

Minutes of the Custer County Commission Meeting, Wednesday, April 22, 2026.

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Buszkohl, 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: under Item "S" Commission #2-1 Approve surplus of Quonset building located on Fairgrounds.
2. Amend to add: under Items "S" Commission #3-mail call-Thank-You card re: Administrative Assistants Day.
3. Amend to add: under Item "H" Maintenance-"regarding Search & Rescue roof".
4. Amend to add: under Item "Q" HR #2-acknowledge lateral transfer of Keith Jatton from Maintenance Department to Highway Department.
5. Amend to add: Executive Session as per SDCL 1-25-2(3) Contract after Item "S" Commission. Motion to approve as amended made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried.

C. Consent Agenda

1. Approve Minutes from the 4-7-26 and 4-8-26 Commission meetings.
2. Approve travel requests as follows: DOE: Scott Storms, Melissa Bradford & Steven Fair-Pingree to attend SDAAO 6-2 – 6-5 in Sioux Falls for a total of \$2,560.60. Dawn McLaughlin, Michelle Zerfas, Paula Arthur and Teri Morgan to attend SDACO 2026 Spring Workshop 5-6 & 5-7 in Pierre at a total cost of \$1,388.
3. Approve Monthly Reports as follows:

4. Approve vouchers as follows:

PAYROLL: 4-25-26: Safety \$134.22; Commissioners \$5,720.25; Auditor \$13,141.17; Treasurer \$14,141.82; Info Systems & Technology \$3,536.99; State's Attorney \$15,292.71; Courthouse Building \$10,352.82; Director of Equalization \$12,484.64; Register of Deeds \$5,965.21; Veteran's Service \$1,977.28; Human Resources \$3,062.30; Sheriff \$58,204.67; Coroner \$1,068.84; Nurse 783.70; Library \$12,679.48; Conservation \$825.87; Weed & Pest \$3,797.33; Planning \$8,550.14; County Road & Bridge \$37,643.79; Emergency Management \$3,081.77; Emergency Line F \$20,637.00

COMMISSIONERS: Catastrophic Legal Expense Relief Program \$4,862; Pitney Bowes \$8,070.01;

MH COURT-APPOINTED ATTORNEY: Kennedy Pier Loftus \$292.80;

MENTAL HEALTH CARE: SD Human Services Center \$256.49;

AUDITOR: Quill \$299.80; SD Association of County Commissioners \$400; SD Department of Revenue \$5.01; SD Department of Revenue Beer & Wine Renewal \$300;

ANIMAL CONTROL EXPENSE: SD Department of Game Fish & Parks \$847.39.

TREASURER: CAN Surety \$1,785; SD Association of County Commissioners \$200.

STATE'S ATTORNEY: Carol Johnson CR \$487.60; Culligan Water \$39.80;

MAINTENANCE: Custer Ace Hardware \$176.45;

CUSTERS YMCA: Annual Budget Request of \$17,000.

REGISTER OF DEEDS: State of South Dakota \$40.25;

SHERIFF: A&B Business \$54.98; Battle Mt. Humane Society \$1,083; French Creek Supply \$2.99; Golden West Technologies \$14,998.20; Great Western Tire \$943.41; LaMonte's Auto Center \$2,808.82; LexisNexis Risk Solutions \$226;

PRISONER CARE: Black Hills Surgical Hospital \$635.53; CorrectRX Pharmacy \$23.50; Mary Seifert \$125; Pennington County Jail \$ 287.24; Pennington County Sheriff's Office \$40; Precision Eyecare \$168; Rapid City Fire & Emergency \$1,278.26; Rapid City Police Department BAC \$150; SCRAM Systems \$14.60; South Dakota Public Health Laboratory \$415;

AIRPORT: Ascent Aviation Group \$18,824.13; Kieffer Sanitation \$43.75; Mead & Hunt \$50,963.95; Summit Fire Protection \$152.50;

LIBRARY: Kieffer Sanitation \$125.83;

EXTENSION: McGas Propane \$30; RP Lumber \$9.60;

WEED & PEST: Mid Dakota Vegetation Management \$2,122.50; Summit Fire Protection \$126.25;

COUNTY ROAD & BRIDGE: A&B Welding \$18.39; A & I Distributors \$2,625.42; Brosz Engineering \$1,755; Butler Machinery \$5,957.74; Culligan Water \$6.95; Custer Ace Hardware \$85.73; Dakota Fluid Power \$237.88; Dakotaland Autoglass \$2,412.60; Fastenal Company \$138.39; French Creek Supply \$94.49; Newman Traffic Signs \$1,049; Pop's Grocery Shoppe \$9.98; Rosane Construction \$4,421.10; Rushmore Communications \$55.67; Servall Towel & Linen \$112.72; Trav's Outfitter \$150. MC Payments: Kieffer Sanitation \$541.49; BHEC \$1,536.90; Golden West Telecom \$39.54; Amazon \$295.43;

EMERGENCY MANAGEMENT:

SEARCH AND RESCUE: French Creek Supply \$19.88; Kieffer Sanitation \$45.60; Lynn's Dakotamart \$83.23; McGas Propane \$624.67; RP Lumber \$11.99;

COUNTY BUILDINGS: ADTECH Rapid Fire Protection \$902.70; Black Hills Chemical \$301.29; Cummins \$598.42; Harvey's Lock Shop \$18; Kieffer Sanitation \$229;

EMERGENCY LINE: A&B Business \$54.97; CenturyLink \$.73;

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

D. Conflict of Interest Declarations – Commissioner Hartman declared a conflict under Item "I" #1 Planning.

E. 8:05 AM Public Hearing—RESOLUTION 2026-08 RESOLUTION INITIATING THE FORMATION PROCESS FOR A PROPOSED EAST CUSTER COUNTY AMBULANCE DISTRICT PURSUANT TO SDCL CHAPTER 34-11A.

1. Approve Resolution 2026-08 Resolution Initiating the Formation Process for a Proposed East Custer County Ambulance District Pursuant to SDCL Chapter 34-11A. Commission Legal Counsel, Aaron Davis, read Resolution 2026-08 aloud in its entirety and noted that if approved, would be effective immediately and will be on the 2026 primary election ballot for the voters in the proposed district area to decide. Davis

stated that Rapid City Ambulance has covered the eastern portion of Custer County for a number of years but is not a permanent solution. The Town of Hermosa and Town of Fairburn both signed resolutions to join in the 2026 primary election ballot for formation of East Custer County Ambulance District. Leo VanSambeek addressed the Commission and stated he has been working through Hermosa Connects and encouraged passage of the Resolution based on the need for ambulance coverage in the proposed district area. Discussion was held regarding formation of a board of directors, budget, creation of bylaws, deadline for tax request and assessment means should the district formation pass in the primary election. Motion to approve Resolution 2026-08 made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

F. Public Comment—

1. Becky Treloar asked the Commission once again to change the meeting times so that people would not have to take time off work to attend, and stated she is beginning to think the Commission does not want people to attend. She shared concerns regarding retaliation, handbook violations, nepotism and unprofessional social media posts. She also addressed a sign that is attached to her 911 address sign. Commissioner Busskohl reminded those in attendance that only the 911 address should be on the sign and no others as it causes confusion during emergencies.

2. Travis Hartshorn discussed budget crises and stated he will donate his school board salary back to the community. He challenged the Commission members to do the same. He stated he receives \$166/per meeting as per state law and attends one meeting per month. He asked why the pay is different for the Commission; Chairman Lintz stated the Commission attends 2 meetings per month, as well as many other meetings throughout each month that require additional time commitments. Lintz stated no one can expect the Commission to work this position with no pay and said at that rate no one would run for the position. It was noted the Commission did not receive a raise in pay for 2026. Hartshorn also asked that all departments are reviewed before letting anyone go; Busskohl stated the vacancies would be through attrition. Additionally, Hartshorn encouraged the public to attend school board meetings.

3. LeaAnne McWhorter shared that there will be a non-partisan meeting 4-23-26 at 6:00 PM to meet the 4 school board candidates. There will be a Custer County Republicans meeting 5-5-26 at 5:30 PM in the Pine Room at the Library. This will be a candidate forum for the 8 commission candidates. McWhorter also encouraged people to help be election poll workers.

G. Highway

1. Highway Superintendent, Jesse Doyle, requested approval of ROW Occupancy Permit from Golden West Telecom for fiber optic facility at 11862 Sundance Road S18, T6S, R4E Custer County, SD. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Doyle also requested approval of ROW Occupancy Permit from Golden West

Telecom for fiber optic facility at 25424 Wind Song Valley Rd; S8, T4S, R4E, Custer County, SD. Motion to approve made by Linde; seconded by Buszkohl; vote taken, all aye; motion carried.

3. Request was made for approval of ROW Occupancy Permit from BH Electric Cooperative for overhead road crossing for overhead power to landowner at Saginaw Road; S1, T3S, R3E, Custer County, SD. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried. Doyle noted work has been done well by Golden West.

4. Doyle requested acknowledgment of completion of 1-year probationary period for Dwayne Dolan. The Commission so acknowledged.

5. Doyle stated that a gravel test was conducted and will likely purchase 12,500 tons of gravel from Hartshorn. Commissioner Buszkohl asked if this purchase will be added to the next agenda as previously requested for all gravel purchases. It has been requested that prior to purchases, disclosure of amounts and purchase location be provided. Doyle stated he can comply but needs clarification as he thought that is what he was doing today. State's Attorney Kelley stated the Commission is asking for a snapshot of anticipated amounts, quantity of purchases and where gravel is being sourced. Doyle stated he now understands what the Commission is requesting, and he will let the Commission know. Doyle also discussed current road conditions and is aware that many roads need blading, but conditions are not favorable until more moisture is received. He also encouraged drivers to slow down to reduce wear and help preserve gravel roads.

H. Maintenance

1. Maintenance Supervisor, Joseph Panza, requested approval to advertise & hire for upcoming Maintenance II vacancy. (5-6-26) This is a full-time, fully benefited position with a starting wage of \$23.53/hour. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

2. Panza requested approval to advertise for sealed bids for construction of 45'x104' pole shed at the Fairgrounds in Hermosa. Panza stated \$27,133.60 has been received in insurance proceeds, with an additional \$27,133.60 to be received upon completion. He asked if the Commission wants to build to replace the Quonset hut. Commissioner Hindle suggested double-checking drainage on the existing site. Motion to approve advertising for construction bids made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

3. Panza made request for guidance as to material type and bid process preference re: Search & Rescue roof. The existing roof sustained hail damage and needs replacing. He noted there would be an upcharge to replace with steel (no cosmetic damage coverage with steel), or would the Commission prefer to stay with shingles. As per State's Attorney Kelley, sealed bids would not need to be utilized for this project, but Panza can reach out to contractors for bids. Commissioners Hartman and Hindle noted that shingles are more easily replaced when needed.

I. Planning

1. Planning Director, Terri Kester, presented Hartman Mobile Home Park; Parcels 011501 & 005957 for approval. This involves 5 spaces, with a 40'x120' common area, well, utilities and parking areas. Discussion was held regarding road specs and if the road would be a named road with public access. State's Attorney Kelley stated the road does not have to be platted, as per ordinance, but needs to be public and an easement can be filed. It was stated the road will be inspected by the Highway Department during and after the construction process. Mark Hartman referenced other long-term RV Parks and stated he has gone above and beyond to meet conditions and build properly as per ordinance. Motion to approve contingent upon filing public access at Register of Deeds and roadway built to specs as recommended by Jesse Doyle made by Busskohl; seconded by Linde; vote taken, Busskohl, Linde & Hindle aye; Hartman abstained; motion carried.

2. Kester presented Variance Request re: Roland Bauer, Mordi Enterprises, LLC. Parcel 005737 for approval. This is for a 5' setback for new building construction. This is due to topography issues, but Linde and Busskohl stated 5' is too close. Reference to Ordinance 2 was made regarding variances and the overuse of requests—these should be the exception and not the rule. Questions arose as to how this would affect neighboring USFS land. Hartman stated there are wells and septic, as well as powerlines already on the property. Planning Commission board member, Eric Lewis, stated he visited the site and said the variance request makes sense. Motion to approve made by Hindle; seconded by Busskohl; vote taken, Hindle and Busskohl aye; Linde nay; Hartman abstained; motion dies. Kester noted the fee to file a variance is \$250 and since building permit prices have increased there have been no complaints from the public. Kester stated there will be a work session held after the 5-13-2026 Commission meeting.

3. Kester presented Preliminary Plat of: TRACT H REVISED AND UTILITY LOT H OF CUSTER DEVELOPMENT CORP. SUBDIVISION, LOCATED IN THE E ½ SW ¼ SECTION 2, T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA for approval. This was presented at the 4-7-2026 Planning Commission, where approval was recommended. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

4. Preliminary Plat of: LOTS 6C, 6D, & 6E OF WESTWIND PINES SUBDIVISION, LOCATED IN THE N ½ S ½ OF SECTION 33, T6S, R5E, BHM, CUSTER COUNTY, SOUTH DAKOTA was presented for approval. The Planning Commission recommended approval at its 4-7-26 meeting. This proposed lot split has a 66' public access; the road is good and was bonded and checked a year ago. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

J. Finance Office

1. Finance Officer McLaughlin presented the March 2026 EOM Financials as follows: Revenues \$1,013,790.95; expenses \$853,662.15; ROD receipts \$11,975.50; Sheriff's Office \$2,394.70; Clerk of Courts \$7,137.76; Motor Vehicles \$97,015.98; Treasurer's

Checks \$297,635.95, which need Commission approval as these do not come through in the Commission packet, but rather the end-of-month packet. Ending balance for March, 2026 is \$6,874,339.77. Motion to approve Treasurer's checks made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. McLaughlin stated that State Auditor, Bruce Hintz, was on site yesterday and plans on completing within the next two weeks and the actual audit will take place late summer/early fall of this year.

2. McLaughlin presented Liquor License Renewal for LT Campgrounds, dba Custer KOA for approval. Retail on-off sale Malt Beverage & SD Farm Wine. (\$300). Motion to approve made by Busskohl; vote taken, all aye; motion carried.

3. McLaughlin presented Liquor License Renewal for Solid Rock Partners LLC dba Beaver Lake Campground for approval. Retail on-off sale Malt Beverage & SD Farm Wine. (\$300). Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

K. Election

1. Finance Officer McLaughlin requested approval to hire 12 additional election workers for the proposed East County Ambulance election held during the 2026 Primary election. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

L. Equalization

1. DOE Director, Scott Storms, presented Application for Abatement for approval re: Ridgerunner Ranch Living Trust in the amount of \$3,018.85. Parcel 002353. Storms stated this has been discussed previously with the State of SD. This will be placed back into Ag status with the owner paying \$3,018.85 and \$3,018.85 being abated. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

2. Storms requested approval of Application for Abatement re: Scott Kedzie in the amount of \$1,569.49. Parcel 012091. Kedzie objected to his tax bill and Storms reviewed and discover that the property received owner-occupied status on a portion of the home during construction, but once construction was completed the owner-occupied status did not transfer over as it should have. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

3. Storms presented Application for Abatement re: Cody Brown in the amount of \$21.84 for approval. Parcel 014924. This mobile home was removed previously, all taxes paid and will be removed from the tax roll. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

M. Weed & Pest

1. Weed & Pest Supervisor, Michael Baldwin, requested approval to hire Tyler Cooper as seasonal weed sprayer at an hourly rate of \$18 with starting date of 5-12-2026 and end date of mid-August, 2026. This is a seasonal non-benefitted position. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

2. Baldwin shared that the Conservation District recently hosted a successful bus tour of the Qury Fire. Attending were USFS speakers, representatives of Wildland Fire and KOTA news.

N. Emergency Management

1. EMS Director, Steve Esser made request for Chairman's signature on OEM Single-Signature form. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Esser met with the Office of Emergency Management and received approval of FEMA funding for the Winter Storm Disaster and went through the process of signing up to receive those funds for damages and upcoming projects as a result of the storm. This pertains to Custer County, as well as the City of Custer. Esser stated that 75% will be paid by FEMA; 10% by the state and 15% by the County.

3. Esser discussed the current County-wide Burn Ban. It was recommended to keep in force until adequate moisture is received. The process to rescind the ban was discussed and it was noted it was not a pressing issue at this time. Esser stated within the BH Fire Protection District, level 1 restrictions are in place year-round. This does not restrict fires in approved fire rings and the county has no authority over this. When a level 2 restriction is in place, no fires are allowed in USFS campgrounds. Under the current county-wide burn ban, all commercial campgrounds, as well as those in Custer State Park are included.

4. Esser presented Custer County Ordinance 20, amended, and read the title aloud, together with the ending amendment. Discussion as to fines, penalties and regulations was held. Fines are not to exceed \$500/30-days or both. Costs associated with illegal fires are the responsibility of the offender. Also noted was use of branding irons (allowed if not using an open fire or propane). Pat Conway asked about how to make sure cabin rental proprietors inform guests about the burning ban, as her neighboring property has cabin rentals whose guests have had fires during the ban. Conway also shared concerns about charcoal barbeque grills, as well. State's Attorney Kelley noted that civil liabilities could go to the property owners. Esser stated he will make information available as to what is and isn't allowed. Motion to approve first reading of Ordinance 20 made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried. Second reading will take place at the 5-13-26 Commission meeting.

O. Search & Rescue

1. The Commission acknowledged the 2026 CCSAR roster.

P. Lakota View Lane

1. Petition for County maintenance on Lakota View Lane was presented. No residents were in attendance at today's meeting. Highway Superintendent Doyle noted Lakota View Lane currently receives no county maintenance. This is deemed to be a subdivision driveway that extends into Pennington County. As Lakota View Lane is not built to county roadway specifications, county maintenance will not be provided.

Motion to deny request made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

Q. Human Resources

1. HR Director, Amber Maidens, made request for approval for one-time retroactive Health Savings Account deposit for James Lyon in the amount of \$1,087.50. Motion to approve made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried.

2. Maidens requested approval of lateral transfer of Keith Jatou, Maintenance II, to Highway Department-heavy equipment operator, effective 5-6-2026 at a starting wage of \$23.88/hour, keeping full benefits. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

R. Commission Legal Counsel

1. Commission Legal Counsel, Aaron Davis, stated the Dewey VFD has been wanting to become a part of the Edgemont Fire District for some time, as it is in an isolated area far from other districts. There is an arrangement in place with Edgemont to assist and cover fires in that area. Both Dewey and Edgemont wish to expand to encompass the Dewey VFD and to facilitate that, a petition would need to be initiated from Dewey. The Custer County Commission would need to approve the petition once completed and then it will be presented to the Fall River Commission for approval, as well. Residents in that district would then pay the tax amount to the Edgemont Fire District. Davis stated this will be more efficient and will work with the Auditor's Office to obtain a voter list/residents located in the Dewey area.

S. Commission

1. Discuss Term Limits—Commissioner Hindle noted there have been questions regarding possible term limits brought up to him; he has also discussed this with Phil Lampert. The question of placing this on the November election for the public to decide was discussed, with a possible limit of 4 full 4-year terms and this should be a voter decision. State's Attorney Kelley stated this is a double-edged sword. Basically, there is already a term limit in place, as commissioners can be voted out every 4 years during an election. At that time, voters can decide on replacing commissioners with different candidates. Mark Sullivan stated this smacks of hypocrisy and cited recall petitions can be utilized for this purpose at any time. Kelley and the Commission disagreed, reiterating that voters can decide to vote for change during elections. Sullivan did not agree with Kelley and stated commissioners should be recalled earlier than 4 years. Chairman Lintz shared that in the legislature, term limits resulted in loss of tremendous legislators with extensive knowledge and stated he disagreed with term limits.
2. Discuss Budget Policy/Line items--Aaron Davis is working on a financial policy that provides transparency for all and will utilize a more structured method to form budgets. Having a budget committee will provide a better view of how

countywide budgets work and how public tax dollars are spent. McLaughlin stated a 3-person committee comprised of a commissioner and 2 department heads would be preferred. Open communications are necessary for purchases and budget supplements, when needed. Big ticket items will need discussion before purchase.

3. Approval of surplus of Quonset building at the fairgrounds was discussed. Kelley stated a motion to surplus is the first step. If the building is to be destroyed, nothing more needs to be done. Kelley also noted if someone is removing the building an indemnification form needs to be signed. Motion to surplus Quonset building to the Fair Board for disposal with signed waiver of liability made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.
4. Mail call – McLaughlin read aloud a letter received from SD DOT in appreciation of Brenden Hendrickson, Custer Airport Manager. She also read aloud a thank you card in appreciation of Custer County staff re: Administrative Assistant's Day.
5. Meeting Schedule – 4-22-26 1:00 PM DOE Board of Appeals; 5-4-26 Fire Advisory Board Opt-Out meeting at 6:00 PM at the Pine Room, 447 Crook Street, Custer; 5-5-26 Custer County Republicans 5:30 PM at the Pine Room, 447 Crook Street, Custer; 5-8-26 at 11:00 AM BH Ass'n Commissioners and Public Officials at Mt. Rushmore Brewing Company, 140 Mt. Rushmore Road, Custer.
6. Meeting Reports –Hindle attended several meetings; Linde attended FAB, Conservation, Sr. Center, Landfill and YMCA; Lintz attended Fair Board; Busskohl attended FAB, S&R, department head meeting, Custer City Council, and phone meetings; Hartman attended Planning Commission, Highway/USFS. Chairman Lintz asked if any meeting has been scheduled re: law enforcement coverage with City of Custer; Commissioner Busskohl stated he has spoken with the mayor and a meeting could possibly take place within the next couple of weeks.

T. Executive Session

1. Executive Session as per SDCL 1-25-2(3) Contract.
Motion to enter and exit Executive Session as per SDCL 1-25-2(3) Contract made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Executive Session entered at 10:40 AM and concluded at 11:46 AM.

U. Actions Taken by Commission Outside of Executive Session

1. Motion to approve Legal Counsel to issue invitation to Custer City Council to participate in a joint public meeting to discuss the law enforcement contract situation made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

V. Adjourn

1. Motion by Linde and seconded by Busskohl to adjourn the meeting at 11:48 AM. The next meeting will be at 8:00 AM, May 13, 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 _____.

