

Minutes of the Custer County Commission Meeting, Wednesday, May 21, 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 as follows: add Item "I" Finance Office—add number 2 "Special musical event/Custer Area Chamber of Commerce"; add number 3 "New hire-Deputy Finance Officer". Add Item under item "E" Highway Department—"d" adjust hours form Highway Office Coordinator position; "e" discuss plat signatures. Motion to approve Agenda as amended made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes of May 7, 2025 Commission meeting; amend to correct items under Highway Bid Opening/untabled as follows: the amount should read \$127,898.25 rather than \$27,898.25; Item "B" Adopting the Agenda—motion was made by "Linde" rather than "Lin". Motion to approve as amended made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Approve Monthly Reports as follows:

May 13, 2025

THE BOARD OF CLUSTER 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 APRIL 2025.

Total amount of actual cash	\$544,299.75
First Interstate Checking	\$2,233,606.25
First Interstate Savings	\$5,187,724.97
Edward Jones MM Acct	\$28,979.01
SD FT	\$985,246.98
First Interstate Cds	\$101,473.28
Sentinel FCU Checking	\$209.03
Sentinel FCU TBA	\$120,620.94
Sentinel Savings Acct	\$10,141.78
Credit Union's CD's	\$186,491.48
Highmark FCU Savings	\$10,226.40
Highmark Checking	\$4,877.00
Dakotah Bank Checking	\$2,797.50
Dakotah Bank CD's	\$775,242.99
Edward Jones Investments	\$8,140,218.97
Accrued Interest	\$26,837.53
Balance:	\$12,850,231.34

Down McLaughlin, Quarter County Finance Officer

[illegible]

STATE'S ATTORNEY: Culligan Water \$32.85; Rapid City Police Department \$230; South Dakota Public Health Laboratory \$65; Southern Hills Publishing \$50.06;

MAINTENANCE: Black Hills Electric Coop \$899.02; Black Hills Energy \$999.62; Custer Ace Hardware \$48.53;

DIRECTOR OF EQUALIZATION: Quill \$106.74;

INFO TECHNOLOGY: Pitney Bowes Global \$490.53;

SHERIFF: A&B Pure Water \$54.98; French Creek Supply \$65.95; LexisNexis \$203; Matt Haugen \$635.88; Murray Auto \$2,821.38; Survival Armor \$1,364.22;

PRISONER CARE: Correct RX Pharmacy \$194.34; Monument Health \$352.95; Pennington County Jail \$19,206.02; Pennington County Sheriff's Office \$140; Satellite Tracking of People \$100.75;

CORONER: Clinical Lab of Black Hills \$2,928;

NURSE: SD Department of Health \$2,957.40;

EXTENSION: Keri Cochran \$50.29;

WEED & PEST: Culligan Water \$13.90;

COUNTY ROAD & BRIDGE: A&I Distributors \$311.45; Black Hills Electric Coop \$862.17; Butler Machinery \$1,813.64; Consolidated Electrical \$1,005.93; Culligan Water \$6.95; Custer Ace Hardware \$8.99; Diesel Machinery \$3,496.18; Floyds Truck Center \$2,335.77; French Creek Supply \$618.19; Grimms Pump Service \$9.58; Inland Truck \$4,645.23; Kieffer Sanitation \$346.92; Midway Service \$23,008.20; Nelson's Oil & Gas \$425; Pheasantland Industries \$932.16; Servall Towel & Linen \$95.10; Summit Signs & Supply \$903; Town of Buffalo Gap \$73;

EMERGENCY MANAGEMENT: Black Hills Electric Coop \$52.10;

COUNTY BUILDINGS: Custer Ace Hardware \$8.59; Freeman's Electric \$1,184.48; G&R Controls \$550; R.P. Lumber \$130.70;

EMERGENCY LINE: A&B Pure Water \$54.97; Golden West Telecommunications \$413; Language Line \$14.57;

D. Conflict of Interest Declarations —Commissioner Busskohl will abstain from voting on Item “K”, number “1”.

E. Highway

1. Highway Superintendent, Jesse Doyle, requested Commission approval for the following for ROW Occupancy requests:

a) Golden West for buried fiber optic facility for service to homes on Wiley Road, S1, T5S, R4E to extend mainline for services to homes. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

b) Golden West for buried fiber optic facility on Ditch Creek Rd, S4, T3S, R3E for service at 24786 Ditch Creek Rd. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

c) Brian and Catherine Randolph for a water line on Argyle Road, S33, T6S, R5E for water line to private residence 12636 Argyle Road. This was carried over from a prior meeting. This request involves installation/boring of a private water line under a public roadway. Superintendent Doyle stated there has been no clear answer from Rural Water as to why they are not performing the installation rather than the landowner, which would set a precedent. Commission legal counsel, Aaron Davis, stated he would also like to hear from Rural Water regarding the matter. Commissioner Hindle stated this is a necessary utility and discussed the possibility of owner responsibility be attached to the deed. Davis will invite representatives from Rural Water to explain the situation. Motion to table until the June 11, 2025 meeting or until Rural Water offers explanation made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

d) Doyle discussed decreasing hours for the Highway Office Coordinator position from 40 to 32 hours per week. He feels this is no longer a 40-hour/week position and that office calls can be forwarded to either Kevin Treloar or Jesse Doyle’s phones, which is already in place. HR will be creating a job description and re-posting for this 32-hour per week, benefitted position. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

e) Doyle went on to discuss Plat signatures, noting there is currently some confusion. Doyle’s signature on the Plat mylar indicates there is access to parcels according to how they are platted on the mylar. In the case of lot splits, there is some contention, depending on the road, regarding who is obligated to maintain and bring/keep to specs. Ordinance 2 doesn’t specifically address this issue. Doyle stated that signatures for the plat and signature for the specs on the actual road on the ground are two different issues. He is requesting guidance on how to move forward as to which authority makes the determination on the specs of what the road should be in each situation. Ordinance 2 is vague on the matter, and clarification is needed. A possible work session was discussed.

F. Planning

1. Planning Director, Terri Kester, presented Final Plat: Lot 11R and Lot 12R of

Desperado Ranch Subdivision, located in the N1/2 NW1/4 of re: Parcel 015579 Section 9, T6S, R4E, BHM, Custer County, South Dakota for Commission approval. This proposed lot split was presented before the Planning Commission 5-6-2025 where approval was recommended. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

2. Kester presented request re: Kristen Swenson (Verizon)- Cell Tower Modification/Matt Hespen deedholder. This was presented at the 5-6-2025 Planning Commission where approval was recommended. The antennas will be replaced, and the Planning Department has a list of cell tower land agreements. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

G. Human Resources

1. Request to increase Human Resources hours from 16 hours per week to 24-32 hours per week was presented based on need. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

H. Equalization

1. DOE Director, Scott Storms requested Commission approval for Seda Timperley to obtain certified status. The cost of books is \$625. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

I. Finance Office

1. Finance Officer, Dawn McLaughlin, presented the following alcoholic beverage license renewal for Bridle Ridge Horse and RV Camp LLC- renewal of retail on-off sale malt beverage and SD farm wine for Commission approval. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

2. McLaughlin also presented request from the Custer Area Chamber of Commerce to hold a musical event Friday, June 20, 2025 at the Outdoor Shop, located in downtown Custer. The Chamber is requesting permission to use the 1881 Museum lawn for overflow space, noting open containers will be allowed for beverages purchased from the Outdoor Shop. Both the Outdoor Shop and Museum have insurance policies in place. The Museum Board approved the request and approval is pending from the City of Custer. Motion to approve use of Museum lawn pending City of Custer approval made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

3. McLaughlin requested Commission approval for Michelle Zerfas as new Deputy Finance Officer at a rate of \$24.04/hour beginning 5-21-2025. This is a full-time, benefited position. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

J. Public Comment –

1. Patricia Conway, complimented Jesse Doyle and the Road & Bridge crew on their

excellent work on her road east of Custer. She stated they are doing an excellent job and she is appreciative of their helpfulness.

2. Mark Sullivan, Argyle Loop Road, discussed the Rural Water situation in his area. He bought his property in 2020 and stated he waited for months to hear from Rural Water; he was told it would cost \$176K to tap into the system—the nearest point of connection is approximately 500 meters away from his property. He stated neighbors are connected and are displeased with the Rural Water entity. Sullivan inquired about leadership of Rural Water and asked if the Commission had power to investigate further. He also shared concerns about cell towers in his location, noting he had a medical emergency and received a busy signal when he called 911. He did state that dispatch returned his emergency call. Planning Director Kester said efforts are being made to install a new tower in that area. Sullivan stated that requests to place antennas on water towers were quashed. Commissioner Hartman stated that the Commission cannot control cell towers or Rural Water but would like Rural Water board members to speak before the Commission to hopefully answer some questions. Jesse Doyle noted that Sullivan could possibly direct questions to the PUC in Pierre.

K. Commission

1. Appoint Michael Busskohl as representative for variance requests re: building on the Search & Rescue property. Motion to approve made by Hindle; seconded by Hartman; vote taken, Hindle, Hartman, Linde aye; Busskohl abstained; motion carried.

2. Mail call – Thank you card from Custer Community Development Committee for the County's donation.

3. Meeting Schedule – Hindle attended interviews for Weed & Pest/Maintenance position; Linde attended Waste Board & noted there are no grants available for tire disposal; Busskohl attended Custer City Council meeting, Fire Advisory Board/USFS—fire departments are to present budgets to K. Rittberger, who will then present to the FAB. He noted the S&R command van is now located in Custer; BH Power meeting re: possible shutdowns, but no questions were answered; Lintz attended Fire Advisory Board/USFS. The FAB presented a program noting that trees have been cut, leaving 4-6' stumps and noted that fire departments were advised that in the event of a fire, not to enter the area. Lintz stated the USFS needs to be held accountable and noted this is a hazard to Custer County and would like the Commission to further investigate the matter; Hartman attended Planning Commission and Housing Board meetings.

4. Meeting Reports – June 3, 2025 School Board Election; June 11, 2025 Commission meeting; July 11, 2025 BH Association meeting in Ziebach County.

L. 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 into at 9:02 AM and concluded at 9:56 AM.

M. Actions Taken By Commission Outside of Executive Session—None.

N. Adjourn

Motion by Hartman and seconded by Hindle to adjourn the meeting at 9:57 AM. The next meeting will be at 8:00 AM, July 11, 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 _____.