

Minutes of the Custer County Commission Meeting (Wednesday, December 8, 2021)

Members present:

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

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

B. Adopting of the agenda

Anderson asked the Commission to amend the Agenda as follows:

a) Add No. 3. Item to Search and Rescue – Real Estate Update with City of Custer

Motion to amend and approve Agenda made by Linde; seconded by Hartman; vote taken, all Aye; motion carried.

C. Consent Agenda

Travel requests approved: None

Vouchers approved as follows:

PAYROLL: Pay period ending 12/5/2021: Commissioners \$6,380.56; Auditor \$4,644.24; Treasurer \$12,424.99; Info Systems \$3,054.39; State's Atty \$12,657.79; Courthouse Bldg \$17,019.76; Equalization \$11,223.58; Register of Deeds \$4,427.83; Veteran's Services \$1,183.47; Human Resources \$2,096.49; Sheriff \$40,611.77; Coroner \$322.95; Nurse \$521.27; Library \$8,434.45; Conservation \$454.92; Weed & Pest \$1,819.62; Planning \$7,153.22; County Road & Bridge \$31,623.83; Emergency Management \$2,465.05; 24/7 Sobriety \$1,099.58; Emergency Line \$14,941.88.

COMMISSIONERS: Verizon \$88.60; Fleet 32.38; Southern Hills Publishing \$179.96; SDML Worker's Comp \$321; Laughing Water \$2,253.46; Golden West Telecom \$28.30; Gunderson, Palmer \$1,075.28;

COURT APPOINTED ATTY: Justin O'Neill \$1,830.31; Skinner Law \$161.10; Garland Goff \$492.90
Angela Colbath \$1,779.70

AUDITOR: A&B Business \$667.26; SDML Worker's Comp \$268; Golden West Telecom \$112.60; Tracy Fish \$1,608.00

TREASURER: A&B Business \$518.87; SDML Worker's Comp \$268; Golden West Telecom \$140.74

STATE'S ATTORNEY: A&B Business \$205.72; Amazon \$216.43; News West \$69.77; Koeze \$344.94; Southern Hills Publishing \$43.49; Paul Bachand \$840; SDML Worker's Comp \$354; LexisNexis \$359; Golden West Telecom \$140.74; State Bar of SD \$1,115.

COURTHOUSE BUILDING: Verizon \$41.95; Fleet \$32.38; Walmart \$136.78; BHC \$278.32; Lynn's Dakotamart \$12.36; Cabela's \$46.81; Uline \$68.48; Rugs \$138.00; Sam's \$191.42; SDML Worker's Comp \$4,350; Golden West Telecom \$28.15

DIRECTOR OF EQUALIZATION: A&B Business \$102.37; Fleet \$16.19; Quill \$21.87; Quill (-\$48.87); SDML Worker's Comp \$2,493; Golden West Telecom \$168.89

REGISTER OF DEEDS: A&B Business \$102.36; Quill \$11.49; SDML Worker's Comp \$107; Golden West Telecom \$56.30

VETERANS SERVICES: A&B Business \$66.21; SDML Worker's Comp \$54; Golden West Telecom \$28.15

INFO TECHNOLOGY: SDML Worker's Comp \$161; Golden West Telecom \$56.30; Golden West Technologies \$7,668.51; Pitney Bowes \$462.57

SHERIFF: A&B Business \$214.78; Verizon \$496.45; Lexis \$95; FedEx \$20.20; Amazon \$21.99; BHEC \$93.46; Pennington County Sheriff \$105; S&B Motor Parts \$574.42; SDML Worker's Comp \$13,590; Liberty Superstores \$1,865.64; Custer Ace Hdwe \$22.48; Golden West Telecom \$403.22; Great Western Tire \$127.66; Creative Product \$1,421.09; Anderson Auto \$124.

PRISONER CARE: Kevin Kirschenmann \$100; SD Public Health \$290; Satellite Tracking \$97.50; Linda Nohr \$75.

AIRPORT: Brenden Hendrickson \$3,766.66; SDML Worker's Comp \$859; Golden West Telecom \$113.50

ELECTION: Election Systems \$5,095

HUMAN RESOURCES: Verizon \$10.02; Amazon \$939.27; Div Criminal Investigation \$43.25; Golden West Telecom \$28.15; Evergreen \$50.53

SEARCH & RESCUE: Dunham \$1,780.34; Target \$54.17; Frntr Hdwe \$52.97; S1 \$602.71; Cascade \$600.22; Menards \$184.17; Custer City \$67.66; WesDak Welding \$95; Rushmore Communications \$64,113.20; SDML Worker's Comp \$722; Golden West Telecom \$95.95

LIBRARY: Queenboro \$238.56; Amazon \$2,865.15; Demco \$492.62; Mt. Rushmore Telephone \$134.06; SDML Worker's Comp \$428; Golden West Telecom \$115.95

CULTURE/RECREATION: Kim Horkey \$248.29

EXTENSION: A&B Business \$171.00; SDML Worker's Comp \$54; Golden West Telecom \$119.69; Fall River County \$1,784.17

FAIR: Custer County Fair Assn \$8,000

WEED & PEST: Fleet \$32.38; A&B Business \$170.68; French Creek Supply \$58.10; Dave Reyelts \$558.73; SDML Worker's Comp \$2,111; Custer Ace Hdwe \$54.99; Nutrien Ag Solutions \$3,251; Golden West Telecom \$28.15

PLANNING: Verizon \$46.95; Fleet \$16.19; A&B Business \$209.54; Hotel \$220.01; Laughing Water \$351.82; Southern Hills Publishing \$297.11; SDML Worker's Comp \$2,052; Golden West Telecom \$112.60

COUNTY ROAD & BRIDGE: A&B Business \$202.22; Fleet \$372.37; Amazon \$34.43; Kennedy \$608; A&B Welding \$11.78; BHEC \$74.88; Truenorth Steel \$16,215; Floyd's Truck Center \$2,775.67; French Creek Supply \$29.99; Fastenal \$324.62; Quill \$55.76; SD Federal Property \$32; SD Highway Supt Ass'n \$350; SDML Worker's Comp \$22,520; Town of Buffalo Gap \$61; Snap On Tools \$102; Golden West Telecom \$218.42; Running's Supply \$115.95; Matco Tools \$450; Advance Drug Testing \$35; Western Tire \$322.15; Forward Dist \$50.15; Northern Truck Equipment \$453.

EMERGENCY MANAGEMENT: Verizon \$46.95; Lynn's \$18.86; Adobe \$191.57; Do It Best Hdwe \$20.22; Golden West Telecom \$44.54;

FIRE PROTECTION: Argyle Fire \$11,000; Buffalo Gap Fire \$5,000; Custer Fire \$36,500; Dewey Fire \$2,500; Folsom Fire \$5,750; Highlands Fire \$7,500; Pringle Fire \$8,000; SDML Worker's Comp \$6,090

MENTAL HEALTH: New Trails Ministry \$600.

MENTAL ILLNESS BOARD: Garland Goff \$799.80

BUILDING: Hillyard \$127.42; Summit \$45; Walmart \$133.12; Menard's \$140.45; Custer City \$124.36; Custer Ace Hdwe \$96.13

EMERGENCY LINE: A&B Business \$228.50; Range \$25.78; SDML Worker's Comp \$556; Pheasantland Industries \$110.75; Golden West Telecom \$556.79

FOOD PANTRY: Custer Storehouse \$875

NURSE: SD Dept Health \$1,362.25; SDML Worker's Comp \$127.

24/7 SOBRIETY: SDML Worker's Comp \$803

D. Conflict of Interest Declarations -None

E. Highway

1. Highway Superintendent, Jesse Doyle, requested Commission approval to advertise a full-time position. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

2. Superintendent Doyle recommended approval of ROW occupancy permit application from Mt. Rushmore Telephone Company for extension of fiber optic on Dewey Road. This original application had been previously approved, but Golden West has extended the distance of the project. Motion to approve Golden West's request made by Hartman; seconded by Bies; vote taken, all aye; motion carried.

3. Superintendent Doyle recommended approval of ROW occupancy permit application from Mt. Rushmore Telephone Company for installation of fiber optic cable along Cobb Road. Motion to approve Mt. Rushmore Telephone Company's request made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

Superintendent Doyle noted that he doesn't foresee the ROW applications to slow down as there are several large projects of this nature in the new future.

F. Search & Rescue

1. Sam Smolnisky requested Commission approval of a purchase agreement from Sturgis Motorsports for the purchase of two 2022 Yamaha Kodiak 700 ATVs. He advised the Commission that these units are difficult to find, but Sturgis Motorsports was able to locate them, and by using government pricing, saved approximately \$2,000 on the purchase. Sturgis Motorsports requested that the Commission Chairman sign the Agreement before proceeding. Smolnisky also requested a future budget supplement for this purchase, with the funds being supplied from recent auction proceeds for the sale Search & Rescue equipment. Hartman moved to approve signing the proposed purchase agreement; seconded by Hindle; vote taken, all aye; motion carried.

2. Smolnisky presented an updated Search & Rescue Member Roster, which was acknowledged by the Commission.

3. Commissioner Hindle and Smolnisky attended the City of Custer's Council meeting at City Hall, where it was agreed that the City of Custer would donate property to Custer County and Custer County would provide the \$75,000 that has been reserved for the purchase of this land to be used toward the West Dam Project. It was noted there is a need for a survey of said property and Hindle requested approval for the survey to be conducted was made. Motion to authorize Hindle to contact Anderson Engineering to perform the survey; seconded by Linde; vote taken, all aye; motion carried.

G. Planning

1. Planning Director, Terri Kester, updated the Commission on the Shaw ROW Vacation. She stated that she had conferred with Tracy Kelley, State's Attorney, and was advised that this is a civil matter and that Custer County cannot vacate a private access. Kester recommended that the matter be tabled. Motion to table made by Hindle; seconded by Bies; vote taken, all aye; motion carried.

H. Sheriff's Department

1. Sheriff Marty Mechaley requested that the Commission approve a law enforcement contract between Custer County and the Town of Hermosa, which currently has no full-time law enforcement officers. He noted that the contract for six months is \$21,000. and is in addition to the \$8,000 dispatching contract. He stated that the Town of Hermosa is unsure at this point which direction they will go as far as law enforcement coverage. Hermosa currently has one uncertified part-time officer, since the revocation of Marshall Daggett's certification. Mechaley informed the Commission there would be continued coverage in Hermosa regardless if the town decides to provide its own coverage in the future, and that Custer County deputies currently respond to a number of calls in that area. Motion to approve contract by Hartman; seconded by Bies; vote taken, all aye; motion carried.

2. Lt. McMillin requested the following budget supplements; noting that these funds would be from grant reimbursements of monies already spent:

- a) \$2,778 from 101-342.90 to 255-4-255-435.10
- b) \$15,395.81 from 234-334.40 to 101-4-211-411.00
- c) \$6,869.40 from 226-331.23 to 101-4-211-429.00
- d) \$3,192 from 101-331.05 to 101-4-216-422.60

Motion to approve supplements by Hartman; seconded by Bies; vote taken, all aye; motion carried.

I. Communications

1. Lt. Steve McMillin presented an update on the Zetron dispatch system and noted that the terminal that has failed is non-repairable. The current system was put into service in approximately 2008 and has become obsolete, as well as beginning to fail. Sheriff Mechaley stated that the County needs to update and upgrade its 911 systems in order to stay ahead. McMillin provided a financing quote from Zetron for a new 911 console upgrade; the proposal allows for \$7,500 trade-in value for the old equipment; total cost of a new system being \$184,482.60. \$53,121.26 in State 911 funds are available to Custer County, as well, once the monies are spent. Zetron offers a financing structure, broken down into either three or five annual payments. There was discussion among the Commissioners as to whether or not the county should accept the financing terms, but it was decided that it would be best to use existing county funds and avoid financing fees. It was also noted that if Custer County utilizes the financing option, Homeland Security Grant funds could not be used. Finance Officer McLaughlin inquired if the system could be paid for within the 2021 budget and Commissioner Bies suggested that the county wait until the 2022 budget year. Mechaley stated he expects to be able to reimburse the general fund approximately \$180,000 with funds leftover in his current budget to help with expenditures related to the 911 system. McMillin stated that he is unsure whether or not the current system will hold up until the new system is put into place. Motion to approve contract and purchase the proposed Zetron 911 system made by Hartman; seconded by Bies; vote taken, all aye; motion carried.

2. Lt. McMillin requested the Commission acknowledge the resignation of 911 dispatch trainee, Josephine Jeffs, effective November 19, 2021.

3. Lt. McMillin requested the Commission acknowledge the resignation of 911 dispatcher, Leslie Skinner, effective December 20, 2021. McMillin stated that Skinner had amended the time frame from her previous resignation letter.

4. Request to advertise for open positions was made; McMillin told the Commission that more staff is needed to keep up with the demand of incoming calls. The Communications department would like to keep 8 full-time positions. Motion to advertise positions made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

J. County Nurse

1. Legal Counsel Anderson presented and requested approval of Consultant Contract between State of SD and Custer County for Provision of Community Health Services. The proposed contract is essentially the same as the current contract, with \$5,580 in annual payments (\$1395 quarterly). Motion to renew contract made by Bies; seconded by Hindle; vote taken, all aye; motion carried.

2. HR Director, Tim Holland, informed the Commission the current nurse is on maternity leave, and the nurse's secretary has put in her resignation, but is willing to stay on until a replacement is found. The position has not yet been posted.

K. Auditor

1. Finance Officer, Dawn McLaughlin, requested a half-day paid holiday for employees on December 23, 2021. She stated that employees have always had a half-day on Christmas Eve, but because of how the Holiday falls on the calendar this year, and in keeping with how the State recognizes the Holiday, she suggested that the County adjust the time, as well. Motion to approve by Bies; seconded by Hindle; vote taken, all aye; motion carried.

L. Treasurer

1. Finance Officer McLaughlin presented the Delinquent Real Estate Tax List and the Delinquent Mobile Home Tax List; both of which will be published in the Custer County Chronicle on December 15, 2021. She stated that the list will be edited before publication as payments are made.

2. McLaughlin stated that the Tax Certificate Auction will take place in the Commission Room on December 20, 2021. There is currently a non-refundable County fee of \$50/per certificate purchased, in addition to the price paid for each certificate. The auction was acknowledged by the Commission.

M. Public Comment

1. Monte Hartle, Custer Chamber of Commerce Executive Director, introduced himself to the Commission.

2. Lea McWhorter informed the Commission that District Representative, Tim Goodwin, has put out the call for citizens to testify at the January Committee meeting in Pierre in favor of the West Dam project. Hindle requested that Lea keep the Commission apprised of the hearing.

N. Commission

1. Mail call –

a) McLaughlin presented a letter from the Custer Ministerial Alliance and Custer Storehouse reporting on current projects within the community. McLaughlin requested that the Commission donate \$2,000 to offset expenses. It was stated that the City of Custer also donates monies to the Alliance. Motion to donate \$2,000 made by Bies; seconded by Hindle; vote taken, all aye; motion carried.

2. Meeting Schedule – None

3. Meeting Reports –Commissioners Hartman and Hindle met with Custer Mayor Brown to discuss various local topics.

4. Correct clerical error in the November 10, 2021 Commission Minutes as follows: Under the 9:30 AM Public Hearing, line 1, DELETE: “Resolution 2021-21: Sara Wanke” and insert “Resolution 2021-20: Sara Warnke. Motion to correct by Linde; seconded by Bies; vote taken, all aye; motion carried.

O. Executive Session

1. Motion by Bies and seconded by Hindle to enter into executive session pursuant to SDCL 1-252(1) personnel; vote taken, all aye; motion carried. Executive Session began at 8:50 AM and concluded at 10:10 AM. There were no actions taken out of executive session.

P. Adjourn

Motion by Linde and seconded by Hindle to adjourn the meeting at 10:12 AM. The next meeting will be at 8:00 AM, December 22, 2021 in the Commissioner’s Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest: -----

Barbara Cox, Custer County Deputy Auditor

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