

Draft Minutes of the Custer County Commission Meeting Wednesday, January 24, 2024.

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 to item to "V" Mail Call—BHRMUC letter; move item "O" ARPA to after "H" Planning; change date on item "J" to read: 1-23-2024. Motion to approve as amended made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes of January 10, 2024 Commission meeting.
2. Vouchers approved as follows:

PAYROLL: Commissioners \$5,450.70; Auditors \$11,933.68; Treasurer \$12,029.39; Info Systems & Tech \$3,310.41; States Attorney \$13,951.46; Court House Building \$6,630.64; Director of Equalization \$15,300.69; Register of Deeds \$5,210.21; Veterans Services \$1,221.96; Human Resources \$2,683.72; Sheriffs \$52,299.17; Coroner \$837.04; Nurse \$1,004.48; Library \$9,749.29; Conservation \$751.80; Weed and Pest Control \$3,104.87; Planning \$6,926.75; County Road and Bridge \$38,083.58; Emergency Management \$3,031.81; 24/7 Sobriety \$851.09; Emergency Line \$20,133.55.

COMMISSIONERS: CAED \$5,075.70; Juror Fees \$441.80; Verizon \$120.98; Fuel \$76.42.

CONSERVATION: Custer County Conservation \$9,000.

CORONER: Monument Health Client \$461.

AUDITOR: A&B \$235.68.

TREASURER: Quill \$159.99; Tyler Technologies \$10,756; A&B \$428.14; TRS2 Calc \$119.86.

STATE'S ATTORNEY: Case Copies \$521.60; A&B \$214.29; Gift Basket Penn City \$321.71; Chaffee \$20.

COURT APPOINTED ATTORNEY: Garland Goff \$5,617.85; Southern Hills Law PLLC \$504.88.

MAINTENANCE: Black Hills Electric \$1,021.58; Black Hills Energy \$5,303.72; Custer Ace Hardware \$44.97; A&B Water \$75.39; Verizon \$74.30; Mastercard \$2,006.87.

DIRECTOR OF EQUALIZATION: SDAAO Treasurer \$375; Tyler Technologies \$1,173; Verizon \$16.19; A&B \$142.48.

REGISTER OF DEEDS: Microfilm Imaging System \$380; A&B \$185.06.

BLACK HILL WORKSHOP: Black Hills Works \$5,000.

PRAIRIE HILLS TRANSIT: Prairie Hills Transit \$6,000.

CASA: Seventh Circuit CASA \$3,400.

CUSTER'S YMCA: Custer's YMCA \$17,000.

DOMESTIC ABUSE: Weave \$5,000.

VETERANS SERVICES: A&B \$214.29.

HUMAN RESOURCES: Division of Criminal Invest. \$216.25; A&B \$214.29.

CUSTER COUNTY HOUSING: Custer County Housing \$14,000.

SHERIFF: French Creek Supply \$65.98; Pheasantland Industries \$632.73; Secretary of State \$30; Children's Home Society \$1,800; Sherry Weber \$30; Gall's \$693.58; State Farm \$50; Survival Armor \$2,698.80; Marinka Ziolkowski \$51.02; Anderson Auto Sales \$87; Battle Mt Humane Society \$1,083; Priority Mail \$53.55; Verizon \$459.22; A&B \$214.29; Supplies \$588.32; Vehicle Tracking \$244.30.

SENIOR MEALS: Custer Senior Meals \$3,000.

SENIOR CITIZENS: Custer Senior Center \$5,000; Hermosa Senior Center \$2,500.

PRISONER CARE: Rapid City Police Dep. \$80; Pennington County Sheriff \$70; Pennington County Jail \$184.44; Correct RX Pharmacy \$99.35; Concordance Healthcare \$14.89.

MENTALLY ILL: Audra Hill Consulting \$1,220.82.

MENTAL HEALTH CENTER: Audra Hill Consulting \$869.81.

AIRPORT: French Creek Supply \$21.99; Dakota Appraisals \$7,000

CIVIL AIR PATROL: Civil Air Patrol \$1,000.

SEARCH & RESCUE: S&R Pro Fees \$9,000; S&R Gas \$5,000; S&R Supplies \$3,500; S&R Internet \$1,000; S&R Other Exp. \$2,500; S&R BLDG \$2,000; S&R Machine Supplies \$12,500.

LIBRARY: MasterCard Amazon \$1,189.93.

MUSEUM: Custer County Museum \$41,000.

EXTENSION: Verizon \$40.01; A&B \$214.29.

WEED & PEST: Verizon \$32.38; A&B \$214.29.

PLANNING: Verizon \$16.19; A&B \$214.29.

COUNTY ROAD & BRIDGE: Black Hills Electric \$808.56; Floyd's Truck Center \$15.67; French Creek Supply \$816.17; Godfrey Brake \$2,833.42; Summit Signs & Supply \$69; Servall Towel & Linen \$127.28; Town of Buffalo Gap \$63.00; Custer Ace Hardware \$34.47; Pomp's Tire Service \$912.28; L&A Welding \$50; 21 Electric LLC \$2,153.50; Partson NAPA \$24.98; Minnehaha County Highway \$254.40; Lumen-Centurylink \$38.99; Nelson's Oil & Gas 1,581.86; NSG Logistics 5,006.64; Verizon \$356.18; A&B \$214.29; MC Supplies \$217.79.

EMERGENCY MANAGEMENT: Black Hills Electric \$46.29; Rushmore Communications \$3,450; Verizon \$46.92; A&B \$214.29; MC Supplies \$40.96.

COUNTY BUILDINGS: Custer Ace Hardware \$14.99; Menards Rapid City \$712.95; MC Supplies \$2,581.81.

EMERGENCY LINE: Motorola Solutions \$66; Centurylink \$.36; A&B \$214.26; MC Supplies \$151.90.

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

D. Conflict of Interest Declarations – Commissioner Busskohl declared a conflict under item "F" 8:10 AM Public Hearing.

E. 8:05 AM Public Hearing

1. Planning Director, Terri Kester, presented Section Line Vacation re: Parcel 011896 Thomas & Lori James—Lot 1, LN Subdivision SW1/4 SW1/4 S20, T2S, R8E BHM Custer County, SD. Kester stated this was presented to the Planning Commission on 12-5-2023 and they recommended Commission approval.

2. Resolution 2023-22 Vacation of Section Line Highway Right of Way was presented for approval. Motion to approve made by Linde; seconded by Buszkohl; vote taken, all aye; motion carried.

F. 8:10 AM Public Hearing

1. Kester also presented Section Line Vacation re: Parcel 001656 Matthew Hespen—Tract A of HES #226 E1/2 W1/2 S23 & 24, T4S, R4E, BHM, Custer County, SD. This was presented to the Planning Commission and they recommended Commission approval.

2. Resolution 2023-23 Vacation of Section Line Highway Right of Way was presented for approval. Motion to approve made by Linde; seconded by Hindle; vote taken; Linde; Hindle and Hartman aye; Buszkohl abstained; motion carried.

G. 8:15 AM Public Hearing

1. Kester presented Section Line Vacation re: Parcels 007445, 007515, 007514, 007518 & 007519 Colleen Lavine, Jeffrey Chamberlin, Sean Burns, Stacey Bork, Sonya Coneley Custer Highlands Subdivision Lot 17, Lot 16, Lot 12, Lot 13, Lot 1. T4S R1E BHM Custer County SD. This was presented at the 12-5-2023 Planning Commission meeting, where they recommended Commission approval.

2. Resolution 2024-1 Vacation of Section Line Highway Right of Way was presented. Motion to approve made by Buszkohl; seconded by Hartman; vote taken, all aye; motion carried.

H. Planning

1. Planning Director, Terri Kester, presented Final Plat of: TRACT MAD MAXX 1, 2, AND 3 OF PHILLIPS SUBDIVISION NO. 2, LOCATED IN THE E ½ SECTION 34, T3S, R3E, BHM, CUSTER COUNTY, SOUTH DAKOTA Re: Parcels 015429 & 015298. Kester stated this is a lot split into 3 tracts and the Planning Commission recommended approval at the 12-5-2023 meeting. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Kester presented a request to select Planning Commission members. The following members were recommended: Roland Bauer—regular member; Peg Ryan—move from alternate position to regular member; Juliann Gramkow—alternate member. Motion to approve made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried.

I. Highway

1. Highway Superintendent, Jesse Doyle, requested approval of purchase of belly-dump trailer; Sourcwell Contract #092922 TKI at a cost of \$64,003.23. Doyle noted this expense has already been budgeted and is listed on the 2024 Equipment Replacement Proposal that was presented to the Commission. Motion to approve purchase made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

2. Doyle requested a corrected base-hiring wage of 2 employees; Kevin Armbrust to \$23.18/hour and Samuel Monahan to \$23.18/hour. Doyle stated that had he hired them at the starting wage at that time, they would have been earning the same rate as employees who had been working for over a year. With raises, the starting wage changed and was not corrected (2 years ago). This current change reflects an .08/hour increase and will bring them up to base wage. Motion to approve made by Hartman; seconded by Buskohl; vote taken, all aye; motion carried.

3. Doyle requested authorization to advertise Notice to Bidders for surface gravel for the Buffalo Gap area. Doyle noted he would like to tentatively schedule the bid opening at the February 21, 2024 Commission meeting. Motion to approve made by Buskohl; seconded by Hindle; vote taken, all aye; motion carried.

4. Doyle presented the Commission with a 2024 Equipment Replacement Proposal, which includes the total 2024 equipment replacement budget of \$350K. Doyle discussed a drum mulcher as a possible option for mulching and general cleanup in county ROW. The mulcher can be used with a high-flow capacity skid steer or has an attachment for excavators. Doyle will conduct further research into which option would be best; including the possibility of trading existing skidsteer for newer, high-flow capacity model. Also included on the list is a 4,000 gallon water tank; 30-foot deck over gooseneck trailer; lowboy trailer and tailgate sander. Doyle stated the current lowboy trailer is rusting out and is approximately 20-years old, but may repair and keep in service a bit longer. Doyle also noted the recent surplus auction went well, with items bringing higher prices than anticipated.

J. Maintenance

1. Maintenance Supervisor, Joseph Panza, requested acknowledgement of new-hire, Mason Martinez as Custodial 2nd shift with a start date of 1-22-2024. This is a fully-benefitted position with a starting wage of \$18.58/hour. The Commission so acknowledged.

2. Panza presented an update on HVAC system and alternate heat source price quotes. He noted the current system is an air-source based system that presents issues when temperatures drop. Panza received a bid of \$258K to convert the neutral room to pull heat into the building. Panza noted that if we stay with the current heat source, an alternate heat source will still be necessary. One option would be to install cove heating; Swiftec and Freeman's will be submitting bids. Panza will contact 21 Electric for a bid, as well. These are the least invasive options.

K. Sheriff

1. Sheriff Marty Mechaley addressed the Commission and noted he had previously sent a letter to the Commission to address certified and uncertified pay rates; stating that those are the only two rates they have. He would like to get a pay scale adopted for 2024 for clarification. The base hiring rate for Sergeant and Lieutenant positions, should there be an opening, will be set at the lowest paid current Sergeant or Lieutenant. If adopted, Marty would not need Commission wage approval with each hire, as it would already be approved in the pay scale. Mechaley requested a rate of pay change for Deputy Steele, who is now certified, and should change from \$26.98 to \$28.13, beginning with the February 6, 2024 pay period. Steele began employment at the same time as Certified Deputy Haugen. Now that they are both certified, they will be at the same spot on the wage scale. Mechaley will be sending 4 deputies to the academy, at great expense. Once graduated, Mechaley would like to move them up into the certified rate category. This will make it so Marty will not have to gain Commission approval with each graduate. Chairman Lintz inquired if there was any guarantee if those attending the academy at County expense to become certified, will remain employed with Custer County. Mechaley stated the Deputies sign a contract, although was unsure of the enforceability of such. Mechaley prefers to train Deputies to work for Custer County and not to move on to other Counties, but there are no guarantees. Mechaley stated the raises given are fair and will help to retain Deputies. Discussion was held regarding the wage scale, uncertified and certified rates. Commissioner Buszkohl stated wages need to stay with the raises given. A question arose regarding Steele's wages, if he is certified, why he isn't at the certified rate?; Steele became certified in the time period between raise increases and the scale was decided on that same day. Mechaley is asking for any new certified hires to start at \$28.13; Commissioner Buszkohl is not in favor. Addition discussion was held regarding the matter. Finance Officer, Dawn McLaughlin noted that the starting wage for new uncertified hires did not receive the 5% increase, but rather 3% to create a difference between new hires and existing employee rates. Mechaley stated he did not believe this is fair and is concerned he will not be able to bring in new hires. It was decided this would be further discussed in Executive Session later in the meeting. Motion to table discussion until Executive Session made by Hindle; seconded by Buszkohl; vote taken, all aye; motion carried.

L. Courthouse Security Committee

1. Lt. Stephen McMillin provided an update regarding the access controls; keypads and manual key entries to all of the courthouse doors. He stated electronic keypads are a better safety procedure than the current setup. This is part of the Homeland Security assessment that was conducted. Quotes were received from Golden West and will be tied into the current system. The project was split to try and minimize cost; the first floor of the Courthouse, under the Courthouse Security Grant, which was applied for last week. The total cost of the entire Courthouse project is \$71K. The first floor cost is \$41,839.70; 75-25% split and Custer County would be reimbursed the entire

cost, less \$10,459. The cost of the second floor is \$29,260, which should be fully funded by the grant. Both projects will be paid upfront and reimbursement will take place at a later date. McMillin stated all of the regional projects have been funded, and should have unofficial approval for this project by April, 2024. McMillin will be requesting 100% funding for the second floor; the first floor will remain 75/25. McLaughlin stated it is possible the 25% could come from Homeland Security Grant or Title 3 monies. McLaughlin will discuss Title 3 options with McMillin and Esser before the next Commission meeting. Commissioner Hindle inquired if the monies could be from the maintenance budget for now; and be reimbursed later. Payment is not made until the project is completed. McMillin requested Commission approval to proceed with the project. Motion to approve first-floor project made by Hindle, with monies from the maintenance budget; seconded by Busskohl; vote taken, all aye; motion carried. The second floor project will wait until September, 2024.

M. Emergency Management

1. Finance Officer, Dawn McLaughlin, presented a budget supplement request re: Rushmore Communications 2023 Homeland Security Grant for radios in the amount of \$28,779.60. It was noted this has been a year-long project. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

N. Weed & Pest/Conservation

1. Weed & Pest supervisor, Michael Baldwin, thanked the Commission for its support of the Conservation District. He provided reports to the Commission earlier. He noted the Conservation District has brought in over \$1 million in federal and state grants since 2020, which is a great return on the investment. The thinning project has now gone up to \$900/acre with approval from the State Commission. Baldwin stated that Michael Sellevold will be working for Weed & Pest during the warmer months and assisting as a weed sprayer. He will advertise soon for 2 seasonal positions with a wage of \$18/hour; no benefits.

O. ARPA

1. Moritz Espy, Hermosa Water User's Association, presented an update regarding ongoing projects. He noted he first appeared before the Commission on January 10, 2022, where ARPA funds were released to them to commence projects. The first project is partially completed (10,500 feet of 6" pipe) at a projected cost of \$125,500. Espy stated the cost of pipe had skyrocketed at that time, so the project was cut down to 9,000 feet. The first contractor started and due to rocky conditions, left the project. The second contractor stayed only one day. Espy found another contractor from Gillette, WY who has the proper equipment and experience for this type of soil and their bid came in at \$133,600 compared to \$31,000 from the first contractor. The project cost increased by \$227,000, bringing a difference of \$101,500. Espy stated the south line project has 14,000 feet of pipe installed and that contractor has also abandoned the job. That section ran over budget, and the shortfall has been paid from the

association's reserves, as well as ARPA funds received from the County (\$82K). Project No. 2 came in at a projected cost of \$211K. (leaving a difference of \$129K). The original bid did not account for terrain, specialized equipment, etc. This project is over-budget and the Association has tapped into its reserves and placed the project on hold until an update could be presented to the Custer County Commission. On behalf of the Association, Espy requested additional funds, if available, from the Commission (\$230,500) to replenish the reserves and provide the means to complete the projects in a timely manner. The Commission noted that all the ARPA funds have been committed at this time and they could add this request to the "wish list" in March, 2024. However, the list will need to be prioritized and there is no guarantee that any excess funds will be available for distribution. Espy would like the projects to continue as the equipment is on site and the weather is favorable. Espy thanked the Commission for their time; the Commission appreciated the update.

2. Jacki Hubbard and John Morgan, representing the Elk Mt. Water Board, appeared before the Commission to present an update. They noted the project has stalled; they are still fighting the bond company, due to the contractor not fulfilling his obligation. They stated the bond company has denied their claim and that they are looking for an attorney to take the case. They stated that of the ARPA funds provided to them by Custer County, \$80K has been set aside for legal fees and the rest of the funds are not being spent and are earning interest. Casings (10") have been purchased, and if need be, smaller casings could be used instead. The larger casings could be sold to help recoup losses. There was a discrepancy on who paid for the casings; it was not Nicholas, but rather the Elk Mt. Water Board. DGR Engineering selected the contractor to drill the well; Commissioner Hartman stated that DGR needs to make contact with the driller to obtain answers as to why he has not honored his obligation. They noted DGR has unexpectedly raised their rates; it was recommended they withhold payment until more information is received from DGR. Elk Mt. Water Board is thankful for the ARPA funds received and are not happy the project is stalled. They noted a well is extremely important for the area and have concerns regarding the approaching fire season and an unfinished well project. The goal is to have the well completed by spring. Another option would be to have a smaller well. Commission Legal Counsel, Aaron Davis, stated he will research into the County portion of the DGR contract, as well as sending a list of attorneys to the Elk Mt. Water Board.

3. Todd Fish addressed the Commission and noted that it was agreed that ARPA funding would go to infrastructure projects; housing, water, etc. and followed guidelines given; covers both profit & non-profit. Jerry Styles, Town of Hermosa, will attend a future meeting to discuss Southern Black Hills Water project. Town of Hermosa was given \$500K in ARPA funds from Custer County to be spent for water treatment use. They were originally planning to use the funds to treat the current water system; but may use those funds to work with DANR and SBH Rural Water System instead. Custer County Housing received ARPA funds to build 40 housing units/senior housing and had an original bid of \$600K; however the current lowest bid is \$1.2 million. A bidding system has been utilized, but with the help of others, they are

able to go directly to vendors, which is a better system. The application process is approximately 80% complete; a vendor is set to construct the units. Fish will meet with SD Housing soon and will gather more information. Fish stated that ARPA funds were distributed to the top four projects in Custer County and clarified that ARPA funds are not taxpayer monies. ARPA is a grant system from the Federal Government to providing funding/focus on much-needed projects.

P. Department of Equalization

1. Director, Leah Vissia, appeared before the Commission to discuss intentions for 2024. She stated that her staff had a Zoom meeting with Vanguard and that two Commissioners had attended. Vissia noted that Vanguard helped establish land values in Custer City at a rate of \$4.00/foot, although those values may have to be adjusted for some areas, such as Boot Hill and Stone Hill at a rate of \$5.20/square foot. Vissia presented charts for the Commissioners showing proposed changes, if any and noted that values are based off of sales; if no sales had taken place, then values were derived from sales in surrounding townships. Information on bare land sales was also available. Commissioner Busskohl asked for stats on sales in reappraised areas. Jesse Doyle asked Vissia when all of the high valuations will stop, and when local residents will stop getting increases; Vissia replied that as long as people are paying high prices for properties, it will continue. It is up to the lawmakers in Pierre to effect changes. Discussion was held about the need for an alternate source for school funding. Vissia said her staff will be reappraising Range 4 and Custer City residential properties and no commercial properties at this time. Other topics discussed were manual levels; MIL levies; barndominiums, which will be assessed as either wood frame or metal frame; and removal of assessed values on concrete or paved driveways. Vissia's presentation included formulas used in assessing values and other statistics; she was given Commission approval to implement procedures shown. Commissioner Linde requested Vissia print out the presentation for them.

Q. Old Business

1. Commissioner Mike Linde discussed liability insurance and excise tax requirements for private/self-installers of wastewater systems in Custer County. He cited SDCL 10-46 A 2.2 regarding excise tax/quarterly reports. He stated he is not in favor of the County imposing these additional restrictions, as there is already a fine/penalty system in place. There are fines for failed inspections, no permits in place. Commissioner Hartman asked if private installers can be denied permits? Linde stated "no, they have the legal right to do it". Hartman stated this was intended to make the process a bit more difficult so that not every homeowner would be doing their own installation. Linde stated it is not necessary for them to pay excise tax and that the DOR will tire of homeowners applying for an excise tax license and not filling out returns; this is a lot of extra paperwork with little gain and for no reason. Busskohl stated that our inspections don't check and make sure that every pipe is correctly

hooked up or installed; people may have no experience in this type of installation and the system will ultimately fail, which adversely affects the environment. By implementing these extra requirements, chances of a proper installation are increased. Hindle stated this will keep the playing field more level and looks out for the commercial installers. Hindle and Busckohl agree to keep the excise tax requirement. Kester stated that most other counties have zoning; some counties require homeowner installers to hire an engineer to design the wastewater system, making it even more costly for installation. Linde feels there are already enough rules in place to ensure proper installation. Kester stated the Planning Commission supports the added restrictions.

2. 4-H/Extension is seeking to hire a new director. Chairman Lintz attended a recent meeting with 4-H leaders and commended them for stepping up to help in the interim. Oakley Perry, SDSU, has approved advertising for the open position and noted this is a 4-6 week process. There will be a panel in place to conduct interviews. Lintz inquired about liability/worker's comp insurance on workers—as long as included on the roster, they are covered.

R. 4-H/Extension

1. Present Volunteer Roster. The Commission so acknowledged.

S. Public Comment –

1. Greg Giese addressed the SD GFP & CSP funding/service reimbursement issue and stated all counties need to get on board, as there are many parks throughout the state that would benefit. Chairman Lintz stated CSP is asking for 5-years' expenses before proceeding. Lintz noted that CSP is in direct competition with private enterprise (restaurants, lodging, land, etc) and should bring in approximately \$300K-\$500K property tax to Custer County. Chairman Lintz has discussed this situation with other counties in South Dakota and they were supportive. Sheriff Mechaley also noted that the Law Enforcement contract with CSP is non-negotiable.

2. LeaAnne McWhorter shared that Senate Bill 39 has passed the both the house and the senate regarding the 2nd Amendment; sanctuary county. Homeowners' associations cannot legally restrict gun ownership. She noted the upcoming election; March 29, 2024 is the final day to file petitions with the Auditor's office. Custer County Republicans will meet in April and host a candidate's forum. She stated that Bill 1043 regarding lithium and precious metals is still active and moving through various committees.

3. Jerry Mlinar addressed issues with Box Canyon Road, noting the hill is dangerous and inquired about Custer County's liability in case of accident or serious injury. State's Attorney, Tracy Kelley said that it is possible for anyone to sue anyone, but wouldn't assume there is County liability at this time. It was noted there have been numerous complaints about this portion of Box Canyon Road and discussed maintenance issues. Chairman Lintz stated if desired improvements were made, landowners would be subject to eminent domain to widen the roadway. Some landowners have requested paving the roadway, but the expense and additional countywide tax burden is too

great. Highway Superintendent Doyle stated that lowered speed limits have been posted and should be adhered to. Doyle noted that LTAP has reviewed the roadway and cautioned against paving. Commissioner Buszkohl stated that when the road was put in, it was not a county road and should not have been approved. Mlinar asked if residents could assume maintenance of the roadway and Doyle said that is not an option for that portion of the roadway.

T. Commission

1. Mail call –

a) The Commission received an anonymous letter & complaint about Custer County Coroner vehicle use. Chairman Lintz stated that the Coroner is on call 24-hours a day, 7 days a week and that the anonymous complaints are unfounded. The vehicle is necessary for County business to be conducted in surrounding counties, as well. Lintz noted that wait times for the Coroner used to be 3 hours or more, but Coroner James Sanders is very prompt and having a county vehicle helps facilitate faster response times. Lintz stated for the record that Custer County supports Coroner James Sanders 100% and is very satisfied with his work ethic and has no complaints. It was also noted that Mr. Sanders does not charge Custer County for any fuel, mileage or repairs to the vehicle. Mr. Sanders just installed new brakes at no cost to Custer County. Motion to approve Sander's use of County vehicle as daily driver made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

b) DANR re: Longview Minerals, LLC/core drilling.

c) Letter from Black Hills Regional Multiple Use Coalition/meeting to be held Jan. 25, 2024, 4:00 PM Spearfish Holiday Inn re: BLM, BBNF, USFS topics.

2. Meeting Schedule – None

3. Meeting Reports –Hindle/Hartman Zoom meeting with Vanguard Appraisals with Department of Equalization; Hindle/Buszkohl attended ribbon cutting ceremony at the Custer Care and Rehab Center; Linde attended maintenance position interviews; Buszkohl attended Conservation Board, Custer City Council, Search & Rescue, County Alive (2X), Department Head meeting, Library, interviews for Maintenance position, YMCA, Pizza Party.

U. Executive Session

1. Motion to enter into Executive Session as per SDCL 1-25-21(1) Personnel, made by Hindle; seconded by Buszkohl; vote taken, all aye; motion carried. Entered into at 10:54 AM and concluded at 11:42 AM.

2. Motion to enter into Executive Session as per SDCL 1-25-2(3) Legal made by Linde; seconded by Buszkohl; vote taken, all aye; motion carried. Entered into at 11:46 AM and concluded at 12:28 PM.

V. Actions Taken By Commission Outside of Executive Session

1. Motion by Hartman to adjust Robert Steele’s wages to \$28.13, effective 2-6-2024; seconded by Hindle; vote taken, all aye; motion carried. Base hiring rate remains as is on the approved pay scale.

W. Ordinance No. 23 Amendment

1. Legal Counsel, Aaron Davis discussed licensing provisions for cannabis establishments in Custer County. Davis noted any proposed amendment will not affect current dispensary licensing (consistent with Fall River ordinance). Dispensary application fee will remain at \$125K with \$50K annual renewal fee. Motion to approve changes as presented based upon approval of State’s Attorney made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

X. Adjourn

Motion by Busskohl and seconded by Linde to adjourn the meeting at 12:33 PM. The next meeting will be at 8:00 AM, February 7, 2024 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 _____.