

Minutes of the Custer County Commission Meeting, Wednesday, October 23, 2024.

Members present:

Chairman Jim Lintz; Commissioners Mike Linde and Michael Busskohl; Dawn McLaughlin, Finance Officer. Commissioners Craig Hindle, Mark Hartman and Commission Legal Counsel Aaron Davis were not present.

Commission Meeting was called to order at 8:00 AM followed by the Pledge of Allegiance.

A. Adopting of the agenda

1. Amend Agenda to add Executive Session after Item "N" Commission.
2. Amend Agenda to add Raffle Request after Item "D" Conflict of Interest.

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

B. Consent Agenda

1. Approve Minutes of October 8, 2024 Commission meeting.
2. Approve Vouchers as follows:

PAYROLL: Commissioners \$5,450.74; Election \$1,162.62; Auditor \$12,926.74; Treasurer \$12,020.39; Info Systems & Tech \$3,498.06; States Attorney \$13,951.49; Courthouse Building \$8,598.04; Director of Equalization \$11,230.86; Register of Deeds \$5,210.22; Veterans Services \$2,138.44; Human Resources \$1,179.62; Sheriff \$51,696.15; Coroner \$837.04; Nurse \$1,144.12; Library \$10,935.86; Conservation \$696.02; Weed and Pest \$2,956.44; Planning \$6,926.77; Country Road and Bridge \$36,874.17; Emergency Management \$2,796.34; 24/7 Sobriety \$642.25; Emergency Line \$19,317.21.

COMMISSIONERS: CC A&B Printers \$163.99; Catastrophic Legal Relief Program \$1,752; Golden West Telecommunications \$34.20.

COURT: Carol Niemann \$55.36; Linnwood Garber \$52.68; Lynn Jackson \$54.02; Midwest Mental Health \$1,271.64; Terri Kester \$51.34; Thomas Birkholz \$76.80; Wayne Sorensen \$70.10.

COURT APPOINTED ATTORNEY: Southern Hills Law \$906.71.

ELECTION: ES&S Software \$2,102.49; McLeod's Printing \$158.28; Quill \$67.77.

FIRE PROTECTION: Fairburn Fire District \$29,923.88; Feld Fire \$31,053.

MENTALLY ILL: Pro Service Fee \$880.66; Pennington County Public Defenders \$69.

MENTAL HEALTH: MH Hold \$153.04; New Trails Ministry \$300.

MENTAL ILLNESS BOARD: Husted law Office \$150; Lincoln County Treasurer \$248.

AUDITOR: CC A&B Printers \$487.10; CC Auditor Supplies \$181.36; Golden West Telecommunications \$145.72; Imageall \$97.75; Quill \$56.58.

TREASURER: CC A&B Printers \$606.54; Golden West Telecommunication \$148.98; Imageall \$97.75; Quill \$79.73.

STATE'S ATTORNEY: CC A&B Printers \$195.77; CC Pro Service Fee \$62.25; Carol Johnson \$5.20; Golden West Telecommunications \$145.77; Reagan K Allen-Melius \$20; Starla Vanden-Hock \$57.62.

MAINTENANCE: CC A&B Printers \$42.68; CC Courthouse Supplies \$520.30; CC Courthouse Supplies/Utilities \$1,046.74; Black Hills Electric \$641.54; Black Hills Energy \$939.09; Custer Ace Hardware \$261.69; Golden West Telecommunication \$27.10; Nelson's Oil & Gas \$48; Sanders Sanitation \$22.80.

DIRECTOR OF EQUALIZATION: CC A&B Printers \$210.76; CC Supplies \$95.52; Clubhouse Hotel \$760.60; Golden West Telecommunication \$192.85.

REGISTER OF DEEDS: CC A&B Printers \$214.15; Golden West Telecommunications \$55.10; US Bank \$116.40.

VETERANS SERVICES: CC A&B Printers \$68.17; CC Supplies \$38.22; Golden West Telecommunications \$27.55.

HUMAN RESOURCES: CC Expenses \$256.22; Golden West Telecommunications \$27.55; Hireclick-keloland \$708.

INFO TECHNOLOGY: Golden West Telecommunications \$54.10; Golden West Telecommunications \$680.

SHERIFF: CC A&B Printers \$733.26; CC Training and Supplies \$803.78; CC Supplies \$414.07; A&B Water \$54.98; Armstrong Forensic Lab \$310; Battle Mt. Humane Society \$1,083; Golden West Telecommunications \$291.98; Karl Chevrolet \$2,700; LexisNexis \$204.50; Motorola Solutions \$33; Verizon Wireless Services \$75.

PRISONER CARE: City of Rapid City \$200; Correct RX Pharmacy \$126.21; Custer Ambulance \$73.10; Mike Bielmaier \$150; Pennington County Jail \$421.08; Pennington County Sheriff's Office \$10,755; Ruth Airheart \$150; Satellite Tracking \$97.50; Sharon Bielmaier \$75; South Dakota Public Health \$80.

AIRPORT: Golden West Telecommunication \$115.07; Mead & Hunt \$3,449.67.

SEARCH & RESCUE: Golden West Telecommunication \$99.95.

LIBRARY: CC Expenses \$14,373.70; Golden West Technologies \$706.86.

EXTENSION: CC A&B Printers \$209.12; Golden West Telecommunication \$137.80.

WEED & PEST: CC A&B Printers \$167.87; CC Supplies \$37.98; Culligan Water \$13.90; Golden West Telecommunication \$17.10; Pomp's Tire Service \$694.20.

PLANNING: CC A&B Printers \$173.86; CC Supplies \$638.42; Golden West Telecommunication \$118.22; L&A Welding \$83.39.

COUNTY ROAD & BRIDGE: CC A&B Printers \$203.95; CC Supplies/Equipment \$5,567.95; Custer Ace Hardware \$6; Forward Distributing \$13.75; French Creek Supply \$405.46; Godfrey Brake \$66.08; Golden West Telecommunications \$284.05; Great Western Tire \$1,667.70; Lumen-Century Link \$65.43; Pheasantland Industries \$868.40; Postle Industries \$608; Servall Towel & Linen \$77.30; Town of Buffalo Gap \$73.

EMERGENCY MANAGEMENT: CC A&B Printers \$248.52; Black Hills Electric \$52.25; Golden West Telecommunication \$46.

COUNTY BUILDINGS: American Fence Company Rapid City \$8,418.38; Black Hills Electric \$655.51.

EMERGENCY LINE: CC A&B Printers \$188.22; A&B Pure Water \$54.97; Golden West Telecommunications \$571.05.

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

C. Conflict of Interest Declarations –none.

D. Raffle Request

1. Teri Morgan requested Commission approval to hold a raffle for the Custer

County employee Christmas party. Raffle items can be viewed in the Register of Deeds office. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

E. Finance Office

1. Finance Officer, Dawn McLaughlin, presented the following Alcoholic Beverage License Renewal Applications for Commission approval:

a) Sanctus V LLC; dba Ft. Welikit Family Campground; package off-sale liquor. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

b) Lagerplatz Adventures, LLC; dba Spokane Creek Cabins and Campground; package off-sale liquor. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

c) Big Pickle Enterprises, LLC; dba The Big Pickle; retail on-sale liquor. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

d) Black Hawk Oil, Inc; dba BJs Hermosa; retail on-off sale wine and cider. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

e) Korczak's Heritage, Inc; dba Laughing Water Restaurant; retail on-sale liquor. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

f) Korczak's Heritage, Inc; dba Heritage Village; retail on-sale liquor. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

g) Heartland Resort, LLC; dba Heartland RV Park and Campground; retail on-off sale wine and cider. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

h) Heartland Resort, LLC; dba Heartland RV Park and Campground; retail on-sale liquor. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

F. State Auditor Resolution 2024-15 American Rescue Plan Act Fund.

1. Bruce Hintz, State Auditor, gave an update on the status of the current audit, which is 1/2 to 3/4 complete. Hintz stated cash is reconciled; showing a \$20K difference after entries were made from the previous audit (the same amount carried over consistently from the end of 2022 and 2023). Hintz will examine journal entries to find the amount. He referenced the \$14 million amount that needed correcting from previous audits; noting the \$20K is a vast improvement.

2. Hintz presented Resolution 2024-15 American Rescue Plan Act Fund. Custer County allocated \$1.7 million to various water projects; including Town of Hermosa, Hermosa Water Association, Highlands VFD and Housing. Most of these funds have not been spent and will need to be obligated by the end of 2024. Obligation is different than having those amounts in the budgets. These funds must be spent by the end of 2026. The presented Resolution 2024-15 allows for up to \$10 million as revenue loss and for general government services, such as salaries and benefits, as per the federal government (rather than using general fund monies). Custer County does not need to request funds back from those fund recipients; this just takes the federal flavor from it. No Resolution had been previously adopted regarding funding the various projects. Hintz will research the 2022-2023 accumulated payroll costs from the general fund to use the \$1.7 million Custer County is allowed. Once this is done, the audit portion of these funds will be complete. Custer County can continue to monitor disbursed funds by requesting audits of those recipients. McLaughlin stated that moving forward, each January, all entities receiving Custer County monies will need to provide financial information for auditing purposes. Commissioner Linde stated that if the provided ARPA funds are not spent by the recipients, Custer County should request those funds be returned. McLaughlin stated that the \$1.7 million will be reported to the federal government as revenue replacement, with the general government services (salaries and benefits) listed, which will override the original report without an amendment. Motion to approve Resolution 2024-15 American Rescue Plan Act Fund made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. McLaughlin noted this audit has been enjoyable compared to earlier audits, as this audit has moved away from just a cash audit and more to procedural. Hintz hopes to have the audit complete by the end of 2024.

G. Courthouse Security

1. Stephen McMillin discussed the second-floor access control project. He stated the first-floor wireless contact entry project is complete. The second floor will be a wireless proximity entry, which added approximately \$3K to the project. The estimated \$29,260 cost of the project will be 100% reimbursed by Homeland Security; the remaining \$3K upgrade costs will be paid by Custer County. McMillin said the project will begin near the end of November with an expected 2-week completion time. McMillin said the current keypads will remain but will be disabled and the new system can be controlled remotely, if needed. No motion needed at this time; the added expense can be supplemented if necessary.

H. Highway

1. Highway Superintendent, Jesse Doyle, presented ROW occupancy permit from Golden West Telecom for fiber optic facility at 12378 Tin Cup Trail; S36 T3S R4E and recommended Commission approval. Motion to approve made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

2. Doyle also presented ROW occupancy permit from Golden West Telecom for fiber optic facility at 11881 Pleasant Valley Rd; S7 T4S R4E and recommended Commission approval. Motion to approve made by Linde; seconded by Buszkohl; vote taken, all aye; motion carried.

3. Superintendent Doyle stated the contractor for the Custer North project is plowing lines in the edges of the roadway with no rhyme or reason. Golden West contacted Doyle and stated they are not happy with the work and will make the necessary repairs to install the line correctly. SD Administrative Rules dictate how/where to install utility lines and this information has been provided.

I. Emergency Management

1. EMS Director, Steve Esser, provided copy of LEMPG Single-signature form for Chairman and Finance Officer's signature. This form is submitted quarterly for reimbursement of half the EMS wages. Motion to approve signature made by Linde; seconded by Buszkohl; vote taken, all aye; motion carried.

2. Esser discussed the FEMA/IPAWS virtual training exercise held on Oct. 22, 2024. This training dealt with elections, as well as the IPAWS system which enables activation of emergency warning notifications. Warnings can be sent to cell phones, etc. within designated boundaries in affected areas.

3. Esser discussed fire restrictions and noted the USFS has stage 2 restrictions in place; not burning bans. Esser noted that Fall River County has rescinded its ban as it is poorly written. Esser stated he is not in favor of burning bans. He said that red flag warnings are done well and shared among agencies.

4. Esser also discussed Search & Rescue firewall and generator, noting approval has been received from the State. Golden West has placed a bid for the firewall in the building, which is not in Custer County's inventory. The current firewall is outdated and needs to be replaced. A bid of \$2500 was received. Esser stated this building is used as a necessary secondary dispatch base. EMS will budget this expense this cycle and IT can fund the firewall at a later time.

J. 1881 Courthouse Museum

1. Deborah Hanagan, Museum Director, presented an update on the Courthouse Museum, noting that while visitor numbers are down in 2024, revenues are on target. Hanagan noted work being done in the museum. She stated she would like to see the museum used as a community resource to hold activities, story hours, as well as educational programs. She would also like to hold Commission meetings annually in the upstairs courtroom. She noted a Christmas open house to be held during the Christmas parade and reminded those in attendance that admission is free to Custer County residents.

K. Public Comment –

1. Sam Smolnisky thanked the Commission for the much-needed parking lot

upgrade at the Search and Rescue building. He stated the new parking lot has made the facility more useable and more professional-looking. He thanked Maintenance Supervisor, Joseph Panza for his efforts in coordinating the project.

L. Human Resources

1. Todd Fish presented annual performance and bonus letters of instruction for review. He noted all department heads have been informed and have reviewed these documents. He did not request action on this matter during this meeting, but will present these for signature and approval at the November 7, 2024 Commission meeting.

M. Commission

- 1. Mail call – none.
- 2. Meeting Schedule – Election November 5, 2024; employee Christmas party December 13, 2024; BH Assn December 6, 2024.
- 3. Meeting Reports – Linde attended IPAWS; Busskohl attended Humane Society, Search & Rescue and Custer City Council meetings.

N. Executive Session

1. Motion to enter into Executive Session as per legal SDCL 1-25-2(3) made by Busskohl; seconded by Linde; vote taken, all aye; motion carried. Executive Session entered into at 8:48 AM and concluded at 9:15 AM with no action taken.

O. Adjourn

Motion by Busskohl and seconded by Linde to adjourn the meeting at 9:16 AM. The next meeting will be at 8:00 AM, Thursday, November 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 _____.