**Custer County Commissioner Meeting**

**Date: August 24th, 2016**

Chairman Lampert called the meeting to order at 8:00 a.m. with the Pledge of Allegiance. Jim Lintz; Mark Hartman; Travis Bies; Oonagh Wood; Tracy Kelley, State’s Attorney; and the Auditor were present.

The Board moved to approve the agenda with the addition of a Homeland Security Grant from Mike Carter, Emergency Management; a correction to the name of Scott Butler to Scott Bader, Executive Director of CASA; and Gary Woodford, Highway Superintendent, is requesting the purchase of a belly-dump trailer, not a truck. 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 Travis Bies seconded to approve the minutes of the Aug. 10, 2016 commission meeting as presented. Motion carried.

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

**Gary Woodford, Highway Superintendent**

-Oonagh Wood moved and Jim Lintz seconded to approve the following applications to occupy right-of-way. Motion carried.

Golden West Telecommunications for a utility facility on Young Lane in Sections 1 & 2, Township 5S, Range 4E, Custer County, South Dakota.

-Oonagh Wood moved and Jim Lintz seconded to approve the following applications to occupy right-of-way. Motion carried.

Golden West Telecommunications for a utility facility on 333 Argyle Loop in Section 9, Township 6S, Range 4E, Custer County, South Dakota.

-Jim Lintz moved and Travis Bies seconded to authorize Gary Woodford, Highway Superintendent, to purchase a 2016 Cross Country belly dump trailer from RDO Equipment in the amount of $45,000. Motion carried.

**County Vehicle Pool**

-Jim Lintz moved and Travis Bies seconded to authorize the purchase of a 2012 Tahoe from the Highway Department for Department of Equalization use with a price to be determined. Motion carried.

**Resolution 2016-10**

-Jim Lintz moved and Mark Hartman seconded to approve resolution 2016-10. Motion carried.

Custer County Resolution 2016-10 to Encourage the USDOT Under Secretary for Policy to Expand South Dakota’s National Multimodal Freight Network

**WHEREAS**; The Under Secretary of Transportation for Policy (Under Secretary) is to establish a National Multimodal Freight Network (NMFN) to assist states and achieve freight policy goals;

**WHEREAS**; the routes should meet at least one of the many conditions like: being a rural principal arterial; access energy areas, grain elevators; agricultural, mining, forestry, or intermodal facilities; access significant freight facilities; or be important to the economy and the efficient movement of freight as determined by the State;

**WHEREAS,** the national multimodal freight policy should strengthen the contribution of the National Multimodal Freight Network to the economic competitiveness of the United States;

**WHEREAS,** the policy should increase productivity, particularly for domestic industries and businesses that create high-value jobs, improve the safety, security, efficiency, and resiliency of multimodal freight transportation;

**WHEREAS,** the policy should improve the economic efficiency and productivity of the National Multimodal Freight Network and improve the reliability of freight transportation;

**WHEREAS,** the policy should improve the short- and long-distance movement of goods that travel across rural areas between population centers; that travel between rural areas and population centers; and that travel from the Nation's ports, airports, and gateways to the National Multimodal Freight Network;

**WHEREAS,**  the policy should improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address multimodal freight connectivity and pursue these and other goals in a manner that is not burdensome to State and local governments; and

**WHEREAS,** Custer County considers the Interim NMFN to be very important to connect cities, support rural areas, enhance agricultural expansion, provide for job creation, and enhance its economic future but currently too limited to accomplish those purposes:

**NOW, THEREFORE BE IT RESOLVED,** by Custer County, that the county supports the efforts of the SDDOT to expand the Interim NMFN in South Dakota as proposed in its comments to the USDOT Under Secretary for Policy.

Dated: Aug. 24, 2016

/ss/ Custer County Commission

**Scott Bader, Executive Director for CASA**

-Oonagh Wood moved and Mark Hartman seconded to offer support to the CASA program (Court Appointed Special Advocates) in the amount of $800 this year and will consider $2,400 for support in the 2017 budget. Motion carried.

**Mike Carter, Emergency Manager**

-Mike requested that the Commissioners authorize him to sign a Mutual Aid Agreement with other counties. Motion carried. Carter addressed the charges against his budget under repairs as it applied to equipping a 2016 Silverado. It was agreed that the line item should not be expensed out of that account. Homeland Security e-grants was submitted after review by Emergency Services and the Sheriff. Per established protocol, any recommendation for hardening infrastructure must follow outlined security procedures. One of the projects to be considered for approval by the regional selection committee addressed electronic door locks for county offices. To be considered, the county must have a policy in place to keep entry doors locked throughout business hours. The board recognized that policy prior to submission of the grant request.

**Public Hearing on Resolution 2016-11, 266th Street Section Line Improvement**

Wind Cave National Park presented a petition requesting to improve 1.25 miles of section line on 266th St. located off of Red Valley Road between Sections 3 and 10 and between Sections 4 and 9, T6S, R6E, BHM, Custer County, South Dakota. Mr. Lance Russell, Attorney at Law, and Mr. Ken Couch gave testimony regarding their position that the section line should not be improved. After much deliberation Travis Bies moved and Mark Hartman seconded to go in and out of executive session for legal at 9:11 a.m. until 10:05 a.m. Motion carried.

-Travis Bies moved and Mark Hartman seconded to approve Resolution 2016-11 to include a bond set at $135,339. Motion carried.

Resolution 2016-11 Resolution authorizing improvement and maintenance of Section Line Highway known as 266th Street located in Custer County, South Dakota.

 **WHEREAS,** a petition has been filed in accordance with Custer County Ordinance to improve the section line highway known as 266th Street located off of Red Valley Road between Sections 3 and 10 and between Sections 4 and 9, T6S, R6E, BHM, Custer County, South Dakota; and

 **WHEREAS,** notice has been provided to the public that a hearing would be held on the petition to include the date, time and location of said hearing; and

 **WHEREAS,** the Board of Commissioners for Custer County has considered the petition and found:

1. That the Petition is in the form and contains the information required by ordinance;
2. That the Custer County Board of Commissioners has considered the complaints and comments of all parties appearing or filing such comments or complaints of record with the Board and/or Auditor’s Office for Custer County; and That the improvement of the existing section line highway will be in the public interest and should be granted, subject to the conditions hereinafter set forth.

 **NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Custer County, that the Friends of Wind Cave National Park be and are hereby authorized to improve and maintain the existing section line road, known as 266th Street.

**BE IT FURTHER RESOLVED** that this grant of authorization is subject to the following:

1. Said improvements shall comply with Custer County Road Standards and

Specifications and shall include a 24 foot driving surface with at least six inches (6”) of gravel compacted to a uniform consistency. The gravel shall consist of screened rock that is ¾” and contain fine material with a plasticity index of 15%.

1. That culverts shall be installed along the road to assist in drainage and the location of said culverts shall first be approved by the Custer County Highway Superintendent.
2. That said improvements do not contain the installation or construction of any cattle guards or pasture fence gates.
3. That Custer County shall not be obligated to provide any financial support for said

improvements and such expense shall be borne by Petitioners and/or The Friends of Wind Cave National Park.

1. That a performance bond be posted prior to commencement of such work in the

amount of \_$135,339.00\_.

1. That the Custer County Highway Superintendent shall be notified in writing at least \_15\_ days prior to the commencement of such work.

Dated this \_24th\_\_\_ day of August, 2016

/ss/Custer County Commissioners

**Public Hearing on Resolution 2016-8 Vacation of Section Line**

-As no public had comment, Oonagh Wood moved and Mark Hartman seconded to approve Resolution 2016-8. Motion carried.

**Resolution 2016-8 Vacation of Section Line Highway Rights-of-Way**

 **WHEREAS,** application has been made for the purpose of vacating that portion of the Section Line Highway Rights-of-Way that run north and south and east and west within the boundaries of parcels #001632 and #001609, both owned by Tim and Dawn Holland. The Section Line Rights-of-Way are between Sections 9 and16, 9 and 10, 10 and 15, and 15 and 16, all in T4S, R4E, BHM, Custer County, South Dakota. Petitioner: Tim and Dawn Holland.

 **WHEREAS,** The Board of Custer County Commissioners has determined that the public's interest will be better served by vacation of this section line highway Right-of-Way,

 **NOW THEREFORE, BE IT RESOLVED THAT** The Custer County Board of Commissioners approves the vacation of the aforementioned section line Highway Right-of-Way.

Dated this 24th day of August, 2016

/ss/Custer County Commissioners

**Transfer of Entitlements to SDDOT**

-Mark Hartman moved and Oonagh Wood seconded to authorize the transfer of $54,000 in unused 2013 entitlements for Custer County Airport to the South Dakota Department of Transportation. Motion Carried.

**Transfer of Entitlements to Watertown Airport**

-Mark Hartman moved and Oonagh Wood seconded to authorize the transfer of $90,000 in unused 2013 entitlements for Custer County Airport to the Watertown, South Dakota Airport. Motion Carried.

**Gary Denker – Granite Valley Drive**

Gary Denker is requesting that Granite Valley Drive be maintained by the County.  At their previous meeting on Aug. 10th, the Commissioners had determined, as per Resolution 2005-11 Custer County Roads to Remain as Custer County Secondary Highways, that Granite Valley Drive was not included in the resolution.   As there was some confusion over a map that incorrectly shows the road as a county road, the map will be corrected.

**Unfinished Business:**

The Commissioners reviewed the 2017 Budget for changes and deletions or additions and a new model of pay raises which is based on a 3% increase with a 50-cent cap.

The Commissioners reviewed a new pay schedule to allow for semi-monthly pay.

-Mark Hartman moved and Jim Lintz seconded to adopt an amendment to the Employee Handbook Manual to change pay from monthly with a draw to semi-monthly. Motion carried.

**Executive Session – Negotiations/Personnel**

-Oonagh Wood moved and Mark Hartman seconded to go in and out of executive session for negotiations at 11:10 a.m. until 11:20 a.m. Motion carried.

-Travis Bies moved and Mark Hartman seconded to make Active Shooter training mandatory for Custer County non-elected employees. Motion carried.

**Mail Call/General Business**

-A letter from Mr. Mark Hughes expressing concern about a prairie dog town located on the south side of Hwy 16A and Mineral Drive.

-A letter from US Department of Agriculture informing the Commissioners of their intent to proceed with a base water and septic project located in T4N, R4E, Section 14, BHM, Custer County, South Dakota.

**Monthly Meeting Schedule**

More than two Commissioners will be present at a meeting with KLJ Engineers and SD Department of Transportation Wednesday August 31st, 2016 between the hours of 12:30 a.m. thru 2:30 p.m. in the Custer County Commission Room at the Custer County Courthouse, Custer, SD.

**Abatements and Refunds**

-Travis Bies moved and Mark Hartman seconded to approve the following Abatement and Refunds for overpayment of taxes to Keystone Ambulance District: Motion carried.

Abatement #1099A 2016 in the amount of $111.09, Refund #1002R 2016 in the amount of $111.09, Refund #1003R 2015 in the amount of $218.11, Refund #1004R 2014 in the amount of $168.82 and Refund #1005R in the amount of $151.35.

**Travel Requests**

-Travis Bies moved and Mark Hartman seconded to approve the following travel requests:

Teri Morgan, Register of Deeds, to attend the 2016 County Convention in Sioux Falls, SD Sept. 11 – 13, 2016 at a cost to the county of $440.80 plus the use of a county vehicle. Ken Irwin, Veterans Services Officer, to attend a Benefits School in Pierre, SD, Aug. 21 – 25, 2016 at a cost to the county of $368.00. Doris Ann Mertz, Library Director, to attend the SD Library Association Conference in Watertown, SD Sept. 28 – 30, 2016 at a cost to the county of $678.00. Pat Parsons, Nurse Secretary, to attend a WIC Training in Pierre, SD Aug. 15 – 16, 2016 at a cost to the county of $283.50. Motion carried.

**Human Resources**

-Mark Hartman moved and Jim Lintz seconded to approve a status change for Tim Almy, Deputy Sheriff, from permanent part-time to permanent full-time effective Aug. 19, 2016 at a wage of $19.15 per hour with full-time benefits. Motion carried.

**Vouchers**

-Travis Bies moved and Mark Hartman seconded to approve the vouchers as presented. Motion carried.

ADVANCED DRUG TESTING INC HWY UA 36.00 AUDRA MALCOMB CONSULTING INC 778.58 BEESLEY LAW OFFICE, P.C. COURT APPOINTED ATTORNEY 2,330.20 BERBERICH DESIGN, INC.DESIGN AND CONSULTING 424.28 BEST WESTERN HURON BRAD KEIZER STATE FAIR 70.00 BLACK HILLS CHEMICAL BUILDING 49.99 BLACK HILLS ELECTRIC COOP SHERIFF, HWY ELECTRICITY, HWY ECS ELECTRICITY, BUILDING 1,252.76 BLACK HILLS ENERGY-6001 HIGHWAYS & BRIDGES COUNTY ROAD & BRIDGE ANNEX BUILDING 847.54

BLACK HILLS LIBRARY CONSORTIUM 1,396.16 BLACK HILLS POWER EQUIP HWY SW CHN R 85.72 BRAD KEIZER JULY TRAVEL 68.88 BUTLER MACHINERY CO INC HWY 0914 BEL 83.05 CBH COOPERATIVE HWY ECS DIESEL, HWY PREM/UNLEADED, HWY UNLEAD, HWY BG DIESEL 9,768.78 CEDAR SHORE RESORT TYLER CONFERENCE AUDITOR 369.00 CENTURYLINK LIBRARY, COUNTY ROAD & BRIDGE, 911 EMERGENCY LINE EMERGENCY LINE 642.95

CERTIFIED LABORATORIES HWY CUT TH, HWY SHOP 364.27 CLEARVIEW WINDOWS, INC BUILDING 362.00 CONVERGINT TECHNOLOGIES LLC BUILDING, 911 EMERGENCY LINE 496.90DIAMOND MOWERS, INC HWY 1207 SPI306.95

 DIANE BECKLER PLANNING 510.00 EDDIE'S TRUCK SALES INC X24304 HWY 0519 PAR 144.93 EVERGREEN OFFICE PRODUCTS INFO SYSTEMS & TECH 100.00

FASTENAL COMPANY INC HWY SHOP SUPPLIES 103.57 FIRST WESTERN INSURANCE AGENCY SHERIFF 100.00 FRENCH CREEK LOGGERS SUPPLY COURTHOUSE BUILDING 104.01 G & R CONTROLS, INC BUILDING 4,417.77 GOLDEN WEST TECHNOLOGIES INFO TECHNOLOGY 3,875.00 HORIZONS UNLIMITED, LLC ELECTION 36.00 HOWE WELL DRILLNG & EXCAVATING HWY 273 WAS 333.90 KADRMAS LEE & JACKSON INC PLANNING 346.18 KIEFFER SANITATION HWY GARBAGE, HWY ECS GARBAGE 142.17 LEXISNEXIS RISK SOLUTIONS SHERIFF 85.00 MATCO TOOLS HWY TOOLS 40.65 MATTHEW L SKINNER, P.C. COURT APPOINTED ATTORNEY 1,869.60 NEVE'S UNIFORMS INC. SHERIFF 292.82 O'CONNOR COMPANY BUILDING 79.00 PENNINGTON COUNTY SHERIFF'S OFFICE/JAIL SHERIFF 608.60 PROGRESSIVE MICROTECHNOLOGY PMI EVIDENCE TRACKER 495.00 QUILL CORPORATION REGISTER OF DEEDS 71.41 REGIONAL PHARMACY PRISONER CARE 139.52 RICOH USA, INC INFO TECHNOLOGY 1,280.72 RUSHMORE COMMUNICATIONS EMERGENCY MANAGEMENT, BUILDING 3,657.50 SD DEPARTMENT OF REVENUE DODGE PLATES SHERIFF 21.20 SECRETARY OF STATE OFFICE SHERIFF 60.00 SERVALL TOWEL & LINEN HWY CVRL/TW 94.37 SOUTHERN HILLS PUBLISHING INC AUDITOR 46.00 STATE OF SOUTH DAKOTA REGISTER OF DEEDS 21.00 TELCO FED CREDIT UNION STATES ATTORNEY, COURTHOUSE BUILDING, DIRECTOR OF EQUALIZATION, REGISTER OF DEEDS, HUMAN RESOURCES, SHERIFF, LIBRARY, HWY/DOE TRVL,HWY OFF/SHOP, HWY WATER 2,934.06 VERIZON COMMISSIONERS, COURTHOUSE BUILDING, HUMAN RESOURCES, SHERIFF PLANNING, COUNTY ROAD & BRIDGE, EMERGENCY MANAGEMENT 1,094.95 WALMART COMMUNITY COURTHOUSE BUILDING 58.38 WEST RIVER INTERNATIONAL T230795 HWY 0428 90.60 WITT WALKER WALKER/RECOUNT 460.00 Z & S DUST CONTROL SERV. 25977 HWY 38,988.65

-Chairman Lampert adjourned the regular meeting at 11:25 a.m. The next meeting will be held Sept. 1, 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\_\_\_\_\_\_\_\_\_\_.