

Custer County Commission Meeting (Wednesday, May 26, 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 Hartman and seconded by Hindle to remove Item #2 under Planning and approve the agenda as amended; vote taken, all aye; motion carried.

C. Consent Agenda

1. Motion by Hindle and seconded by Bies to approve the minutes of the May 12, 2021 Commission meetings, minutes of the April 28th & 29th, 2021 County Board of Equalization, the following vouchers and travel requests; vote taken, all aye; motion carried.

Travel requests approved: Steve Esser to Mass Fatality Management for First Responders Course in Pierre, SD at a cost of \$174 and use of a county vehicle; Lindsey Luckett to USPAP Course in Pierre, SD at a cost of \$550 and use of a county vehicle; Sarah Myers & Thea Teasley to SD Library Training Institute in Aberdeen, SD at a cost of \$898.90 and use of a county vehicle.

Vouchers approved as follows:

PAYROLL: Pay Period ending 5/20/2021; Commissioners \$6,405.52; Auditor \$6,334.41; Treasurer \$10,307.70; Info Systems & Tech \$2,850.53; States Attorney \$12,744.83; Courthouse Building \$6,725.11; Director of Equalization \$12,834.31; Register of Deeds \$4,652.16; Veterans Service \$885.02; Human Resources \$2,130.30; Sheriff \$36,816.77; Coroner \$322.95; Nurse \$555.76; Library \$8,670.96; Conservation \$454.91; Weed & Pest Control \$3,336.50; Planning \$6,614.94; County Road & Bridge \$37,213.31; Emergency Management \$2,650.25; 24/7 Sobriety \$1,286.47; 911/Communications \$13,342.87

NON-DEPARTMENTAL: Jeffrey Mc Graw \$579.88; SD Attorney General \$571; SD Department of Revenue \$2,250

COMMISSIONERS: Pitney Bowes \$2,790

COURT: George Cameron \$110.20; Jessica Burns \$40.16

AUDITOR: SD Secretary of State \$30

TREASURER: Quill \$109.99

STATE'S ATTORNEY: Kayla Maruska \$54.40

COURT APPOINTED ATTORNEY: Garland Goff \$2,473.15

COURTHOUSE BUILDING: Black Hills Chemical \$299.97; Black Hills Industries \$178; Freeman's Electric Service \$668.04; Thyssenkrupp Elevator \$375

DIRECTOR OF EQUALIZATION: Steinley Real Estate Appraisals \$300

INFO TECHNOLOGY: Quill \$729.60

HUMAN RESOURCES: Division of Criminal Investigations \$43.25

SHERIFF: Black Hills Electric \$55.08; Southern Hills Tactical \$350; French Creek Supply \$40.97; Fedex \$15.37; Galls LLC \$1,576.20; Innovative Office Solutions \$2.64; L.N. Curtis & Sons \$36.85; Sonnel Technologies \$650; Axon Enterprise \$522; Battle Mt Humane Society \$1,000

CORONER: Clinical Lab of the Black Hills \$2,032; Regional Health Client Billing \$2,493

PRISONER CARE: City of Rapid City \$80; Correct RX Pharmacy \$75.77; Pharmchem \$57.10; South Dakota Public Health Laboratory \$80; Bob Barker Company \$99.62; Redwood Toxicology Lab \$97.50

SEARCH & RESCUE: Frontier Precision \$534; Lynn's Dakota Mart \$79.99; Brian Carrico \$18.21; Dunham Repair \$1,195.75

AIRPORT: Custer Do It Best \$27.18; Westmor Fluid Solutions \$745.18; Airport Lighting Company \$806

SUPPORT OF POOR: Rapid City Emergency Services \$102.20

MENTALLY ILL: Pennington County Public Defender's Office \$58

MENTAL HEALTH CENTER: New Trails Ministry \$600

LIBRARY: Aramark \$202; Northern State University \$200; Century Link \$16.39

EXTENSION: Erin McGlumphy \$474.81; Amy Rhoads \$25.20

WEED & PEST: Black Hills Electric \$131.10; French Creek Supply \$4.58; Custer Ace Hardware \$17.98; Western Mailers \$3,296.89

COUNTY ROAD & BRIDGE: Black Hills Electric \$1,526.32; Butler Machinery \$11,360.76; Custer Do It Best \$28.29; Floyd's Truck Center \$653.69; French Creek Supply \$41.49; Godfrey Brake \$124.65; Lynn's Dakota Mart \$25.14; Brosz Engineering \$615; Kieffer Sanitation \$182.85; Servall Towel & Linen \$116.52; Acuity Specialty Products \$122.82; All Traffic Solution Inc. \$2,825; Culligan Water \$53; Century Link \$16.39; Matco Tools \$106.45; Nelson's Oil & Gas \$3,443.86; CBH Cooperative \$3,336.25; Dakotaland Auto Glass \$500

EMERGENCY MANAGEMENT: Rushmore Communications \$110

STATE GRANTS-GENERAL GOVERNMENT:

BUILDING: Black Hills Electric \$712.42; Cummins Sales and Service \$501.32

EMERGENCY LINE: Powerphone \$2,502; Pheasantland Industries \$14.34

D. Conflict of Interest Declarations – Commissioner Lintz declared a conflict of interest with the Malt Beverage Renewal Application from Lintz Brothers Pizza and Commissioner Hartman declared a conflict of interest with the Malt Beverage Renewal Application from Wheels West RV Park.

E. Planning

1. Motion by Hartman and seconded by Linde to approve the Final Plat of Baumann Tract 1 and Baumann Tract 2 of Tract Baumann of Loutzenhiser Subdivision & H.E.S. #649 Located in the SE4NE4 of Section 11 and the SW4NW4 of Section 12, T3S, R3E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.

F. Emergency Management

1. Emergency Management Director Steve Esser discussed issues with the emergency sirens that failed on Sunday, May 23, 2021 for the tornado event that occurred in Custer County. The electricity failed and the generator did not work and therefore the sirens did not get activated. Esser is looking into a solution as well as having a back-up plan for this type of event.

G. Communications

1. Motion by Hartman and seconded by Bies to approve the new hire of Mackenzie Miller as Full-Time Permanent 911 Dispatcher starting June 6, 2021 at a wage of \$18.08; vote taken, all aye; motion carried.

H. Equalization

1. The commission acknowledged the completion of a six-month employment probation by Tara Haswell, Appraiser and the position to be classified as full-time permanent with employee eligible for all full-time county benefits.
2. Motion by Linde and seconded by Hindle to approve the promotion of Ronald Remley and Tara Haswell to Certified Appraiser effective May 18, 2021 with a wage of \$14.88 per hour; vote taken, all aye; motion carried.

I. Airport

1. Motion by Hartman and seconded by Hindle to approve and authorize the chairman to sign the Custer County Airport Private Hangar Ground Lease Agreement between Custer County Airport and Charles T. Patterson and Margaret M. Prah for Hangar #9; vote taken, all aye; motion carried.
2. Motion by Bies and seconded by Linde to approve and authorize the chairman to sign the Custer County Airport Private Hangar Ground Lease Agreement between Custer County Airport and Paul Gavic of Copper Mountain Ranch Aviation LLC for a 15 year lease for the construction of a new hangar consisting of 4,500 square feet; vote taken, all aye; motion carried.

J. 1881 Courthouse Museum

1. Museum Board Member, Rick Wheeler, introduced Jeanie Kirkpatrick as the new Director for the Museum. Wheeler also reported that the lighting project has been completed and

currently a contractor is in the process of painting the museum which Wheeler estimated to be 40% completed.

K. Volunteer Fire Department

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

L. Library

1. The commission acknowledged the Grant Application submitted by the Custer County Library for technology improvements.
2. Motion by Hartman and seconded by Bies to approve the purchase of \$16,340 with the payment to be funded by the Building Fund; vote taken, all aye; motion carried.

M. SD Human Services

1. Commissioner Hindle reported that the State of South Dakota Department of Human Services is needing a small office space to relocate to when their current lease expires. Motion by Bies and seconded by Linde to authorize Commissioner Hindle to work with the Veteran Service Office to develop a small office space in the current Veteran Service Office in the Annex Building to accommodate the SD Department of Human Services with the State of South Dakota incurring the cost to construct partitions for the office space; vote taken, all aye; motion carried.
2. Discussion was held on the Human Resource being involved in the hiring process of all potential Custer County Employees. The commission instructed Susan Anderson, Commission Legal Counsel, to draft an amendment to the current Custer County Employee Handbook to address this.

N. Auditor

1. Motion by Hindle and seconded by Linde to approve the following Malt Beverage & SD Farm Wine Renewal Licenses:
 - Custer County Fair Association – Part of Outlot D of Section 32, T2S, R8E, B.H.M., Custer County, South Dakota
 - Legion Lake Resort - Custer State Park all Section 25, T3S, R5E, B.H.M., Custer County, South Dakota
 - Sylvan Lake Resort – Custer State Park all Section 30, T2S, R5E, B.H.M., Custer County, South Dakota
 - Blue Bell Lodge – Custer State Park balance of Section 11, T4S, R5E, B.H.M., Custer County, South Dakota
 - Wolf Camp – TRB of Halley Ranch Subdivision and Pipeline Easement in NE4NE4 of Section 35, T2S, R6E, B.H.M., Custer County, South Dakota
 - Spokane Creek Campground and Cabins – Spokane Creek Subdivision Lot 1 in S2NW4 of Section 35, T2S, R6E, B.H.M., Custer County, South Dakota
 - Custer/Mt Rushmore KOA – Nelson Tr in SW4SW4 and Lot K of Lot G & F (Less Hwy R/W) of Section 33, T3S, R4E, B.H.M., Custer County, South Dakota.
 - Big Pine Campground – Lot 2 of Tract B of N2NE4 of Section 33, T3S, R4E, B.H.M., Custer County, South Dakota

- Battle Creek Post #303 – North Corral Subdivision Lot Legion in S2SE4SE4 of Section 29, T2S, R8E, B.H.M., Custer County, South Dakota
- Wheels West RV Park – Svoboda Tr (pt of Dawson Tr A pt of Richardson PL#724) of Sections 20 & 20, T3R, R5E, B.H.M., Custer County, South Dakota
- Boyd’s World Famous Antiques and Uniques, LLC – Boyd Subdivision Lot 1R of HES #316 in SE4 of Section 33, T2S, R4E, B.H.M., Custer County, South Dakota
- Ft Welikit Family Campground – Chard Subdivision Tract Revised of Tract A in SW4SE4 of Section 13 & NE4 & balance of Gov’t Lots 16 & 17 in Section 24, T3S, R4E, B.H.M., Custer County, South Dakota
- Heartland RV Park & Campground - HJW Subdivision Lot 1 in E2E2 of Section 6, T3S, R8E, B.H.M., Custer County, South Dakota
- Lintz Brothers Pizza – HJW Subdivision Lot 2 in E2E2 of Section 6, T3S, R8E, B.H.M., Custer County, South Dakota
- BJS Hermosa – McDowell Subdivision Lot B of Lot 1 of Section 6, T3S, R8E, B.H.M., Custer County, South Dakota

Vote taken; all aye except Lintz abstained from Lintz Brothers Pizza application and Hartman abstained from Wheels West RV Park application; motion carried.

O. Public Comment – Chet Ellsworth addressed the commission with concerns on the American Recovery Act Funds; Monica McGowan reported on the formation of the Committee/Study Group to address the tax issues in Custer County that was agreed upon at the April 28, 2021 Commission Meeting. LeaAnne McWhorter is heading up the group and they have had one very productive meeting with another scheduled for June 3, 2021 at 3p.m. and will be held in the Custer County Commission Room of the Custer County Courthouse.

P. Commission

1. Mail call – There was no mail call for the commission.
2. Meeting Schedule – There are no upcoming meetings for the commission.
3. Meeting Reports – Commissioner Linde attended a Solid Waste Board meeting.
4. The commission had discussion on the upcoming marijuana laws that will go into effect on July 1, 2021. Commission Legal Counsel Susan Anderson reported she had spoken with Custer County States Attorney Tracy Kelley and the recommendation was to develop a temporary resolution to withhold any licensing for the marijuana until more information is received from the State of South Dakota. The commission instructed Anderson to present a resolution at the next commission meeting.

Q. Old Business

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

R. Executive Session

1. Motion by Bies and seconded by Hindle to go into Executive Session pursuant to SDCL 1-25-2(1) and SDCL 1-25-2(3). Executive Session started at 9:25 to discuss personnel and consult with legal counsel and concluded at 10:28 a.m.

S. Actions Taken By Commission Outside of Executive Session

1. Motion by Bies and seconded by Hindle to approve the restructure of the Planning Office to include the elimination of the Part-Time Planning Engineer position and staffing to include a Full Time Permanent Planning Director, Full Time Permanent Deputy Planner, Permanent Part Time Engineer and Permanent Full Time Planning Technician; vote taken, all aye; motion carried.

T. Adjourn

Motion by Hindle and seconded by Linde to adjourn the meeting at 10:29 a.m. The next meeting will be at 8 a.m. June 9, 2021 in the Commissioner’s Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest:
Terri Cornelison, Custer County Auditor

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