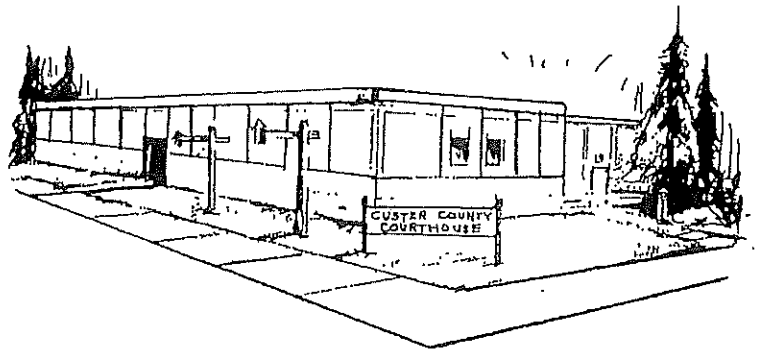


**CUSTER COUNTY**  
Board of County Commissioners



\* \* \*

420 Mt. Rushmore Road

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Custer, South Dakota 57730

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**Custer County**  
**Resolution 2005-14**

**WHEREAS**, Custer County has a road building standard which is referenced in Custer County Ordinance Number 2, and

**WHEREAS**, Custer County wishes to adopt a uniform policy regarding cattleguards on all roads within Custer County,

**NOW THEREFORE BE IT RESOLVED** that all cattleguards installed on roads in Custer County shall be constructed to standards established by the United States Government, Department of Agriculture, United States Forest Service, Black Hills National Forest which standards and material specifications are on file with the Custer County Highway Department,

**BE IT FURTHER RESOLVED** that the following policy be adhered to when such cattleguards are the responsibility of Black Hills National Forest permittees and pass through or are located on lands owned by the United States Government:


Custer County and the USFS in cooperation with permittees will jointly inspect every cattleguard in which the USFS has an interest to determine if the structure is needed. If the structure is not needed, Custer County will remove it. If the structure is deemed necessary, materials will be provided by the USFS meeting USFS/Custer County specifications and 2' (two feet) wider than the current road width. Custer County will provide installation services and the permittee will build any necessary fencing to the cattleguard. Subsequent cleaning and routine maintenance of the cattleguard shall be provided by Custer County.

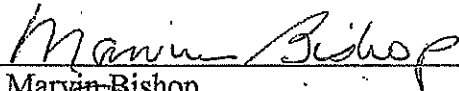
**BE IT FURTHER RESOLVED** that the following policy be adhered to when such cattleguards pass through or are located on private lands:

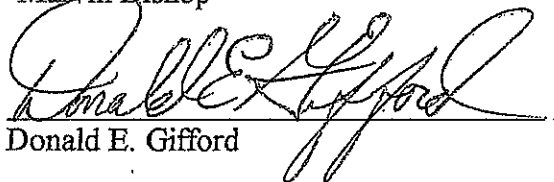
Custer County and the landowner(s) will review the cattleguard, determine if it is needed and, if it is needed, establish if the location is suitable and, if it is not, determine a more suitable location. If the cattleguard does not meet Custer County specifications the

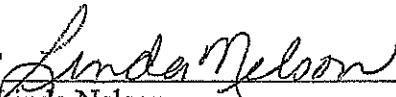
landowner will provide the materials for the cattleguard that meet the above referenced Black Hills National Forest material specifications and Custer County specifications regarding width. Custer County will install the cattleguard at its expense and the landowner will install suitable fencing. Any cattleguard installed under these provisions or deemed adequate by the Custer County Highway Superintendent will be cleaned and routinely maintained at the expense of Custer County. If the cattleguard does not meet the minimum standards established in this resolution and the landowner refuses to abide by the provisions of this resolution the cattleguard shall be removed at the expense of Custer County and will not be reinstalled unless the landowner follows the procedure established for new cattleguards.

Dated this 28th day of June, 2005

  
\_\_\_\_\_  
Joe McFarland, Chairman

  
\_\_\_\_\_  
Marvin Bishop

  
\_\_\_\_\_  
Donald E. Gifford

ATTEST   
\_\_\_\_\_  
Linda Nelson  
Custer County Auditor