

Minutes of the Custer County Commission Meeting Wednesday, December 6, 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 to "T" Auditor/Treasurer: delinquent tax list for publication. Motion to approve Agenda as amended made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes of November 15, 2023 Commission meeting.
2. Travel request—EMS/Teresa Obenauer to attend Salamander ID training in Pierre, SD Dec. 4-5 at a cost of \$230.00
3. Vouchers approved as follows:

PAYROLL: 11-22-23 Payroll: Commissioners \$5,218.38; Auditor \$11,613.89; Treasurer \$12,288.08; Info Systems & Technology \$3,159.01; State's Attorney \$13,838.61; Courthouse Building \$8,787.11; Director of Equalization \$17,969.70; Register of Deeds \$5,149.03; Veteran's Services \$1,309.24; Human Resources \$2,711.34; Sheriff \$45,578.53; Coroner \$803.39; Nurse \$1,125.14; Library \$9,858.91; Conservation \$712.90; Weed & Pest \$3,252.93; Planning \$7,350.77; County Road & Bridge \$40,917.35; Emergency \$3,029.81; 24/7 Sobriety \$899.72; Emergency Line F \$18,674.66

COMMISSIONERS: Southern Hills Publishing \$619.40; Pitney Bowes \$490.85; SDML Worker's Comp \$5,560; Valhalla Legal \$2,530; CAEDC Foundation \$2500; Best Western Ramkota \$507.07

ELECTION: Quill \$156.32; Inclusion Solutions \$2577.11

AUDITOR: Southern Hills Publishing \$105.82; Quill \$297.64; SDML \$155; Tyler Technologies \$1160; Best Western Ramkota \$407.96

TREASURER: Quill \$34.44; SDML \$194; Best Western Ramkota \$203.98

STATE'S ATTORNEY: SDML \$280; SD CLE, Inc. \$625; LexisNexis \$444; Wendy McGowan \$270; Carolyn Harkins \$425.30

COURT-APPOINTED ATTORNEY: Garland Goff \$3,652.05; Southern Hills Law \$610.56; Husted Law Office \$5,130.44; Colbath & Sperlich \$1,676.10

MAINTENANCE: BHEC \$39.86; BH Energy \$1,182.26; Hillyard \$156.36; SDML \$3,644; Custer Ace Hdwe \$141.34; City of Custer \$269.90; Pomp's \$600.28

DIRECTOR OF EQUALIZATION: Quill \$81.98; SDML \$1,960; Imageall LLC \$239.50; Vanguard Appraisals \$1,320.

REGISTER OF DEEDS: SDML \$78; Imageall LLC \$95; Best Western Ramkota \$203.98

VETERANS SERVICES: SDML \$39

HUMAN RESOURCES: SDML \$39

INFO TECHNOLOGY: SDML \$39; Golden West Technologies \$7,193.51

SHERIFF: French Crk Supply \$27.98; Fedex \$17.68; Golden West Technologies \$24.96; Pheasantland Industries \$62.50; SDML \$14,458; Gall's LLC \$335.17; Innovative Office Solutions \$81.81; Karl Chevrolet \$123,321; Stryker Sales LLC \$1,404; Anderson Auto \$205; Battle Mt. Humane Society \$1,083.

CORONER: SDML \$27

PRISONER CARE: Kevin Kirschenmann \$150; Rapid City PD \$40; Correct RX \$40.42

SEARCH & RESCUE: SDML \$632.

AIRPORT: SDML \$862; Brenden Hendrickson \$4,210; Epic Aviation \$7,332.22

NURSE: SDML \$27

MENTALLY ILL: Audra Hill Consulting \$734.48

MENTAL HEALTH CENTER: Audra Hill Consulting \$263.82

LIBRARY: SDML \$272.

FAIR: Custer County Fair Ass'n \$8,000; SDML \$859.

EXTENSION: SDML \$39; Erin McGlumphy \$758.79; State 4-H Office \$35.

WEED & PEST: Chemical Reimbursements (for complete list, see Auditor's office) \$14,199.39; SDML \$2,326.

PLANNING: SDML \$801; Imageall LLC \$112.

COUNTY ROAD & BRIDGE: BHEC \$1,043.18; BH Energy \$93.78; Butler Machinery \$300,936.17; D-Ware \$4,570; French Crk Supply \$393.79; Grimm's Pump Service \$8,261.50; Interstate Batteries \$305.90; Pheasantland Industries \$1,919; SD Federal Property \$40; SDACHS \$350; SDML \$21,233; Kieffer Sanitation \$271.70; Servall \$136.34; Town of Buffalo Gap \$73; Rosane Construction \$96,936; BH Truck & Trailer \$4,456.37; BH Gravel \$98,280; Custer Ace Hdwe \$20.75; Adams ISC \$85.96; Running's Supply \$84.21; Pomp's Tire \$5,687.05; A&I Distributors \$311.45; Nelson's Oil & Gas \$291.72; Great Western Tire \$3,812.30; Forward Distributing \$15.80; Hespen Excavating, Inc. \$1,100; Best Western Ramkota \$305.97; CBH Cooperative \$11,944.83

FIRE PROTECTION: Argyle VFD \$11,000; Buffalo Gap VFD \$5,000; Custer VFD \$36,500; Dewey VFD \$2,500; Folsom VFD \$5,750; Highlands VFD \$7,500; Pringle VFD \$8,000; SDML \$5,232.

24/7 SOBRIETY: SDML \$116; Redwood Toxicology \$25.

EMERGENCY MANAGEMENT: SDML \$1,393; Safety Benefits \$75.00

COUNTY BUILDINGS: BH Chemical \$92.95; Golden West Technologies \$20,672.19; Custer Ace Hdwe \$49.75; Apex Electrical \$1,396.68; G&R Controls \$550.

EMERGENCY LINE: SDML \$194; Motorola Solutions, Inc. \$66.

4. Monthly Reports as follows:

TREASURER DISBURSEMENTS						
NOVEMBER 2023						
3781	2-074 1261	MICHAEL, CHRISTOPHER M	PAID 2023 TRUCK RENTALS 011261	W 11/01/2023	600.00	600.00
3759	2-074 4388	MARKET ST GRANADE	PAID 2023 TRUCK RENTALS 004589	W 11/02/2023	700.00	700.00
1638	2-004 OCTOBER 2023	2023 SOUTH STATE TREASURER	OCTOBER 2023 BON MOTOR VEHICLE	W 11/02/2023	227,170.00	227,170.00
0413	2-077 14154	GARY HEDGECOCK	OVERPAYMENT TRUCK 14154	W 11/02/2023	179.83	179.83
3782	2-077 08155	DAC PROPERTIES LLC	OVERPAYMENT TRUCK 08081 0018	W 11/02/2023	28.28	28.28
3783	2-074 001 3138	SCHUCHTER, ROBERT	PAID 2023 TRUCK RENTALS 0004180	W 11/02/2023	49.28	49.28
3784	2-074 001 4748	SCHUCHTER, LYNN	PAID 2023 TRUCK RENTALS 4004740	W 11/02/2023	699.30	699.30
0483	2-074 00007 0013	JENNIFER HEDGECOCK	PAID 1ST 2023 TRUCK RENTALS	W 11/02/2023	1,375.50	1,375.50
0378	2-074 00007 0014	JACK HEDGECOCK	PAID 2ND 2023 TRUCK RENTALS	W 11/02/2023	596.96	596.96
3785	2-074 007018 001	HEATHER HEDGECOCK	PAID 2023 TRUCK RENTALS 007018	W 11/02/2023	378.81	378.81
1267	2-074 001 11388	JAMES WILSON	PAID 2ND 1/2 2023 TRUCK RENTALS	W 11/02/2023	2,899.34	2,899.34
3785	2-077 001 4 000000	JAMES, CELSO	OVERPAYMENT TRUCK 4 000000	W 11/02/2023	95.66	95.66
2185	2-007 2023 0001	MARKELL PERK	REPOSIT FOR DEPOSIT DEPT 2023	W 11/04/2023	28.87	28.87
3843	2-00 PERK BILL DEPT	WED 2ND PERK	SEPTEMBER 2023 90 PERK BILL	W 11/04/2023	4,889.13	4,889.13
3784	2-00700 0001 00000	LEONARD, WALTER	TITLE 03100014 0001 000000	W 11/04/2023	69.98	69.98

1787	1-CHECK TAG REFUND	ARCHER BETH TITLE#01183464- MO TAG SUE SAK N 11/04/2023	91.00	016219	91.00				
1788	1-CHECK TAG FEE	BRIDEN CARROLL TITLE#01150812 FREE ROAD IN K N 11/04/2023	97.00	016220	97.00	COMMISSION:	0	0.00	0.00
1789	1-CHECK TAG & MO	DEAN HOWARD TITLE#13020419-CLERKING-LEIR N 11/04/2023	283.30	016221	283.30	SALE TAXES:	38	0.00	283,283.37
1790	1-MO FEE PD IN KMO	WATSON & BROS BROS TITLE#18181317 VENE PAID IN N 11/04/2023	150.00	016222	150.00				
1791	1-MO FEE PD IN KMO	WAGLAND JACQUEL TITLE# 20180509 2011 VENE * 11/04/2023	120.00	016223	120.00				
1792	1-CHECK TAG REFUND	WAGNAR MICHAEL MO TAG SUE TITLE # 22101614 N 11/07/2023	224.00	016224	224.00				
1793	1-CHECK TAG	WAGNAR MICHAEL MO TAG SUE TITLE#22101614 N 11/07/2023	83.00	016224	83.00				
1795	1-MY ADPTD	ALLAN WENDON RENO DIV CHECK N 11/04/2023	93.00	016227	93.00	** T O T A L S **	004	0.00	0.00
1814	1-CA 423	CHARLES SCOTT TA OCS FOR PARKS 6034 N 11/14/2023	120.00	016228	120.00	REGULAR CHECKS:	20	0.00	240,240.00
1821	1-REDS OF FEE	CUSTER COUNTY SHERIFF OFFICIALS FEE APP-COM 2023 N 11/17/2023	6,523.48	016228	6,523.48	PRE-WRITE CHECKS:	0	0.00	0.00
1822	1-MERCHISE PRINTE	WELCHMAN BRANDY REFUND IN ADVANCE 08/23/2023 N 11/20/2023	150.00	016227	150.00	WRITE CHECKS:	0	0.00	0.00
1823	1-MY	ALLAN WENDON RENO DIV CHECK N 11/07/2023	93.00	016228	93.00	COMMISSION:	0	0.00	0.00
1824	1-PLATE AND TITLE	CUSTER COUNTY SHERIFF 3 2023 CIVIL TRUCK'S N 11/20/2023	90.10	016229	90.10	REGISTER TOTAL:	20	0.00	240,240.00
1825	1-CYCLE REG FEE	WELCHMAN BRANDY OFFICIALS FEE OF CLERK DEPARTMENT OF FEE N 11/20/2023	1,000.00	016229	1,000.00				
** FURTHER PERIOD RECORD **									
						REG	REGS	AMOUNT	
						101	11/2023	11,400.0000	
						102	11/2023	124.0000	
						103	11/2023	7,107.8800	
						104	11/2023	238,148.0000	
						105	11/2023	1,287.0000	
						106	11/2023	1,807.0000	
						ALL		240,240.0000	

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

D. Conflict of Interest Declarations – Commissioner Busskohl declared a conflict under item “G” 8:10 AM Public Hearing; Commissioner Hartman declared a conflict under item “F” 8:05 AM Public Hearing.

E. Planning

1. Planning Director, Terri Kester, presented final plat of: DIETZ TRACT, PHILLIPS SUBDIVISION NO.2, LOCATED IN THE SW ¼ OF SECTION 26, THE SE ¼ OF SECTION 27, THE NE ¼ OF SECTION 34 AND THE NW ¼ OF SECTION 35, T3S, R3E, BHM, CUSTER COUNTY, SOUTH DAKOTA. This is a lot consolidation and was presented at the November 7, 2023 Planning Commission meeting. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried. Kester stated that there are currently nine section line vacations in progress; plats are up; building permits have leveled.

F. 8:05 AM Public Hearing

1. Public hearing re: M. Hartman petition to vacate a portion of a 33’ wide section line highway ROW located on Dumire Tract West and Dumire Tract East, located in Gov Lot 4, S5, T4S, R5E BHM, Custer County, South Dakota was held. Kester noted this was presented to the Planning Commission on November 7, 2023. Hartman is seeking to vacate only his portion (33’). No changes would be made to access for neighboring properties. There were a few questions from the public as to whether or not this is still a residential subdivision on the plat; yes. The DOE classification remains residential, as well.

2. Resolution 2023-20 Vacation of Section Line Highway Right of Way was presented. Motion to approve Resolution made by Busskohl; seconded by Hindle; vote taken; Busskohl, Hindle, Linde all aye; Hartman abstained; motion carried.

G. 8:10 AM Public Hearing

1. Public hearing re: P. Hespen petition to vacate a portion of 66' wide section line highway ROW located in Wheeler Subdivision Lot 2 of Tract C of H.E.S. 169; located in SE1/4 S14 and NE1/4 S23 and Tract Brown South, of H.E.S. 169, located in SE1/4 S14 & NE1/4 S23, T4S, R4E, BHM, Custer County, South Dakota. Kester stated this petition was presented to the Planning Commission on November 7, 2023; they recommended approval of the petition. There were no comments from the public.

2. Resolution 2023-21 Vacation of Section Line Highway Right of Way was presented to the Commission. Motion to approve made by Linde; seconded by Hartman; vote taken; Hartman, Linde and Hindle all aye; Busskohl abstained; motion carried.

H. Highway

1. Highway Superintendent requested Commission acknowledgement of end of 6-month probationary period for Samuel Monahan. The Commission so acknowledged.

2. Doyle made a request for approval of ROW Occupancy permit from BHEC for overhead power line crossing Elliot Road; S4, T3S, R3E, Custer County, SD. Doyle recommended approval. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

3. Request authorization of Agreement 2024-21-1 between SD GFP & Custer County for Mag CI 2024. Doyle emailed an informational packet to each Commissioner prior to this meeting. Discussion was held regarding CSP's contribution to Custer County for Mag CI applications on County roads that access CSP. The first year that Doyle noted funding was available by a program through SD DOT; \$2.8 million available every year for the next year or two, specifically for access roads to/from SD State Parks. In 2021, Doyle requested funding in the amount of \$48,114 for ½ shot Mag CI; CSP paid \$26K. In 2022, CSP paid the requested amount of \$48,114. In 2023, (for 2024 budget year) the request is for \$66,825. On 10-3-23 Doyle received a letter from GFP, committing \$33,825 for Mag CI in 2024 for Lame Johnny and LH Roads. Later, he was informed by GFP that application could be made to America Center and Lower French Creek Roads, as well. GFP would prefer application emphasis be to the eastern roads. Use of paved and main roads to enter CSP will be encouraged. \$2.8 million has been made available from SD DOT for the purpose of Mag CI to be divided by 66 state parks. With the monies paid to Custer County by CSP a fair share is not being paid, leaving taxpayers picking up the remaining cost burden. Doyle noted a possible solution would be a PILT (payment in lieu of taxes) such as the federal government pays to Custer County. Headwaters Economics has land use information available; showing the public lands in Custer County are not taxed. Lintz noted LH Road will be heavily travelled next year due to a detour; the contractor has agreed to enter into a haul-road agreement; local

engineer has offered to apply Mag Cl, snow removal and blading. The question arose of how much tax revenue does Custer County receive from proceeds that Custer State Park brings in? (approximately \$34K for service contracts). Motion to approve Chairman's signature made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

I. Maintenance

1. Maintenance Supervisor, Joseph Panza, made a request approval for the following items to be added to the County auction list:

2- Hako Minuteman shop vacuums. Model: C02815-01. Serial #: 28915798
Code-J4

1- Hako Minuteman shop vacuum. Model: C29085-06. Serial #: 29010034
Code-K1

1- Pioneer Eclipse Propane Burnisher. Model: "Mean Machine". Serial #:
64488

1- Back pack vacuum. Model: 120-1200

Panza stated these items will be added to the auction after January 1, 2024. Motion to approve made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried.

J. Sheriff

1. Sheriff Marty Mechaley requested approval of purchase of new 2023 Ford F-150 4x4 crew cab from Lamb Motors at a state bid price of \$44,491.00. Mechaley noted that Lamb Motors will hold until the next budget cycle; 1st of the year/2024. Motion to approve purchase made by Hindle; seconded by Buszkohl; vote taken, all aye; motion carried.

K. Courthouse Security Committee

1. Steve McMillin spoke before the Commission with an update for the 2024 Security Plan. He noted the camera and panic button installation is complete and finalization of reimbursement from the state is in process. Once payment is received on the panic buttons, he will submit that to the State of SD for \$19K reimbursement. Installation at the Highway, Library and additional panic buttons at City Hall is in progress; funding for these location installations was denied by UGS, as they are not associated with the court system, but funding is available through the budget. Assessment by Homeland Security was completed and recommended updating every two years; this is also a requirement to remain eligible for federal and state, UGS grants. Key card/fob and pad access will be discussed for updating in 2024; funding under one large grant, but approached as two separate projects. Funding for the upstairs access points under the Homeland Security Grant for 100% reimbursement; downstairs access points under the UGS Grant for 75/25% reimbursement. McMillin noted the approximate total cost would be \$80K for entire project. Both Grants are reimbursements.

L. Custer VFD

1. The Commission acknowledged updated 2023 Membership Roster for Custer Volunteer Fire Department.

M. 8:30 AM Public Hearing

1. Hearing was held for Application for 2023-2024 Retail On/Off Sale Malt Beverage and SD Farm Wine License re: Lucky Enough LLC dba Gold Valley Camp Svoboda Tract (PT of Dawson Tr A; PT of Richardson Pl#724) Sec 20/21 T3 R5 4.40 Acres, Custer, SD. There were no comments from the public. Motion to approve made by Linde; seconded by Buszkohl; vote taken, all aye; motion carried.

N. Library

1. Library Director, Sarah Myers, presented the Library Board’s recommendation to approve Susan Swindal’s addition to the Board. Swindal will fill the position being vacated by Dave Sutton, whose 3-year term is completed. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

O. Extension/4-H

1. MOU between SDSU and Custer County 2024 services for 4-H/Extension, Erin McGlumphy, was presented for approval. Commission Legal Counsel, Aaron Davis, stated he has examined the MOU. Motion to approve made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried.

P. Custer VFW Post 3422

1. Request for approval of 2024 Raffle Events was made as follows:
a) Super Bowl Annual Scholarship fund raiser Feb. 11, 2024
b) ¼ beef raffle Feb. 11, 2024
c) Queen of Hearts every Friday night during calendar year
d) Annual gun raffle for Veteran’s service funding Nov. 1, 2024
Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

Q. Equalization

1. Director, Leah Vissia, and Tara Traxler presented a recap of the county-wide reappraisal, noting that Range 3 has been completed this year, which includes Canyon Rim Ranch, Danby Park and Custer Limestone areas; those valuations will be on the assessment notices sent out in March, 2024. Moving forward in 2024, the focus will be on Range 4 and Custer City. In preparation, land rates for Custer City are being studied to clear up any discrepancies. Vissia will be designating two appraisers per township for 2024 up until September. After that, building permits will be the focus. DOE is working with Vanguard regarding the depreciation schedule. A representative from Vanguard will be in Custer in January 2024 to help finish an accurate depreciation schedule. Vissia stated that all non-ag is currently at 78% of the market. The manual

level (cost of building increase) will need to be increased but the end result is unknown until January. Vissia went on to present sales statistics; that information was given to the Commissioners in packet form. Karen Whitney discussed the Pringle water station plats, noting that Custer County retains property ownership that will need to be deeded over to Pringle for platting purposes. It was determined in April, 2023 that this would be done.

R. Emergency Management

1. EMS Director, Steve Esser, presented an update on Legislative Draft 239 for Emergency Management. Esser stated the draft was strongly opposed by Sheriffs and Emergency Managers; as drafted, county authority was taken away. Discussion amongst law enforcement and emergency managers was that counties have far more unfunded mandates when it comes to the court system, jail and law enforcement and this is a small amount compared to those costs. Esser stated he will keep the Commission informed regarding any new information regarding Draft 239.

2. Esser discussed the Flood Mitigation Study and application for BRIC Grant; Headwater Economics/Speck Engineering will be assisting in the application process for this scoping grant once engineering studies are done on French Creek for upper portions of Stockade Lake. Potential projects will then be prioritized. Funding for this grant will be 90%/FEMA 10%/State. This designation will be in effect for the next 5 years.

S. General Business—none

T. Auditor

1. Finance Officer, Dawn McLaughlin, presented the following alcohol beverage license applications for renewals:

- a) Regency CSP Ventures Limited Partnership dba State Game Lodge; Lot 4, Block 2 Game Lodge T35 R6E Custer County, SD; retail on-sale liquor
- b) Regency CSP Ventures Limited Partnership dba Legion Lake Lodge; Custer State Park Sec 25 T35 R5E Custer County, SD; retail on-off sale wine & cider
- c) Regency CSP Ventures Limited Partnership dba Blue Bell Lodge; Custer State Park, balance of Sec 11 T45 R5E, Custer County, SD; retail on-sale Liquor
- d) Regency CSP Ventures Limited Partnership dba Sylvan Lake Resort; Custer State Park, Sec 30, T25 R5E, Custer County, SD; retail on-sale liquor
- e) Regency CSP Ventures Limited Partnership dba State Game Lodge/Coolidge Inn; Lot 1 Block 2 Game Lodge Townsite T35 R6E, Custer County, SD; package off-sale liquor. Motion to table until December 28, 2023 Custer County Commission meeting made by Linde; seconded by Hartman; vote taken, all aye; motion carried.

2. McLaughlin presented Auto Supplement from Account #226-331.23 Federal Grant (Homeland Security) to Account #226-4-226-426.10 Emergency Management, Fire Department radios in the amount of \$68,295.00. Motion to approve made by Hindle; seconded by Buskohl; vote taken, all aye; motion carried.

3. McLaughlin stated the delinquent real estate tax list and delinquent mobile home BLS tax list will be advertised in the December 13, 2023 issue of the Chronicle. A Tax Cert list will be issued on December 18, 2023 but no certificates will be sold as per the current Supreme Court ruling regarding such. The Commission so acknowledged.

U. Custer Chamber

1. Dawn Murray sent a formal request for Gold Discovery Days events. Murray requested use of Custer County's gravel lot on Washington Street for vendor parking. Murray also requested access to water from the Custer County Library building for carnival personnel. It was noted this has been done in the past; also need copy of liability insurance. Motion to approve request upon furnishing liability insurance made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

V. Public Comment

1. Terrence Stuen addressed the Commission regarding Item "F" on the Agenda; he shared concerns regarding foundation installation in the subdivision he lives in. He is interested in obtaining a copy of the building plans for the proposed structure. Terri Kester stated she has not received plans as of yet and noted that in Custer County, a foundation may be installed before obtaining a building permit. Once walls are to be erected, a permit must be acquired. If a plan is submitted to the Planning Office, those plans become public information and Stuen may obtain a copy at that point.

W. Executive Session

1. Executive Session as per SDCL 28-13.42 Indigent request for cremation entered into at 9:33 AM and concluded at 10:10 AM.

Action taken outside of Executive Session: Motion to approve request made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Executive Session as per SDCL 1-25-2(3) Legal entered into at 9:33 AM and concluded at 10:10 AM with no action taken.

X. Old Business

1. State's Attorney, Tracy Kelley, discussed Resolution 2023-15 (resolution died). Kelly referred to the April 6, 2023 Commission meeting where a motion was made and passed to approve the change in building size; minutes previously stated this proposed change would take place in 2024. Clarification is needed to state that this Resolution is null and void, since it did not pass. The prior motion from April 6, 2023 is null and void. Legally, it is null and void since Resolution 2023-15 did not pass; however, clarification for the public is needed and is, therefore, reflected in these minutes.

Y. Commission

1. District 30 Representatives Trish Ladner and Dennis Krull were invited by the Commission to discuss ongoing issues and concerns regarding insufficient financial reimbursements for services provided to Custer State Park. Custer County and its

taxpayers have been burdened by bearing the expense of these services (fire, search & rescue, ambulance, law enforcement, etc). Custer County has received very little remuneration for such. Chairman Lintz discussed the need to set up a more reasonable way of funding these services, such as a payment in lieu of taxes. Lintz stated Custer County cannot continue to expect the taxpayers to fund services without collecting monies from CSP and GFP. Chairman Lintz sent a letter voicing these concerns to GFP, CSP, District 30 Representatives and Governor Noem in January, 2023 but to no avail. Lintz stated it is time for them to step forward to help in this matter. Lintz only desires to receive fair compensation and remove the burden from the County. CSP and GFP receive full benefit from income received/generated but do not reimburse at a compensatory rate to cover expenses incurred by Custer County. He cited an example of law enforcement coverage fees paid by the Town of Hermosa vs. CSP payment for far more coverage; noting a great disconnect. The Commission requested assistance in obtaining possible PILT on income-producing properties (campgrounds, restaurants, bars, etc. which are in direct competition with the private sector), as well as untaxed grasslands (in competition with ranchers who are paying property tax). Lintz noted that Custer County receives no tax monies from CSP to fund schools, either, which is a great percentage of property tax dollars. Lintz urged Ladner and Krull to assist in asking the legislature for help in obtaining just compensation for services rendered. Krull agrees and requested information to present to the legislature to move forward. Krull inquired about EMS and fire protection; Lintz stated that CSP may have to come forward and become a part of the proposed fire district and meet financial responsibility for such. Krull stated this is the time to move forward to be included in the 2025 budget. Ladner stated she would like to bring this issue before Secretary Robling and inform him that legislation will be brought forward; Ladner requested numbers and costs associated with under-compensated services. M&R (maintenance & repair) function of the state budget could be used to obtain values of each building located within CSP (commercial and residential) to help determine PILT amounts. Further discussion was held regarding several matters. Ladner inquired if Chairman Lintz would be willing to attend meetings in Pierre to assist, noting that a loud voice from the public is needed to support this issue. Ladner and Krull stated they are looking forward to working with Custer County. LeaAnne McWhorter reiterated the importance of calls and emails and stated she would help get the campaign started.

2. Meeting Schedule – BH Assn @ Camp Crook Dec. 8; Lintz and Busskohl attending. Chairman Lintz to discuss CSP funding situation; County Christmas Party December 15 at Crazy Horse.

3. Meeting Reports – Hindle and Linde attended Museum open house; Busskohl attended City Council (2x), County Alive, YMCA, Museum open house, housing and planning meetings.

Z. Adjourn

Motion by Linde and seconded by Hindle to adjourn the meeting at 10:20 AM. The

next meeting will be at 8:00 AM, Thursday, December 28, 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 _____.