

Custer County Commission Meeting (Wednesday, January 9, 2019)

Members present:

Commissioners Jim Lintz, Mark Hartman, Jesse Sorenson, Mike Linde, Craig Hindle 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

Motion by Hartman and seconded by Sorenson to move Item #2 under Veterans Service Office to Executive Session and to approve the agenda with that change. Motion carried, unanimous.

C. Consent Agenda

- Motion by Linde and seconded by Hindle to approve the minutes of the December 27, 2018 Commission Meeting, the minutes of the December 28, 2018 Special Commission Meeting, the following travel requests, vouchers and monthly reports. Motion carried, unanimous.

Travel requests approved: Mike Carter to Incident Management Team Training in Rapid City, SD, at a cost of use of a county vehicle to travel; Mike Carter to SD Pipeline Association Meeting in Rapid City, SD, at a cost of use of a county vehicle to travel.

Vouchers approved as follows:

PAYROLL: Commissioners \$1,875; Auditor \$7,250.89; Treasurer \$6,480.70; IST \$3,125; States Attorney \$8,493.84; Courthouse Building \$4,894.32; Equalization \$8,293.42; Register of Deeds \$3,710.88; Veterans Service \$729; Human Resource \$1,641.57; Sheriff \$32,042.48; Nurse \$742.56; Library \$8,329.23; Extension \$1,265.45; Weed & Pest \$1,476.80; Planning \$12,419.07; Highway \$26,596.41; Emergency Management \$2,317.96; 24/7 \$1,173.38; Communications/911 \$14,604.29

NON DEPARTMENTAL: SD State Treasurer \$1.53

COMMISSIONERS: Vanway Trophy & Award \$436.50; Southern Hills Publishing \$388.11; Lynn's Dakotamart \$52.99; Black Hills Regional Multiple \$100

ELECTION: Golden West Telecommunications \$84.94

COURT: Garland Goff \$424.60

AUDITOR: Golden West Telecommunications \$164.59

TREASURER: Southern Hills Publishing \$435.09; Golden West Telecommunications \$164.59

IST: Golden West Telecommunications \$65.84

STATE'S ATTORNEY: Lexisnexi \$303; Golden West Telecommunications \$164.59

COURTHOUSE BUILDING: Servall Towell & Linen \$58.26; Custer Ace Hardware \$38.73; Golden West Telecommunications \$32.92

DIRECTOR OF EQUALIZATION: Golden West Telecommunications \$197.51

REGISTER OF DEEDS: Golden West Telecommunications \$131.67

VETERANS SERVICES: Golden West Telecommunications \$32.92

INFO TECHNOLOGY: Golden West Technologies \$1,920; Golden West Telecommunications \$10

HUMAN RESOURCES: Custer Do It Best \$17.22; Division of Criminal Investigation \$86.50

SHERIFF: Corner Station \$79.14; Black Hills Energy \$93.70; Southern Hills Publishing \$40.60; Children's Home Society \$300; Golden West Telecommunications \$333.18; Mid-States Organized Crime \$150; South Dakota Sheriffs Association \$746.48; Lexisnexis \$85; A – Z Shredding \$20; Battle Mountain Humane Society \$800

PRISONER CARE: Rapid City Police Department \$70; Ann Allen \$15; Care Campus \$226

SEARCH & RESCUE: Black Hills Energy \$623.11; Custer City \$24.65

AIRPORT: Southern Hills Publishing \$67.40; Custer Gas Service \$696.29; Hillyard \$124.05; Custer Ace Hardware \$77.55; Brenden Hendrickson \$3,333.33; Golden West Telecommunications \$112.40; Mark & Shannon Stites \$3,000

NURSE: \$1,303

LIBRARY: Mt. Rushmore Telephone \$112.70; Golden West Telecommunications \$281.84

EXTENSION: Golden West Telecommunications \$221.12

WEED & PEST: Golden West Telecommunications \$48.89

PLANNING: Southern Hills Publishing \$87; Lynn's Dakotamart \$36.12; Golden West Telecommunications \$131.67

COUNTY ROAD & BRIDGE: Black Hills Energy \$70.01; Mt. Rushmore Telephone \$114.95; S & B Motor Parts \$326.86; Golden West Telecommunications \$271.17

EMERGENCY MANAGEMENT: Quill \$346.46; Commercial Door & Specialties \$38; Golden West Telecommunications \$98.76

24/7: Pharmchem \$121.10

BUILDING: Black Hills Energy \$4,724.31; Custer City \$233.73; Sander Sanitation \$334.94; A – Z Shredding \$11.20; G & R Controls \$407; Custer Do It Best \$1,004.97

ROD MODERNIZATION & PRESERVATION: Microfilm Imaging Systems \$822.25

EMERGENCY LINE: Golden West Telecommunications \$43.63; RT Communications \$23.14

Monthly Reports approved:

- Register of Deeds November 2018 statement of fees with \$600 collected in state fees, \$9,756 in county fees, and \$314 for SDACO fees for a total of \$10,670.
- The Auditor's report with the Treasurer for November 2018 as follows: Cash \$1,483.87; Checks/Drafts \$22,240.59; Petty Cash \$1,050; SD Fit \$509,226.42; 1st Interstate Bank checking \$4,872.48; 1st Interstate Bank Savings \$1,965,061.18; ED Jones MM \$113,921.93; 1st Interstate Flex \$60,547.94; 1st Interstate Investments \$37,581.09; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$32,872.90; Sentinel CU Savings \$80,019.25; Highmark Investment \$152,486.66; Highmark Savings \$10,188.14; Highmark Checking \$5,000; Dacotah Bank Checking \$12,577.50; Dacotah Investments \$683,658.79; Accrued Interest \$3,072.63; Ed Jones Investments \$2,714,268.19 for a total of \$6,410,337.59.
- Custer County Sheriff's November 2018 report: \$4 accident reports; \$108 basic concealed weapon permits; \$150 enhanced concealed weapon permits; \$446.90 mileage; \$1,881.82 service fees; \$25 Distress Warrants; \$95 executions; \$160 fees for a grand total of \$2,870.72.

D. Conflict of Interest Declarations – none declared.

E. Reorganization of Board

- Vice Chairman Lintz called for nominations for Chairman. Hartman made a motion and Sorenson seconded it to nominate Jim Lintz for Chairman of the Board of Commissioners for 2019. Motion by Sorenson and seconded by Linde to cease nominations and cast a unanimous ballot for Lintz as Chairman. Motion carried, Aye – Hartman, Sorenson, Linde and Hindle. Lintz abstained.
- Chairman Lintz called for nominations for Vice Chairman. Hartman made a motion and Hindle seconded to nominate Jesse Sorenson for Vice Chairman of the Board of Commissioners for 2019. Motion by Linde and seconded by Hartman to cease nominations and cast a unanimous ballot for Sorenson as Vice Chairman. Motion carried, Aye – Hartman, Lintz, Linde and Hindle. Sorenson abstained.

F. Annual Designations:

- Motion by Hindle and seconded by Linde to approve the following Commission Meeting dates for 2019:
Wednesday January 9th & 23rd
Wednesday February 6th & 20th
Wednesday March 6th & 20th
Wednesday April 3rd & 17th
Wednesday May 1st & 22nd
Wednesday June 5th & 19th

Wednesday July 10th & 24th
Wednesday August 7th & 21st
Wednesday September 4th & 18th
Wednesday October 9th & 23rd
Wednesday November 6th & 20th
Wednesday December 4th & 18th
Motion carried, unanimous.

- Discussion was held on the agenda format and how to streamline the same in order for the Commission to have the information early to review. Auditor Cornelison expressed a concern on getting the agenda out along with the scanned items and problems with getting the information and having to make changes to the agenda and still be able to comply with the state statute on 24 hours. Motion by Hartman and seconded by Hindle to make the Thursday before, at 4 p.m., the deadline for items to be placed on the agenda. Motion carried, unanimous.
- Motion by Hartman and seconded by Linde to approve Resolution 2019-01 Resolution to Elect Salary Method of Payment for County Commissioners and to Set 2019 Annual Salary. Motion carried, unanimous.

RESOLUTION 2019-01

**RESOLUTION TO ELECT SALARY METHOD OF PAYMENT
FOR COUNTY COMMISSIONERS AND TO SET 2019 ANNUAL SALARY**

WHEREAS, in accordance with SDCL Chapter 7-7, the Board of County Commissioners for Custer County has the authority to elect the method of payment for the county commissioners and set the annual pay by resolution on the first regular meeting date in January of each year; and

WHEREAS, on the date set forth herein below, being the first regular meeting date of the Board of County Commissioners for the year 2019, the commission having considered and approved the following action, now therefore

BE IT RESOLVED by the Custer County Board of Commissioners, pursuant to SDCL 7-7-5, that the Commissioners shall be paid by the salary method of payment and the annual salary for each Commissioner for the year 2018 shall be \$9,000.00;

BE IT FURTHER RESOLVED that each Commissioner shall receive an additional \$1,200.00 as and for travel expenses for the year 2018.

Approved this 9th day of January, 2019, at the regular meeting of the Board of Commissioners for Custer County.

- Motion by Sorenson and seconded by Hindle to approve Resolution 2019-02 Resolution to Establish Salaries of Elected Officials for Custer County for 2019. Motion carried, unanimous.

RESOLUTION 2019-02

**RESOLUTION TO ESTABLISH SALARIES OF
ELECTED OFFICIALS FOR CUSTER COUNTY FOR 2019**

WHEREAS, in accordance with SDCL Chapter 7-7, the board of county commissioners for Custer County shall establish, by resolution, the salary payable to the county treasurer, county auditor, county register of deeds and state’s attorney; and

WHEREAS, in accordance with SDCL 7-12-15, the board of county commissioners shall establish, by resolution, the salary payable to the sheriff;

BE IT RESOLVED, the Custer County Board of Commissioners establishes the annual salaries of elected officials as follows:

Dawn McLaughlin, Custer County Treasurer - \$ 50,408.73;
 Terri Cornelison, Custer County Auditor - \$ 46,818;
 Tracy L. Kelley, Custer County State’s Attorney - \$ 60,220.80;
 Teri L. Morgan, Custer County Register of Deeds \$40,800;
 Marty Mechaley, Custer County Sheriff (with City Contract) and Dispatch Supervisor - \$67,320;

Approved this 9th day of January, 2019, at the regular meeting of the Board of Commissioners for Custer County.

- Motion by Linde and seconded by Hindle to adopt the State rates for mileage at \$.42 per mile for use of a personal vehicle if a county vehicle is unavailable and \$.25 per mile for the use of a personal vehicle if a county vehicle is available. Rates for meals are: breakfast \$5; lunch \$9; and dinner \$12. Out of state rates for meals are: breakfast \$8; lunch \$11; and dinner \$17. Lodging rates are \$46.50 through \$150 with the employee utilizing the lowest possible rate. The annual designations are on file at the Auditor’s office for public viewing. Motion carried, unanimous.
- Motion by Sorenson and seconded by Linde to approve the rate of pay for outside board members to be \$15 per meeting plus mileage. Motion carried, unanimous.
- Motion by Hartman and seconded by Sorenson to approve the Custer County Chronicle as the legal newspaper and approve the following depositories: First Interstate Bank, Edward D Jones MM, South Dakota FIT, Sentinel Federal Credit Union, Highmark Federal Credit Union, and Dacotah Bank. Motion carried, unanimous.
- Motion by Hartman and seconded by Sorenson to approve Resolution 2019-03 Resolution to Establish Wages of Election Workers for Custer County. Motion carried, unanimous.

RESOLUTION 2019-03
**RESOLUTION TO ESTABLISH WAGES OF
ELECTION WORKERS FOR CUSTER COUNTY**

WHEREAS, in accordance with SDCL 12-15-11, the Board of County Commissioners at their first meeting shall set a fee for Election Board and the mileage rate;

NOW THEREFORE BE IT RESOLVED, that the Custer County Board of Commissioners have set the FEE FOR ATTENDANCE OF ELECTION SCHOOL AT \$10.00 per hour; and

BE IT FURTHER RESOLVED, that the Custer County Board of Commissioners has set the fee for Election Boards for the Primary and General and all Special Elections as follows:

ALL ELECTION BOARDS, RESOLUTION AND ABSENTEE BOARDS WILL BE SET AT \$10.00 PER HOUR, and

BE IT FURTHER RESOLVED, that the Custer County Commissioners set the mileage rate at \$.42 per mile for all travel incurred in regard to election work.

Dated this 9th of January, 2019

- Motion by Sorenson and seconded by Linde to adopt the following schedule of Board Member Representatives. Motion carried, unanimous.

4-H PROMOTION & EXPANSION		1881 MUSEUM	
1ST	Jim Lintz	1ST	Mike Linde
ALT	Jesse Sorenson	ALT	Jesse Sorenson
AIRPORT BOARD		COURTHOUSE ART GALLERY	
1ST	Craig Hindle	1ST	Mark Hartman
ALT	Jesse Sorenson	ALT	Craig Hindle
CONSERVATION BOARD		ECONOMIC DEVELOPMENT BRD	
1ST	Mike Linde	1ST	Jesse Sorenson
ALT	Jesse Sorenson	ALT	Mark Hartman
EXTENSION BOARD		FAIR BOARD	
1ST	Jim Lintz	1ST	Jim Lintz
ALT	Jesse Sorenson	ALT	Craig Hindle
FIRE BOARD		GIS BOARD	
1ST	Jim Lintz	1ST	Mark Hartman
ALT	Mike Linde	ALT	Jesse Sorenson
HOUSING & REDEVELOPMENT		HUMAN RESOURCE BOARD	

BRD			
1ST	Mark Hartman	1ST	Jim Lintz
ALT	Craig Hindle	ALT	Craig Hindle
IST BOARD		PLANNING BOARD	
1ST	Mark Hartman	1ST	Mark Hartman
ALT	Jesse Sorenson	ALT	Jesse Sorenson
RC & D COMMISSION		SOLID WASTE BOARD	
1ST	Jim Lintz	1ST	Mike Linde
ALT		ALT	Jesse Sorenson
WEED BOARD		WESTERN JUVENILE DETENTION BRD	
1ST	Jim Lintz	1ST	Mark Hartman
ALT	Mike Linde	ALT	Marty Mechaley
LIBRARY LIASON		SAFETY COMMITTEE LIASON	
1ST	Craig Hindle	1ST	Craig Hindle
ALT	Mike Linde	ALT	Mike Linde
SCHOOL LIASON		SEARCH & RESCUE LIASON	
1ST	Jesse Sorenson	1ST	Mark Hartman
ALT	Mark Hartman	ALT	Jesse Sorenson
WESTERN SD COMMUNITY ACTION BRD			
1ST	Jim Olson		

G. Highway

- Motion by Sorenson and seconded by Hartman to approve Resolution 2019-04. Motion carried, unanimous.

Resolution 2019-04 **County Roads Weights and Speed Enforcement**

WHEREAS, the County Roads deteriorate when the frost goes out, and

WHEREAS, all Custer County Roads will have 6-Ton per axle load limit in the spring of 2019. These Roads will be designated with a blue county shield OR a green rectangular sign marked with the county road number and the words Custer County and,

WHEREAS, The County Road design does not permit safe travel at the 65 MPH as adopted by the State and Custer County Roads will remain at 55 MPH unless otherwise designated by the posting of a lower speed limit. (SDCL 32-25-9.1)

NOW, THEREFORE, BE IT RESOLVED: WHEREAS, Custer County roads will have a 6-ton per axle load limit in the spring and a 55 MPH speed limit or lower as posted. That the South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitations and speed limits on Custer County roads.

BE IT FURTHER RESOLVED, the penalty for the violation of the load restrictions shall be set forth in SDCL 32-22-55.

Dated this 9th day of January, 2019.

- Gary Woodford, Highway Superintendent, read the proposed Resolution 2018-13 No Maintenance Highways Within Custer County. The Resolution identifies the following as no maintenance roads: CS 24 or French Fork Cutoff for a distance of 3.62 miles from its intersection with CS 18 to its intersection with CS27; That portion of Battle Creek Road extending North West from the intersection of Battle Creek Road and Bender Road, excluding creek crossings; and The platted county road extending 1.9 miles from road 656 to the Fall River County line. Woodford reported he had placed a traffic counter on the French Fork Cutoff road and the average traffic was 30 vehicles per day. Motion by Hindle and seconded by Hartman to not pass Resolution 2018-13. Motion carried, Aye – Hartman, Hindle and Linde, Nay – Sorenson. Motion by Hartman and seconded by Hindle to untable the action on French Fork Road from the September 12, 2018 commission meeting that put the work on hold and to allow the Highway Department to proceed with the maintenance of the road that was approved at the August 8, 2018 commission meeting. Motion carried, Aye – Hartman, Linde and Hindle, Nay – Sorenson.

H. Planning Department

Kim Kerkvliet, Planning Director, reviewed the yearly report compared to prior year:

- 2017 – 37 plats, 161 building permits, 77 waste water permits, 3 wireless communication tower permits, 2 sign permits and 1 grading permit.
- 2018 – 32 plats, 160 building permits, 73 waste water permits, 6 wireless communication tower permits, 1 sign permit and a refund of \$902.40
- Total fees were up in 2018 - \$92,813 compared to \$75,422.39 in 2017.

I. Airport

- Mark Stites presented the 2018 Custer County Airport report to the commission. Highlights from the report included:
 - Increase in medical transport flights
 - Forest Service helicopter response team spends summer fighting Colorado fires
 - New 8,000 gallon Jet Fuel tank installed
 - Over 100 cars rented to visitors
 - Unexpected repairs to tractor used for mowing/plowing
 - Tourist traffic increased
 - RPZ project winds down
 - FAA/State/County begin 2 year project updating Airport Master Plan
 - After 5 years two abandoned aircraft still parked on airport ramp
- Stites gave his support to a local company that offered car rentals at the airport. He reported that the company was willing to pay Custer County \$10 for every car rental in 2019.
- The airport will continue with phase 2 of the Jet-A Fuel Dispenser project with an estimated cost of \$45,000, which is included in the 2019 airport budget.
- Verl Scheibe has a hangar for sale and the commission instructed Stites to check and see if the hangar is purchased by the county would the cost would qualify for reimbursement through FAA. Motion by Hartman and seconded by Sorenson to authorize Stites and Commissioner

Hindle to negotiate a price for the hangar and bring to the next commission meeting. Motion carried, unanimous.

J. Emergency Management

- Motion by Sorenson and seconded by Linde to approve and authorize the chairman to sign the Personnel Action Form for the South Dakota Office of Emergency Management. Motion carried, unanimous.
- Motion by Hartman and seconded by Sorenson to approve and authorize the chairman to sign the 2019 State and Local Agreement. Motion carried, unanimous.

K. Veteran Service Office

- Jana Virtue, Veteran Service Officer, presented a 2018 4th Quarter report to the commission. Virtue attended meetings for the Veteran Memorial Park, a mini conference at the new CARE facility in Rapid City and assisted many veterans during the months of October, November and December of 2018.

L. Custer County American Legion

- Motion by Hartman and seconded by Sorenson to approve Resolution 2019-05 Resolution to Establish 2019 as the American Legion Centennial Year. Motion carried, unanimous.

**RESOLUTION 2019-05
RESOLUTION TO ESTABLISH 2019 AS
THE AMERICAN LEGION CENTENNIAL YEAR**

WHEREAS, The American Legion has been a staunch advocate for veterans and their families since 1919; and

WHEREAS, The American Legion was founded on the four pillars of care for veterans, a strong national defense, Americanism, and children and youth; and

WHEREAS, The American Legion has played a leading role in initiatives and breakthroughs that have affected the lives of Americans in every community, from U.S. Flag Code to the GI Bill; and

WHEREAS, Battle Creek Post #303, Hermosa, and Custer Post #46 have fulfilled the Legion's Congressionally chartered mission since 1919 through programs such as, Honor Guard, Department of Veterans Affairs Oversight and Support, Veterans Service, Veterans Relief Poppy Program, Veterans Graves Registration, Veterans Graves Decoration, National Security, Blood Drives, Flag Education, Community Service Awards, Patriotic Events, Legislative Action, Boys State, Girls State, Student Oratory Program, Youth Trooper Academy, High School Rodeo Americanism, School Awards, Veterans in the Classroom, Scouting Support, Public Relations; and

WHEREAS, The American Legion is celebrating its centennial in 2019; and

WHEREAS, on the date set forth herein below, being the first regular meeting date of the Board of County Commissioners for the year 2019, the commission having considered and approved the following action, now therefore

BE IT RESOLVED, by the Custer County Board of Commissioners, that the year 2019 be celebrated throughout Custer County, South Dakota as The American Legion Centennial Year.

Approved this 9th day of January, 2019, at the regular meeting of the Board of Commissioners for Custer County.

M. Hermosa Arts & History Association

- Motion by Hartman and seconded by Sorenson to confirm that funds are available to complete the assignment of the additional \$25,000 to the Hermosa Arts & History Association that was approved at the December 12, 2018 commission meeting. Motion carried, unanimous.

N. Western South Dakota Community Action & Custer Community Action Team

- Jim Olson, representative for Custer County, presented an update on the Custer Community Action Team. During the month of December 2018, 123 families received commodities, had a total of 250.50 hours of volunteer time, operated the 'thrift store', and assisted eligible families with furnace installations, weatherization of homes and fuel assistance.

O. Civil Air Patrol

- Motion by Sorenson and seconded by Linde to approve a five year continuation of the lease between Custer County and the Civil Air Patrol effective March 31, 2019 until March 31, 2024. Motion carried, unanimous.

P. Public Comment – Travis Hartshorn asked for clarification on the assignment of \$15,000 to the Weed & Pest budget at the December 27, 2018 commission meeting. Linde asked Doris Ann Mertz how the new Library addition is going and Mertz reported she would be attending a meeting later that day with the Library Board and the project is in the initial stage. Linda Kramer with the Town of Hermosa reported that she and two other residents from Hermosa will be attending the commissioning of the USS SD.

Q. Commission

- Mail call – Letter was received from South Dakota Retirement System notifying the commission of a commissioner representative opening on their board; Letter of retirement from Deputy Sheriff Heath Lowery. The commission acknowledged the letter of retirement.
- Meeting Schedule – Lintz will attend a Fire Advisory Board on Thursday, January 10.
- Meeting Reports – Lintz attended a Fair Board meeting on January 9, 2019 and the board is continuing with their improvement plan; there will be three commissioners in attendance at the Custer Area Economic Development meeting tonight at the Beggin Burro.

R. Executive Session

- Motion by Sorenson and seconded by Hindle to go into Executive Session pursuant to SDCL 1-25-2(1), SDCL 1-25-2(4), SDCL 1-25-2 and SDCL 28-13-42. Executive Session started at 9:49 a.m. to discuss personnel, contract negotiations and an indigent request and concluded at 11:00 a.m.
- Motion by Sorenson and seconded by Hartman to appoint Jana Virtue as Veteran Service Officer for a 4 year term effective January 9, 2019. Motion carried, unanimous.
- Motion by Sorenson and seconded by Linde to approve the indigent burial cost request in the amount of \$1,725. Motion carried, unanimous.

- Motion by Hartman and seconded by Hindle to approve the Consulting Contract and Airport Manager Contract that will be drawn up by States Attorney Tracy Kelley. Motion carried, unanimous.
- Motion by Hindle and seconded by Sorenson to approve and additional four hours per week of flex time for Veteran Service Officer, Jana Virtue, on an as needed basis to accommodate visits to veterans outside of the office and the Veteran Service Office to remain open Monday, Tuesday and Wednesday. Motion carried, unanimous.

S. Adjourn

Motion by Sorenson and seconded by Hartman to adjourn the meeting at 11:05 a.m. The next meeting will be at 8 a.m. January 23, 2019 in the Commissioner’s Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest:
Terri Cornelison, Custer County Auditor

Published once at the total approximate cost of _____.