

# Minutes of the Custer County Commission Meeting, Wednesday, March 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. Motion to approve Agenda made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

### C. Consent Agenda

1. Approve Minutes of 3-5-2025 Commission meeting.
2. Approve Monthly Reports as follows:

March 17 2025

THE BOARD OF CUSTER COUNTY  
COMMISSIONERS

I hereby submit the following report to my examination of cash and cash items in the hands of the Custer County Treasurer's Office of this county as of February 2025.

Total amount of actual cash	\$67,116.94
First Interstate Checking	\$910,637.71
First Interstate Savings	\$487,252.28
Edward Jones MM Acct	\$440,052.00
SD FIT	\$579,486.78
First Interstate CD's	\$101,285.00
Sentinel FCU Checking	\$208.03
Sentinel FCU TIA	\$119,483.32
Sentinel Savings Acct	\$10,139.28
Credit Union's CD's	\$157,860.71
Highmark FCU Savings	\$10,210.12
Highmark Checking	\$4,963.00
Dakotah Bank Checking	\$2,797.50
Dakotah Bank CD's	\$775,242.00
Edward Jones Investments	\$2,068,190.32
Accrued Interest	\$22,670.17
Balance:	\$6,396,501.73

Dawn McLaughlin, Custer County Finance Officer

CUSTER COUNTY ROB ACCOUNTING SHEET

COUNTY PORTION

MARRIAGE LICENSE 3 181-3230 @ \$10.00 \$ 30.00  
 DOMESTIC ABUSE 3 229-3150 @ \$30.00 \$ 90.00  
 M & P Fee 111 251-341.21 @ \$1.81 \$ 200.80  
 Previous Month's Charges \$ 0

MARRIAGE, MISC, VITAL RECORDS  
 COPIES/FAX (PRO TAX) 43 181-348.20 \$ 5,038.58  
 Tax & Copies 0 181-348.20 \$ 0

COUNTY TOTAL \$ 5,459.38

Adjustable (If App) \$ 0 Admitted Trial \$ 0

SDACO PORTION

M & P Flow-Thru Fund 134 @ \$3.00 \$ 402.00

STATE PORTION/STATE VITAL RECORD FUND

Birth 11 @ \$5 \$ 55.00  
 Death 16 @ \$6 \$ 96.00 (5947) \$Total 151.00

Birth Child Trust... @ \$2 \$ 32.00 (8325) \$Total 32.00

COUNTY ROB VITAL RECORD TO STATE GENERAL FUND

Birth 11 @ \$3 \$ 33.00  
 Death 16 @ \$4 \$ 64.00 (1000) \$Total 97.00

STATE TOTAL \$ 270.00

SDACO TOTAL \$ 132.00

GRAND TOTAL \$ 6,790.58

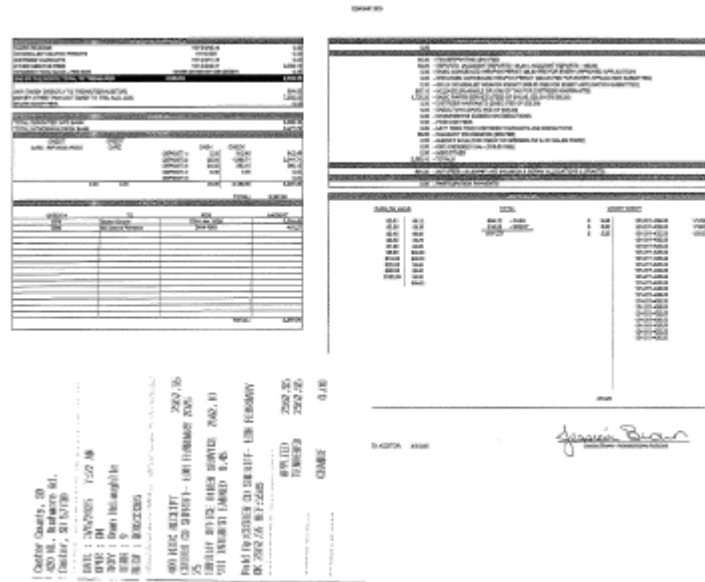
Check# 1751 To State \$ 270.00 Check# 1752 To County \$ 6,288.50  
 Check# 1753 To SDACO \$ 232.00

SDCS, 7-9-17

Register of Deeds statement of fees collected during month of February, 2025, Custer County, State of South Dakota.  
 OFE 179108 in fee has been collected by me as Register of Deeds during the month as shown per  
 Register of Deeds' Office of the State. RECEIVED FEBRUARY 11, 2025 through 11, 2025

State of South Dakota  
 County of Custer

Traci A. Morgan, being duly sworn, deposes and says that she is the Register of Deeds for Custer County, SD. That the foregoing statement is true and correct report of all fees collected by her as such Register of Deeds, as required by law.  
 My Commission Expires 5-31-25. Notary Public, 201566 D.C. SEAL



3. Vouchers approved as follows:

**PAYROLL:** 3-5-25 Payroll: Commissioners \$5,677.58; Auditor \$11,697.80; Treasurer \$12,090.88; Info Systems and Technology \$3,426.87; State’s Attorney \$13,965.41; Courthouse Building \$8,435.04; Director of Equalization \$7,879.52; Register of Deeds \$5,212.47; Veterans Service \$1,467.99; Human Resources \$1,644.69; Sheriff \$50,218.49; Coroner \$879.63; Nurse \$405.07; Library \$10,298.69; Conservation \$694.69; Weed & Pest \$2,893.09; Planning \$7,329.64; County Road & Bridge \$35,424.67; Emergency Management \$2,880.26; 24/7 Sobriety \$613.72; Emergency Line F \$16,417.68

**COMMISSIONERS:** Custer Community Development \$25,000; Golden West Telecom \$315.70; Pitney Bowes \$1,517.25; SDACC \$500

**COURT:** BH Region Translator \$246.40;

**COURT-APPOINTED ATTORNEY:** Colbath & Sperlich \$2,910.67; Husted Law Office \$2,011;

**MENTAL HEALTH:** New Trails Ministry \$300

**AUDITOR:** BHEC \$22.61; Golden West Telecom \$146.15; SDACO \$125

**ELECTION:** Knowink, LLC \$4,574.35

**TREASURER:** Golden West Telecom \$149.31

**STATE'S ATTORNEY:** Culligan Water \$32.85; Golden West Telecom \$146.15; Rapid City Police Dept. \$60; Relx, Inc. \$467;

**EMERGENCY MANAGEMENT:** Golden West Telecom \$46.18; S&B Motor Parts \$83;

**DIRECTOR OF EQUALIZATION:** Golden West Telecom \$204.61

**REGISTER OF DEEDS:** Golden West Telecom \$58.46

**VETERANS SERVICES:** Golden West Telecom \$29.23

**HUMAN RESOURCES:** Golden West Telecom \$29.23

**INFO TECHNOLOGY:** Golden West Technologies \$7,445.50; Golden West Telecom \$738.46

**SHERIFF:** A&B Pure Water \$54.98; AmericInn \$112; Artistic Custom Badges \$95.50; Battle Mt. Humane Society \$1,083; Black Hills Ammunition \$4,332.84; Creative Product Sourcing/DARE \$886.06; Culligan Water \$6.95; FedEx \$20.07; French Creek Supply \$249.99; Galls \$67.93; Golden West Telecom \$292.30; Justice Fire & Safety \$467; Motorola Solutions \$66; Newman Traffic Signs \$692; Pacific Steel & Recycling \$12,309.57

**PRISONER CARE:** City of Rapid City BAC kits \$40; Pennington County Jail \$11,146.60; Pennington Co Sheriff's Office \$105; Pheasantland Industries \$706.80

**AIRPORT:** City Service Valcon \$13,102.93; French Creek Supply \$124; Golden West Telecom \$115.13; Hillyard \$410.72; S&B Motor Parts \$83;

**LIBRARY:** Golden West Telecom \$29.23; McGas Propane \$558.50

**EXTENSION:** Golden West Telecom \$137.80; Keri Cochran \$84.81; McGas Propane \$744.10.

**WEED & PEST:** French Creek Supply \$165.70; Golden West Telecom \$29.23; Justice Fire & Safety \$426

**PLANNING:** Golden West Telecom \$116.29

**COUNTY ROAD & BRIDGE:** BHEC \$1,808.61; French Creek Supply \$574.64; North Central International \$936.73; A&B Welding \$177.92; Butler Machinery \$450.39; CBH Cooperative \$11,895.33; Forward Distributing \$41.40; Golden West Telecom \$529.34;

Kieffer Sanitation \$346.92; Lumen Century-Link \$63.76; Midway Service/Vollan Oil \$23,090.05; Mt. Rushmore Telephone \$154.80; Nelson's Oil & Gas \$954.63; Pomp's Tire Service \$1,209.80; Runnings Supply \$211.97; S&B Motor Parts \$119.80; SD DOT Division of Finance \$332.85

**SEARCH & RESCUE:** Bellingham Truck Center \$48,400; Golden West Telecom \$99.95; Sander Sanitation \$22.80

**MAINTENANCE:** BH Energy \$11,790.88; Custer Ace Hdwe \$26.35; Golden West Telecom \$29.23

**COUNTY BUILDINGS:** Andersen Engineers, Inc. \$2,060; Custer Ace Hdwe \$89.98; G&R Controls \$3,599.08;

**EMERGENCY LINE:** A&B Pure Water \$54.97; Golden West Telecom \$376.95;

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

**D. Conflict of Interest Declarations – None.**

**E. 8:05 AM Public Hearing**

1. New Retail On-Off Sale Malt Beverage and SD Farm Wine Liquor License Application re: Sheri Spurlock-Barton, dba Bridle Ridge Horse & RV Camp, LLC. was presented for Commission approval. There were no comments from the public. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

**F. Town of Hermosa**

1. Anthony Theodorou appeared before the Commission to present an update regarding the Hermosa water project. He noted the water tank project is progressing and tank plans have been submitted to DANR. Theodorou discussed an easement issue that arose, but has since been cleared up. He stated that the project will be going to bid in less than 30 days; 4-15-25 being the target date. He hopes to select a contractor by June, at which time he will order the tank. He noted there are a lot of moving parts in this project. Theodorou also stated there is no recorded iridium in the Madison well. He hopes to be using part of the new detention system within a week or so.

**G. Highway**

1. Highway Superintendent, Jesse Doyle, requested authorization to enter into Bridge Improvement Grant agreement from SD DOT. This agreement is to award grant monies for bridge replacement on Riverside Road, just east of Buffalo Gap. Doyle has the engineer's estimate for the cost of the project; the grant amount is no more than

\$908K. By signing the agreement, this allows Custer County to let the bid. Motion to approve Chairman's signature on agreement made by Hartman; seconded by Hindle; vote taken, all aye; motion carried. Funding has previously been set aside; dig-ready plans allowed additional points, which facilitated the award. Custer County is responsible for full payment of project; the State of SD will reimburse 80%. This is expected to be a progress-payment situation, where the State pays as progress is completed.

2. Doyle also noted that fill from the West Dam project is available to the Highway Department; Nielsen Excavating will load at no cost to the County.

## **H. 8:30 AM Public Hearing**

1. Transfer Heartland RV Park, LLC Retail On-Off Sale Wine and Cider. Motion to approve contingent upon sale of business finalized made by Hartman; seconded by Hindle; vote taken, all aye; motion carried. There were no comments from the public.

2. Transfer Heartland RV Park, LLC Retail On-Off Sale Malt Beverage and SD Farm Wine. Motion to approve contingent upon sale of business finalized made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. There were no comments from the public.

3. Transfer Heartland RV Park, LLC Retail On-Off Sale Liquor. Motion to approve contingent upon sale of business finalized made by Hindle; seconded by Linde; vote taken, all aye; motion carried. There were no comments from the public. State's Attorney, Tracy Kelley, recommended withholding submission until the sale of business is finalized in April.

## **I. Planning**

1. Planning Director, Terri Kester, presented Variance Request from Erin Baumfalk regarding setback requirements. There is a proposed lot split which will result in a cabin and garage being 4-feet from the lot line, which does not comply with Ordinance 2 requirements. It was noted this does not involve a topography issue and that the wastewater system for both lots will be located on one of the lots. Baumfalk stated the purpose of the proposed lot split is to separate the residence from the camping cabin and to be practical, the garage will stay with the residence. She stated that the existing buildings would be difficult to relocate. Baumfalk owns both properties at present, but the 4' setback could cause issues for future owners if Baumfalk sold. It would also be difficult to fit a vehicle through the area, if needed. Kester stated the Planning Commission voted to deny the variance at its 3-4-2025 meeting and recommends Commission denial, as well. Commissioner Linde agrees with following the Planning Commission's recommendation. Motion to deny variance made by Linde; seconded by Buszkohl; vote taken; Linde, Buszkohl, Hindle aye; Hartman nay; motion carried.

2. Kester requested approval of Final Plat: Tract B6W and B6E of GJH Subdivision; Parcel 015947 Gary & Connie Hunsaker. This was presented to the Planning

Commission 2-4-25, where approval was recommended. The Highway Department commented that this will affect sight lines and drainage. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

## **J. Sheriff**

1. Sheriff Marty Mechaley requested Commission approval to hire 2 part-time 24/7 Technicians, Mason Martinez and Kourtnee Arndt who are both currently Custer County employees. They would retain their respective current rates of pay for this position. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

2. Mechaley requested acknowledgement of retirement of 911 Dispatcher, Kevin Climis, effective 3-19-2025. The Commission so acknowledged.

3. Sheriff Mechaley noted he has sent a letter to Pennington County regarding the Custer County-Pennington County jail contract. He discussed the new proposed jail addition in Pennington County and noted the 2 counties have always worked well together. He said the Pennington County Jail is the best run jail in the stated; is accredited and has medical staff on site. Pennington will ask Custer for \$6 million over the next 30 years to participate in jail housing, etc. This would include 15 guaranteed bed spaces for Custer County. This would set Custer County up very well into the future. Commissioner Hindle noted that Custer cannot house prisoners here for what it cost to partner with Pennington. Mechaley said that representatives from Pennington County will come to Custer with a presentation, if desired.

## **K. Equalization**

1. DOE Director, Scott Storms, made request for approval of wage increase for Melissa Bradford from \$18/hour to certified rate of \$19.51, effective as of the 3-21-25 pay period. Melissa earned her certification 3-11-25. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

2. Storms discussed Ag Certification with the Commission and noted the need for change in the qualifications. Currently, taxpayers need to show 3-years' income and he feels the State has set the bar too low, allowing Ag Certification on properties that do not meet the true designation of agricultural pursuit. State's Attorney Kelley drafted an affidavit that would require notarization and could result in prosecution of perjury if falsified. This is becoming a problem, with taxpayers taking advantage of the current law. Commissioner Hartman recommended a work session be held to adopt a policy for Ag status, and to clarify and give direction to the Department of Equalization. This will also save time during appeals.

3. Storms requested approval of Abatement #2025-8A re: Joe Leichtnam, Parcel 015669 in the amount of \$63.52. Storms noted a building that has been removed from the property should have been taken off the tax statement. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

4. Storms presented Abatement #2025-7A re: Raymond Sharp in the amount of

\$350.48 for approval. This property located in the Custer Highlands area was reclassified from a residential property to a shed. Motion to approve made by Linde; seconded by Buszkohl; vote taken, all aye; motion carried.

#### **L. Maintenance**

1. Maintenance Supervisor, Joseph Panza, discussed flooring and stairway tread replacement. He noted there is a potential tripping hazard in the stairwells due to cracking on the nosing portion of the stairs. Panza is reviewing 3 bids for this replacement. Panza noted the carpet squares in the breakroom are lifting, as well. This will be replaced by LVP flooring and the carpet will be removed. This expense is currently in the budget.

2. Panza also discussed hail damage claim for the fairgrounds. He has been working on this claim for the past few months. He stated the claim was settled for \$247K and will be used for roofing; repairs to the existing beef barn, etc. Chairman Lintz recommended some monies be set aside for other buildings and concrete, as well. Panza will visit with the Fair Board regarding their recommendations. Panza requested permission to put the project out for bids. Motion to put the project out for bids made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

#### **M. Raffle Request**

1. Raffle Request was received from Custer Youth and Alumni Foundation to run March 2025—July 2025. Proceeds to be used for scholarships and teacher grants. There is a cash prize associated with this raffle. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

2. Raffle Request for Custer Community Development Fund was received. This raffle will run March 29 -September 1, 2025. Proceeds to be used for the West Dam Reconstruction. Cash and gun prizes are associated with this raffle. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

#### **N. Airport**

1. Airport Manager, Brenden Hendrickson, presented 2024 Annual Report to the Commission. The FAA conducts annual physical inspections and Custer County Airport is in very good condition and received an A+ rating. The airport hosts fly-in breakfasts, Oshkosh specials, Air National Guard training, and more. There are 19 based aircraft, not including seasonal USF helicopters. The airport serves as an important staging location for wildfire and emergency helicopters throughout the year. Hendrickson noted that fuel sales reached a record number in 2024. The airport hosts a YouTube channel and Facebook page. Hendrickson said that 2024 revenue totals were \$144,353, with total expenses of \$160,240; total cost of \$15,887. The 2024 taxiway extension and runway projects were completed at a total expenditure of \$716,733, with grant reimbursements of 90% federal; 5% state and 5% county. Hendrickson thanked the Commission for its support.

## **O. East Side Ambulance**

1. Mike Bielmaier appeared before the Commission to discuss ideas regarding the east Custer County ambulance coverage. Currently, half of the county would lack coverage if Pennington County discontinued covering calls (approx. 120 calls per year). Possibilities of forming an ambulance district for the eastern portion of the county were discussed; single-service district, etc. was also discussed. Bielmaier stated it is better to have one district than two separate ones. Other possible options for the ambulance service would be to provide CPR training, babysitting certification courses and first aid classes for community members. Funding sources were a topic of conversation, as well. Bielmaier will continue to work with Custer Connect, a local non-profit, for ideas and information, as well. The agreement with Rapid City Ambulance will raise coverage fees from \$2,000 annually to approximately \$60,000 annually, and Bielmaier believes this will not be a long-term situation.

## **P. Public Comment –**

1. Linda Kramer, Town of Hermosa, inquired about who donated the property for the proposed ambulance location in Hermosa. Mike Bielmaier stated he did not know, other than there is an approximate 1-acre property to be used for public safety and daycare services.

2. LeaAnne McWhorter stated that the legislative session is finished and West Dam will not receive funding. Phase I is complete; Phase II is in progress; Phase III will hopefully be done in the fall. Property tax bill HB191 for taxpayer relief did not pass the house; died. Tax freeze programs, based on income, etc. saw the cap on home values increase to \$500K, 5-year residency and 200 days in current home required before qualifying for relief. Government tax force created by Gov. Rhoden is for counties to establish their own sales tax & to be able to gain control of revenues. Chairman Lintz noted that expenses increase during the summer season and that would be an opportunity to generate revenue.

3. David Reid noted the article in the Chronicle regarding HB 191 and stated that Amber Hulse did a great job in presenting this to the legislature. He noted counties need to get back to a realistic and reasonable level of assessment. Commissioner Busskohl stated that the county still has a budget to meet and if the level of assessment drops too low, the mill levy would increase. McWhorter said committees did not talk about school funding/budgets. Travis Hartshorn noted that schools still need the full mill to receive funding and the school's hands are tied and they are trying to perform due diligence for the county taxpayers.

4. Sam Smolnisky stated the Custer County Search & Rescue supports the Custer Ambulance. He said that 6 different ambulance services work with them county-wide on S&R calls. He stated having a unified approach with the ambulance service has been positive.



## **Q. Liquor Licenses**

1. Resolution 2023-13 (Amended) A Resolution Establishing Fees to be Charged for Full-Service Restaurant On-Sale Alcoholic Beverage Licenses Within Custer County—second reading. Commissioner Busskohl read Resolution 2023-13 (Amended) aloud for the official second reading. Motion to approve second reading made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

2. The Commission discussed Resolution 2025-10; a Resolution Establishing Fees for Certain Alcoholic Beverage Licenses Within Custer County. This resolution will set fees for On-Off Sale Liquor in Custer County. Discussion was held regarding setting the initial fee at \$15K. State’s Attorney Kelley is waiting for a response from CSP before any additions are made. The first reading will be held at the April 2, 2025 Commission meeting.

3. Discuss Resolution 2025-11; a Resolution Establishing the Number of On-Sale and Off-Sale Alcoholic Beverage Licenses Within Custer County. Commissioner Busskohl read the resolution aloud for the official first reading of the resolution. Based upon population, the maximum number of these licenses in Custer County will be 7. Motion to approve the first reading made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

## **R. Commission Legal Counsel**

1. Legal Counsel, Aaron Davis, presented Resolution 2025-12 Resolution on Proposed Wilderness Areas and Wild and Scenic Rivers in Custer County and the Black Hills. Davis read the resolution aloud for the official first reading. Motion to approve first reading made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

## **S. Commission**

1. Mail call – none.
2. Meeting Schedule – 4-8 – 4-10 SDACO meeting in Pierre.
3. Meeting Reports – Linde attended Senior Center; Waste Board meeting; Lintz attended Fair Board, BHACC meeting where he was nominated for the Vice-Chair position; Busskohl attended S&R, Fire Advisory Board, Rotary and Custer City Council; Hartman attended Planning and Housing meetings.

## **T. Executive Sessions**

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

Motion to enter Executive Sessions made by Busskohl; seconded by Linde; vote taken, all aye; motion carried. Executive Sessions entered into at 10:02 AM and concluded at 10:55 AM.

## **U. Actions Taken By Commission Outside of Executive Session—None.**

**V. Adjourn**

Motion by Hartman and seconded by Hindle to adjourn the meeting at 10:56 AM. The next meeting will be at 8:00 AM, April 2, 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 \_\_\_\_\_.