

Minutes of the Custer County Commission Meeting, Wednesday, July 23, 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 add "Coroner" after Item "D" Conflict of Interest. 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 7-9-2025 Commission Meeting.
2. Approve Travel Requests as follows: Tanya Pollard to attend 2025 SDACHS Highway Office Personnel Workshop 8/13/25 in Pierre SD at a cost of \$222.44; Melissa Bradford and Scott Storms, DOE, to attend Annual Assessor's School to be held 9/14 through 9/19 in Sioux Falls, SD at a cost of \$1,489.00 each; Steve Fairpingree, DOE, to attend Annual Basics School to be held 9/28 through 10/3 in Pierre, SD at a cost of \$1,320.
3. Approve Vouchers as follows:

PAYROLL: Commissioners \$5,697.74; Auditor \$12,541.57; Treasurer \$13,352.82; Info systems & Tech \$3,426.87; States Attorney \$14,392.26; Courthouse Building \$8,954.27; Director of Equalization \$10,504.58; Register of Deeds \$5,400.92; Veterans Service \$1,900.86; Human Resources \$2,147.40; Sheriff \$61,537.30; Coroner \$879.62; Nurse \$420.53; Library \$11,481.86; Conservation \$721.18; Weed & Pest \$4,583.79; Planning \$7,582.01; County Road & Bridge \$38,280.08; Emergency Management \$2,880.26; Emergency Line F \$21,564.75;

COMMISSIONERS: CC Verizon/Supplies \$75.39; CC Commission Utilities \$75.39; CC Expenses \$41.68; Catastrophic Legal Expenses \$6,569.00;

AUDITOR: CC Verizon/Supplies \$576.45, CC Repairs/Supplies \$90.89; CC Auditor/Rentals \$376.63; CC Travel/Utilities \$83.50; Quill LLC \$49.96; Ramkota Hotel \$309.00; Tyler Technologies \$6,162.50;

TREASURER: CC Verizon/Supplies \$337.78, CC Repairs/Supplies \$99.65; CC Treasurer/Rentals \$347.75; CC Supplies \$57.48; CC Supplies \$57.48;

STATE'S ATTORNEY: CC Verizon/Supplies \$212.53, CC Supplies \$54.06; CC State Atty/Rentals \$204.20; Culligan Water \$25.90; Tracy Kelley \$27.00;

MAINTENANCE: CC Verizon/supplies \$214.69, CC Utility/Supplies \$1,406.29, CC Main/Rentals \$173.01; CC Electricity \$42.73; CC Automotive/Supplies \$668.00; Black Hills Electric \$949.95; Custer Ace Hardware \$38.72; French Creek Supply \$194.16; North Central Supply \$4,200.00;

DIRECTOR OF EQUALIZATION: CC Verizon/Supplies \$411.76, CC Travel/Supplies \$1,113.49; DOE/Rentals \$302.92; CC Automotive/Supplies \$451.46, Lamb Motor Company \$62,222.00;

REGISTER OF DEEDS: CC Verizon/Supplies \$228.71; CC ROD/Rentals \$220.31;

VETERANS SERVICES: CC Verizon/Supplies \$67.44, CC Vet Service/Rentals \$67.15;

HUMAN RESOURCES: CC Verizon/Supplies \$229.19, CC HR PRO Fee/Service \$235.57; CC HR Supplies \$26.99;

INFO TECHNOLOGY: Quill LLC \$235.45;

SHERIFF: CC Verizon/Supplies \$826.37, CC uniform/Supplies \$304.51, CC Radio/Supplies \$298.02, CC Sheriff/Rentals \$198.85; CC Utilities \$590.51; CC uniforms/Supplies \$738.71; CC Uniforms \$201.78; Active 911 \$486.00; Battle MT Humane Society \$2,166.00; City of Rapid City \$340.00; French Creek Supply \$130.13; R.P. Lumber \$139.49; Sherry Weber \$6.00;

PRISONER CARE: Black Hills Pediatrics LLP \$172.28; City of Rapid City \$120.00; Correct RX Pharmacy Service \$543.33; Pennington County Jail \$20,076.40; Redwood Toxicology Laboratory \$176.40; SD Department of Health \$120.00;

AIRPORT: CC Repairs/Supplies \$389.35, R.P. Lumber \$18.76;

LIBRARY: CC Amazon/Supplies \$1423.41; CC Books/Print materials \$2,205.39;

EXTENSION: CC Verizon/Supplies \$40.01, CC Postage/Supplies \$36.69; CC utilities \$40.01;

WEED & PEST: CC Verizon/Supplies \$184.32, CC utility/Supplies \$48.99; CC Service \$295.63; CC Advertising/Supplies \$1,921.94; Adrian Ranch LLC \$618.10; Becky Amundsen \$207.89; Culligan Water \$6.95; Daniel O'Brien \$11.58; Delmar Slagle

\$36.60; French Creek Supply \$31.97; Kelly & Kellie Keegan \$65.05; Stephen Humphreys \$218.94;

PLANNING: CC Verizon/Supplies \$202.77; CC Rentals \$202.46;

COUNTY ROAD & BRIDGE: CC Verizon/Supplies \$219.72; CC RD & Bridge/Rentals \$200.31; CC RD & Bridge/Supplies \$88.49; Black Hills Electric \$703.33; Brosz Engineering \$3,277.50; CBH Cooperative \$7,241.71; Culligan Water \$6.95; Fastenal Company INC \$71.76; Floyd's Truck Center \$741.88; Forward Distributing \$40.05; French Creek Supply \$523.92; Great Western Tire \$71.40; Kieffer Sanitation \$351.55; Midway Service/Vollan Oil \$25,583.25; Power plan \$718.17; SD Assoc of County Officials \$50.00; Town of Buffalo Gap \$73.00; Z & S Dust Control System \$3,596.73;

EMERGENCY MANAGEMENT: CC Emerg Management/ Rentals \$186.19; CC utilities \$47.73; Black Hills Electric \$51.95; McGas Propane \$115.00; Newcastle Motors \$4,286.05;

COUNTY BUILDINGS: CC Utility/Supplies \$830.73, CC Utility/Supplies \$390.95; CC Repairs \$341.99; Custer Ace Hardware \$49.37;

EMERGENCY LINE: CC Verizon/Supplies \$236.15, CC uniform/Supplies \$208.01; 911/Rentals \$213.44;

SAFETY: CC Verizon/Supplies \$159.11,

S&R: CC Verizon/Supplies \$507.00,

SOBRIETY: CC Radio/Supplies \$251.25; Redwood Toxicology Laboratory \$41.98; SD Attorney General/Attn \$1,346.00;

COURT APPOINTED ATTORNEY: Southern Hills Law \$4,103.36; Williams Law PC \$2,104.50;

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

D. Conflict of Interest Declarations – None

E. Coroner

1. Coroner James Sanders requested Commission approval to add 2 Deputy

Coroners to his roster. Elizabeth Allen and Kourtnee Arndt will be deputized once approved. It was noted that Hapsie Nutley will no longer serve as Deputy Coroner. The Commissioners approved the request.

F. 8:05 AM Public Hearings

1. Planning Director, Terri Kester, presented request of Vacation of Plat: 13 Plat 81—Big Sky Ranch Tract and Big Sky Lake Tract, located in Sections 24 & 25, T4S, R3E and in Section 19, T4S, R4E, Custer County, South Dakota. Parcel 001577 Cody Norberg/Makota Ranches, LLC. Kester stated this was presented to the Planning Commission on 7-1-25, where approval was recommended. There were no comments from the public.

2. Resolution 2025-21—A Resolution by the Board of County Commissioners of Custer County, South Dakota, to Vacate the Plat of Big Sky Ranch Tract and Big Sky Lake Tract. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

3. Kester presented request of Section Line Vacation re: Oxbow Ranch Estates, Tract E&D of subdivision of H.E.S. 171 located in SW1/4 S36, T4S, R4E and in NW1/4 & SW1/4 S1, T5S, R4E BHM Custer County, South Dakota. Parcels 013937 & 013938 Christopher & Barbara Hon; Chris & Angela Dailey. This was presented at the 7-1-25 Planning Commission meeting, where approval was recommended. There were no comments from the public.

4. Resolution 2025-22—Vacation of Section Line Right of Way. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

G. Planning

Planning Director Kester presented the following for Commission approval:

1. Approve Road Bond Release re: Bob Quinn, Westwind Corporation in the amount of \$62,000.00. This regards lots 4-9, 11 & 12. Highway Superintendent Doyle stated he has inspected the road and recommends release. Motion to approve release of the \$62,000.00 road bond made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

2. 2nd Approach to property request re: Parcel 015759 Jacob & Carmen Halonen. This request is to access a future shop on the property. Planning has inspected the site, and they see no safety issues with the location. It was noted there will be a future lot split and if needed, an additional 911 address can be issued. A concerned neighbor spoke against the request at the 7-9-25 Commission meeting urging denial of the request, citing safety concerns. Based on the preliminary inspection finding no issues, motion to approve was made by Hindle; seconded by Hartman, vote taken, all aye;

3. 2nd Approach to property request re: Parcel 005905 Jeffrey & Jody Tomac. No additional 911 address is requested. The current approach is steep and is difficult to navigate for delivery drivers, as well as emergency services and the second

approach would provide a safer route. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

4. 3rd Approach to property request re: Parcel 015621 Van Laechen. This property is located on Star Valley Drive and the property owner deems the 2 current driveways too steep for RV parking. It was noted that this is already a busy intersection and that the second approach was installed without prior Commission approval. Discussion determined that the second approach will need to be approved before approving a third approach. No action taken.

5. Variance request re: Van Laechen Parcel 015621. This setback request is to construct a 45' x 26' shop 15' from the property boundary. The Planning Commission recommended approval at its 7-1-25 meeting and the property owner stated he does not want to build the shop if a third approach (above item #4) cannot be permitted. In further discussion, Legal Counsel Aaron Davis, was asked to research Road District laws into Commission jurisdiction regarding approaches located within a Road District.

H. Highway

1. Highway Superintendent, Jesse Doyle, requested approval of new hire, Kevin VonRump with start date of 7/21/25. This is a full-time, fully benefited position at an hourly rate of \$23.18. (This wage amount was corrected from \$23.88 as shown in the agenda). Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

2. Doyle asked the Commission to approve ROW Occupancy Permit request from Golden West for a fiber optic facility at 24728 DeHaven Drive; S3 T3S R3E. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

3. Doyle requested approval of ROW Occupancy Permit request re: Brian & Catherine Randolph for water line at 12636 Argyle Road, S33 T6S R5E. This request has been previously discussed at prior meetings. Legal Counsel Davis noted this ROW request is "Exhibit B" in the Water Utility Easement Agreement that will be presented later in today's meeting. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

I. Sheriff

1. Sheriff Marty Mechaley requested acknowledgement of resignation of Deputy Daniel Walton, effective 7-25-25. The Commission so acknowledged. Mechaley said this will leave his department short-staffed and the hiring process is currently underway.

2. Mechaley requested authorization of Chairman's signature on Cooperative Law Enforcement Operating & Financial Plan Between County of Custer and the USDA, Forest Service, Black Hills National Forest. This agreement is for \$8K and the USFS will be billed at a rate of \$45/hour and \$.70/mile for patrolling the park, as well as campgrounds. Motion to approve Chairman's signature made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

J. Equalization

1. Director, Scott Storms, requested acknowledgement of termination of Seda Timperley, with an effective date of 7-17-2025. The Commission so acknowledged.
2. Storms requested acknowledgement of Melissa Bradford becoming a fully Certified Appraiser Assessor. Storms noted that Appraiser/Assessors have a 1-year temporary status before becoming fully certified. The Commission so acknowledged.
3. Storms requested approval of purchase of 2025 Ford Expedition from Lamb Motors at a cost of \$62,220.00. This vehicle became available from Lamb Motors and the funds are currently in the budget. A Buick that is currently in the DOE fleet is not practical and will be surplussed as a fleet vehicle. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

K. Finance Office

1. Finance Officer, Dawn McLaughlin, requested approval of new-hire Bobbie Ludwig as Deputy Treasurer with a start date of 7-21-2025. This is a full-time, fully benefitted position with a wage of \$17/hour. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.
2. McLaughlin also requested approval of new-hire Ashley Johnson as Deputy Auditor with a start date of 6-30-2025. This is a full-time, fully benefitted position with a wage of \$17/hour. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

L. Emergency Management

1. EMS Director, Steve Esser, requested Chairman's signature on LEMPG 3rd Quarter report. Submission of this quarterly report is required to receive wage compensation for Esser's position. Motion to authorize Chairman's signature made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

M. 1881 Courthouse Museum

1. Deb Hanagan, Museum Director, made request for approval of an open container area for events to be held on 8-10-25 and 9-19-25. The first event is the 150th Birthday Celebration for the City of Custer and will share lawn space with the Outdoor Shop. The second event is a mixer for the Mickelson Trail and the Outdoor Shop to share lawn space, as well. Hanagan state there is insurance in place, and she will also obtain permission from the Custer City Council. Motion to approve made by Linde; seconded by Hartman; vote taken, all aye; motion carried.
2. Hanagan presented an updated 2025 museum roster for acknowledgment. The Commission so acknowledged.

N. Public Comment –

1. Lea Anne McWhorter shared there was a legislative task force/property tax

meeting held in Rapid City on 7-17-25. McWhorter testified and stated this was a positive meeting. There will be another meeting held in Aberdeen in August. Lea Anne stated there are 3 subcommittees and discussed the state school funding formula. Various options were discussed, and McWhorter stated many ideas have been presented. A tax-issue meeting will be held August 1st in the Pine Room at the Library/Annex building at 10:00 AM. A tax attorney will be discussing the recently passed BBB and how it will affect taxpayers.

O. Commission Legal Counsel

1. Legal Counsel, Aaron Davis, presented an updated Monthly Hangar Rental Agreement for discussion. Davis noted this month-to-month agreement is not intended to be used as a long-term agreement. Davis updated some of the terms in the current agreement and suggested discussing the proposed form in Executive Session to finalize a template. Commissioner Busskohl asked if Davis has fee amounts charged by surrounding local airports; Airport Manager Hendrickson stated he has surveyed other local airports. Discussion was held regarding requiring pilots to carry liability insurance coverage and possibly use of a waiver added into the agreement. Hendrickson stated requiring pilots to carry liability insurance would add an unnecessary strain. He also said that liability insurance is regulated by the state and the FAA, and that South Dakota does not have that requirement in place. Hendrickson said he sees the potential for lost revenue if liability insurance is a requirement. Commissioner Busskohl asked Hendrickson for copies/information regarding other area airports' fees for ground leases; Hendrickson agreed to provide the information.

2. Davis requested authorization for Chairman's signature on Waterline Utility Easement Agreement regarding Brian and Catherine Randolph. The landowners will take responsibility for repairs, line, leaks, etc. and repairs will be completed within a reasonable timeframe. Any non-compliance with terms of the agreement will result in fees and costs being levied against the property owner. Highway Superintendent Doyle stated that timelines for road repairs does not absolve the Highway Department as per state law. The ROW Occupancy Easement will remain in place should the need for repairs arises. Davis stated the landowners have signed the Agreement. Motion to approve Chairman's signature made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

P. Commission

1. Mail call – none.
2. Meeting Schedule – tax meeting to be held 8-1-25 @ Annex Pine Room 10:00 AM; Fall Convention in Pierre 9-8 & 9-9; BH Association 12-12-2025; Fire Advisory Board 9-11-25.
3. Meeting Reports – Hindle attended Buffalo Gap Blowout, checked rural county roads; Linde attended Garbage Board; Lintz attended Fire Advisory Board;

Busskohl attended Fire Advisory Board, Search & Rescue, Custer City Council; Hartman had meetings via phone.

Q. Executive Session

1. Executive Session as per SDCL 1-25-2(3) Contract/Legal. Motion to enter Executive Session made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Executive Session entered at 9:07 AM and concluded at 9:37 AM.

R. Actions Taken by Commission Outside of Executive Session

1. None.

S. Adjourn

Motion by Hartman and seconded by Busskohl to adjourn the meeting at 9:38 AM. The next meeting will be at 8:00 AM, August 6, 2025 in the Commissioner's Room in the Custer County Courthouse.


Jim Lintz, Chairman

Attest:


Barbara Cox, Custer County Deputy Auditor



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