

**Custer County Commissioner Meeting  
March 9<sup>th</sup>, 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 February 23<sup>rd</sup> commission meeting as presented. Motion carried.

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

**Department Head**

Present: Linda Nelson, Dawn McLaughlin, Bill Kirsch, Jim Lyndoe, Marguerite Cullum, Chris Nichols, Mike Carter, Gary Woodford, Allison Jensen, Dennis Zellner, Tracy Kelley, and David Green.

**County Government Month**

-Dawn McLaughlin and Sarah Albertson updated the Board on plans for County Government Month which is coming in April. The Board agreed to hold their April 6<sup>th</sup> meeting in the afternoon from 1:00 p.m. to 4:30 p.m. and to participate in the opening ceremonies.

-The Board made a motion to proclaim April 2011 as National County Government Month. Motion carried.

**National County Government Month**

**Serving Our Veterans, Armed Forces and Their Families**

**WHEREAS**, the nation's 3,066 counties provide a variety of essential public services to communities serving 300 million Americans; and

**WHEREAS**, Custer County honors and thanks our residents who have served this country through military service; and

**WHEREAS**, county government delivers many important services to American's veterans, military service members and their families, including physical and mental health, housing, employment and justice; and

**WHEREAS**, the National Association of Counties is the only national organization that represents county governments in the United States; and

**WHEREAS**, the National Association of Counties has encouraged across the Country to actively promote their own programs and services; and

**WHEREAS**, Custer County and the National Association of Counties are working together to restore the partnership among all levels of government to better serve American communities; and

**NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF CUSTER COUNTY**

**COMMISSIONERS**, do hereby proclaim April 2011 as National County Government Month and encourage all Custer County officials, employees, schools and residents to participate in county government celebration activities.

s/s commissioners

**Progress Edition**

The Board moved to do a full page ad in the Progress Edition of the Custer County Chronicle. Motion carried.

**Gary Woodford, Highway Superintendent**

-Gary will set up a meeting with Bruce Lindholm with DOT to discuss the Cheyenne River Bridge as soon as possible.

- Monday two county employees were involved in an accident on LH Road/CS14. No one was injured but both county vehicles were totaled.

-The Board moved to authorize the Chairman to sign the resolution 2011-4 with DOT for bridge inspections and to adopt resolution 2011-4. Motion carried.

**BRIDGE REINSPECTIONPROGRAM RESOLUTION 2011-4 FOR USE WITH SDDOT  
RETAINER CONTRACT**

**WHEREAS**, Title 23, Section 151, United State Code and Title 23, Part 650, Subpart C. Code of Federal Regulations, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

**THEREFORE**, Custer County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Brosz Engineering (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 9<sup>th</sup> day of March 2011

s/scommissioners

**Mike Carter, Director of Emergency Services**

-Chris Nichols, IST Director, asked the Board if he could hire a part-time employee in his department. He has budgeted for the additional employee in his budget for 2011. Hartman moved and Lintz seconded a motion to authorize the hire. Hartman, Lintz, and Lampert voted for and Bies against. Motion carried.

-Fairburn Fire Department has voiced an interest in the purchase of the ambulance being stored in the highway shop in Buffalo Gap. Since Buffalo Gap first responders have dissolved they no longer have a use for it. A letter will be sent to Shawn Fugier to see if the first responders are interested in transferring the ambulance to the Fairburn Fire Department.

-Carter advised the Board that he will move the emergency management trailer out of the lean to next to the Weed Department so they can use it for storage of their equipment.

**Rick Wheeler, Sheriff**

- Executive Session-Personnel -Action was taken to go in and out of executive session for personnel. The session began at 9:10 a.m. and adjourned at 9:30 a.m. The Board moved to change Jennifer Astaldi's status from Administrative Assistant to Office Manager effective March 25, 2011 at a wage of \$10.25. Motion carried.

**Allison Jensen, Director of Equalization**

-Sarah Pavek has been hired as permanent full time Appraiser 1 effective March 23, 2011 at a wage of \$11.25 per hour. The Board moved to approve the hire. Motion carried.

-Allison asked the Board for approval to hire another appraiser for her office. The Board denied the request because no provision has been made in the budget for another employee.

**Jim Lyndoe, Maintenance Supervisor**

-Steve Welch of Continental Western Group did a survey which consisted of a review of County operations and a tour of our facilities. He had three suggestions for improvements. The wood burning stove in the Elk Mt. shop needs to be replaced with another kind of heating system; a post that helps support the roof canopy at the highway shop needs to be replaced; and wiring needs to be replaced at 1881 Courthouse Museum if they continue to display decorative lights on the front windows. Jim will address each suggestion and respond to Continental Western Group.

- Executive Session-Personnel -Action was taken to go in and out of executive session for personnel. The session began at 9:45 a.m. and adjourned at 9:56 a.m. No action taken.

**Marian Atkins-BLM Update**

-Marian is the South Dakota Field Manager for the Bureau of Land Management. In Custer County the BLM administers 3,693 surface acres and 68,140 mineral acres. Marian updated the Board on BLM activities in the county.

**Hayward Fire Department Variance-Dennis McMillen**

-Dennis appeared at the last commission meeting requesting a variance to the 30' setback requirement from the public right-of-way. That variance request was denied by the Board. Afterwards Commissioner Lampert questioned whether the DOT had any input on the matter of setbacks and suggested that the applicant return with more information. McMillen along with Jim Semmler (contractor) presented a letter from DOT that explained they have no setback regulations but they do address access regulation which is controlled through spacing and site distance. The fire station access location exceeds the minimum site distance requirements. The Board moved to reconsider the request for variance. Motion carried. Lintz made a motion,

seconded by Hartman, to approve option 2 where the variance will allow the structure to have a 6' offset at the front corner of the structure and a 10' offset at the rear corner. Lampert, Lintz, Hartman and Hazeltine voted for and Bies voted against. Motion carried.

#### **Mail Call/General Business**

-The Board acknowledged the following:

-Letters from the City of Custer for the courthouse and the 1881 Museum stating that they have determined some sidewalks need to be improved or replaced.

-The Board moved to renew membership with National Forest Counties and Schools Coalition in the amount of \$305.95. Motion carried.

-The Commissioner meeting scheduled for March 23<sup>rd</sup> will be held in Hermosa in the display area of the Beef Barn at 9:00 a.m.

-The Board moved to authorize the Chairman to sign the Memorandum of Agreement between the Custer County Commissioners and Custer County Weed and Pest Board. Motion carried.

#### **Monthly Reports**

The Board acknowledged the following reports.

- Register of Deeds February 2011 statement of fees with \$730.00 collected in state fees, \$7,645.31 for county fees for a total of \$8,375.31.

-The Auditor's report with the Treasurer for February 28, 2011 as follows: Cash \$2,233.83; Checks/ Drafts <3days \$38,260.96; Checks/Drafts >3 days \$1,050.00; 1st Interstate Bank checking \$31,117.14; 1st Interstate Bank Savings \$1,297,461.53; 1<sup>st</sup> Interstate Bank Flex \$58,116.09; ED Jones MM \$299,693.01; 1st Interstate Investment \$35,248.98; TELCO Checking \$208.03; TELCO TIIA \$23,705.49; TELCO Savings \$79,754.21; Highmark Investment \$146,719.07 Highmark Savings \$10,156.97; Highmark Checking \$5,000.00; Accrued Interest \$2,324.88, ED Jones \$3,797,112.46 for a total of \$5,828,162.65.

- Custer County Sheriff's February 2011 report: \$164.00 fingerprints; \$4.00 accident reports; \$57.00 pistol permits; \$380.56 in mileage; \$625.00 service fees; \$70.00 executions; \$741.60 from 24/7 Program; \$11.08 fees & postage; \$50.00 for sheriff sale; \$25.00 processing fees for a total \$2,128.24 submitted to Custer County Treasurer.

#### **Indigent**

-Request for assistance to pay Cobra insurance premiums in the amount of \$520.00 per month for an undetermined amount of time was received. The Board moved to deny the request because the applicant does not qualify. Motion carried.

#### **Travel Requests**

The Board moved to approve the following travel requests. Motion carried.

-Travel request from Linda Nelson and Nancy Christensen to attend a special meeting in Pierre with Secretary of State, Jason Gant at a cost to the county of \$10.00 per diem and use of county vehicle.

-Travel request for Gordon Kirsch and Steve Wiese and one weed board member to attend the Annual SD Invasive Species Management Association Conference on April 18<sup>th</sup> and 19<sup>th</sup> in Spearfish, at a cost to the county of \$116.00.

-Travel request from Mike Carter to attend the Risk and Vulnerability Assessments for Rural Communities in Pierre on March 23 & 24 at a cost to the county of \$190.00.

-Travel request from Gary Woodford to attend the SDACHS Annual Short Course in Deadwood on March 15-17 at a cost to the county of \$210.00

#### **Abatement/Refunds**

**Abatement 1001A** Roger Huber requested an abatement of \$100.00 for Custer Highlands Road District assessment because the mobile home was assessed as well as the parcel. The mobile home was assessed in error. The Board moved to approve the abatement. Motion carried.

#### **Human Resources/Personnel**

The Board moved to approve the following employee changes in the Sheriff's office. Motion carried.

-Allen Trask has had a status change from permanent part-time employee to a part time employee. He will no longer qualify for part time benefits effective February 24<sup>th</sup>, 2011. Allan will serve as a substitute for the 24/7 program when needed.

-Marc Moore has been hired as a part-time employee for the 24/7 program effective 2-24-11 for 4 or 5 hours a week at \$8.00 per hour.

### **Unclaimed Property**

-The Board moved to authorize the auditor to transfer outstanding checks to the State as unclaimed property. Motion carried.

### **French Creek Supply Purchase**

-To be in compliance with SD Codified Law 6-1 Custer County cannot be involved in any contract involving more than three thousand dollars per year to a business owned by a county elected official. Custer County will limit their purchases from French Creek Supply to less than \$3,000 per year.

### **Surplus Property**

-Angie Maxfield made a request to surplus a Dell Optiplex 210L computer from the Sheriff's department to the Argyle Fire Department. The hard drive will be erased and reloaded with an old Windows XP license. The Board moved to approve the request. Motion carried.

### **Vouchers**

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

PAYROLL: COMMISSIONERS 6,269.86; AUDITOR 11,239.11; TREASURER 13,672.73; IST 2,891.30; ST ATTORNEY 14,238.68 INCLUDES FEES 415.00; BUILDING 8,787.91; DOE 12,769.79; ROD 6,908.58; VETERANS 2,257.45; SHERIFF 49,918.97 INCLUDES TRAVEL 75.48; CORONER \$509.04; NURSE 1,286.88; LIBRARY 11,359.56 INCLUDES TRAVEL 31.00; EXTENSION 1,994.10; SOIL 664.70; WEED 8,385.19 INCLUDES TRAVEL 94.00; PLANNING 5,321.11 INCLUDES TRAVEL 11.10; HIGHWAY 64,583.69 INCLUDES SUPPLIES 53.30; EMERGENCY MGMT 4,621.34; 24/7 SOBRIETY 895.01; 911 EM 23,120.40; COURTHOUSE PROJECT 6,219.87. TOTAL PAYROLL \$257,915.27. G ZIOLKOWSKI CONTRACT 600.00, SHELTER FOR FEB 36.00; COBRA ESCROW 255.94. ARLAYNE BARMORE 11.70 2/15/11 ROAD DISTRICT ELECTION, JANICE M GRUBER 15.70 2/15/11 ROAD DISTRICT ELECTION, JESSICA OSTRANDER 11.70 2/15/11 ROAD DISTRICT ELECTION, A & B WELDING INC 151.66 2-16-11 162121 HWY WELDING SUP, ADVANCED DRUG TESTING INC 72.00 1-31-11 40789 HWY LAB TESTS, ALLTEL 607.39 2/15/11 6401081 929654 CO CELL, ALLTEL 93.98 2/15/11 6401081929654 CO CELL, BEESLEY LAW OFFICE, P.C. 1556.14 1/25-2/2/11 COURT APPT ATTYS, BLACK HILLS ELECTRIC COOP 2481.25 2/11 COUNTY ELECTRICITY, BLACK HILLS POWER 1738.17 2/11 COUNTY ELECTRICITY, BUTLER MACHINERY CO INC 724.98 2-9-11 HWY PARTS, CUSTER COUNTY MUSEUM 5000.00 1/21/11 ANNUAL BUDGET PMT, CUSTER GAS SERVICE 14.15 2-22-11 31262 HWY PROPANE BTL, CUSTER TRUE VALUE 108.37 2/9-17/11 HWY SUPPLIES, DAKOTA STEEL 135.36 2-18-11 96365 HWY 0517 STEEL, DISCOVERY BENEFITS 25.00 2/16/11 235809 FEB ADMIN FEE, DIESEL MACHINERY INC 382.92 2-15-11 W23765 HWY GENERATOR I, DODGE TOWN 281.93 2-15-11 HWY PU COLLER/FLTR/FLD, STATE OF SOUTH DAKOTA 5.00 2/14/11 990521 JAN BIT BILLING, FRENCH CREEK LOGGERS SUPPLY 94.68 2-9-11 58693 HWY SEAL/FILTERS, GENE'S EQUIPMENT FINDER SERVIC 1236.36 2-9-11 1072 HWY SHORT BITS, GUEST SERVICES 97.70 2/28/11 GREEN EMI CONF MEALS, IKON OFFICE SOLUTIONS 505.00 2/9/11 84205959 COPIER CONTRCT, INTERSTATE ALL BATTERY CENTER 245.90 2-16-11 21019340 HWY BATTERIES, TRACY L KELLEY 207.50 2/11 REIMB 1/2 STATE BAR DUES, PAUL A LEWIS 1324.30 2/14/11 COURT APPT ATTYS, LEXISNEXIS 180.00 1/31/11 1101064027 SA ONLINE, LYLE SIGNS, INC 353.57 2-9-11 760273 911 FIRE/STRT SN, LYNN'S DAKOTAMART 24.85 2-15-11 18 HWY MEETING SUPPLIE, MAYER PLUMBING INC 364.20 1/24/11 21590 CH PLUMBING REP, LADONNA MCKNIGHT 80.80 JAN 2011 EX-TENSION EXPENSES, M. G. OIL COMPANY 13144.08 2/4-22/11 HWY OIL/DIESL/SUP, NACVSO/LE SUEUR CO VETERANS 30.00 2/18/11 2011 MEMBERSHIP DUES, NELSON'S OIL & GAS, INC. 423.55 2-17-11 101251 HWY BG PROPANE, PENNINGTON COUNTY JAIL 7517.00 2/1/11 JAN PRISONER CARE, PENNINGTON COUNTY JAIL 4977.00 2/1/11 JAN PRISONER CARE, PITNEY BOWES/PURCHASE POWER 4000.00 2/13/11 19088180864 POSTAGE, PRINGLE FIRE DEPT. 3536.00 2/18/11 REIMB AUTO INSURANCE, QUILL CORPORATION 80.78 2/4-11 COUNTY OFFICE SUPPLYS, QWEST 39.98 2/3/11 11492 87407 E CO PHONES, RAPID CITY MEDICAL CENTER 51.08 2/14/11 PRISONER MED CARE, CITY OF RAPID CITY 105.00 1/31/11 892 JAN BAC DETERMS, TELCO FED CREDIT UNION 779.50 2/7/11 COUNTY CREDIT CARD BILL, TELCO FED CREDIT UNION 1359.91 2/7/11 COUNTY CREDIT CARD BILL, REGIONAL HEALTH 43.80 2/3/11 BLOOD DRAWS, SD STATES ATTORNEYS ASSOC

718.00 2/11 SD STATES ATTY ASSOC DUES, SERVALL TOWEL & LINEN 162.29 FEB 11 COUNTY MOP RENTALS, MATTHEW L SKINNER, P.C. 768.70 2/14/11 COURT APPT ATTY FEES, MATTHEW T STEPHENS ESQUIR 900.00 2/14/11 COURT APPT ATTY FEES, STRETCH'S GLASS & CUSTOM PARTS 73.75 2-17-11 W013358 HWY 0517 GLASS, TOWN OF HERMOSA 99.04 2/1/11 E HWY WATER, SWR, GARB, VFW POST 3442 250.00 2/15/11 1ST QTR BUDGET, WALMART COMMUNITY 114.79 2/16/11 6032202000642257 CO CR, WESTERN SD JUVENILE SERVC 7095.00 2/3/11 513 JUV PRIS CARE, PAUL R. WINTER 270.85 2/14/11 COURT APPT ATTY FEES.

-Chairman Hazeltine adjourned the meeting at 12:10 p.m. with the next meeting being held March 23, at 9:00 a.m. in Hermosa at the Beef Barn at the Custer County Fairgrounds.

Attest:

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Linda Nelson

David Hazeltine, Chairman

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