

Custer County Commission Meeting (Wednesday, April 8, 2020)

Members present:

Commissioners Jim Lintz, Mark Hartman, 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

C. Consent Agenda

Travel requests approved:

Vouchers approved as follows:

PAYROLL: Commissioners \$3,671.10 Auditor \$4,889.64; Treasurer \$7,868.99; IST \$2,343.72; States Attorney \$10,117.23; Courthouse Building \$5,269.27; Equalization \$5,823.87; Register of Deeds \$3,486.33; Veterans Service \$973.35; Human Resource \$1,561.50; Sheriff \$28,492.21; Coroner \$322.95; Nurse \$620.94; Library \$7,314.57; Extension \$477.94; Conservation \$461.26; Weed & Pest \$1,383.79; Planning \$3,282.06; Highway \$27,078.76; Emergency Management \$3,076.81; 24/7 \$235.59; Communications \$10,678.69

COMMISSIONERS: Catastrophic Legal Expense \$4,054; First Interstate Bank Master Card \$40.94

ELECTION: Tenex Software Solutions \$1,250

COURT: Phoenix Investigation \$985.73; Kimberly Johnson \$163.40

AUDITOR: A & B Business \$818.05; First Interstate Bank Master Card \$189.50; Golden West Telecommunications \$175.28

TREASURER: CDW Government \$1,533.07; A & B Business \$8.64; Golden West Telecommunications \$175.28

INFO SYSTEMS & TECHNOLOGY: Golden West Telecommunications \$70.11

STATE'S ATTORNEY: A & B Business \$203.12; Lexisnexi \$337; Golden West Telecommunications \$175.28

COURTHOUSE BUILDING: First Interstate Bank Master Card \$1,584.85; Custer Ace Hardware \$216.25; Golden West Telecommunications \$335.06

DIRECTOR OF EQUALIZATION: A & B Business \$106.45; Golden West Telecommunications \$210.34

REGISTER OF DEEDS: A & B Business \$106.45; First Interstate Bank Master Card \$56,822.17; Golden West Telecommunications \$140.23

VETERANS SERVICES: A & B Business \$63.04; Golden West Telecommunications \$35.06

INFO TECHNOLOGY: Golden West Technologies \$2,994; Golden West Telecommunications \$10

SHERIFF: Black Hills Energy \$95.66; French Creek Supply \$133.42; A & B Business \$206.19; First Interstate Bank Master Card \$672.69; Custer Ace Hardware \$78.13; Golden West Telecommunications \$360.57; Anderson Auto Sales \$140

PRISONER CARE: First Interstate Bank Master Card \$134.82

SAFETY OFFICER: Southern Hills Fire & Safety \$178.50

SEARCH & RESCUE: Custer City \$60.71

AIRPORT: Golden West Telecommunications \$112.34

LIBRARY: First Interstate Bank Master Card \$1,738.32; Golden West Telecommunications \$146.40

ART GALLERY: Southern Hills Publishing \$45

EXTENSION: A & B Business \$185.22; Golden West Telecommunications \$220.97

WEED & PEST: A & B Business \$176.56; First Interstate Bank Master Card \$98.05

PLANNING: A & B Business \$204.71; First Interstate Bank Master Card \$150; Golden West Telecommunications \$140.23

COUNTY ROAD & BRIDGE: A & B Welding \$82.83; Black Hills Energy \$98.08; Butler Machinery \$1,102; Custer Do It Best \$70; French Creek Supply \$21.98; Fastenal \$52.03; Golden West Technologies \$1,942.88; Inland Truck Parts \$48; Lynn's Dakotamart \$27.24; Mt Rushmore Telephone \$116.91; Quill \$141.71; A & B Business \$207.67; S & B Motor Parts \$709.98; Brosz Engineering \$18,902.50; Snap On Tools \$235.50; Black Hills Gravel \$9,210; Custer Ace Hardware \$35.12; Golden West Telecommunications \$337.13; Stern \$885.23; Triple S Industries \$4,300; MG Oil Company \$11,531.73; Great Western Tire \$1,054.70; Forward Distributing \$15.05; CBH Cooperative \$1,193.64

EMERGENCY MANAGEMENT: Rushmore Communications \$1,560; First Interstate Bank Master Card \$706.21; Custer Ace Hardware \$13.52; Golden West Telecommunications \$105.17

STATE GRANTS-GENERAL GOVERNMENT: Kadrmass Lee & Jackson Inc. \$19,320

BUILDING: Custer City \$158.22; Golden West Technologies \$15,099.71; Sander Sanitation \$474.71; Adtech \$1,672.05; Cummins Sales and Service \$1,606.75

EMERGENCY LINE: Golden West Technologies \$687.50; A & B Business \$211.28; First Interstate Bank Master Card \$233.06; Golden West Telecommunications \$1,376.15; RT Communications \$23.42

Monthly Reports approved:

- Register of Deeds March 2020 statement of fees with \$820 collected in state fees, \$8,963.50 in county fees, and \$316 for SDACO fees for a total of \$10,099.50.
- The Auditor's report with the Treasurer for March 2020 as follows: Cash \$488.41; Checks/Drafts \$48,592.01; Petty Cash \$1,050; SD Fit \$519,721.23; 1st Interstate Bank checking \$52,266.34; 1st Interstate Bank Savings \$1,531,783.60; ED Jones MM \$291,910.39; 1st Interstate Flex \$61,153.42; 1st Interstate Investments \$37,981.70; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$105,193.60; Sentinel CU Savings \$10,100.89; Highmark Investment \$153,297.03; Highmark Savings \$10,194.15; Highmark Checking \$5,000; Dacotah Bank Checking \$12,677.50; Dacotah Investments \$705,433.37; Accrued Interest \$3,190.72; Ed Jones Investments \$2,635,030.97 for a total of \$6,185,273.36.
- Custer County Sheriff's March 2020 report: \$14 accident/accruint reports; \$39 basic concealed weapon permits; \$204.68 mileage; \$1,470 service fees; \$25 distress warrants; \$95 executions; \$6.80 postage; for a grand total of \$1,854.48.

D. Conflict of Interest Declarations – Commissioner Hartman declared a conflict of interest with the Plat of Tract Brown North and Tract Brown South under Planning.

E. COVID-19

1. The commission met with all Department Heads and discussed COVID-19 protocol.

F. Highway

1. The commission acknowledged the resignation of Ron Stanton as Highway Equipment Operator effective April 2, 2020.
2. The commission acknowledged the completion of six-month employment probation by Dave Stanton effective March 24, 2020.
3. Motion by Hartman and seconded by Hindle to approve and authorize the chairman to sign the agreements for Voluntary Right of Way Donation from John B. Markitan and Colleen Kerk and Kevin Klein; vote taken, all aye; motion carried.
4. Tom Mertz, Milling Superintendent for Loiseau Construction, Inc. gave a presentation on the advantages of "Full Depth Reclamation" for Sidney Park Road. The commission will review the proposed project at the next commission meeting April 22, 2020.

G. Planning

1. Motion by Sorenson and seconded by Hindle to approve the Plat of Tract Brown North and Tract Brown South of H.E.S. 169, Located in SE4 of Section 14 and NE4 of Section 23, T4S, R4E, B.H.M., Custer County, South Dakota; vote taken, Aye – Sorenson, Linde and Hindle; Hartman abstained; motion carried.

H. States Attorney

1. Tracy Kelley, States Attorney, asked the commission to approve contract(s) for additional Qualified Mental Health Professionals (QMHP) upon further approval of the State's Attorney and Mental Health Chairman, Chris Beesley. Motion by Hindle and seconded by Linde to

approve Qualified Mental Health Professional contract to be extended to those professionals qualified and approved by the State's Attorney and Mental Health Chairman; vote taken, all aye; motion carried.

I. Human Resource

1. Tim Holland, Human Resource Director, and the State's Attorney Office presented to the commission on the Families First Coronavirus Response Act (FFCRA). Motion by Sorenson and seconded by Linde to table further discussion to Executive Session und Personnel SDCL 1-25-2(1) and Consult with Legal Counsel SDCL 1-25-2(3); vote taken, all aye; motion carried.

The commission is encouraging Department Heads to allow for flexible work schedule for employees that qualify under the act because they are caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19 to allow those employees to satisfy their work hours (i.e., work early or later in the day, work weekends...), where possible.

The commission made the decision to NOT allow employees to work from home if they are on qualifying leave pursuant to FFCRA or have otherwise been sent home under the county protocol.

The commission further identified the Auditor, Human Resource Director and a representative of the State's Attorney's Office to review and approve applications submitted for leave pursuant to FFCRA.

J. Auditor

1. Motion by Hartman and seconded by Hindle to approve Abatement 2011A for 2,547.14; vote taken, all aye; motion carried.
2. Motion by Hindle and seconded by Sorenson to approve Abatement 2012A for \$1,509.44; vote taken, all aye; motion carried.
3. Motion by Hartman and seconded by Linde to approve Abatement 2013A for \$100; vote taken, all aye; motion carried.
4. The Custer Highlands Volunteer Fire Department shared a report detailing expending of additional funding from the county for communication and personal protective equipment.
5. Due to the current COVID-19 situation, Auditor Cornelison suggested the combining of precincts and having only three polling locations for the June 2nd Primary Election. Motion by Hindle and seconded by Sorenson to combine Precinct 1, 2 and 3 and to designate the polling place to be at the Hermosa United Church of Christ (102 2nd St. N, Hermosa, SD); combine Precinct 4, 9 and 10 and to designate the polling place to be at the old Custer County Weed & Pest building (25361 US Hwy 385, Custer, SD); and to keep Precinct 5, 6, 7 & 8 polling place at the Custer County Annex Building (447 Crook St., Custer, SD) for the Primary Election on June 2, 2020; vote taken, all aye; motion carried.

K. Raffle Request

1. The commission acknowledged a raffle request from the VFW Post 3442 starting April 27, 2020 and ending May 2021.

L. Public Comment – there were no comments from the public.

M. Commission

1. Mail call – A note was received from Rick Wheeler notifying the commission that work on the 1881 Courthouse Museum has begun; Commissioner Hindle received correspondence from Heather Besco, Buffalo Gap Finance Officer, and requesting assistance in getting meals from Hot Springs School District for those students living in Buffalo Gap.
2. Meeting Schedule – USFS will have a virtual timber meeting on Friday, April 10th.
3. Meeting Reports – Commissioner Hartman attended a Planning meeting.

N. Old Business

1. States Attorney, Tracy Kelley, informed the commission that she had received correspondence requesting that the Application for an Isolated Tract filed by Richard and Barbara Drew be tabled for an indefinite period because the parties involved are attempting to work toward a resolution. This application was previously tabled by the commission until requested by the Applicant to come back before the commission for consideration.

O. Executive Session

1. Motion by Linde and seconded by Hindle to go into Executive Session pursuant to SDCL 1-25-2(1) and SDCL 1-25-2(3). Executive Session started at 11:12 a.m. to discuss personnel and consult with legal counsel and concluded at 9:45 a.m.; vote taken, all aye; motion carried.

P. Actions Taken by Commission Outside of Executive Session

1. Motion by Sorenson and seconded by Hindle to allow employees that have used up the 80 hours of paid sick leave allotted under FFCRA and exhausted all accrued sick leave but would otherwise continue to qualify under FFCRA **for qualifying reasons #1 or 2** to accumulate a negative sick leave balance up to 40 hours where they have been directed by their health care provider to remain in quarantine or, after returning to work, have been directed by Custer County to stay away from the workplace because they are exhibiting symptoms of COVID-19; vote taken, all aye; motion carried.
2. Motion by Linde and seconded by Hindle to approve the protocol presented by the States Attorney and Human Resource Office concerning employee screening for COVID-19 in an effort to maintain a healthy work environment within the county; vote taken, all aye; motion carried. The State's Attorney Office will put the protocol in writing.
3. Motion by Hindle and seconded by Linde to pay the deficit in the Hot Springs School District tax due to miscalculation of levies in the amount of \$23,653; vote taken, all aye; motion carried.

Q. Adjourn

Motion by Hartman and seconded by Sorenson to adjourn the meeting at 12:50 p.m. The next meeting will be at 8 a.m. April 22, 2020 in the Commissioner's Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest:

Terri Cornelison, Custer County Auditor

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