

Minutes of the Custer County Commission Meeting, Thursday, February 26, 2026.

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Busckohl, 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 to add to Item "O" Commission Legal Counsel; Item 3-Discuss Draft Resolution for Opt Out & vote re: Fire Protection. Motion to approve Agenda as amended made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes from the 2-10-2026 Commission meeting.
2. Approve vouchers as follows:

PAYROLL: 2-10-26 Payroll: Safety \$134.35; Commission \$5,720.20; Auditor \$13,890.70; Treasurer \$14,829.99; Info Systems & Technology \$3,537.01; State's Attorney \$15,757.12; Courthouse Building \$10,519.43; Equalization \$13,335.46; Register of Deeds \$6,166.85; Veterans Service \$2,500.68; Human Resources \$3,718.79; Sheriff \$58,656.88; Coroner \$1,068.84; Nurse \$626.95; Library \$13,075.26; Conservation \$825.87; Weed & Pest \$3,558.58; Planning \$8,896.87; County Road & Bridge \$45,127.79; Emergency Management \$3,081.77; 24/7 Sobriety 911.13; Emergency Line F \$22,035.42. **2-25-26 Payroll:** Safety \$134.08; Commission \$5,741.40; Auditor \$13,193.13; Treasurer \$14,508.59; Info Systems & Technology \$3,536.99; State's Attorney \$15,471.28; Courthouse Building \$10,138.82; Equalization \$12,111.07; Register of Deeds \$5,965.22; Veterans Service \$2,016.03; Human Resources \$3,214.79; Sheriff \$59,468.36; Coroner \$1,068.82; Nurse \$626.95; Library \$12,835.56; Conservation \$825.87; Weed & Pest \$3,484.87; Planning \$8,031.15; County Road & Bridge \$35,958.91; Emergency Management \$3,081.76; 24/7 Sobriety \$667.14; Emergency Line F \$21,392.27.

COMMISSIONERS: CC Purchases: A&B Water \$75.39/ Catastrophic Legal Expense Relief Fund \$4,862; Lamonte's Auto Center \$85.97; SDACC \$3,030;

COURT: Carol Capistrant \$101.80; Carol Johnson \$470.40; Cindy Tate \$99; Susan Culberson \$51.40; Deborah Van Sambeek \$89.20; Diantha Voge \$78; Jonathan Moseley \$57; Owen Pollard \$52.80; Sharon Fridley;

AUDITOR: Fed Ex \$23.52; Imageall \$143.17; Pitney Bowes \$3,100; Quill \$40.57; Tyler Technologies, Inc. \$1,305;

TREASURER: CC Purchases: Amazon \$74.92/ Imageall \$244;

STATE'S ATTORNEY: CC Purchases: phone \$54.77; Amazon \$27.89; prints \$21.40/ Culligan \$32.85; Tracy Kelley \$52.55;

MAINTENANCE: CC Purchases: Phone \$54.92; Lowe's \$91.92; Amazon \$377.21; Sam's Club \$119.92; Menards \$93.30; Evenbrite \$31.86; SDDANR \$35.88/BHEC \$1,169.47; BH Energy \$4,904.03; Custer Ace Hdwe \$88.93; Golden West Technologies \$3,110;

HUMAN RESOURCES: CC Purchases: Background Check \$50; phone \$54.77/

INFO TECHNOLOGY: Quill \$477.90;

SHERIFF: CC Purchases: phone \$980.22; Amazon \$511.02; Vanway \$299.50; Mid States \$150; Intoximeters \$135/ A&B Pure Water \$54.98; Battle Mt. Humane Society \$1,083; Custer Ace Hdwe \$30.12; Fed Ex \$418.36; French Crk Supply \$2.99; Lamonte's Auto Center \$1,312.76; LexisNexis \$209.50; Sherry Weber \$30;

PRISONER CARE: City of Rapid City \$80; Correct RX \$60.06; Pennington County Jail \$19,313.86; Rocky Mt. ID \$114.16

LIBRARY: CC Purchases: Amazon \$1,199.54; Mt. Rushmore Telephone \$160.62; Golden West Telecom \$103.95; Ingram 213.16; Apenai \$21.24; Credit Memos \$-67.53/BH Energy \$40.31

WEED & PEST: Culligan \$6.95;

PLANNING: CC Purchases: SDPA \$50; Amazon \$47.38/Splish Splash Car Wash \$15;

COUNTY ROAD & BRIDGE: CC Purchases: Hermosa Telephone & Internet \$389.44; BHEC 708.69; Amazon \$292.35; Family Dollar \$14.07; Golden West Telecom \$39.45; Kieffer Sanitation \$216.11/A&B Welding \$21.59; BH Energy \$51.56; Brosz Engineering \$49,337.50; Butler Machinery \$2,762.58; Consolidated Electrical \$911.65; Croell Inc. \$8,108.27; Culligan \$13.90; Custer Ace Hdwe \$83.98; Fastenal \$215.88; French Crk Supply \$281.54; Nelson's Oil & Gas \$1,658.48; PSI \$,682.61; Red Wing \$150; Running's Supply \$974.06; Rushmore Equipment \$400; Servall \$110.62; Summit Fire Protection \$1,854.15; Trav's Outfitter \$408.98

EMERGENCY MANAGEMENT: CC Purchases: Pizza Mill/FAB Meeting \$178.34; phone \$54.77/BHEC \$546.88;

SEARCH & RESCUE: CC Purchases: Starlink \$50/

COUNTY BUILDINGS: Custer Ace Hdwe \$9.99; Museum—Dark Canyon LLC \$750; Library—Floors & More \$2,430; G&R Controls \$550; Thyssenkrupp Elevator \$522.06;

EMERGENCY LINE: A&B Pure Water \$54.97;

RISE: Opioid Settlement Fund \$43,500

WEAVE: Budget Request \$10,000.

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. Finance Officer, Dawn McLaughlin, spoke at today's meeting on behalf of Highway Superintendent Doyle in his absence. She requested the Chairman's signature on purchase agreements for contracts that were awarded for gravel and mag cl at the February 10, 2026 Commission meeting. It was noted that volume for purchases is not shown in the documents, and request was made for Doyle to provide those amounts. Motion to table until the end of today's meeting made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

F. Emergency Management

1. EMS Director, Steve Esser, presented a review of information re: last quarter LEMPG program agreement matrix report. Esser stated this quarterly report contains a listing of standard tasks to be completed by Emergency Managers.

2. Esser requested Chairman's signature on additional articles documents from SDOEM for the 2025 LEMPG. Motion to approve signature made by Hartman; seconded by Linde; vote taken, all aye; motion carried. Esser noted that FEMA did not reimburse wages for 2025. Once additional requirements are added to the agreement, FEMA will resume reimbursements. Legal Counsel Davis has reviewed the agreement and noted an additional requirement to work with ICE and sees no issue with the document. Esser stated there is a meeting this evening in the Pine Room at the Library to discuss the CFWP Plan.

G. Information Technology

1. Commissioner Hindle shared that he received correspondence from Troy Schmidt, GIS, stating he will not have time to fill an IT position. Hindle noted the need to discuss options to have either a part-time or contract IT staff on site.

H. 1881 Courthouse Museum

1. Museum Director, Deborah Hanagan, presented an updated 2026 museum roster for Commission acknowledgement. The Commission so acknowledged.

I. Custer County Fair Board

1. The Commission acknowledged the 2026 Fair Board roster.

J. Elections

1. Approval for Chairman's signature and approval of Combined Election Agreement between Pringle and Custer County was requested. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

K. Raffle Requests

1. Approval of raffle request from St. John the Baptist Catholic Church to hold raffle on 3-15-26. Prizes to include gift baskets and proceeds to be used for Women of St. John and Knights of Columbus. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

L. Kent Hagg

1. Attorney Kent Hagg appeared before the Commission to present an update regarding pending litigation between Elk Mt. Water Users Association and Nikolas Enterprises, LLC. Motion to move discussion to Executive Session as per SDCL 1-25-2(3) Legal/Contract made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

M. Public Comment –

1. Juliann Gramkow inquired about receipt of financial request on behalf of RISE. It was stated that the County did receive the funding request.

2. Scott Storms, DOE Director, shared that the Assessment Notices will be mailed this Friday.

3. David Reid asked EMS Director Esser about why the automated calls re: BH Energy power shutoff did not contain caller ID. He stated he received 4 calls and disregarded them as spam. Esser will check to see if those calls can be identified to prevent that in the future. Reid also inquired about the proposed opt-out for fire protection. He asked why it was necessary to further tax property owners if the County is already obliged to provide fire protection? Reid does not feel this is fair or equal and asked how the County figures what to charge people due to a huge property value

spread. He also asked about the \$2 million rainy-day fund—where did that money go? Commissioner Hindle noted the fire departments were previously given \$600K to help with expenses.

4. Pat Conway publicly thanked Custer County for its emergency services, noting professionalism from the 911 operators, and all emergency personnel. She stated they all showed dignity and respect and thanked them for providing vital services when needed.

5. LeaAnne McWhorter discussed various bills moving forward in the legislature, including the ½% tax and the owner-occupied status bill, which has no opposition shown so far.

N. Library

1. Library Director, Sarah Myers, presented the 2025 Annual Report for the library. Myers stated that 57.5% of Custer County residents have library cards, with 34,393 visits in 2025. She went on to show other various stats, including circulation by category, volunteer hours, physical book and Libby circulation, and noted the library hosted 220 programs for various age groups. Myers stated that for every \$1 invested by Custer County, a \$3.09 in community value was returned. The library offers 3-day use of a SD State Park Pass, notary services, computer use, seed library and food pantry in conjunction with the Storehouse. Myers thanked the Commission for continued support.

O. Commission Legal Counsel

1. Commission Legal Counsel, Aaron Davis, presented an update on the East Custer County Ambulance District. He stated he sent a draft resolution template to Fairburn and Hermosa and noted both towns indicated they would send the resolutions once passed. Davis said those need to be returned by 3-20-2026 to meet the publication deadlines for the primary election. Chairman Lintz noted he attended a recent Pennington County Commission meeting and said they are on track to include a portion of Pennington County in the proposed ambulance district.

2. Davis went on to discuss draft Budget Policy documents, noting a template provided by Lincoln County, SD. Some of the inclusions are as follows: new form to be filled out by department head should a new position be created for the budget year; budget instructions and worksheet forms; budget calendar and timeline so all departments are on the same timeline; formation of a budget committee. The purpose of creating and following a policy would be to help all departments understand the budget flow and timelines, which would streamline the process. Other documents provided would allow for comments, which would help transparency in the process. Finance Officer McLaughlin noted this will be a work in progress and welcomes these guidelines, which also allow for department input.

3. Davis discussed the resolution for opt-out and provided a draft copy. He noted two ways to have an opt-out; a) Commission passes the opt-out without election; b) Commission passes a resolution to include the opt-out on an election ballot and the

taxpayers decide the issue. The current issue in question is for a fire protection optout (for those residents not already in a fire district) at a cost of \$320K per year for 4 years, beginning in 2027. If the resolution is passed by the Commission, this would be put onto the 2026 primary election ballot. Each municipality located within this area would need to pass resolutions, as well. Davis read the draft resolution aloud. Scott Storms asked if the voters do not want the opt-out, then who covers the cost of the fire/opt-out district—it was stated the Commission can override this. The Commission agreed that while no one wants to pay more taxes; this addresses a public safety standpoint. For example, a \$400K property would pay approximately \$68/year as a result of the opt-out. Commissioner Buszkohl stated the firemen want this to be put to a public vote. Commissioner Hindle noted that much of the currently used equipment is outdated and departments are run on a shoestring budget. Chairman Lintz stated it is unheard of for departments to run this way. Commissioner Hartman said fire protection is an essential service. A public meeting regarding the opt-out will be held on March 9, 2026 at the Custer County Library at 6:00 pm. This meeting is not a fire board meeting, but rather a public informational meeting.

P. Commission

1. East Custer Ambulance District (discussed in Item "O").
2. Mail call – a) letter from Conservation District Board of Supervisors re: Custer County Ordinance #2; b) LeaAnne McWhorter—letter discussing funding for law enforcement. LeaAnne stated she was asked by concerned citizens to draft this letter. She noted that while there hasn't been much activity, some may take advantage of the lack of law enforcement. She has taken this to the City of Custer, as well for a potential meeting date of mid-March. Discussion was held regarding the hazmat incident this week, to which the Sheriff's office responded.
3. Meeting Schedule – BH Council to meet 3-13-26 in Meade County; public informational meeting re: fire opt-out 3-9-26 at the Pine Room 6:00 PM; meeting in Fairburn 3-18-26 to discuss ambulance district formation;
4. Meeting Reports – Hindle attended meeting with EMS/Esser via phone; Linde attended Conservation Board, Pringle VFD meeting; Lintz attended Fair Board, Penn Co Commission meeting; Buszkohl attended Custer City Council and various phone meetings; Hartman attended library meeting.

Q. Untable Item "E" Highway

1. Motion to untable gravel & mag cl purchase agreements made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.
2. Motion to approve Chairman's signature on purchase agreements with no purchase amount listed, but require quantities and locations made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried.

R. Custer County Chronicle

1. Jason Ferguson discussed the annual Progress Edition of the Custer County Chronicle, which highlights area businesses and employees each year. He stated this is the largest edition of the year and that prices remain the same as 2025. Motion to approve advertising in the Progress Edition made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried. Ferguson stated the edition will be available in April, 2026.

S. Executive Session

Motion to enter and exit Executive Sessions as per SDCL 1-25-21(1) Personnel; Executive Session as per SDCL 1-25-2(3) Contract/Legal; and Executive Session as per SDCL 28-13.42 Indigent made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. Executive Sessions entered at 9:06 AM and concluded at 10:48 AM.

T. Actions Taken by Commission Outside of Executive Session

1. Motion to deny indigent request due to non-qualifying purpose made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

U. Adjourn

Motion by Hindle and seconded by Buszkohl to adjourn the meeting at 10:50 AM. The next meeting will be at 8:00 AM, March 11, 2026 in the Commissioner's Room in the Custer County Courthouse.



Jim Lintz, Chairman



Attest: Barbara Cox _____

Barbara Cox, Custer County Deputy Auditor

Published once at the total approximate cost of _____.