

Minutes of the Custer County Commission Meeting Wednesday, October 12, 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. The meeting was held at the 1881 Courthouse Museum at 411 Mt. Rushmore Road, Custer, SD.

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

B. Adopting of the agenda

1. Request to amend Agenda as follows:
 - a) remove Item No. 2 under Planning "Final Plat-Dejong"
 - b) add Auditor heading after "K-Crazy Horse Memorial"

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

C. Consent Agenda

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

Vouchers approved as follows:

PAYROLL: 10-7-2022 Payroll: Commissioners \$8,210.62; Election \$488.46; Auditor \$5,478.24; Treasurer \$12,455.70; Info Systems & Technology \$3,005.27; State's Attorney \$13,298.46; Courthouse Building \$7,049.42; Equalization \$18,031.25; Register of Deeds \$4,839.24; Veteran's Service \$2,171.20; Human Resources \$2,493.03; Sheriff \$39,849.45; Coroner \$657.45; Nurse \$912.05; Library \$9,110.64; Conservation \$505.56; Weed & Pest \$3,514.28; Planning \$6,802.04; County Road & Bridge \$40,851.31; Emergency Management \$2,646.73; 24/7 Sobriety \$1,007.77; Emergency Line F \$17,057.31

COMMISSIONERS: Sam's Club \$76.25; Walmart \$23.20; FD Supplies \$23.43; Verizon \$82.18; Fleet \$32.28; A&B Business \$151.17; Southern Hills Publishing \$644.97; Catastrophic Legal Exp. \$548; Golden West Telecom \$29.41

COURT APPOINTED ATTORNEY: Grey & Eisenbraun \$474; Angela Colbath \$416.70; Husted Law Office \$1,084

AUDITOR: A&B Business \$609.77; Amazon \$52.80; Office Depot \$18.09; Golden West Telecom \$136.41; Tracy Fish \$2,796.

TREASURER: Amazon \$275.94; A&B Business \$382.33; Office Depot \$27.67; Southern Hills Publishing \$76.50; Golden West Telecom \$139.

ELECTION: CCUP Election Training \$64.90; Southern Hills Publishing \$1,410.66

STATE'S ATTORNEY: A&B Business \$178.11; Amazon \$111.23; LexisNexis \$370; Golden West Telecom \$136.41; CAN Surety \$50; Culligan \$31.50; RC Police Dept. \$125.

MAINTENANCE: Verizon \$41.99; Fleet \$32.38; Amazon \$89.36; Golden West Telecom \$27.28

DIRECTOR OF EQUALIZATION: Hilton Car Rental \$-318.40 credit; Fleet \$101.10; A&B Business \$101.10; Oasis Fuel \$80.04; Southern Hills Publishing \$106.40; Cholik Signs \$175; Golden West Telecom \$190.98; Ramkota \$2,940.

REGISTER OF DEEDS: A&B Business \$144.89; US Bank \$126.50; Golden West Telecom \$54.57; State of SD \$31.50

VETERANS SERVICES: A&B Business \$146.12; Golden West Telecom \$27.28

INFO TECHNOLOGY: GoDaddy Domain \$41.34; Golden West Telecom \$64.57; Golden West Technologies \$7,744.01

HUMAN RESOURCES: Business Mgr \$422.81; Verizon \$16.44; Golden West Telecom \$27.28; Evergreen Office \$51.25

SHERIFF: Verizon \$427.67; A&B Business \$184.95; Country Inn \$322.80; LexisNexis \$87; Peavey \$170.65; MC Hotel Network \$-12.91 credit; Amazon \$69.60; USPS \$11.75; Ruthless Mtr \$305; Ace Hdwe \$36.94; BHEC \$50.68; Southern Hills Publishing \$94; Golden West Technologies \$129.84; McLeod's Printing \$299.90; TriTech Software \$3,611.40; Liberty Superstores \$887.68; Innovative Office \$16.31; Golden West Telecom \$564.79; L&A Welding \$395.22; A-Z Shredding \$5.30; Creative Product \$1,421.09

PRISONER CARE: 10-8 Video \$3,523; Pennington Co. Jail \$331.44; Mary Seifert \$200; Care Campus \$452; SD Public Health \$240.

AIRPORT: Brenden Hendrickson \$3,850; Sam's \$78.79; Custer Ace Hdwe \$22.99; Golden West Telecom \$113.48; Airnav \$70.

LIBRARY: Amazon \$598.30; Mt. Rushmore Telephone \$134.05; Golden West Telecom \$115.95.

EXTENSION: A&B Business \$147.15; Golden West Telecom \$117.67; Fall River County \$1,638.66

WEED & PEST: A&B Business \$154.84; Fleet \$32.38; Dept Ag \$35.88; USPS \$7.85; Nutrien Ag Solutions \$2,491.24; Golden West Telecom \$27.28; Culligan \$13.

PLANNING: Fleet \$16.19; A&B Business \$182.81; Sam's \$84.48; Amazon \$287.28; Golden West Telecom \$112.15

COUNTY ROAD & BRIDGE: Fleet \$372.37; A&B Business \$164.51; Sam's \$839.17; Amazon \$227.20; A&B Welding \$12.09; BH Energy \$82.36; Southern Hills Publishing \$33.44; Floyd's

Truck Center \$465.15; French Crk. Supply \$2,526.56; Godfrey Brake \$426.01; Mt. Rushmore Telephone \$119.30; S&B Motor Parts \$310.21; Servall \$128.65; Snap On Tools \$71.75; BH Gravel \$12,780; Custer Ace Hdwe \$85.92; Golden West Telecom \$196.88; Running's Supply \$107.32; Dale's Tire \$282.32; Matco Tools \$48.95; Nebraska Salt \$2,587.76; Great Western Tire \$2,819.45; Forward Dist \$17.15

EMERGENCY MANAGEMENT: Verizon \$46.99; A&B Business \$154.58; Custer Car Wash \$18.25; BH Energy \$25.23; Golden West Telecom \$44.53

SEARCH & RESCUE: Amazon \$151.13; Fix My Toy \$65.99; Menard's \$829.78; TriTech \$251.08; Expert Voice \$894.97; BH Powersports \$365.43; Autozone \$109.20; Sam's \$566.67; Big Pine \$600; BH Energy \$210.71; Custer Do It Best \$12.73; French Crk Supply \$136.99; Lynn's Dakotamart \$582.98; Sander Sanitation \$19.10; Golden West Telecom \$93.95; Romeo Barrera \$337.49; Nelson's Oil & Gas \$48.

COUNTY BUILDINGS: A&B Pure Water \$75.39; Amazon \$796.68; Sam's \$331.89; Menard's \$198.02; Select Blinds \$196.79; Do It Best \$163.63; BH Energy \$3,611.18; BH Chemical \$303.96; Freeman's Electric \$2,279.93; Custer Ace Hdwe \$37.54; K2 Masonry \$13,265.33; A-Z Shredding 44.68; B&H Asphalt Paving \$10,920.94

EMERGENCY LINE: A&B Business \$155.31; Range Telephone \$27.39; Rushmore Communications \$275; Trittech Software \$43,000; Golden West Telecom \$463.

NURSE: SD Dept Health \$1,395.

PREDATORY ANIMAL: \$872.30

D. Conflict of Interest Declarations – none

E. Maintenance

1. Maintenance supervisor, Joe Panza, requested Commission approval to surplus old UPS system. Panza noted he discovered the system is obsolete and of no monetary value as an auction item and recommended surplus.

UPS System consists of:

- 1 Legacy Herytage converter *Model: H3kVa *SN: HH030001312001
- 1 Best Power Battery Cabinet *Model: CAB-Q
- 16 Data safe HX800-FR lead acid batteries *June 2016
- 1 Best Power transfer switch *Mod: BPE-02-MBB-1A

Motion to approve surplus of UPS system made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

F. Highway

1. Bruce Wilsey, Brosz Engineering, Inc. presented the Commission with the 2022 Bridge Inspection Report. Mr. Wilsey noted that the bridges are generally in very good shape and well-maintained; however, there are two bridges that need attention, as follows:

a) STR. #17-379-260 located in Buffalo Gap. This bridge is a 37' bridge constructed in 1971. It was noted this structure shows significant decay and distress to the treated lumber and abutment caps. While repair or replacement of these caps is an option, it would not be cost effective and total structure replacement is recommended. Brosz also recommends reducing the load limit to 50% until replacement is completed.

b) STR. #17-496-252 is a 695' structure also located in the Buffalo Gap area. This bridge as constructed in 2014 and is showing cracking and spalling of the concrete abutment backwalls between the concrete girders. Wilsey stated that while these defects are not considered structurally significant, patching of the areas will inhibit corrosion to exposed reinforcing steel and is recommended.

G. Planning

1. Planning Director, Terri Kester presented the Commission with the Final Plat of Lot K-1 and Lot K-2 of Meyers Subdivision re: Simonson and Stonelake and recommended approval. Motion to approve made by Hartman; seconded by Bies; vote taken, all aye; motion carried.

2. Kester also presented Final Plat of Lot 29, Star Tract 2 and Reyelts Tract of Star Valley Estates Subdivision—Nielsen Entities, LLC. Motion to approve contingent upon filing and receipt of certified documentation made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

3. Kester presented the Commission with a variance request re: Joseph & Judy Lewis and recommended approval. The applicants propose construction of a 30x24' garage 10' from the east property boundary. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

H. Veteran's Service

1. Todd Fish, VSO, presented the Custer County VSO 3rd Quarter 2022 report. Fish stated that since January 1, 2022 44 new veterans have been registered in Custer County, with a total of 863 registered county veterans. Fish noted there are 63 claims in progress, with 36 active claims for compensation or pension and 7 open active appeals. He stated that hearings can now be held with a judge in Custer County rather than having to travel to Meade County. To date in 2022, there are 117 approved new awards for \$1,652,807 totaling 340 claims for \$5M as annual disability income to Custer County veterans. Fish also updated the Commission noting that there are still 13 veterans with unmarked grave sites in Custer County; 7 headstones completed; 1 submitted to National Monument Service for headstone and 5 require additional research for death certificate, service and service dates.

I. Weed & Pest/Conservation

1. Michael Baldwin, Weed & Pest Supervisor, requested auto-supplement of \$3,000 as follows: 101-4-615-426.00 supplies \$1,500; 101-4-615-426.50 gas, oil and tires \$1,500. These monies are funded by USFS compensation from Buffalo Gap National Grasslands. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

J. Library

1. Library Director, Jessie Phelps, appeared before the Commission and stated she met with the Hermosa Town Board regarding the Hermosa library. Noting a discrepancy regarding the library's lease, Phelps conducted some research and discovered that Custer County's lease with the Town of Hermosa was renewed in 2019 and remains in effect until 2029. Terms of that lease state that the building will house the library rent-free until the end of the lease. The Town of Hermosa was operating under a "proposed" lease that hadn't been accepted by Custer County, so the terms of that "proposed" agreement are not in effect. Phelps stated that the Custer library board has committed to contributing \$200/month toward the electricity charges at the Hermosa location, which would be implemented by supplementing the library's 2023 budget. Motion to approve the library board's \$200/month contribution made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

K. Crazy Horse Memorial

1. The Commission was presented with a request to approve its annual motorcycle raffle pursuant to SDCL 22-25-25, which will be held September 6, 2023. Motion to approve made by Bies; seconded by Linde; vote taken, all aye; motion carried.

L. Auditor

1. Dawn McLaughlin, Finance Officer, requested approval of new hire, Walter Krol, in the Treasurer's office. This is a full-time, benefitted position at \$15/hour with a start date of October 3, 2022. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

2. McLaughlin also presented the Commission with a request for approval to apply for LATCF (Local Assistance and Tribal Consistency Funds), which are a general revenue replacement through ARPA in the amount of \$635,919.07. Motion to approve McLaughlin to apply for LATCF made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

M. Black Hills Council of Local Governments

1. Kailey Snyder presented the Commission with Custer County Natural Hazard Mitigation Plan update and contract for approval and signature. Snyder explained that the current Custer County plan expires in 2023. She noted that EMS Director, Steve Esser, has attended several meetings relating to completion of the Mitigation Plan. She stated that some of the plans are multi-jurisdictional and that a stakeholder meeting will be held in November, 2022. Snyder requested the plan to be written and completed by January as the time frame for the state and FEMA to review is 40-60 days. She also stated that this program also helps pay for a portion of the EMS director's salary. Snyder also had those in attendance sign in, and document mileage as this also helps cover county costs. Motion to approve and sign contract made by Hartman; seconded by Bies; vote taken, all aye; motion carried.

N. Public Comment –

1. Dan Holsworth, Town of Hermosa, spoke before the Commission to discuss Hermosa's previous request for ARPA funding to be used to drill a new well in Hermosa. Holsworth noted that this funding is much-needed and provides a lifeline for the WRT system and helps to keep a second well functioning. He noted that both a second well and new lagoon are a necessity for expansion of the Town of Hermosa, as well. He requested that Custer County keep full-funding of the project available by committing ARPA monies to the Town of Hermosa. He

requested the assignment of funds by October 26, 2022, but was informed that those funds will not be received by Custer County until October 27, 2022.

2. LeaAnne McWhorter shared that there will be a tax committee meeting held in Pierre October 20, 2022. She also noted she has various "VOTE" signs available to residents who would like to display them for the November 8, 2022 election.

3. Rick Wheeler, 1881 Museum, presented a brief history of the Courthouse Museum, where today's Commission meeting was held. Wheeler stated that the courthouse was constructed in 1881 and served as the County Courthouse until 1973-74 when the current courthouse was built. Wheeler shared a brief history of some notable trials held in the museum's courtroom; including a trial that resulted in a notorious riot. He noted approximately 45-50 volunteers keep the museum functioning. Wheeler thanked the Commission for Custer County's support in providing a new roof, flooring, exterior upkeep and general maintenance for the building possible. Wheeler He also thanked the Commission for holding it's meeting in the 1881 Museum. Commissioner Hartman, in turn, thanked Wheeler for hosting today's meeting.

O. Commission

- 1. Mail call – none
- 2. Meeting Reports –
 - a) Hindle and Lintz attended Library/Board meeting in Hermosa.
 - b) Bies attended BH Advisory Board meeting last week with USFS.
 - c) Hartman attended annual Housing meeting and noted they are in the planning stages of providing senior housing.
 - d) Chairman Lintz attended a Fair Board meeting and stated they procured a 20'x20' garage to be moved to the ball field and used for concessions for a price of \$12K. He noted it will need some work to be suitable, but is a cost-saving measure for the Fair Board.

P. Old Business --- None

Q. Adjourn

Motion by Linde and seconded by Hindle to adjourn the meeting at 9:07 AM. The next meeting will be at 8:00 AM, October 26, 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 _____.

