

**Minutes of the Custer County Commission Meeting, Wednesday, November 19, 2025**

**Members present:**

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Busskohl, Craig Hindle and Commission Legal Counsel Aaron Davis. Dawn McLaughlin, Finance Officer was not present.

**A. Commission Meeting was called to order at 8:00 AM followed by the Pledge of Allegiance.**

**B. Adopting of the agenda**

1. Amend to add Travel Request under "C" Consent Agenda, #4.
2. Amend to add discussion re: Custer County/City of Custer LE Contract under "G" Sheriff, #2.

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

**C. Consent Agenda**

1. Approve Minutes of 11-5-25 and 11-6-25 Commission meetings.
2. Approve Travel request: Dawn McLaughlin and McKinsey Scroggin to attend election training in Pierre 11-19 & 20 at a cost of \$330.00.
3. Approve vouchers as follows:

**PAYROLL:** Safety \$134.35; Commissioners \$5,677.56; Auditor \$13,198.90; Treasurer \$13,911.02; Info Systems & Technology \$3,426.87; State's Attorney \$15,282.54; Courthouse Building \$9,933.73; Dept of Equalization \$12,843.66; Register of Deeds \$5,777.90; Veteran's Service \$2,239.62; Human Resources \$3,109.93; Sheriff \$61,756.70; Coroner \$879.64; Nurse \$823.52; Library \$12,042.95; Conservation \$859.90; Weed & Pest \$3,596.83; Planning \$8,415.41; County Road & Bridge \$44,779.69; Emergency Management \$2,880.26; 24/7 Sobriety \$1,285.73; Emergency Line F \$18,591.05

**COMMISSIONERS:** GOLDEN WEST TELE \$269.18, VALHALLA LEGAL \$1,620.00, CC \$75.39, CC SUBWAY \$167.96,

**COURT:** WILLIAM MOSS \$1,750.00,

**AUDITOR:** GOLDEN WEST TELE \$160.58, RAMKOTA HOTEL \$448.00, TYLER TECH \$26,296.42, CC \$40.01, CC PRINTER \$289.56,

**TREASURER:** GOLDEN WEST TELE \$143.96, TYLER TECH \$16,332.47, CC PRINTER \$399.89,

**STATE'S ATTORNEY:** CULLIGAN WATER \$25.90, GOLDEN WEST TELE \$133.13, RELX INC \$491.00, STATE BAR OF SD \$540.00, WENDY MCGOWAN \$270.00, CC \$39.72, CC PRINTER \$230.33, CC CRI17-0886 \$18.49,

**MAINTENANCE:** BLACK HILLS ELECTRIC COOP \$301.61, BLACK HILLS ENERGY \$4,074.77, CUSTER ACE HARDWARE \$14.99, FRENCH CREEK SUPPLY \$262.45, GOLDEN WEST TELE \$18.43, CC VERIZON \$39.72, CC PRINTER \$182.55, CC CREDIT MEMO \$-297.34, CC MENARDS/BUCKHORN/AMAZON \$1,959.86,

**DIRECTOR OF EQUALIZATION:** GOLDEN WEST TELE \$201.95, TYLER TECH \$1,383.76, CC PRINTER \$254.88, CC CREDIT MEMO HOLIDAY INN \$-199.80, CC ROAD TRIP \$2,542.90,

**REGISTER OF DEEDS:** GOLDEN WEST TELE \$87.25, QUILL LLC \$129.98, TYLER TECH \$6,566.14, CC PRINTER \$216.05,

**VETERANS SERVICES:** GOLDEN WEST TELE \$18.43, CC \$453.57, CC PRINTER \$67.06,

**HUMAN RESOURCES:** GOLDEN WEST TELE \$18.43, CC FLOWERS/ PRINTER \$413.85,

**INFO TECHNOLOGY:** GOLDEN WEST TECH \$1,397.02, GOLDEN WEST TELE \$10.00, GOLDEN WEST TELE \$670.00, PITNEY BOWES \$490.53,

**SHERIFF:** A-Z SHREDDING INC \$50.00, FEDEX \$7.73, FRENCH CREEK SUPPLY \$72.25, GALLS LLC \$168.99, GOLDEN WEST TELE \$286.91, GREAT WESTERN TIRE \$1,037.34, JOHN E REID & ASSOCIATES \$850.00, PHEASANTLAND \$71.50, CC \$735.08, CC AMAZON \$727.87, CC LAST STOP CD \$8.00,

**PRISONER CARE:** JACQUELYN NELSON PBT \$75.00, MONUMENT HEALTH \$38.43, PENNINGTON COUNTY SHERIFF'S OFFICE \$140.00, PENNINGTON COUNTY SHERIFF'S ADDICTION SVCS \$14,595.00, RUTH AIRHEART \$75.00, SHARON BIELMAIER \$225.00,

**AIRPORT:** FREEMAN'S ELECTRIC \$260.20, GOLDEN WEST TELE \$115.17, CC \$476.00,

**LIBRARY:** GOLDEN WEST TELE \$22.94, ROBERTA PHILLIP \$48.84, SARAH MYERS \$31.80, CC CREDIT MEMO \$-44.91, CC AMAZON/ TELEPHONE \$2,492.22,

**EXTENSION:** GOLDEN WEST TELE \$91.84, CC \$40.01, CC SP SHOP 4-H \$104.20,

**WEED & PEST:** CULLGAN WATER \$6.95, FRENCH CREEK SUPPLY \$141.94, GOLDEN WEST TELE \$22.94, PATRICIA THOMAS \$32.98, CC PRINTER \$177.38, CC CUSTER ACE/QUILL \$222.90,

**PLANNING:** GOLDEN WEST TELE \$114.70, CC PRINTER \$221.26,

**COUNTY ROAD & BRIDGE:** A&B WELDING \$17.85, BLACK HILLS GRAVEL \$47,500.00, CULLIGAN WATER \$6.95, CUSTER ACE HARDWARE \$80.46, DPF ALTERNATIVES \$595.00, FLOYD'S TRUCK \$317.43, FRENCH CREEK SUPPLY \$172.57, GOLDEN WEST TELE \$210.12, GOLDEN WEST TELE \$40.02, GREAT WESTERN TIRE \$921.90, NEWBERG SAWMILL \$57.62, RUSHMORE COMMUNICATIONS \$3,730.60, SERVALL TOWEL & LINEN \$95.10, TOWN OF BUFFALO \$73.00, TYLER TECH \$2,964.00, CC PRINTER \$201.03, CC CREDIT MEMO \$-7.49, CC AMAZON \$7.49,

**EMERGENCY MANAGEMENT:** GOLDEN WEST TELE \$46.22, CC VERIZON \$39.72, CC PRINTER \$54.36, CC HOLIDAY INN \$440.00,

**COUNTY BUILDINGS:** DARK CANYON LLC \$97,989.00, THE HONEST PAINTING \$1,868.98, THYSSENKRUPP ELEVATOR CORPORATION \$409.77,

**EMERGENCY LINE:** GOLDEN WEST TELE \$207.51, GOLDEN WEST TELE \$19.85, CC PRINTER \$245.64, CC AMAZON \$55.94,

**S&R:** BETHANY BERRES \$603.00, CAELEON WORK \$361.60, CODY COBB \$482.40, GOLDEN WEST TELE \$99.95, GREGORY DUNHAM \$520.80, JOEL TRAMP \$509.60, PAUL MEIER \$863.04, ROMEO BARRERA \$1,525.20, SAM SMOLNISKY \$3,434.80, SUSAN ORSINI \$316.40,

**IST:** GOLDEN WEST TELE \$45.88,

**NURSE:** GOLDEN WEST TELE \$61.67,

**CORONER:** MONUMENT HEALTH \$500.00,

**MENTALLY III:** SDHSC \$2,178.40,

**ELECTION:** CC AMAZON/PRINTER \$36.98,

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

**D. Conflict of Interest Declarations – None.**

## **E. Highway**

1. Highway Superintendent, Jesse Doyle, presented ROW Occupancy request from Golden West for buried fiber optic facility at 12367 Tin Cup Trail, Custer, SD for approval. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

2. Doyle also presented ROW Occupancy request from Mt. Rushmore Telephone Co. for approval. This is to construct fiber optic facilities on Magnusson Road. It was noted this area is located off Highway 40 and the overhead lines are failing. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

## **F. Planning**

1. Planning Director, Terri Kester, presented request for approval of AT&T cell tower modification, which involves removal of 6 antennas and replacement of 3 antennas. This tower is located on Parcel 011858—Richard & Lee Ann Smith. This was presented before the Planning Commission 11-4-25, where approval was recommended. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

2. Bruce Flaig (Parcel 005242) contested late fees to the Commission via telephone. Flaig owns a 20' x 8' tiny home located on .86 acres. Flaig stated there is no wastewater system and the structure has 2 decks with stairs and said the home has not moved since 2022, when it was first brought to the property. He stated his intent was to pull the tiny home from its location once a year, therefore the structure would not be deemed permanent. However, he stated that he did not follow through with that plan, and the tiny home remains in the original location. Commissioner Linde asked him why he did not move it once a year as instructed. Flaig also stated that the concrete pillars are only in place under the structure to support the floor and the steps are easily detached. Flaig stated the tiny home is built on a camper frame and is easily moveable. Commissioner Hartman said the 8' width is the same as a camper and could be licensed, although Flaig said the licensing process would be extensive. He stated he was unaware that he needed a permit since this is not a permanent structure. Planning Director Kester said this is treated no differently than a mobile home and late fees are assessed the same. Chairman Lintz inquired about the amount of the fines and was told \$1,616.00 in total. Flaig wondered why no one approached him sooner about the permit issue and late fees since his tiny home is located near the road and easily visible. Kester noted the issue was discovered when DOE was assessing properties in that area. Flaig stated he feels he may have been misled by both the realtor and the planning office and was unaware this building could be classified as a tiny home. He is moving the building closer to the roadway and noted it will be for sale. He would like to further develop the property. It was decided to postpone the matter for further discussion until the 12-10-25 Commission meeting.

## **G. Sheriff**

1. Request for acknowledgement of resignation of Civil Deputy, Jessica Brown, effective 11-20-25 was made. The Commission so acknowledged.

2. A short discussion was held regarding the Law Enforcement Contract between Custer County and the City of Custer. Commissioner Busskohl stated the City of Custer offered \$500K for a one-year term, and a letter was received from the City's attorney. Commissioner Hartman noted that the Sheriff's Office may have two deputies retiring soon and a decision as to whether to hire replacements needs to be made, and the contract amount will affect that decision. State's Attorney Kelley recommended discussing this in Executive Session. She has spoken with the City Attorney and Kelley is in receipt of the letter provided.



## **J. Library**

1. Library Director, Sarah Myers, made request for approval for the library to be closed 12-27-25. Myers stated that the Library Board will also need to approve this closure. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

2. Myers presented the 2026 Library calendar for approval. She noted some changes for April, 2026 re: BH Conference in Rapid City 4-24-26. Commissioner Hindle stated that if a holiday falls on a Friday, then the library should be closed the following Saturday. Motion to approve 2026 Calendar with changes made by Hartman; seconded by Linde; vote taken, all aye; motion carried. Commissioner Linde asked if the recent budget changes with the Rapid City Library will affect the Custer Library. Myers stated that not at the present but may have an effect in the future.

## **K. Raffle Request**

1. Raffle Request from Custer Senior Center was received for approval.. Prizes include gift basket and gift cards. Proceeds to be used for operating expenses. Ticket sales to be held 12-5-25 – 12-29-25 with drawing to be held 12-29-25. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

## **L. 8:30 AM Public Hearings**

1. Liquor License Transfer re: Retail On-Sale Liquor transfer from Heritage Village to Crazy Horse Memorial Foundation. (\$150) There was no public comment. Motion to approve transfer made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

2. Liquor License Transfer re: Retail On-Sale Liquor transfer from Laughing Water Restaurant to Crazy Horse Memorial Foundation. (\$150). Juliann Gramkow asked if the license needs to be utilized in order the keep in effect; yes, as required in the new County requirements. Motion to approve transfer made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

## **M. Public Comment**

1. Juliann Gramkow discussed the RISE Opioid Settlement. She stated that Custer County received \$108,829 as per DSS records. She asked that the Finance Officer verify receipt of that amount.

2. Denys Warren addressed the Commission re: 800 acres he purchased from his family. He noted this land has been in his family since 1951. Warren stated that when he made the purchase, he was unaware that he had to reapply for ag status; he thought it transferred automatically. He stated that ag status taxes are just under \$3K; non-ag status taxes are approximately \$47K. He stated he would like to take that higher amount of taxes and use those funds toward a new home, and then pay taxes on that. Karen Whitney, DOE, stated that when the property was purchased and transferred, the CRV stated "no relationship". Regardless of acreage purchased, Mr. Warren was not treated differently in this purchase than any other transfer. Whitney stated that an Ag Status Application was sent to him at the time of purchase, and it was not filled out and returned to the DOE office. Warren said he bought the property from "Rushmore View Ranch", which is a family S Corp.

3. Lea Anne McWhorter attended the Americans for Prosperity meeting on 11-15-25 and recommended the RushmoreRoadmap.org website. She also referenced the Property Tax Task Force and stated there are 19 bills; Amber Hulse would like to coordinate.

4. Pat Conway complimented the Highway Department on the recent overnight culvert replacement project on America Center Road.

#### **N. Human Resources**

1. Amber Maidens, HR Director, requested approval of updated verbiage in the Employee Handbook re: background checks. Maidens spoke with the Sheriff's Office, who recommended all background checks be completed before workers begin employment with Custer County. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

#### **O. Resolution 2025-26—A Resolution Placing Custer County Search & Rescue Under the Control and Direction of the Custer County Sheriff's Office.**

1. Approve Resolution 2025-26.

Commissioner Busskohl read Resolution 2025-26 aloud. S&R has been under Emergency Management and will now move under the direction and control of the Custer County Sheriff's Office. Sheriff Mechaley thanked the Commissioners for their support in making this move. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

#### **P. Search & Rescue**

1. Sam Smolnisky discussed Custer County REMS payments and noted the reimbursement check from the State of SD to Custer County in the amount of \$17,420.80. These funds were from the Buck Fire in August, 2025. Nine members of the REMS team received a total of \$8,616.84; Custer County received revenue of \$8,801.96.

#### **Q. Commission**

1. Approve In-Kind Donation Agreement and Commission signature from Nielsen Enterprises re: Search & Rescue building in the amount of \$5,500. (Donated time & equipment.) Motion to approve Chairman's signature and accept donation made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

2. Mail call—letter from DANR—Notice of Proposed Reissuance of General Water Pollution Control Permits for Concentrated Animal Feeding Operations. This is a statewide issue but does not affect Custer County as there are no concentrated animal feeding operations in the county.

3. Meeting schedule—Commission meetings 12-10-25 and 12-30-25. Auditor Election training 11-19 and 11-20-2025 in Pierre.

4. Meeting reports—Hindle attended interviews for Auditor's office; Veteran's Park and Museum; Busskohl attended Search & Rescue and Custer City Council

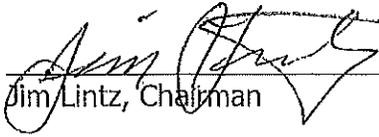
#### **R. Executive Session**

1. Motion to enter and exit Executive Session as per SDCL 1-25-21(1) Personnel made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Executive Session entered at 8:50 AM and concluded at 10:11 AM.

2. Motions outside of Executive Session—none. State's Attorney Kelley was directed to draft response to letter received from City of Custer re: Law Enforcement contract.

**S. Adjourn**

Motion by Hartman and seconded by Linde to adjourn the meeting at 10:12 AM. The next meeting will be at 8:00 AM, December 10, 2025 in the Commissioner's Room in the Custer County Courthouse.

  
\_\_\_\_\_  
Jim Lintz, Chairman



Attest: Barbara Cox 12-10-25

Barbara Cox, Custer County Deputy Auditor

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