

**Custer County Commission Meeting (Wednesday, September 12, 2018)**

**Members present:**

Commissioners Phil Lampert, Jesse Sorenson, Jim Lintz, Mark Hartman and States Attorney Tracy Kelley.

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

**B. Adopting of the agenda**

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

**C. Consent Agenda**

Motion by Sorenson and seconded by Hartman to approve the minutes of the August 22, 2018 commission meeting, the minutes of the September 6, 2018 special commission meeting and the following vouchers and travel requests. Motion carried, unanimous.

Travel requests approved: Mike Carter to SDEMA Annual Convention in Sioux Falls, SD, at a cost of \$240; Mike Carter to Field Force Training in Pierre, SD, at a cost of \$80.

Vouchers approved as follows:

**PAYROLL:** Commission \$3,390; Auditor \$5,866.95; Treasurer \$5,927; IST \$2,500.17; States Attorney \$7,347.13; Courthouse Building \$2,996; Equalization \$7,677.12; Register of Deeds \$2,936.75; Veteran Service \$623.16; Human Resource \$1,094.38; Sheriff \$25,331.08; Nurse \$347.44; Library \$5,664.18; Extension \$1,327.69; Weed & Pest \$1,820; Planning \$4,607.34; Highway & Bridge \$28,050.79; Emergency Management \$2,272.51; 24/7 \$949.70; Communications/911 \$10,289.54

**NON DEPARTMENTAL:** SD State Treasurer \$12.21

**COMMISSIONERS:** Southern Hills Publishing \$305.29

**COURT:** Beesley Law Office \$1,544.30; Justin O'Neill \$743.16; Garland Goff \$768.20

**AUDITOR:** Southern Hills Publishing \$48; Arrowood Resort \$189.90; McLeod's Printing \$363.66; Quill \$115.62; A & B Business \$622.64; LCA Bank \$78.29; Golden West Telecommunications \$170.12; Tyler Technologies \$125; Evergreen Office Products \$81.20

**TREASURER:** Golden West Telecommunications \$170.12

**IST:** Golden West Telecommunications \$68.05; High Point Networks \$41.25

**STATE'S ATTORNEY:** Teresa Cornelison \$16.20; Cinda Jones \$11.20; Golden West Telecommunications \$170.12; Carolyn Harkins \$1,114.95; Culligan Water \$50

**COURTHOUSE BUILDING:** Southern Hills Publishing \$61.20; Mayer Plumbing \$237.20; S & B Motor Parts \$22.99; Servall Towel & Linen \$116.52; Custer Ace Hardware \$26.27; Golden West Telecommunications \$34.02

**DIRECTOR OF EQUALIZATION:** Golden West Telecommunications \$204.14

**REGISTER OF DEEDS:** A & B Business \$12.53; Golden West Telecommunications \$136.10

**VETERANS SERVICES:** Golden West Telecommunications \$34.02; VFW Post #3442 \$250

**INFO TECHNOLOGY:** Golden West Technologies \$2,519.77; A & B Business \$1,420.80; Golden West Telecommunications \$10; The Schneider Corporation \$2,715; Pitney Bowes \$399

**HUMAN RESOURCE:** Division of Criminal Investigation \$129.75; Safety Benefits \$195

**SHERIFF:** Black Hills Energy \$65.60; Custer County Sheriff \$245.13; French Creek Loggers \$807.70; Pheasantland Industries \$807.70; Quill \$44.88; Verizon Wireless \$50; A & B Business \$28.91; S & B Motor Parts \$131.88; Sherry Weber \$6; Custer Ace Hardware \$14.99; Innovative Office Solutions \$27.96; Golden West Telecommunications \$344.24; Culligan Water \$71.50; A to Z Shredding \$26; Battle Mt Humane Society \$800

**PRISONER CARE:** City of Rapid City \$210; Allen Reuer \$150; Manlove Psychiatric Group \$168.39; Kreislers LLC \$29.45; Linda Nohr \$75

**AIRPORT:** Custer Do It Best \$9.03; Custer Heating & Air Conditioning \$63.47; Grimms Pump Service \$739; Custer Ace Hardware \$29.98; Golden West Telecommunications \$112.13; Airnav.com \$55; MG Oil \$4,489; Mark & Shannon Stites \$3,000

**POOR:** Black Hills Energy \$16.82; Custer City \$61.21; Regional Health \$20; Regional Health Home \$38.12; Golden West Telecommunications \$37.51

**FOOD PANTRY:** Custer Storehouse \$875

**MENTALLY ILL:** Rapid City Regional Hospital \$349

**LIBRARY:** Mt Rushmore Telephone \$112.50; Golden West Telecommunications \$281.34

**CULTURE/RECREATION:** Southern Hills Publishing \$43.50; Jenny's Floral \$84.95; Custer Ace Hardware \$31.56

**CUSTER YMCA:** Custer YMCA \$2,100

**EXTENSION:** A & B Business \$19.50; Golden West Telecommunications \$220.34; SDSU West River Ag Center \$205.17

**WEED & PEST:** Kirk Johnson \$38.75; Dan Derrick \$130; Mark Barker \$104.72; A & B Business \$5.67; Perry Klein \$40.63; Stuart Adrian \$68.44; Custer Ace Hardware \$7.49; Ronelle Springer \$12.98; Linda Hager \$34.18; Gail Martin \$89.38; Tyler Robertson \$1,000; Jerry Wilson \$571.20; Kurt Van Asperen \$16.25; Tom Neir \$40.63; Needles View Ranch \$527.22; Pete Murray \$59.99; Golden West Telecommunications \$48.65

**PLANNING:** Southern Hills Publishing \$89.84; Golden West Telecommunications \$136.10; Iworq Systems \$1,584

**COUNTY ROAD & BRIDGE:** Black Hills Energy \$63.05; Butler Machinery \$54; Southern Hills Publishing \$195.76; Eddie's Truck Sales \$1,986.67; French Creek Loggers \$20; Interstate Batteries \$611.75; Lynn's Dakotamart \$9.98; Mt Rushmore Telephone \$114.75; The Overhead Door \$278.46; Quill \$127.59; Rancher's Feed & Seed \$18; S & B Motor Parts \$194.50; SD Department of Transportation \$343.19; Keifer Sanitation \$162.25; SERVALL TOWEL & LINEN \$197.72; TOWN OF BUFFALO GAP \$54; ROSANE CONSTRUCTION \$3,563.46; SNAP ON TOOLS \$40; BLACK HILLS GRAVEL \$13,500; CUSTER ACE HARDWARE \$47.14; GOLDEN WEST TELECOMMUNICATIONS \$270.47; CULLIGAN WATER \$33.50; MATCO TOOLS \$324.65; TWILIGHT 1<sup>ST</sup> AID \$78.05; MG OIL \$11,836.31; GREAT WESTERN TIRE \$3,502.22; FORWARD DISTRIBUTING \$39.10; POWERPLAN \$280.98; CBH COOPERATIVE \$3,276.18

**FIRE PROTECTION:** ARGYLE FIRE DEPARTMENT \$11,000; BUFFALO GAP FIRE DEPARTMENT \$5,000; DEWEY FIRE DEPARTMENT \$2,500; FOLSOM FIRE DEPARTMENT \$5,750; HIGHLANDS FIRE DEPARTMENT \$5,750; PRINGLE FIRE DEPARTMENT \$8,000

**EMERGENCY MANAGEMENT:** Lynn's Dakotamart \$115.70; Rushmore Communications \$1,005.63; Golden West Telecommunications \$102.07

**BUILDING:** Custer City \$439.77; North Central Supply \$602.31; A to Z Shredding \$20; SD Department of Transportation \$13,087.35

**ROD MODERNIZATION & PRESERVATION:** Microfilm Imaging Systems \$822.25

**EMERGENCY LINE:** Pheasantland Industries \$78.75; Rushmore Communications \$349; A & B Business \$6.50; Golden West Telecommunications \$1,375.93; Culligan Water \$53; RT Communications \$24.54

**D. Conflict of Interest Declarations** – none declared

**E. Emergency Management**

1. Motion by Lintz and seconded by Sorenson to approve and authorize the chairman to sign the State of South Dakota Department of Public Safety Office of Emergency Management 2019 State and Local Agreement. Motion carried, unanimous.

**F. Library**

1. Doris Ann Mertz, Custer County Library Director, presented to the commission on the services the library provides. The library is a community space and utilized by patrons for many different uses. The library provides a \$6.20 return on every county dollar spent on the library. Mertz is looking at expanding the northwest corner of library and is looking at an extension of 27' x 62' on the current building. Mertz asked that the commission considering funding \$150,000 of the proposed project and the library foundation would cover the remaining cost. The commission thanked Mertz for her work at the library and expressed their appreciation for all the work she does for the library.

**G. Safety Officer**

1. The commission reviewed the proposed safety manual and asked that the manual include the names of those employees that would be serving on the safety committee and discussed the drug policy which will mirror the policy that is placed in the employee handbook.

**H. Highway – Public Hearing – Opening of bids**

1. Gary Woodford, Highway Superintendent, received one bid for the ad for two used trucks. Motion by Lintz and seconded by Sorenson to accept the bid from Eddies Truck Sales in Rapid City, SD, for two 2014 Freightliner Coronado 122SD trucks in the amount of \$169,300. Motion carried, unanimous.
2. Discussion was held on the 2.1 miles of French Fork Road that was approved for maintenance by the County Highway Department at the August 8, 2018, commission meeting. Motion by Sorenson and seconded by Hartman to put the work on hold that was approved by a motion at the August 8, 2018 commission meeting, until a work session can be completed by the commission to discuss the different types of roads and maintenance. Motion carried, Aye – Sorenson and Hartman, Nay – Lintz.

**I. Planning – Public Hearing**

1. Motion by Hartman and seconded by Lintz to approve the vacation of that portion of Section Line Highway Right-of-Way running north to south, approximately 2640 feet, between the South East Quarter of Section 6 and the South West Quarter of Section 5, T3S, R7E, B.H.M., Custer County, South Dakota. Motion carried, unanimous. Motion by Hartman and seconded by Lintz to approve Resolution 2018-09. Motion carried, unanimous.

**Resolution 2018-09**

**Vacation of Section-Line Highway Right-of-Way**

WHEREAS, application has been made for the purpose of vacating portions of the Section-Line-Highway Right-of-Way described as; traversing north to south, approximately 2640 feet, between the South East Quarter of Section 6 and the South West Quarter of Section 5, T3S, R7E, B.H.M. Custer County, South Dakota.

WHEREAS, The Board of Custer County Commissioners have determined that the public’s interest will be better served by vacation of this section line highway.

NOW THEREFORE< BE IT RESOLVED THAT The Custer County Board of Commissioners approves the vacation of the aforementioned section line road.

Dated this 12<sup>th</sup> day of September, 2018

2. Motion by Lintz and seconded by Hartman to approve the vacation of that portion of Section Line Highway Right-of-Way running north to south, approximately 775 feet, thru Lot D revised of McDill Subdivision Phase II located in the NW4SW4 of Section 1 & NE4 & SE4 Section 2, T3S,

R3E, B.H.M., Custer County, South Dakota. Motion carried, unanimous. Motion by Lintz and seconded by Hartman to approve Resolution 2018-10. Motion carried, unanimous.

**Resolution 2018-10**  
**Vacation of Section-Line Highway Right-of-Way**

WHEREAS, application has been made for the purpose of vacating portions of the Section-Line Highway Right-of-Way described as; traversing north to south, approximately 775 feet, thru Lot D revised of McDill Subdivision Phase II located in the NW4SW4 of Section 1 & NE4 & SE4 Section 2, T3S, R3E, BHM, Custer County, Custer, SD.

WHEREAS, The Board of Custer County Commissioners have determined that the public's interest will be better served by vacation of this section line highway.

NOW THEREFORE, BE IT RESOLVED THAT The Custer County Board of Commissioners approves the vacation of the aforementioned section line road.

Dated this 12th day of September, 2018

3. Motion by Hartman and seconded by Lintz to approve vacating a 60' wide public access and utility easement, running approximately 437 feet centered on the boundary line between Lots 3 & 4 of Stagecoach Crossings Estates Subdivision, located in Section 22, T3S, R4E, B.H.M., Custer County, South Dakota. Motion carried, unanimous. Motion by Lintz and seconded by Hartman to approve Resolution 2018-11. Motion carried, unanimous.

**Resolution 2018-11**  
**Vacation of Public Access Easement**

WHEREAS, application has been made for the purpose of vacating 60' wide public access and utility easement, running approximately 437 feet centered on the boundary line between Lots 3 & 4 of Stagecoach Crossings Estates Subdivision, located in Sec 22, Township 3 South, Range 4 East, BHM. Custer County, South Dakota. This vacation does not vacate the 10' wide utility easement reserved along the inside of all the property lines. WHEREAS, The Board of Custer County Commissioners have determined that the public's interest will be better served by vacation of this public access easement.

NOW THEREFORE, BE IT RESOLVED THAT The Custer County Board of Commissioners approves the vacation of the before mentioned public access easement.

Dated this 12<sup>th</sup> day of September, 2018

4. Motion by Lintz and seconded by Sorenson to approve the Plat of Lot 6A & 6B of Box Canyon Subdivision containing all of Lot 6 of Box Canyon Subdivision, located in SE4NW4 and SW4NE4 of Section 33, T2S, R7E, B.H.M., Custer County, South Dakota. Motion carried, unanimous.
5. Motion by Sorenson and seconded by Hartman to approve the Wireless Communication Tower Modification from SBA Communications Corp for T-Mobile USA, Inc. for tower located in Section 35, T3S, R8E, Custer County, South Dakota. Motion carried, unanimous.
6. Motion by Sorenson and seconded by Hartman to approve the Wireless Communication Tower Modification from Verizon Wireless by SMJ Consulting Service for tower located in NW4SW4 of Section 34, T2S, R4E, Custer County, South Dakota. Motion carried, unanimous.

**J. Airport**

1. Discussion was held on the mobile homes that the county acquired through the RPZ acquisition. Rex Harris, Planning Director informed the commission that the South Dakota Department of Transportation had notified him that the two mobile homes located outside of the RPZ Zone, and were part of the land purchased by the county, would not be included in the relocation plan. An amendment is being drawn up and will be sent to the county. The recommendation from the commission was to continue this discussion in Executive Session.

**K. Veteran Service**

1. Motion by Hartman and seconded by Sorenson to surplus a HP DeskJet 1510 printer, Juster computer speakers and a wireless mouse to the landfill. Motion carried, unanimous.

**L. Auditor**

1. Motion by Sorenson and seconded by Lintz to approve additional training for the Auditor and Treasurer Office from Tyler Technologies and to approve payment of up to \$3,000 with the payment to come out of account #101-4-112-429.00, Commission Contingency. Motion carried, unanimous.

**M. Commission**

1. Travis Hartshorn appeared before the board to discuss a non maintained road located in Sections 25, 26, 35 & 36, T6S, R8E, B.H.M, Custer County, South Dakota. Gary Woodford, Highway Superintendent stated he could not find where this road was ever placed on the county road system. Hartshorn stated the road is identified as a county road on the plat maps he presented. It was recommended that Woodford meet with Hartshorn and look at the road in question. Motion was made by Sorenson and seconded by Hartman to table this discussion until a work session can be completed by the commission to discuss the different types of roads and maintenance. Motion carried, unanimous.

**N. Public Comment – none**

**O. Commission**

1. Mail call – a letter was received from the South Dakota State Historical Society reminding of the State Property Tax Moratorium & Deadwood Fund Grant; a letter was received from Black Hills Area Habitat for Humanity regarding “World Habitat Service Day” on October 1, 2018. Motion by Sorenson and seconded by Hartman to approve and authorize the chairman to sign the

Executive Proclamation for World Habitat Day. Motion carried, unanimous. A letter was received from NeighborWorks regarding the NWDHR Owner-Occupied Rehab Program 2018 to be performed at 20 scattered sites across Western South Dakota; a thank you letter was received from the Civil Air Patrol regarding the \$900 charitable contribution from the county.

2. Meeting Schedule – Sorenson and Hartman will be attending the Southern Hills Friends of NRA banquet on Saturday, September 15, 2018 at the Custer Corral.
3. Meeting Reports – Lintz was unable to attend the Fair Board meeting on September 11<sup>th</sup> but did distribute a 5 year plan to the commission for the fair board.

**P. Executive Session**

1. Motion by Lintz and seconded by Sorenson to go into Executive Session pursuant SDCL 1-25-2(1), SDCL 1-25-2(3) and SDCL 28-13-42. Executive Session began at 10:17 a.m. to discuss personnel, consult with legal counsel and one indigent request and concluded at 11:25 a.m.
2. Motion by Sorenson and seconded by Hartman to approve the indigent burial request in the amount of \$2,000. Motion carried, unanimous.
3. Motion by Hartman and seconded by Sorenson to approve the addition of a full time library staff position and to allow publication of the position. Motion carried, unanimous.

**Q. Adjourn**

Motion by Sorenson and seconded by Hartman to adjourn the meeting at 11:35 a.m. The next meeting will be at 8 a.m. September 26, 2018, in the Commissioner’s Room in the Custer County Courthouse.

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Phil Lampert, Chairman

Attest:

Terri Cornelison, Custer County Auditor

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