

Minutes of the Custer County Commission Meeting Wednesday, February 8, 2023.

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Craig Hindle, Michael Buszkohl 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

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

C. Consent Agenda

1. Vouchers approved as follows:

PAYROLL: 2-10-2023 Payroll: Commissioners \$9,049.34; Auditor \$7,661.60; Treasurer \$11,395.52; Info Systems and Technology \$3,159.03; State's Attorney \$13,426.98; Courthouse Bldg \$7,559.12; Director of Equalization \$19,848.65; Register of Deeds \$4,974.71; Veteran's Services \$1,796.03; Human Resources \$2,613.75; Sheriff \$45,664.60; Coroner \$803.40; Nurse \$881.36; Library \$9,250.88; Conservation \$712.91; Weed & Pest \$2,158.05; Planning \$6,642.34; County Road & Bridge \$38,934.91; Emergency Management \$3,145.26; 24/7 Sobriety \$2,028.85; Emergency Line F \$18,723.67

COMMISSIONERS: Dakota Broasted (Fire Advisory Board) \$204.76; Verizon \$82.18; Fleet \$32.38; Southern Hills Publishing \$502.50; Jenny's Floral \$112.84; Pitney Bowes \$2,105.

COURT: Sarah Pfefferle \$1,073.75

AUDITOR: Family Dollar \$51.92; A&B Business \$400.06; State Bar \$625; Lynn's \$19.27; Tracy Fish \$2,409.75; Tyler Technologies \$507.50

NON-DEPARTMENTAL SD State Treasurer \$102.33

STATE'S ATTORNEY: LexisNexis \$370.

MAINTENANCE: Verizon \$41.87; A&B Pure Water \$75.39; Fleet \$32.38; Amazon \$413.72; Do It Best \$69.34; Walmart \$97.61; Sam's \$379.32; Fleet Farm \$63.87; Menards \$314.79; BH Energy \$81.93; Custer City \$557.66; Sander Sanitation \$3,866.53; Custer Ace Hdwe \$35.96

DIRECTOR OF EQUALIZATION: Fleet \$16.19; Custer Car Wash \$28.75

HUMAN RESOURCES: Verizon \$16.44; New Pathway \$4,185.

VETERANS SERVICES: Chamberlain-McColley's \$500.

INFO TECHNOLOGY: Golden West Technologies \$6,976.51

SHERIFF: Verizon \$453.70; LexisNexis \$85; HAIX \$167.20; Propper \$142.76; REI \$131.73; Amazon \$301.57; Vanway \$34.56; Sam's \$74.45; Lynn Peavey \$56.65; Miner's Cup \$220; Southern Hills Publishing \$53.70; Chris Supply \$8.08; French Crk Supply \$14.29; Pheasantland Industries \$46.52; Sonnel Technologies \$390.

COURT-APPOINTED ATTORNEY: Husted Law Office \$1,712.72

PRISONER CARE: Kevin Kirschenmann \$150; Pennington Co. Jail \$17,710; Correct RX \$102.81; Ruth Airheart \$75; Satellite Tracking \$100.75; Jaqueline Nelson \$75; Monument Health \$12.89

AIRPORT: Brenden Hendrickson \$4,110; French Crk Supply \$624.08; Mead & Hunt \$9,505.21;

LIBRARY: Amazon \$819.78; Demco \$407.79; Mt. Rushmore Telephone \$136.40; Collaborative Summer \$211.81

EXTENSION: Verizon \$40.01; Fall River County \$932.65

WEED & PEST: Fleet \$32.38; Fall River County W&P \$145.

CONSERVATION: Custer Conservation District 2023 Budget Request \$9,000.

PLANNING: Fleet \$16.19

COUNTY ROAD & BRIDGE: Fleet \$372.37; Portable Handwash \$1,173.24; Willys \$256.84; Cubbys \$75.58; Wall Auto \$34.92; A&B Welding \$12.09; BH Energy \$75.68; Floyd's Truck Center \$163.52; French Crk Supply \$332.15; Servall Towel & Linen \$257.30; Custer Ace Hdwe \$43.96; Golden West Telecom \$42.96; Pomp's Tire \$481.90; Culligan Water \$13; Nelson's Oil & Gas \$1,246.74; MG Oil \$36,286.51; Advanced Drug Testing \$368; CBH Cooperative \$7,323.86; Federal Safety Compliance \$597;

EMERGENCY MANAGEMENT: Verizon \$47.14; Dakotamart \$52.78; Gov Cont iPadx \$1,798; Holiday Station \$68.74; Ramkota \$206; Casey's \$106.01; American Floor Mats \$153.61; AmericInn \$131.99; BH Council Local Govt \$4,330.

24/7 SOBRIETY: SD Attorney General \$3,370; Pharmchem \$95.85

COUNTY BUILDINGS: Amazon \$8.86; Custer Ace Hdwe \$26.36; HM Cragg Critical Power \$1,108.

EMERGENCY LINE: Range Telephone \$25.57; Amazon \$83.60

FIRE PROTECTION: Custer VFD 2023 Fire Department Assigned Funds \$325,000.

PRAIRIE HILLS TRANSIT: Prairie Hills Transit 2023 Annual Budget Request \$5,000.

MUSEUM: Custer County Museum 2023 Budget Request \$30,000.

SR. CITIZENS: Custer Senior Center 2023 Budget Request \$4,800.

WEAVE: Annual Shelter Support 2023 \$5,000.

2. Approve monthly reports as follows:

CUSTER COUNTY ROAD ACCOUNTING STATEMENT

COUNTY CONTROL

MAINTENANCE CONTRACTS \$10,000.00 @ \$100.00 = 10000
PROPERTY TAXES 200,000.00 @ \$100.00 = 200000
M & F Fund 200,000.00 @ \$100.00 = 200000
Paved/Shoulder Changes 0
MAINTENANCE, MISC. VITAL RECORDS
CORPORATE OFFICES 200,000.00 @ 1.00000 = 200000
Misc. & Equip. 0
COUNTY TOTAL 600,000.00

Allocation of Aid 0
Mileage Fund 0

BRAND PORTION

M & F Flow Through Fund 0 @ \$100.00 = 0

STATE PORTION STATE VITAL RECORDS FUND

Month 12 0 @ 55 5 55.00
Month 07 0 @ 55 5 55.00 (2022) Total 110.00

Month 08/2023 0 @ 55 0 55.00
Month 08/2023 0 @ 55 0 55.00 (2022) Total 110.00

COUNTY ROAD VITAL RECORDS TO STATE GENERAL FUND

Month 12 0 @ 57 0 57.00
Month 07 0 @ 57 0 57.00 (2022) Total 114.00

STATE TOTAL 224.00

GRAND TOTAL 824.00

GRAND TOTAL 1,428.75

Check# 1876 To State \$ 258.00 Check# 1878 To County \$ 17,000.75
Check# 1877 To State \$ 303.00

RECL 7-9-07

Register of final statement of the audited ending account of JANUARY 2023 Custer County, Montana
I, _____, Auditor, do hereby certify that the above is a true and correct statement of the account of the month of January 2023, and of the year ending December 31, 2022, as shown by the books, records and vouchers of said county.

Seal: _____
Auditor
Custer County, Montana



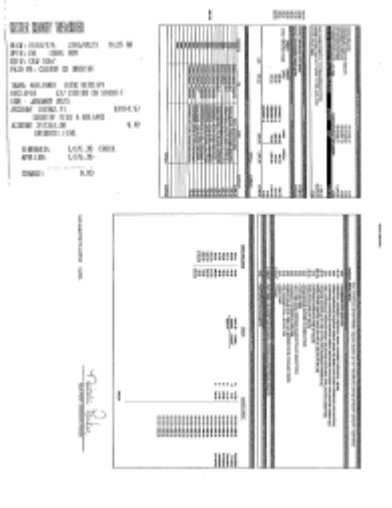
STATE DEPARTMENT OF REVENUE

RECEIPT FOR TAXES

STATE OF MONTANA
CUSTER COUNTY
MONTANA

RECEIVED FROM: _____
AMOUNT: _____
DATE: _____

STATE DEPARTMENT OF REVENUE
CUSTER COUNTY
MONTANA



CUSTER COUNTY TREASURER

RECV: 0011/775 2/06/2023 10:23 AM
REVER: 001 TERM: 000
REF#: CR# 1676
PAID BY: CUSTER CO REG OF DEEDS

TOWN: 000.0000 MISC RECEIPT
RECEIPT# 126 CUSTER CO REG OF DEEDS
EOM - JANUARY 2023

ACCOUNT 101321.00	\$00.00
ACCOUNT 229321.01	\$50.00
ACCOUNT 251341.21	\$543.00
ACCOUNT 301341.20	\$12091.75

TENDERED: 13,474.75 CHECK
APPLIED: 13,474.75-

BALANCE: 0.00



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

D. Conflict of Interest Declarations – None

E. Highway

1. Highway Superintendent, Jesse Doyle, presented the Commission with Resolution 2023-05 Bridge Reinspection Program Resolution for Use with SD DOT Retainer Contracts. Doyle stated this is an annual resolution which allows Custer County to participate in the Bridge Improvement Grant. Custer County has requested SD DOT to hire Brosz Engineering, Inc. to conduct bridge inspection work through this Resolution. Motion to approve Resolution 2023-05 made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

**RESOLUTION 2023-05
BRIDGE REINSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Custer County is desirous of participating in the Bridge Inspection Program.

The County requests SDDOT to hire Brosz Engineering, Inc. (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 8 day of February, 2023, at Custer, South Dakota.



ATTEST:

Barbara Mc
County Auditor
Barbara Mc

Board of County Commissioners
Of Custer County

Jim Haney
Chairman of the Board

F. Planning

1. Planning Director, Terri Kester, presented Authorization for Release of Indemnity

Bond re: Beecher Rock, LLC in the amount of \$1,500 and requested Commission approval and signature. Kester stated this was originally a \$20K bond and that \$18,500 had been previously released. Motion to approve made by Hartman; seconded by Busskohl, vote taken, all aye; motion carried.

2. Kester requested approval for Final Plat: Hole in Rock Tract revised and Twin Peaks Tract revised, located in the S2 SE4 Section 21, T2S, R6E, BHM, Custer County, South Dakota. She stated this is a lot line adjustment; ground pin correction. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

G. Equalization

1. Director Leah Vissia requested approval of the following abatements:

a) NW4 S34 T6 R9; in the amount of \$5,430.68 re: Jeremiah Whitcher. This property should have been classified as ag status. Motion to approve made by Hartman; seconded by Busskohl. Vote taken, all aye; motion carried.

b) Granite Heights Lot 11 S30 T3 R3S in the amount of \$19.74 re: Michael Hilton. This requested abatement is to correct for a building that has been removed from the property. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

c) Lot 8 Block 124 Custer City in the amount of \$364.18 re: Custer County. This property is tax exempt. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

d) Lots 10 & 11, Lot A Block 124 Custer City in the amount of \$1,028.24 re: Tim Holland. This property was purchased by Custer County and is tax exempt. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

H. Search and Rescue

1. Sam Smolnisky presented an updated Search & Rescue roster. The Commission so acknowledged.

I. Public Comment – None.

J. Commission

1. Mail call –Letter from BH Works Foundation with funding request for approved 2023 contribution in the amount of \$2,500; letter from City of Custer re: proposed City Tax Increment District #6. A public meeting discussing this proposed to be held February 14, 2023 at 5:00 PM at Custer City Hall.

2. Meeting Schedule – BH District meeting to be held March 3, 2023 at Dewey County; Weed and Pest meeting to be held in Huron, SD.

3. Meeting Reports –Linde attended a Historical Society meeting; Busskohl attended Planning and County Alive; Hartman attended Planning and Housing meetings.

4. Legal Counsel, Susan Anderson, presented Ordinance #23—An Ordinance Creating Licensing Provisions for Cannabis Establishments Within Custer County for review. Discussion was held in favor of increasing the current initial non-refundable fee of \$50K. Anderson compared fees that neighboring counties are charging for initial costs and annual renewals. She noted that local governments have an extensive amount of paperwork, review of operating plans, etc. and continued oversight of the licensed establishments is involved. She noted the state also has to approve the license, but the local governments certify to the state that they have reviewed and approved the

applicant for licensure. Commissioner Hartman noted that cities generally have a lower fee due to the fact they also collect sales tax and other revenue from sales whereas counties only collect the initial and renewal fees and receive no other revenue. Discussion was held regarding additional anticipated costs to law enforcement; Sheriff Mechaley stated he did not have an estimate at this time. After further discussion, motion to increase initial non-refundable application fee to \$125K and annual renewal fee to \$50K made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. Legal Counsel Anderson will amend Ordinance #23 to reflect the change in fees.

5. Resolution 2023-04—Resolution Designating Custer County Designees to Request Fire Suppression Assistance from South Dakota Wildland Fire, a Division of the South Dakota Department of Public Safety. This resolution designates Commission Chairman Jim Lintz and Custer County Emergency Management Director, Steve Esser with requisite authority to request fire suppression assistance, if needed. Motion to approve made by Hartman; seconded by Hindle; vote taken, motion carried.



CUSTER COUNTY

*420 Mt. Rushmore Rd.
Custer, SD. 57730
Phone: 605-673-8173*

Resolution 2023 - 04

**RESOLUTION DESIGNATING CUSTER COUNTY DESIGNEES TO REQUEST FIRE
SUPPRESSION ASSISTANCE FROM
SOUTH DAKOTA WILDLAND FIRE, A DIVISION OF
THE SOUTH DAKOTA DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, pursuant to SDCL 41-20A-11, a person or persons designated by the board of county commissioners may request the state wildland fire coordinator to assist in the suppression of any range fire within the county; and

WHEREAS, pursuant to SDCL 41-20A-11, if any assistance provided by the wildland fire coordinator includes the use of more than six state employees and more than two vehicles, the county to which the assistance is given shall reimburse the coordinator for the reasonable expenses incurred; and

WHEREAS, the Custer County Commission desires to designate Custer County Commission Chairman and the Custer County Emergency Management Director with the requisite authority to request the state wildland fire coordinator to assist in the suppression of any range fire within Custer County if such assistance is needed; and

WHEREAS, the Custer County Commission designees shall have the authority to obligate Custer County funds if such request requires resources over the wildland fire resources provided pursuant to SDCL 41-20A-11.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Custer County that pursuant to SDCL 41-20A-11, the Custer County Commission designates the Custer County Commission Chairman or the Custer County Emergency Management Director as designees to request the state wildland fire coordinator to assist in the suppression of any range fire within the county, if such assistance is needed in Custer County; and

IT IS FURTHER RESOLVED that the Custer County designees shall have the authority to obligate Custer County funds if such requests requires resources over the wildland fire resources provided pursuant to SDCL 41-20A-11.

This Resolution shall become effective on the twentieth day after its completed publication.

Dated this 8th day of February, 2023, at Custer, South Dakota.


Jim Lintz, Chairman
Custer County Commission

ATTEST:


Barbara Cox, Deputy Auditor



First Reading: February 8, 2023
Adopted:

(Number of Votes for: 4; Number of Votes against: 0)

Publication: _____, 2023
Effective Date: _____, 2023

6. Approve tax charts and corresponding article from Auditor's office for publication in the Custer County Chronicle.

K. Airport

1. Brenden Hendrickson presented the Commission with a Certificate of Economic Necessity regarding the pavement maintenance project to take place in 2023. Hendrickson stated DOT annually inspects and rates the condition of the runway, taxiway and apron surfaces and that Custer received a very high rating. He noted the apron and taxiway will receive new sealcoat and lines. The Certificate allows Custer County to use \$35K from entitlements toward the cost of the project. Motion for the Chairman to sign made by Hindle; seconded by

Busckohl; vote taken, all aye; motion carried. Hendrickson stated the airport would need to be shut down for one day for sealcoat work to take place.

L. Executive Session

1. Motion by Hartman to enter into Executive Session at 8:46 AM re: legal as per SDCL1-25-2(3) and personnel as per SDCL 1-25-21(1). Session concluded at 10:13 AM with no action taken.

M. Adjourn

Motion by Busckohl and seconded by Hindle to adjourn the meeting at 10:24 AM. The next meeting will be at 8:00 AM, February 22, 2023 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 _____.