

Custer County Commission Meeting (Wednesday, July 28, 2021)

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Craig Hindle, Travis Bies and States Attorney Tracy Kelley.

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 to add approval to advertise for County Legal Counsel position under Item O. Old Business and approve the agenda as amended; vote taken, all aye; motion carried.

C. Consent Agenda

1. Motion by Hindle and seconded by Linde to approve the minutes of the July 14, 2021 Commission Meeting, minutes of the July 21, 2021 Special Commission Meetings, the following vouchers and travel requests; vote taken, all aye; motion carried.

Travel requests approved: Alan Dubbelde to State 24/7 Training in Oacoma, SD, at a cost of \$250.30
Vouchers approved as follows:

PAYROLL: Pay Period ending 7/20/2021; Commissioners \$6,409.08; Auditor \$8,077.90; Treasurer \$10,327.91; Info Systems & Tech \$2,986.44; States Attorney \$12,744.82; Courthouse Building \$6,690.45; Director of Equalization \$13,671.52; Register of Deeds \$4,574.85; Veterans Service \$1,276.09; Human Resources \$2,130.30; Sheriff \$41,844.68; Coroner \$322.95; Nurse \$686.08; Library \$8,597.26; Conservation \$454.91; Weed & Pest Control \$5,246.82; Planning \$6,783.34; County Road & Bridge \$36,180.85; Emergency Management \$2,708.38; 24/7 Sobriety \$1,357.10; 911/Communications \$15,654.86

COMMISSIONERS: CNA Surety \$172

AUDITOR: Quill \$129.45

STATE'S ATTORNEY: Rapid City Police Department \$60; The Lodge at Deadwood \$329

COURTHOUSE BUILDING: Custer Ace Hardware \$21.97

DIRECTOR OF EQUALIZATION: Quill \$4.49

INFO TECHNOLOGY: Golden West Technologies \$535.56; Quill \$729.60

HUMAN RESOURCES: Division of Criminal Investigation \$43.25; Gunderson Palmer Nelson Ashmore LLP \$10.62; Evergreen Office Products \$46.59

SHERIFF: Black Hills Electric \$62.68; McLeod's Printing \$60.61; Sherry Weber \$51; Custer Ace Hardware \$24.99; Survival Armor \$462.08; Dale's Tire & Retreading \$737; Great Western Tire \$490.88; Battle Mt Humane Society \$1,000

PRISONER CARE: City of Rapid City \$240; Pennington County Jail \$45.40; Redwood Toxicology Lab \$105.49

SEARCH & RESCUE: City of Custer \$67.66; Lynn's Dakota Mart \$106.46

AIRPORT: Epic Aviation \$14,608.74; MG Oil Company \$8,637.65

MENTALLY ILL: Lewis & Clark BHS \$184; Dean Schaefer \$30

MENTAL HEALTH CENTER: New Trails Ministry \$300

LIBRARY: Century Link \$15.48

EXTENSION: Erin Mc Glumphy \$686.07

WEED & PEST: Black Hills Electric \$62.23; French Creek Supply \$17.46; Nutrien Ag Solutions \$2,236.05

COUNTY ROAD & BRIDGE: A & B Welding \$113.79; Black Hills Electric \$773.78; Butler Machinery \$997.20; Dakota Battery & Electric \$259.86; Floyd's Truck Center \$720.50; French Creek Supply \$1,000.54; Fastenal Company \$35.17; Interstate Batteries \$287.90; Inland Truck Parts \$191.52; Menards \$329.99; Quill \$112.36; Servall Towel & Linen \$246.66; Rosane Construction \$45,525.19; Snap on Tools \$150.74; Black Hills Gravel \$22,015; Team Laboratory \$13,406; Running's Supply \$628.15; Century Link \$18.63; Nelson's Oil & Gas \$597.49; Advanced Drug Testing \$197; Diamond D Diesel \$862.50; Forward Distributing \$41.40

EMERGENCY MANAGEMENT: Riverside Technologies \$1,625.08; Ramkota Hotel \$98

24/7 SOBRIETY: Dash Medical Gloves \$419.80

BUILDING: Black Hills Electric \$505.02; Black Hills Energy \$750.79; Custer City \$143.26; North Central Supply \$540

TREASURER'S TRUST: SD Department of Revenue \$75

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

E. Planning

1. Motion by Hartman and seconded by Linde to approve the Final Plat of Blome Tract, Located in the NW4SE4 of Section 10, T6S, R9E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.
2. Motion by Linde and seconded by Hindle to approve the Final Plat of Lot 1 and Lot 2 of Dreamcatcher Place Subdivision, Located in the SW4 of Section 7 and the NE4NW4 of Section 18, T4S, R4E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.

3. Motion by Hindle and seconded by Bies to approve the new hire of Brandon DeNoma as a Permanent Full-Time Planning Technician starting July 19, 2021 at a wage of \$14.88 per hour; vote taken, all aye; motion carried.

F. Emergency Management

1. Emergency Management Director Steve Esser reported on an estimate he received from GenPro Solutions for the modification of the generator mount and replacement insulation separator panel at Cicero Peak for \$2,113.51. Esser stated that funds were available through the Emergency Management 2021 Budget to cover this cost.
2. A Pre-Rally meeting was held at the Custer County Search & Rescue building on July 22nd. Estimates for rally attendance this year are high, including a potential for up to 1 million people.

G. Airport

1. Motion by Hartman and seconded by Hindle to approve Amendment Number 1 to the Custer County Airport Management Contract; vote taken, all aye; motion carried.

**AMENDMENT NUMBER 1
TO THE
CUSTER COUNTY AIRPORT MANAGEMENT CONTRACT**

This Amendment Number 1 (“Amendment #1”) to the Custer County Airport Management Contract, dated February 9, 2019, (the “Airport Contract”) is approved by the Custer County Commission on this 28th day of July, 2021.

The Airport Contract shall be amended as follows:

Section 1, subsection H: Add the following sentence:

For the year starting 2022, the County shall pay the Manager \$3,850.00 per month (\$46,200.00 annually).

H. Request from Fall River County

1. Fall River County has requested Custer County to contribute to the Hot Springs Elderly Meals Program as they are delivering meals to Buffalo Gap residents. Consensus of the commission was to include this request in the next 2022 budget discussion.

I. Custer County Volunteer Fire Department

1. Motion by Bies and seconded by Hindle to include Buffalo Gap Fire Department in the disbursement of the remaining assigned funds that was approved at the June 23, 2021 Custer County Commission Meeting and to issue a check for \$28,570 to the Buffalo Gap Fire Department with the funds to come out of the \$100,000 assigned for the fire study; vote taken, all aye; motion carried.

J. Liquor Licenses – SDCL 35-4-11.1

1. Auditor Terri Cornelison presented information on Senate Bill 152, which amended SDCL 35-4-11.1 regarding the number of on-sale and off-sale liquor licenses that a county may issue each year. The county has until September 2nd to determine the number of on-sale and off-sale liquor licenses that it will approve for the next year as well as the fees charged for the various classes of licenses. More research needs to be done and this item will be placed on a future commission agenda.

K. Public Comment – Chet Ellsworth presented to the commission regarding the American Rescue Act committee that was formed at the July 14, 2021 Commission Meeting and has submitted a formal request to be placed on the agenda for the August 11, 2021 Commission Meeting. LeaAnne McWhorter gave an update on the Committee/Study Group to study tax issues in Custer County. They will meet at the Custer County Courthouse on Thursday, July 29, 2021 at 3p.m. in the Commission Room.

L. 8:30 a.m. Public Hearing

1. A public hearing was held for a New Cell Tower Application from Earl & Stacey Sallee with a tower to be located on N2N2 of Section 11, T4S, R1E, B.H.M., Custer County, South Dakota. There was no one in attendance to either oppose or support the petition. Motion by Hartman and seconded by Hindle to approve the Cell Tower Application; vote taken, all aye; motion carried.

M. Custer County Volunteer Fire Department

1. Buffalo Gap Fire Chief, Randy Schroth, gave an update on the Buffalo Gap Fire Department. Frank Schroth has stepped down as Fire Chief and Randy Schroth has taken that position. Needs for the fire department include PPE equipment and training for new members. The department has several new members on the Volunteer Fire Department Roster.

N. Commission

1. Mail call – There was no mail call
2. Meeting Schedule – There were no upcoming meetings
3. Meeting Reports – The Custer County Fair will be held August 12 – 15, 2021
4. American Rescue Act update – Steve Esser and Todd Fish gave the commission an update on the research they had done in regards to the American Rescue Act Funds that are available to the county. Esser and Fish would like to speak to the commission again at the August 11, 2021 Commission Meeting, to allow the commission time to review the information that was given to them.

O. 9:00 a.m. Public Hearing

1. A supplemental budget hearing was held at 9:00 a.m. in the Custer County Courthouse, Custer, SD, at which time no interested persons appeared. Motion by Linde and seconded by Hartman

to approve the following supplements with means of finance to come from the General Fund Balance Unassigned Reserve; vote taken, all aye; motion carried.

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|---------------|-------------|
| Mental Health | \$ 500.00 |
| Museum | \$82,000.00 |

P. Old Business

1. Don Peterson from Southern Black Hills Water and Casey Brazell from Argyle Fire Department presented to the commission on Lot 35 of Desperado Ranch Subdivision, Located in Section 9, T6S, R4E, B.H.M., Custer County, South Dakota. At the June 23, 2021 Commission Meeting, the Real Property Charitable Donation Agreement was signed between Gold Rush Ranch and Custer County. The deed to donate the land to Custer County has not been filed yet. Peterson and Brazell spoke on the plans for Southern Black Hills Water and the Argyle Fire Department to utilize the lot after it is deeded to Custer County.
2. Motion by Hartman and seconded by Linde to approve the new job description and authorize the advertisement for the Commission Legal Counsel position with the possibility of the position being either Permanent Full-Time or Permanent Part-Time at a wage of \$32.54 - \$43.73 per hour; vote taken, all aye; motion carried.

Q. Auditor's Office

1. Motion by Bies and seconded by Linde to go into Executive Session pursuant to SDCL 1-25-2(1); vote taken, all aye; motion carried. Executive Session started at 9:22 a.m. to discuss personnel and concluded at 9:56 a.m. with no action taken.

R. Old Business

1. Judge Craig Pfeifle presented to the commission in regards to the revisiting of rescinded Resolution 2020-18 Resolution to Allow Possession of Firearms in or on the Courthouse and County Properties in Custer County. The public in attendance gave testimony. Motion by Hartman and seconded by Bies to reinstate Resolution 2020-18; vote taken: Aye – Hartman, Nay – Linde, Hindle and Bies; motion failed.

S. Adjourn

Motion by Hartman and seconded by Linde to adjourn the meeting at 10:46 a.m. The next meeting will be at 9 a.m. August 3, 2021 in the Commissioner's Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest:
Terri Cornelison, Custer County Auditor

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