

**Custer County Commission Meeting (Wednesday, April 22, 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**

1. Motion by Linde and seconded by Sorenson to add Second Quarter Report for Emergency Management to the agenda, move the airport hangar lease review to executive session under contract negotiations SDCL 1-25-2(4) and approve the agenda with the changes; vote taken, all aye; motion carried.

**C. Consent Agenda**

1. Motion by Hindle and seconded by Linde to approve the minutes of the April 8, 2020 Commission meeting and the following vouchers; vote taken, all aye; motion carried.

Vouchers approved as follows:

**PAYROLL:** Commissioners \$2,056.40; Auditor \$4,606.07; Treasurer \$12,620.60; IST \$2,479.62; States Attorney \$9,785.65; Courthouse Building \$4,975.45; Equalization \$7,401.38; Register of Deeds \$3,349.83; Veterans Service \$968.41; Human Resource \$1,527.28; Sheriff \$29,058.39; Coroner \$322.95; Nurse \$660.96; Library \$16,727.54; Extension \$179.32; Conservation \$461.26; Weed & Pest \$1,383.79; Planning \$3,053.83; Highway \$30,863.83; Emergency Management \$3,076.79; Communications \$11,324.88

**COMMISSIONERS:** Southern Hills Publishing \$317.36; Pitney Bowes \$2,015; Verizon Connect \$34; Verizon Wireless \$82.18

**ELECTION:** Quill \$324.50; Clark Printing \$5,990.75

**AUDITOR:** Active Data Systems \$3,066; Southern Hills Publishing \$11.38

**STATE'S ATTORNEY:** Rapid City Police Department \$691; Culligan Water \$37

**COURT APPOINTED ATTORNEY:** Justin O'Neill \$520.75

**COURTHOUSE BUILDING:** Verizon Connect \$35.95; Freeman Electric \$488.19

**DIRECTOR OF EQUALIZATION:** Southern Hills Publishing \$279.79; Quill \$137.91; Verizon Connect \$18.95

**REGISTER OF DEEDS:** State of South Dakota \$26.25

**INFO TECHNOLOGY:** Golden West Technologies \$4,625.25

**HUMAN RESOURCE:** Verizon Wireless \$16.44; Evergreen Office Products \$46.97

**SHERIFF:** Black Hills Electric \$52.37; Denny Menholt Chevrolet \$1,437.77; Pheasantland Industries \$1,387.75; Pennington County Sheriff \$130.90; Culligan Water \$40; Nelson's Oil & Gas \$71.98; Lexisnexis \$85; Battle Mt Humane Society \$1,000

**CORONER:** Geib, Elston, Frost PA \$1,978

**PRISONER CARE:** Regional Health Hospital \$267.58; City of Rapid City \$160; Pennington County Jail \$3,454.44; Western SD Juvenile Services \$2,080; Ann Allen \$150; South Dakota Public Health Laboratory \$250; Satellite Tracking of People LLC \$100.75; Redwood Toxicology Laboratory \$265; Linda Nohr \$75

**AIRPORT:** Muth Electric \$377.96

**MENTALLY ILL:** Fox & Youngberg PC \$197.32

**QUALIFIED MENTAL HEALTH PROFESSIONAL:** Black Hills Fireside \$300

**MENTAL ILLNESS BOARD:** Beesley Law \$300

**LIBRARY:** Southern Hills Publishing \$21; Golden West Technologies \$932.23; Century Link \$14.87

**CONSERVATION:** Summit Signs & Supply \$150

**WEED & PEST:** Black Hills Electric \$137.31; Summit Signs & Supply \$150; Verizon Connect \$35.95

**PLANNING:** Verizon Connect \$17; Discovery Benefits \$25

**COUNTY ROAD & BRIDGE:** A & B Welding \$138.37; Black Hills Electric \$1,906.14; Southern Hills Publishing \$17.80; Floyd's Truck Center \$55.21; French Creek Supply \$51.70; Fastenal \$93.41; Interstate Batteries \$121.95; Lynn's Dakotamart \$17.25; Quill \$92.98; Kiefer Sanitation \$172.50; Servall Towel & Linen \$111.34; Snap On Tools \$88.50; First Interstate Bank Master Card \$429.71; Verizon Connect \$583.32; Black Hills Gravel \$9,210; Custer Ace Hardware \$47.96; McKie Ford \$262.82; Lyle Signs \$1,069.25; Running's Supply \$531.89; Culligan Water \$53; Century Link \$14.87; Nelson's Oil & Gas \$852.66; MG Oil \$395.71; Great Western Tire \$1,340.90; Forward Distributing \$45; Dakota Fluid Power \$371.88; Northern Truck Equipment \$482; CBH Cooperative \$756.50

**FIRE PROTECTION:** City of Rapid City \$2,000

**EMERGENCY MANAGEMENT:** Custer Ambulance Service \$477.93

**BUILDING:** Black Hills Electric \$672.46; Black Hills Energy \$1,330.61; Golden West Technologies \$382.42

**REGISTER OF DEEDS MODERNIZATION & PRESERVATION:** Microfilm Imaging Systems \$822.25

**EMERGENCY LINE:** Pheasantland Industries \$150; Culligan Water \$40; Century Link \$540.08; Discovery Benefits \$25

**D. Conflict of Interest Declarations** – No conflicts of interest were declared.

**E. Highway**

1. Motion by Hartman and seconded by Sorenson to approve the Application for Occupancy of the Right of Way of County Roads from Golden West Telecommunications for a buried telecom facility on Saginaw Road in Section 1, T3S, R3E, Custer County, South Dakota; vote taken, all aye; motion carried.
2. Motion by Hartman and seconded by Sorenson to approve the Application for Occupancy of the Right of Way of County Roads from Golden West Telecommunications for a buried telecom facility on Mica Ridge Road in Section 10, T3S, R4E, Custer County, South Dakota; vote taken, all aye; motion carried.
3. Motion by Hartman and seconded by Sorenson approve the surplus of a 2006 Dodge Power Wagon pickup (Serial # 3D75S28D96G225307) from the Highway Department to the Coroner; vote taken, all aye; motion carried.

**F. Airport**

1. Motion by Hindle and seconded by Linde to approve the expenditure of a five-year prepaid Base Access Plan for the QT Pod self-serve fueling terminal; vote taken, all aye; motion carried.

**G. Sheriff**

1. Motion by Hartman and seconded by Sorenson to approve per-diem pay for sworn personnel in the Sheriff's Office as needed during the COVID-19 pandemic; vote taken, all aye; motion carried.

**H. Coroner**

1. The coroner had requested a county vehicle to use and as noted under Highway a pickup has been approved for surplus to the coroner.

**I. Planning**

1. Motion by Sorenson and seconded by Linde to approve the Final Plat of Tract Blinda 2, Hoffman Tract, and Tract Robb Revised of Blinda Subdivision, Located in the N2NW4 of Section 8, T4S, R4E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.
2. Motion by Hindle and seconded by Linde to approve the Final Plat of Tract 1, Tract 2, and Tract 3 of H.E.S. 373 (Formerly Lot 2 of Tract 30 of Tract A of H.E.S. 373), Located in Section 30, T5S, R4E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.

**J. 8:30 a.m. Public Hearing**

1. At 8:30 a.m., the public hearing was opened regarding a petition to improve section line ROW starting at Highway 40 Right of Way heading South approximately 580 feet between Sections 34 & 35, T2S, R7E, Custer County, South Dakota. There were no comments from the public.

**Planning Continued**

3. Motion by Hartman and seconded by Hindle to approve Resolution 2020-09 authorizing improvement of Section Line Highway; vote taken, all aye; motion carried.

Resolution 2020-09

Resolution authorizing improvement of Section Line Highway

WHEREAS, a petition has been filed in accordance with Custer County Ordinance to improve the section line highway described as follows: Starting at Highway 40 Right of Way heading south approximately 580 ft. between Sections 34 & 35, T2S, R7E, Custer County, South Dakota.

WHEREAS, notice has been provided to the public that a hearing would be held on the petition to include the date, time and location of said hearing; and

WHEREAS, the Board of Commissioners for Custer County has considered the petition and found:

1. That the Petition is in the form and contains the information required by ordinance;
2. That the Custer County Board of Commissioners has considered the complaints and comments of all parties appearing or filing such comments or complaints of record with the Board and /or Auditor's Office for Custer County; and
3. That the improvement of the existing section line highway will be in the public interest and should be granted, subject to the conditions hereinafter set forth.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Custer County, that William, James & Dee Preston be and is hereby authorized to improve and maintain the existing section line road, known as starting at Highway 40 Right of Way heading South approximately 580 ft. between Sections 34 & 35, T2S, R7E, Custer County, South Dakota.

BE IT FURTHER RESOLVED that this grant of authorization is subject to the following:

1. Said improvements shall comply with Custer County Road Standards and Specifications.
2. That culverts shall be installed along the road to assist in drainage and the location of the said culverts shall first be approved by the Custer County Highway Superintendent.
3. That said improvements do not contain the installation or construction of any cattle guards or pasture fence gates.
4. That Custer County shall not be obligated to provide any financial support for said improvements and such expense shall be borne by Petitioners/William, James & Dee Preston.
5. That the Custer County Highway Superintendent shall be notified in writing at least 15 days prior to the commencement of such work.

4. Motion by Hartman and seconded by Sorenson to approve the Final Plat of Will Tract and Preston Ranch Tract, Located in the N2SW4 & NW4 of Section 3S, R7E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.
5. Motion by Linde and seconded by Hindle to approve the Wireless Communication Tower Modification Application from AT & T on Homestead Subdivision, TR Matt (Pt of Gov't Lot 16), Section 24, T3S, R4E, Custer County, South Dakota; vote taken, all aye; motion carried.
6. The commission acknowledged the resignation of Kim Kerkvliet as Planning Director effective April 16, 2020.

**K. Equalization**

1. Motion by Linde and seconded by Hindle to approve Abatement 2014A for \$729.93; vote taken, all aye; motion carried.
2. Motion by Sorenson and seconded by Hartman to approve Abatement 2015A for \$264.00; vote taken, all aye; motion carried.
3. Motion by Hartman and seconded by Sorenson to approve Abatement 2016A for \$351.24; vote taken, all aye; motion carried.
4. Motion by Hindle and seconded by Linde to deny abatement 2017A due to applicant not listed as owner of record at time of assessment; vote taken, all aye; motion carried.

**L. Emergency Management**

1. Motion by Sorenson and seconded by Hindle to approve and authorize the chairman to sign the second quarter report for the Office of Emergency Management; vote taken, all aye; motion carried.

**M. Public Comment** – there were no comments from the public.

**N. Commission**

1. Mail call – A letter was received from SD DENR for public notice for the Surface Water Discharge Permit for the Town of Hermosa; A letter was received from the US Forest Service with information on the Mountain Pine Beetle Collaborative Accomplishment Report; Information was received regarding Governor Noem's weekly conference call with county officials.
2. Meeting Schedule – no meetings scheduled.
3. Meeting Reports – no meeting reports.

**O. Old Business**

1. Motion by Sorenson and seconded by Hindle to initiate protocol for employee daily screening for all Custer County employees; vote taken, all aye; motion carried.

**P. Executive Session**

1. Motion by Hindle and seconded by Sorenson to go into Executive Session pursuant to SDCL 1-25-2(1) and SDCL 1-25-2(4). Executive Session started at 9:45 a.m. to discuss personnel and contract negotiations and concluded at 12:02 p.m.; vote taken, all aye; motion carried.

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

1. Motion by Hindle and seconded by Linde to appoint Terri Kester as Interim Planning Director with an additional annual wage of \$6,000; vote taken; all aye; motion carried.
2. Motion by Linde and seconded by Hindle to approve Full Depth Reclamation and Base 1 injection on 3 mile section of Sidney Park Road, double chip and fog seal on 3.8 mile section of Sidney Park Road and grind and gravel stabilization on remaining gravel portion of Sidney Park Road which consists of 3 miles; vote taken, all aye; motion carried.
3. Motion by Hindle and seconded by Hartman to increase the square foot cost of hangar leases to 50 cents per square foot for all new hangar leases; vote taken, all aye; motion carried.
4. Motion to approve the construction of a new airport hangar at the Custer County Airport for Todd Kinser; vote taken, all aye; motion carried.

**R. Adjourn**

Motion by Sorenson and seconded by Linde to adjourn the meeting at 12:18 p.m. The next meeting will be at 8 a.m. May 6, 2020 in the Commissioner's Room in the Custer County Courthouse.

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Jim Lintz, Chairman

Attest:

Terri Cornelison, Custer County Auditor

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