

Minutes of the Custer County Commission Meeting, Wednesday, March 11, 2026.

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 Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes from the 2-26-2026 Commission meeting.
2. Approve travel request as follows: Sarah Myers to attend SD State Library Sponsored Director's Retreat in Pierre, SD 3-29 through 3-31 at a cost of \$110.
3. Approve vouchers as follows:

PAYROLL: 3-10-26: Safety Wages \$134.23; Commissioners \$5,720.22; Auditor \$11,577.35; Treasurer \$12,069.19; Info Systems & Technology \$3,537.00; State's Attorney \$14,363.83; Courthouse Bldg \$9,324.10; Equalization \$12,222.76; Register of Deeds \$5,561.85; Veteran's Service \$1,860.96; Human Resources \$2,816.79; Sheriff \$50,302.29; Coroner \$1,068.84; Nurse \$626.95; Library \$10,795.34; Conservation \$825.87; Weed & Pest \$3,337.47; Planning \$7,80.26; County Road & Bridge \$36,129.38; Emergency Management \$3,081.77; 24/7 Sobriety \$541.60; Emergency Line F \$17,878.26.

COMMISSIONERS: SDPAA \$32,435.78; Southern Hills Publishing \$287.47;

AUDITOR: SDPAA \$486.04

TREASURER: Qualified Presort Service, LLC \$5,482.58;

STATE'S ATTORNEY: Carol Johnson \$791.90; Culligan \$32.85; RELX Inc. \$491;

COURT-APPOINTED ATTORNEY: Colbath & Sperlich \$9,098.20;

MAINTENANCE: A-Z Shredding \$92.30; Black Hills Chemical \$475.98; SDPAA \$1,135.0533;

DIRECTOR OF EQUALIZATION: SDPAA \$1,659.89

REGISTER OF DEEDS: Quill, LLC \$352.78

SHERIFF: A-Z Shredding \$80.70; Custer Ace Hdwe \$3.99; FedEx \$61.53; Lamonte's Auto Center \$14,102.66; Motorola Solutions \$33; SDPAA \$38,244.81

PRISONER CARE: Jacquelyn Nelson \$100; Linda Nohr \$200; Mary Seifert \$300; Monument Health \$18.39; Pennington County Sheriff's Office \$374.80;

MENTAL HEALTH: Audra Hill Consulting \$1,008.61; New Trails Ministry, Inc. \$300;

AIRPORT: Brenden Hendrickson \$4,692.08; City Service Valcon \$13,037.18; Custer Ace Hdwe \$21.99; Mead & Hunt \$21,999.07;

CORONER: SDPAA \$196.37

WEED & PEST: SDPAA \$1,064.28;

CONSERVATION: SDPAA \$610.98

PLANNING: SDPAA \$674.81;

COUNTY ROAD & BRIDGE: SDPAA \$33,552.09; Southern Hills Publishing \$49.67; Bierschbach Equipment \$339.27; CBH Cooperative \$1,769.24; Culligan \$6.95; Custer Ace Hdwe \$31.17; French Crk Supply \$331.47; Pheasantland Industries \$268.75; Pop's Grocery Shop \$7.75; Running's Supply \$447.83; Servall \$109.21; Southern Hills Septic \$320; Tanya Pollard \$127.44; Town of Buffalo Gap \$90.92

EMERGENCY MANAGEMENT: BH Energy \$24.47; Midwest Card & ID Services \$750; RESPEC Engineering \$15,427.50; SDPAA \$840.80;

SEARCH & RESCUE: BH Energy \$617.96; City of Custer \$96.11; Custer Ace Hdwe \$66.97; French Creek Supply \$199.99; Rushmore Communications \$933.57; SDPAA \$2,459.47;

COUNTY BUILDINGS: BH Energy \$4,536.57; City of Custer \$212.63; Custer Ace Hdwe \$127.43; Floor & Home Carpet One \$4,745; Harvey's Lock Shop, Inc. \$158.60; RP Lumber \$14.40; SDPAA \$57,532.71;

EMERGENCY LINE: Golden West Telecom \$10; Range \$26.39;

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

D. Conflict of Interest Declarations – none.

E. Highway

1. Highway Superintendent, Jesse Doyle, requested approval of ROW Occupancy Permit request from Golden West Telecom for installation of fiber optic facility located on Beaver Creek Rd; S18, T5S, R5E Custer County, SD. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

2. Doyle also requested approval of ROW Occupancy Permit request from Golden West Telecom for installation of fiber optic facility located on Shirttail Canyon Rd; S30, T5S, R5E Custer County, SD—contingent upon USFS approval. Doyle noted this needs approval, even though not a county road, because it is located within Custer County. This has not been presented to the USFS yet. Motion to approve contingent upon USFS approval made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

3. Approval of ROW Occupancy Permit request from Golden West Telecom for installation of fiber optic facility located on Song Dog Rd; S31, 32 & 5; T5S & 6S, R5E, Custer County, SD—contingent upon USFS approval was presented. Motion to approve contingent upon USFS made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

4. Doyle requested approval of Cheyenne River Bridge Preservation Grant and authorization of Chairman's signature. Doyle stated this is an 80/20 grant and is in its initial steps. The 80% grant amount is \$457,100; county portion of 20% is \$114,275. The project would begin approximately 2027. Motion to approve and authorize Chairman's signature made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

F. Planning

1. Planning Director, Terri Kester, requested approval of Final Plat re: HALLAWASA TRACT REVISED AND POWERS TRACT REVISED, LOCATED IN THE SW ¼ SW ¼ OF SECTION 20, T6S, R5E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcels 105229 & 006916 re: Hallawasa Bible Camp of the Black Hills, Inc. Kester stated this proposed lot line adjustment was presented before the Planning Commission on 2-3-26, where approval was recommended. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

2. Kester also requested approval of Final Plat re: JOHNSON TRACT OF PINE BUTTE SUBDIVISION, LOCATED IN THE SW ¼ SE ¼ OF SECTION 7, T6S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcels 006657 & 006658 re: Keith & Glenna Johnson. This proposed lot consolidation was initially tabled by the Planning Commission until an Affidavit of Possession was obtained. The affidavit is in place and the Planning Commission recommended approval at its 1-6-2026 meeting. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

3. Kester presented Variance Request re: Parcel 006154 Kay Smith and Larry Heinemann. Structure 1, an 18'x24' carport will be located 5' from the property line;

structure 2, a 10'x16' shed will be 7.5'-8.5' from the property line. The adjacent landowner submitted a statement indicating they do not oppose the setbacks. Motion to approve variance made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

4. Kester presented Preliminary Plat re: Golden Willow Parkway: Drake Tract 1 and Drake 2 of Golden Willow Subdivision, Located in the NE ¼ of Section 11 and the NW ¼ of Section 12, T5S, R4E, BHM, Custer County, SD re: Parcel 014010 Mark Drake. The current tract has 2 homes and a shared wastewater/septic system. The proposed lot split would have 1 home on each lot, but retain the shared wastewater system, which creates non-compliance as the possibility of 2 additional homes being built on the properties becomes an option. The wastewater system would not be sufficient to service that number of homes. The current tank is a 5-bedroom system, and the 3-bedroom drain field system is insufficient. The Planning Commission denied approval of the preliminary plat on 2-3-26 and recommended that each home have its own septic and wastewater system. Commissioner Hindle stated the section line needs to be vacated, as well. He noted that since the wastewater system is already at max capacity, no building permits could be issued. Kester stated she will investigate to see whether the section line is already vacated. Mark Drake asked the Commission why this becomes an issue since the system was approved 7 years ago—Commissioner Busskohl stated it is because the land is changing. Commissioner Hartman said that creating a lot split triggers Ordinance 2 rules, and new owners will need to be aware of that issue. The Commission recommended this be brought back to the Planning Commission.

G. Sheriff

1. Lt. Derrick Reifenrath appeared before the Commission and requested acknowledgement of the updated 2026 Roster Custer County Sheriff's Office Reserves and Chaplains. The Commission so acknowledged.

2. School Resource Officer Agreement.

3. Vacant Deputy position

Motion to table Items 2 & 3 until later in today's meeting made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

H. R.I.S.E.

1. Juliann Gramkow appeared before the Commission and presented a County Youth Survey from April, 2025, together with Custer SD Profile Report. Gramkow met with the school board and worked to identify needs. Two major areas that will be targeted are depression and bullying, and RISE will work together with the school to address these issues. Gramkow stated that RISE is hoping to use grant funding to supplement a prevention position in the school system.

I. Equalization

1. Scott Storms requested approval of Abatement application for land value adjustment re: Calibur, Inc. Parcel 008986. The valuation showed \$996,033 but needs adjusting to a proper valuation of \$493,532. Motion to approve land valuation abatement made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Storms also presented Abatement application re: Corkey, LLC. Parcel 005226 total valuation of \$475. for Commission approval. Motion to approve made by Busskohl; vote taken, all aye; motion carried.

3. Storms stated that Steve Fair-Pingree has achieved certification, and as such, requested Commission approval of certified rate of pay at \$20.09 per hour effective March 21, 2026. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

J. Election

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

2. Request for approval of Combined Election Agreement between Custer County and Hot Springs School District and authorization of Chairman's signature was made. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

K. Heim, Link, LLC-Wastewater System

1. Alex Heim appeared before the Commission to ask for guidance regarding his failing wastewater system. His family lives on a property with a failing drain field and he is seeking a logical (although emergency) solution for replacement. The terrain on his property near the house is not suitable for a larger system and he would need to either install a line under VIP Road (a public roadway) and have his new system on another portion of his property or obtain an easement from a neighbor to install on her property. Commissioner Hartman said an easement from his neighbor would be the quickest and easiest route due to the urgency of the matter. Once that easement is in place, Planning can approve a permit for the wastewater system. Highway Superintendent Doyle stated he would not be in favor of the sewer system running under the roadway. Doyle also mentioned the section line is uphill and won't ever be connected to the county road. Vacation of the section line should be considered in the future. If the under-road installation option were approved, an agreement between the two parcels (even though both parcels belong to Heim) would be necessary in the event of a future sale. The Commission recommended obtaining an easement from the neighbor as the best option, due to the emergency situation.

L. Airport

1. Airport Manager, Brenden Hendrickson, presented the 2025 Annual Report. The State Aeronautics inspection earned the Custer Airport an A+ rating. Hendrickson

shared some highlights, which include hosting fly-in breakfasts; Xcalibur smart mapping for USGS; Air National Guard training; wildfire, emergency response helicopters; air ambulance & medical transfers and fuel sales. Total revenues were down from 2024, and expenses were up, due in part to a fuel cabinet system upgrade. Hendrickson stated the airport receives many positive compliments from visiting pilots. He thanked the Commission for its continued support.

2. Hendrickson requested approval of SD DOT Division of Finance & Management Office Agreement for Project No 3-46-0011-21-2025 (runway) and authorization of Chairman's signature. The federal share (95%) of the grant is already approved. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

M. Raffle Request

1. Dawn Murray, Chamber President, appeared before the Commission to request approval of Raffle Request from Custer Area Chamber of Commerce. Prize is pushing ceremonial button to start fireworks show. Proceeds to be used for annual fireworks show. Motion to approve made by Hindle; seconded by Buskohl; vote taken, all aye; motion carried.

N. Public Comment –

1. LeaAnne McWhorter stated the legislative session is winding down; the ½% county tax bill to offset owner-occupied property tax has passed, with an effective date of 1/1/27 and tax payable in 2028.

2. Steve Esser stated there will be a test of the alert system at 1:30 pm today. This is the second year of the phone messaging system and will be performed in conjunction with Pennington, Fall River and Meade counties. Esser also referenced Ordinance 20 and drafting a burn-ban resolution for the Commission's approval. He will discuss this with State's Attorney Kelley and Commission Legal Counsel Davis. Esser prefers to avoid a burning ban but shares concerns that with the current 2" snowfall, people will burn piles and noted windy conditions forecast for tomorrow.

3. Chairman Lintz reminded those in attendance there will be a meet & greet with South Dakota Governor Larry Rhoden on Friday, March 13th at 5:30 PM at Lintz Brothers Pizza in Hermosa.

O. Commission Legal Counsel

1. Legal Counsel, Aaron Davis, appeared before the Commission to discuss proposed Resolution to Opt-out for Fire Protection. Davis noted there will not be Commission vote on the proposed resolution today, but rather within the 60-day window for the primary election. He stated this could be presented for approval at the first Commission meeting in April (4-8-2026). Davis read the resolution aloud and noted the \$320K opt-out amount for 4 years (2027, 2028, 2029 and 2030) and stated 2/3 majority vote by the Commission is needed for this to be placed on the primary

election ballot for the voters to decide. Davis will send this proposed resolution to municipalities within Custer County this week for review and participation.

2. Davis requested approval of Proposed Boundaries and Proposed Name for the East Custer Ambulance District and Update on East Custer County Ambulance District. It was noted that portions of Pennington County may be included, but boundaries for that area have not been presented at this time. Formation of this proposed district will allow for residents in eastern Custer County to lock in ambulance coverage for the region. The Town of Hermosa requests to be included, and the Town of Fairburn will meet 3-18-26 to decide. Davis read aloud the proposed boundaries, which encompass approximately 601.11 square miles, (including towns of Hermosa and Fairburn) and passed out copies of the legal description to the Commission. Chairman Lintz noted the need to meet with Pennington County to set the district boundaries. Motion to approve proposed boundaries made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried. Motion to approve the name "East Custer Ambulance District" made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried.

P. Commission

1. Discuss Opt-Out for Fire Protection—see above.
2. Discuss East Custer Ambulance District—see above.
3. Mail call – none.
4. Meeting Schedule –
 - ii. 3-13-26 BH Ass'n County Commissioners will meet 3-13-26 at noon; meeting place changed to 868 Main St., Sturgis, SD.
 - iii. 3-18-26 Fairburn-East Custer Ambulance Meeting @ 6:00 PM
5. Meeting Reports – Hindle attended airport; fire opt-out meetings; Linde attended historical society; Lintz attended fair board; Buszkohl attended Custer City Council, planning, fire opt-out; republican meeting; Hartman attended planning & housing. Chairman Lintz noted the lack of a law enforcement contract between Custer County and the City of Custer and reiterated the need to meet. He urged all county residents to attend as it affects the entire County. Lintz stated he blames the City of Custer for defunding law enforcement coverage.

Q. Untable-Item "G" Sheriff's Department, #2 & #3

1. Motion to untable Item "G", #2 & #3 School Resource Officer Agreement and vacant deputy position made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

2. Lt. Reifenrath spoke before the Commission regarding the School Resource Officer Agreement and discussed the importance of retaining the position due to student and staff safety concerns. He noted that although no law enforcement contract is in place with the City of Custer, removing the SRO due to short staffing in the Sheriff's Office is not an acceptable option and stated the school superintendent shared the same sentiment. The agreement was presented to the school board and signed, with a 2-year term running July 1st through June 30th each fiscal year at a cost of \$65K

per year to be billed quarterly at the request of the school. It was agreed that if the SRO required additional training and continuing education as per the school, the school would be responsible for expenses, and use of a county vehicle would be allowed. If the SRO required additional law enforcement training, the Sheriff's office would take care of the training and expense. Motion to approve the School Resource Officer agreement was made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried. It was agreed to retain Deputy Matt Haugen as the dedicated SRO. When school is not in session, Deputy Haugen will work normal patrol hours for the Sheriff's office. This is not creating a new position and is budgeted. Further discussion noted since there is no law enforcement contract with the City of Custer, countywide patrol has been reevaluated and coverage has increased in outlying areas.

3. Reifenrath discussed vacancies within the Sheriff's office. With Deputy Haugen as a dedicated SRO, his patrol position needs to be filled. Additional positions will become vacant due to retirements and Reifenrath requested approval to fill those. He stated those positions are not newly created positions, but rather filling vacancies and have been included in the budget.

R. Executive Sessions

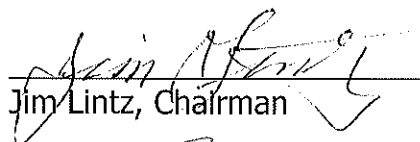
1. Executive Session as per SDCL 1-25-21(1) Personnel
2. Executive Session as per SDCL 1-25-2 (3) Contract/Legal

Motion to enter Executive Sessions as per SDCL 1-25-21(1) Personnel and SDCL 1-25-2(3) Contract/Legal made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Executive Sessions entered at 9:42 AM and concluded at 10:34 AM.

S. Actions Taken by Commission Outside of Executive Session—none.


T. Adjourn

Motion by Busskohl and seconded by Linde to adjourn the meeting at 10:35 AM. The next meeting will be at 8:00 AM, March 25, 2026 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 _____.