## Minutes of the Custer County Commission Meeting (Wednesday, March 9, 2022)

### Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Craig Hindle, Travis Bies and Dawn McLaughlin, Finance Officer. Commission Legal Counsel, Susan Anderson, was not present.

# A. Commission Meeting was called to order at 9:00 AM followed by the Pledge of Allegiance.

#### B. Adopting of the agenda

 Amend Agenda to add Custer Fire Department—Matt Spring to give update.
Amend Agenda to add item under Auditor—chairman to sign cyber liability policy Motion to amend Agenda made by Linde; seconded by Bies; vote taken, all aye; motion carried.

#### C. Consent Agenda

1. Approve Minutes of February 23, 2022 Commission Meeting. Motion to approve made by Bies; seconded by Hartman; vote taken, all aye; motion carried.

Vouchers approved as follows:

**PAYROLL:** February 25, 2022 payroll: Commissioners \$8,165.86; Auditor \$5,071.80; Treasurer \$13,230.83; Info Systems & Technology \$3,005.28; State's Attorney \$12,917.45; Courthouse Bldg \$6,719.02; Director of Equalization \$11,415.14; Register of Deeds \$4,542.22; Veteran's Services \$1,823.12; Human Resources \$3,498.76; Sheriff \$42,179.30; Coroner \$714.91; Nurse \$443.24; Library \$9,015.86; Conservation \$505.56; Weed & Pest Control \$2,022.23; Planning \$7,633.60; County Road & Bridge \$37,361.67; Emergency Management \$3,586.50; 24/7 Sobriety \$1,798.90; Emergency Line F \$14,350.17

<u>COMMISSIONERS:</u> Southern Hills Publishing \$736.06; Jenny's Floral \$111.83; Golden West Telecom \$2.29; Echo Firearms Training \$1,050

AUDITOR: Golden West Telecom \$134.95; Tracy Fish \$756; Tyler Technologies \$2,470.

TREASURER: Southern Hills Publishing \$76.60; Qualified Presort Services \$4,128.77; Golden West Telecom \$135.20

**ELECTION:** Golden West Telecom \$26.99

STATE'S ATTORNEY: LexisNexis \$359; Golden West Telecom \$134.95; Culligan \$51.

<u>COURT APPOINTED ATTORNEY:</u> Justin O'Neill \$2,508.31; Garland Goff \$823.80; Angela Colbath \$3,480.40

COURTHOUSE BUILDING: Custer Ace Hdwe \$36.98; Golden West Telecom \$26.99

**DIRECTOR OF EQUALIZATION:** Southern Hills Publishing \$68.20; Golden West Telecom \$188.92

**REGISTER OF DEEDS:** Golden West Telecom \$53.96

VETERANS SERVICES: Golden West Telecom \$26.99

INFO TECHNOLOGY: Golden West Telecom \$53.98; Golden West Technologies \$7,804.01; Pitney Bowes \$462.57

<u>HUMAN RESOURCES:</u> Custer Co. Sheriff \$1,135.75; Division of Criminal Inv. \$43.25; Golden West Telecom \$26.99

**SHERIFF:** BHEC \$85.43; Southern Hills Publishing \$133.40; Verizon Connect \$178.09; Custer Ace Hdwe \$18.99; Survival Armor \$811.20; Golden West Telecom \$639.95; LN Curtis & Sons \$62.30; A&B Pure Water \$54.98; Culligan \$13; SD Dept of Public Safety \$2,950; Division of Motor Vehicles \$1; Anderson Auto Sales \$120; Battle Mt. Humane Society \$1,000.

<u>PRISONER CARE:</u> Pennington County Jail \$46.69; Western SD Juvenile Svc. \$290; Ann Allen \$150; Satellite Tracking of People \$94.25; Redwood Toxicology \$190;

<u>AIRPORT:</u> Brenden Hendrickson \$3,950; Golden West Telecom \$113.02

<u>LIBRARY:</u> Southern Hills Publishing \$46.95; Mt. Rushmore Telephone \$133.69; Golden West Telecom \$115.95

EXTENSION: Quill \$74.87; Golden West Telecom \$117.21; Fall River County \$1,842.17

NURSE: Southern Hills Publishing \$77.40

WEED & PEST: Golden West Telecom \$26.99

PLANNING: Golden West Telecom \$114.82; IWorq Systems \$1,370.83

<u>COUNTY ROAD & BRIDGE:</u> A&B Welding \$11.78; BHEC \$74.09; Butler Machinery \$491.20; Diamond Mowers \$330.55; Floyd's Truck Center \$2,200.05; French Crk Supply \$208.52; Jenner Equipment \$226.15; Servall Towel & Linen \$124.32; Snap On Tools \$86; Custer Ace Hdwe \$140.10; Golden West Telecom \$215.60; Stern \$921.52; Croell, Inc. \$93,495; Pacific Steel & Recycling \$30.59

**EMERGENCY MANAGEMENT:** BHEC \$25.16; Midwest Card & ID \$750; Verizon Connect \$16.19; Golden West Telecom \$44.07

FIRE PROTECTION: Argyle VFD \$11,000; Buffalo Gap VFD \$5,000; Dewey VFD \$2,500; Folsom VFD \$5,750; Highlands VFD \$7,500; Pringle VFD \$8,000.

SEARCH & RESCUE: BHEC \$526.82; Custer City \$185.78; French Crk. Supply \$54.98; Golden West Telecom \$93.95

<u>BUILDING:</u> BHEC \$5,962.51; Custer City \$166.36; McGas \$650.45; BH Chemical \$185.19; Custer Ace Hdwe \$27.17; Culligan Water \$64.78; G&R Controls \$1,028.50

EMERGENCY LINE: Golden West Telecom \$298.32; A&B Pure Water \$54.97; Ramkota \$117.54; SD Dept Public Safety \$2,950;

NON DEPARTMENTAL: SD State Treasurer \$453.93

CIVIL AIR PATROL: Annual \$930

CUSTER SENIOR MEALS: Annual \$3,000

PRAIRIE HILLS TRANSIT: Annual \$5,000

SEVENTH CIRCUIT CASA: Annual \$3,400

MENTALLY ILL: Lincoln Co. Treasurer \$146.67

MENTAL ILLNESS BOARD: Lincoln County Treasurer \$169.30

SENIOR CITIZENS: Custer Senior Center \$4,800; Hermosa Senior Center \$1,550

CUSTER YMCA: Annual \$17,000.

DOMESTIC ABUSE: Weave-Annual \$5,000

24/7 SOBRIETY: Concordance Healthcare \$38.62

#### MONTHLY REPORTS APPROVED:

#### TREASURER DISBURSEMENTS

FEBRUARY 2022 DISBURSEMENTS

SOUTH DAKOTA STATE TREASURER I-EOM DMV FEB 22	EOM JANUARY 2022 DMV PMT	H2/03/2022	245,390.86	015919	245,390.86
SD DEPT OF REVENUE I-DW 4888	DW 4888 LARSEN	H2/04/2022	1,033.07	015920	1,033.07
PENNINGTON TITLE COMPANY I-OVPT TAXES	OVPT ON PARCEL #4249	H2/08/2022	172.04	015921	172.04
NOEM JAY I-OVPT TAHOE FEES	OVPT ON 2018 TAHOE FEES	H2/22/2022	149.89	015923	149.89
JOSEPH PILGRIM I-PD 1ST 1/2 2021	PAID 1ST 1/2 2021 TAXES #11358	H2/24/2022	1,798.98	000407	1,798.98
CRAIG DEWAYNE S I-DTA DISB 7810	PAID 2021 TAXES PARCEL #7810	H2/25/2022	196.38	000408	196.38
CRAIG DEWAYNE SCOTT I-DTA PAY 15382	PAID 2021 TAX PARCEL #015382	H2/28/2022	286.06	000409	286.06

#### CUSTER COUNTY ROD ACCOUNTING SHEET

COUNTY PORTION
MARRIAGE LICENSE 1 101-32100 @ \$10.00 \$ 10.00 DOMESTIC ABUSE 1 229-52100 @ \$30.00
M & P Fund178251-341.21 @ \$3.00 \$_534.00
Previous Month's Charges
MARRIAGE, MISC, VITAL RECORDS COPIES/FAX (NO TAX)_11101-341.20\$_11,739.40 Tax & Copies0101-349.39
COUNTY TOTAL
Adjustments (If Any)S_0Adjusted TotalS_0
SDACO PORTION
M & P Flow-Thru Fund_178@ \$2.00 \$_356.00
STATE PORTION/STATE VITAL RECORD FUND
Birth _5@ \$5 \$_25.00 Death _32@ \$6 \$_192.00(3047)
Birth Child Trust@ \$2 \$10.00(8328) \$Total10.00
COUNTY ROD VITAL RECORD TO STATE GENERAL FUND
Birth_5@ \$3 \$15.00(1000) STotal143.00
STATE TOTAL
SDACO TOTAL
GRAND TOTAL
Check#_1636To State \$_370.00Check#_1637To County \$_12,313.00 Check#1638To SDACO \$356.00
SDCL 7-9-17
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## D. Conflict of Interest Declarations - None.

# E. 9:15 AM Bid Opening:

 Highway Superintendent, Jesse Doyle, stated that the Highway Department received a total of 4 bids for the Creston Area and Stapp Pit gravel base as follows:
a) Northstar Construction—Stapp Pit bid @ \$8.40/Ton

- b) 63 Industries—Stapp Pit bid @ \$6.39/Ton
- c) Western Construction—Stapp Pit bid @ \$9.00/Ton
- d) Croell, Inc.—Creston Area bid @4.00/Ton

Doyle requested the Commission table awarding the bids until later in the meeting to allow consideration. Motion made by Linde; seconded by Bies; vote taken, all aye; motion carried. At 10:15 AM, Superintended Doyle recommended the Stapp Pit bid be awarded to 63 Industries at a cost of \$6.39/Ton. Motion to approve by Hindle; seconded by Linde; vote taken, all aye; motion carried. Doyle recommended the Creston bid be awarded to Croell, Inc. at a cost of \$4.00/Ton. Motion to approve by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

#### F. Public Comment

Chairman Lintz prefaced by requesting that commenters adhere to the 2-minute speaking allowance. He stated that the current assessment situation needs to be handled at a State level; county assessments need to be at 85% full and true value. He acknowledged that values have skyrocketed in Custer County but cannot be changed at the County level and urged taxpayers to get involved at the State by contacting State Representatives. Lintz acknowledged that the state formula for education funding needs to change drastically as Custer County receives no state funding for its schools. Lea McWhorter addressed those in attendance and reiterated that taxpayers need to get involved at the state level, as well, and had information packets on HB 1330; which failed. Many of attendees shared ideas and concerns regarding high property taxes and values and skyrocketing property sales. Visual aids, charts and statistics were available that showed where each tax dollar was allocated within Custer County.

#### G. West County Well Project

1. Luke Caster, Highlands VFD Chief, addressed the Commission and stated that a nonprofit entity, Elk Mountain Water Users Association, Inc. had been formed. Caster said that the fire department is willing to donate land to Custer County for the West County Well as growth in the area shows an increased need for water. He requested \$370K of ARPA funds be assigned to the project, in addition to the \$150K already assigned so that drilling could commence. Motion to approve assigning requested funds made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

#### H. Department of Equalization

1. Abatement 2022-05A in the amount of \$1,110.58 for John and Gail Ertel due to incorrectly entered elderly freeze last year. Motion to approve abatement made by Hartman, seconded by Bies; vote taken, all aye; motion carried.

2. Abatement 2022-06A in the amount of \$854.06 for RH Hadley, Jr.; should have been owner-occupied status. Motion to approve abatement made by Linde; seconded by Bies; vote taken, all aye; motion carried.

3. Abatement 2022-07A in the amount of \$217.03 for Terrence and Anita Racine; should have been owner-occupied status. Motion to approve abatement made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

4. Refund 2022-01R in the amount of \$276.15 for Sam Smolnisky; should have been owner-occupied status. Motion to approve refund made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

5. Matthew Christianson appeared before the Commission to request Disabled Veteran Exemption. He was awarded total disability status, but due to covid the timeliness of the request was not met. He requested retro-status. DOE Director, Leah Vissia, stated that she would calculate the abatement amount for the next meeting, should this status be granted. Motion to grant Disabled Veteran Exemption made by Hartman; seconded by Bies; vote taken, all aye; motion carried. Mr. Christianson was thanked for his service to our country.

#### I. Argyle Fire Department

1. The Commission was presented with an updated VFD roster and it was so acknowledged.

#### J. Custer Fire Department

1. Matt Spring appeared before the Commission and gave an update of the Custer VFD and presented a slide show highlighting the history of the Custer VFD. He stated that his family has 140 years serving on the department. Spring shared that the department has applied for grants to cover the cost of new SCBA tanks (\$8400 each). The current tanks are 25-years old and are in need of replacing. He presented a vehicle-replacement schedule and noted that many of the vehicles currently in use are 25-years old, as well. Spring asked the Commission to consider granting \$200K--\$250K in the future to help with the purchase of a new fire truck and to help fund a part-time fire administrator at some point. He noted that Custer County's new 911 system assists greatly by triggering auto-aid for the department. He noted that the department would like to build new quarters and include living quarters for 6-9 firefighters, where they could live full-time, rent free.

## K Auditor

1. The Commission was asked to approve the formation of Gold Rush Road District and was presented with the proper documentation. Motion to approve made by Hartman; seconded by Bies; vote taken, all aye: motion carried. Finance Officer, Dawn McLaughlin, noted that there are currently 66 road districts located in Custer County and stated that our current software system can only maintain 68 road districts, so we are approaching our limit until a software upgrade is implemented.

2. The Commission was asked to approve a combined election agreement between Custer County and the City of Custer. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

3. The Commission was also asked to approve a combined election agreement between Custer County and the Custer School District. Motion to approve made by Linde; seconded by Bies; vote taken, all aye; motion carried.

4. Finance Officer McLaughlin requested the Commission approve and Chairman Lintz sign the renewal of the Cyber Liability Policy. Motion to sign and approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried. McLaughlin noted that this is a continuation of the policy that is currently in place.

#### L. Weed & Pest

1. Michael Baldwin, Weed & Pest Supervisor, requested the Commission approve and sign Participating Agreement between Custer County and USDA, Forest Service for noxious weed treatments in the Black Hills National Forest. The agreement is for \$3,000 to spray encroaching weeds from USFS onto private lands. Motion to approve made by Hartman, seconded by Bies; vote taken, all aye; motion carried.

2. Baldwin requested the Commission to approve and authorize Chairman Lintz to sign modification of Participating Agreement between Custer County and USDA, Forest Service, Nebraska National Forests and Grasslands for noxious week treatments on the Buffalo Gap National Grasslands in the amount of \$3,000. This is the same amount as the previous year. Motion to approve made by Hindle; seconded by Bies; vote taken, all aye; motion carried.

#### M. Planning

1. Planning Director, Terri Kester, presented the Commission with the Final Plat of Beecher Tract, Star Tract 1, Lot 1R, Lot 18R, Lot 24R, Lot 25R, Lot 27R and Lot 28R of Star Valley Estates Subdivision, located in Section 13 & 14; T4S, R4E, BHM Custer County, SD and recommended approval. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Kester recommended approval of the Final Plat of Button Tract 1, located in the SW1/4 of Section 34, R4S, R1E and Button Tract 2, located in Govt. Lot 1, Section 3, T5S, R1E, BHM, Custer County, SD. Motion to approve made by Linde; seconded by Bies; vote taken, all aye; motion carried.

3. Director Kester presented and recommended approval of the Final Plat of Clegg Tracts 1 through 5, located in Govt. Lot 1 and the NE1/4 NW1/4 of Section 7, T6S, R4E, BHM Custer County, SD. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

4. Kester presented and recommended approval of the Final Plat of Didomenico Tract, Didomenico Tract 2 and Wind Cave Storage Tract, located in the S1/2 of Section 36, T6S, R5E, BHM, Custer County, SD. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

5. Director Kester presented and recommended approval of the Final Plat of Smothers Tract and Beemer Tract, located in the SE1/4 NW1/4 of Section 35, T2S, R6E, BHM, Custer County, SD. Motion to approve made by Hindle; seconded by Bies; vote taken, all aye; motion carried.

6. Director Kester presented a Variance request from Steve & Paula Pierce. Applicant has built a detached garage in 2017 with deck and stairs that do not meet Ordinance #2 setback requirements from property line. Planning Commission recommended moving the stairs to opposite side of deck and granting a 12-ft Variance. Motion by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

#### N. Airport

1. The Commission was requested to approve the FMG Engineering Proposal for Phase I EA for the airport tract. Environmental assessment was also included. Motion to approve and sign proposal made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

## O. ARPA

- 1. Todd Fish presented the Commission with the following requests for ARPA funds:
  - a) Request for \$15,000 for Buffalo Gap Light Project. Commissioner Hartman stated that he supports the project, but that the funds need to be provided from other monies; not from ARPA. Fish said that alternative funding could be provided. Motion to deny funding of this project from ARPA funds made by Hartman; seconded by Linde; vote taken, all aye; motion carried. Commissioner Hindle said that funds could be requested at the March 30, 2022 Commission meeting.
  - b) Request for \$370K for the West County Well Project. (refer to previous discussion in these minutes). It was recommended that the \$15K that was requested for the Buffalo Gap Light Project be allocated to this request, bringing the amount to \$185K, thus bring the remaining ARPA funds to zero. Motion to increase the requested amount to \$185K made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

Commissioner Linde made a motion to place a caveat for funding projects. Motion failed for lack of a second. Discussion regarding storm water management/ARPA funds was tabled until the Hermosa Water User's Association could be in attendance.

## P. Maintenance

1. Maintenance Supervisor, Joe Panza, presented a list of items for surplus or disposal to the Commission as follows:

(6) Original panic exit bars for doors

- Misc. broken faucets and flush valves
- (1) 5 drawer letter size file cabinet
- (1) 4 drawer legal size file cabinet with broken lock
- (3) 2 drawer index card file cabinets
- (1) 2 drawer 6x9 document cabinet
- (1) 8 drawer legal document cabinet
- (4) 3 drawer legal document cabinet
- (2) 8 drawer 6x9 document file cabinets
- (1) 2' x 2' ceiling tile camera
- (1) Broken ELKAY water fountain
- (6) 36" x 66" office divider panels (5 with glass, 1 with solid fabric)

Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

2. Panza requested permission from the Commission to use the maintenance truck for on-call travel due to the increase in the number of off-duty maintenance calls. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

## Q. Search & Rescue

1. Sam Smolnisky presented the Commission with the Annual Report for Search and Rescue. He noted that 2021 was the busiest year to date, with 96 total calls. Search and Rescue has a total of 44 volunteer and reserve members and is funded by the County, Custer State Park and by grants from Homeland Security. He noted that Friends of Custer County Search and Rescue also play a pivotal role in covering annual expenses. He provided a handout with a breakdown of the calls and services from 2021.

## R. Commission

- 1. Mail call
  - a) Annual Dues from the BH Regional Multiple Use Coalition was presented, as well as an update. Motion to approve payment of dues made by Hartman; seconded by Bies; vote taken, all aye; motion carried.
  - b) Request for acknowledgement of Highlands Volunteer Fire Department and Auxiliary of upcoming gun raffle fundraiser. So acknowledged.
- 2. HR Director, Timothy Holland, spoke to the Commission regarding employee ID tags. He stated that the tags are a valuable tool in identifying county employees from the public and hopes that in the future, they will be implemented in the time card system and accessing county buildings.
- 3. Meeting Schedule Meeting of the Black Hills Association to be held in Perkins County March 11, 2022.

## S. Old Business

1. Commissioners Bies and Hindle stated that it would be advisable to commit to having Vanguard conduct a full reappraisal of Custer County and that funds could be set aside each budget year for payment of the process.

## T. Executive Session

1. Executive Session pursuant to SDCL1-25-21(1) personnel entered into at 11:55 AM and concluded at 12:03 PM. No action taken.

## U. Adjourn

Motion by Hindle and seconded by Linde to adjourn the meeting at 12:05 PM. The next meeting will be at 8 AM March 30, 2022 in the Commissioner's Room in the Custer County Courthouse.

Jim Lintz, Chairman

Attest: \_\_\_\_\_

Barbara Cox, Custer County Deputy Auditor

Published once at the total approximate cost of \_\_\_\_\_\_.