

4. Vouchers approved as follows:

PAYROLL: 8-25-2026: Safety \$134.27; Commissioners \$5,741.54; Election \$278.66; Auditor \$10,806.07; Treasurer \$13,682.49; Info Systems & Technology \$3,536.99; State's Attorney \$15,292.69; Courthouse Building \$9,059.74; Director of Equalization \$13,288.83; Register of Deeds \$5,965.18; Veterans Service \$2,171.13; Human Resources \$3,016.45; Sheriff \$55,719.98; Coroner \$1,068.82; Nurse \$783.69; Library \$12,371.85; Conservation \$825.88; Weed & Pest \$4,697.73; Planning \$5,597.38; County Road & Bridge \$38,765.42; Emergency Management \$3,081.77; Emergency Line F \$15,277.34.

COMMISSIONERS: Pitney Bowes \$2,532.25;

AUDITOR: A&B Business \$280.75; A&B Pure Water \$150.78;

TREASURER: A&B Business \$340.00;

STATE'S ATTORNEY: A&B Business \$214.78; Deanna Clayborne \$17; WCCC \$20.25

COURT-APPOINTED ATTORNEY: BH Neuropsychology LLC \$4,000; Hustead Law Office PC \$4,297.80; Yankton County Treasurer \$307.50

COURT: Carol Johnson \$124;

POOR: Chamberlain McColley's \$4,300.

MAINTENANCE: A&B Business \$173.18; BHEC \$198.80; Kieffer Sanitation \$229;

DIRECTOR OF EQUALIZATION: A&B Business \$224.42; Splish Splash Car Wash \$16

REGISTER OF DEEDS: A&B Business \$223.80; US Records Midwest LLC \$293.32

VETERANS SERVICES: A&B Business \$68.62;

HUMAN RESOURCES: A&B Business \$147.27;

INFO TECHNOLOGY: Pitney Bowes \$490.53

SHERIFF: A&B Business 211.78; A&B Pure Water \$54.98; Battle Mt. Humane Society \$1,183; Curtis Blue Line \$900; SD Police Chief's Association \$336;

CORONER: Monument Health Client \$1,500; Rapid City Fire & Emergency \$124.76

AIRPORT: BH Electric Coop \$506.16; City Service Valcon \$20,502.07; Kieffer Sanitation \$43.75;

LIBRARY: BH Energy \$629.06; Custer Ace Hdwe \$6.59; Golden West Technologies \$824.76; Kieffer Sanitation \$125.83; McGas Propane \$89;

EXTENSION:

WEED & PEST: A&B Business \$ 182.24; BHEC \$72.12; Bob Shedeed \$66.76; Custer Ace Hdwe \$108.98;

PLANNING: A&B Business \$185.04;

COUNTY ROAD & BRIDGE: A&B Welding \$15,945.71; A&I Distributors \$327.89; Butler Machinery \$7,952.30; Culligan Water \$6.95; Dakota Fluid Power \$2,169.27; French Creek Supply \$685.48; Great Western Tire \$281.95; Hartshorn Rocks, LLC \$156,000; Inland Truck Parts \$8,886.10; Rosane Construction \$84,979.32; Servall \$225.44; TrueNorth Steel \$4,992; A&B Business \$180.77

EMERGENCY MANAGEMENT: A&B Business \$89.15; BHEC \$58.40; Great Western Tire \$742; RESPEC \$9,622.55;

COUNTY BUILDINGS: G&R Controls \$550; RP Lumber \$6.99;

EMERGENCY LINE: A&B Business \$206.57; A&B Pure Water \$54.97;

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

D. Conflict of Interest Declarations – none.

E. Public Comment

1. Moritz Espy stated while he was tending a booth at the fair, he noticed a number of elderly citizens attending. He shared his concerns regarding rough-surface and uneven parking areas and noted difficulty those citizens have getting in and out of vehicles and would like to see smoother parking areas for them.

2. Mark Sullivan noted the number of flock cameras at Mt. Rushmore and other areas. He inquired if the Commission/Sheriff's Department have plans to install any in our area. Sheriff Reifenrath stated there are no plans to install Flock cameras by Custer County and mentioned no installed Flock cameras belong to Custer County.

F. 8:05 AM Public Hearing

1. Planning Director, Terri Kester, presented request of Vacation of Plat 13; Plat 28; Fountain Tract North and Fountain Tract South, located in the NE1/4 SE1/4 of Section 5, T6S, R4E, BHM Custer County, SD; Parcels 015913 & 015914; Tony Calhoun. She noted the property would be brought back to original condition and the owner did not want a plat. This was presented to the Planning Commission on 8-4-26, where approval was recommended. There were no comments from the public.

2. **RESOLUTION 2026-13; A Resolution by the Board of County Commissioners of Custer County, South Dakota, to vacate the Plat of Fountain Tract North and Fountain Tract South.** Motion to approve Resolution 2026-13 made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

G. 8:10 AM Public Hearing

1. Planning Director Kester presented a new cell tower application re: Parcel 000532 Elevated Towers. This was presented to the Planning Commission on 8-4-26, where approval was recommended. This tower will enable the 3 major carriers to bridge the current coverage gap. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

H. Highway

Highway Superintendent, Jesse Doyle, presented the following ROW Occupancy requests for approval:

1. ROW Occupancy request from Golden West Telecom for utility installation at Custer Limestone Rd/CS284 S1 T3S R2E. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.
2. ROW Occupancy request from Golden West Telecom for utility installation at Mud Springs Rd/NFSR282 S1 T3S R2E. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.
3. ROW Occupancy request from Golden West Telecom for utility installation at Pleasant Valley Rd/CS715 S23 T5S R3E. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.
4. ROW Occupancy request from Golden West Telecom for utility installation at Spring Valley Rd S2 T6S R3E. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.
5. ROW Occupancy request from Golden West Telecom for utility installation at High Plains Rd S30 T4S R3E. Motion to approve made by Hindle; seconded by Hartman; vote taken, all aye; motion carried.
6. ROW Occupancy request from Golden West Telecom for utility installation at W Argyle Rd S5 T6S R4E. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.
7. ROW Occupancy request from Golden West Telecom for utility installation at Cottonwood Cutoff/CS21 & 148th Ave S18 T6S R9E. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

8. ROW Occupancy request from Golden West Telecom for utility installation at Ditch Creek Rd/FS291 S4 T3S R3E. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.
9. ROW Occupancy request from Golden West Telecom for utility installation at Jewell Road S17 T4S R3E. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.
10. ROW Occupancy request from Golden West Telecom for utility installation at Newell Road S16 T4S R3E. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.
11. ROW Occupancy request from Golden West Telecom for utility installation at Pass Creek Road/CS273. Motion to approve made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.
12. ROW Occupancy request from Golden West Telecom for utility installation at Ruby Road S20 T3S R4E. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.
13. ROW Occupancy request from Golden West Telecom for utility installation at Saginaw Road/CS 285. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.
14. ROW Occupancy request from Golden West Telecom for utility installation at Hart Road S10 T6S R4E. Motion to approve made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

Doyle noted the above ROW requests are all for mainline extensions.

15. ROW Occupancy request from Black Hills Energy re: Argyle VFD for utility installation at Argyle Loop Road S9 T6S R4E. Doyle spoke with a local contractor, and it was agreed upon to saw a 6" trench rather than bore underneath the road, creating a potential soft spot across the roadway. Motion to approve made by Hindle; seconded by Linde; vote taken, all aye; motion carried.

I. Finance Office

1. Finance Officer, Dawn McLaughlin, presented July 2026 End of Month Financial report. She stated revenues totaled \$366,335.89; expenditures totaled \$762,778.55, leaving an ending cash balance of \$7,490,511.07. The Commission so acknowledged.

2. McLaughlin presented petition for formation of Wind Dance Ranch Road District for approval. Motion to approve made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

J. Argyle VFD

1. Casey Brazell, Argyle VFD appeared before the Commission to ask that building permit fees be waived for the new fire hall. Planning Director Kester stated that those fees are already waived, as the VFD is non-profit, but cannot be issued until wastewater

information is received from the state. The installer has submitted that information and is awaiting results.

K. Custer VFD

1. The Commission acknowledged an updated 2026 CVFD roster.

L. Weed & Pest

1. Michael Baldwin, Weed & Pest Director, requested authorization of Chairman's signature on written complaint regarding prairie dog encroachment into the Custer County ROW in the Granite Heights Drive area. The Weed & Pest Board has approved the letter and Baldwin stated although the landowner is working on the issue, the letter is still required. Motion to authorize Chairman's signature made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

M. Equalization

1. DOE Director, Scott Storms, requested clarification of verbiage from prior discussion and motion dated 6-24-26 to state "all future staff be certified". Commissioner Busskohl asked for a timeline for employee certification, and it was determined that moving forward, all DOE employees will be certified. Motion to amend previous 6-24-26 motion to read "all future staff be certified" made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

N. Emergency Management

1. EMS Director, Steve Esser, discussed the Countywide Burn Ban. He spoke with the State Fire Marshal and noted there is little moisture predicted for the next couple of weeks. The USFS will meet tomorrow to discuss rescinding level 2 restrictions and Esser will wait until after that meeting to decide whether to rescind the ban in Custer County. At this time, Esser recommends keeping the ban in effect.

2. Travis Hartshorn requested a blanket burn ban exemption for special events scheduled for September and October. He stated events to be held include Custer's Gulch 9-11; BHEC Charity Ride 9-12 and Homecoming 10-16. He will check with the City of Custer for those events held within the city limits. Motion to approve blanket exemption, with fire suppression provided, and dates given to EMS Director Esser made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried. Hartshorn shared concerns regarding incinerators and asked if they fall under the ban, as he did not see them listed. Esser stated he will look into the matter.

3. Moritz Espy also requested an exemption from the burn ban for special events to be held as follows: 9-12-26 BBQ; 9-20-26 Fairburn Fire Department event. Espy stated he will be hosting a large even using an open-flame BBQ located on a concrete pad and fire suppression will be on site. Motion to approve the 9-12-26 event with fire suppression and EMS notified of date made by Busskohl; seconded by Linde; vote taken, all aye; motion carried. Motion to approve the 9-20-26 event with fire

suppression and EMS notified of date made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

O. Search & Rescue

1. Sam Smolnisky, S&R Director and Sheriff Reifenrath requested approval of 2025 Homeland Security Grant in the amount of \$11,079.40 to purchase digital radios. Custer County will be reimbursed for the purchase; the budget will be supplemented. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

2. Smolnisky stated Custer County Search & Rescue has entered a contest to win a Defender and is in the top 2. He would like to host a watch party when the winner is announced on 9-12-26.

P. Old Business

1. Approval of new Retail On-Sale Liquor License application re: Courtney Phillips and Andrea Kelly dba Butte Bar, 14193 E French Creek Rd, Fairburn, SD was requested. Commissioner Busskohl stated this will have to be placed on the 9-9-26 Agenda with new public hearing notice published. A lease has been sent, but the applicant has changed so a new hearing will be advertised and set.

Q. Commission Legal Counsel

1. Request was made to authorize Legal Counsel to draft and sent letter on behalf of Custer County to Alan Akers regarding unauthorized improvements to a section line. Discussion was held as to what improvements are being made; Pennie Fuhrman stated ground has been broken and disturbed on her property without her consent in what has become a years' long battle. She stated she finds it disturbing that someone can do work on her private property without notification or permits. She had the property surveyed 3 years ago, and the work being done by Akers is on her property and she asked that ordinances be enforced. State's Attorney Kelley asked what he is improving and has been in communication with Akers. Chairman Lintz stated Akers should know better, as he is a former representative and needs to follow the rules. Motion to table until after Executive Session made by Busskohl; seconded by Linde; vote taken, all aye; motion carried.

2. Davis presented update regarding the Custer County Budget Policy and discussed implementing the policy for the 2027 budget. He noted the policy includes a timeline, so that all those involved will understand the timing and necessary meetings. The policy includes requiring detailed documents, communication, worksheets, budget issues, expenditures, etc. Davis also shared the policy overview that discusses what a budget is, budget authorities, supplements, available funds, definition of terms for transparency. Davis requested Commission feedback for implementation.

R. Commission

Published once at the total approximate cost of _____.

1. HVAC—Joseph Panza, Maintenance Supervisor, stated the JAM would like to have a Mitsubishi representative visit the courthouse to determine if mini-splits would be an option; Panza checked with the City of Custer, and they are satisfied with their mini-split system.
2. Mail call – Invitation to BH Works Foundation Gala; letter from Disability Rights SD regarding compliant polling places in Custer County.
3. Meeting Schedule – Sept. 15 & 16 SDACC Fall Convention in Sioux Falls, SD.
4. Meeting Reports – Hindle attended special Commission meetings; Linde attended special Commission meetings; Busskohl attended Custer City Council.
5. Request to surplus Sheriff's vehicle made by Reifenrath. Insurance has declared the vehicle a total loss, with a value of \$24,075, less a \$1K deductible (\$23,075). Motion to accept the insurance settlement and sell vehicle made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried. Finance Officer McLaughlin will sign the title.

S. Executive Sessions

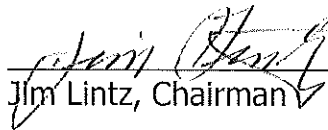
1. Motion to enter and exit Executive Session as per SDCL 1-25-2(3) Legal; Executive Session as per SDCL 1-25-2(4) Contract; Executive Session as per SDCL 1-25-2(1) Personnel made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried. Executive Session entered at 8:58 AM and concluded at 9:36 AM.

T. Actions Taken by Commission Outside of Executive Session

1. Motion to untable Item "R" #1 and authorize State's Attorney to send letter to Akers advising no further work within the section line without Commission approval made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

U. Adjourn

Motion by Busskohl and seconded by Linde to adjourn the meeting at 9:38 AM.
The next meeting will be at 8:00 AM, September 9, 2026 at the 1881 Courthouse Museum Courtroom.


Jim Lintz, Chairman



Attest: 

Barbara Cox, Custer County Deputy Auditor