorenson declared a conflict of interest with the Sidney Trail Road District.

F. Highway

1. Ross Eberle from Brosz Engineering updated the commission on the three bridge grants the county received. Two of the grants are for preservation and will be used for repairs. One of the grants is for a bridge replacement.
2. Gary Woodford presented a check to the commission in the amount of \$29,752.71 from proceeds received from vehicles that had been advertised online with Bradeen Real Estate and Auction.
3. Gary Woodford updated the commission on a complaint received from Nora Bingham regarding the condition of Lower French Creek Road in Custer County. Woodford stated the road had several pot holes and the highway department was able to blade the road yesterday. Woodford will continue to monitor the condition of the road.
4. Woodford informed the commission that a letter has been composed to send out to all land owners in Custer County regarding their responsibility for weed control.
5. Woodford updated the commission on the proposal to cost share dust control with land owners along the Box Canyon Road to Highway 40. Woodford stated that the magnesium chloride needed for the proposed project will cost approximately \$20,000 and would also need some gravel at a cost of \$71,600. It was the consensus of the commission to ask landowners to participate in the cost share of the magnesium chloride and not the gravel, as that should be the county's expense. Gary will notify all of the ten road districts in the proposed area to verify how they would like to split the cost among the landowners in each road district.

G. Sheriff

1. Marty Mechaley updated the commission on the status of the School Resource Officer that had been previously discussed. Mechaley had attended the school board meeting on Monday and said the school is willing to contribute \$45,000 for each position. The school would like to see a School Resource Officer at both the Custer School and Hermosa School. Mechaley will keep the commission updated on the progress of this issue.
2. Motion by Sorenson and seconded by Bies to authorize Mechaley to purchase two 2018 All Wheel Drive Dodge Chargers from Liberty Superstores, 1120 E. Omaha St., Rapid City, SD 57701 pursuant to SDCL 5-18C-8, which states purchases from state contract list or below contract price, notwithstanding the provisions of this chapter or chapter 5-18A, 5-18B, or 5-18D, any purchasing agency of a local government may purchase, without advertising for bids, from a willing vendor, any supplies contained in the state contract list established pursuant to SDCL 5-18D-6, or from any willing vendor at a price at or below that shown in the state contract. The state contract price is \$23,817 and a delivery cost of \$180 and Liberty Superstores is offering the same vehicle at a price of \$23,817 with no delivery cost. Motion carried, unanimous.
3. Motion by Sorenson and seconded by Bies to authorize Mechaley to advertise for a part-time (as needed) 24/7 technician position. Motion carried, unanimous.

H. Auditor

1. The commission acknowledged updated rosters for Battle Creek Fire Department and Custer Highlands Fire Department.
2. Motion by Bies and seconded by Lintz to approve Resolution 2018-07. Motion carried, unanimous.

A RESOLUTION SUPPORTING WILDFIRE AWARENESS MONTH

WHEREAS, the Commissioners of Custer County are charged with protecting the health and safety of the citizens of Custer County, including all property situated therein; and

WHEREAS, wildfires threaten the environmental, economic, and social well-being of Custer County residents while challenging firefighter’s efforts to protect life and property; and

WHEREAS, the Commissioners of Custer County have determined that in the interest of public health and safety; and

WHEREAS, wildfire suppression costs represent only a small portion of overall economic impacts and do not reflect the total cost of catastrophic fires; and

WHEREAS, residents have the responsibility to recognize the high risk of wildfire and institute safe and early evacuation plans, increase their home’s resistance to wildfire, and create fire adapted communities to increase the safety and survivability of the public and emergency personnel; and

WHEREAS, Wildfire Awareness Month is an important opportunity for Custer County residents and all South Dakota’s communities and fire service agencies to reduce the risk of wildfire, increase firefighter safety, and enhance public safety and awareness through education on fire safety, preparation, and prevention; now

Therefore be it Resolved that Custer County supports the month of May 2018 as South Dakota Wildfire Awareness Month; and

Therefore be it Further Resolved that the theme for this year, “One Less Spark, One Less Wildfire” is a call for the residents of Custer County to educate themselves and to take action to reduce the Wildfire threat to their homes and help their community move toward becoming a fire adapted Community.

Duly passed and adopted at a regular meeting of the Custer County Commission on the 11th day of April 2018.

1. Motion by Hartman and seconded by Bies to approve the following resolution to declare the territory to be incorporated upon the assent of eligible voters for the Lakota Lake Encampment Road District and an election on the question of formation of the special district be held.

Motion carried, unanimous.

**ORDER DECLARING THE LAKOTA LAKE ENCAMPMENT ROAD DISTRICT
BE AN INCORPORATED ROAD DISTRICT
UPON THE ASSENT OF ELIGIBLE VOTERS,
CUSTER COUNTY, SOUTH DAKOTA**

WHEREAS, twenty-five percent of *property owners* of record that are within each of the Proposed district boundaries of CUSTER COUNTY and PENNINGTON COUNTY have agreed To and petitioned for the incorporation of the LAKOTA LAKE ENCAMPMENT ROAD District According to SDCL 6-16-2

AND WHEREAS, said petitions indicate the desire of *property owners* to conduct an election on the question of formation of the special district, pursuant to SDCL 6-16-5, to organize the LAKOTA LAKE ENCAMPMENT ROAD District to maintain the ROAD District at the level as Determined by the elected Board of Trustees.

NOW, THEREFORE, BE IT ORDERED, that the Custer County Commission declare the LAKOTA LAKE ENCAMPMENT ROAD District to be an incorporated ROAD District upon The assent of eligible voters in Pennington and Custer Counties and to conduct an election on the question of formation of the LAKOTA LAKE ENCAMPMENT ROAD DISTRICT to be Established as a governmental subdivision of the State of South Dakota, pursuant to SDCL 31-12A, and a public body, corporate and political, to be effective as of today's date with taxing Authority for the 2018 pay 2019 tax year and after.

BE IT FURTHER ORDERED the LAKOTA LAKE ENCAMPMENT ROAD District legal Description is: THAT PART OF LAKOTA LAKE ENCAMPMENT SUBIDIVISION LYING WITHIN CUSTER COUNTY LOCATED IN SECTION 21, T2S, R06E, BHM, CUSTER COUNTY, SD

Dated this 11th day of April, 2018
/s/ Phil Lampert, Chairman
Custer County Board of Comissioners

ATTEST:
/s/ Terri Cornelison, Auditor

2. Motion by Bies and seconded by Lintz to approve the following resolution to declare the territory to be incorporated upon the assent of eligible voters for the Sydney Trail Road District and an election on the question of formation of the special district be held. Motion carried, Sorenson abstained.

PETITION FOR THE ORGANIZATION AND INCORPORATION OF SIDNEY TRAIL 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:

1. That the proposed name of the District shall be Sidney Trail;
2. That there is a need for road work in the territory described therein;
3. A legal description of the territory proposed to be organized as a Road District as follows:
4. That the board of county commissioners define the boundaries for the district; that a referendum to be held within the territory so defined on the question of the creation of a road district in the territory; and that the board determines that such a district be created.

LEGAL DESCRIPTIONS

Sidney Trail Subdivision: Lot A of tract 1 of H.E.S. 53 located in section 25, T4,R4, B.H.M., Custer County, South Dakota

Sidney Trail Subdivision: Lot B and C of tract 1 and 2 of H.E.S. 53 located in section 36, T4, R4, B.H.M., Custer County, South Dakota

Sidney Trail Subdivision: Tracts 3, 4, 7, 9A, 9B, 9C and 12R of H.E.S. 53 located in section 36, T4, R4, B.H.M., Custer County, South Dakota

Sidney Trail Subdivision: Tracts 5R and 6R of H.E.S. 53 located in Section 36, T4, R4, B.H.M., Custer County, South Dakota

Sidney Trail Subdivision: Tract 8 of H.E.S. 53 located in section 25, T4, R4, B.H.M., Custer County, South Dakota

Sidney Trail Subdivision: Tract 11 of H.E.S. 53 located in section 35 and section 36, T4, R4, B.H.M., Custer County, South Dakota

Sidney Trail Subdivision: Tract 10 of H.E.S. 53 located in section 35, T4, R4, B.H.M., Custer County, South Dakota

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.

2. Before the petition is filed, each signer or the circulator must add the residence address or property address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration or land location.
4. Abbreviations of common usage may be used; ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

Dated this 11th day of April, 2018

/s/ Phil Lampert, Chairman

Custer County Board of Commissioners

ATTEST:

/s/ Terri Cornelison, Auditor

I. Library

1. Motion by Bies and seconded by Hartman to approve the surplus of a Sharp MX-M200D copier/printer/scanner (2010 model) to the landfill. Motion carried, unanimous.

J. Public Comment –

1. Rex Harris from the Planning Department updated the commission on an airport meeting he had attended in Deadwood, SD.
2. Christina Bohnet from the Auditor's Office gave an update on the progress of the liens that the office is responsible to collect. The Auditor's Office has been working with the Register of Deeds, Clerk of Courts, State's Attorney and Sheriff's office in getting updated information for the liens.

K. Commission

1. Mail call – none
2. Meeting Schedule – Sorenson will attend a Conservation meeting on Friday, April 13. Sorenson also reported on the Lincoln Day Dinner that was held on Saturday, April 7th.
3. Meeting Reports – Lintz reported on a Fair Board meeting he had attended. The board is looking at making some improvements at the fairgrounds. Hartman attended a Custer County Housing meeting on Tuesday, April 10th.

L. Executive Session

1. Motion by Bies and seconded by Hartman to go into Executive Session pursuant to SDCL 1-25-2(1). Executive Session began at 9:06 a.m. and concluded at 9:55 a.m. Motion carried, unanimous.
2. Motion by Bies and seconded by Hartman to ensure all participants in the county health insurance program are eligible for \$1,000 reimbursement when the participant meets the \$2,000 deductible. Motion carried, unanimous.
3. Motion by Sorenson and seconded by Bies to authorize Tim Holland and Mike Carter to continue with the process of filling the newly created Safety Coordinator position. Motion carried, unanimous.

M. Adjourn

Motion by Bies and seconded by Lintz to adjourn the meeting at 9:57 a.m. The next meeting will be at 8 a.m. April 25, 2018, in the Commissioner's Room in the Custer County Courthouse.

Phil Lampert, Chairman

Attest:

Terri Cornelison, Custer County Auditor

Published once at the total approximate cost of _____.