

Custer County Commission Meeting (Wednesday, December 9, 2020)

Members present:

Commissioners Jim Lintz, Mark Hartman, Jesse Sorenson, Mike Linde, Craig Hindle and Commission Legal Counsel 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 Hartman and seconded by Linde to add Assignment of Funds for Strategic Projects and Search & Rescue Storage issue to Old Business and approve the amended agenda; vote taken, all aye; motion carried.

C. Consent Agenda

1. Motion by Hindle and seconded by Linde to approve the minutes of the November 18, 2020 Commission meeting, minutes of the November 30, 2020 Special Commission meeting, the following vouchers and monthly reports; vote taken, all aye; motion carried.

Vouchers approved as follows:

PAYROLL: Commissioners \$4,199.88; Election \$8.08; Auditor \$6,602.09; Treasurer \$7,574.76; Info Systems & Tech \$2,343.73; States Attorney \$8,498.91; Courthouse Building \$5,317.57; Director of Equalization \$8,825.28; Register of Deeds \$4,499.74; Veterans Service \$1,408.18; Human Resources \$1,419.88; Sheriff \$34,015.60; Coroner \$371.10; Library \$16,411.83; Extension \$342.10; Conservation \$606.45; Weed & Pest Control \$2,187.21; Planning \$5,812.64; County Road & Bridge \$26,315.48; Emergency Management \$4,893.40; Emergency Line F \$11,444.81

COMMISSIONERS: Southern Hills Publishing \$351.23; Pitney Bowes \$2,084.76; Golden West Telecommunications \$27.66

ELECTION: Election Systems & Software \$2,128.23; Mt Rushmore Telephone \$80.13; Golden West Telecommunications \$90.68

AUDITOR: Golden West Telecommunications \$110.64; Tyler Technologies \$12,383.25

TREASURER: Golden West Telecommunications \$138.29; Tyler Technologies \$12,383.26

INFO SYSTEMS & TECH: Golden West Telecommunications \$55.31

STATE'S ATTORNEY: Paul Bachand \$836; State Bar of South Dakota \$915; Lexisnexis \$348; Golden West Telecommunications \$138.30

COURT APPOINTED ATTORNEY: Beesley Law \$224.80; Garland Goff \$4,681.49

COURTHOUSE BUILDING: Adtech-Rapid Fire Protection \$517.86; Custer Ace Hardware \$60.32; Golden West Telecommunications \$27.66

DIRECTOR OF EQUALIZATION: Southern Hills Publishing \$68.60; Quill \$82.14; Golden West Telecommunications \$167.20; International Association of Assessing Officers \$1,356; Tyler Technologies

REGISTER OF DEEDS: Quill \$114.99; Innovative Office Solutions \$80.32; Golden West Telecommunications \$110.64

VETERANS SERVICES: Southern Hills Publishing \$32.80; Golden West Telecommunications \$27.66

INFO TECHNOLOGY: Golden West Technologies \$22,011.75; Quill \$689.60; Golden West Telecommunications \$10; Pitney Bowes \$462.57

HUMAN RESOURCES: Southern Hills Publishing \$81; Division of Criminal Investigation \$173; Golden West Telecommunications \$27.66; Evergreen Office Products \$45.22

SHERIFF: Black Hills Energy \$79.51; Zuercher Technologies \$63,640.40; S & B Motor Parts \$22.28; Pheasantland Industries \$174.50; Innovative Office Solutions \$54.59; Golden West Telecommunications \$276.59; John Reid & Associates \$575; Active 911 Inc. \$97.38; Mike Lewis \$2,750; Culligan Water \$40; South Dakota Sheriff's Association \$746.48

PRISONER CARE: City of Rapid City \$120; 10-8 Video \$4,009.95; Pennington County Sheriff \$399.30; Pennington County Jail \$10,373.53; Correct RX Pharmacy \$33.95; Ann Allen \$75; South Dakota Public Health Laboratory \$125; Satellite Tracking of People \$104; Regional Health \$164.79

SEARCH & RESCUE: Black Hills Energy \$343.23; Custer City \$60.71; Custer County Search & Rescue \$7,559.60; Golden West Telecommunications \$99.95

AIRPORT: QT Pod \$227.82; Custer Do It Best \$33.51; Custer Ace Hardware \$44.17; Brenden Hendrickson \$3,666.66; Golden West Telecommunications \$113.26

FOOD PANTRY: Custer Storehouse \$875

MENTALLY ILL: Lewis & Clark BHS \$184; Fox & Youngberg PC \$196.70; Lincoln County Treasurer \$90

MENTAL HEALTH CENTER: New Trails Ministry \$600

MENTAL ILLNESS BOARD: Pennington County States Attorney \$215; Yankton County Treasurer \$122.50

LIBRARY: Mt Rushmore Telephone \$132.37; Rapid City Journal \$374.99; Golden West Telecommunications \$90.45; Century Link \$16.29

FAIR: Custer County Fair Association \$8,000

EXTENSION: State 4-H Office \$27.50; Golden West Telecommunications \$123.16

WEED & PEST: McGas Propane \$387.08; SD Association of County Weed & Pest Supervisors \$50; Nancy Gausman \$268.99; Warne Chemical & Equipment \$46; James Lintz \$85.06; Golden West Telecommunications \$27.66; Doris Wilkey \$99.44

PLANNING: Golden West Telecommunications \$112.23; Discovery Benefits \$50

COUNTY ROAD & BRIDGE: A & B Welding \$136.16; Black Hills Energy \$73.08; D-Ware \$4,350; Diamond Mowers \$275.20; Floyd's Truck Center \$500.65; French Creek Supply \$1,210.04; Fastenal \$41.65; Mt Rushmore Telephone \$117.62; Quill \$107.13; S & B Motor Parts \$664.24; SD Federal Property Agency \$181; Brosz Engineering \$21,227.50; Servall Towel & Linen \$113; Town of Buffalo Gap \$61; Snap On Tools \$91.75; Black Hills Gravel \$49,120; Custer Ace Hardware \$12.76; North Central International \$81.81; Golden West Telecommunications \$222.97; Pop's Grocery Shoppe \$25.52; Stern \$12,199.33; Mainline Contracting \$357,613.11; Lyle Signs \$112.83; Grossenburg Implement \$302.59; Pirates \$150; Running's Supply \$469.11; Century Link \$16.30; Nelson's Oil & Gas \$1,930.65; Great Western Tire \$2,550.60; Dakota Fluid Power \$864.44; Northern Truck Equipment \$31,295; CBH Cooperative \$2,614.58

FIRE PROTECTION: Argyle Fire Department \$11,000; Buffalo Gap Fire Department \$5,000; Custer Fire Department \$36,500; Dewey Fire Department \$2,500; Folsom Fire Department \$5,750; Highlands Fire Department \$5,750; Pringle Fire Department \$8,000

HOMELAND SECURITY GRANTS: Tri City Cycles \$31,013.92

EMERGENCY MANAGEMENT: Golden West Telecommunications \$44.31

STATE GRANTS-GENERAL GOVERNMENT: Kadrmass Lee & Jackson \$2,160

BUILDING: Black Hills Energy \$5,793.49; Custer City \$152.71; McGas Propane \$528.26; A-Z Shredding \$37.88

EMERGENCY LINE: Southern Hills Publishing \$254.20; Golden West Telecommunications \$1,870.23; Culligan Water \$33.50; Century Link \$432.34; RT Communications \$23.15

Monthly Reports approved:

- Register of Deeds November 2020 statement of fees with \$620 collected in state fees, \$31,623.50 in county fees, and \$1338 for SDACO fees for a total of \$33,581.50.
- The Auditor's report with the Treasurer for November 2020 as follows: Cash \$6,499.56; Checks/Drafts \$86,552.44 Petty Cash \$1,050; SD Fit \$520,396.71; 1st Interstate Bank checking \$236,544.36; 1st Interstate Bank Savings \$2,398,971; ED Jones MM \$203,450.96; 1st Interstate Flex \$61,766.63; 1st Interstate Investments \$37,981.70; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$106,932.75; Sentinel CU Savings \$10,106.22; Highmark Investment \$154,028.93; Highmark Savings \$10,197.61; Highmark Checking \$5,000; Dacotah Bank Checking \$12,727.50; Dacotah Investments \$716,594.98; Ed Jones Investments \$2,764,282.86 for a total of \$7,333,291.94.
- Custer County Sheriff's November 2020 report: \$38 accident/accrunt reports; \$63 basic concealed weapon permits; \$350 enhanced concealed weapon permits; \$140.61 mileage; \$700 service fees; \$25 distress warrants; \$190 executions; \$6.80 postage fees; \$40 court ordered U/as; for a grand total of \$1,513.41.

D. Conflict of Interest Declarations – There were no conflicts of interest declared by the commission.

E. Highway

1. Motion by Hartman and seconded by Hindle to approve the 2021 Custer County Highway Employee Calendar and to update the hours of operation for the Office of the Custer County Highway Department to be open to the public for business Monday through Friday, 7:30 AM to 4:30 PM each week; vote taken, all aye; motion carried.

F. Planning

1. Motion by Hartman and seconded by Linde to approve the Final Plat of Needles View Tract and a Private Access Utility Easement Located in the E2NW4 of Section 28, T4S, R7E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.
2. Planning Director, Terri Kester, presented information to the commission on the Schneider Geospatial computer program. Kester would like the county to consider purchasing the program to allow the Planning Office to service the public in a safe manner utilizing online permit requests.

G. Auditor

1. Motion by Hartman and seconded by Linde to approve and authorize the chairman to sign the State of South Dakota Lease Agreement Lease#: 1400-449 for lease to the Department of Public Safety – Drivers Licensing for the year 2021; vote taken, all aye; motion carried.
2. Motion by Hindle and seconded by Linde to approve the South Dakota Public Assurance Alliance renewal for the county’s liability policy effective January 27, 2021 through January 27, 2020; vote taken, all aye; motion carried.
3. Motion by Linde and seconded by Hindle to approve the proposed 2021 County Calendar as presented; vote taken, all aye; motion carried.
4. Motion by Hartman and seconded by Linde to approve the following resolution to declare the territory to be incorporated upon the assent of eligible voters for the Mill Pond Estates Road District and an election on the question of formation of the special district be held; vote taken, all aye; motion carried.

PETITION FOR THE ORGANIZATION AND INCORPORATION OF THE MILL POND ESTATES ROAD DISTRICT IN CUSTER COUNTY, SOUTH DAKOTA

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:

1. That the proposed name of the District shall be Mill Pond Estates;
2. That there is a need for road work in the territory described therein;
3. A legal description of the territory proposed to be organized as a Road District as follows:
4. That the board of county commissioners define the boundaries for the district; that a referendum to be held within the territory so defined on the questions of the creation of a road district in the territory and that the board determines that such a district be created.

LEGAL DESCRIPTIONS

- Lot 1A of Lot A of TR 1 of HES #138 in NE4SW4 & SE4SW4 of Section 33, T3S, R4E
- Lot 2 of Lot A of TR 1 of HES #138 in NE4SW4 & SE4SW4 of Section 33, T3S, R4E
- Mill Pond Estates Subd – Lot B(R) in SW4 of Section 33, T3S, R4E
- Mill Pond Estates Subd – Lot C(R) in SW4 of Section 33, T3S, R4E
- Mill Pond Estates Subd – Lot D(R) in SW4 of Section 33, T3S, R4E
- Mill Pond Estates Subd – Lot E of TR 1 of HES#138 in E2SW4 of Section 33, T3S, R4E
- TR Gran in E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates Subd – Lot 2 of Lot F of TR1 of HES#138 in the E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates – Replat of Lot 3 of Lot F of TR1 of HES#138 of Section 33, T3S, R4E
- Mill Pond Estates – Lot 1 of Lot G of TR1 of HES#138 in E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates – Lot 3 of Lot G of TR1 of HES#138 in E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates – Lot 1 of Lot H of HES#138 in E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates – Lot 2 of Lot H of HES#138 in E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates – Lot 3 of Lot H of HES#138 in E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates – Lot 4 of Lot H of HES#138 in E2SW4 of Section 33, T3S, R4E
- Mill Pond Estates – Lot 5 of Lot H of HES#138 in E2SW4 of Section 33, T3S, R4E

BHM, CUSTER COUNTY, SD

Dated this 9th day of December, 2020

/s/ Jim Lintz, Chairman

Custer County Board of Commissioners

5. Motion by Hindle and seconded by Linde to approve the updated quote on the county's cyber liability policy from the \$6,112.25 that was approved at the November 18, 2020 Commission Meeting to \$6,610 as the previous quote had expired; vote taken, all aye; motion carried.

H. Treasurer

1. In the absence of Treasurer Dawn McLaughlin, Auditor Cornelison, presented the 2019 list of delinquent taxes that will be published in the paper.

I. South Dakota Department of Health

1. Motion by Linde and seconded by Hartman to approve and authorize the chairman to sign the State of South Dakota Consultant Contract for Provision of Community Health Services Between Custer County and South Department of Health effective January 2, 2021 and ending December 31, 2021; vote taken, all aye; motion carried.

J. SDSU Extension Office

1. Motion by Hartman and seconded by Linde to approve and authorize the chairman to sign the Agreement to Share Extension Secretary Position with Fall River; vote taken, all aye; motion carried.

K. Sheriff

1. Motion by Hartman and seconded by Linde to approve the surplus of a 2014 Ram 1500 pickup Vin#1C6RR7XTXES418476 to Custer Highlands Fire Department if the vehicle meets their needs, if not the pickup would be surplus to the Custer County Maintenance Department; vote taken, all aye; motion carried.

L. Communications

1. Motion by Hindle and seconded by Linde to approve the new hire of Kevin Climis as a permanent full-time Dispatcher starting December 21, 2020 at a wage of \$16.08 per hour; vote taken, all aye; motion carried.

M. Equalization

1. Motion by Hartman and seconded by Hindle to approve the new hire of Angela Withrow as a permanent full-time Appraiser starting December 9, 2020 at a wage of \$13.89 per hour; vote taken, all aye; motion carried.
2. Motion by Hindle and seconded by Linde to allow employees of the Equalization Office to work overtime hours until December 31, 2020, with a maximum of over-time hours for the office not to exceed 20 hours total each week; vote taken, all aye; motion carried.
3. Motion by Hartman and seconded by Hindle to approve Abatement 2020A for \$78.82; vote taken, all aye; motion carried.
4. Motion by Linde and seconded by Hindle to approve Abatement 2021A for \$9.90; vote taken, all aye; motion carried.

N. Airport

1. Motion by Hartman and seconded by Hindle to approve and authorize the chairman to sign the final contract with KLJ for the runway chip seal project in 2021; vote taken, all aye; motion carried.
2. Motion by Linde and seconded by Hartman to approve the advertisement of request for proposals engineering firms to present their qualifications for consulting on projects for the airport; vote taken, all aye; motion carried.

O. Public Comment – Tom Manes presented to the commission regarding Second Amendment Sanctuary Ordinances.

P. Commission

1. Mail call – There was no mail call for the commission.
2. Meeting Schedule – The Black Hills Association of County Commissioners and County Officials will hold a meeting on Friday, December 11th at 12 noon at the Pennington County Administrative Building.
3. Meeting Reports – Commissioner Hindle attended a Search & Rescue meeting and an Airport meeting; Commissioner Linde attended a Museum board meeting.
4. District 30 Representative Julie Frye-Mueller and Custer County resident David Reid presented to the commission on proposed legislation regarding the classification of certain dwellings as owner-occupied.

Q. Old Business

1. Auditor Cornelison gave an update on the submissions made for the CARES Act reimbursement. The county has received a total of \$312,436.11 and two final submissions will be made to collect the remainder of the \$592,688 allocated to Custer County.
2. Judge David Pfeifle has referred Resolution 2020-18 to the South Dakota Supreme Court. The commission were in agreement to wait until the ruling is made from the South Dakota Supreme Court before reconsidering Resolution 2020-18.

3. Sam Smolnisky with the Custer County Search & Rescue presented to the commission regarding some storage issues they are having with items currently being stored at the County Highway Shop. Search & Rescue was instructed to remove all items from the storage at the County Highway Shop by January 1st and Smolnisky has visited with Custer County Highway Superintendent Jesse Doyle regarding some proposed options.
 4. Motion by Hartman and seconded by Hindle to approve the assignment of funds from the Unassigned Reserve Fund #101-277.00 to the following:
 - West County project - \$150,000
 - Long Term Strategic Planning for Search & Rescue - \$75,000
- Vote taken, all aye; motion carried.

R. Veteran Service

1. The commission discussed with Will Huffman, State Veteran Service Officer, and Tim Holland, Custer County Human Resource, the process for filling the vacant Veteran Service Officer position. Interviews will be held on a date that works for all involved, which includes Commissioner Hartman, Commissioner Linde, Huffman and Holland.

S. Executive Session

1. Motion by Linde and seconded by Hindle to go into Executive Session pursuant to SDCL 1-25-2(1). Executive Session started at 9:45 a.m. to discuss personnel and concluded at 1:08 p.m.; vote taken, all aye; motion carried.

T. Actions Taken By Commission Outside of Executive Session

1. Motion by Hindle and seconded by Hartman to place Mike Carter, Emergency Management, on paid administrative leave for seven days; vote taken, all aye; motion carried. The commission will hold a Special Commission Meeting on Wednesday, December 16th at 8:00 a.m.

U. Adjourn

Motion by Sorenson and seconded by Linde to adjourn the meeting at 1:25 p.m. The next meeting will be at 8 a.m., in the Commissioner's Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest:
Terri Cornelison, Custer County Auditor

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