

Minutes of the Custer County Commission Meeting, Wednesday, May 27, 2026

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Busskohl, and Craig Hindle, Commission Legal Counsel Aaron Davis, and Finance Officer, Dawn McLaughlin.

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

B. Adoption of the Agenda

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

C. Consent Agenda

1. Approve vouchers as follows:

PAYROLL: 5-25-26: Safety: \$134.25; Commissioners \$5,720.27; Election \$347.24; Auditor \$13,152.41; Treasurer \$13,958.38; Info Systems & Technology \$3,536.99; State's Attorney \$15,292.69; Courthouse Building \$9,756.86; Director of Equalization \$12,265.21; Register of Deeds \$6,141.81; Veteran's Service \$2,268.07; Human Resources \$3,062.29; Sheriff \$77,238.56; Coroner \$1,068.84; Nurse \$470.21; Library \$12,527.30; Conservation \$825.87; Weed & Pest \$4,702.77; Planning \$5,955.09; County Road & Bridge \$40,036.91; Emergency Management \$3,081.77; Emergency Line F \$15,677.64

COMMISSIONERS: Mt. Rushmore Brewing Co/BH Assn meeting \$66.15; Pitney Bowes \$502.25;

AUDITOR: Tyler Technologies Inc. \$580;

AUDITOR TRUST: SD Dept Revenue \$1,050.

ELECTIONS: ES&S \$5,755.03

STATE'S ATTORNEY: Redwood Toxicology Lab \$125; The Lodge at Deadwood \$115;

COURT-APPOINTED ATTORNEY: Colbath & Sperlich \$1,931.60; McCoy PC \$635.30; Stephens Law Office \$2,178;

COURT: Scovel Psychological & Counseling Services \$4,000.

MAINTENANCE: BHEC \$344.56; City of Custer \$193.21; Custer Ace Hdwe \$154.29;

INFO TECHNOLOGY: Golden West Technologies \$15,035.65; Pitney Bowes \$490.53; Western Stationers \$448.95

GIS: ESRI \$6,696

SHERIFF: Battle Mt. Humane Society \$1,183; Connor Kelley \$210.84; Leads Online \$2,773; LexisNexis \$208.50; Liz Allen \$210.84; Mike Lewis \$695; Quill \$80.97; Rob Steele \$210.84

PRISONER CARE: City of Rapid City \$100; Correct RX \$102.62; Ruth Airheart \$75; SD Dept of Health \$405;

MENTAL HEALTH: Audra Hill Consulting \$774.77; New Trails Ministry \$325; SD Human Services Center \$591.90;

AIRPORT: BHEC \$509.37; Mead & Hunt \$14,514.43; Rocky Mt. Propane \$89.53;

EXTENSION/4-H: Keri Cochran \$339; SDSU Extension \$11,525;

WEED & PEST: French Crk Supply \$105.73; Warne Chemical \$212.02

CONSERVATION: SD Public Assurance Alliance \$610.92;

PLANNING: Splish Splash Car Wash \$13;

COUNTY ROAD & BRIDGE: Brown's Small Engine \$489.99; Butler Machinery \$124,696.22; Custer Ace Hdwe \$33.95; Floyd's Truck Center \$32.13; Forward Distributing \$29.50; French Crk Supply \$671.43; Inland Truck Parts \$11,862.42; Interstate Batteries \$321.90; MG Oil Co. \$14,223.30; Pheasantland Industries \$1,185.84; Pop's Grocery Shoppe \$6.89; SD DOT Div Finance \$604.98; Summit Signs \$355; CC Purchases: Mt. Rushmore Telephone \$179.87; BHEC \$1,458.18; BH Energy \$103.05; Golden West \$79.64; Nelson's Propane \$928.49; Kieffer Sanitation \$378.80;

SEARCH & RESCUE: City of Custer \$96.11; French Crk Supply \$147.99; Lynn's Dakotamart \$6.89

EMERGENCY MANAGEMENT: BHEC \$52.10; Grimm's Pump Service \$747.22; Respec \$23,483.45;

COUNTY BUILDINGS: Custer Ace Hdwe \$58.98;

EMERGENCY LINE: Culligan \$109.95

ANIMAL CONTROL: SD Dept Game Fish and Parks \$1,694.78

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

D. Conflict of Interest Declarations

1. None.

E. Public Comment

1. There were no comments from the public at today's meeting.

F. Wind Cave/DOT

Wind Cave National Park and the SD Department of Transportation are seeking support for a minor boundary adjustment that will facilitate moving the cattleguard to a nearby location, improving safety for vehicles and wildlife:

1. Representatives from Wind Cave and SD DOT were present at today's meeting to seek Commission support regarding a minor boundary adjustment to relocate a cattleguard to improve safety for both vehicles and animals. In the past 10 years, there have been 32 animals struck by vehicles in the vicinity. This is an area that bison are drawn to due to salt. They have tried to increase enforcement, install lights, warning signs, and turnarounds. A safety audit was done in 2018 with Federal Highways, and their solution was to move the cattleguard approximately 1,900 feet and 4 10ths of a mile south, toward Hot Springs, resulting in better sight distance and since there is power nearby that will allow for lights. In order for this to happen, a donation of 1.53 acres of land from the state must be accepted. The governor recently signed legislation into law for the transfer and now need Commission support. Once they get the cattleguard, they will take down the existing fence and expand it. DOT will pay for the project, but NPS will manage the road and replace anything that needs it. The Commission agreed it is a good idea. Motion to approve a letter of support made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

G. Airport

Review of the Federal Aviation Administration Grant Closeout Letters for CUT 019 & 020:

1. Brendan Hendrickson explained that this is for a closeout grant for a project that was completed several years ago. They have been reimbursed through the grant program and closing it out requires the chairman's signature. Motion to approve made by Linde; seconded by Hartman; vote taken, all aye; motion carried.

H. Maintenance

Joe Panza provided an update on the HVAC system:

1. On Friday, May 15th, the [mother]board came in, and the system was up and running, except for the zone consisting of the basement and the hallway downstairs. Panza got a response from an engineer, as the Commission was not

interested in such a high price, to phase it out, but the overall cost would be more. Another thought is they can hire a grant writer for \$6,500, and they may or may not be able to find grant money. Panza also got bids for windows, for the price of 12 second-floor windows with a 20-inch operator awning, which came in at \$46,950. The Commission asked Panza to reach out to local contractors, so June 16th, he has one of the contractors meeting with a representative, then hopefully the following week of the 8th-12th, the other contractor will come and they will take a look at options. If anything is over \$100 grand, then they have to put out a bid, unless it is through a purchasing call. Hindle asked what time is set for June 16th? Panza said between 8-8:30. Lintz asked how much money is available in the building fund. McLaughlin expressed it is not enough.

I. Sheriff

1. Marty Mechaley asked the Commission to approve their yearly Forest Service contract at \$45 dollars an hour. It will come back to the county plus milage. It requires the signature of the chairman. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried. Hindle asked if it maxes at \$8,000, and Mechaley confirmed and elaborated that they need new equipment this year and that money will come back to the county.
2. Derrick Reifenrath asked the Commission to approve the purchase of four new patrol vehicles. He explained that he budgeted for over two vehicles this year and are looking to use some unassigned funds. They are patrol versions of the F150. Their price is \$201,174 and with outfitting, it will cost \$267,000+. They did bids for the outfitting portion. They used a company called SonTec out of Rapid City in the past which was sold to a company – the techs started their own company called On-Scene Dynamics, which came out with the cheapest price. Rapid City PD also uses this company. Guardian, out of Minnesota, also put in a bid. Busskohl asked if there were assigned funds for vehicles, and McLaughlin confirmed. Linde asked if they needed four vehicles this year. Reifenrath said the Sheriff's vehicle doesn't have a lot of miles and the outfitting is pretty basic. The plan is to take out the gun rack and repurpose it into Search and Rescue's drone vehicle, because their current vehicle is about 20 years old. They use the drone team for more than just Search and Rescue, including crashes and Fall River County responses, so they need a reliable vehicle. Part of the process is to replace vehicles with ones that are more reliable for the Sheriff's Office and to supplement some vehicles to Search and Rescue. Hartman remarked that they won't be cheaper next year. Reifenrath stated that June 6th is the last day to order for 2025. Hindle asked if Steve McMillin had a vehicle. Reifenrath said it needed breaks and due to the milage on it, he ended up driving a spare vehicle – so his vehicle will likely be surplus. Mechaley remarked it was already a federal surplus vehicle to begin with. Hindle asked if they will be sitting good for awhile if they purchase them and if this had to do with the city. Reifenrath clarified it does not have to do with the city. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

3. Reifenrath asked the Commission to acknowledge the hiring of Nicolas Koehler as deputy sheriff at the uncertified rate of \$26.32 and starting date of June 8th. He verified the rate with Amber. Hartman sat in on the hiring and they interviewed three individuals. Koehler was a cadet with Pennington County. They felt he was the best applicant. Hindle asked if this is to replace the school resource officer, and Reifenrath confirmed. Hindle added that it is because Matt will be retiring, which Reifenrath further clarified that it is a result of the contract with the school. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

J. Planning

Approve final plat of: DRAKE TRACT 1 AND DRAKE TRACT 2 OF GOLDEN WILLOW SUBDIVISION, LOCATED IN THE NE ¼ OF SECTION 11 AND THE NW¼ OF SECTION 12, T5S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcel 014010 re: Mark Drake:

1. Terri Kester explained that the applicants are proposing a lot split where both tracts will become one acre. There are two homes on the property, and the property line would split the homes. The current wastewater is on tract 2 and serves both homes. Access to tract 1 is from Golden Willow Parkway and tract 2 has a 40-foot private access across tract 1. Last time they visited this, it went back to Planning, which recommended that the wastewater be brought up to state standards with both houses on it. The work has been completed; they are just waiting for photos from the contract. On April 7th, the Planning Commission voted to approve contingent upon the septic being brought up to spec. Busskohl asked if the wastewater agreement between them was filed. Kester said no because the legal description does not yet exist. As soon as it is filed, it will be added to the plat. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried. Busskohl added that if anything happened to the house, because of where the section line is, it could cause problems in the future. Lintz asked if there was any information from the outfit on VIP. Kester said they are building a pavilion-type outdoor space. Lintz asked if they have seen the building and if they have a permit. Kester said they have a sketch – it is pretty big building - and they do have a permit.

K. Elections

1. Olive Lardner announced that there will be a Tabulator Test on May 28th in the Commissioner's Room that shows how the machine works. She also reminded people that the Primary Election is on June 2nd. Reifenrath asked what they do for election training. Olive explained that it is for poll workers who are working the election and will be the upcoming Friday. Reifenrath asked if it is okay for deputies to sit-in again. Olive said that is okay.

L. Finance Office

Dawn McLaughlin provided a summary of the April 2026 Month End Finances:

1. Revenue was \$3,146,153.177, most of it being property taxes. However, they did receive \$65,000 from Custer School for their resource officer, \$213,196.25 for the BIG grant for the Highway Fund, and Federal Forestry money in the amount of \$341,000, which the Highway gets 50% of and the schools receive the rest. The expenses were \$887,932.24. The checks written by the Treasurer's Office totaled \$344,589.01. Received from Register of Deeds was \$15,425, from the Sheriff's Office was \$1,954.93, from Clerk of Courts \$5,802.97, and from Motor Vehicles \$53,843.18, making the end cash balance \$13,808,021.38. The Commission acknowledged.

McLaughlin asked if the Commission wanted to approve the Alcoholic Beverage License renewal-RB25884 for Timber Ridge Campground LLC re: retail on-off sale Malt Beverage & SD Farm Wine (\$300):

2. Busskohl asked if there was public comment, which there was not. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

Approve Alcoholic Beverage License renewal-RB25887 for Heartland RV Park LLC re: retail on-off sale Malt Beverage & SD Farm Wine (\$300):

3. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried. Busskohl also asked if there was public comment.

Approve Alcoholic Beverage License renewal-RB26541 for Sanctus V LLC (FT Welikit Family Campground) re: retail on-off sale Malt Beverage & SD Farm Wine (\$300):

4. Busskohl asked if there was comment. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.

Approve Alcoholic Beverage License renewal-RB20152 for Black Hawk Oil Inc. (BJS Hermosa) re: retail on-off sale Malt Beverage & SD Farm Wine (\$300):

5. Busskohl confirmed if there was comment. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

Approve Alcoholic Beverage License renewal-RB26433 for West Highland Way LLC (Big Pine Campground) re: retail on-off sale Malt Beverage & SD Farm Wine (\$300):

6. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried. No public comment.

Approve Alcoholic Beverage License renewal-RB24186 for Elk Haven Inc. re: 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. Approve Alcoholic Beverage License renewal-RB30050 for TC Horsecamp LLC re: retail on-off sale Malt Beverage & SD Farm Wine (\$300):

7. No public comment. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

M. Raffle Requests

Approve raffle request from the Senior Center. Tickets to be sold June 1-July 18, 2026 with prizes to include basket of donated items from local merchants with proceeds to be used for the Senior Center:

1. Lori Eggerth, the Director of the Senior Center, announced that they hope to hold two raffles. This is a basket that Janet Woynissek put together, who oversees their Ways and Means Committee.

Approve raffle request from the Senior Center. Tickets to be sold June 1-September 30, 2026 with prizes to include 36 long gun Winchester gun safe with proceeds to be used for the Senior Center:

2. The second is a gun safe raffle. Busskohl asked if the proceeds go back into the Senior Center. Eggerth said that the center needs it. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried. Hartman confirmed that the approval is for both raffles.

N. Human Resources

Tracy Kelly, the State's Attorney, explained there is a former employee requesting a payout of her unused vacation time. She was not here for quite six months, and the employee would have been entitled to use her accrued vacation time after six months, but according to the county's policies, the amount of \$950.60 is still vested to her. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried. Hindle commented that they need to update the employee handbook.

O. Commission Legal Counsel*

Aaron Davis provided an update on Senate Bill 96 re: local sales tax option to reduce property tax for owner occupied:

1. Mark Sullivan asked if there was any discussion with the city regarding the potential imposition of a 2% local rate and a 1% hospitality rate. The Commission explained that those are in place and up to the city. Peg Ryan asked how does the money come to the county when the state is collecting the sales tax? Davis explained that the state collects it with the other taxes and then it comes back through direct deposit. Linde asked about the administrative fees. Davis said those are up to .25% and that affects what the county gets. Jesse Sorensen asked if there have been estimates as to what it would bring in. Davis said conservatively, it may be \$600 or \$800 dollars off. The idea is because we get millions of tourists, they fund a significant portion of this tax, but it does bring up the question of what we pay. It is estimated to be about \$100 out of our own pocket. The goal is to entirely fund owner occupied. Hindle said Amber Hulse estimated it would be a million dollars in and maybe \$1,000 back into owner occupied, and he thinks she is including fees, as well as the funds that are supposed to go to the schools. Lintz explained that some counties will not be signing up for this, because they do not have nearly as many stores. However, Custer County needs to capitalize on the tourists. Busskohl said the State Park is still in negotiations and they will wrap closer to August. Lintz said that hopefully they get some funds from them, as well. The sales tax is a good first step and they are in this by themselves, as Custer County is more affected than any

other county in the state due to their values going up so much and it is killing the taxpayers – throughout the state, this didn't happen and that's why Custer is in such trouble. A member of the audience asked if a million-dollar home gets the same credit as a lesser home. The Commission said it would be prorated. Buszkohl believes the total amount will lead to the levy being lowered on all properties. Hindle added that everyone pays the same levies. Davis said that 60% or more of the county's property is government owned, which leads to beautiful spaces, but there is a smaller number of people supporting all of the infrastructure in the county. Scott Storms asked if part of the million dollars was the property tax for owner occupied where they change it to all buildings. The Commission said they have not heard about that and McLaughlin believed that to be separate. The Commission said it is pretty cut and dry. Teri Morgan said if it were cut and dry, every county would do it the same way. The Commission remarked that they will be now and McLaughlin added it is so since the law passed.

2. Hartman asked Davis if he could draft a support letter to Wind Cave, as well.

P. Commission

Custer City Law Enforcement Contract and meeting with city officials:

1. Buszkohl asked to have this added to the agenda. In talking to the mayor, they are thinking about having a preliminary meeting with himself, Hindle, legal counsel, Mechaley, Reifenrath, and the city to get information together before a public meeting. Buszkohl said the mayor thanks Hartman and everyone for what they have done. Both entities have learned some things after the negotiations have stopped so they would like to clarify some things before a public meeting if the Commission chooses. Hartman says he doesn't mind but because it is a busy time of the year, they are creating a liability for the city and the deputies to try and figure this out. After sitting in on the meetings last year leading up, Hartman thought everything was discussed and they need to make a date and draw a line in the sand. Buszkohl said McLaughlin reached out to the state regarding some questions that were asked and they are trying to get that date but with elections, everyone is busy. He believes the best way is for everyone to first have an understanding – even getting the agenda straightened out and other factors could be cleaned up a lot if they could first sit down. Hindle agrees with a preliminary meeting and asked if everyone agreed with the 18th. Buszkohl said the library was booked that day and there are a lot of moving parts, so the mayor would like to meet to clean it up. Lintz asked if the public would be invited, and Buszkohl said not to this one. This meeting would be for everyone to see where things are going and where they want it to go. Kelly said this is more like a preliminary work session. Hindle asked about the 17th, and Reifenrath said they are trying to avoid church night. Hartman says it is important to have the facts, but they are six months into the year and need a date. Ryan said they want to push it out so they have time to notify the public and the election also puts it off. Once the city and the county are on the same page, then when they have a public meeting, they can address any misinformation. Hindle acknowledged that people have been busy due

to elections. Busskohl added it is not just the Board of Commissioners, but the city's board, the Sheriff's Office, etc.. Sara Meyers, Director of the Library, said they could give her potential dates and she can book them. Busskohl wanted to see how fast he could touch base with the state, but they've been busy with the election. Hindle asked if he could at least start working on dates for the week of the 22nd. Hartman said if the annex is busy they can do it somewhere else and that LE needs to be a higher priority. They started in July of last year, made it to the end of the year, and the contract never got renewed, and now they are six months into this year. If it is important, Hartman said, they will find a date and find a spot. Hindle remarked even if this was tomorrow, they are not going to have the police force they need for the city. Steve Esser added that setting it up now will give people time to attend. Hindle said the hard part is making sure everyone is available.

Mail call - DOT re: Landowner Meeting for Input to State Highway Construction Project

2. Busskohl asked if that is the one that comes into town and McLaughlin confirmed.

Meeting Reports:

3. Hindle – Steve McMillan's retirement party and meeting with Panza. Linde – Conservation Board. Busskohl – Custer City Counsel, phone calls regarding LE, and meeting with Panza.

Q. Executive Session

1. Executive Session as per SDCL 28-13.42 Indigent
2. Executive session as per SDCL 1-25-21(1) Personnel

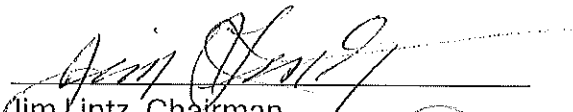
Motion to enter and exit executive session for indigent per SDCL 28-13.42 and personnel per SDCL 1-25-21(1) made by Busskohl; vote taken, all aye; motion carried. Entered at 9:00 AM and concluded at 10:00 AM.

R. Actions Taken by Commission Outside of Executive Session

Indigent request denied based on nonqualifying factors made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

S. Adjourn

Motion by Hartman and seconded by Busskohl to adjourn the meeting at 10:02 AM. The next meeting will be at 8:00 AM, June 4, 2026 in the Commissioner's Room in the Custer County Courthouse.



Jim Lintz, Chairman



Attest: _____
Madelyn Lardner, Custer County Deputy Auditor

Published once at the total approximate cost of _____.