



Vouchers approved as follows:

PAYROLL: 9/25/25: Safety \$134.29; Commissioners \$7,298.07; Auditor \$11,098.63; Treasurer \$12,496.42; Info system & Tech \$3,426.88; States Attorney \$14,392.28; Courthouse Building \$8,641.58; Director of Equalization \$10,860.25; Register of Deeds \$6,400.95; Veterans \$2,973.63; Human Resources \$2,178.12; Sheriff \$57,319.36; Coroner \$879.64; Nurse \$181.72; Library \$10,993.23; Conservation \$752.58; Weed & Pest \$3,444.35; Planning \$7,640.06; County Road & Bridge \$37,562.79; Emergency Management \$2,653.45; 24/7 Sobriety \$226.81; Emergency line \$18,102.81;

PAYROLL: 10/10/25: Safety \$134.25; Commissioners \$5,697.77; Auditor \$10,958.12; Treasurer \$12,392.96; Info Systems & Tech \$3,426.87; States Attorney \$14,392.22; Courthouse Building \$8,972.27; Director of Equalization \$12,598.82; Register of Deeds \$5,400.95; Veterans Service \$1,769.12; Human Resources \$2,372.74; Sheriff \$56,376.19; Coroner \$879.62; Nurse \$29.47; Library \$11,506.12; Conservation \$721.18; Weed and Pest \$3,043.33; Planning \$7,175.60; County road and Bridge \$37,532.40; Emergency Management \$2,880.25; 24/7 Sobriety \$1,271.85; Emergency Line \$16,757.63;

COMMISSIONERS: Pitney Bower/Purchase Power \$756.00; SD Assoc of County Officials \$1,179.66; Southern Hills Publishing \$375.53; Valhalla Legal \$2,860.00;

COURT: Diantha Voge \$153.60; Richard Kuhn \$20.67;

AUDITOR: Black Hills Energy 6001 \$58.59; Quill LLC \$55.08; Southern Hills Publishing \$16.79; Splish Splash Car Wash \$13.00; Tyler Technologies \$507.50;

STATE'S ATTORNEY: Rapid City Police dept \$60.00; Relx \$491.00;

MAINTENANCE: Black Hills Chemical \$431.94; Black Hills Electric Coop \$649.93; Black Hills Electric 6001 \$5,146.53; City of Custer \$1,669.13; Custer Ace Hardware \$186.02; French Creek Supply \$13.99; Southern Hills Publishing \$36.76;

DIRECTOR OF EQUALIZATION: Splish Splash Car Wash \$18.00; Verizon Connect \$31.90;

HUMAN RESOURCES: Southern Hills Publishing \$83.60;

SHERIFF: Artistic Custome Badges and coins \$111.50; Battle MT Humane Society \$1,083.00; Creative Product Sourcing \$626.67; Custer Ace Hardware \$8.99; French Creek Supply \$76.34; Great Western Tire \$821.40; Motorola Solutions \$33.00; Pheasantland Industries \$85.00; SD Department of Public Safety \$2,700.00; Sherry Weber \$10.00;

PRISONER CARE: City of Rapid City \$240.00; Correct RX Pharmacy Services \$437.41; Mike Bielmaier \$75.00; Monument Health client Billing \$277.40; Redwood Toxicology Laboratory \$132.30;

AIRPORT: Brenden Hendrickson \$4,458.33; City Service Valcon \$17,412.79; Custer Ace Hardware \$89.95; Custer Chamber of Commerce \$290.00; French Creek Supply \$28.98; Grimms Pump services \$1,274.04; R.P. Lumber \$49.12, World Fuel Services Ascent Aviation \$11,990.45;

WEED & PEST: Anna Evans \$920.91; Cleve Trimble \$1,000.00; Connie Woodward \$410.78; Custer Hospitality \$59.50; Dale Christensen \$736.20; Dan Martin \$129.43; Dan O'Brien \$13.50; Doug Vognild \$86.23; Eddie Powers \$167.23; Four Mile \$59.50; Fred Hlava \$120.94; French Creek Supply \$57.76; Great Western Tire \$39.95; Jenny Woodward \$12.00; Kathy Flanagan \$89.68; Kelly & Kellie Keegan \$67.90; Kim O'Connor \$870.00; Larry Abbott \$59.00; Marilyn Lucero \$597.08; OFLP Properties \$152.51; Patty Keener \$72.93; Perry depoy \$183.08; Rick Wheeler \$133.25; Robert Knapp/Knapp Ranch Holdings \$442.30; Shana Hindman \$76.54; Verizon Connect \$15.95;

PLANNING: Verizon Connect \$31.90;

COUNTY ROAD & BRIDGE: A&B Welding \$18.28; A&I Distributors \$336.77; Black Hills Electric Coop \$703.93; CBH Cooperative \$12,964.85; Culligan Water \$6.95; Custer Ace Hardware \$14.32; DPF Alternatives Rapid City \$595.00; Fastenal Company \$177.94; French Creek Supply \$851.72; Grimms Pump Service \$33.66; Inland Truck Parts \$339.22; Rushmore communications \$2,415.19; Servall Towel & Linen \$95.10; Southern Hills Publishing \$14.82; Titan Machinery \$238.90; Z&S Dust Control \$19,324.82;

COUNTY BUILDINGS: ADTECH-RAPID FIRE PROTECTION \$615.96; Custer Ace Hardware \$17.22; Dwayne Dolan \$100.00;

EMERGENCY LINE: Range \$25.17; SD department of Public Safety \$2,700.00;

FIRE PROTECTION: Argyle Fire \$13,000.00; Buffalo Gap Fire \$7,000.00; Dewey Fire \$3,000.00; Folsom Fire \$7,750.00; Highland Fire \$9,500.00; Pringle Fire \$10,000.00;

MENTAL HEALTH: Audra Hill Consulting \$621.21; New Trails Ministry \$300.00;

MI BOARD: Lucy Lewno-Board of Mental Illness \$209.24; Mark Katterhagen \$24.00; Val Larson-Board of Mental Illness \$24.00;

MENTALLY III: Pennington County public Defender's Office \$120.00;

INDIGENT: Chamberlain McColley's funeral Home \$4,300.00;

COURT APPOINTED ATTORNEY: Colbath and Sperlich \$11,558.53; Custer Lawyer PLLC \$1,498.40; Duffy Law Firm \$265.00; Husted Law Office \$641.66; Southern Hills Law \$1,829.97;

ANIMAL CONTROL FUND: SD dept of Game Fish and Parks \$1,694.78;

SAFETY: OTG Alerting \$1,000.00.

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

D. Conflict of Interest Declarations – none.

E. 8:00 AM Public Hearing

1. **Resolution 2025-23 Vacation of Section Line Highway Right of Way** re: Section Line Vacation re: Daniel & Amy Scherer & Cleveland Trimble; Parcel Nos. 000619, 000620, 015470, 015471, 000637 & 000618. Planning Director, Terri Kester, stated this request to vacate was advertised in the 9-24-25 and 10-1-25 editions of the Custer County Chronicle and the Planning Commission recommended the Board deny this request based upon objections of adjacent landowners. Daniel Scherer addressed the board and stated the reasons for his request to vacate the section line, including neither Trimble nor Scherer have desire to improve the section line or install a roadway; the section line does not provide access to water/fishing. He also cited safety issues with rock climbers on the outcroppings and has concerns about falls leading to injury or death. He stated that Trimble has installed trails for emergency purposes on his property. EMS Director, Steve Esser, stated that he initially had issue with access for emergency vehicles, but after visiting the property he noted that two additional access and egress points were added by Trimble and that vacating the section line would have no effect. Rick Hudson stated at his annual road district meeting in August, all 15 residents voted against vacating the section line, noting it would not lessen danger in that area and suggested that owners could fence their properties to keep rock climbers out. Fred Hlava, Buckhorn Estates, said this is the 155th year of section lines and setbacks and the 66' width has served the county well and provides guidance to all. Various access points were discussed, and Hlava urged the County to leave the section line as is. Commissioner Hartman stated that a portion has already been vacated by the City of Custer and the Planning Commission has reviewed the issue twice. Kester read comments provided by adjacent landowners. Hartman stated this is a unique

property and noted that building a road on the section line would not happen. Motion to deny vacation of section line made by Busskohl; seconded by Hartman; vote taken, Busskohl aye; Linde nay; Hartman abstained; Lintz voted to deny; motion to deny carried.

F. Planning

1. Planning Director Kester presented Preliminary Plat of Grass Tracts 1, 2 & 3 and Shale Tract re: Stoyan Lucey Parcel #010347 for approval. This was presented before the Planning Commission at its 9-9-25 meeting where approval was recommended. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

2. Kester also presented Preliminary Plat Lots 5R & 12R Westwind Pines Subdivision re: Robert Quinn/Westwind Corporation; Parcel Nos. 016023 & 016029. This lot line adjustment was presented to the Planning Commission on 9-9-25 and approval was recommended at that time. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

3. Kester also noted that Merchant Trick or Treating will take place at the end of the month and the Commission stated they would be willing to purchase treats for the event.

G. Highway

1. Highway Superintendent, Jesse Doyle, requested Commission approval of ROW Occupancy permit from Golden West Telecom for fiber optic installation on Star Valley Road S12 T4S R4E, Custer County, SD. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

H. Sheriff

1. Sheriff Marty Mechaley requested Commission approval of Dispatch contract with SD Game, Fish & Parks from 7-1-25 through 6-30-2026 in the amount of \$9,172.90. Mechaley noted this electronic contract is non-negotiable and requires only Mechaley's signature. He noted that last 2 years working with CSP has shown improvement as CSP has been conducting more of their own law enforcement duties. He noted the positive working relationship with CSP.

2. Mechaley also requested approval of Law Enforcement contract with SD Game, Fish & Parks from 7-1-25 through 6-30-2026 in the amount of \$9,172.90. The same terms apply to this contract, as well. Motion to approve both contracts made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

I. Auditor

1. Dawn McLaughlin, Finance Officer, requested Commission approval of Optilegra vision benefit renewal for 2026. Plan rates did not increase. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

2. McLaughlin noted a review of Lynn's Dakotamart departmental credit accounts and noted a letter received from Dakotamart regarding inactive status. Most departments do not utilize the in-store accounts, but rather use departmental credit cards for purchases. Motion to close the Lynn's Dakotamart in-store accounts and to use credit cards instead made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

3. McLaughlin presented renewal of 2026 Package Liquor Off-Sale beverage license for Lagerplatz Adventures, LLC. dba Spokane Creek Cabins and Campground for Commission

approval. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

4. McLaughlin requested final approval of formation and incorporation of Cankuna Road District and Chairman's signature. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

J. Custer Ambulance

1. Mike Bielmaier, Custer Ambulance, presented **Resolution 2025-XX-A Resolution Designating Custer Ambulance Service, Inc. as the Preferred Ambulance Provider for the Custer Ambulance District in Custer County, South Dakota** for Commission approval. Bielmaier stated this Resolution serves as a small insurance policy for Custer Ambulance to remain the preferred provider and noted that revenue would be taken away from them if another provider comes in and undercuts pricing. He stated that transfers are important to the livelihood of the ambulance service, and this would prevent additional providers from coming into the area and taking over that service. Commissioner Hartman stated this Resolution is similar to other designations in the County for preferred services, such as the Custer County Chronicle. State's Attorney Kelley noted that this is not exclusive, so that if another provider does come in, Custer Ambulance would remain the first call as a preferred provider. She reviewed the Resolution and approved as written. Commissioner Busskohl read the Resolution in its entirety as the first reading. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

K. Argyle Fire Department

1. Casey Brazell, Argyle VFD, appeared before the Commission to make monetary request in the amount of \$250K. He stated that monies from Covid-related funds were given to the county fire board and the board decided to allocate the funds to Argyle VFD in the amount of \$250K. Finance Officer McLaughlin stated there are \$275K in assigned funding. Motion to approve \$250K to Argyle VFD made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Brazell stated the old building is gone and dirt work is underway on the building site, with construction to begin next year. Brazell will also speak with CCSAR regarding obtaining a 4-wheeler no longer in service.

L. Public Comment –

1. Lea Anne McWhorter stated the final summer Legislative Property Tax Task Force meeting will be held at 8:00 AM on 10-22-25 in Pierre. She noted there are many ideas in motion and unsure of what will be pushed forward as the agenda is not available yet. McWhorter will attend.

M. 8:30 AM Bid Opening

1. Joseph Panza, Maintenance Supervisor, conducted the bid opening for 1881 Courthouse Museum, Phase I. The following 3 bids were received: a) Mac construction; total bid \$187,667.00, which includes a \$750 upgrade for 6" gutters. Bond included in bid packet. b) Dark Canyon, LLC; total bid \$64,989.00; security check in the amount of \$3,249.45 included in bid packet. c) Ponderosa Builders; total bid \$125,000.00 base bid; bond included in bid packet. Motion to table for further review made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

N. Airport

1. Airport Manager, Brenden Hendrickson, requested Commission approval of Private Hangar Ground Lease Agreement between Patterson and Triple L Aviation, LLC. Motion to approve Hangar Lease made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

2. Hendrickson also requested Commission approval of Bill of Sale between Patterson, Prael to Triple L Aviation, LLC. It was noted that the sale is complete, but the measurements included in the prior lease (48' x 44') are incorrect and should show 48' x 47'. DOE will make the measurement corrections in their records. Triple L Aviation, LLC. intends to build a hangar on the site. Motion to approve sale made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

3. Hendrickson stated he has previously discussed Custer County Airport Hangar Space Monthly Rental Agreement with Commissioner Hindle and will wait until Hindle is present to further discuss at a future Commission meeting.

O. Thomas Veigh/Daneille Schade (Big Valley Road District)

1. Thomas Veigh appeared before the Commission to discuss concerns regarding Big Valley Road District. (He noted that Schade was unable to attend today's meeting). He is concerned about a commercial property using access through their road, stating the Planning Department did not perform due diligence by sending letters to landowners when this property became commercial rather than residential. He stated the property had a prior verbal agreement between family members but is now gated off; Veigh stated they cannot block the road, which he feels is not up to county standards. He requested that Custer County make the commercial landowners improve access from North Pole Road and use that rather than using Big Valley Road. He said the property he is referring to is used for vacation rentals and traffic has greatly increased. Veigh is upset that no one was contacted as per Ordinance 2. He also reiterated this property should be classified as commercial rather than residential. Planning Director, Terri Kester, stated the road being gated is allowed as it is private access, not public. Ordinance 2 states a private easement is not required to meet County specifications. Veigh was concerned that the parties who granted the easement no longer use it, so it should be removed. He was reminded that easements run with the land, not the landowners. Veigh also discussed unpermitted cabins being built on the property and noted the proximity to the flood plain. Commissioner Busskohl stated Custer County should not be a party to this civil dispute. Veigh went on to state his case, noting that 13 families have lost a sense of safety due to the vacation rentals. Commissioner Linde noted the property owners are part of the Big Valley Trail Road District and have a right to use the road. Kester stated that Big Valley Trail is a public roadway and public right of way. As there is no zoning in Custer County, the County cannot regulate what a landowner does on their property. At this point, the Commissioners ended the conversation with no motion and no action taken.

P. Emergency Management

1. EMS Director, Steve Esser, requested Chairman's signature on LEMPG Single Signature Form. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

2. Esser also requested approval of Chairman's signature on FEMA Hazardous Mitigation Grant Application. This supporting document is required for plan grant application. Motion to

approve contingent upon State's Attorney Kelley's and Commission Legal Counsel Davis's review and approval made by Linde; seconded by Hartman; vote taken, all aye; motion carried.

3. Nick Marnach, Civil Engineer with RESPEC, appeared before the Commission to present French Creek Flood Mitigation Scoping project update. RESPEC has been working together with EMS Director Esser, as well as Headwater Economics and DGR Engineering on this project. Marnach stated that community feedback is valuable during this project and once the design phase of the plan reaches 30% completion, an informational community meeting will be held to gather input. The plan will focus on a range of events, including roads, bridges, evacuation routes, and flooding concerns and landowner benefits. Past flooding events, including 100-year events have been studied for this project, as well. Marnach hopes for federal funding for the project, which has a projected completion date of Fall of 2026.

Q. Untable Bid Opening

1. Commissioner Hindle joined the meeting via phone. Motion to untable bid opening made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. Panza stated the bid from Mac Construction was the most detailed and most expensive bid. The bids from Dark Canyon, LLC and Ponderosa Builders contained more vague language. Panza recommended tabling the bid award until clarification and verbiage amendments could be made. Commissioner Hindle agreed. It was also noted that no local bids were received. Motion to postpone bid award until the 10-22-25 meeting made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

R. Commission

1. Mail call – none.
2. Meeting Schedule – none.
3. Meeting Reports – Linde attended Planning and Historical Society; Buszkohl attended Custer City Council; Highlands VFD fundraiser; Planning and Fairburn VFD; Hartman attended Planning.

S. Executive Session

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

Motion to enter Executive Session made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. Executive Session entered at 9:34 AM and concluded by 10:43 AM.

T. Actions Taken by Commission Outside of Executive Session

1. Motion to instruct State's Attorney, Tracy Kelley, to draft Resolution for the Commission consideration to place Search & Rescue under the direction of the Custer County Sheriff's office made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

U. Adjourn

1. Motion by Buszkohl and seconded by Linde to adjourn the meeting at 10:44 AM.

The next meeting will be at 8:00 AM, October 22, 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 _____.