

Custer County Commission Meeting (Wednesday, February 24, 2021)

Members present:

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

A. Commission Meeting was called to order at 8:00 AM followed by the Pledge of Allegiance.

B. Commission Appointment & Oath of Office

The commission was informed that Commissioner Jim Lintz had not taken his Oath of Office in the required period according to SDCL 3-1-2. This creates a vacancy on the board and needs to be filled according to SDCL 3-4-4. With the vacancy, Auditor Cornelison was instructed to temporarily fill the vacant seat on the board to create an odd number of voting members. Motion by Bies and seconded by Hindle to appoint Jim Lintz to the vacant commission seat for the term of two years as per SDCL 3-4-6 provided his Oath of Office be administered immediately; vote taken, all aye; motion carried. Auditor Cornelison then administered the Oath of Office for Commissioner Lintz.

Additionally, Auditor Cornelison provided a summary of her research of past oaths by the commissioners as well as summarizing the responsibilities of elected officials regarding when their terms take effect and the timeline to qualify for their respective elected offices.

C. Adopting of the agenda

1. Motion by Hartman and seconded by Linde to approve the agenda as presented; vote taken, all aye; motion carried.

D. Consent Agenda

1. Motion by Linde and seconded by Hartman to approve the minutes of the February 10, 2021 Commission Meeting and the following vouchers: vote taken, all aye (except Hindle abstained from voting on the February 10, 2021 Commission Meeting minutes because of his absence at that Commission Meeting); motion carried.

Travel requests approved: Jesse Doyle & Kevin Treloar to 2021 Short Course in Deadwood, SD, at a cost of \$240 and use of county vehicle.

Vouchers approved as follows:

PAYROLL: Commissioners \$6,405.49; Auditor \$7,691.28 Treasurer \$9,863.05; Info Systems & Tech \$3,054.39; States Attorney \$12,387.80; Courthouse Building \$6,407.47; Director of Equalization \$11,782.25; Register of Deeds \$4,427.82; Veterans Service \$1,049.68; Human Resources \$2,097.15; Sheriff \$38,894.89; Coroner \$322.95; Nurse \$659.24; Library \$8,312.91; Conservation \$454.91; Weed & Pest Control \$1,819.64; Planning \$6,427.02; County Road & Bridge \$35,245.30; Emergency Management \$1,081.53; 24/7 Sobriety \$120.14; 911/Communications \$15,721.26

COURT: Juror fees: Lonnie Arthur \$10.84; Wanda Sherba \$11.68; Thomas Pratt \$10.84; Steve Blume \$12.52; Norman Sorenson \$28.48; Ron Wagner \$53.36; David Merritt \$26.80; Russell Bailey \$51.68; Timothy Behlings \$52.52; Kris Bierwirth \$50.84; Julie Boettecher \$10.84; Norman Brooks \$14.20; Daniel Butenschoen \$31; Diana Carson \$51.68; Samuel Charles \$19.24; Kimberly Cowan \$10.84; Claudia Dethlefs \$10.84; Cody Domina \$31.84; Robert Dresser \$28.48; Lisa Fredsall \$12.52; Jeremiah Keller

\$15.04; Terri Kester \$10.84; Jane Larson \$26.80; Paul Larson \$12.52; Kindal Malehorn \$70.16; Brenda Maloun \$31; Perry McNeas \$43.60; Shawn McIlroy \$64.28; Roberta Phillip \$36.04; Robert Plaistad \$12.52; Linda Polito \$54.20; Linda Pratt \$10.84; Larry Reichenberg \$13.36; Galen Roesler \$52.52; Kathryn Rowland \$59.24; Lisa Sanders \$64.60; Lisa Seewald \$31.84; Teresa Shafer \$14.20; Mark Stabnow \$33.52; William Wakeland \$14.20; Betty Schmaltz \$10.84; George Cameron \$201.40

AUDITOR: Quill \$274.71

COURT APPOINTED ATTORNEY: Beesley Law Office \$2,371.40; Justin O’Neill \$2,398.23

REGISTER OF DEEDS: Quill \$154.89

INFO TECHNOLOGY: Golden West Telecommunications \$13,081

HUMAN RESOURCE: Quill \$19.66; Evergreen Office Products \$66.36

SHERIFF: Black Hills Electric \$47.69; French Creek Supply \$379.98; Fedex \$15.77; Liberty Superstores \$311.25; Sherry Weber \$24; Custer Ace Hardware \$43.93; South Dakota Sheriff’s Association \$158.85; SD Department of Public Safety \$3,460; Great Western Tire \$613.60; Anderson Auto Sales \$207.50; Battle Mt Humane Society \$1,000

PRISONER CARE: City of Rapid City \$40; Pennington County Jail \$10,965.40; Correct RX Pharmacy \$117.90; Ann Allen \$150; Care Campus \$226; South Dakota Public Health \$100; Mikayla Norton \$75; Redwood Toxicology \$157.50

SEARCH & RESCUE: Custer Do It Best \$56.99; Custer Search & Rescue \$504.86; French Creek Supply \$25.59; Lynn’s Dakota Mart \$30.32; Sander Sanitation \$14.76; Custer Ace Hardware \$45.57; Active 911 Inc. \$312; Nelson’s Oil & Gas \$191.25

AIRPORT: QT Pod \$93.27; Custer Do It Best \$21.52; Custer Ace Hardware \$22.18

LIBRARY: Century Link \$17.08

EXTENSION: SDSU Extension \$10,310; Amy Rhoads \$25.20

CONSERVATION: Custer Conservation District \$9,000

WEED & PEST: Black Hills Electric \$157.78; Southern Hills Fire & Safety \$69.50

COUNTY ROAD & BRIDGE: Black Hills Electric \$1,983.21; Butler Machinery \$255.91; Floyd’s Truck Center \$1,340.67; French Creek Supply \$522.11; Godfrey Brake \$340.33; Grimms Pump Service \$90.51; Interstate Batteries \$359.85; Inland Truck Parts \$311.42; Pheasantland Industries \$1,185.20; Quill \$72.99; Rushmore Communications \$2,574.40; SD Highway Superintendent Association \$550; Servall Towel & Linen \$114.79; Custer Ace Hardware \$53.55; North Central International \$84.82; Pop’s Grocery Shoppe \$17.93; Stern \$169.62; Crossroads Trailer Sales \$267.07; Knight Security \$6,860.71; Century Link \$17.08; Nelson’s Oil & Gas \$1,240.81; MG Oil Company \$22,979.41; Great Western Tire \$31,360.54; Trail

King Industries \$280.79; Dakota Fluid Power \$19.17; Dakotaland Autoglass \$450; Pacific Steel & Recycle \$13.12

EMERGENCY MANAGEMENT: Safety Gear \$345.32

BUILDING: Black Hills Electric \$834.80; Black Hills Energy \$1,706.38; McGas Propane \$549.39; Custom Carpet Cleaning \$400; Adtech – Rapid Fire Protection \$399.38; Thyssenkrupp Elevator Corporation \$375

EMERGENCY LINE: Century Link \$433.06; SD Department of Public Safety \$3,460

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

F. Planning

1. Motion by Hartman and seconded by Hindle to approve and authorize the chairman to sign the One Mile Extraterritorial Area Policy Agreement (Resolution 2021-06) between Custer County, South Dakota and Town of Hermosa, South Dakota; vote taken, all aye; motion carried.

G. Emergency Management

1. Motion by Hartman and seconded by Linde to approve and authorize the chairman to sign the 1st Quarter State of SD Department of Public Safety – Office of Emergency Management Local Emergency Management Performance Grant; vote taken, all aye; motion carried.
2. Motion by Linde and seconded by Hindle to authorize the chairman to sign the letter to the Director for the Office of Emergency Management acknowledging the help given by Brandy Petersen, Region 4 Emergency Management Coordinator; vote taken, all aye; motion carried.
3. Interim Emergency Management Director, Rob McWhorter, gave an update to the commission.

H. Sheriff/Communications

1. Motion by Hindle and seconded by Hartman to approve the moving of the Dispatcher positions from a Grade 6 to a Grade 8 for the Uncertified Dispatcher position and a Grade 9 for the Certified Dispatcher position which includes a wage increase for Michelle Lyons to \$20.15 per hour, Leslie Skinner to \$19.76 per hour, Hapsie Nutley to \$18.99 per hour, Hannah Streff to \$18.08 per hour and Kevin Climis to \$18.08 per hour effective February 21, 2021; vote taken all aye; motion carried.

I. Public Relations

1. Motion by Linde and seconded by Hindle to table the public relations position until the next commission meeting on March 10, 2021; vote taken, all aye; motion carried.

J. 8:30 a.m. Bid Opening

1. The Highway Department advertised for bids for Magnesium Chloride for Road Stabilization (80,000 gallons plus or minus) for the period beginning February 25, 2021 and ending December 31, 2021. Bids received included:
 - Rosane Construction - \$.869 per gallon
 - Dustbusters Enterprises, Inc. - \$.84 per gallon

Motion by Bies and seconded by Hartman to accept the bid from Rosane Construction pursuant to SDCL 5-18A-25 for bidder resident in South Dakota preference; vote taken, all aye; motion carried.

2. The Highway Department advertised for bids for crushed limestone – ¾” base (Hermosa area 20,000 tons plus or minus, Pringle area 30,000 tons plus or minus and Buffalo Gap area 40,000 tons plus or minus) for the period beginning May 1, 2021 and ending December 31, 2021. Bids received included:
 - Black Hills Gravel (Pringle Area) - \$6.29 per ton
 - Simon Contractors of SD (Pringle Area) - \$6.48 per ton
 - Southern Hills Rock & Gravel (Pringle Area) - \$6.75 per ton
 - Black Hills Gravel (Hermosa Area) - \$6.75 per ton (screened)
 - - \$9.94 per ton (crushed)
 - Nielsen Enterprises, LLC (Pringle Area) - \$7.00 per ton
 - Croell, Inc. (Buffalo Gap Area) - \$6.50 per ton
 - Croell, Inc. (Hermosa Area) - \$11.50 per ton
1. Motion by Hartman and seconded by Bies to accept the low bid from Croell, Inc. of \$6.50 per ton for the Buffalo Gap Area; vote taken, all aye; motion carried.
2. Motion by Hartman and seconded by Hindle to accept the low bid from Black Hills Gravel of \$6.29 per ton for the Pringle Area; vote taken, all aye; motion carried.
3. Motion by Bies and seconded by Linde to table the bids for the Hermosa Area; vote taken, all aye; motion carried.

K. Airport

1. Airport Manager, Brenden Hendrickson, presented the 2020 Annual Report for the Custer County Airport. The report included an A+ rating from the State Aeronautics Airport Inspection, increase in helicopter traffic for wildfires, increase in medical transfers and life flights from Custer, increase in fuel sales, increase in visiting aircraft activity and over 14,000 views for Custer county Airport Face Book page and YouTube videos.

L. Auditor

1. Motion by Hartman and seconded by Hindle to approve the Petition for the Organization and Incorporation of the Circle Pines Road District; vote taken, all aye; motion carried.

**PETITION FOR THE ORGANIZATION AND INCORPORATION OF THE
CIRCLE PINES ROAD DISTRICT
IN CUSTER COUNTY, SOUTH DAKOTA**

WE, THE UNDERSIGNED, representing at least 25% of the landowners or property owners of record within the proposed district boundaries are seeking to organize and incorporate as the **CIRCLE PINES ROAD DISTRICT** under the laws of the State of South Dakota, SDDL 31-12A-1. We do verify that we support and desire the creation of the **CIRCLE PINES ROAD DISTRICT** and that there is a definite need for this public service in the proposed area. We, the undersigned, respectfully petition that the question of forming the **CIRCLE PINES ROAD DISTRICT** be submitted for a vote of approval or rejection pursuant to law.

WE FURTHER ACKNOWLEDGE that upon verification of the petitions, an election of the eligible voters of the property owners or landowners of record within the boundaries of the proposed district will be held.

WE THEREFORE PETITION the Custer County Board of Commissioners to define the boundaries of the DISTRICT as:

- Circle Pines Subdivision; Lot 1 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 2 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 3 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 4 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 5 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 6 of Gov Lot 12 Sec 35, T3S R4E; &
• Sec 2, T4S R4E
- Circle Pines Subdivision; Lot 7 of Gov Lot 12 Sec 35, T3S R4E; &
• Sec 2, T4S R4E
- Circle Pines Subdivision; Lot 8 of Gov Lot 6 in N2 Sec 2 T4S R4E
- Circle Pines Subdivision; Lot 9 of Gov Lot 12 Sec 35, T3S R4E; &
• Sec 2, T4S R4E
- Circle Pines Subdivision; Lot 10 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 11 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 12 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 13 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 14 of Gov Lot 12 in S2 Sec 35, T3S R4E
- Circle Pines Subdivision; Lot 15 of Gov Lot 12 in S2 Sec 35, T3S R4E

BHM, CUSTER COUNTY, SD

2. The commission acknowledged the updated roster from the Custer Volunteer Fire Department.
3. The commission acknowledged the updated roster from the Custer County Fair Volunteers.

M. Public Comment – Custer County resident, David Reid, addressed the commission about his concerns on the interpretation of SDCL regarding owner-occupied structures; Custer County resident, Charles Irvine, addressed the commission on an abandoned property in the Town of Hermosa.

N. Commission

1. Mail call – A letter was received from Supreme Court of SD regarding a survey to be mailed out to counties concerning the safety of courthouses; a letter was received from United States Department of Agriculture regarding the funding of the Custer County Noxious Weed Reduction Program for \$11,700.
2. Meeting Schedule – The Black Hills Association of County Commissioners and County Officials will hold a meeting in Pennington County on Friday, March 5th; The 2021 Spring Workshop for County Commissioners will be held on March 17th & 18th in Pierre, SD.
3. Meeting Reports – Commissioner Hartman attended a courthouse inspection by the US Marshall Service; Custer County employee, Gordon Heggen, slipped on ice outside the Custer County Library Addition and the issue of the accumulation of ice on the property will be addressed.

O. Old Business

1. West County Project – Commission Legal Counsel, Susan Anderson, inquired on drafting a memorandum of understanding between Custer County and Southern Black Hills Water System for placement of a VHF repeater on their water tower. Commission had approved Anderson drafting an agreement for this at their previous meeting on February 10, 2021. Anderson also provided an update on due diligence activities taken to date for the project.
2. Todd Fish, Veteran Service Officer, gave an update on his office.

P. Indigent Request 2021-01

1. Motion by Linde and seconded by Hartman to approve the indigent request in the amount of \$388.30 provided Legal Counsel reviews the request; vote taken, all aye; motion carried.

Q. Bid Opening

1. Motion by Linde and seconded by Hindle to un-table the crushed limestone - ¾" base bids for Hermosa Area; vote taken, all aye; motion carried.
2. Motion by Hindle and seconded by Bies to reject all the crushed limestone – ¾" base bids for the Hermosa Area due to bids not meeting county specifications; vote taken, all aye; motion carried.

R. 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 9:56 a.m. to consult with legal counsel and concluded at 10:45 a.m. with no action taken

S. Adjourn

Motion by Linde and seconded by Bies to adjourn the meeting at 10:45 a.m. The next meeting will be at 8 a.m. March 10, 2021 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 _____.