

**Custer County Commission Meeting (Wednesday, July 10, 2019)**

**Members present:**

Commissioners Jim Lintz, Jesse Sorenson, Mike Linde, Craig Hindle and Deputy States Attorney Susan Anderson.

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

**B. Adopting of the agenda**

Motion by Linde and seconded by Hindle to remove Item S Budget Reviews and approve the agenda with the change. Motion carried, unanimous.

**C. Consent Agenda**

Motion by Sorenson and seconded by Linde to approve the following vouchers, monthly reports and travel request. Motion carried, unanimous.

Travel requests approved: Sherry Weber to Region 1 Staff meeting in Pierre, SD, at a cost of \$311.

Vouchers approved as follows:

**PAYROLL:** Commissioners \$1,875; Auditor \$6,225.91; Treasurer \$7,094.51; IST \$2,125; States Attorney \$8,959.70; Courthouse Building \$4,545.33; Equalization \$7,404.33; Register of Deeds \$2,910.88; Veterans Service \$864; Human Resource \$1,116.27; Sheriff \$25,308.88; Nurse \$636.48; Library \$6,489.26; Extension \$1,601.10; Weed & Pest \$3,294.67; Planning \$3,748.72; Highway \$24,761.45; Emergency Management \$2,317.96; 24/7 \$194.96; Communications/911 \$10,938.36.

**COMMISSIONERS:** Custer Do It Best \$787.50; First Interstate Bank Master Card \$127.24; Verizon Wireless \$82.19; Southern Hills Publishers \$509.87; CNA Surety Direct \$525.00

**COURT:**

**AUDITOR:** First Interstate Bank Master Card \$234.41; Southern Hills Publishers \$24.81; McLeod's Printing \$7.98; A & B Business \$641.40; Secretary of State \$30.00; Golden West Telecom \$171.79

**TREASURER:** Wellmark Blue Cross Blue Shield \$327.50; A & B Business \$224.83; A & B Business \$182.38; Golden West Telecom \$171.79

**STATE'S ATTORNEY:** Colorado Department of Revenue \$10; A & B Business \$212.36; Relix \$303.00; Colorado DOT \$10.00; Golden West Telecom \$171.79; Platte Co. Clerk of Court \$5.00; Teton Co. Clerk of Court \$17.00

**COURTHOUSE BUILDING:** First Interstate Bank Master Card \$549.87; Verizon Wireless \$44.11; Custer Ace Hardware \$19.77; Golden West Telecom \$34.36

**DIRECTOR OF EQUALIZATION:** First Interstate Bank Master Card \$6.91; A & B Business \$96.13; Golden West Telecom \$206.15; The Lodge Deadwood \$1,116.00

**REGISTER OF DEEDS:** First Interstate Bank Master Card \$33.49

**VETERANS SERVICES:** A & B Business \$64.11; Golden West Telecom \$34.36; A& B Business \$96.12; Golden West Telecom \$137.43

**INFO TECHNOLOGY:** Golden West Technologies \$87,843.30; High Point Networks LLC \$2,637; Golden West Telecom \$663.72; Golden West Telecom \$2,090.00

**HUMAN RESOURCES:** First Interstate Bank Master Card \$31.04; Verizon Wireless \$16.43; Evergreen Office Products \$39.00

**COURT APPOINTED ATTORNEY:** Beesley Law Office \$1,509.00; Justin O'Neill \$1,093.66; Garland, Lee, Goff \$\$3,277.75

**SALES TAX:** SD State Treasurer \$12.21

**EXTENSION:** A & B Business \$200.41; Golden West Telecom \$222.85

**SHERIFF:** Black Hills Electric \$58.30; First Interstate Bank Master Card \$53.18; M & W Towing \$843.76; Lexisnexis \$85; Verizon Wireless \$388.27; B.H. Energy \$74.53; French Creek Loggers \$7.98; A & B Business \$220.71; Custer Ace Hardware \$5.99; Golden West Telecom \$347.58; Lakota Contracting \$406.65; Culligan Water \$53.00; CBN Cooperative \$822.00

**PRISONER CARE:** First Interstate Bank Master Card \$247.22; Correct RX Pharmacy \$15.33

**AIRPORT:** Custer Do It Best \$46.53; First Interstate Bank Master Card \$286.73; Custer Ace Hardware \$21.99; Brendon Hendrickson \$3,666.67; Golden West Telecom \$112.93; MG Oil \$4,169.00; Mark & Shannon Stites \$1,000.00

**ART GALLERY:** Southern Hills Publishing \$43.50

**LIBRARY:** First Interstate Bank Master Card \$963.51; Mt Rushmore Telephone \$115.12; Golden West Telecom \$283.64

**HERMOSA SENIOR CITIZENS:** Hermosa Senior Citizens \$1,550

**NURSE:** SD Department of Health \$1,303.00

**SEARCH & RESCUE:** B.H. Energy \$187.18; Custer City \$59.20

**WEED & PEST:** Custer Do It Best \$4.95; A & B Business \$173.82; Best Western Huron \$432.00; Southern Hills Publishing \$41.55; French Creek Loggers \$14.49; Custer Ace Hardware \$5.49

**PLANNING:** A & B Business \$212.99; Verizon Wireless \$44.11; Golden West Telecom \$137.43

**COUNTY ROAD & BRIDGE:** Diesel Machinery \$2,500.00; French Creek Loggers \$33.96; Fastenal Co. \$15.72; 3D Specialties \$540.60; Lynn's Dakotamart \$12.77; Mt. Rushmore Telephone \$117.37; A & B Business \$185.64; S & B Motor Parts \$183.36; Kieffer Sanitation \$172.50; Servall Towel \$108.06; B.H. Gravel \$32,250.00; Golden West Telecom \$272.99; SD State Treasurer \$1.57; Lyle Signs, Inc. \$1,460.00; Culligan \$40.00; MG Oil Co \$19,639.55; Advanced Drug Testing \$35.00; Diamond D Diesel \$5,224.68; The Lodge Deadwood \$196.00; Great Western Tire \$1,473.85; Powerplan \$230.16; CBH Cooperative \$3,493.33

**24/7 SOBRIETY FUND:** SD Attorney General \$839.00; Concordance Healthcare \$69.53; Dash Medical Gloves \$133.80

**EMERGENCY MANAGEMENT:** Golden West Telecom \$103.07; Great Western Tire \$519.80

**STATE GRANTS-GENERAL GOVERNMENT:**

**BUILDING:** B.H. Energy \$3,804.62; Custer City \$207.95; Sander Sanitation \$1098.83; Adtech \$704.08; Freeman's Electric \$949.39; Custer Ace Hardware \$ 50.31; Warnke Brothers Construction \$20,000.00;

**MENTAL ILLNESS BOARD:** Beesley Law Office \$495.00

**EMERGENCY LINE:** A & B Business \$202.60; Golden West Telecom \$1,376.74; Lakota Contracting \$93.90; Culligan Water \$46.50; RT Communications \$23.28

Monthly Reports approved:

- Register of Deeds June 2019 statement of fees with \$500 collected in state fees, \$10,543 in county fees, and \$308 for SDACO fees for a total of \$11,351.
- The Auditor's report with the Treasurer for January 2019 as follows: Cash \$6,226.37; Checks/Drafts \$27,918.69; Petty Cash \$1,050; SD Fit \$513,567.56; 1<sup>st</sup> Interstate Bank checking \$816,030.80; 1<sup>st</sup> Interstate Bank Savings \$2,928,543.11; ED Jones MM \$214,900.32; 1<sup>st</sup> Interstate Flex \$60,547.94; 1<sup>st</sup> Interstate Investments \$37,698.96; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$33,372.69; Sentinel CU Savings \$80,52.20; Highmark Investment \$152,649.28; Highmark Savings \$10,190.28; Highmark Checking \$5,000; Dacotah Bank Checking \$12,677.50; Dacotah Investments \$692,046.36; Accrued Interest \$3,190.72; Ed Jones Investments \$2,626,526.38 for a total of \$8,222,397.19.
- Custer County Sheriff's November 2018 report: \$10 Fingerprinting; \$38 accident/accrurent reports; \$45 basic concealed weapon permits; \$150 enhanced concealed weapon permits; \$332.82 mileage; \$1,040 service fees; \$75 distress warrants; \$190 executions; \$349.48 commissions earned on executions; \$13.50 postage; \$50 CSO Ordered U/As fees for a grand total of \$2,293.80

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

**E. Highway**

1. Motion by Sorenson and seconded by Linde to approve the Application for Occupancy of the Right of Way from Golden West Telecommunications for South Fairburn Road in Section 17, T6S, R8E, Custer County, South Dakota. Motion carried, unanimous.

2. Gary Woodford, Highway Superintendent received emails from two separate Custer County residents expressing their appreciation on the work done by the Highway Department to repair roads after damage from the storm.
3. Woodford also shared with the commission on work currently being done on 266<sup>th</sup> Street. Woodford stated that the road does not currently meet county specifications as required.

**F. Weed & Pest**

1. Motion by Hindle and seconded by Linde to approve the new hire of Jamie Thomas as Temporary Weed Sprayer starting June 6, 2019, at a wage of \$14 per hour. Motion carried, unanimous.
2. Motion by Sorenson and seconded by Hindle to table the Forest Service Agreement. Motion carried, unanimous.

**G. Planning**

1. Motion by Sorenson and seconded by Linde to approve the chairman to sign for the county's portion of ownership in the Plat of Custer Athletic Field Revised, Lot C Revised, Tract Hospital Revised, and Tract S&R, Custer City, South Dakota. Motion carried, unanimous.
2. Motion by Hindle and seconded by Sorenson to approve the first reading of the First Revision to the Custer County Ordinance Number 2. Motion carried, unanimous.

**H. Emergency Management**

1. Motion by Sorenson and seconded by Linde to approve and authorize the chairman to sign the 2nd Quarter report for the Office of Emergency Management. Motion carried, unanimous.
2. Mike Carter, Emergency Management, reviewed upcoming meetings that will be held in preparation for the upcoming motorcycle rally. A responder meal will also be conducted prior to the rally.
3. Motion by Hindle and seconded by Linde to approve the advertisement for bids for the proposed garage structure to be constructed on the Search & Rescue property located at Montgomery Road in the City of Custer. Motion carried, unanimous.
4. Carter informed the commission that Search & Rescue items that were recently sold online netted nearly \$15,000 and requested those proceeds go into the county's general fund.
5. Rich March with Search & Rescue read a letter that was received from the husband of a victim that was rescued from Harney Peak expressing his appreciation and gratitude for Search & Rescue staff.

**I. 1881 Courthouse Museum**

1. Gary Enright and Rick Wheeler appeared before the commission to express concerns on repairs needed on the roof of the museum. The building is covered under the county's insurance and the commission advised that a claim needed to be filed with the insurance company first. The Auditor will assist in getting the form completed and filed to start a claim.

**J. 8:30 a.m. Public Hearing for New Malt Beverage License**

1. At 8:30 a.m. the public hearing was opened for a new Malt Beverage Application from Fort Welikit (Sanctosv LLC). No one appeared to support or oppose the application. Motion by Hindle and seconded by Sorenson to approve the new Malt Beverage License Application for Fort Welikit (Sanctosv, LLC) – Tract 10 Revised of Tr A in SW4SE4 of Section 13 & NE4 & Balance

of Government Lots 16-17 (Less Lot H1 = .02 Acres & Lot H2 = .01 Acres) in Section 24, T3, R4, Custer County, South Dakota. Motion carried, unanimous.

**K. Veteran Service**

1. Jana Virtue, Veteran Service, gave her 2019 2<sup>nd</sup> Quarter Report. Virtue reported she had attended committee meetings, assisted and attended D-Day activities, filed 24 disability and/or pension claims and attended Veterans Affairs Spring Mini Conference.

**L. Sheriff**

1. Motion by Sorenson and seconded by Hindle to approve and authorize the chairman to sign the General Service Contract with Custer State Park for Law Enforcement effective 7/1/2019 until 6/30/2019 in the amount of \$7,559.60 and the General Service Contract with Custer State Park for Communications effective 7/1/2019 until 6/30/2019 in the amount of \$7,559.60. Motion carried, unanimous.

**M. Treasurer**

1. Motion by Linde and seconded by Hindle to approve the addition of Tierney Shelton and Debra Holt, deletion of Jeremy Uphoff and Joni Martinson and name change for Monica DeNardis to Monica Konkol on the First Interstate Bank Checking and Savings accounts for Custer County. Motion carried, unanimous.

**N. Auditor**

1. Motion by Sorenson and seconded by Hindle to approve the road closure of Main Street from 1<sup>st</sup> Street to 3<sup>rd</sup> Street in Buffalo Gap on Saturday, July 13, 2019 for Blow Out Days. Motion carried, unanimous.
2. Motion by Hindle and seconded by Linde to approve the following resolution to declare the territory to be incorporated upon the assent of eligible voters for the Silver Star Road District and an election on the question of formation of the special district be held. Motion carried, unanimous.

**PETITION FOR THE ORGANIZATION AND INCORPORATION OF THE  
SILVER STAR ROAD DISTRICT**

To the Board of County Commissioners of Custer County, State of South Dakota

We, the undersigned landowners within the proposed district, seek to be incorporated as a Road District and respectfully petition and advise the Board of County Commissioners as follows:

That the proposed name of the District shall be Silver Star Road District;

That there is a need for road work in the territory described therein;

A legal description of the territory proposed to be organized as a Road District is

As follows:

- SILVER STAR SUBD- TR 1 OF HES JAMES S HOUSEMAN SEC 15 T4 R4

- SILVER STAR SUBD- TR 2 OF HES JAMES S HOUSEMAN DEC 15 T4 R4
- SILVER STAR SUBD- TR 3 OF HES HAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 4 OF HES JAMES S HOUSEMAN S SEC 15 T4 R4
- SILVER STAR SUBD- TR 5 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 6 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 7 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 8 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 9 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 10 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 11 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 12 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 13 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 14 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 15 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 16A OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 17 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 18 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 19 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 20 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 21 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD- TR 22 OF HES JAMES S HOUSEMAN SEC 15 T4 R4
- SILVER STAR SUBD II - LOT 1 OF GOV LOT 6 SEC 15 T4 R4
- SILVER STAR SUBD II - LOT 2 OF GOV LOT 6 SEC 15 T4 R4
- SILVER STAR SUBD II - LOT 3 OF GOV LOT 6 SEC 15 T4 R4

All located in Custer County, South Dakota

That the board of county commissioners define the boundaries for the district; that a referendum be held within the territory so defined on the question of a road district in the territory; and that the board determine that such district be created.

Dated this 10<sup>th</sup> day of July, 2019

/s/Jim Lintz, Chairman

Custer County Board of Commissioners

**O. Public Comment** – Commissioner Sorenson stated received a concern on the condition of Downing Road. The road is not a county maintained road.

**P. Commission**

1. Mail call – A letter was received from the Forest Service regarding the Custer Airport Conveyance; Letter from PUC regarding approval of Lookout Solar Park I, LLC to hire a consultant; Letter from SD Department of Transportation regarding upcoming Statewide

Transportation Improvement Public meetings scheduled; Letter from Custer Chamber of Commerce thanking Veteran Service Officer, Jana Virtue, for her participation in the 2019 Old Time County Fourth of July Celebration Committee; Auction results from Bradeen Real Estate & Auctions for online auction of county surplus items.

2. Meeting Schedule – Black Hills Association of County Commissioners and County Officials will be held the end of July.
3. Meeting Reports – Hindle attended an Airport meeting; Hindle and Linde attended a Buffalo Gap Town board meeting; Lintz attended Fire Advisory Board meeting.

**Q. Executive Session**

1. Motion by Sorenson and seconded by Linde to go into Executive Session pursuant to SDCL 1-25-2(1) and SDCL 1-25-2(3). Executive Session started at 9:08 a.m. to discuss personnel and consult with legal counsel and concluded at 10:12 a.m.

**R. Actions Taken by Commission Outside of Executive Session**

1. Motion by Hindle and seconded by Sorenson to approve the Auditor to look into a third party administrator for payroll duties. Motion carried, unanimous.
2. The commission will set a date at the next regular commission meeting on July 24<sup>th</sup> to review all proposed 2020 budgets.

**S. South Dakota Department of Revenue Division of Property Tax**

1. David Wiest, Deputy Secretary; Lesley Coyle, Property Tax Division Director and Wendy Semmler, Property Tax Program Manager, appeared before the board to discuss real property assessments.

**T. Adjourn**

Motion by Linde and seconded by Hindle to adjourn the meeting at 11:02 a.m. The next meeting will be at 8 a.m. July 24, 2019 in the Commissioner’s Room in the Custer County Courthouse.

\_\_\_\_\_  
Jim Lintz, Chairman

Attest:  
Terri Cornelison, Custer County Auditor

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