

Custer County Commission Meeting (Wednesday, July 15, 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 \$2,056.38; Auditor \$4,947.86; Treasurer \$7,247.35; IST \$2,343.72; States Attorney \$9,713.44; Courthouse Building \$4,924.02; Equalization \$7,330.34; Register of Deeds \$3,394.69; Veterans Service \$755.95; Human Resource \$1,507.97; Sheriff \$31,888.62; Coroner \$443.34; Nurse \$657.91; Library \$6,793.43; Extension \$405.62; Conservation \$461.26; Weed & Pest \$1,383.79; Planning \$4,229.66; Highway \$29,709.72; Emergency Management \$3,076.81; Communications \$10,438.40

GENERAL FUND: SD State Treasurer \$137.90

COMMISSIONERS: Southern Hills Publishing \$149.22; CNA Surety \$172.00

COURT APPOINTED ATTORNEY: Justin O'Neill \$4310.91; Garland Goff \$747.35; Grey & Eisenbraun \$906.80; Todd Love \$898.60

AUDITOR: Quill \$186.48; Golden West Telecom \$196.16; Clark Printing \$322.15

TREASURER: Golden West Telecom \$196.16

STATE'S ATTORNEY: Lexisnexis \$337.00; Golden West Telecom \$196.16; Culligan Water \$30.50; Rapid City Police Dept \$37.00

COURTHOUSE BUILDING: Custer Ace Hardware \$123.94; Golden West Telecom \$39.23

DIRECTOR OF EQUALIZATION: Golden West Telecom \$235.39

REGISTER OF DEEDS: Innovative Office Solutions \$123.10; Golden West Telecom \$156.93; State of SD \$26.25

VETERANS SERVICES: Golden West Telecom \$39.23

INFO SYSTEMS & TECH: Golden West Telecom \$78.46

INFO TECHNOLOGY: Golden West Technology \$ 7351.25; Golden West Telecom \$10.00

SHERIFF: Black Hills Energy \$61.30; FedEx \$26.97; Pennington County Jail \$527.70; Verizon Wireless \$50; Liberty Superstores \$62,031.00; Children's Home Society \$300.00; Golden West Telecom \$402.32; Culligan Water \$59.50; A-Z Shredding \$20; Battle Mountain Humane Society \$1000.00;

PRISONER CARE: Kevin Kirschenmann \$225.00; City of Rapid City \$160.00; Pennington County Jail \$184.44; Care Campus \$226.00; Satellite Tracking \$61.75; Amber Odegard \$150.00

SEARCH & RESCUE: Black Hills Energy \$198.02

AIRPORT: Jenner Equipment \$864.56; Golden West Telecom \$113.18

HUMAN RESOURCES: Division of Criminal Investigation \$43.25; Evergreen Office Products \$44.06

LIBRARY: Mt. Rushmore Telephone \$132.32; Black Hills Library Con. \$1428.53; Golden West Telecom \$185.89

SUPPORT OF POOR: Rapid City Emergency \$100.20

MENTALLY ILL: Pennington County Jail \$611.33; SD Human Services \$600.00

EXTENSION: Golden West Telecom \$680.82; Erin McGlumphy \$680.82

WEED & PEST: S & B Motor Parts \$186.85; Warne Chemical \$328.26; Custer Ace Hardware \$3.59

PLANNING: Southern Hills Publishing \$69.40; Quill \$44.77; Golden West Telecom \$156.93; Discovery Benefits \$25.00

COUNTY ROAD & BRIDGE: Floyd's Truck Center \$581.76; French Creek Supply \$583.60
Fastenal \$281.14; Godfrey Brake \$65.40; Grimms Pump Service \$97.20; Harvey's Lock Shop; Mt. Rushmore Telephone \$117.57; Quill \$59.47; S & B Motor Parts \$498.36; SD Federal Property Age \$69.50; Brosz Engineering \$2217.50; Kieffer Sanitation \$172.50; Servall Towel & Linen \$113.13; Black Hills Gravel \$12,280.00; Golden West Telecom \$335.19; SD State Treasurer \$5.00; Lyle Signs \$104.52; Dale's Tire \$120.00; Culligan Water \$46.50; Forward Distributing \$71.40; Trail King Industries \$353.26; Powerplan \$1247.20;

EMERGENCY MANAGEMENT: Golden West Telecom \$117.69; Dale's Tire \$560.44

BUILDING: Black Hills Energy \$3508.65; A-Z Shredding \$90.48

EMERGENCY LINE: Frontier Precision, Inc \$1499.00; Golden West Telecom \$1333.65

Monthly Reports approved:

- Register of Deeds June 2020 statement of fees with \$640 collected in state fees, \$16,148.75 in county fees, and \$536 for SDACO fees for a total of \$17,324.75.

- The Auditor’s report with the Treasurer for June 2020 as follows: Cash \$2,113.03; Checks/Drafts \$70,122.67; Petty Cash \$1,050; SD Fit \$520,358.09; 1st Interstate Bank checking \$126,068.47; 1st Interstate Bank Savings \$2,748,878.11; ED Jones MM \$394,690.42; 1st Interstate Flex \$61,153.42; 1st Interstate Investments \$37,981.70; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$105,890.45; Sentinel CU Savings \$10,103.45; Highmark Investment \$153,567.10; Highmark Savings \$10,194.45; Highmark Checking \$5,000; Dacotah Bank Checking \$12,677.50; Dacotah Investments \$705,433.37; Accrued Interest \$3,190.72; Ed Jones Investments \$2,568,415.60 for a total of \$7,537,097.58.
- Custer County Sheriff’s June 2020 report: \$10 fingerprinting; \$14 accident/accurint reports; \$63 basic concealed weapon permits; \$150 enhanced concealed weapon permits; \$60 gold concealed weapon permits; \$460.53 mileage; \$1,425.48 service fees; \$10 court ordered u/a’s; for a grand total of \$2,193.01.

D. Conflict of Interest Declarations – Commissioner Sorenson declared a conflict of interest with the Application for Occupancy of Right of Way from Black Hills Electric listed under the Highway.

E. Highway

1. Motion by Hartman and seconded by Hindle to approve the Applications for Occupancy of the Right of Way of County Roads from Golden West Telecommunications for the following locations:

- Harbach Lane in Section 30, T3S, R5E, Custer County, South Dakota
- Tara Road in Section 27, T3S, R4E, Custer County, South Dakota
- Pass Creek Road in Section 29, T5S, R2E, Custer County, South Dakota

Vote taken, all aye; motion carried.

2. Motion by Hindle and seconded by Linde to approve the Application for Occupancy of the Right of Way of County Roads from Black Hills Electric Coop for a powerline on Beaver Creek Road in Section 15, T5S, R5E, Custer County, South Dakota; vote taken, motion carried with Commissioner Sorenson abstaining

3. Motion by Hartman and seconded by Hindle to approve Resolution 2020-14; vote taken, all aye; motion carried.

Resolution 2020-14

**Resolution to Designate Custer County Secondary Highways
and to
Designate Certain Minimum Maintenance Roads**

WHEREAS, the Custer County Commission (the “Commission”) previously adopted Resolution 2005-8 that designated certain roads/highways in Custer County as secondary roads/highways under the supervision of the Commission pursuant to SDCL 31-1-5(4); and

WHEREAS, the Commission has the authority to enact, amend, and repeal such ordinances and resolutions as may be proper and necessary to carry into effect the powers granted to it by law; and

WHEREAS, the Commission believes it is in the best interest of Custer County to repeal Resolution 2005-8 in its entirety and enact this Resolution 2020-14 to designate certain Custer County roads/highways as secondary roads/highways that are under the supervision of the Commission pursuant to SDCL 31-1-5(4) which account for 251.87 miles on the State of South Dakota's official map as county highway systems roads; and

WHEREAS, pursuant to SDCL 31-12-46 the Commission may designate any road on the county highway system as a minimum maintenance road if the Commission determines that the road or a segment of the road is used only occasionally or intermittently for passenger or commercial travel; and

WHEREAS, the Commission has determined that certain roads on the county highway system are used only occasionally or intermittently for passenger or commercial travel and will be posted and maintain as minimum maintenance roads, pursuant to SDCL 31-12-46 and -47.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Custer County that the following be designated as roads on the Custer County Secondary Highway System:

CS 4 or Shorb Road for distance of .86 miles from its intersection with South Dakota Highway 79 to its terminus.

CS 5 or Red Valley Road for a distance of 2.76 from its intersection with FAS 101 to the Wind Cave National Park boundary.

CS 6 or Hazelstrom Road for a Distance of 2.41 miles from its intersection with South Dakota Highway 79 to its terminus.

CS 7 or Missile Road for a distance of 3.51 miles from its intersection with South Dakota Highway 79 to its terminus.

CS 8 or Missile Road West for a distance of .55 miles from its intersection with South Dakota Highway 79 to its terminus.

CS 9 or Mielke Place for a distance of 1.48 miles from its intersection with South Dakota Highway 79 to its terminus.

CS 10 or Gumbo Lilly for a distance of .95 mile from South Dakota Highway 79 to its junction with City of Hermosa's N. 2nd Street .

CS 11 or Rittberger Road for a distance of 2.14 miles from South Dakota Highway 36 to its intersection with CS 12.

CS 12 or Cobb Road for a distance of 6.72 miles from South Dakota Highway 79 to its intersection with CS 14.

CS 13 or Dry Creek Road for a distance of 2 miles from its intersection with South Dakota Highway 79 to its terminus.

CS 14 or LH Road for a distance of 5.80 miles from South Dakota Highway 79 to the Custer State Park boundary.

CS 15 or Downen Road for a distance of 2.18 miles from South Dakota Highway 79 to its terminus.

CS 16 or Lame Johnny Road for a distance of 4.21 miles from South Dakota Highway 79 to the Custer State Park boundary.

CS 17 or Old Highway 79/South Fairburn Road for a distance of 13.85 miles from its intersection with FAS 656 on the east edge of Buffalo Gap in a loop to its intersection with FAS 656 6 1/2 miles east of Buffalo Gap.

CS 18 or East French Creek/North Fairburn Road for a distance of 16.90 miles from South Dakota Highway 79 to ¼ mile past its intersection with CS 19.

CS 19 or Bison Lane for a distance of 1.71 miles from its intersection with CS 18 to its terminus.

CS 21 or 149TH Avenue/268th Street/Cottonwood Cutoff for a distance of 4.35 miles from its intersection with FAS 719 to its intersection with FAS 656.

CS 22 or Sage Road for a distance of 6.48 miles from its intersection with FAS 656 to the Shannon County line.

CS 23 or 144th Avenue for a distance of 2.27 miles from its intersection with CS 27 to its intersection with FAS 719.

CS 25 or Williams Place Road for distance of 1.2 miles from its intersection with FAS 656 to the Fall River County line.

CS 27 or South Fork Road for a distance 10.4 miles from its intersection with CS 18 to its intersection with FAS 719.

CS 28 or Squaw Creek Road for a distance .88 miles from its intersection with South Dakota Highway 36 to its terminus.

CS 270 or Mann road for a distance of 2.15 miles from its intersection with FAS 769 to its terminus at the US Forest Service boundary gate.

CS 273 or Pass Creek Road for a distance of 23.71 miles from its intersection with US Highway 16 to its merging with CS 270.

CS 281 or Hegg Loop for a distance of .20 miles from its intersection with CS 286 to its terminus.

CS 282 or Bendigo Court for a distance of .20 miles from its intersection with CS 281.

CS 283 or Mica Ridge Road for a distance of 1 mile from its intersection with CS 297 to its terminus.

CS 284 or Limestone Road for a distance of 5.5 miles from its intersection with CS 297 to its intersection with CS 287 or North Pole Road.

CS 285 or Saginaw Road for a distance of 3.59 miles from its intersection with CS 297 to its intersection with CS 284.

CS 286 or Upper French Creek Road for a distance of 2.96 miles from its intersection with US Highway 16 to its terminus.

CS 287 or North Pole Road for a distance of 1 mile from its intersection with CS 284 to its terminus.

CS 288 or Bavarian Inn Road and Chandler Drive for a distance of .29 miles from its intersection with US Highway 16 to its terminus.

CS 290 or Old Sawmill Road for a distance of .68 miles from its intersection with US Highway 385 to its terminus.

CS 291 or Mayo Road for a distance 2.28 miles from its intersection with US Highway 385 to its intersection with CS 313.

CS 292 or Wind Song Valley Road for a distance of 2.13 miles from its intersection with FAS 715 to its terminus.

CS 293 or Dakota Pine Road for a distance of .37 miles from its intersection with CS 653 to its terminus.

CS 294 or Ridge View Road for a distance of .41 miles from its intersection with US Highway 16 to its terminus.

CS 295 or Granite Heights Road for a distance of .37 miles from its intersection with US Highway 16A to its terminus in a cul d sac.

CS 297 or Medicine Mount Road for a distance of 4.97 miles from its intersection with US Highway 16 to the Pennington County line.

CS 298 or Black Granite Road for a distance of 2.37 miles from its intersection with CS 285 to its terminus.

CS 313 or Carroll Creek Road for a distance of 11.17 miles from its intersection with US Highway 385 to its intersection with US Highway 385 at Pringle.

CS 315 or Hopkins Flat Road and Old Highway 89 for a distance of 7.33 miles from its intersection with South Dakota Highway 89 to its intersection with CS 316.

CS 316 or 18 Mile Road for a distance of 5.09 miles from its intersection with South Dakota Highway 89 to its intersection with FAS 715.

CS 317 or Pilger Mountain Road for a distance of 3.69 miles from its intersection with FAS 715 to the Fall River County line(this road is marked in green on the SD DOT map).

CS 333 or Argyle Road and Argyle Loop for a distance of 12.10 miles from its intersection(s) with South Dakota Highway 89 on the north and south ends of Argyle Loop to the Fall River County line for Argyle Road.

CS 333A or West Argyle Road for a distance of 1.5 miles from its intersection with South Dakota Highway 89 to its intersection with Jack Pine Road.

CS 334 or Shirttail Canyon Road for a distance of 2.08 miles from its intersection with US Hwy 385 to its intersection with South Dakota Highway 89.

CS 336 or Flynn Creek Road for a distance of 1.12 miles from its intersection with FAS 793 to its intersection with Miners Lane.

CS 341 or Lower French Creek Road for a distance of 5.93 miles from its intersection with Stockade Lake Drive to the Custer State Park boundary.

CS 343 or Hazelrodt Cutoff for a Distance of 3.68 miles from its intersection with FAS 793 to its intersection with CS 341.

CS 344 or Willow Creek Road for a distance of 1.95 miles from its intersection with South Dakota Highway 89 to its terminus.

CS 345 or America Center road for a distance of 3.86 miles from its intersection(s) with US Highway 16A to the Custer State Park boundary.

CS 359 or North Playhouse Road for a distance of 1.09 miles from its intersection with US Highway 16A to the Pennington County line.

CS 360 or Ghost Canyon Road for a distance 7.61 miles from its intersection with CS 359 to its intersection with South Dakota highway 36.

CS 391 or Beaver Creek Road for a distance of 4.79 miles from its intersection with US Highway 385 to the Wind Cave National Park boundary.

CS 392 or Aviation Way for a distance of .50 miles from its intersection with US Highway 385 to its terminus.

CS 393 or Grey Rocks Road for a distance of 1.35 miles from its intersection with US Highway 385 to its terminus.

CS 394 or Harbach Lane for a distance of .50 miles from its intersection with US Highway 16A to its terminus.

CS 586 or Little Italy Road for a distance of .62 miles from its intersection with US Highway 16 to its terminus.

CS 753 or South Playhouse Road (Mills Cutoff) for a distance of 1.50 miles from its intersection with US Highway 16A to the Custer State Park boundary.

FDR 292 or Elliott Road for a distance of 3.85 miles from its intersection with CS 285 to its intersection with Ditch Creek Road.

FAS 152 or Spring Creek Cutoff for a distance of 7.40 miles from its intersection with South Dakota Highway 40 to its intersection with FAS 220.

IT IS FURTHER RESOLVED that the following Custer County roads on the Custer County Secondary Highway System shall be designated, posted and maintained as minimum maintenance roads, pursuant to SDCL 31-18-46 and -47:

CS 20 or 142nd Avenue for a distance of 1.04 miles from its intersection with FS 656 to the Fall River County boundary.

CS 24 or French Fork Cutoff for a distance of 3.62 miles from its intersection with CS 18 to its intersection with CS 27.

CS 318 or Prairie Schooner Road for a distance of 1.90 miles from its intersection with South Dakota Highway 89 to its terminus.

CS 336 or Flynn Creek Road for a distance of 8.81 miles from its intersection with Miners Lane to its intersection with CS 391.

This Resolution shall become effective on the twentieth (20th) day after its completed publication.

F. Planning

1. Motion by Hindle and seconded by Linde to approve the Variance from Ordinance #2's setbacks from property line from applicant Ed Pulse to build a 34' x 20' addition to the garage within 10' from Forest Service Boundary; vote taken, all aye; motion carried.
2. The commission acknowledged the Preliminary Plat of Airport Tract in Sections 2 & 3, T4S, R4E, B.H.M, Custer County, South Dakota.

G. Emergency Management

1. Motion by Sorenson and seconded by Hindle to approve and authorize the chairman to sign the 3rd Quarter Quarterly report for the State of South Dakota Department of Public Safety – Office of Emergency Management Local Emergency Management Performance Grant; vote taken, all aye; motion carried.

H. Weed & Pest

1. Caley Buckert, Weed & Pest Supervisor/Conservation Coordinator reviewed the 2021 budget requests for the Weed & Pest Department and Conservation Department.

I. Safety

1. Motion by Hartman and seconded by Hindle to approve the new Custer County Safety Manual; vote taken, all aye; motion carried.

J. Auditor

1. The commission acknowledged the updated Argyle Volunteer Fire Department Roster.
2. The commission acknowledged the Raffle Request from the VFW Post 3442 to begin a Queen of Hearts Raffle Game, with the first drawing to take place August 7, 2020.

K. Resolution 2020-13

1. Motion by Hartman and seconded by Sorenson to table Resolution 2020-13 until the next commission meeting on August 5, 2020.

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

M. Commission

1. Mail call – The commission received a financial statement from Custer Highlands Fire Department in regards to the expenditure of the surplus money the department received from the county; A letter was received from Ken Couch regarding weed control along the 266th Street project area.
2. Meeting Schedule – The Black Hills Association of County Officials will host a zoom meeting Friday, July 24th starting at 11:30 a.m.
3. Meeting Reports – Commissioner Linde attended a Solid Waste Board meeting and has been appointed Chairman for that committee; Commissioner Lintz attended a Fair Board meeting and a Fire Advisory Board meeting.

N. Old Business

1. There was no old business to address.

O. Executive Session

1. Motion by Sorenson and seconded by Hindle to go into Executive Session pursuant to SDCL 1-25-2(1) and SDCL 1-25-2(4). Executive Session started at 8:55 a.m. to discuss personnel and contract negotiations and concluded at 11:04 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 amend the approval and authorization for Commissioner Hartman to negotiate for the county on the purchase of a private hangar at the Custer County Airport up to the new assessed value of \$71,335; vote taken, all aye; motion carried.

Q. Adjourn

Motion by Sorenson and seconded by Linde to adjourn the meeting at 11:05 a.m. The next meeting will be at 8 a.m. July 22, 2020 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 _____.