

# Minutes of the Custer County Commission Meeting, Wednesday, February 19, 2025.

## 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 remove Item "I" EMS.
2. Amend Agenda to add: "Airport" re: West Dam fill under Item "I".
3. Amend Agenda to add Executive Session as per SDCL 1-25-21(1) Personnel under Item "Q".

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

### C. Consent Agenda

1. Approve Minutes of February 5, 2025 Commission meeting.
2. Approve Monthly Reports as follows:

**CUSTER COUNTY BUDGET/FINANCIAL REPORT**

**COUNTY EXPENSE**

REPAIRS & MAINTENANCE	100,000.00	100,000.00
PERSONNEL	1,000,000.00	1,000,000.00
STATE FUND	1,000,000.00	1,000,000.00
PROPERTY TAXES	1,000,000.00	1,000,000.00
INTEREST	1,000,000.00	1,000,000.00
DEPRECIATION	1,000,000.00	1,000,000.00
GRAND TOTAL	5,000,000.00	5,000,000.00

**COUNTY INCOME**

PROPERTY TAXES	1,000,000.00	1,000,000.00
SALES TAX	1,000,000.00	1,000,000.00
STATE FUND	1,000,000.00	1,000,000.00
GRAND TOTAL	3,000,000.00	3,000,000.00

**STATE FUND RECEIVED TO STATE GENERAL FUND**

STATE FUND	1,000,000.00	1,000,000.00
GRAND TOTAL	1,000,000.00	1,000,000.00

**GRAND TOTAL**

EXPENSE	5,000,000.00
INCOME	3,000,000.00
STATE FUND	1,000,000.00
GRAND TOTAL	4,000,000.00

SEAL

3. Approve Vouchers as follows:

**PAYROLL:** Commissioners \$5,697.78; Auditors \$13,789.65; Treasurer \$14,150.33; Info Systems & Tech \$3,426.87; States Attorney \$15,300.85; Courthouse Building

\$9,859.18; Director of Equalization \$12,132.05; Register of Deeds \$5,777.90; Veterans Services \$2,409.02; Human Resources \$1,551.71; Sheriff \$56,747.82; Coroner \$879.62; Nurse \$1,056.11; Library \$12,207.55; Conservation \$878.19; Weed & Pest \$3,675.81; Planning \$7,901.25; County Road & Bridge \$46,507.26; Emergency Management \$2,880.23; 24/7 Sobriety \$1,532.32; Emergency Line \$21,066.25.

**COMMISSIONERS:** Americinn \$273.57; Catastrophic Legal Expense Relief Program \$6,569; Utilities \$76.36; Pitney Bowes \$53.90; CC Supplies \$75.39.

**COURT:** Carole Johnson \$93.10.

**COURT APPOINTED ATTORNEY:** Husted Law \$2,316.25.

**AUDITOR:** Black Hills Energy \$68.39; Custer Ace Hardware \$2.58; Utilities \$138.

**CUSTER COUNTY HOUSING:** Yearly Budget \$14,000.

**CUSTER SENIOR MEALS:** Yearly Budget \$3,000.

**CUSTER YMCA:** Yearly Budget \$17,000.

**TREASURER:** Utilities \$141.16; CC Supplies \$211.22.

**STATE'S ATTORNEY:** Clerk of Superior Court \$12; Culligan Water \$32.85; Utilities \$138; Relx \$467.

**MAINTENANCE:** Black Hills Energy \$5,919.96; Custer Ace Hardware \$2.98; Utilities \$27.60; McGas Propane \$550.24; Sander Sanitation \$4,407.21; CC Utilities \$42.74; CC Maint/Courthouse Supplies \$1,292.92.

**DIRECTOR OF EQUALIZATION:** Utilities \$193.20; Quill \$48.98; Splish Splash Car Wash \$13.

**REGISTER OF DEEDS:** Utilities \$55.20; State of South Dakota \$47.25.

**VETERANS SERVICES:** Utilities \$27.60.

**FIRE PROTECTION:** Argyle Fire Department \$13,000; Buffalo Gap Fire Department \$7,000; Dewey Fire Department \$3,000; Folsom Fire Department \$7,750; Highlands Fire Department \$9,500; Pringle Fire Department \$10,000.

**HUMAN RESOURCES:** Utilities \$27.60; CC HR Service \$259.50.

**INFO TECHNOLOGY:** Golden West Technologies \$7,445.50; IST Utilities \$55.20; Utilities \$680; Pitney Bowes \$490.53.

**PRAIRIE HILLS TRANSIT:** Yearly Budget \$6,000.

**SHERIFF:** A&B Pure Water \$54.98; Battle Mt Humane Society \$1,083; Fedex \$20.07; French Creek Supply \$78.46; Utilities \$276; Great Western Tires \$746; Kiesler Police Supply \$219; LexisNexis \$203; Murray Auto \$712.57; S&B Motor Parts \$50; Southern Hills Tactical \$1,800; Steele Collision \$195.78; Trittech Software Systems \$1,641.32; CC Supplies \$396.77; CC Verizon \$505.16; CC Supplies \$1,310.84.

**WEAVE:** Yearly Budget \$10,000.

**SEARCH & RESCUE:** Utilities \$99.95.

**PRISONER CARE:** Amber Odegard \$200; City of Rapid City \$80; Mike Bielmaier \$150; Pennington County Jail \$582; Pennington County Sheriff \$201.25; Sharon Bielmaier \$75.

**MENTAL HEALTH:** Audra Hill Consulting \$422.90.

**MENTAL ILLNESS BOARD:** Husted Law \$256.80.

**MENTALLY ILL:** Audra Hill Consulting \$459.12.

**AIRPORT:** French Creek Supply \$799.92; Utilities \$115.13; Mead & Hunt \$13,122.02.

**CIVIL AIR PATROL:** Yearly Budget \$1,000.

**LIBRARY:** CC Books/Materials \$5,645.04.

**EXTENSION:** Golden West Technologies \$1,322; Utilities \$137.80; CC Utilities \$40.01; CC Supplies \$138.74.

**WEED & PEST:** Culligan Water \$13.90; Utilities \$27.60.

**PLANNING:** Utilities \$110.40.

**COURTHOUSE REPAIRS:** G&R Controls \$550; Thyssenkrupp Elevator \$409.77; Freemans Electric \$1,538.54; CC Supplies \$265.46.

**COUNTY ROAD & BRIDGE:** 21 Electric \$1,267.06; A&B Welding \$13.33; Advanced Drug Testing \$198.60; Auto Value \$48.72; Black Hills Truck and Trailer \$7,571.53; Culligan Water \$6.95; Custer Ace Hardware \$45.06; Dakota Battery & Electric \$493.66; Fastenal Company \$64.78; Floyd's Truck Center \$58.88; French Creek Supply \$844.16; Utilities \$324.79; Grossenburg Implement \$3,029.28; Interstate Batteries \$144.95; Justin Neville \$150; Kieffer Sanitation \$346.92; Lumen-Century Link \$65.99; Mt Rushmore Telephone \$156.05; Nelsons Oil & Gas \$440.20; PartsOne Napa \$11.59; Runnings Supply \$69.98; Servall Towel & Linen \$92.03; Town of Buffalo Gap \$165; CC Supplies \$569.08.

**SEVENTH CIRCUIT CASA PROGRAM:** Yearly Budget \$4,000.

**HERMOSA SENIOR CENTER:** Yearly Budget \$2,500.

**BLACK HILLS WORKS:** Yearly Budget Payment \$5,000.

**EMERGENCY MANAGEMENT:** Utilities \$46.18; Midwest Card Solutions \$750; CC Utilities \$47.74.

**24/7 SOBRIETY:** CC Medicare \$9.54.

**EMERGENCY LINE:** A&B Pure Water \$54.97; Utilities \$414.67; Rushmore Communications \$949; CC Equipment \$199.99.

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

**D. Conflict of Interest Declarations –**

1. Buskohl declared a conflict under item "G" #1 AT&T.

**E. Search & Rescue**

1. Sam Smolnisky presented SD DPS Cooperative Agreement for approval and signature. This agreement must be in place to receive reimbursement for expenses relating to volunteer fire departments, first responders and wildland firefighters. All requests go through the State of SD regardless of incidents taking place on county, state and federal lands. Moving forward, there will be a contracted rate in place for reimbursements. EMS Director Esser recommends approval, as well. Motion to approve made by Hartman; seconded by Buskohl; vote taken, all aye; motion carried.

2. Mini-Mobilization Guide material reference was given to the Commissioners.

## **F. Sheriff**

1. Sheriff Marty Mechaley made request to surplus 2014 Dodge Ram to Custer County Search & Rescue for their use. Mechaley stated radios will be removed and installed into a new vehicle, but the light equipment will remain. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

## **G. Planning**

1. Planning Director, Terri Kester, presented AT&T Cell Tower Modification request for approval; re: Parcel 011107 Matt Hespen. This is for replacement of antennas and approval was recommended by the Planning Commission. Motion to approve made by Hartman; seconded by Linde; vote taken; Hindle, Linde and Hartman aye; Busskohl abstained; motion carried.

2. Kester presented Final Plat: BLUESTEM TRACT OF BOWMAN RANCH SUBDIVISION PHASE 2, LOCATED IN THE SE ¼ SE ¼ OF SECTION 7, T5S, R5D, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcels 010786, 010788 & 010789 Todd Sues for Commission approval. The Planning Commission recommended approval at their 2-4-25 meeting. Commissioner Hartman declared a conflict on this matter. Motion to approve made by Hindle; seconded by Busskohl; vote taken, Hindle, Busskohl and Linde aye; Hartman abstained; motion carried.

3. Final Plat re: LOT 1R AND LOT 2R OF JASON SUBDIVISION, LOCATED IN THE NE ¼ NW ¼ SE ¼ NW ¼, NE ¼ SE ¼, AND SE ¼ SW ¼ OF SECTION 9, T5S, R7E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcels 014719 & 012249 re: Jason Hunsaker was presented. The Planning Commission recommended approval at the 2-4-25 meeting. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

4. Kester presented Final Plat: PCM TRACT WEST AND PCM TRACT EAST OF HAYWOOD ESTATES, LOCATED IN THE SW ¼ OF SECTION 21, T2S, R7E, BHM, PENNINGTON COUNTY AND CUSTER COUNTY, SOUTH DAKOTA; Parcel 011502 Patrick Mack for approval. This was presented before the Planning Commission at the 2-4-25 meeting, where approval was recommended. This tract is located in both Custer and Pennington Counties with access from SD Highway 40. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

5. T-Mobile Cell Tower Modification, Parcel 011858 Richard Smith was presented. This is for antenna replacement and the Planning Commission recommended approval at it's 2-4-25 meeting. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

6. Kester presented Approach Permit process; Resolution 2025-8; Resolution Revising Procedures and Fees for Approach Permits in Custer County. This resolution was published 2-5-25 and 2-12-25 in the Custer County Chronicle. The Planning Department will now oversee this new process (beginning 4-1-25) rather than the Highway Department. The Planning Department will address Commissioners if request for a second approach to a property is requested. The \$250 fee will be split as follows:

\$100 to the Highway Department for 911/address sign; \$150 to Planning Department. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

#### **H. Custer County Chronicle**

1. Jason Ferguson discussed the upcoming 2025 Custer County Chronicle Progress Edition and noted an increase of \$25 this year for this full-page ad, bringing the total cost to \$1,000. The ad features all county employees and departments. Motion to approve participating made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried.

#### **I. Airport**

1. Discussion was held regarding possible use of fill taken from the West Dam project for the airport; noting there is a specific area at the airport that could benefit (this area does not qualify for grant monies for improvement). Brenden Hendrickson, Airport Manager, has spoken with Trent Bruce, DGR, and was told this would be a win for the airport. Custer County would like 5K yards and the Highway Department would like a small stockpile for minor backfill projects (it was decided to stockpile, rather than designate). The question of hauling fill was discussed, with various options available. It was estimated there will be 15K to 30K yards of fill available, but trucking rates would need to be very low to be feasible. Peg Ryan, City of Custer, stated further discussion would need to be held to determine logistics, etc. before any decisions are made.

#### **J. Equalization**

1. DOE Director, Scott Storms, requested Commission acknowledgement of resignation of appraiser, Lindsey Luckett, effective 1-31-2025. The Commission so acknowledged.

2. Scott discussed previously presented Vanguard software for his department. After speaking with Troy Schmidt, GIS Director, it was decided to remain with the current Beacon program. Schmidt was able to show additional areas of the program that would be beneficial to the DOE.

3. Storms presented Abatement request for Parcel 07919; Weldon Lasseter. Lasseter filed for an abatement request for Parcel 07919 seeking application of veteran exemption status on the property for the taxable year 2024. Director of Equalization Storms explained to the commission that Lasseter did not file the application prior to the application deadline of November 1, 2023, for 2024 taxes. Storm also explained that Lasseter did not purchase the property until after the November 1, 2023 deadline. The Commission was also informed that Lasseter did not receive his notification (letter) from the Department of Veterans Affairs (DVA) about his status until December 2024 (giving an effective date of February 10, 2023) which evidenced his eligibility for the exemption. Lasseter informed the commission that he was not able to apply for the exemption by the application deadline because of the timing of the letter from DVA and

pointed out the retroactive effective date given of February 10, 2023. Lasseter acknowledged that he did not own the property until after the November 1 application deadline but noted that he owned and resided on the property the entirety of 2024. Commissioners Busckohl and Hindle indicated they may have been willing to consider the request had he owned the property prior to the deadline but they were not willing to support it given the ownership issue. It was acknowledged that Lasseter has been granted the exemption for 2025 taxes payable in 2026. Motion to deny the abatement request was made by Commissioner Busckohl; seconded by Commissioner Hindle; vote taken, all aye; motion carried

#### **K. Argyle VFD**

1. Updated 2025 Argyle VFD roster was presented; the Commission so acknowledged.

#### **L. Public Comment –**

1. Lea Anne McWhorter discussed HB 1237 regarding West Dam, noting that she and Bob Brown were in attendance in Pierre as the bill was presented. Tim Goodwin sponsored the bill, and it passed in Committee and will move on to Joint Appropriations. She urged the public to send emails, call or mail support of the bill. Other bills regarding property tax, assessments and additional sales tax are being presented today in Pierre. It was noted the school funding formula needs to be addressed to help lighten the tax burden for taxpayers. Commissioner Busckohl said that the additional sales tax idea should be determined by individual counties.

2. Dave and Londa Dietz appeared before the Commission to share concerns and make an appeal regarding a denied abatement request. Dietz stated at the 2023 property tax appeals, it was suggested that he combine his 3 lots to help reduce his tax burden. He said went to Planning and DOE and feels he was not given accurate information regarding the process and timeline to meet deadlines to qualify. He submitted paperwork on 10-16-23 and in doing so, thought he had met the November 1<sup>st</sup> deadline. Scott Storms, DOE Director, noted the Dietz's paperwork was received in the DOE office 12-12-2023 and then to ROD, but was not yet recorded by the November 1<sup>st</sup> deadline, and therefore, was not complete. Dietz stated he thought he had done everything correctly and was surprised to see that his taxes were not lowered, nor were the parcels showing combined. Dietz stated he was not given a list of set guidelines to follow and he should have received better clarification. Storms stated that going forward, this tax situation would be in effect (2025 payable 2026 tax year). It was decided to add this to the 3-5-2025 agenda for further discussion/action.

#### **M. Finance Officer**

1. Dawn McLaughlin, Finance Officer, presented Search & Rescue reassignment of fund balance for approval. In assigned funding, as of December 31, 2024 there is a line item for S&R for land purchase from the City of Custer that has remaining funds of

\$66,869.02. In order to use these funds, they must be unassigned and then reassigned to another assigned category. The funds were set up and assigned for S&R building/land expenses (including future expenses). Custer City donated the land to Custer County, and the County would like to show support for the West Dam project by donating to that project. Motion to unassign \$66,869.02 made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried. Commissioner Hindle stated the Commission would like to donate \$25K to the West Dam project and then assign the balance of \$41,869.02 back to S&R to be put toward purchase of a mobile command unit. Motion to assign \$25K toward the West Dam fund made by Hindle; seconded by Hartman; vote taken, all aye; motion carried. Motion to assign the balance of \$41,869.02 toward the mobile command van to Search and Rescue made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried. Motion to release funds of \$25K to City of Custer for West Dam project made by Hindle; seconded by Hartman; vote taken, all aye; motion carried. The remaining funds of \$41,869.02 will be held in account 101-276.55 for Search and Rescue until further notice.

#### **N. Old Business**

1. Resolution 2025-09 -- Resolution Designating Custer County Designees to Request Fire Suppression Assistance From South Dakota Wildland Fire, a Division of the South Dakota Department of Public Safety. Motion to approve and appoint Chairman Jim Lintz as designee made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

2. Wilderness Area/Wild and Scenic Rivers was discussed. Commissioner Linde noted this proposal keeps getting pushed back; USFS employees are unsure of continued employment. Commission Legal Counsel, Aaron Davis, will draft a resolution in opposition to this proposal.

#### **O. Commission**

1. Mail call –

a) letter from Rapid City Fire Department regarding Notification of Ambulance Service Cost Increase was received. The cost of services to cover ambulance calls in eastern Custer County will increase from \$2,000 annually to \$59,270. This is the first increase since 2007. Records show that the current cost per call is \$1080; there were 112 calls in 2023. This significant increase is necessary to ensure continued, high-quality emergency medical services to the area. Discussion was held regarding possible long-term solutions to ambulance services in the eastern portion of the county, including forming an eastern ambulance district; expanding the current ambulance district; housing an ambulance in Hermosa, etc.

b) Thank you card from Jesse Doyle for father's funeral flowers.



2. Meeting Schedule – Fire Advisory Board to meet 3-13-25 at 6:00 PM in the Annex Pine Room. Elected Officials and Commissioners workshop in Pierre 4-9-25 – 4-10-25.
3. Meeting Reports – Hindle attended West Dam, Airport; Linde attended Conservation Board; Busskohl attended West Dam, Custer City Council and Search & Rescue; Hartman attended Library and interviews for DOE.

**P. Commission Legal Counsel**

1. Legal Counsel, Aaron Davis, presented final draft of Policy Letter 02-19-2025, Policy Concerning Political Statements to the Public by the County. This policy was discussed at the 2-5-25 meeting. This policy concerns maintaining a neutral political stance while performing duties and responsibilities by Custer County employees. Motion to adopt Policy made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

**Q. Executive Session**

1. Executive Session as per SDCL 1-25-2(3) Legal.
2. Executive Session as per SDCL 1-25-21(1) Personnel.

Motion to enter Executive Sessions made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Executive Session entered at 9:28 AM and concluded 11:04 AM. No actions taken outside of Executive Session.

**R. Adjourn**

Motion by Linde and seconded by Busskohl to adjourn the meeting at 11:05 AM. The next meeting will be at 8:00 AM, March 5, 2025 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 \_\_\_\_\_.