

**Custer County Commissioner Meeting
April 20, 2011**

Chairman Hazeltine called the meeting to order at 8:00 a.m. with the Pledge of Allegiance. Travis Bies, Jim Lintz, Phil Lampert, Mark Hartman, Tracy Kelley, State's Attorney and the Auditor were present. Chairman Hazeltine approved the agenda as presented. 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

The Board moved to approve the minutes of the April 6th, 2011 commission meeting as presented. Motion carried. Comments were approved from the April 12th meeting with SDDOT, FAA and KLJ.

Declaration of Conflict of Interest- None Declared

Executive Session-Negotiations-Action was taken to go in and out of executive session for negotiations. The session began at 8:00 a.m. and adjourned at 8:22 a.m. No action taken.

Scott Jones, Lucky Strike Road District

-In October and November of last year several residents from the Lucky Strike Road District discussed with the Board the quarter mile section at the south end of Renegade Pass Road. Renegade Pass, north off of Highway 16, is the access road which leads to their subdivision. They attempted to annex the property on either side of Renegade Pass Road into the road district to no avail. This portion of the road is not in their road district but is in bad shape and they asked for help from the county to repair the road. During those previous meetings the Board discussed the potential of selling gravel to the road district at county cost on a one time basis. Since that time the road district has lined up a contractor to build up the road and once that is done they will be ready for gravel. Gary Woodford said that he could sell them gravel out of the Loring Pit since the gravel crushing costs were not paid for with STIP funds. The cost of gravel is \$4.25 per ton. The Board moved to sell Lucky Strike Road District up to 150 tons of gravel from the Loring Pit at the cost of \$4.25 per ton to be hauled at the road district's expense. Motion carried.

David Green, Planning

-The Board moved to adopt Resolution 2011-6 to encourage voluntary participation in remediating property tax delinquency. Motion carried.

RESOLUTION 2011-6

A RESOLUTION TO ENCOURAGE THE VOLUNTARY PARTICIPATION IN REMEDIATING PROPERTY TAX DELIQUENCY

WHEREAS, the County of Custer wishes to decrease the number of taxpayers who are delinquent in paying their property taxes; and

WHEREAS, the County of Custer does not wish to exacerbate the delinquency burden on its citizens as a result of real property improvements and valuation; and

WHEREAS, South Dakota State Statute [SDCL Chapter 10-21] provides, inter alia, that a county government has the power, authority and duty to collect delinquent property taxes; and

WHEREAS, the County of Custer wishes to prohibit the granting of building permits, and/or other construction permits for improvements or changes in real property to persons or entities who are delinquent on their county property taxes;

THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Custer County that:

Section 1.

A. No building permit and/or other construction permit for improvements or changes in real property shall be issued for real property for which there are delinquent county taxes and/or assessments

B. Any license or permit for a business enterprise may be revoked, and no license or permit to operate a business enterprise shall be issued, if any taxes levied by the county against personal property used in such business are delinquent.

Section 2. The following procedure is hereby established to implement this ordinance:

A. Before approving or renewing any building application for property which appears on the Custer County Tax Sales Certificate. The Planning Office/Building Permit Official shall verify that the delinquent taxes have been paid in full, including all statutory interest.

B. The Planning Director may grant a building permit without the payment of all delinquent taxes if in their opinion an emergency exists affecting the health and safety of the occupants of a building or property that is delinquent in property taxes.

C. Before approving or renewing any license or permit to operate a business enterprise for property which appears on the Custer County Tax Sales Certificate, verification by the County Treasurer that taxes have been paid in full, including all statutory interest shall be produced.

Dated this 20th day of April, 2011.

-The Board moved to approve an electric utility easement for Black Hills Power at the property described as Lots 3 and 4 of Block 116, Original Town of Custer City, Custer County South Dakota. Motion carried.

-Hartman moved and Bies seconded a motion to authorize the Planning Office to waive the building permit fees for the Black Hills Playhouse. Lampert abstained, Hartman, Bies and Lintz voted for. Motion carried.

Mike Carter, Director of Emergency Services

-Fire Advisory Board- Carter advised that the State of South Dakota is changing radio systems and some of the radios used by fire departments in the county will have to be replaced.

-The Custer County Community Wildfire Protection Plan needs to be approved. Carter will have a resolution prepared by the May 11th meeting for the Board to sign.

Custer County Airport

-Hartman made a motion to table the discussion until the next meeting. No second. It was decided after some discussion that Tracy Kelley and one commissioner will set up a meeting with all of the hangar lessees to review the current hangar lease and to come up with a lease agreement that all the lessees approve of.

-10 resumes were received as a result of the job advertisement published for a full time airport manager but the Board plans to change it to a part time caretaker position. A job description will be drawn up for consideration at the next meeting and the job will be re-advertised. All applicants who responded to the last ad will be advised by letter of the change.

Richard Hickstein, FLDS Compound

-Richard Hickstein came to the Board with 3 points of discussion concerning the FLDS compound. His first concern was the absence of weight limit signage on 18 Mile and Pleasant Valley roads for large trucks. Gary Woodford and David Hazeltine drove the roads and couldn't find any damage that warrants signage. County weight limit signs are only posted on roads that have problems. His second concern was that the compound not be issued any more building permits until the road is brought up to county standards. No new building permits have been issued by the planning department. His 3rd point of discussion was issuing building permits when county real estate taxes have not been paid. The issue was resolved earlier in the meeting when the commissioners passed resolution 2011-6 which addresses that issue.

SDSU Extension Services

-Due to recent cuts to South Dakota State University, Extension will be reorganized into 7 Regional Extension Centers. Our regional center will be in Rapid City. To assure the continued presence of SDSU Extension and specifically 4-H, at the county level, an Extension 4-H advisor position will be developed. Counties will be asked to commit more of their resources towards administrative support to maintain participation in county 4-H programs. The Board moved to authorize further discussion and to pursue with Fall River County the possibility of sharing a 4-H advisor. Motion carried. A special meeting will be set up between Custer and Fall River counties with representatives from SDSU Extension, Sean Burke, West River Director and Dan Oedekoven, Area Management Specialist attending.

-The Board acknowledged the letter of resignation effective June 21, 2011 from Sally Park-Hageman who has been the Extension Educator in Family and Consumer Sciences for Fall River County and Custer County. Sally has worked for the SDSU Cooperative Extension Service for over thirty years. The Board thanked her for her years of dedication.

Supplemental Budget Hearing

-A supplemental budget hearing was held April 20th, 2011 at 10:00 a.m. in the Custer County Courthouse Annex, Custer, SD at which time no interested persons appeared. The Board moved, and seconded, a motion to adopt resolution 2011-5. Motion carried.

Resolution 2011-5 Supplemental Budget 2011

Whereas, The Board of County Commissioners propose a supplement to the Building Fund Budget (250) in the amount of \$43,000.00 for hail damage repair to the 1881 Museum. Means of finance will come from the insurance funds in the Building Fund Reserve.

Whereas, The Board of County Commissioner propose a supplement to General Fund Airport Budget in the amount of \$45,500.00 for purchase of fuel and credit card fees and a proposed increase in revenue for gas sales in the amount of \$56,000.00. Means of finance will come from increased revenue for fuel sales.

Now Therefore Be It Resolved by the Board of County Commissioners to adopt the Supplemental Budget for 2011.
s/scommissioners

Mail Call/General Business

-The Board acknowledged the following: Request from Black Hills Vision to include \$10,000.00 in 2012 budget towards a five year commitment of \$50,000.00 which will be discussed at budget time; an invitation to discuss the proposed updated Resource Management Plan on April 28th at the Creekside Lodge in the Coolidge Room.

-News Release: USDA Rural Development Assistant Administrator for the Water and Environmental Program Jacqueline M. Ponti-Lazaruk will join USDA Rural Development State Director Elsie Meeks, staff and congressional representatives on a tour of the Custer County Courthouse on April 21, 2011. Meeks says that this project fits into the Earth Day theme *A Billion Acts of Green* because it was designed to meet and be certified under the Silver LEED standards and that the Custer County Courthouse is a great project that has implemented strategies for better environmental and health performance. The upgrades will increase energy efficiency and the facility will be handicapped accessible.

Indigent

-An application for \$400.00 in rental assistance and \$170.00 in utility assistance was received. The Board moved to approve the request upon receipt of a signed promissory note for repayment. Motion carried.

-An application for \$505.00 in rental assistance was received. The Board moved to approve the request upon receipt of a signed promissory note for repayment. Motion carried.

Abatement/Refunds-

Abatement 1012A- Gary Hunsaker. A tax bill payable 2010 was sent to him on a mobile home he did not own. The mobile home in question resides in Fairburn and is titled and was paid by its actual property owner. The Board moved to abate \$668.14 of 2010 taxes. Motion carried.

Human Resources/Personnel

-The Board acknowledged Shannon Faith's letter of resignation of her position as an Appraiser 1 in the equalization office effective 4-22-11.

-The Board moved to approve Allison Jensen's hire of Jacki Miller as an Appraiser 1 effective 4-25-11 at a wage of \$11.25 per hour reflecting 2 years experience. Motion carried.

-The Board moved to approve Chris Nichols's hire of Janna Almeda as a permanent part time GIS Technician at 20 hours per week not to exceed a period of 2 years at a rate of \$12.00 per hour effective 4-19-11. Motion carried.

Custer Library Foundation

The Board moved for a vote of confidence in and acceptance of the documentation for the formation of the Custer County Library Foundation. Motion carried.

WIC Contract

-The Board moved to authorize the Chairman to sign the State of SD General Contract/Letter of Agreement for Provider Services between Custer County and the SD Department of Health and Medical Services for the WIC program from June 1, 2011 to May 31, 2012. Motion carried.

Paper Recycling

-Due to the large number of documents being scanned and disposed of in preparation for the move the Board approved contacting A To Z Shredding as a service to recycle our paper refuse.

Automatic Supplements

-Sheriff's department received \$7,000.00 for the purchase of a closed circuit camera system for the interview room. Marty Jackley, Office of Attorney General, is providing these funds from forfeited funds or assets being used for drug apprehension purposes. The Board moved to

approve an automatic supplement to expenditure account 101-211-435 and revenue account 101-0-369 for \$7,000.00. Motion carried.

-The Board moved to approve an automatic supplement for grant funds received by the weed department from the State of South Dakota to revenue account 234-0-334.30 and to expenditure account 235-500-429 in the amount of \$15,000.00 Motion carried

General Fund Surplus

-The amount of General Fund dollars that the counties can retain as surplus is restricted by SDCL 7-21-18.1 which states: "The total unreserved, undesignated fund balance of the general fund may not exceed 40% of the total amount of all general fund appropriations contained in the budget for the next fiscal year." The analysis completed as of March 31st, 2011 shows the undesignated balance to be \$1,193,109.30 resulting in a fund balance percentage of 33.48%.

Vouchers

-The Board moved to approve the vouchers as presented. Motion carried.

ACE STEEL & RECYCLING INC 221.88 3/31/11 237868 MAINT RAMP PLT, BEESLEY LAW OFFICE, P.C. 3761.06 3/21/11 COURT APPT ATTY & MHB, BLACK HILLS POWER 2409.70 3/28-4/1/11 CO ELECTRIC BILLS, SOUTHERN HILLS PUBLISHING INC 1063.58 3/31/11 COUNTY PUBLISHING, CUSTER CO. SHERIFF'S OFFICE 36.95 3/31/11 SO REPLACE PETTY CASH, CCR OF WESTERN DAKOTA'S INC 12500.00 3/30/11 MUSEUM ROOF DOWN PMT, CROELL REDI-MIX, INC 1866.73 3-14-11 156814 HWY GRAVEL, CUSTER ALL DRUG 375.00 4/6/11 1ST QTR BUDGET PAYMENT, CUSTER BUSINESS SOLUTIONS, INC 156.40 3/31/11 1955 ROD LIEN CARDS, CUSTER CONSERVATION DISTRICT 7000.00 3/28/11 YEARLY BUDGET REQUEST, CUSTER GAS SERVICE 144.31 3/2-30/11 CO PROPANE, CUSTER SENIOR CENTER 3100.00 4/6/11 YEARLY BUDGET REQUEST, CUSTER TRUE VALUE 151.72 3/31/11 8173 CO SUPPLIES, CUSTER TRUE VALUE 134.32 3/31/11 8173 CO SUPPLIES, DAKOTA AUTOGLASS INC 154.00 3-17-11 4643529 HWY BACKHOE RP, DAKOTA BUSINESS CENTER INC 52.62 3/24/11 197760 LIBRARY TAPE, DAKOTA SECURITY SYSTEMS, INC 10973.54 2/28/11 11542 SO MOBILE DVR'S, DAKOTA STEEL 2210.10 3-29-11 98042 HWY CULVERTS, DALE'S TIRE & RETREADING, INC 2205.83 3-18-1148375 HWY TIRES, DELTA COUNTY SHERIFF'S DEPT 19.75 3/17/11 C11-0735 SERVICE FEE, DEMERSEMAN JENSEN CHRISTIANO 574.00 3/30/11 COURT APPT ATTY C10162, DIAMOND DIESEL 4047.90 4-4-11 933609-933610 HWY FLTRS, DIAMOND PHARMACY SERVICES 892.71 3/5/11 110228PNCUST PRIS MEDS, DIESEL MACHINERY INC 260.49 3-29-11 C25607 HWY BACKHOE LT, ED ROEHR SAFETY PRODUCTS 75.36 3/10/11 344176 SO TASER BTRY, ESRI, INC. 5665.99 3/28/11 GIS ARC VIEW, FEDEX 24.53 3/23/11 743544756 SO SHIPPING, FRENCH CREEK LOGGERS SUPPLY 46.88 MAR-APR CO SUPPLIES, JEAN FRENCH 78.00 3/10-17/11 PRIS DENTAL CARE, GAYLORD BROS. 70.41 3/16-17/11 LIBRARY SUPPLIES, EARL GILL 224.00 3/29/11 REIMB FOR 16 TREES RMV, GODFREY BRAKE 82.88 3-29-11 210880018 HWY FD PARTS, GOLDEN WEST TELECOMMUNICATIONS 1899.92 4/1/11 COUNTY PHONE BILL, GOLDEN WEST TECHNOLOGIES 838.68 4/1/11 INTERNET & PAGER FEES, HILLYARD/SIOUX FALLS 420.48 3/23/11 6678446 MAINT SUPPLIES, IKON OFFICE SOLUTIONS 351.00 4/1/11 84504292 COPIER RENT, IKON OFFICE SOLUTIONS 888.39 3/21/11 CO COPIER MAINT, L & A WELDING 147.50 3/25/11 20527 SO TAHOE REPAIR, PAUL A LEWIS 360.80 3/30/11 COURT APPT ATTY C10107, MAUNA TOWERS LLC 252.48 4/1/11 4130 HWY BEAR MTN TOWER, MICHAEL MEEKS 497.66 3/10/11 PROPERT TAX ABATEMENT, M. G. OIL COMPANY 12207.43 3/17-4/6/11 HWY GAS/DIESEL, MT RUSHMORE TELEPHONE COMPANY 300.78 4/1/11 E CO PHONE BILLS, NELSON'S OIL & GAS, INC. 1675.85 3/2-24/11 HWY PROPANE, NEVE'S UNIFORMS INC. 39.95 3/9/11 RP025278 SO GLOVES, SALLY PARK HAGEMAN 79.30 MARCH 2011 REIMBURSE EXPENSES, PENNINGTON COUNTY JAIL 560.10 FEB 2011 PRIS TRANSPORTS, POWER HOUSE 51.87 4/1/11 6734815 MAINT REP TRIMR, QUILL CORPORATION 177.60 3/29-30/11 COUNTY SUPPLIES, RED RIVER SERVICE CORPORATION 26.25 3/25/11 13P05139 WEED GARBAGE, REDWOOD TOXICOLOGY LABORATORY 313.59 3/3/11 322594 24/7 SUPPLIES, RUSHMORE COMMUNICATIONS 1435.50 2/28-3/16/11 BLDG TECH SUPPORT, S&B MOTOR PARTS 165.48 3-11 HWY/SO PARTS, SANDER SANITATION SERVICE INC 397.50 4/1/11 CO GARBAGE, JOHN SCHNELLER, DDS 315.00 3/10-17/11 PRIS DENTAL CARE, SD ASSOC OF COUNTY OFFICIALS

525.00 4/6/11 COUNTY REGISTRATION, SD DEPT OF REV. REMITTANCE CEN 60.00 3/31/11 MENTAL HEALTH CARE, SD FEDERAL PROPERTY AGENC 23.50 3/23/11 5531602 MAINT SUPPLIES, SDAAO 300.00 4/6/11 DOE CONF REGISTRATION, SDAE4-HE 45.00 4/5/11 SPRING CONF REGISTRATN, SERVALL TOWEL & LINEN 30.80 3/28-4/4/11 COUNTY RENTALS, SIERRA DELTA AVIATION 8045.04 04/11 MGMNT FEE, FUEL, REIMB, SONIC WALL SERVICES 289.38 3/15/11 SERVICE AGREEMENT, SUMMIT SIGN & SUPPLY INC 540.00 3-25-11 25753 HWY ROAD WRK SNS, TOWN OF BUFFALO GAP 45.00 4/1/11 E HWY WATER/GARBAGE, TOWN OF HERMOSA 350.00 4/10/11 E SO RENT, YOUNG'S MOBIL-PIERRE AMOCO 90.00 2/1-3/14/11 COUNTY FUEL, DENNIS ZELLNER 500.00 4/6/11 ROD INS DED REIMB, J SCULL CONSTRUCTION 289938.13 4/8/11 EST NO 9 3/1-3/25/11; APEX TECHNOLOGY SOLUTIONS GRP 6301.30 3/14/11 9652 HP 2610 POE SWTCH, CODE WORKS 290.00 3/31/11 1346 INSPECTIONS, FENNEL DESIGN INC 3455.52 3/29/11 432 COURTHOUSE DESIGN, HIGH POINT NETWORKS LLC 15540.97 3/31/11 44479 TEL SYS HARDWARE.

-Chairman Hazeltine adjourned the meeting at 10:55 a.m. with the next meeting being held May 11th, at 8:00 a.m. in the Commissioner's Room of the Courthouse Annex.

Attest:

Linda Nelson

David Hazeltine, Chairman

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