

Minutes of the Custer County Commission Meeting, Wednesday, April 23, 2025

Members present:

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

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 3 from "O" Finance Office.
 2. Amend Agenda to change verbiage on Item 3; "E" 8:00 AM Public Hearing to read "Section Line Improvement".
- Motion to approve as amended made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes and recordings of 4-2-2025 and 4-8-25 Commission Meetings.
2. Approve Travel Requests as follows: DOE Scott Storms and Melissa Bradford to attend WyDak Chapter of the Appraisal Institute in Rapid City 4-28-25 at a total cost of \$450 (registration fee); State's Attorney Tracy Kelly 2025 State's Attorney Conference 4-30 through 5-2 in Deadwood, SD at a total cost of \$367.40; Lela Larson and Cinda Jones to attend SD Victim Witness and Allied Partner meeting 5-1 and 5-2 in Deadwood, SD at a total cost of \$187.32.
3. Approve monthly reports as follows:

PAYROLL: Commissioners \$5,677.58; Auditor \$12,509.69; Treasurer \$13,356.44; Info Systems & Tech \$3,426.87; States Attorney \$14,855.70; Courthouse Building \$9,349.61; Director of Equalization \$13,438.46; Register of Deeds \$5,589.42; Veterans Services \$1,910.27; Human Resources \$1,579.25; Sheriff \$60,090.60; Nurse \$658.38; Library \$11,945.33; Conservation \$721.17; Weed & Pest \$3,134.58; Planning \$8,053.58; County Road & Bridge \$39,471.47; Emergency Management \$2,880.23; 24/7 Sobriety \$779.29; Emergency Line \$18,466.74.

COMMISSIONERS: Golden West Telecommunications \$212.29; Pitney Bowes \$6,169.76; USDA Forest Service \$550,000; Valhalla Legal \$2,620; CC Utilities \$75.39; CC Flowers \$100.

COURT: Jeff Bennett \$93.70; Sarah Pfefferle \$296.40.

AUDITOR: Black Hills Energy \$176.86; Golden West Telecommunications \$160.51; Quill \$136.33; SD Assoc. Of County Officials \$400; SD Dept Of Revenue \$600; TYLER Technologies \$320; CC Utilities \$275.37.

COURT APPOINTED ATTORNEY: Colbath And Sperlich \$6,591.10; Custer Lawyer PLLC \$742.80; Duffy Law \$475; Hustead Law \$717.54.

TREASURER: Golden West Telecommunications \$140.74; SD Assoc. Of County Officials \$200; CC Utilities \$331.10; CC Supplies \$78.21.

STATE'S ATTORNEY: Carol Johnson \$463; Culligan Water \$65.70; Golden West Telecommunications \$114.65; Relx \$467; ROB Selting \$80.20; Southern Hills Publishing \$17.12; CC Utilities \$198.39.

MAINTENANCE: A-Z Shredding \$20; Black Hills Chemical \$287.96; Black Hills Electric \$999.22; Black Hills Energy \$4,626.29; Custer Ace Hardware \$39.30; Golden West Telecommunications \$22.93; Great Western Tire \$192.85; Sander Sanitation \$45.60; CC Utilities \$215.15; CC Supplies \$972.13.

FAIR: Annual Payment \$11,500.

CONSERVATION: SD Public Assurance Alliance \$456.75.

DIRECTOR OF EQUALIZATION: Golden West Telecommunications \$183.44; Verizon Connect \$31.90; CC Utilities \$230.80.

ABATEMENT: Weldon Lassiter \$36.11.

REGISTER OF DEEDS: Golden West Telecommunications \$45.86; SD Assoc. Of County Officials \$200; State Of South Dakota \$47.25; CC Utilities \$216.32.

VETERANS SERVICES: Golden West Telecommunications \$22.93; CC Utilities \$68.38.

HUMAN RESOURCES: Golden West Telecommunications \$22.93; CC Utilities \$211.09.

MENTAL HEALTH: Audra Hill \$765.20.

INFO TECHNOLOGY: Golden West Technologies \$7,445.50; Golden West Telecommunications \$680; Quill \$231.20.

CORONER: Monument Health \$500.

IST: Golden West Telecommunication \$22.93.

NURSE: Golden West Telecommunication \$105.42; SD Department of Health \$1,478.70.

ANIMAL CONTROL: SD Dept Of Game Fish & Parks \$847.39.

SHERIFF: A&B Pure Water \$54.98; Applied Concepts \$242; A-Z Shredding \$20; Battle Mt. Humane Society \$1,083; French Creek Supply \$48.45; Golden West Telecommunications \$510.22; LexisNexis \$206; Matt Haugen \$316.26; McLeode's Printing \$145.90; Motorola Solutions \$33; Murray Auto \$553.07; Quill \$251.13; SD Department of Public Safety \$2,950; Sonnel Technologies \$120; CC Utilities \$750.17; CC Equipment/ Supplies \$1,291.65; CC Training/ Supplies \$1,312.81.

PRISONER CARE: Correct RX \$94.37; Monument Health \$126.45; Inmates/ Inmate Transport \$22,360.30; Prisoner Transport \$87.50; Addiction Services \$452; Redwood Toxicology \$220.50; Satellite Tracking \$22.75; SD Public Health Library \$285.

AIRPORT: Brenden Hendrickson \$351.04; Golden West Telecommunications \$115.17; QT POD \$550.32; Smith Repair \$1,267.

LIBRARY: Golden West Telecommunications \$22.93; CC Material/ Utilities \$14,954.80.

EXTENSION: Golden West Telecommunications \$91.83; CC Utilities \$40.01.

24/7 SOBRIETY: SD Attorney General \$516.

WEED & PEST: Golden West Telecommunications \$22.93; Southern Hills Publishing \$48.83; Tiffany Nolan \$60; Verizon Connect \$79.75; CC Utilities \$173.95; CC Fuel/Travel \$765.79.

PLANNING: Golden West Telecommunications \$91.72; Verizon Connect \$31.90; CC Utilities \$190.15; CC Supplies \$55.99.

COUNTY ROAD & BRIDGE: A&B Welding \$16.99; A&I Distributing \$311.45; Black Hills Electric \$1401.54; Butler Machinery \$2,769.60; CBH Cooperative \$1,605; Culligan Water \$6.95; Custer Ace Hardware \$109.61; Fastenal Company \$239.56; Floyd's Truck Center \$763.43; Forward Distributing \$21.75; French Creek Supply \$404.29; Golden West Telecommunications \$253.69; Great Western Tire \$1,403.80; Jennifer Equipment \$81,553.14; Kieffer Sanitation \$346.92; Mt Rushmore \$201.99; Nelson's Oil & Gas \$848; North Central International \$94.27; Postle Industries \$619.15; R.P. Lumber \$12.99; RDO Equipment \$3,438.60; Runnings \$207.21; S&B Motor \$31.98; Servall Towel & Linen \$95.10; Summit Signs & Supply \$106; Town of Buffalo Gap \$73; CC Utilities \$207.40; CC Equipment/ Shop Supplies \$4,648.76.

EMERGENCY MANAGEMENT: Golden West Telecommunications \$22.93; CC Utilities \$161.78.

SEARCH & RESCUE: Golden West Telecommunications \$99.95.

COUNTY BUILDINGS: Cummins Sales & Service \$578.48; Custer Ace Hardware \$62.16; CC Supplies \$620.71.

EMERGENCY LINE: A&B Pure Water \$54.97; Black Hills Electric \$52.40; Golden West Telecommunications \$411.13; Range \$24.75; SD Department of Public Safety \$2,950; CC Utilities \$203.25.

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

D. Conflict of Interest Declarations – none.

E. 8:00 AM Public Hearings

1. 8:00 AM Public Hearing re: Section Line Vacation request re: Parcel 015210 Keith Glover.
2. Resolution 2025-15 Vacation of Section Line Highway Right of Way; re: Tract Barnes of Heumhreus Subdivision located in Section 11 and the N1/2 of Section 14, T5S, R3E, BHM, Custer County, South Dakota. This was advertised in the 4-9-25 and 4-16-25 editions of the Custer County Chronicle and was approved by the Planning

Commission on 4-1-25, where approval was recommended. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

3. 8:00 AM Public Hearing re: Section Line Improvement request re: Parcel 002747 Jason Hunsaker. This was advertised in the 4-9-25 and 4-16-25 editions of the Custer County Chronicle. One neighbor has been contacted and has no concerns; Hunsaker is in the process of trying to obtain a private easement from another neighbor, but the easement has not yet been filed. It was noted the road bond appeared to be low.

4. Resolution 2025-14 Section Line Improvement Right of Way; located in the NE1/4 NE1/4 of Section 31 and the W1/2 of Section 32, all within T6S, R8E, BHM Custer County, South Dakota. Commissioner Busskohl favors holding off until further information is available. Highway Superintendent, Jesse Doyle, suggested waiting until the easement goes through; otherwise tabling until the 5-7-25 Commission meeting. Motion to table until the 5-7-2025 Commission meeting made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

F. Planning

1. Planning Director, Terri Kester, requested approval of Final Plat: LOTS A THROUGH L OF H.E.S NO. 477, LOCATED IN THE SE ¼ OF SECTION 10 AND NE ¼ OF SECTION 15, T5S, R5E, BHM, CUSTER COUNTY, SOUTH DAKOTA re: Parcel 002001 Rodney Converse. This is a 12-lot subdivision with various access points. It was noted that there had been a previous problem with the road. Motion to approve contingent upon installation of culvert and roadway specs being met made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

2. Kester also requested approval of Final Plat re: LOT 19W AND LOT 19E OF SOUTH PARK RANCH SUBDIVISION PHASE ONE, LOCATED IN THE NW ¼ NE ¼ OF SECTION 17, T6S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcel 014806 WBB Management, LLC. This was presented to the Planning Commission on 4-1-25, where approval was recommended. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

3. Kester shared that there were 150 children participating in the recent Easter egg hunt.

G. Highway

1. Highway Superintendent, Jesse Doyle presented ROW occupancy request from Golden West for fiber optic facility installation at 25549 Jewell Road; S17 T4S R3E, Custer County, SD for Commission approval. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

2. Doyle reminded the Commission of the 5-7-2025 8:30 AM bridge bid opening regarding Buffalo Gap.

3. Doyle requested authorization of declaration of surplus County property. Items to be surplussed include: 2-post hoist; stationary pressure washer (for parts only); 2 upright shop air compressors. He noted these items are in used condition and will be

sold as-is. Doyle will contact a local auctioneer for these items to be included in future auctions. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

H. Equalization

1. DOE Director, Scott Storms, presented the following Abatements for Commission approval:

a) Abatement request re: Parcel 004838 Paul Dummer in the amount of \$224.08. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

b) Abatement request re: Parcel 015451 Jaralei Tufte in the amount of \$89.25. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

c) Abatement request re: Parcel 015630 Beecher Rock, LLC in the amount of \$12.64. Motion to approve by Linde; seconded by Busskohl; vote taken, all aye; motion carried. This parcel is a cemetery parking lot and will remain tax-exempt in the future.

I. Weed & Pest

1. Weed & Pest Supervisor, Michael Baldwin, requested approve re-hire of Remington Miklos as seasonal weed sprayer at an hourly rate of \$18/hour; start date 5-21-2025. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

2. Discuss: Resolution 2025-16 Requesting the Black Hills National Forest Service Restore Funding for Invasive Weed Management on the Black Hills National Forest. Request approval of Chairman's signature, if Commission agrees. Baldwin noted that previously received funding for weed management is no longer available. There have been landowner complaints regarding the lack of weed treatment on adjacent public lands. The goal is to reinstate funding for weed management and this Resolution will be sent to our congressional delegates. This will be included in the 5-7-2025 Custer County Commission agenda.

J. Airport

1. Commissioner Hindle requested approval of payment in the amount of \$550,000 to USDA Forest Service regarding land conveyance. \$500K will be paid from the Commission budget and supplemented at year's end from assigned funds and \$50K from contingency funds. This purchase has been many years in the making and will finally come to fruition. Motion to approve payment of \$50K from contingency funds and \$500K from the Commission budget made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

K. Emergency Management

1. EMS Director, Steve Esser, requested Chairman's signature on LEMPG Single

Signature Form. It was noted that the reimbursement rate has dropped to 35% from 50%. Motion to approve Chairman's signature made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

L. Search & Rescue

1. Sam Smolnisky requested Chairman's signature on the CCSAR Medical Director Agreement discussed at the 4-2-25 Commission meeting. There is no HIPAA obligation for Custer County and it was noted that there will be no fee paid to the Medical Director. The agreement expires in March, 2026 and either party may back out of the agreement at any time. Motion to approve signature made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

M. Safety Officer

1. Safety Officer, Marc Moore, presented a status report on the safety program. Moore stated he has made contact with all of the offices, including the highway shop and search & rescue. He noted that safety checks were in compliance. He stated that even though the County and State are exempt from OSHA, the County follows much the same requirements. He noted a slip and fall incident with no claim filed, as well as a near-miss incident. He would like to implement monthly AED and fire extinguisher checks. He noted minor changes are needed in the safety manual and would like to present quarterly updates to the Commission.

N. Veterans Service

1. VSO, Todd Fish, presented the 2025 1st Quarter Report. He stated there are 975 registered veterans in Custer County and is currently doing a deep review of veteran files. He noted 37 veterans passed away in 2024; there are 77 claims in progress and 28 active claims filed with 7 open active appeals. There were 493 disability claims totaling \$8.12 million in 2024. Fish stated the annual SDDVS annual training conference will be held September 9-12, 2025 in Sioux Falls.

O. Finance Office

1. Finance Officer, Dawn McLaughlin, presented the following alcoholic beverage license applications for approval:

a) Special Event liquor license for Buffalo Gap Blowout Rodeo to be held 7-11 & 7-12, 2025. This special license allows for hard liquor to be sold during these dates. There is no limit on the number of special licenses that can be issued in Custer County. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

b) Buffalo Gap Blowout--renew retail on-off sale malt beverage & SD farm wine. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

c) Elk Haven, Inc. dba Elk Haven Horse Camp, retail on-off sale malt beverage &

SD farm wine. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

d) Lucky Enough, LLC dba Gold Valley Camp, retail on-off sale malt beverage & SD farm wine. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

e) Lagerplatz Adventures, LLC dba Spokane Creek Cabins & Campground, retail on-off sale malt beverage & SD farm wine. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

2. McLaughlin presented resignation of Marlyn Campbell, Deputy Finance Officer, effective 6-5-2025 for Commission approval. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

P. Public Comment –

1. LeaAnne McWhorter discussed the possible revenue from implementing a County sales tax, resulting in a proposed amount of \$936,523.35 based on statistical information she compiled. LeaAnne handed out an information sheet to the Commission. She stated that Counties should be able to set the tax rate they wish to collect; these funds would be retained by counties and not submitted to the State. McWhorter also noted there is no agenda or time set aside for the summer legislative tax committee.

2. Chairman Lintz inquired about the status of a circulated petition regarding the proposed opt-out by the Battle Creek Fire District. He was informed the petition had been turned in, but that it was not properly executed and therefore, would most likely be denied.

Q. Pennington County

1. Representatives from Pennington County appeared before the Commission to discuss entering into a contract with Pennington County Jail for a at a rate of \$200K per year. (\$6 million total over a 30-year period). This would ensure Custer County 15 beds at the new jail building. It was estimated that it would cost \$650K annually for Custer County to have its own jail, so this would be a tremendous cost-saving measure for Custer County taxpayers. It was noted that Custer County and Pennington County have a good working relationship, and this agreement would work very well in the long term. A Power Point presentation showed various scenarios of projected jail plans and options. Further discussion was held regarding the proposal, and Pennington County would like to have a commitment by the end of May-beginning of June time frame, but stated no signatures would be need at that time. Pennington County will also be presenting the proposal to Fall River County. They would also be willing to make a public presentation if desired. Commissioners Busskohl and Hindle are in favor of the partnership and would like to move forward.

R. Commission

1. Mail call – a) thank you/receipt for West Dam donation; b) Notice of Intent to Annex from Town of Hermosa.
2. Meeting Schedule – LeaAnne McWhorter noted there is a Custer County Republican Meeting to be held 5-6-25 at the Pine Room Annex at 5:30 PM. This will be a chance to meet with the 4 non-partisan candidates running for the Custer School Board.
3. Meeting Reports – Hindle attended USFS, Airport, SDACC in Pierre; Linde attended SDACC in Pierre, Museum board; Lintz attended SDACC in Pierre and Busskohl attended SDACC in Pierre, City Council (twice) and Search & Rescue.

S. Executive Session

1. Motion to enter Executive Session as per SDCL 1-25-21(1) Personnel made by Busskohl; seconded by Linde; vote taken, all aye; motion carried. Executive Session entered at 9:11 AM and concluded at 9:41 AM.

T. Actions Taken By Commission Outside of Executive Session

1. Motion to advertise for Deputy Finance Officer position at a rate of pay ranging from \$21.63/hour to \$24.04/hour made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

U. Adjourn

Motion by Linde and seconded by Busskohl to adjourn the meeting at 10:41 AM; vote taken, all aye; motion carried. The next meeting will be at 8:00 AM, May 7, 2025 in the Commissioner's Room in the Custer County Courthouse.

 5-7-2025
Jim Lintz, Chairman



Attest: 

Barbara Cox, Custer County Deputy Auditor

Published once at the total approximate cost of _____.