

Minutes of the Custer County Commission Meeting, Wednesday, August 20, 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 Linde; seconded by Busskohl; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes of August 6, 2025 Commission Meeting
2. Approve Travel Request: Jim Lintz, Mike Linde, Michael Busskohl, Dawn McLaughlin, Paula Arthur, Barbara Cox and McKinsey Scroggin to attend 2025 SDACC County Convention to be held in Pierre, SD Sept. 7-9, 2025 at a cost of \$4,004.
3. Approve Vouchers as follows:

PAYROLL: SAFETY \$134.32; COMMISSIONERS \$5,697.79; AUDITOR \$14,064.98; TREASURER \$14,283.83; INFO SYSTEMS & TECH \$3,426.87; STATES ATTORNEY \$15,282.54; COURTHOUSE BUILDING \$9,951.75; DIRECTOR OF EQUALIZATION \$12,823.28; REGISTER OF DEEDS \$5,777.90; VETERANS SERVICE \$2,183.17; HUMAN RESOURCES \$2,376.31; SHERIFF \$66,738.16; CORONER \$879.63; NURSE \$387.43; LIBRARY \$12,609.19; CONSERVATION \$878.20; WEED & PEST \$5,623.78; PLANNING \$7,899.51; COUNTY ROAD & BRIDGE \$44,648.48; EMERGENCY MANAGEMENT \$2,880.24; SOBRIETY \$454.55; EMERGENCY LINE \$20,829.58;

COMMISSIONERS: Golden West Telecom \$279.95; Pitney Bowes/Purchase power \$2,335.00; SD Assoc of county commissioners \$660.00;

COURT: Carol Capistrant \$99.58; Cindy Tate \$96.90; Culberson Susan \$51.34; Deborah Van Sambeek \$87.52; Diantha Vog \$76.80; Jamilyn Teske \$66.08; Moseley Jonathan \$56.70; Nancy Schmitz \$59.38; Owen Pollard \$52.68; Sharon Fridley \$83.50;

AUDITOR: Black Hills Energy-6001 \$59.73; Golden West Telecom \$148.68; Quill \$73.87; SD Assoc of county commissioners \$330.00; Tyler Technologies \$290.00;

TREASURER: Golden West Telecom \$130.60; SD Assoc of county commissioners \$330.00;

STATE'S ATTORNEY: Culligan Water \$39.80; Golden West Telecom \$135.40; LexisNexis SA \$467.00;

MAINTENANCE: A-Z Shredding, INC Iron Outfitter Waste Service \$20.00; Black Hills Electric Coop \$428.83; Black Hills Energy-6001 \$4,183.28; City of Custer \$617.48; Custer Ace Hardware \$8.80; Golden West Telecom \$29.20; Kieffer Sanitation \$22.80;

DIRECTOR OF EQUALIZATION: Golden West Telecom \$199.12; Verizon Connect fleet \$31.90;

REGISTER OF DEEDS: Corporate Warehouse Supply \$559.85; Golden West Telecom \$92.92; State of South Dakota \$47.25;

VETERANS SERVICES: Golden West Telecom \$22.50;

HUMAN RESOURCES: Golden West Telecom \$27.31;

INFO TECHNOLOGY: Golden West Telecom \$722.48; Pitney Bowes Global financial services \$490.53;

SHERIFF: A&B Pure Water \$54.98; A-Z Shredding, INC Iron Outfitter Waste Service \$20.00; Battle Mt Humane Society \$ 1,083.00; Custer Ace Hardware \$29.97; FedEx \$30.89; Golden West Telecom \$258.28; LexisNexis risk solution \$408.00; Motorola Solutions \$33.00; Moyle Petroleum \$124.64; Murray Auto \$150.45;

PRISONER CARE: City of Rapid City \$240.00; Correct RX Pharmacy Services INC \$1,059.11; Hapsie Nutley \$75.00; Jacquelyn Nelson PBT \$150.00; Pennington County Jail \$26,069.82; Pennington County Sheriff's office \$210.00; Precision eyecare \$313.00; Rapid City Regional Hospital \$253.74; Sharon Bielmaier \$150.00;

AIRPORT: Airnav.com \$72.00; Custer Ace Hardware \$15.99; Golden West Telecom \$11.7; Rocky Mountain Propane \$242.27; Titan Machinery \$552.20;

LIBRARY: Golden West Telecom \$29.20;

EXTENSION: Golden West Telecom \$91.84; Keri Cochran \$15.78;

WEED & PEST: Connie Wellinton \$244.20; Culligan Water \$6.95; Dale & Anna Molitor \$323.01; Daniel Gorman \$ 580.61; Doug Geary \$400.74; Fred Hlava \$59.50; Golden West Telecom \$29.20; Greg Lester \$160.07; Heidi O'Conner \$74.07; James Brunner \$73.75; Mark Barker \$117.27; Mike Molitor \$180.38; Paul Nettinga \$175.00; Richard Schuning \$52.58; Ron Wagner \$22.53; Shirley Kopka \$60.00; Verizon Connect Fleet \$15.95;

PLANNING: Golden West Telecom \$114.16; Verizon Connect Fleet \$31.90;

COUNTY ROAD & BRIDGE: A&B Welding Supply LLC \$73.96; A&I Distributors \$2,795.20; A&I Distributors \$-35.00; Black Hills Electric Coop \$750.17; Black Hills Gravel LLC \$14,250.00; Boot Barn \$150.00; Croell INC \$38.75; Culligan Water \$6.95; Custer Ace Hardware \$23.96; Floyd's Truck Center \$82.31; French Creek Supply \$567.17; Golden West Telecom \$249.56; Great Western Tire \$109.95; Grimms Pump service \$117.97; Interstate Batteries of Rapid City \$159.95; Jenner Equipment \$16.42; Kieffer Sanitation \$346.92; Mt Rushmore Telephone \$179.77; Newman Traffic Signs \$692.00; Town of Buffalo Gap \$73.00; Tyler Technologies \$1,976.00;

EMERGENCY MANAGEMENT: Golden West Telecom \$46.22;

COUNTY BUILDINGS: ADTECH-Rapid fire protection \$21.53; Bauerkemper's INC \$10,100.00; G&R Controls INC \$550.00;

EMERGENCY LINE: A&B Pure Water \$54.97; Golden West Telecom \$405.46; Rushmore Communications \$2,398.50;

SAFETY: Black Hills Electric Coop \$52.32; McGas Propane \$58.40;

COURT APPOINTED ATTORNEY: Custer Lawyer PLLC \$1,598.80; Hustead Law Office \$721.80;

S&R: Golden West Telecom \$99.95;

NURSE: Golden West Telecom \$61.67;

MENTALLY ILL: Kennedy Pier Loftus Reynolds \$228.00; Yankton Co \$50.00;

MENTAL HEALTH: New Trails Ministry \$600.00;

SOBRIETY: SD Attorney General \$673.00;

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

D. Conflict of Interest Declarations – Chairman Lintz declared a conflict re: Item "E" 8:00 AM Public Hearings, No. 3 Lintz Brothers Pizza.

E. 8:00 AM Public Hearings

Finance Officer, Dawn McLaughlin, presented the following On-Sale Liquor, On-Off Sale Malt Beverage and SD Wine License applications for approval:

1. Retail On-Off Sale Malt Beverage and SD Farm Wine re: Solid Rock Partners, LLC dba Beaver Lake Campground, Tract Beaver Lake Campground Subdivision, located in SW1/4 S33 T3S R4E and in NW1/4 S4 T4S R4E BHM Custer County, SD Parcel 04888. There were no comments from the public. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Retail On-Sale Liquor re: Moreton Airpark dba Eagle's Landing Lodge, Larez Subd Lot 4 Tract 5 of HES #138 S33 T3 R4 BHM Custer County SD. There were no comments from the public. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

3. Retail On-Off Sale Malt Beverage and SD Farm Wine re: Lintz Brothers Pizza, LLC; HJW Sub D-Lot 2 1W E1/2 E1/2 S6 T3 R8 BHM Custer County, SD. There were no comments from the public. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

4. McLaughlin noted that after the approval of the On-Sale Liquor license today, Custer County has one remaining license available. Custer County is allowed 7 total. Two Off-Sale Liquor licenses are in use in Custer County out of an available 6.

F. Auditor/Lien Clerk

1. Lien Clerk, McKinsey Scroggin, gave a presentation outlining the Custer County lien process and progress since her position was created. Scroggin will be presenting at the upcoming SDACC Conference in Pierre in September, as well. The lien process was summarized, including when the Auditor can lien, costs, and monies recovered. Scroggin stated that to date, \$120,273.54 has been collected, and that amount was compared to the cost of her position, \$49,600.00. Collectible vs. uncollectible fees and charges were discussed, as well as indigent, autopsies, mental health bills, jail, transportation and medical care during incarceration. As a last resort, some accounts are turned over to AAA Collections. Scroggin stated that the Obligation Recovery Center, which is tied to licenses, park permits and has strong enforcement would be a great asset in County lien recovery, but as of this time is not available to counties to utilize. Scroggin thanked the Clerk of Courts, Sheriff's Office, State's Attorney and Register of Deeds for their assistance in lien collection. Today's presentation also serves as Scroggin's annual update to the Commission.

G. Highway Department

1. Highway Superintendent, Jesse Doyle, presented an update on the Buffalo Gap bridge replacement and stated the project is underway with pre-cast sections of the box culverts being poured and that on-site construction will take place the 1st week of October.

2. Doyle also gave an update on the SD DOT project re: 16A in CSP. The culvert replacement will result in a detour across LH Road, Rittberger Rd and Cobb Road. This project is on schedule to last from October 2025 through April 2026. Doyle has a schedule from SD DOT.

3. County structures within Custer County were discussed, with Doyle noting that during the rally, the big trucks were pulled due to safety concerns. In lieu of material hauling during that time, culverts and cattle guards were inspected and some repairs were made. The majority of the culverts are in good shape, with only a few being questionable. He provided an inventory of cattle guards, that includes condition rating and asked the Commission's guidance as how to proceed. 148 cattle guards are on the county system, with 95 of those needing work (rated as failing); 24 will need work within the next few years; 29 are in good condition. Doyle included a copy of Custer County Resolution 2005-14 regarding cattle guards. Additional discussion we held regarding how to move forward with Schedule A roads/cattle guards and the inadequate apportionment provided by USFS, leaving a burden on the taxpayers. More funds need to be recouped from Federal and State governments. Commissioner Hartman stated the need for a work session to discuss Schedule A. Chairman Lintz asked what the consequence would be if Custer County refuses to maintain the cattle guards and removes them instead. Doyle suggested filling in and not removing them. Doyle noted the USFS cattle guards are not meeting their own specifications.

H. Planning Department

1. Planning Director, Terri Kester, presented final plat re: SAGEBRUSH TRACT 1 AND SAGEBRUSH TRACT 2 OF HAYWOOD ESTATES, LOCATED IN THE SW ¼ OF SECTION

21, T2S, R7E, BHM, PENNINGTON COUNTY AND CUSTER COUNTY, SOUTH DAKOTA. Parcel # 003836 Sagebrush Ranch, LLC. Kester stated this proposed lot split was presented before the Planning Commission on 6-3-25 where approval was recommended. A portion of this property is located in Pennington County where the final plat has been approved. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

2. Kester presented preliminary plat re: TRACT A, TRACT B, TRACT C AND TRACT D OF LANDRETH SUBDIVISION, LOCATED IN THE E ½ NE ¼ OF SECTION 34, T2S, R10E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcel #015893 Richard, Bryan and Laura Landreth for Commission approval. This proposed lot split was presented to the Planning Commission at its July, 2025 meeting, where approval was recommended. All issues mentioned in the comments portion have been remedied. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

3. Kester also presented final plat re: OLSON TRACT NORTH AND OLSON TRACT SOUTH OF WOODFORD RANCH ESTATES, LOCATED IN THE NE ¼ OF SECTION 16, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcel # 004406 Leroy Olson. This request was brought before the Planning Commission at its May, 2025 meeting, where approval was recommended. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

4. Kester presented request for 2nd approach re: Parcel # 011363 Tom McDorman for approval. It was noted that a new road is not possible from the existing driveway and a culvert will be required for the new approach. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

I. Maintenance

1. Maintenance Supervisor, Joseph Panza, appeared before the Commission to award previously tabled bid for the fairgrounds roof and gutter project. Motion to un-table from the 8-6-25 Commission meeting made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried. Panza stated that out of the 14 bids received, Premier Systems, Inc. is the most detailed bid and the best option for the County at \$211,912.67 for the roof (additional \$22,963.71 for the add-on if the Fair Board determines and covers the cost). Finance Officer McLaughlin stated that the \$136,000 check received is for cash value, with the balance paid upon completion. Motion to award the bid to Premier Systems, Inc. at a cost of \$211,912.67 made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

2. Panza presented request from Highlands VFD to surplus 2000 HONDA Foreman 400 TRX400FW ATV, VIN: 478TE2009Y4107538 to Highlands VFD for Commission approval. Motion to approve surplus made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Panza will pick up the new unit for Custer County today.

3. Panza updated that JAM Heating and Cooling will install the new system at the Search & Rescue building next week.

J. 1881 Courthouse Museum

1. Panza discussed the scope of work and approval to advertise for bids regarding the soffit, fascia and gutters replacement on the 1881 Courthouse Museum building. Phase 1 will consist of base project; soffit, fascia and gutter replacement. Claims Associates will send a representative and engineer to assess the damage. Phase 2 will consist of roof repair/replacement. The Commission thanked S&R for the drone footage of the roof. That footage has been sent to Claims Associates for review. The Museum thanked the Commission for the work to date. Motion to approve advertising for bids made by Busskohl; seconded by

Linde; vote taken, all aye; motion carried. Panza will place the ad to be run for 2 consecutive weeks in the Custer County Chronicle.

K. Town of Hermosa

1. Donna Ferguson and Aaron Serviss, Town of Hermosa Law Enforcement Committee, appeared before the Commission to discuss potential cost for a full-time Town Marshal and ways to cover those costs. They stated they wanted to touch base and ask for any guidance the Commission could provide regarding costs and how to set up a new Law Enforcement Department for Hermosa. They have also conferred with Custer County Sheriff's office on the matter. They would like to upgrade to an electronic lock system similar to Custer County's at some point. It was noted that SD GFP will be setting up an office in Hermosa.

L. Public Comment

1. Lea Anne McWhorter stated there was a Property Tax Task Force meeting held in Aberdeen August 12 & 13, and she will watch for the minutes of that meeting when they become available. The next meeting will be September 22nd in Pierre with a time to be set. No Agenda for that meeting is available yet.

2. Gary Vogelsang, Saddleback Dr. shared concerns about gaining access to his property bordered by a section line. He stated the road diverts through the section line and then back to the road. At one time, the land was owned by the USFS and then swapped to private ownership. He would like the section line opened so he can gain access. A short discussion followed regarding road improvement. Commissioner Hindle stated the process to opening the section line starts with the Planning Department and Planning Commission. Once approved by them it can be presented before the Commission.

3. David Reid noted that signage on is road district is faded and unreadable. Highway Superintendent Doyle said it is the road district's responsibility to replace them, not the Highway Department's. He stated that his department is responsible for the 911 signage, however. Reid also discussed property owners installing approaches with no culverts, permit fees for approaches (road districts do not receive those fees) and noted that homeowners need to abide by covenants. He also stated that ditches were wrecked when Golden West installed fiber optic lines. He was instructed to contact Golden West to return and repair the ditches as they are required to do. Reid also would like all his property to be classified as owner-occupied, not just a portion of it. The Commission stated they must abide by state law when it comes to classification.

M. Commission

1. Mail call—a) Neighborworks re: NWDHR Owner-Occupied Rehab Program. b) invitation from BH Works Foundation to attend 2025 Night Among the Stars gala. 10-17-2025 c) request from Scott Wheeler for letter of support re: honoring Lawrence Welk/PBS & affiliates.
2. Meeting Schedule – Hindle attended museum and fairgrounds inspections; Busskohl attended museum and search & rescue; Hartman attended housing and museum; Lintz attended weed board. He noted the weed board is following up on enforcements and stated the USFS does not pay enough to cover the cost of spraying their property.
3. Meeting Reports – Planning Commission BBQ to be held Thursday, August 28th in the Pine Room between 5:00 PM and 7:30 PM.

N. Executive Session

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

Motion to enter Executive Sessions made by Busskohl; seconded by Linde; vote taken, all aye; motion carried. Executive Sessions entered at 9:24 AM and concluded at 10:43. No actions taken outside of Executive Session.

O. Adjourn

Motion by Busskohl and seconded by Linde to adjourn the meeting at 10:45 AM. The next meeting will be at 8:00 AM, September 3, 2025 in the Commissioner's Room in the Custer County Courthouse.

Mark Hartman, Vice-Chairman

Attest: _____

Barbara Cox, Custer County Deputy Auditor

Published once at the total approximate cost of _____.