

CUSTER COUNTY PLANNING COMMISSION MEETING MINUTES

Tuesday September 9th, 2025

Planning Commission members present:

Eric Lewis, Peg Ryan, Juliann Gramkow, Roland Bauer, Jeremiah Whitcher, Frank Urrutia, Mark Hartman, Phillip Abernathy

Planning Department Staff Present: Terri Kester, Laura Rosane

Guests Present: Mike Busskohl-Commissioner, Dan Scherer, Damien Mahony, Ray Bogle, Fred & Wendy Hlava, Cheryl Urrutia, Patricia Conway, Terri Morgan

Roland Bauer called the meeting to order at 4:00 PM in the Commissioner's room of the Custer County Courthouse.

Motion by Ryan, seconded by E. Lewis, to approve the agenda. Unanimous vote of approval.

Motion by Gramkow, seconded by Abernathy, to approve the minutes of the Regular Meeting of July 1st, 2025, as presented. Unanimous vote of approval with Mark Hartman abstained because he wasn't at the previous meeting.

Conflict of Interest Declaration: None

****Chair Roland Bauer, moved item #6 to the 1st item since there were many guests in attendance for item #6****

Permit Petition and Plat Review:

1. SECTION LINE VACATION:

N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, & S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, OF SECTION 22, T3S, R4E, & SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 23, T3S, R4E AND

GOV LOT 12 OF SECTION 23, T3S, R4E, & PT NE $\frac{1}{4}$ NE $\frac{1}{4}$ & LOT 1 OF BAUER-2 OF SAXTON SUBDIVISION IN THE NE $\frac{1}{4}$ & TRACT 2 OF LOT 2 OF BAUER-2 OF SAXTON SUBDIVISION IN THE NE $\frac{1}{4}$ IN SECTION 27, T3S, R4E AND

W $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 22, T3S, R4E & LOTS 5, 4, 3 LOCATED IN THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 27 T3S, R4E AND

S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 22, T3S, R4E & PT NE $\frac{1}{4}$ NE $\frac{1}{4}$ IN SECTION 27, T3S, R4E AND

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SW ¼ SW ¼ OF SECTION 23, T3S, R4E & GOVERNMENT LOT 12 IN SECTION 26
T3S, R4E

ALL LOCATED IN CUSTER COUNTY, SOUTH DAKOTA.

- Discussion "FOR the section line vacation" was had about the section lines won't be able to be improved because of the terrain and then they won't have to meet the setback requirements from section lines.
- Discussion "AGAINST section line vacation" was had about leaving them open for EMS purposes and for future possible access to 150+ acres.

Motion by Ryan, seconded by E. Lewis to deny this section line vacation. Unanimous vote of denial.

2. CELL TOWER MODIFICATION: NW4SW4 SECTION 34, T2S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Hartman, seconded by E. Lewis to recommend approval of this cell tower modification to the Custer County Commission without conditions. Unanimous vote of approval.

3. PRELIM/FINAL PLAT OF: MILLS TRACT NORTH AND MILLS TRACT SOUTH OF CROOKED CANYON ESTATES SUBDIVISION, LOCATED IN THE SW ¼ NW ¼ OF SECTION 36, T2S, R7E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by E. Lewis, seconded by Ryan to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

4. PRELIM/FINAL PLAT OF: GRASS TRACTS 1, 2 & 3, AND SHALE TRACT, ALL LOCATED IN THE S ½ NW ¼ AND SW ¼ OF SECTION 29, T5S, R8E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Hartman, seconded by Gramkow to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

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5. PRELIM/FINAL PLAT OF: LOTS 5R AND 12R, OF WESTWIND PINES SUBDIVISION, LOCATED IN THE N ½ S ½ OF SECTION 33, T6S, R5E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Ryan, seconded by E. Lewis to recommend approval of this plat to the Custer County Commission contingent on either removing the northern right-of-way from this plat, put down a bond to build the road to county spec or build it before the plat gets approved. Unanimous vote of approval.

6. CELL TOWER MODIFICATION: HERMAN RAUSCH SUB - LOT 1N SECTION 2, T3S, R7E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Ryan, seconded by E. Lewis, to recommend approval of this cell tower modification to the Custer County Commission without conditions. Unanimous vote of approval.

7. PRELIM/FINAL PLAT OF: SHUPE TRACT NORTH AND SHUPE TRACT SOUTH, LOCATED IN THE NW ¼ SE ¼ OF SECTION 5, T6S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by E. Lewis, seconded by Gramkow to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

8. PRELIM/FINAL PLAT OF: STREETER RANCH TRACT NORTH AND STREETER RANCH TRACT SOUTH, LOCATED IN SECTIONS 2 AND 11, T6S, R6E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Hartman, seconded by Abernathy to recommend approval of this plat to the Custer County Commission contingent that the private access needs to be public and built to county spec and all red marks corrected. Unanimous vote of approval.

Public Comment: A question was asked by a member of the audience whether Custer County has a nuisance ordinance? They have a neighbor who has multiple broken down vehicles in their yard and they were concerned about possible fire hazards or other hazards for fellow neighbors and general safety for the public. It was stated by the commission that Custer County doesn't have a nuisance ordinance because we don't have zoning.

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Discussion: None

Items from Members: None

Adjourn.

Motion by Ryan, and seconded by Abernathy, to adjourn the meeting at 4:51 p.m.

Terri Kester
Planning Director

Attest
Laura Rosane