

Minutes of the Custer County Commission Meeting Wednesday, October 18, 2023.

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Busskohl, Craig Hindle 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. Amend Agenda to add item "Sheriff" after Item O—"Old Business".
2. Amend Agenda to add item "Legal Counsel" executive session as per SDCL 1-25-2(3) Legal after "Sheriff".
3. Amend Agenda to add item "DOE" executive session as per SDCL 1-25-2(3) Legal immediately following "Legal". Motion to approve Agenda as amended made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

C. Consent Agenda

1. Minutes of October 4, 2023 Commission Meeting
2. Vouchers
3. Monthly Reports
4. Travel Requests
 - a) Safety: Jamie DeNoma 2023 Annual Safety and Loss Control Training in Pierre, Nov. 1-2 2023 at a cost of \$250.16.
 - b) DOE: Scott Storms, CAA Testing Rapid City 10-20-23; fuel only.

PAYROLL: 10-5-2023 Payroll: Commissioners \$6,237.62; Auditor \$9,571.71; Treasurer \$12,960.10; Info Systems & Technology \$3,392.87; \$13,838.59; Courthouse Building \$6,270.17; Director of Equalization \$20,061.04; Register of Deeds \$5,237; Veteran's Services \$1,200.14; Human Resources \$2,639.76; Sheriff \$55,795.53; Coroner \$1,441.02; Nurse \$900.11; Library \$9,866.15; Conservation \$712.90; Weed & Pest \$3,068.77; Planning \$7,294.10; County Road & Bridge \$42,137.34; Emergency Management \$2,882.86; 24/7 Sobriety \$1,992.07; Emergency Line F \$15,728.52

COMMISSIONERS: Verizon \$88.60; Verizon Fleet \$32.38; A&B Business \$144; Subway \$127.86; Cat. Legal Expense \$1,632; S&B Motor Parts \$10.39; Golden West Telecom \$27.68; Valhalla Legal PLLC \$3,130.

AUDITOR: BHEC \$63.48, Mt. Rushmore Telephone \$4; Golden West Telecom \$138.40; A&B Business \$261.44

TREASURER: A&B Business \$367.39; Golden West Telecom \$138.40; Intellectual Technology \$132.81

TREASURER'S TRUST: US Geological Survey \$1,545

STATE'S ATTORNEY: A&B Business \$181.77; Fremont City \$40.50; LexisNexis \$444; Golden West Telecom \$138.40; Culligan \$31.50

COURT-APPOINTED ATTORNEY: Garland Goff \$1,514.15; Angela Colbath \$1,695.93; Southern Hills Law PLLC \$418.62; Winter Law Office \$192.60

MAINTENANCE: Verizon \$74.19; A&B Pure Water \$75.39; Sam's \$310.15; Menard's \$383.72; Amazon \$14.99; BH Energy \$4,096.82; BH Chemical \$633.70; Custer Ace Hdwe \$72.89; Golden West Telecom \$27.68; A-Z Shredding \$11.24

DIRECTOR OF EQUALIZATION: Golden West Telecom \$193.76; Time Equipment \$455; Country Inn & Suites \$375; Shirt Logic \$503.45; A&B Business \$121.77

REGISTER OF DEEDS: US Bank \$126.40; Uline \$178.55; Golden West Telecom \$55.36; State SD \$38.50; Shirt Logic \$338.66; A&B Business \$164.54

VETERANS SERVICES: A&B Business \$145.61; Golden West Telecom \$27.68

HUMAN RESOURCES: A&B Business \$6.80; Golden West Telecom \$27.68

INFO TECHNOLOGY: Postage \$132; Golden West Telecom \$735.36; Golden West Technologies \$2,327

PREDATORY ANIMAL: SD Dept GF&P \$872.30

SHERIFF: Verizon \$579.24; A&B Business \$180.96; RT Searches \$85.50; Enwild Boots \$191.21; Amazon \$100.73; S&B Motor Parts \$448.47; Custer Ace Hdwe \$29.98; Innovative Office Solutions \$34.18; Golden West Telecom \$276.80; Pomp's Tire \$817.28; A&B Pure Water \$54.98; Murray Auto Repair LLC \$61.15; A-Z Shredding \$27.30; Creative Product Sourcing \$407.68; Battle Mt. Humane Society \$1,083.

PRISONER CARE: Amazon \$89.99; RC Police Dept \$40; Pennington Co Sheriff \$685.52; Pennington Co Jail \$19,344.26; SD Public Health \$80;

MENTALLY ILL: Pennington Co. Pub. \$107

MENTAL HEALTH CENTER: New Trails Ministry \$300

MENTAL HEALTH BOARD: Garland Goff \$747.50

SAFETY OFFICER: US Geological Survey \$1,545

AIRPORT: Custer Do It Best Hdwe \$25.89; Grimm's Pump \$972.67; Golden West Telecom \$114.16; Rocky Mt. Propane \$728

LIBRARY: Amazon \$1,474.7; Mt. Rushmore Telephone \$134.58; Golden West Telecom \$115.95

EXTENSION: Verizon \$40.01; A&B Business \$154.57; Golden West Telecom \$68.90; Erin McGlumphy \$1,214.99

WEED & PEST: Verizon \$32.38; A&B Business \$153.68; S&B Motor Parts \$4.50; Warne \$22.40; Rick Fox \$1,000; Warne Chemical \$39.44; Buskohl Ranch \$1,000; Nutrien Ag \$7,472.62; Golden West Telecom \$27.68; Culligan Water \$6.50; Larry Church \$1,000.

PLANNING: Shirt Logic \$128.66; Verizon \$16.19; A&B Business \$187.23; Sam's \$170.28; Lynn's \$61.68; Golden West Telecom \$110.72

COUNTY ROAD & BRIDGE: Verizon \$372.37; A&B Business \$181.03; Harbor Freight \$359.99; Diamond Attachments \$282.41; Friendly's Fuel \$113.62; Dakota Battery \$569; Diamond Mowers, Inc. \$1,031.24; French Crk Supply \$815.53; Fastenal \$1,315.36; Golden West Technologies \$644.67; Interstate Batteries \$147.95; Mt. Rushmore Telephone \$119.83; S&B Motor Parts \$519.96; Kieffer Sanitation \$271.70; Rosane Construction \$105,014; Snap On Tools \$49.80 Custer Ace Hdwe \$19.30; Golden West Telecom \$270.66; Runnings \$1,660.92; 21 Electric, LLC \$210; Culligan Water \$13; Centurylink \$36.47; Great Western Tire \$12,329.04; CBH Cooperative \$6,340.70

EMERGENCY MANAGEMENT: Rapid Chevrolet \$2,112.47; Exxon \$25.01; Custer Car Wash \$5.50; Yesway Fuel \$36.07; Verizon \$46.81; A&B Business \$171.93; Golden West Telecom \$45.21

SEARCH & RESCUE: Sander Sanitation \$21.09; Golden West Telecom \$93.95; Nelson's Oil & Gas \$48.

COUNTY BUILDINGS: Copy City \$35.95; Sam's \$259.98; BH Chemical \$4,299.99; Harvey's Lock Shop \$44.99; Custer Ace Hdwe \$11.99; Apex Electrical \$6,623.90; Thyssenkrupp Elevator \$12,962.64

EMERGENCY LINE: A&B Business \$167.20; Range Telephone \$25.06; Quill \$48.58; Golden West Telecom \$768.40; A&B Pure Water \$54.97; Language Line Services \$5.20; Mt. Plains Audiology \$45; Evergreen Office \$1,482.

24/7 SOBRIETY: \$106.90

TREASURER DISBURSEMENTS

SEPTEMBER 2023

10/05/2023 4:13 PM DIRECT PAYABLES CHECK REGISTER PAGE: 1
 REPORT: 01984 TREAS DISB- SEPT 2023-088
 VENDOR SET: 01 CUSTER COUNTY **** CHECK LISTING ****
 BANK: AS FIRST INTERSTATE BANK

| VENDOR | I.D. | NAME | CHECK TYPE | CHECK DATE | DISCOUNT | AMOUNT | CHECK NO# | CHECK AMOUNT |
|---------------------|---------------------|-----------------------------------------------------------------|------------|------------|------------|---------------|-----------|--------------|
| 1630 | I-ADD 2023 ECM | SOUTH DAKOTA STATE TREASURER ECM NY FOR AUGUST 2023 | H | 9/06/2023 | | 311,195.95 | 016189 | 311,195.95 |
| 2862 | I-ADD 23 SO FUEL | WEK INC FLEET AUGUST 2023 SO FUEL BILL | H | 9/07/2023 | | 5,044.22 | 000567 | 5,044.22 |
| 1839 | I-NY REFUND | JUSTIN LOCKHART 218712 4130401 FEE PD IN SRN H | H | 9/07/2023 | | 123.50 | 016180 | 123.50 |
| 3732 | I-HISTORICAL PLATE | SCHMITE HEATHER 192030800 DENIED HISTORICAL PL H | H | 9/07/2023 | | 17.50 | 016181 | 17.50 |
| 3733 | I-REFUND HIST PLATE | THE COOPER FAMILY LIVING TRUST HISTORICAL PLAYS REFUND | H | 9/07/2023 | | 17.50 | 016182 | 17.50 |
| 3734 | I-HIST FLT REFUND | WEITAKER BOBBY DENIED NO RESPONSE TO STATE | H | 9/07/2023 | | 17.50 | 016183 | 17.50 |
| 3735 | I-NY REFUND | MARCE RICHARD CA TITLE CANT BE TITLED IN SD H | H | 9/19/2023 | | 297.19 | 016184 | 297.19 |
| 1630 | I-EXEMPT PLATES | SOUTH DAKOTA STATE TREASURER FLASHING AND DOE NEW PLATES | H | 9/22/2023 | | 53.40 | 000593 | 53.40 |
| 0934 | I-COMM REFUND | ED FULSE 2012 FORD 123111274 COMM REFUN H | H | 9/25/2023 | | 526.25 | 016185 | 526.25 |
| 9001 | I-COMM ADM FEE | CUSTER COUNTY TREASURER COMM ADM FEE ED FULSE FORD | H | 9/25/2023 | | 10.00 | 016186 | 10.00 |
| 1284 | I-ADV TAX PAYMENT | JUDI LAWRENCE ADVANCE TAX PARCEL 3928 | H | 9/26/2023 | | 5,000.00 | 000569 | 5,000.00 |
| 3744 | I-OPPT TAX 16197 | MILLER LAURIE OVER PAYMENT TAX PARCEL 11387 | H | 9/27/2023 | | 701.92 | 016197 | 701.92 |
| 1630 | I-NY NEW VEH | SOUTH DAKOTA STATE TREASURER TITLE & REG 2 2024 CRV PICKUP H | H | 9/28/2023 | | 53.40 | 000570 | 53.40 |
| ** BANK TOTALS ** | | | NO# | DISCOUNTS | CHECK AMT | TOTAL APPLIED | | |
| REGULAR CHECKS: | | | 0 | 0.00 | 0.00 | 0.00 | | |
| HANDWRITTEN CHECKS: | | | 13 | 0.00 | 323,078.33 | 323,078.33 | | |
| PRE-WRITE CHECKS: | | | 0 | 0.00 | 0.00 | 0.00 | | |
| CASHES: | | | 0 | 0.00 | 0.00 | 0.00 | | |
| VOID CHECKS: | | | 0 | 0.00 | 0.00 | 0.00 | | |
| NSF CHECKS: | | | 0 | 0.00 | 0.00 | 0.00 | | |
| CORRECTIONS: | | | 0 | 0.00 | 0.00 | 0.00 | | |
| BANK TOTALS: | | | 13 | 0.00 | 323,078.33 | 323,078.33 | | |

not present and therefore, it was decided to table this request. Motion to table request until November 1, 2023 made by Busskohl; seconded by Hindle; vote taken, Busskohl, Hindle, Linde all aye; Hartman abstained citing a conflict; motion carried.

2. Request for ROW Occupancy request by Golden West Telecom for buried copper facility at 12019 Custer Limestone Road; S16 T3S R4E was made. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

3. Treloar also presented ROW Occupancy request by Golden West Telecom for buried copper facility at 12071 Woodford Road; S16 T3S R4E and recommended approval. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

G. Department of Equalization

1. Director Leah Vissia, drafted a revised version of Resolution 2022-14 to correct previous errors regarding concrete and carport size regulations. Motion to table until further review by Legal Counsel made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

2. Vissia also requested acknowledgment of resignation of temporary full-time employee, Jeff Anton, effective October 19, 2023. The Commission so acknowledged. Vissia stated she does not plan to advertise this position at present; she will reevaluate in the spring when the reappraisals are busier.

H. Maintenance

1. Request for approval of new hire, Jena Kopp, as custodian 2nd shift was made. This position is full-time 40 hours per week and fully benefitted. Jena's start date is October 2, 2023 at a rate of \$18.04/hour. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

2. Request for approval of new hire, Mike Sellevold, as Maintenance/Weed & Pest full-time employee was made. This is a 40 hour/week, fully benefitted position with a wage of \$18.04/hour and start date of October 10, 2023. This is a shared position between the two departments with 60% Maintenance and 40% Weed & Pest. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

3. Maintenance Supervisor, Joseph Panza, was not present and therefore, discussion regarding Search & Rescue/Ambulance lot concrete and asphalt bids on the property, as well as discussion regarding the newly acquired west parking lot asphalt repairs will be tabled. Motion to table until November 1, 2023 made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

I. Emergency Management

1. Director Steve Esser requested Chairman's signature on LEMPG OEM Single Signature Report Form. Esser noted this is essential to receive 50% wage reimbursement to Custer County, as long as the EMS position remains full-time. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried. Esser also noted the USFS will be conducting a controlled burn later this week south of Pringle.

J. Search & Rescue

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

2. Smolnisky also presented the contract between Custer County S&R and Custer State Park in the amount of \$8,678.17. This amount is for services rendered in CSP. Smolnisky presented

a chart showing the breakdown of number of calls, type of call and call location, together with the cost per call. He noted that reimbursement is for response only and does not cover costs related to training. Motion to approve Chairman's signature made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried. Discussion was held regarding Title 3 funding, which is on the Federal, not State, level. It was noted that Custer County has received Title 3 monies in the past as per the state audit. Smolnisky also stated this is the 50th anniversary of Custer Search and Rescue and invited the Commissioners to attend S&R Banquet to be held at the Custer Beacon on November 18, 2023.

K. Merchant Trick or Treating

1. Terri Kester spoke before the Commission to request Custer County sponsoring and participating in Merchant Trick or Treating. Kester noted, however, that Commissioner Buszkohl personally purchased candy for the festivities this year. Kester proposed the idea of Custer County working to provide turkey dinners, etc. to the community members in need. Kester also stated there will be a select-a-gift tree located in the courthouse lobby during the Christmas holiday. Commissioner Hindle suggested forming a committee for civic events, such as parades, etc. He would like to see a long-term plan and the Commission decided to revisit the topic in the near future.

L. Airport

1. Brenden Hendrickson, Airport Manager, presented two documents for Chairman's signature. Project No. 3-46-0011-20-2023 re: State Financial Assistance Agreement/East Hangar Taxiway Extension and Project No. 3-46-4600-29-2023 SD DOT Pavement Maintenance State Financial Assistance Agreement. Hendrickson noted these documents are a statement of good faith on behalf of Custer County. Motion to approve Chairman's signature made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

M. Public Comment –

1. David Reid appeared before the Commission to express his dissatisfaction regarding his 2023 real property assessment. He spoke at length and shared his experience at Board of Appeals and appearing before the Office of Hearing Examiners in Pierre. Reid stated he was very unhappy with the results of the hearing and noted State's Attorney Tracy Kelley was present, as well. Reid stated he would like to further discuss his situation with the Commissioners, as he still has questions regarding his assessments. Commissioner Buszkohl stated he has visited with Reid at length and feels further discussion would be futile. Reid said the OHE judge is unwilling to visit with him; Commissioner Hindle stated that States Attorney Kelley may be available to discuss the matter with Reid. Chairman Lintz advised that the State cannot be overruled by the County.

N. United Way

1. Tara Bland spoke before the Commission on behalf of United Way of the Black Hills. She shared information as to how the United Way helps in the local communities and how donated monies make a difference in the lives of those in need. Custer YMCA, Meals on Wheels, Freshman Impact, CASA, 211 and others are just some examples of agencies receiving help from United Way. Bland noted that in the past, Custer County employees have donated to the United Way through payroll deduction and supplied the Auditor's office with information packets and urged those in attendance to reach out to her with any questions or concerns. Bland

stated that another great way to help the local community is through volunteerism, as well. She shared examples of community projects completed during the “Month of Caring” promotion.

O. Old Business

1. Finance Officer McLaughlin readdressed a donation request from NACo (National Association of Counties) regarding National Center for Public Lands Counties. She stated that all but 4 counties in South Dakota are in support of this 1% contribution based on funding received from LATCF. Custer County’s contribution amount is \$12,718.38. McLaughlin shared that NACo supports our tax burdens on public lands, and Custer County needs this support due to the high volume of untaxable lands within the County. She noted this is a one-time fee and stated these funds are available in the contingency fund. Motion to approve this one-time payment made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

P. Sheriff

1. Sheriff Marty Mechaley informed the Commission of resignation of Deputy John Fotopoulos, effective October 8, 2023. Mechaley stated his department needs 3 deputies and will be conducting numerous interviews October 23, 2023. He stated that wages and housing are still issues for potential candidates.

Q. Executive Session

1. Legal Counsel Aaron Davis requested Executive Session as per SDCL 1-25-2(3) Legal. Director of Equalization, Leah Vissia requested Executive Session as per SDCL 1-25-2(3) Legal. Executive Session for both entered into at 9:04 AM and concluded at 9:50 AM with no action taken.

R. Commission

1. Mail call – None
2. Meeting Schedule – McLaughlin noted there will be a Chamber Fall Banquet event on Thursday, October 26, 2023. There will be a Library meeting held October 18, 2023 in Custer.
3. Meeting Reports –Linde attended Historical Society meeting and stated the boiler in the old building is in need of repair. He also attended Conservation Board meeting and noted there are funds available for thinning. Linde also attended City of Custer Council meeting. Busskohl attended Custer Wildcat wrestling fundraiser; County Alive, Search & Rescue meeting, BH Works jubilee; Custer Humane Society fundraiser, City of Custer Council meeting, Hermosa BOT and Hill City Ambulance fundraiser. Busskohl noted the BH Institute announced the purchase of the Harney Hotel and plans for expansion. Chairman Lintz attended Fair Board meeting.

T. Adjourn

1. Motion by Buskohl and seconded by Hindle to adjourn the meeting at 9:57 AM. The next meeting will be at 8:00 AM, Wednesday, November 1, 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 _____.