

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

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Buszkohl, 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. Chairman Lintz recognized and introduced special attendee Gary Moore at this morning's meeting.

B. Adopting of the agenda

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

C. Consent Agenda

1. Approve Minutes of July 10, 2024 Commission meeting.
2. Approve the following Travel Requests: Equalization-Lindsey Luckett and Scott Storms, Certification Education to be held 7-28 through 8-2-2024 in Brookings, SD at a cost of \$1,150 each. Melissa Bradford, Basics to be held 9-29 through 10-4-2024 in Pierre, SD at a cost of \$1,488.72.
3. Approve Vouchers approved as follows:

PAYROLL: 7-25-24 Commissioners \$5,450.79; Auditor \$11,646.09; Treasurer \$11,991.69; Info Systems & Technology \$3,310.40; States Attorney \$14,176.47; Courthouse Building \$8,598.01; Equalization \$9,389.29; Register of Deeds \$5,210.22; Veterans Service \$1,250.59; Human Resources \$2,041.12; Sheriff \$55,330.06; Coroner \$837.03; Nurse \$1,063.56; Library \$11,064.44; Conservation \$696.02; Weed & Pest \$5,083.39; Planning \$6,926.80; County Road & Bridge \$37,646.84; Emergency Management \$2,796.36; 24/7 Sobriety \$853.73; Emergency Line F \$18,446.27

COMMISSIONERS: CNA Security \$172; Golden West Telecommunication \$65.39; Selena Spring \$1,340; Valhalla Legal \$2,780; Comm. IPADS \$88.60; Water Coolers \$75.39; Verizon GPS \$16.19.

MENTAL HEALTH: Hustead Law Office \$538.

AUDITOR: Golden West Telecommunication \$140.91; Pitney Bowes \$1,062.75; GA Lewis Properties \$91.43; SD State Treasurer \$36.05; Printer \$287.88; Travel/Conference \$127.43.

TREASURER: Golden West Telecommunication \$140.91; Quill \$167.44; Printer \$333.41.

STATE'S ATTORNEY: Black Hills Pediatric \$1,582.60; Culligan \$25; Golden West Telecommunication \$137.75; Relx Inc \$444; Printer \$196.51.

MAINTENANCE: A-Z Shredding \$60.10; Black Hills Chemical \$295.96; Black Hills Coop \$680.21; Black Hills Energy \$3,693.25; Custer Ace Hardware \$85.69; Golden West Telecommunication \$27.55; Sander Sanitation \$22.80; Warne Chemical Equipment \$97.50; Verizon \$41.91; Amazon \$966.30; Menards \$21.35; Sams \$233.03.

DIRECTOR OF EQUALIZATION: Golden West Telecommunication \$192.85; SDAAO Treasurer \$1,400; Printer \$337.48; Fuel/Conference/Supplies \$1,453.43.

REGISTER OF DEEDS: Golden West Telecommunication \$55.10; State of South Dakota \$43.75; Printer \$219.96.

VETERANS SERVICES: Golden West Telecommunication \$27.55; Printer \$66.98.

HUMAN RESOURCES: Golden West Telecommunication \$27.55; Printer \$136.87.

INFO TECHNOLOGY: Golden West Technologies \$10,340; Golden West Telecommunication \$55.10; Golden West Telecommunication \$680.

SHERIFF: A&B Pure Water \$54.98; A-Z Shredding \$6.62; Animal Control \$1,083; Children's Home Society \$300; Golden West Telecommunication \$278.54; LexisNexis Books \$85; Motorola Solutions \$33; Moyle Petroleum \$99.94; Murray Auto Repair \$2,782.49; Pheasantland Industries \$143.46; R.G. Anderson \$178; Verizon \$584.85; Printer \$200.92; City of Pierre \$10; Axon \$495; Amazon \$8.49; USPO \$19.05; ARLO Annual Camera \$95.57; LexisNexis \$91.

PRISONER CARE: Rapid City \$200; CMI Software \$2,500; Correct RX \$193.45; Hapsie Nutley \$75; BAC Testing \$100; Monument Health \$8.17; Pennington County Jail \$11,460; Ruth Airheart \$75; Satellite Tracking \$97.50.

AIRPORT: Brenden Hendrickson \$4,315.50; Valcon Fuel \$14,173.43; Epic Aviation Fuel \$18,709.92; Golden West Telecommunication \$114.90; Airport Insurance \$3,693; Mead & Hunt \$19,526.67; Moss Rock Landscaping \$153,486; R.P. Lumber \$17.29.

LIBRARY: Black Hills Library Consortium \$1,444.35; Amazon Books \$957.84; Business Envelope \$45; Mt Rushmore Telephone \$134.42; Golden West Internet \$109.95; Scholastic Books \$38.13.

EXTENSION: Golden West Telecommunication \$118.07; Printer \$169.17; Verizon \$69.34.

SEARCH & RESCUE: Golden West Telecommunication \$99.95; Insurance & Bonds \$507.

ELECTION: Betty Schmaltz \$290.04; Carol Deatherage \$391.62; Cindy Iversen \$273.06; Craig Lafollette \$387.54; Cozette Dorton \$288; Diane Geeting \$304.83; Ginger Baumann \$54.18; Jerry Kellis \$290.04; John Zolnowsky \$67.44; Lea Anne Mcwhoter \$49.08; Mary Rothenberg \$291.57; Mt Rushmore Telephone \$16.98; Nancy Defrates-Densch \$49.08; Patti Best \$283.08; Peggy Lindbloom \$67.44; Shirley Warfel \$289.20; Election Expenses \$890.21.

WEED & PEST: Adrian Ranch Chemical Reimbursement \$957.38; Culligan \$13; Daniel Sedlacek Chemical Reimbursement \$125.70; French Creek Supply \$11.98; Golden West Telecommunication \$27.55; Leon Johnson Chemical Reimbursement \$59.50; Paul Johnson Chemical Reimbursement \$177.32; Larry Thomas Chemical Reimbursement \$140.93; Printer \$181.27; Supplies \$140.89.

PLANNING: Golden West Telecommunication \$110.20; Printer \$212.37; SD Planners Association \$50.

24/7 SOBRIETY: SD Attorney General \$3,717; South Dakota Public Health \$50.

COUNTY ROAD & BRIDGE: A & I Distributors \$847.10; Advanced Drug Testing \$66.20; Black Hills Coop \$646.84; Black Hills Truck and Trailer \$13,695.65; Butler Machinery \$10,366.78; Culligan \$6.50; Custer Ace Hardware \$9.58; Dakota Fluid \$370.34; Fastenal Company \$484.76; Floyd's Truck Center \$790.13; French Creek Supply \$606.26; Golden West Telecommunication \$229.54; Kieffer Sanitation \$308.38; Lumen Century Link \$64.72; Hermosa Telephone \$153.87; Northern Truck Equipment \$140.09; Pheasantland Industries \$603.16; Runnings \$35.94; S&B Motor Parts \$24.91; SD State Treasurer \$7.18; Servall Towel & Linen \$208.85; Town of Buffalo Gap \$73; Printer \$247.87.

EMERGENCY MANAGEMENT: Black Hills Coop \$51.06; Golden West Telecommunication \$45.95; Splish Splash Car Wash \$28.55; Verizon \$46.91; Printer \$201.81; Supplies/Maintenance \$160.55.

COUNTY BUILDINGS: Harvey's Lock Shop \$29.58; Skyline Engineering \$9,600.

EMERGENCY LINE: A&B Pure Water \$54.97; Golden West Telecommunication \$681.02; Printer \$78.27.

Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried. Commissioner Linde inquired about aviation fuel expenses and it was noted that Airport Manager, Brenden Hendrickson, includes the information in his reports.

D. Conflict of Interest Declarations – None.

E. Highway

1. Highway Superintendent, Jesse Doyle, presented SDGFP Mag CI contribution for 2025 CSP access roads and requested authorization for Chairman's signature. Agreement 2025-21-1 is a mutual agreement between SDGFP and Custer County to apply Mag CI to the 4 gravel access roads into CSP as follows: LH Road, Lane Johnny Road; Lower French Creek Road and America Center Road with SDGFP contributing \$58K toward the project. Doyle stated this amount should cover expenses on 3 of the roads. Motion to authorize Chairman's signature made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

2. Doyle presented ROW Application for Special Permit to Occupy Right of Way for Playhouse Road, Ghost Canyon Road and Iron Mt. Road. This is a temporary permit for 2024 Mt. Rushmore Half Marathon to be held September 21, 2024. The ROW permit has the following condition: "All County roads will remain open for vehicle use." A release of liability has been provided to Custer County.

3. Doyle presented an update re: CSP mill, overlay, pipe replacement, box culvert, etc. project and road closure/detour. This project will be delayed until October, 2025 to allow for more time for the contractor to complete the project. Doyle noted that a one-mile stretch of the detour route has been re-graveled for the project and would like approval to apply mag ci to that portion to help retain the surface during the delay.

F. Planning

1. Planning Director, Terri Kester, made a request for approval of Final Plat re: SLETTA TRACT OF ELK MOUNTAIN RANCHES SUBDIVISION, LOCATED IN THE NE ¼ OF SECTION 33 AND THE NW ¼ OF SECTION 34, T4S, R1E, BHM, CUSTER COUNTY, SOUTH DAKOTA/Mark and Kelli Sletta. Kester stated the Planning Commission recommended approval at the 7-2-2024 meeting. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

G. Maintenance

1. Maintenance Supervisor, Joseph Panza, requested Commission acknowledgement of end of six-month probationary period for Mason Martinez. The Commission so acknowledged.

H. Finance Office

1. Finance Officer, Dawn McLaughlin, requested Commission approval of updated mileage reimbursement for personal vehicle use" at a new rate of .66 cents per mile if no County vehicle is available for use and .30 cents per mile if a County vehicle is available, but personal vehicle is used. This new requested rate follows the State of SD rate effective as of July 1, 2024. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried. The new rate will take effect immediately and will also be included in the 2025 budget.

I. Emergency Management

1. Dawn McLaughlin (in Esser's absence) presented the 3rd Quarter LEMPG Single-Signature form for approval and Chairman's signature. This form is presented each quarter for EMS wage reimbursement. Motion to approve Hindle; seconded by Linde; vote taken, all aye; motion carried.

2. McLaughlin also made request on behalf of EMS for Title 3 funds for Community Wildfire Protection Plan in the amount of \$25K. It was noted that Esser has conducted research into the matter. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

3. BRIC Grant for flood mitigation information was presented by McLaughlin, as well. Headwaters held a meeting with various flood scenarios presented; areas included are French Creek to Stockade and Stockade to West Dam area. This grant is to study these scenarios and ideas. It was emphasized that this plan does not include West Dam or refilling West Dam. Custer City is researching other options regarding that matter.

J. Custer VFD

1. Updated CVFD Roster was presented; the Commission so acknowledged. The next informational meeting for the proposed Custer Fire District will be held July 29, 2024 at 6:30 PM in the Custer Fire Hall. Chairman Lintz encouraged the audience to attend the meetings and spread the word.

K. Tallgrass/Community Campus

1. Matt Fridell presented an update on plans/ideas for the proposed Community Campus. Fridell passed out informational packets to the Commissioners that included different plan options, as well as Community "wants"; initial meeting and surveys and scheduled goal calendar. Matt said he is still receiving input and urged community members to complete

surveys. He noted that at the March meeting (which can be seen on the Custer City website) various revenue potentials were discussed and noted that several scenarios came out in the “black”. He noted there were limited taxing options and hoped that Custer County could be included in the list of funding partners in the future. He encouraged any questions or concerns to be emailed to him. Fridell stated he expects the master plan to be wrapped up by this fall and then be turned over to the city and advocacy committee. He said this is a needed/desired community center.

L. Public Comment –

1. Dachia Arritola, Concho Trail, shared her concerns regarding the Saddleback Road District and stated she believes the road district was illegally formed; is not bound by covenants and does not legally exist. She stated she has been fighting with them for 8 years and wants to form a separate road district for Concho Trail. She passed out informational packets to the Commissioners regarding the ongoing problems; it was noted that she also sent the information to State’s Attorney, Tracy Kelley. Arritola requested to be placed on the Agenda for the next Commission meeting to further discuss the matter. Arritola remarked she has hired legal counsel to represent her, at which point the Commission returned the packets to her and noted they will rely on advice of State’s Attorney Kelley. The Commission will advise her as to whether or not she will be placed on the Agenda for a future meeting.

M. Old Business

1. Commissioner Hindle requested approval of engagement letter for retrospective appraisal-statement of work regarding proposed USFS/Airport land conveyance. The cost of the appraisal will be \$8K. Motion to approve Chairman’s signature made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

N. Veteran’s Services

1. VSO Todd Fish presented 2nd Quarter 2024 report. He stated there are 924 registered County veterans, with the State of SD following 946. Fish assisted 154 veterans as walk-ins, teleconference or scheduled appointments. There are 87 claims in progress, with 10 active open appeals. Fish stated there are a projected 456 claims totaling \$7.6M annual disability income to Custer County Veterans, up from \$5.6M in 2023.

O. Commission

1. Mail call –
 - a) invitation from BH Works re: Honoree Recognition to held October 18, 2024 at 5:00 PM
 - b) Letter from DANR re: Longview Minerals LLC Notice of Filing.
2. Meeting Schedule – Hindle stated weekly Airport update meetings; Linde noted CSP resource advisory committee meeting to be held October, 2024; Busskohl noted same, and proposed Custer Fire District Meeting to be held July 29, 2024; Lintz noted CSP tentative meeting.
3. Meeting Reports – none

P. Executive Session

1. Motion to enter into Executive Session as per SDCL 1-25-21(1) Personnel made by Busskohl; seconded by Linde; vote taken, all aye; motion carried. Executive Session entered into at 8:42 AM and concluded at 9:30 AM.

Q. Actions Taken By Commission Outside of Executive Session

1. Motion to increase Library Director, Sarah Myers' salary by \$3,000. retroactively to Certification date of June 7, 2024 made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

R. Adjourn

Motion by Linde and seconded by Buszkohl to adjourn the meeting at 9:33 AM; vote taken, all aye; motion carried. The next meeting will be at 8:00 AM, August 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 _____.