

**Custer County Commission Meeting (Wednesday, January 13, 2021)**

**Members present:**

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Craig Hindle and Commission Legal Counsel Susan Anderson. Commissioner Travis Bies was absent.

**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 Hindle to remove Resolution 2021-04, add discussion on Buffalo Gap Volunteer Fire Department and approve and authorize chairman to sign airport pavement contract and approve the agenda as amended; vote taken, all aye; motion carried.

**C. Consent Agenda**

1. Motion by Hindle and seconded by Hartman to approve the minutes of the December 30, 2020 Commission Meeting and the following vouchers and monthly reports; vote taken, all aye; motion carried.

Vouchers approved as follows:

**PAYROLL:** Commissioners \$4,330.69; Auditor \$6,426.16; Treasurer \$8,744.70; Info Systems & Tech \$2,390.38; States Attorney \$11,803.85; Courthouse Building \$5,633.39; Director of Equalization \$11,195.45; Register of Deeds \$3,852.47; Human Resources \$1,410.61; Sheriff \$41,167.44; Coroner \$322.95; Library \$7,301.68; Conservation \$692.18; Weed & Pest Control \$2,465.93; Planning \$6,337; County Road & Bridge \$33,033.52; Emergency Management \$1,790.80; 24/7 Sobriety \$208.23; 911/Communications \$15,959.83

**NON-DEPARTMENTAL:** SD State Treasurer \$485.64

**COMMISSIONERS:** Southern Hills Publishing \$174.17; SD Association of County Officials \$1,100.12; Golden West Telecommunications \$27.03; SD Association of County Commissioners \$2,182

**COURT:** Scovel Psychological and Counseling \$3,000

**AUDITOR:** Golden West Telecommunications \$69.31; Discovery Benefits \$50

**TREASURER:** Southern Hills Publishing \$360.25; McLeod's Printing \$139.90; Golden West Telecommunications \$135.14

**INFO SYSTEMS & TECHNOLOGY:** Golden West Telecommunications \$54.06; Schneider Geospatial \$7,090

**STATE'S ATTORNEY:** Lexisnexis \$348; Golden West Telecommunications \$135.14; Culligan Water \$43.50

**COURT APPOINTED ATTORNEY:** Grey & Eisenbraun Law \$126.10

**COURTHOUSE BUILDING:** Custer Ace Hardware \$16.75; Golden West Telecommunications \$27.03

**DIRECTOR OF EQUALIZATION:** Southern Hills Publishing \$46.94; Golden West Telecommunications \$447.79; Dale's Tire & Retreading \$526.44

**REGISTER OF DEEDS:** Golden West Telecommunications \$108.11

**VETERANS SERVICES:** Southern Hills Publishing \$32.80; Golden West Telecommunications \$27.03

**INFO TECHNOLOGY:** Golden West Technologies \$8,229.19; Golden West Telecommunications \$110; Schneider Geospatial \$2,715

**HUMAN RESOURCES:** Golden West Telecommunications \$27.03

**SHERIFF:** Black Hills Energy \$95.31; Southern Hills Publishing \$32; French Creek Supply \$31.71; Interstate Batteries \$129.95; Pennington County Sheriff \$663.05; Liberty Superstore \$674; Children's Home Society \$150; Golden West Telecommunications \$280.44; Dale's Tire & Retreading \$194.12; Culligan Water \$72.50; A-Z Shredding \$20; Applied Concepts \$132; Anderson Auto Sales \$180; Battle Mtn Humane Society \$1,000

**PRISONER CARE:** City of Rapid City \$120; Pennington County Jail \$734.55; Ann Allen \$300; Satellite Tracking of People \$22.75

**SEARCH & RESCUE:** Black Hills Energy \$416.39; Golden West Telecommunications \$99.95

**AIRPORT:** Brenden Hendrickson \$3,666.67; Golden West Telecommunications \$113.83

**NURSE:** Southern Hills Publishing \$59.20

**MENTALLY ILL:** SD Human Services Center \$1,034.06; Dean Schaefer \$30

**LIBRARY:** Mt Rushmore Telephone \$132.82; Golden West Telecommunications \$187.34

**MUSEUM:** Home Masters \$44,657.67

**EXTENSION:** Quill \$1,509.93; Golden West Telecommunications \$123.73; Erin McGlumphy \$755.79

**WEED & PEST:** French Creek Supply \$139.99; Golden West Telecommunications \$27.80

**PLANNING:** Golden West Telecommunications \$108.11

**COUNTY ROAD & BRIDGE:** A & B Welding \$10.80; Butler Machinery \$323.14; Custer Do It Best \$306.07; Floyd's Truck Center \$417.67; French Creek Supply \$119.56; Fastenal Company \$159.30; Godfrey Brake \$76.32; Grimm's Pump Service \$239.19; Harvey Lock Shop \$849.18; Interstate Batteries \$130.95; Mt Rushmore Telephone \$118.07; S & B Motor Parts \$923.45; Brosz Engineering \$8,185; Kieffer Sanitation \$177.73; Servall Towel & Linen \$226.26; Snap On Tools \$440.44; Custer Ace Hardware \$299.28; Golden West Telecommunications \$223.01; SD State Treasurer \$1.08; Stern \$1,722.99; Mobile Mini \$7,315;

Equipment Blades \$7,545.06; Honnen Equipment Company \$613.83; Culligan Water \$46.50; Nelson's Oil & Gas \$711.45; MG Oil Company \$2,514.60

**EMERGENCY MANAGEMENT:** Golden West Telecommunications \$44.89

**BUILDING:** Black Hills Energy \$4,566.20; Golden West Telecommunications \$5,609.24; A-Z Shredding \$20

**EMERGENCY LINE:** Southern Hills Publishing \$127.60; Pheasantland Industries \$242.01; Golden West Telecommunications \$1,432.28; Culligan Water \$33.50

**D. Conflict of Interest Declarations** – Commissioner Hartman declared a conflict of interest on the Variance application under Planning.

Monthly Reports approved:

- Register of Deeds December 2020 statement of fees with \$500 collected in state fees, \$20,190.50 in county fees, and \$748 for SDACO fees for a total of \$22,158.50.
- The Auditor's report with the Treasurer for December 2020 as follows: Cash \$897.40; Checks/Drafts \$12,718.31 Petty Cash \$1,050; SD Fit \$520,405.33; 1<sup>st</sup> Interstate Bank checking \$225,041.92; 1<sup>st</sup> Interstate Bank Savings \$1,049,018.94; ED Jones MM \$513,781.59; 1<sup>st</sup> Interstate Flex \$61,766.63; 1<sup>st</sup> Interstate Investments \$37,981.70; Sentinel CU Checking \$208.03; Sentinel CU TIIA \$106,198.47; Sentinel CU Savings \$10,106.22; Highmark Investment \$154,214.03; Highmark Savings \$10,197.61; Highmark Checking \$5,000; Dacotah Bank Checking \$12,727.50; Dacotah Investments \$719,119.83; Ed Jones Investments \$2,453,741.14 for a total of \$5,894,909.79.

Custer County Sheriff's December 2020 report: \$13 accident/accruint reports; \$48 basic concealed weapon permits; \$450 enhanced concealed weapon permits; \$255.09 mileage; \$1,670 service fees; \$95 executions; \$10 CSO ordered U/As; for a grand total of \$2,541.09.

**E. Reorganization of Board**

1. Chairman Lintz turned the meeting over to Auditor Cornelison. Cornelison called for nominations for Commission Chairman. Motion by Hartman and seconded by Hindle to nominate Lintz for Chairman. Motion by Linde and seconded by Hindle to cease nominations and cast a unanimous ballot for Lintz; vote taken, all aye; motion carried.
2. Chairman Lintz called for nominations for Vice Chairman. Motion by Hindle and seconded by Linde to nominate Hartman for Vice Chairman. Motion by Linde and seconded by Hindle to cease nominations and cast a unanimous ballot for Hartman; vote taken, all aye; motion carried.

**F. Annual Designations**

1. Motion by Hartman and seconded by Hindle to approve the following Commission Meeting dates for 2021; vote taken, all aye; motion carried.

WEDNESDAY JANUARY 13, 2021

WEDNESDAY JANUARY 27, 2021

WEDNESDAY FEBRUARY 10, 2021

WEDNESDAY FEBRUARY 24, 2021

WEDNESDAY MARCH 10, 2021  
WEDNESDAY MARCH 24, 2021  
WEDNESDAY APRIL 14, 2021  
WEDNESDAY APRIL 28, 2021  
WEDNESDAY MAY 12, 2021  
WEDNESDAY MAY 26, 2021  
WEDNESDAY JUNE 9, 2021  
WEDNESDAY JUNE 23, 2021  
WEDNESDAY JULY 14, 2021  
WEDNESDAY JULY 28, 2021  
WEDNESDAY AUGUST 11, 2021  
WEDNESDAY AUGUST 25, 2021  
WEDNESDAY SEPTEMBER 8, 2021  
WEDNESDAY SEPTEMBER 22, 2021  
WEDNESDAY OCTOBER 13, 2021  
WEDNESDAY OCTOBER 27, 2021  
WEDNESDAY NOVEMBER 10, 2021  
WEDNESDAY NOVEMBER 24, 2021  
WEDNESDAY DECEMBER 8, 2021  
WEDNESDAY DECEMBER 22, 2021

2. Motion by Linde and seconded by Hartman to approve Resolution 2021-01 Resolution to Elect Salary Method of Payment for County Commissioners and to Set 2021 Annual Salary; vote taken, all aye; motion carried.

#### **RESOLUTION 2021-01**

#### **RESOLUTION TO ELECT SALARY METHOD OF PAYMENT FOR COUNTY COMMISSIONERS AND TO SET 2021 ANNUAL SALARY**

**WHEREAS**, in accordance with SDCL Chapter 7-7, the Board of County Commissioners for Custer County has the authority to elect the method of payment for the county commissioners and set the annual pay by resolution on the first regular meeting date in January of each year; and

**WHEREAS**, on the date set forth herein below, being the first regular meeting date of the Board of County Commissioners for the year 2021, the commission having considered and approved the following action, now therefore

**BE IT RESOLVED** by the Custer County Board of Commissioners, pursuant to SDCL 7-7-5, that the Commissioners shall be paid by the salary method of payment and the annual salary for each Commissioner for the year 2021 shall be \$9,363.60;

**BE IT FURTHER RESOLVED** that each Commissioner shall receive an additional \$1,200.00 as and for travel expenses for the year 2021.

Approved this 13<sup>th</sup> day of January 2021, at the regular meeting of the Board of Commissioners for Custer County.

3. Motion by Hindle and seconded by Linde to approve Resolution 2021-02 Resolution to Establish Salaries of Elected Officials for Custer County For 2021; vote taken, all aye; motion carried.

**RESOLUTION 2021-02**

**RESOLUTION TO ESTABLISH SALARIES OF  
ELECTED OFFICIALS FOR CUSTER COUNTY FOR 2021**

**WHEREAS**, in accordance with SDCL Chapter 7-7, the board of county commissioners for Custer County shall establish, by resolution, the salary payable to the county treasurer, county auditor, county register of deeds and state's attorney; and

**WHEREAS**, in accordance with SDCL 7-12-15, the board of county commissioners shall establish, by resolution, the salary payable to the sheriff;

**BE IT RESOLVED**, the Custer County Board of Commissioners establishes the annual salaries of elected officials as follows:

Dawn McLaughlin, Custer County Treasurer - \$ 57,495.40;  
Terri Cornelison, Custer County Auditor - \$ 56,819.45;  
Tracy L. Kelley, Custer County State's Attorney - \$ 115,000;  
Teri L. Morgan, Custer County Register of Deeds \$47,498.32;  
Marty Mechaley, Custer County Sheriff (with City Contract) and Dispatch Supervisor - \$76,115.83;

Approved this 13th day of January 2021, at the regular meeting of the Board of Commissioners for Custer County.

4. Motion by Linde and seconded by Hindle to adopt the State rates for mileage at \$.42 per mile for use of a personal vehicle if a county vehicle is unavailable and \$.25 per mile for the use of a personal vehicle if a county vehicle is available. Rates for meals are: breakfast \$6; lunch \$14; and dinner \$20. Out of state rates for meals are: breakfast \$10; lunch \$18; and dinner \$28. Lodging rates are \$75 through \$150 with the employee utilizing the lowest possible rate. The annual designations are on file at the Auditor's office for public viewing; vote taken, all aye; motion carried.
5. Motion by Hindle and seconded by Linde to approve the rate of pay for outside board members to \$25 per meeting plus mileage of \$.42 per mile; vote taken, all aye; motion carried. Motion by Hindle and seconded by Linde to approve the Weed & Pest Board to advertise and take letters of interest to appoint an alternate member to serve on the Weed & Pest Board; vote taken, all aye; motion carried.
6. Motion by Linde and seconded by Hindle to approve the Custer county Chronicle as the legal newspaper and approve the following depositories: First Interstate Bank, Edward D Jones MM,

South Dakota FIT, Sentinel Federal Credit Union, Highmark Federal Credit Union, and Dacotah Bank; vote taken, all aye; motion carried.

7. Motion by Hartman and seconded by Hindle to approve Resolution 2021-03 Resolution 2021-03 Resolution to Establish Wages of Election Workers for Custer County; vote taken, all aye; motion carried.

**RESOLUTION 2021-03**  
**RESOLUTION TO ESTABLISH WAGES OF**  
**ELECTION WORKERS FOR CUSTER COUNTY**

**WHEREAS**, in accordance with SDCL 12-15-11, the Board of County Commissioners at their first meeting shall set a fee for Election Board and the mileage rate;

**NOW THEREFORE BE IT RESOLVED**, that the Custer County Board of Commissioners have set the FEE FOR ATTENDANCE OF ELECTION SCHOOL AT \$15.00 per hour; and

**BE IT FURTHER RESOLVED**, that the Custer County Board of Commissioners has set the fee for Election Boards for the Primary and General and all Special Elections as follows:

ALL ELECTION BOARDS, RESOLUTION AND ABSENTEE BOARDS WILL BE SET AT \$15.00 PER HOUR, and

**BE IT FURTHER RESOLVED**, that the Custer County Commissioners set the mileage rate at \$.42 per mile for all travel incurred in regard to election work.

Dated this 13th of January, 2021

8. Motion by Hindle and seconded by Linde to table the Liaison/Committee/Board Appointments for 2021 until the next commission meeting on January 27; vote taken, all aye; motion carried.

**G. Highway**

1. Motion by Hartman and seconded by Linde to approve the Application For Occupancy on the Right of Way by Golden West Telecommunications for a telecommunications facility on Riverside Road in Sections 26, 27, 35 & 36, T6S, R9E, Custer County, South Dakota; vote taken, all aye; motion carried.
2. Motion by Linde and seconded by Hindle to approve the Application For Occupancy on the Right of Way by Golden West Telecommunications for a telecommunications facility on Sage Road in Section 27, T6S, R9E, Custer County, South Dakota; vote taken, all aye; motion carried.
3. Motion by Hartman and seconded by Hindle to approve the surplus of a single stall storage garage 14' x 24' to be demolished; vote taken, all aye; motion carried.
4. Discussion held on Buffalo Gap Volunteer Fire Department. Due to issues of access to the fuel pumps at the Buffalo Gap Highway Shop, the Buffalo Gap Volunteer Fire Department has stated they will only respond to fire calls and not medical calls. Highway Superintendent Doyle informed the commission that none of the volunteer fire departments gets fuel from any of the Custer County Highway Shops.

**H. Planning**

1. Motion by Hindle and seconded by Linde to approve the Variance from Ordinances #2's Setbacks from Property Line – application from Kevin Hartman; vote taken, Aye – Linde, Hindle and Lintz; Hartman abstained; motion carried.
2. Motion by Linde and seconded by Hindle to approve the 2021 Custer County Planning Department Fee and Permit Rates; vote taken, all aye; motion carried.

**I. Sheriff**

1. The commission acknowledged the resignation of Ross Norton as Deputy Sheriff effective January 20, 2021.
2. Motion by Hartman and seconded by Linde to approve and authorize the chairman to sign the Battle Mountain Humane Society Contract for 2021; vote taken, all aye; motion carried.

**J. Auditor**

1. Motion by Linde and seconded by Hindle to do a cash transfer for 2020 budgets of \$112,064.97 (101-101.99) General Fund Cash to Emergency Management Cash (226-101.99) and \$125,608.19 (101-101.99) General Fund Cash to 911 Emergency Line Cash (255-101.99); vote taken, all aye; motion carried.

**K. Human Resource**

1. Motion by Hindle and seconded by Linde to approve the job description for Emergency Management as presented; vote taken, all aye; motion carried.

**L. Resolution 2017-4**

1. Motion to terminate Resolution 2017-04; vote taken, all aye; motion carried.

**M. Metal Detector**

1. Discussion on placement of the metal detector on the first floor of the courthouse on days the courtroom is in use. The commission instructed the Auditor to invite Judge Pfeifle to the next commission meeting to discuss this issue and Resolution 2020-18 Resolution to Allow Possession of Firearms in or on the Courthouse and County Properties in Custer County.

**N. Public Relations**

1. Motion to table the appointment of Public Relations until the next Commission Meeting on January 27, 2021; vote taken, all aye; motion carried.

**O. Acting Emergency Management Director**

1. Motion by Hartman and seconded by Linde to approve and authorize the chairman to sign the Letter of Authorization for Rob McWhorter to volunteer his time to provide limited administrative emergency management services in the interim; vote taken, all aye; motion carried.
2. Rob McWhorter, Acting Interim Emergency Management, gave an update on the Emergency Management Office. McWhorter suggested sending an email out to all recipients for the deadline of the Homeland Security Grants that will need to be completed mid-February. Commission Legal Counsel Anderson will send that email.

**P. Public Comment** – Veteran Service Officer Todd Fish recommended the commission look at a Grant Manager position and updated the commission on the Veteran Service Office.

**Q. Commission**

1. Mail call – A complaint email was received from Terry and Andrea Yarger regarding the safety of the courthouse since the firearm resolution was passed.
2. Meeting Schedule – Fire Advisory Board meeting will be Thursday, January 14<sup>th</sup>; Solid Waste Board meeting on Thursday, January 14<sup>th</sup>.
3. Meeting Reports – Commissioner Linde attended a Conservation Board meeting; Commissioner Lintz attended a Fair Board meeting.

**R. Old Business**

1. Auditor Cornelison updated the commission on the CARES Act and to date the county has received \$444,799.43 with an additional \$218,117.30 has been submitted and approved to be paid.
2. Motion by Hartman and seconded by Hindle to approve and authorize the chairman to sign the Certificate of Economic Necessity for the pavement maintenance project at the Custer County Airport; vote taken, all aye; motion carried.

**S. Executive Session**

1. Motion by Linde and seconded by Hindle to go into Executive Session pursuant to SDCL 1-25-2(1); vote taken, all aye; motion carried. Executive Session started at 10:02 a.m. to discuss personnel and concluded at 10:14 a.m.

**T. Actions Taken By Commission Outside of Executive Session**

1. Motion by Hindle and seconded by Hartman to increase the salary of Library Director Doris Ann Mertz to \$50,000 annually effective with the first pay period in 2021; vote taken, all aye; motion carried.

**U. 10:15 a.m. Commission Legal Counsel**

1. Attorney Sara Frankenstein reviewed a letter she had sent to the commissioners regarding discussions in Executive Session.

**V. Executive Session**

1. Motion by Hartman and seconded by Linde to go into Executive Session pursuant to SDCL 1-25-2(3); vote taken, all aye; motion carried. Executive Session started at 10:28 a.m. to consult with outside legal counsel and concluded at 11:30 a.m. with no action taken outside of Executive Session.

**W. Adjourn**

Motion by Hindle and seconded by Linde to adjourn the meeting at 11:35 a.m. The next meeting will be at 8 a.m. January 27, 2021 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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