

**Custer County Commission Meeting (Wednesday, May 12, 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. Adopting of the agenda**

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

**C. Consent Agenda**

1. Motion by Bies and seconded by Hartman to approve the minutes of the April 28, 2021 Commission Meeting and the following vouchers; vote taken, all aye; motion carried.

Vouchers approved as follows:

**PAYROLL:** Pay Period ending 5/05/2021; Commissioners \$6,405.44; Auditor \$6,334.40; Treasurer \$10,346.76; Info Systems & Tech \$3,054.39; States Attorney \$12,735.16; Courthouse Building \$6,736.00; Director of Equalization \$13,865.90; Register of Deeds \$4,574.83; Veterans Service \$1,327.55; Human Resources \$2,130.30; Sheriff \$36,910.73; Coroner \$322.95; Nurse \$740.97; Library \$8,765.23; Conservation \$454.91; Weed & Pest Control \$1,819.64; Planning \$6,999.72; County Road & Bridge \$35,992.13; Emergency Management \$2,665.10; 24/7 Sobriety \$1,895.10; 911/Communications \$13,704.44

**GENERAL FUND:** SD State Treasurer \$357.04

**COMMISSIONERS:** Southern Hills Publishing \$1,117.66; Lynn's Dakota Mart \$50.17; SD Public Assurance Alliance \$23,369.47; Golden West Telecommunications \$27.35; Ramkota Hotel \$202; Evergreen Office Products \$66.82

**AUDITOR:** Golden West Telecommunications \$109.39; Ramkota Hotel \$202

**TREASURER:** Quill \$93.91; Golden West Telecommunications \$137.73; Ramkota Hotel \$202

**INFO SYSTEMS & TECH:** Golden West Telecommunications \$54.69; ESRI, Inc. \$6,350

**STATE'S ATTORNEY:** Lexisnexis \$348; Golden West Telecommunications \$136.73; Culligan Water \$37

**COURT APPOINTED ATTORNEY:** Beesley Law Office \$1,033.50; Grey & Eisenbraun Law \$550.70; Angela Colbath \$5,969.01

**COURTHOUSE BUILDING:** Black Hills Chemical \$165.98; Golden West Technologies \$67.50; Hills Septic Service \$275; SD Public Assurance Alliance \$901.43; Custer Ace Hardware \$9.38; Golden West Telecommunications \$27.35

**DIRECTOR OF EQUALIZATION:** Southern Hills Publishing \$18.85; SD Department of Revenue \$452; Quill \$559.96; SD Public Assurance Alliance \$461.06; Golden West Telecommunications \$164.22; Vanguard Appraisals \$10,350

**REGISTER OF DEEDS:** McLeod's Printing \$11.95; Golden West Telecommunications \$109.39; State of South Dakota \$36.75; Ramkota Hotel \$202

**VETERANS SERVICES:** Golden West Telecommunications \$27.35

**PREDATORY ANIMAL:** SD Department of Game Fish & Parks \$872.31

**INFO TECHNOLOGY:** Golden West Technologies \$2,035.27; Golden West Telecommunications \$10

**HUMAN RESOURCE:** Golden West Telecommunications \$27.35

**SHERIFF:** Black Hills Energy \$92.56; Southern Hills Publishing \$25.30; French Creek Supply \$54.98; Pennington County Sheriff \$261.09; SD Public Assurance Alliance \$22,160.53; Liberty Superstores \$382.50; Custer Ace Hardware \$48.14; Survival Armor \$912.08; Golden West Telecommunications \$283.46; Culligan Water \$46.50; A-Z Shredding \$4.20

**PRISONER CARE:** Pennington County Jail \$7,350; Mary Seifert \$100; Satellite Tracking of People \$149.50; Linda Nohr \$75; Regional Health Client \$23.98

**SEARCH & RESCUE:** Black Hills Energy \$353.59; Custer Do It Best \$15.64; Custer City \$81.16; French Creek Supply \$26.99; Rushmore Communications \$1,177; SD Public Assurance Alliance \$3,624.43; Sander Sanitation \$14.76; Custer Ace Hardware \$112.71; Golden West Telecommunications \$99.95

**AIRPORT:** Brenden Hendrickson \$3,666.67; Golden West Telecommunications \$114.02; Adams Industrial Supply \$2,750

**MENTAL HEALTH CENTER:** New Trails Ministry \$300

**MENTAL ILLNESS BOARD:** Beesley Law Office \$112.50; Lucy Lewno \$81.50

**LIBRARY:** Mt Rushmore Telephone \$132.97; Golden West Telecommunications \$185.90

**EXTENSION:** Golden West Telecommunications \$123.92

**CONSERVATION:** SD Public Assurance Alliance \$549.78

**WEED & PEST:** Southern Hills Publishing \$41.21; French Creek Supply \$11.37; SD Public Assurance Alliance \$1,966.19; Golden West Telecommunications \$27.35

**PLANNING:** Southern Hills Publishing \$69.02; Quill \$121.99; SD Public Assurance Alliance \$430.96; Golden West Telecommunications \$250.31

**COUNTY ROAD & BRIDGE:** A & B Welding \$11.78; Black Hills Energy \$76.66; Southern Hills Publishing \$17.40; Floyd's Truck Center \$317.70; French Creek Supply \$20.98; Fastenal Company \$32.79; Inland Truck Parts \$1,668.80; Prairie Auto Parts \$8.99; Lynn's Dakota Mart \$64.54; Mt Rushmore Telephone \$118.22; Quill \$96.13; S & B Motor Parts \$333.71; SD Public Assurance Alliance \$29,981.57; Servall Towel & Linen \$118.39; Custer Ace Hardware \$69.97; Golden West Telecommunications \$224.33; Warnke Brothers Construction \$1,209.19; Pop's Grocery Shoppe \$10.10; Stern \$525.40; Dale's Tire & Retreading \$458.48; Matco Tools \$29.15

**FIRE PROTECTION:** SD Public Assurance Alliance \$4,176.96

**EMERGENCY MANAGEMENT:** SD Public Assurance Alliance \$1,252.14; Golden West Telecommunications \$45.07

**24/7 SOBRIETY:** Redwood Toxicology Laboratory \$129

**BUILDING:** Black Hills Energy \$4,193.76; Custer City \$175.66; McGas Propane \$291.62; SD Public Assurance Alliance \$31,692.84; Warnke Brothers Construction \$2,826.53; A-Z Shredding Inc. \$15.22

**EMERGENCY LINE:** Rushmore Communications \$330; Golden West Telecommunications \$1,697.98; Culligan Water \$40

Monthly Reports approved:

- Register of Deeds April 2021 statement of fees with \$200 collected in state fees, \$23,769 in county fees, and \$622 for SDACO fees for a total of \$24,591.
- The Auditor's report with the Treasurer for April 2021 as follows: Cash \$5,851.48; Checks/Drafts \$571,185.66; Petty Cash \$1,050; SD Fit \$520,413.59; 1<sup>st</sup> Interstate Bank checking \$964,612.36; 1<sup>st</sup> Interstate Bank Savings \$6,589,036.84; ED Jones MM \$272,726.80; 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 \$107,483.75; Sentinel CU Savings \$10,107.89; Highmark Investment \$154,402.71; Highmark Savings \$10,199.31; Highmark Checking \$5,000; Dacotah Bank Checking \$12,727.50; Dacotah Investments \$719,119.83; Ed Jones Investments \$2,696,808.57 for a total of \$12,740,682.65.

Custer County Sheriff's April 2021 report: \$20 fingerprinting; \$4 accident/accruing reports; \$57 basic concealed weapon permits; \$325 enhanced concealed weapon permits; \$30 gold concealed weapon permits; \$333.25 mileage; \$920 basic paper service; \$50 executions; \$10 CSO Ordered U/As fees; for a total of \$1,749.25.

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

**E. Highway**

1. Motion by Hindle and seconded by Hartman to approve the new hire of Steven Kay as a Permanent Full-Time Equipment Operator II starting May 3, 2021 at a wage of \$20.52 per hour; vote taken, all aye; motion carried.
2. Highway Superintendent, Jesse Doyle, gave an update on the Granite Heights/French Creek crossing. Hydrology and engineering studies have been completed with regard to past flooding issues. The cost to move the sewer pipe (that is buried on top of the culverts) and build a lift station are cost prohibitive to the members of the East Custer Sewer & Water District at this time. A discussion followed.

3. Doyle informed the commission that the North Fairburn Road is closed for a couple days as the railroad is improving the crossing. There is another entrance into the Town of Fairburn.
4. Doyle is working on applying for a grant from SD DENR for a 50% cost share to purchase a new truck.
5. County resident, Chuck Howe, inquired about process county follows to implement weight limits on county roads. Motion by Hindle and seconded by Bies to allow Howe to make one trip in and one trip out of his property on Little Italy Road; vote taken, all aye; motion carried.

**F. Planning**

1. Motion by Hartman and seconded by Bies to approve the Cell Tower Modification application from Crown Castle USA, Inc. to install a generator with base fuel tank on a concrete pad with fence expansion and gravel. The tower is located in Little Teton Subdivision, Lot 3, Located in NW4NE4 of Section 27, T3S, R4E, Custer County, SD; vote taken, all aye; motion carried.
2. Motion by Hindle and seconded by Bies to approve the Variance from Ordinance #2's setbacks from property line application from Kirk Hillman. Applicant built a 20' x 24' detached garage 11.4' from the property line; vote taken, all aye; motion carried.

**G. W.E.A.V.E.**

1. Motion by Bies and seconded by Linde to approve and authorize the chairman to sign the Certification of Local Government Approval for Non Profit Organizations Receiving ESG Funds From State Recipients for W.E.A.V.E. (Women Escaping a Violent Environment); vote taken, all aye; motion carried.

**H. Weed & Pest**

1. The commission acknowledged the completion of a six month employment probation by Mike Baldwin, Weed & Pest/Conservation Director and the position to be Full Time Permanent with all full-time county employee benefits.

**I. Sheriff**

1. Motion by Hartman and seconded by Hindle to approve the new hire of Megan Heggen as a Full-time Permanent Probationary Deputy Sherriff starting May 21, 2021 at a wage of \$21.69 per hour; vote taken, all aye; motion carried.

**J. Library**

1. The commission acknowledged the completion of a six month employment probation by Kate Shelton as Library Assistant and the position to be Full-Time (32 hours per week) with all full-time county employee benefits.
2. Library Director, Doris Ann Mertz, informed the commission of a grant she will be applying for technology improvements.

**K. Auditor**

1. Motion by Bies and seconded by Hindle to approve the Petition for the Organization and Incorporation of the Sunny Turkey Canyon Road District; vote taken, all aye; motion carried.

**PETITION FOR THE ORGANIZATION AND INCORPORATION OF THE  
SUNNY TURKEY CANYON 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 **SUNNY TURKEY CANYON 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 **SUNNY TURKEY CANYON 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 **SUNNY TURKEY CANYON 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:

- Broken Spur Subdivision – Lot 2 in SE4NE4 & SW4NE4 of Section 31, T2S, R7E
- Broken Spur Subdivision – Lot 3 in SE4NE4 & SW4NE4 of Section 31, T2S, R7E
- Broken Spur Subdivision – Lot 4 in SE4NE4 & SW4NE4 of Section 31, T2S, R7E
- Broken Spur Subdivision – Lot 5 in SE4NE4 & SW4NE4 of Section 31, T2S, R7E
- Broken Spur Subdivision – Lot 6 in SE4NE4 & SW4NE4 of Section 31, T2S, R7E
- Broken Spur Subdivision – Lot 7 in SE4NE4 & SW4NE4 of Section 31, T2S, R7E
- Broken Spur Subdivision – Lot 8 in SE4NE4 & SW4NE4 of Section 31, T2S, R7E
- Patrick Subdivision – Lot 1 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 2 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 3 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 4 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 5 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 6 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 7 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 8 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 9 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 10 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 11 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 12 in S2NW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 13 in N2SW4 of Section 32, T2S, R7E
- Patrick Subdivision – Lot 14 in N2SW4 of Section 32, T2S, R7E
- Perli Ranch Estates Subdivision – TR2 of Section 31, T2S, R7E
- NE4SE4 of Section 31, T2S, R7E
- NE4SW4 of Section 32, T2S, R7E

- NW4SW4 of Section 32, T2S, R7E
- SW4SW4 of Section 32, T2S, R7E
- SE4SW4 of Section 32, T2S, R7E

BHM, CUSTER COUNTY, SD

**L. Volunteer Fire Department**

1. The commission acknowledged the updated Volunteer Fire Department Roster from Buffalo Gap Volunteer Fire Department.

**M. Director of Equalization**

1. Motion by Bies and seconded by Hartman to approve the new hire of Jenna England as an Appraiser starting June 2, 2021 at a wage of \$13.89 per hour; vote taken, all aye; motion carried.
2. Director of Equalization, Leah Vissia, reviewed the qualifications of the Elderly Freeze Application. Vissia learned that when determining the value of the parcel, only 1 acre is used for the land value in cases where applicant owns more than one acre.

**N. 9:00 a.m. Public Hearing**

1. A public hearing was held for three new applications for Malt Beverage & SD Wine licenses. There was no one in attendance to either oppose or support the license applications. Motion by Hartman and seconded by Linde to approve the application from the Custer County Fair Association; vote taken, all aye; motion carried. Motion by Linde and seconded by Hindle to approve the application from the Buffalo Gap Blowout; vote taken, all aye; motion carried. Motion by Hindle and seconded by Linde to approve the application from Elk Haven Horse Camp new owners Joshua & Jacqueline Stuart; vote taken, all aye; motion carried.

**O. US Marshal's Security Officer and Judge Pfeifle**

1. Seventh Judicial Circuit Judge Craig Pfeifle and US Marshal Security Officer, Darin Swanston, reviewed the Custer County Courthouse Assessment that was completed on February 17, 2021. The assessment used the standard procedures in place to secure facilities that house components of the United States Courts. The conclusion of the assessment was that the Custer County Courthouse is a newer facility with modern and adequate security measures in place. The staff running the systems are knowledgeable of what is currently in place and how to properly utilize the security measures. The courts are well protected within. The suggestions made within the assessment are only made to enhance a very modern system, not to bring up a system that is severely lacking.

**P. Public Comment** – Chet Ellsworth presented to the commission on concerns with the American Rescue Act Fund.

**Q. Commission**

1. Mail call – Thank you card from Custer Senior Meals for county's monetary support.
2. Meeting Schedule – Fire Advisory Board meeting will be April 13<sup>th</sup> at 6:30 p.m.; Black Hills Association of County Commissioners and County Officials will hold a meeting April 14th

3. Meeting Reports – Commissioner Lintz attended a Fair board meeting.

**R. Old Business**

1. There was no old business presented to the commission.

**S. Adjourn**

Motion by Bies and seconded by Hindle to adjourn the meeting at 10:17 a.m. The next meeting will be at 8 a.m. May 26, 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 \_\_\_\_\_.