

Minutes of the Custer County Commission Meeting Wednesday, May 24, 2023.

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Craig Hindle, Michael Busskohl and Commission Legal Counsel Aaron Davis 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 Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

C. Consent Agenda

1. Travel requests approved: Library- request for Sarah Myers & Thea Teasley to attend South Dakota Library Institute June 4-9, 2023 in Aberdeen at a total cost of \$1,177.55
2. Highway- request for Lori Thorson to attend 2023 SDACHS 2023 Highway Dept. Personnel Workshop, June 12-13, 2023 in Pierre, SD a total cost of \$211.00

Vouchers approved as follows:

PAYROLL: 5-10-2023 Payroll: Commissioners \$37,208.55; Auditor \$8,120.94; Treasurer \$11,367.17; Info Systems & Technology \$3,159.03; State's Attorney \$13,838.59; Courthouse Building \$7,648.96; Director of Equalization \$16,327.88; Register of Deeds \$5,149; Veteran's Services \$1,597.59; Human Resources \$2,984.18; Sheriff \$42,817.08; Coroner \$803.40; Nurse \$956.36; Library \$10,239.05; Conservation \$712.91; Weed & Pest \$2,278.52; Planning \$7,236.56; County Road & Bridge \$34,527.72; Emergency Management \$3,014.07; 24/7 Sobriety \$2,804.15; Emergency \$18,350.03. 5-25-2023 Payroll: Commissioners \$5,361.52; Auditor \$9,979.45; Treasurer \$11,630.16; Info Systems & Technology \$3,159.02; State's Attorney \$13,427.01; Courthouse Building \$7,388.20; Director of Equalization \$16,373.77; Register of Deeds \$5,043.71; Veteran's Services \$1,597.59; Human Resources \$2,990.67; Sheriff \$41,367.78; Coroner \$803.39; Nurse \$956.36; Library \$9,118.37; Conservation \$712.91; Weed & Pest \$3,194.77; Planning \$6,642.35; County Road & Bridge \$38,520.08; Emergency Management \$2,893.35; 24/7 Sobriety \$1,861.78; Emergency Line F \$27,327.38.

COMMISSIONERS: Pitney Bowes \$2,015.00

ELECTION: Quill \$24.59

COURT: Witness Fees \$12.04

AUDITOR: Quill \$81.48

STATE'S ATTORNEY: Quill \$20.98; The Lodge at Deadwood \$354.00

COURT APPOINTED ATTORNEY: Angela M Colbath \$3,743.87; Southern Hills Law \$1,408.57

MAINTENANCE: Black Hills Electric Coop. \$886.39; Black Hills Energy \$952.71; McGas Propane \$399.96; Custer Ace \$60.76

DIRECTOR OF EQUALIZATION: Quill \$226.66; Vanguard Appraisals \$525.00; SDAAO Treasurer \$2,200.00

HUMAN RESOURCES: Div. of Criminal Investigation \$86.50

SHERIFF: Survival Armor \$3,157.83; A&B Pure Water \$54.98; L&A Welding \$291.77; Battle Mt Humane Society \$1,083.00

PRISONER CARE: Pennington County Jail \$11,287.72; Correct RX Pharmacy \$27.78; South Dakota Public Health \$150.00

AIRPORT: Witts Heating & Air \$459.18; City Service Valcon \$36,356.13

BLACK HILLS WORKS: Black Hills Works \$2,500.00

MENTALLY ILL: Yankton Co. Sheriff \$50.00

MENTAL ILLNESS BOARD: Garland Goff \$410.40; Dan Fox \$162.85; Darcy Lockwood \$15.00; Val Larson \$15.00; Yankton County Treasurer \$135.00

LIBRARY: Golden West Telecommunication \$117.69; Northern State University \$138.60; SODEXO \$163.85

WEED & PEST: French Creek Supply \$176.99

PLANNING: Southern Hills Publishing \$50.00

COUNTY ROAD & BRIDGE: A&B Welding Inc. \$172.15; Black Hills Electric Coop. \$1,168.79; Black Hills Energy \$86.60; Butler Machinery Co. \$3,286.14; Floyd's Truck Center \$3,230.27; French Creek Supply \$755.87; Fastenal Company \$427.51; Godfrey Brake \$4,264.43; Mt Rushmore Telephone Company \$121.31; S&B Motor Parts \$300.00; SD Dept. of Transportation \$2,412.92; Kieffer Sanitation \$278.10; Summit Signs & Supply \$1,311.50; Servall Towel & Linen \$259.37; Town of Buffalo Gap \$73.00; Snap on Tools \$186.49; Pheasantland Industries \$585.63; Black Hills Gravel \$13,500.00; Custer Ace \$255.03; Pomp's Tire Service \$69.95; Culligan Water \$26.00; CenturyLink – Lumen \$31.21; Nelson's Oil & Gas \$2,149.12; Advanced Drug Testing

\$184.00; Great Western Tire \$1,127.80; Trail King Industries \$384.36; DakotaLand Autoglass \$500.00

EMERGENCY MANAGEMENT: Rushmore Communications \$68,295.00

SOBRIETY: Redwood Toxicology \$130.00

COUNTY BUILDINGS: Custer Ace \$89.64; Cummins Sales and Service \$259.89; Floors & More Cleaning \$1,303.60; Beckett Custom Finishes \$10,710.00; G&R Controls \$550.00

ROD M&P: Microfilm Imaging Systems \$380.00

EMERGENCY LINE: A&B Pure Water \$54.97

TREASURER'S TRUST: SD Department of Revenue \$450.00

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

D. Conflict of Interest Declarations – None

E. Planning

1. Planning Director, Terri Kester, presented and requested approval of Final Plat: Hoffman Tract of Section 5, Located in the T3S, R7E, BHM, Custer County, SD RE: Lea Ann Hoffman Parcel ID:000803. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Kester also presented and requested approval of Final Plat: Metzger Tract, W and Metzger Tract E pf Tact "B" Subdivision, Located in the SE ¼ SE ¼ of Section 30, T6S, R4E, BHM, Custer County, SD. Motion to approve made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

F. Sheriff

1. Sheriff Marty Mechaley requested authorization of new hire, Julie Jenniges, as Civil/Administrative Assistant, with a start date of June 6, 2023. This is a full-time benefitted position with beginning wage of \$21.08/hour. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried. Mechaley also noted his department also has an opening for a full-time deputy and will conduct interviews this afternoon for that position.

G. Equalization

1. Director Leah Vissia, requested Commission acknowledgement of John (Jeff) Anton as a temporary full-time Field Worker and Data Entry Collector with a start date of June 26, 2023. This is an unbenefitted position with a starting wage of \$18/hour. The Commission so acknowledged.

2. Vissia presented Resolution 2023-10 Property Tax Assessment for Propane Tanks. Vissia recommended final approval, as previously discussed. This Resolution is for commercial applications only and does not affect personal, household or other needs. Motion to approve made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. This resolution was not signed, however, but will be amended and be presented at the 6/8/2023 meeting.

3. Vissia stated her office is continuing to work on reappraisals. She noted that there are at least 3 taxpayers appealing on the State level at OHE; possibly 2 more.

H. Emergency Management

1. EMS Director, Steve Esser, presented a temporary budget supplement in the amount of \$68,295 for radios received for the 2022 Homeland Security Office on BLM Grant and requested Commission approval. He noted these are for fire department radios and the invoice will be submitted to Homeland Security for reimbursement. Motion to approve supplement made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried.

2. Esser updated the Commission on the BLM Grant for Community Wildfire Protection Plan. Esser noted the latest prior update was in 2009; he stated this must be updated to qualify for grant funding. Esser explained GIS planning will prioritize areas that need fuel reduction; ie. timbered lands. This grant will cover expenses incurred for thinning fuels, etc. Esser met with the conservation district and noted this project is priority-based for fuel mitigation.

3. Esser presented an update on the repeater installation at the Argyle water tower and noted work is complete but not yet set up in dispatch. Esser stated current testing is going well and will continue on the eastern portion of Custer County. He noted the possibility of placing an additional tower on Rittberger lands, which would be the highest point in eastern Custer County.

I. Old Business

1. Update on Star Valley Estates Nuisance re: McDill. Mr. McDill was not present at the meeting, as he indicated he would be; the Commission instead reached him by telephone to receive a status update. State's Attorney, Tracy Kelley, stated that paperwork has been sent for service and she has not yet heard from Mr. McDill regarding the matter. McDill stated the movers have been paid (the movers dispute this statement); that he sent a blank check for the first house to be moved. He also stated that the trucking companies hired by a third party were only available on the weekends, thus creating a problem with utility companies needed to move power lines, etc. Commissioner Hartman inquired if the sites are prepared and ready to receive the buildings and McDill replied that they were (the movers dispute this statement, as well). He feels that weather has impeded the move and feels that is the biggest issue to date. State's Attorney Kelley stated that once the 30 days has passed, should the County choose to take action to abate the problem, the buildings be moved to a location of their choice. It was decided to reassess the situation at the June 21st Commission meeting.

J. Weed & Pest

1. Michael Baldwin requested authorization for the Chairman to sign modifications to Participating Agreement between Custer County and the USDA, Forest service, Nebraska National Forests and Grasslands for noxious weed treatments on the Buffalo Gap National Grassland within Custer County. Baldwin stated this will provide an additional \$3K to the current agreement. Motion to approve made by Linde; seconded by Busckohl; vote taken, all aye; motion carried.

K. Airport

1. Brenden Hendrickson discussed the Taxilane Extension Project Independent Fee Review, as required by the FAA. Hendrickson stated as the FAA requires this review, a scope of work to be completed will be estimated by a second engineering firm; that estimate must be within 10% of the firm completing the work. Hendrickson recommended Helms & Associates to conduct the review at a cost of \$5K. It was explained this standard fee will be included in the grant; 90% to be paid by the FAA, 5% to be paid by the State of SD and 5% to be paid by Custer County. Motion to approve with Legal Counsel's recommendation made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

L. Public Comment

1. Lea McWhorter stated she and Mr. Urrutia met in Hermosa with Mr. Preston regarding plans for a new library building.

2. Theresa Obenauer reminded the public there will be a Friends of Search & Rescue meeting Sunday, May 28th at the Outdoor Shop in Custer.

M. Library

1. Library Director, Jessica Phelps, updated the Commission regarding proposed new library building in Hermosa and presented preliminary floor plans. Those plans include an office for the Fair Board; satellite office space for Custer County Treasurer and Register of Deeds, as well. Phelps noted this draft is for planning purposes only and thanked those who helped with input. The building is under 3,700 square feet and a cost estimate is not yet available. She stated the Library Foundation has a dedicated account for building funds for this project. Custer County will begin to pay rent to Hermosa on the current location in 2029 should the project not take place.

N. WEAVE

1. WEAVE presented an early funding request for 2024, which is necessary for their board to proceed. Chairman's signature was requested; but noted this signature is only for WEAVE's budget process and does not guarantee funding at this time. WEAVE will be able to request funding during Custer County's budget process. Motion to approve Chairman's signature made by Hindle; seconded by Busckohl; vote taken, all aye; motion carried.

O. Fire Advisory Board

1. Tim Behlings and Selena Spring were not able to be in attendance to present an update; in their absence, Dawn McLaughlin, read aloud an email from Mr. Behlings,

who shared concerns but said he would continue to work through the process. Behlings stated he would bring additional information to the Commission as things progress and noted he would like to have a short work session at a later date. Chairman Lintz shared his disappointment in the lack of progress and felt the matter had been put on the back burner; having lost another year before putting the matter to the voters of Custer County. Lintz stated progress needs to be made or another route will need to be taken. The possibility of finding another experienced person to spearhead the project was brought up.

P. Commission

1. Mail call –
 - a) Letter from Brosz Engineering re: potential road extension between Harris and Aspen Lanes.
2. Request to authorize Chairman to sign Legal Counsel Agreement. Motion to approve signature made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.
3. Meeting Schedule – Town Hall meeting to be held to discuss possibility of reopening the nursing home in Custer.
4. Meeting Reports – Busskohl, Doyle, Hindle and Lintz attended BH District Meeting; Teri Morgan inquired if there was mention of consolidating counties at this meeting; Lea McWhorter noted this was discussed at the summer Tax Meeting as a cost-saving measure as some counties have difficulty covering expenses. Linde attended Garbage Board meeting; Lintz attended Fair Board meeting.

Q. Executive Session

1. Motion by Busskohl; seconded by Linde to enter into Executive Session as per SDCL 1-25-21(1) personnel; vote taken, all aye; motion carried. Executive Session entered into at 9:01 AM and concluded at 9:45 AM with no action taken.

R. Adjourn

Motion by Linde and seconded by Busskohl to adjourn the meeting at 9:48 AM. The next meeting will be at 8:00 AM, Thursday, June 8, 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 _____.