

Minutes of the Custer County Commission Meeting, Wednesday, July 8, 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. Amend to add item #2 to "H" Sheriff—support for 911 dispatchers to be reclassified in SDRS system.
2. Amend to add item #3 to "N" Planning—approve updated job description and advertise position.
3. Amend to move "N" Old Business, item #1 to after Public Hearing, under "F".
4. Amend to move "N" Old Business, item #2 to after Executive Session.

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

C. Consent Agenda

1. Approve Minutes of the 6-18-26 Special Commission meeting.
2. Vouchers approved as follows:

PAYROLL: 7-7-2026: Safety \$134.20; Commissioners \$5,741.49; Election \$37.48; Auditor \$12,499.21; Treasurer \$13,063.13; Info Systems & Technology \$3,537; State's Attorney \$14,828.26; Courthouse Building \$9,873.96; Director of Equalization \$11,853.02; Register of Deeds \$5,763.53; Veteran's Service \$1,977.28; Human Resources \$3,038.32; Sheriff \$53,528.80; Coroner \$1,068.84; Nurse \$235.11; Library \$11,995.10; Conservation \$825.88; Weed & Pest \$4,380.02; Planning \$5,391.92; County Road & Bridge \$36,588.92; Emergency Management \$3,081.76; Emergency Line F \$16,534.95

COMMISSIONERS: CC: A&B Water \$75.39; Pitney Bowes \$424.10; Southern Hills Publishing \$632.28; Thomson Reuters \$374.70; Valhalla Legal, PLLC \$3,980

AUDITOR: CC: Casey's \$34.82; Adobe \$254.75; A&B Business, Inc. \$908.33;

ELECTION: CC: Amazon \$244.17; Quill \$77.98; ES&S \$1,021.91; McLeod's Printing \$408.60; Southern Hills Publishing \$28.71;

TREASURER: CC: Dakotamart \$41.61; A&B Business, Inc. \$659.68; Thomson Reuters \$66.50;

STATE'S ATTORNEY: CC: FirstNet \$31.88; Western Stationers \$7.99; USPS \$45.60. A&B Business, Inc. \$400.56; Thomson Reuters \$706.70;

LAW LIBRARY: Thomson Reuters \$1,413.40 ;

MAINTENANCE: CC: FirstNet \$31.88; Sam's Club \$365.30; Menards \$59.99; Amazon \$433.06; BHEC \$195.07. A&B Business, Inc. \$375.46; A-Z Shredding \$146.73. BH Energy \$3,860.95; City of Custer \$193.21; Custer Ace Hdwe \$85.64;

DIRECTOR OF EQUALIZATION: A&B Business, Inc. \$494.56; SDAACO Treasurer \$1,500; Splish Splash Car Wash \$13; Thomson Reuters \$66.50

REGISTER OF DEEDS: A&B Business, Inc. \$432.64; Thomson Reuters \$99.75

VETERANS SERVICES: A&B Business, Inc. \$148.50

HUMAN RESOURCES: CC: DCI Background \$50; FirstNet \$31.88. A&B Business, Inc. \$188.03. A&B Business, Inc. \$188.03; Southern Hills Publishing \$226.05;

INFO TECHNOLOGY: CC: Quill \$499.90; Golden West Technologies \$12,078.68

SHERIFF: CC: FirstNet \$500.88; Findtape \$80.04; eBay \$159.14; Dee's Floral \$86.30; BHEC \$52.75; Intoximeters \$113; Amazon \$256.55. A&B Business, Inc. \$428.90; BC3 Technologies, Inc. \$3,150; Custer Ace Hdwe \$41.97; Fed Ex \$30.52; Galls, Inc. \$330.50; Great Western Tire \$198.94; OnScene Dynamics \$43,885.24; Sherry Weber \$90; Southern Hills Publishing \$141.55;

POOR/INDIGENT: AT&T \$338.72; Chamberlain McColley's \$2,150; D&D Properties \$800; Town of Hermosa \$286.88; Mt. Rushmore Telephone \$58.01

PRISONER CARE: CMI Software Corp. \$2,500; Linda Nohr \$100; Rapid City Police Dept \$350; Ruth Airheart \$150

COURT-APPOINTED ATTORNEY: Colbath & Sperlich \$3,807.22; Duffy Law Firm, Prof LLC \$134.20; McCoy, PC \$503.60;

AIRPORT: CC: BHEC \$1,138.46. Brenden Hendrickson \$4,592.08; Butler Machinery \$1,672.96; Custer Ace Hdwe \$10.98; Insurance Benefits \$3,693; QT Pod \$1,784.23; Southern Hills Publishing \$14.40;

LIBRARY: CC: National Geographic \$51.06; Amazon \$1,273.20; Mt. Rushmore Telephone \$160.57; Golden West \$103.95; Open AI \$21.24; RTN \$34.65; City of Custer \$51.56; Custer Ace Hdwe \$29.94;

EXTENSION: CC: USPS \$15.60

WEED & PEST: CC: BHEC \$120.98. A&B Business, Inc. \$247.90; Custer Ace Hdwe \$10.07; French Creek Supply \$73.46; Jeanne Kumijan \$60.60; Kerry Burns \$60.29; Southern Hills Publishing \$40.90; Stephen Humphreys \$120.60; Warne Chemical \$125.74

PLANNING: A&B Business, Inc. \$190.95

COUNTY ROAD & BRIDGE: A&B Welding \$97.02; A&I Distributors \$390.63; Culligan \$6.95; French Creek Supply \$34; Great Western Tire \$5,061.50; Pop's Grocery Shoppe \$29.73; DOT Div of Finance \$847.97; Servall \$112.72; Simon Team Concrete \$647; CC: MTC Vevor \$434.53; Amazon \$218.70. A&B Business, Inc. \$424.86;

EMERGENCY MANAGEMENT: CC: FirstNet \$31.88; BHEC \$52.25. A&B Business, Inc. \$168.84. BH Energy \$29.49;

SEARCH & RESCUE: CC: Amazon \$116.44; Vevor \$57.44; Global Aerospace \$507; Starlink \$100; Baker's Bakery \$38.55. BH Energy \$203.13; City of Custer \$96.11

COUNTY BUILDINGS: CC: Amazon \$1,966.08; AdTech-Rapid Fire \$1,612.25; Custer Ace Hdwe \$42.65; Freeman's Electric Service, Inc. \$12,800.

EMERGENCY LINE: CC: Amazon \$9.49. A&B Business, Inc. \$406.50; Range \$1.93;

CUSTER COUNTY HOUSING: \$14,000 annual disbursement

NURSE: SD Dept Health \$5,988.74

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

D. Conflict of Interest Declarations — Linde declared a conflict under item "F" Public Hearing; Resolution 2026-09.

E. Public Comment

1. David Long, Argyle VFD, noted the department has broken ground for the new fire hall. He shared concerns regarding electric service and stated they are in the BH Energy territory but are closer to BH Electric Coop and asked the Commission's help in

communicating with BH Energy to have them defer power for the fire hall to BH Electric Coop, resulting in substantial savings.

2. Pennie Fuhrmann, Pray, LLC, spoke re: Hoffman Tract, section line vacation and water violation concerns. She was concerned about a lack of engineering resulting in problems with Spokane Creek crossings. State's Attorney Kelley has looked into this, as well as Jesse Doyle and the Planning Department will investigate.

3. Dale Ruzicka, Saddleback Road District, shared concerns about unpermitted and unapproved digging across Concho Trail. He noted there was no ROW Occupancy permit pulled, no registered path. He stated he feels powerless to deal with the situation, which affects 30-plus individuals within the road district. Ruzicka wanted to inform the Commission of the situation and asked for assurance that the road district would not be held liable in the future as problems may arise from the unauthorized trenching.

4. Lane Noser, Danby Park, spoke re: Big Medicine Subdivision. He stated John Parker is proposing a 10-lot subdivision and Noser wants a water impact statement done by a private firm. He was told that Custer County rules do not require this and has not been done previously. DANR is in charge of water studies. Noser commented that apparently the water situation is "no big deal" for the County.

5. Greg Speck, Danby Park, stated that when he bought his property, the covenants required 20-acres to build and is concerned that Parker can divide each 10-acre parcel into 10 1-acre parcels. He noted that the additional burden will be assumed by Renegade Pass Road and future overdevelopment. State's Attorney Kelley stated that covenants could be put into place and all landowners would have to sign on, but the County does not enforce subdivision covenants. Commissioner Hartman said that with future additional landowners, there would be additional road district funds for maintenance, and the road condition could actually improve. Commissioner Busskohl stated that the road districts could merge into one. Speck shared concerns about power, roads and overbuilding.

F. 8:05 AM Public Hearing—Resolution 2026-09 Vacation of Section Line-Highway Right of Way.

1. Planning Director, Terri Kester, presented Section Line Vacation re: Parcels 001666, 001667 & 006097 Linde Land, LLC and Marmot Springs Living Trust. This was presented to the Planning Commission 6-9-26, where approval was recommended.

2. Approve Resolution 2026-09 Vacation of Section Line Highway Right of Way. Motion to approve made by Hartman; seconded by Busskohl; vote taken, Hartman, Busskohl, Hindle aye; Linde abstained; motion carried.

G. Highway

1. Kevin Treloar presented the DOT/CSP 2027 MagCL Proposal review. He stated Highway Superintendent Jesse Doyle recommends the Chairman's signature on the proposal, although this is approximately half of the amount received this year. Treloar

said this is for Lower French Creek, America Center, Lane Johnny and LH roads. Motion to approve Chairman's signature made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Treloar presented ROW Occupancy Permit re: Town of Buffalo Gap Watermain Project, S29, T6S, R7E Custer County, SD for Commission approval. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

3. The Commission acknowledged completion of 1-year probationary period for Tanya Pollard.

H. Old Business

1. Cody Hofer-subdivision road improvement and County road specifications. State's Attorney, Tracy Kelley, stated there is no new information regarding this matter. The road in question was not built to County minimum specifications. Brandi Hunsaker sold the property to Hofer and at that time, the road was to be improved; however, the plat had been signed off by the highway department, while no road bond was required. Discussion was held regarding obtaining addresses, but roads need to be named in order for that to happen. Planning Director Kester stated that Hunsaker has met all requirements, but Kester cannot issue permits until the roads are named. She said this is a recurring problem and a process needs to be put into place. Kelley stated since the plat has been signed off by the highway department, not much else can be done other than naming the road. Chairman Lintz said the County will not mandate Hunsaker improve the road, only if she wanted to. Hofer is concerned about the width of the current road. Kelley stated that future subdivision development will trigger improvements. Commissioner Hindle stated that permits should be issued as long as current requirements are met.

I. Sheriff

1. Sheriff Derrick Reifenrath requested Commission approval to promote Dave Clevenger to Lieutenant and increase his wage to \$35/hour. Sgt. Clevenger has been working for Custer County for 8 years and is currently in charge of dispatch and patrol and would like to further develop the administrative staff. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

2. Reifenrath shared that 911 dispatchers are currently rated Class A (6%) in the SDRS retirement system. He presented a proposal in support of moving them to Class B (8%), which allows for earlier retirement for a stressful job. Reifenrath noted this is a statewide push and is in initial stages. This will be added to the 7-22-26 Agenda.

J. Human Resources

1. HR Director, Amber Maidens requested approval to add updated vacation leave verbiage to the Employee Handbook, to state that if an employee leaves before 6 months, accrued vacation will be forfeited. This does not apply to unemployment rules, which are decided by the state. Custer County has a 1-year probationary period.

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

2. Maidens requested approval to reinstate law enforcement overtime verbiage and additional Highway Safety Grant information to Section 3.14 of the Employee Handbook. Overtime for law enforcement begins after 43 hours per week. Highway Safety hours are paid at 1.5 x rate of pay. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

3. Maidens would like to add all amendments and consolidate any previously approved amendments into the handbook. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

4. Request to form a Handbook Committee was made by Maidens. She would like input/review from others, which helps to prevent omissions and errors. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

K. Equalization

1. DOE Director, Scott Storms, requested approval for future hire of Office Manager position. Storms stated this position will require state certification with possible experience in GIS. He will work with HR and GIS to create an updated job description and will likely advertise in a month or so.

L. Raffle Request

1. Raffle Request from Custer County Democratic Party was presented for approval.

Tickets to be sold 9-17-26 through 9-27-26 with drawing to be held at the Custer State Park Roundup Arts Festival. Proceeds to be used for organizational expenses and medical debt relief. Prizes include gift certificates and cash. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

M. Auditor

1. Finance Officer, Dawn McLaughlin, requested approval to reclassify Dana Benjamin's status from training position and reinstate to regular position. Benjamin submitted a letter stating he would agree to work until a qualified individual takes over his position. The Commission thanked him for his hard work. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. McLaughlin requested approval to advertise for the Election position. An updated job description will be created.

3. McLaughlin requested approval to advertise for Deputy Auditor position. An updated job description will be created.

N. Planning

1. Planning Director, Terri Kester, requested approval to advertise open position with an updated job description, including GIS duties and a starting wage of \$19.04/hour with benefits. The starting wage may be higher depending on experience.

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

O. Commission Legal Counsel

1. Commission Legal Counsel, Aaron Davis, presented First Reading: **Ordinance No. 27, for Custer an Ordinance Imposing a County Gross Receipts Tax and a Use Tax County, South Dakota.** Davis read the Ordinance in its entirety and stated the purpose is to help offset property tax. All monies would be collected and deposited into a property tax reduction fund account held by Custer County. This would take place in January, 2027 and the collection rate is 0.5%. 2% of all funds deposited will be set aside for administrative costs. Motion to approve the first reading made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried. The second reading and adoption will take place at the 7-22-26 Commission meeting

2. Davis presented **Resolution No. 2026-11, Custer County, South Dakota, Resolution Initiating Annexation Proceedings for the Unorganized Dewey area into the Edgemont Rural Fire Protection District.** Davis stated this has been a 20-year process and both fire districts are in favor of the annexation. Davis read the resolution aloud in its entirety. Questions arose regarding equipment provided by Custer County and transfer of assets. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

P. Commission

1. HVAC—Joseph Panza met with Custer Heating and is waiting on options and expected costs, as well as replacement of basement units.
2. Mail call – none.
3. Meeting Schedule – FAB meeting 7-9-26 at 5:30 PM at the Annex; 7-10-26 HVAC meeting at 8:00 at the courthouse; SDACC 7-10-26 in Dewey County.
4. Meeting Reports – Hindle attended Argyle VFD breakfast; Linde attended Argyle VFD breakfast, Planning; Busskohl attended Argyle VFD breakfast, Custer City Council, Planning; Hartman attended Planning, BH Energy and Argyle VFD breakfast.

Q. Executive Session

1. Executive Session as per SDCL 28-13-42 Indigent.
2. Executive Session as per SDCL 1-25-2(4) Contract.

Motion to enter and exit Executive Session as per SDCL 28-13-42 Indigent and Executive Session as per SDCL 1-25-2(4) Contract made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Executive Sessions entered at 9:27 AM and concluded at 10:40 AM.

R. Actions Taken by Commission Outside of Executive Session

1. Motion to deny Indigent Request due to lack of information and exhaustion of all avenues made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.
2. Motion to direct legal counsel to draft response to City of Custer re: law

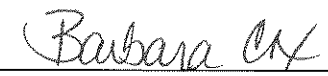
enforcement contract made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.

S. Adjourn

Motion by Hartman and seconded by Busskohl to adjourn the meeting at 10:43 AM. The next meeting will be at 8:00 AM, July 22, 2026 in the Commissioner's Room in the Custer County Courthouse.


Jim Lintz, Chairman



Attest: 

Barbara Cox, Custer County Deputy Auditor

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