

Minutes of the Custer County Commission Meeting Wednesday, July 13, 2022

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

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

C. Consent Agenda

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

Monthly Reports as follows:

CUSTER COUNTY ROD ACCOUNTING SHEET

COUNTY PORTION

MARRIAGE LICENSE 11 101-32180 @ \$10.00 \$ 110.00
 DOMESTIC ABUSE 11 229-32100 @ \$30.00 \$ 330.00
 M & P Fund 205 751-341.41 @ \$1.00 \$ 615.00
 Previous Month's Charges \$ 0

MARRIAGE, MISC, VITAL RECORDS
 COPIES/FAX (NO TAX) 636 101-341.49 \$ 14,497.50
 Tax & Copies 0 101-349.30 \$ 0

COUNTY TOTAL \$=15,552.50
 Adjustments (if Any) \$ 0 Adjusted Total \$ 0

SDACO PORTION

M & P Flow-Thru Fund 205 @ \$2.00 \$ 410.00

STATE PORTION/STATE VITAL RECORD FUND

Birth 12 @ \$5 \$ 60.00
 Death 26 @ \$6 \$ 156.00 (3047) \$ Total 216.00
 Birth Child Trust...@ \$2 \$ 24.00 (8328) \$ Total 24.00

COUNTY ROD VITAL RECORD TO STATE GENERAL FUND

Birth 12 @ \$3 \$ 36.00
 Death 26 @ \$4 \$ 104.00 (1000) \$ Total 140.00

STATE TOTAL \$=380.00
SDACO TOTAL \$=410.00
GRAND TOTAL \$=16,342.50


Check# 1648 To State \$ 380.00 Check# 1649 To County \$ 15,552.50
 Check# 1650 To SDACO \$ 410.00

SDCL 7-9-17

Register of Deeds statement of fees collected during month of **JUNE 2022** Custer County, State of SD the sum of \$ **16,342.50** has been collected by me as Register of Deeds during the month as above.
 Register of Deeds Official Fee Book RECEIPTS/STATE 117141 through # 117629

State of South Dakota
 County of Custer

Teri L. Morgan, being duly sworn, deposes and says that she is the Register of Deeds for Custer County, SD. The foregoing statement is true and correct report of all fees collected by me as such Register of Deeds, as required by law.
 My Commission Expires 12-31-24 Notary Public # 2016-000000



DEPOSIT \$ 12,641.64		DATE: JUNE 30 2022	
TRANSFERS		TAX COLLECTIONS	YEAR DUE
ACH DEPOSITS \$ 1,095,476.51		2021	\$ 0,962.50
CC PAYMENTS \$ 5,191.02		2020	
\$ 109,488.09		2019	
\$ 159,492.81		2018	
\$ 120.00		2017	
\$ 55,788.92		2016 & PRIOR	
\$ 4,728.49		TOTAL	0,962.50
		REGISTRATION FEE \$ 10.00	ATV FEE \$ 30.00
		BOAT ADMIN FEE \$ 32.00	OS ADIA \$
		WHEEL TAX \$	1,463.82
		USEE FEES \$ 60.00	CITILE \$ 140.00
		MISC \$	1,093,529.97
		TOTAL MISC COLLECTIONS	\$ 1,091,226.69
		REGISTRATIONS \$	10,618.73
		OSW \$	836.80
		BOAT TITLE \$ 55.00	BOAT TR \$
		HVY PATROL FEES \$	163.00
		TITLES \$ 175.00	ATV FEE \$ 33.00
		LATE FEE \$ 14.00	TEMP FEE \$ 80.00
		WASTE FEE \$ 149.00	RIP FEE \$
		BASE \$ 1126.00	ELEC VEH \$
		SPEC \$ 241.25	U PLATE \$
		SNOW \$	BY CLIP \$
		BOAT DECALS \$ 278.25	DUP TITLE \$ 20.00
		TOTAL INV	\$ 12,138.03
		3M BOAT \$ 18.00	4M INV \$
		4M OV \$ 24,020.44	4M FWH \$
		OFF RD 4M \$ 100.00	INT \$ 57.14
		OFF RD 4M \$ 130.70	
		TOTAL 4M	25,226.28
		TOTAL	\$ 1,113,613.50
		PREVIOUS BALANCE \$	6,653,366.69
		TOTAL ACCOUNTED FOR \$	7,866,980.19
		VOID CHECK \$	
		LESS DISBURSMENTS \$	
		REQUIRED BALANCE \$	283,632.99
		RECORDED BALANCE \$	7,709,364.20
			\$ 1,135,163.50

0786	I-DW 4984	SD DEPT OF REVENUE DW 4894 LYNDOR PAYOUT	H	6/10/2022	1,720.00	015989	1,720.00
2216	I-14 TS REDEMPTIONS	EMPIRE INVESTMENTS TAX SALE REDEMPTIONS 14	H	6/10/2022	16,339.34	015990	16,339.34
3401	I-3 TS REDEMPTIONS	CHARLEY BLAKE 21-121/179/122 TS REDEMPTIONS	H	6/10/2022	1,231.79	015991	1,231.79
2216	I-19-0073 21-0172	EMPIRE INVESTMENTS TAX SALE REDEMPTIONS 19-73 21-	H	6/10/2022	4,811.62	015992	4,811.62
ESSENTIAL HOMES							
	I-OVPT TITLE FEES	MOBILE HOME TITLE OVERPAYMENT	H	7/28/2022	25.00	015993	25.00
EDERSEN VICTOR							
	I-HISTORICAL REFUND	REFUND ON HISTORICAL PLATE-WEI	H	6/29/2022	15.00	015994	15.00
3404	I-FEES PD IN ERROR	KAISER JOSEPH CAMPER FEES PAID IN ERROR 2134	H	6/29/2022	87.60	015995	87.60
3170	I-NC FEES PD IN ERROR	DAVID BAECHEL 21AF70 NC FEES PAID IN ERROR	H	6/29/2022	84.00	015996	84.00
3405	I-DISABLED PT REFUND	CARR CLINTON G WANTED DIFFERENT PLATE	H	6/29/2022	15.83	015997	15.83
LEONARD ROGRAIR							
	I-NSF ACCT CLOSED	ACCT CLOSED- SENT LETTER	H	6/30/2022	120.00	000446	120.00
2862	I-FUEL BILL FOR SO	WEX INC FLEET JUNE SO FUEL BILL	H	6/30/2022	4,728.49	000447	4,728.49

Vouchers approved as follows:

PAYROLL: 7/10/22 Payroll—Commissioners \$8,210.60; Election \$114.77; Auditor \$5478.25; Treasurer \$13,915.81; Info Systems & Tech \$3,005.27; States Attorney \$13,298.42; Courthouse Building \$7,017.35; Department of Equalization \$14,221.26; Register of Deeds \$4,839.25; Veterans Services \$2,171.19; Human resources \$2,493.02; Sheriff \$40,953.91; Coroner \$657.45; Nurse \$895.00; Library \$9,743.19; Conservation \$505.56; Weed & Pest \$4,802.83; Planning \$8,618.50; County Road & Bridge \$41,263.31; Emergency Management \$2,758.15; Sobriety \$612.64; Emergency Line F \$17,992.06

COMMISSIONERS: Amazon \$279.54; A&B \$300.17; Fleet \$32.38; Verizon \$164.36; Southern Hills Publishing \$439.17; Catastrophic Legal \$548.00; Golden West \$28.41; CNA Surety \$172.00; MSFT \$157.80; Fleet \$32.38

ELECTION: Amazon \$59.25; Best Buy \$26.61; Dollar Tree \$24.49; Southern Hills Publishing \$3,458.73; ES&S \$3,475.34; MT Rushmore Telephone \$16.50; Garland Goff \$303.00; Custer Ace \$137.94;

AUDITOR: A&B \$1,561.82; Adobe \$191.57; Amazon \$32.51; Caseys \$19.94; Southern Hills Publishing \$15.18; Golden West \$138.49; Tracy Fish \$2,352.00; MSFT \$157.80

TREASURER: A&B \$1,623.51; Caseys \$19.94; Quill \$84.47; Golden West \$332.08; Secretary of State \$30.00

STATE'S ATTORNEY: A&B \$539.54; NE DMV \$7.50; LexisNexis \$359.00; Golden West \$138.49; Culligan \$31.50; Rusty & Michelle Surovi \$273.00; Karyn Cunningham \$272.16; Jason Midyette \$590.86; USPS \$21.85

COURT APPOINTED ATTORNEY: William Husted \$1268.90

COURTHOUSE BUILDING: Amazon \$252.88; Family Dollar \$4.27; Fleet \$64.76; Menards \$77.47; Sams Club \$106.51; Walmart \$42.81; Golden West \$27.70; Verizon \$41.91; Lynn's Dakotamart \$25.50

DIRECTOR OF EQUALIZATION: A&B \$620.97; Baker's Bakery \$53.12; Calamity Janes \$182.75; Fleet \$32.38; Lynns \$15.30 Subway \$274.38; Quill \$172.99; Golden West \$193.89; Tru \$2,480.00; Appraisal Foundation \$760.56

REGISTER OF DEEDS: A&B \$562.49; Caseys \$79.52; Menards \$459.98; Golden West \$56.65; State of South Dakota \$31.50

VETERANS SERVICES: A&B \$359.36; Golden West \$27.70

INFO TECHNOLOGY: USPS \$116.00; Golden West Telecom \$65.40; Golden West Technologies \$10,542.01

HUMAN RESOURCES: Verizon \$32.88; Golden West \$27.70; Evergreen \$51.25; Amazon \$25.77

SHERIFF: A&B \$581.11; Amazon \$1,141.95; Verizon \$862.26; FedEx \$12.74; Lexis \$177.50; Tactical Gear \$63.86; USPS \$16.70; WEBOOST \$649.99; High Mt Kids Toys-Food \$60.69; Black Hills Energy \$54.43; Southern Hills Publishing \$32.00; French Creek Supply \$169.99; Childrens Home Society \$600.00; Golden West \$289.15; Sonnel \$1,712.19; Car Co. \$375.00; Murray Auto Repair \$261.18; Peavey \$69.75; SD Sherriff \$175.02; Pizza Mill \$118.20; Adobe \$191.57

PRISONER CARE: Shoes \$8.52; DQ \$15.67; Ruth Airheart \$225.00; Ann Allen \$75.00; Sam Smolnisky \$75.00; CMI \$2,500.00; Care Campus \$904.00; Satellite Tracking \$68.25; Hapsie Nutley \$75.00; SD Health \$175.00

SAFETY OFFICER: Sam Smolnisky \$250.00

SEARCH & RESCUE: Active911 \$376.89; Menards \$451.20; Pizza Hut \$44.04; Black Hills Energy \$220.40; Custer Do It Best \$41.76; Custer City \$69.26; Lynn's Dakotamart \$339.81; Sander Sanitation \$19.10; Golden West \$93.95; Skywatch \$2,590.00; Microsoft \$104.49

AIRPORT: Truenorth Steel \$46,260.00; D&W Crane \$987.25; Power House \$179.65; Brenden Hendrickson \$3,850.00; Golden West \$113.98; FMG Engineering \$3,500.00; MG Oil \$10,243.50; Airport Lighting \$298.00

MENTAL ILLNESS BOARD: Penn County \$215.00

POOR: Chamberlain McColley's \$2,000.00

LIBRARY: Amazon \$2,170.23; Library Journals \$157.99; Mt Rushmore Telephone \$136.44; Golden West \$115.95; Gumdrop Books \$370.22

CULTURE/RECREATION: Kim Horkey \$51.60

EXTENSION: A&B \$480.36; Golden West \$118.17; Fall River County \$1629.20

WEED & PEST: A&B \$298.23; Ace \$4.99; Fleet \$32.38; GPS \$398.90; Custer Ace \$5.99; Golden West \$27.70; Richard Henriksen \$35.00; A&B \$8.52; MSFT \$157.80; Fleet \$32.38; ACE 51.10

PLANNING: A&B \$329.58; Family Dollar \$34.61; Fleet \$16.19; Southern Hills Publishing \$14.21; Golden West \$110.80; A&B \$27.74; Fleet \$16.19; Integrity \$90.00; Halfmoon \$304.00

COUNTY ROAD & BRIDGE: A&B \$643.58; Comp Link Cummins \$377.72; Fleet \$654.74; A&B Welding \$12.09; Butler Machinery \$149.69; Floyd's Truck \$1,489.62; Inland truck \$871.29; Prairie Auto \$242.86; Lynn's Dakotamart \$19.16; Quill \$60.76; Servall \$132.81; Rosane Const \$3,589.54; Snap On \$58.25; Golden West \$163.22; 63 Industries \$100,000.00; Great Western Tire \$2,103.25; SDACHS Conf \$207.20; Northern Tool \$39.99; KTEC \$388.87

FIRE PROTECTION: Argyle Fire \$6577.00

EMERGENCY MANAGEMENT: A&B \$298.05; Verizon \$93.81; Black Hills Energy \$25.48; French Creek Supply \$2,179.80; Golden West \$45.03; MSFT \$157.80; Custer Car Wash \$22.50

BUILDING: A&B \$150.78; Amazon \$620.36; Hillyard \$135.08; American Floor Mats \$178.56; Menards \$1,321.16; Sams Club \$338.64; Black Hills Energy \$3,425.94; Black Hills Chem \$289.44; Custer Ace \$72.08; G&R Controls \$13,754.36; BestBuy \$532.49; Discount Filters \$335.66

EMERGENCY LINE: A&B \$533.45; Range \$51.14; Golden West \$522.38

D. Conflict of Interest Declarations –None

E. Highway

1. Highway Superintendent, Jesse Doyle presented the Commission with Resolution 2022-11 Bridge Improvement Grant/Local Federal Bridge Programs Resolution Authorizing Submission of Applications. Doyle stated this resolution is regarding Bridge No. 17-379-260, located east of Buffalo Gap. The total grant funding is \$71,300; with Custer County paying a 20% match (\$14,260). This Resolution is the first step in the process to qualify for this grant. Motion to authorize signature and submission of the application made by Bies; seconded by Hindle; vote taken, all aye; motion carried.

F. Planning

1. Planning Director, Terri Kester, recommended approval of Final Plat of: BOOS TRACT

NORTHEAST AND BOOS TRACT NORTHWEST, LOCATED IN THE N ½ NW ¼ NE ¼ OF SECTION 20, T4S, R1E, BHM, CUSTER COUNTY, SOUTH DAKOTA; Carole Boos. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

2. Kester requested the Commission to approve of Final Plat of: Ghost Canyon Subdivision II Including Lot Amundsen; Richard and Becky Amundsen. This final plat is for lot consolidation and will total 26.8 acres. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

G. Public Hearing 8:30 AM-Resolution 2022-10

1. Resolution 2022-10. Director Kester presented petition and request to vacation portion of east-west section line—Kumjian. Kester stated that all legal requirements have been met and recommended Commission approval. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

H. Public Hearing 8:45 AM- On/Off Sale Alcoholic Beverage License Application

1. Retail on/off sale Wine and Cider Alcoholic Beverage License application by Elk Mtn LLC dba Elk Mountain Saloon. Susan Anderson requested approval of license for her Yurt establishment located on Highway 16 west of Custer. Motion to approve by Bies; seconded by Hartman; vote taken, all aye; motion carried.

2. Retail on/off sale Malt Beverage and SD Farm Wine Alcoholic Beverage License application by Elk Mtn LLC dba Elk Mountain Saloon. Anderson further requested approval of license for same. Motion to approve by Linde; seconded by Hindle; vote taken, all aye; motion carried.

I. Auditor

1. Finance Officer, Dawn McLaughlin, presented application from Sturgis Brewing Company, LLC Special Events Alcoholic Beverage—Bryan Carter for CSP buffalo roundup and arts festival. Motion to approve by Hindle; seconded by Linde; vote taken, all aye; motion carried.

J. Department of Equalization

1. Tara Traxler presented the Commission with an estimate from Central Plains Valuation, LLC, to conduct a reappraisal of Custer County properties. Central Plains Valuation, LLC is a Nebraska company and would be required to be certified in South Dakota before providing services for Custer County. Traxler stated that the bid is valid until August 1, 2022 and if accepted, the company would begin the reappraisal process in the fall of 2023 for the 2025 valuations. It was noted by the Commission that this estimate would not be able to be approved by the deadline, as budgets need to be completed first. Commissioner Hartman stated he would like them to appear before the Commission with a presentation before any agreement is put into place; Commissioner Hindle agreed and stated he would like to obtain references first. Traxler stated that Central Plains was referred by Vanguard. Central Plains would be conducting a parcel by parcel valuation and providing all field work necessary, as well as verifying the data. They would like to be on a 5-year rotation in Custer County to keep the system accurate and up to date. Chairman Lintz asked Traxler to set up a meeting and presentation with Central Plains and to check into the possibility of having the estimate deadline extended beyond the August 1st deadline.

K. County Health Nurse—WIC

1. Custer County public health nurse, Kristi Novotny, and administrative assistant, Amber Maidens appeared before the Commission and presented the 2022 Bi-Annual WIC statistics. Novotny said there is a strong push at present to conduct in-office visits rather than phone visits, as were done more frequently during COVID. She noted that Amber is currently filling 2 positions in the office as need arises. She stated that WIC visits are numbering approximately 100 per month. The office also provides screenings for substance abuse, mental health, breastfeeding assistance, distribution of cribs and car seats as well as pre-school screenings.

L. Highlands VFD

1. An updated roster of Highlands VFD was presented to the Commission and so acknowledged.

M. Safety Officer

1. Sam Smolnisky appeared before the Commission and presented an update of the Safety Committee and noted they recently held a meeting to discuss training and equipment needs. Smolnisky shared they will be holding an active shooter training on 9-1-22, as well as CPR and first aid training, which he would like to hold annually. He stated there are two new AEDs in the building; one each on the main and upper floors at a cost of \$3,400 for both. He would like to see procedural improvements for evacuations, etc. and will work with department heads to better implement policies. Craig Willan was present at the meeting and shared his concerns regarding the non-working civil defense sirens. It was noted that Emergency Management Director, Steve Esser, is currently working on the back-up batteries and is aware of the problem. Commissioner Hindle did some research during the meeting and updated those in attendance that the sirens are now operational and the next test will be held Wednesday, July 20th at noon.

N. Public Comment –

1. LeaAnne McWhorter introduced Cheryl Urrutia and noted that Cheryl will be compiling a list of retired professionals who would be willing to assist Custer County for various projects that might arise.

2. Craig and Betty Willan appeared before the Commission and stated they are the owners of an 80-acre property on Bender Ridge and intend to develop a 100-site upscale campground and wanted to put rumors to rest regarding the site.

O. Commission

1. Mail call – Dawn McLaughlin shared a letter from SD DOT with dates for public meetings re: STIP. Highway Superintendent Doyle noted that these meetings are informational only and deal with federal transportation funding mainly geared toward very large cities. McLaughlin also read a card from Black Hills Works, thanking the Commission for their financial support.

2. McLaughlin requested approval for rescheduling the 9-14-22 Commission meeting to 9-15-22 due to training in Pierre; rescheduling the 11-9-22 Commission meeting to 11-10-22 due to the upcoming election. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

3. Legal Counsel, Susan Anderson, presented an appraisal engagement letter from Simpson & Associates regarding Custer County Tract S; Search & Rescue land. The cost on conducting the appraisal is \$3,750 and would be completed within 60 days. It was noted there

are currently deed restrictions on said property. Motion to approve engagement letter made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

4. SD DOR response to Commission property valuation process was discussed. SD DOR adheres to the 85%/100% valuation factor for property taxes. Legal Counsel, Susan Anderson inquired if DOE has any discretion to change land values. It was noted that the assessment tax force will attend the 8-22-22 legislative study group in Pierre. Chairman Lintz stated he will be there to testify, sharing his concerns that Custer County residents' are being taxed at a rate they are unable to pay. Lintz also stated he felt as though their hands were tied during the DOE appeals process, in that the only adjustments the board was allowed to make was to correct clerical errors. Commissioner Bies stated the Commission was not informed by the DOE that the tier-system valuation had been implemented before the appeals board process and that omission left the board caught unaware. Chairman Lintz concluded by saying that there needs to be a different school funding source in place rather than entirely from property taxes and he feels the system is broken and needs to head in a new direction.

5. Meeting Schedule – Library, Conservation, Landfill and Fire Advisory meetings were all scheduled to take place during the week.

6. Meeting Reports – Teri Morgan, Dawn McLaughlin, Commissioner Linde and Chairman Lintz all attended the SDACO meeting in Deadwood. The next meeting will be held at Custer County in December 2022. Chairman Lintz informed the Commission there will be a weed board meeting held on Tuesday, July 19, to discuss the ongoing prairie dog problem.

P. Executive Session

1. Motion by Hartman to enter into Executive Session; contract negotiations as per SDCL 1-25-2(3); seconded by Bies. Entered into at 9:20 AM and concluded at 9:56.

Q. Actions Taken By Commission Outside of Executive Session

R. Adjourn

Motion by Linde and seconded by Hindle to adjourn the meeting at 10:04 AM. The next meeting will be at 8 AM July 27, 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 _____.