Minutes of the Custer County Commission Meeting, Wednesday, October 7, 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 to Section "Q", Item #4, Executive Session Pursuant to SDCL 28-13.42, Indigent. Motion to approve Agenda as amended made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

C. Consent Agenda

1. Motion by Busskohl to approve Minutes of the 9-23-2026 and 9-30-2026 (2026 Budget Hearing) Commission meetings; seconded by Hindle; vote taken, all aye; motion carried.
2. Vouchers approved as follows:

PAYROLL: 10-5-2026: Register of Deeds $5,965.20; Veterans Service $1,919.14; Human Resources $3,016.46; Sheriff $55,573.62; Coroner $1,068.83; Nurse $313.47; Library $12,502.33; Conservation $825.87; Weed & Pest $3,484.87; Planning $5,597.39; County Road & Bridge $38,471.73; Emergency Management $3,081.76; Emergency Line F $16,098.56

COMMISSIONERS: Catastrophic Legal Expense Relief Program $4,862.; Valhalla Legal, PLLC $4,220.

COURT: Cassiopeia Fox Belly $20.; Haylee Jo Cottier $153.

COURT APPOINTED ATTY: Colbath and Sperlich (L. Brady) $172.60, (CH) $1,241.78, (SJ) $988.62, (LM) $641.90; McCoy PC (KM) $1,614.80, (JS) $935.40

CORONER: Clinical Lab of the Black Hills $2,500.

AUDITOR: A&B Business $274.56; FEDEX $37.91; Quill, LLC (Auditor Supplies) $110.34; Tyler Technologies $580.

DISPATCH: A&B Business $232.06; Midwest Alarm Fire & Security Systems (911 Furn/Minor Equip) $1,948.85; (911 Other) $15.57; Range $25.97

TREASURER: A&B Business $354.01

STATE'S ATTORNEY: A&B Business $184.79; Rapid City Police Dept. $100.

MAINTENANCE: A&B Business $170.42; Black Hills Chemical (Library) $104.94, (Courthouse) $172.43; Black Hills Energy (S&R Electric) $360.53, (EMS Electric) $34.31, (Carport Electric) $27.11, (Courthouse Electric) $4,010.35; City of Custer-EFT (Library Water/Sewer) $96.11, (Courthouse Water/Sewer) $173.79, (S&R Water/Sewer) $96.11

DIRECTOR OF EQUALIZATION: A&B Business $211.85; Ramkota Hotel (Travel/Conf) $1,680.

REGISTER OF DEEDS: A&B Business $228.52

VETERANS SERVICE: A&B Business $68.62; Todd Fish (Travel/Conf) $830.; Tyler Technologies $504.50

HUMAN RESOURCES: A&B Business $143.66

SHERIFF: A&B Business $199.21; Artistic Custom Badges & Coins, LLC $750.; Axon Enterprise, INC $895.; City of Custer $340.; Custer Ace Hardware $15.99; FBI LEEDA $1,590.; FEDEX $137.45; Great Western Tire $711.20; L&A Welding $1,245.08; McLeod's Printing $218.70; Motorola Solutions $33.00; Noah Tietsort (Keys) $76.34; Pheasantland Industries (Sheriff Uniforms) $580.98, (Sheriff Supplies) $140.; Phoenix Uniforms & Tactical (Sheriff Supplies) $297.47; Smyth Automotive $105.99; U.S. Armor Corporation $1,990.06; Uline $310.53; Vanway Trophy & Award $81.25

PRISONER CARE: City of Rapid City $100.; Dakota PETCT MRI (T.Popkes) $310.19; Jacquelyn Nelson PBT (ASCP) $125.00; T. Popkes $6.61; D. Dean $13.39; T. Debter $8.17; P. Kock $100.86; Pennington County Jail (Prisoner Transport) $191.40

AIRPORT: City Service Valcon $21,141.31; Mead & Hunt, INC $7,924.87

WEED & PEST: A&B Business $173.74; French Creek Supply $330.41; Michael Reck $54.91; Robert Myers $60.72

PLANNING: A&B Business $178.71

COUNTY ROAD & BRIDGE: A&B Business $184.07; MASTERCARD: Amazon Shop Supplies $118.15; GoldenWest-Buffalo Gap $40.32; Kieffer Sanitation-Hermosa $162.69; Kieffer Sanitation-Custer Hwy. $216.11; Mt. Rushmore Telephone-Hermosa $180.04; GoldenWest-Buffalo Gap Telephone $40.32; Nelson's Propane-Buffalo Gap $280.18; Black Hills Electric Coop $823.72; Amazon (Real Truck Backrack) $239.99; A&I Dist. (Oil, Grease, Antifreeze) $4,637.04; Harbor Freight (Shop Supplies) $325.91, (Tools/Equip over $100) $329.99; Amazon Lights & Hardware Kit $153.90; Black Hills Energy-Buffalo Gap $52.23

EMERGENCY MANAGEMENT: A&B Business $88.50; OTG Alerting $1,000.

COUNTY BUILDINGS: Custer Ace Hardware (Courthouse Improvement) $187.95, (Courthouse Repairs/Maint) $8.76; The Carpet Garage Flooring Center (Courthouse Improvement) $7,899.

D. Conflict of Interest Declarations – None

E. Public Comment

1. Tana Morehead with the Small Business Administration Office of Disaster Recovery (SBAODR) stated that she was "here in South Dakota" in response to the storms that took place June 2 through June 4, 2026. Morehead said that Custer County is one of the counties included in the Disaster Declaration, and that the SBAODR is offering financial assistance to the small business owners who might have been impacted by the storms. She provided an informational flyer to share with Custer County constituents via social media or website which offers additional details regarding the financial assistance program. Morehead offered to meet and speak with business owners/organizations in Custer County. Sarah Myers said she would help facilitate the arrangement of holding the meetings in the Pine Room at the Custer County Library.
2. Tom Stock had questions regarding "this fire district that got voted in last time." He had heard that taxes would be going up "6%" and was seeking clarity from the Commissioners regarding the matter. Busskohl clarified that it wasn't a fire district that passed; it was the Fire Opt-Out; voted on by the voters. Stock asked if the Opt-Out would affect "our real estate taxes." Busskohl clarified "property taxes?" Stock answered "yes." Busskohl said "it will" and asked Finance Officer Dawn McLaughlin if she had the "number." McLaughlin said numbers were not available yet because they are still being calculated. Stock reiterated he was told "about 6%." Stock went on to say he had a conversation with "the Fire Chief" and that he (Stock) is not the only home "that lives on top of the Black Hill," and that he was told on the phone that because of where he lives; he would not be receiving any fire protection. Stock asked how many people have houses on top of hills, in Custer County, that the Fire Chief said will not be protected? Stock stated his property is surrounded by private property, and therefore, doesn't receive any Federal or State help with fire protection. Hindle asked Stock which fire department was his. Stock answered, "Custer." Busskohl pointed out that it is multiple fire departments that will receive additional funding, and that Federal and State do take over during larger fires. Stock continued by listing the measures he has taken in fire mitigation to protect his own property. Stock, again, expressed concern that his home would be overlooked by the fire department in the event of a fire based on his phone conversation with "the Fire Chief." Emergency Management Director, Steve Esser, explained that sometimes, during a fire, conditions and limited access to structures prevent anyone from being dropped in. Stock shared his past

firefighting experience with the Commission saying he understood what Esser was saying; but that he was still concerned that in the event he needed emergency help at his residence, would he still receive it. Busskohl pointed out that these were two different scenarios being discussed. Hindle commented that the "6%" didn't sound correct to him. He then asked if anyone knew what the valuation was on $400,000. McLaughlin believed that, online, it was listed as going from $50. to $79. Stock referenced the fundraising letter sent out by the Custer Fire Department. Hindle commented he had "a lot of people coming to him" with questions in reference to the letter. In closing, Stock stated he wanted to "put the Commission on notice" regarding what he had been told and that it concerned him that he may have to fight his own fire. Lintz stated the Fire Chief should have never stated his comment that way in his conversation with Stock, and that each fire department determines how they approach a fire situation. Hindle said it is a concern what was said to Stock and unjustified. Busskohl said when there is a discussion with all of the fire departments, "they'll talk to him about it."

3. Dale Ruzicka started out by reminding the Commission that he had addressed them a couple months ago regarding excavating, ROW, and road district, and that he had received an opinion from the Attorney General. Ruzicka first asked how many road districts there are. Finance Officer McLaughlin responded "68." Ruzicka said it was made clear to him neither the State nor the County is willing to help with the writing of the road district ordinances. His next question to the Commission was do they want 66 road districts writing their own individual ordinances, or, would the County or somebody be willing to help coordinate the districts, maybe through the planning committee, to set some standardization, permitting fees and penalties, etc. Ruzicka said it might help to lessen the "squabbling that goes on in the road districts and the harassing of County employees that sometimes occurs." Ruzicka mentioned his Road District is proceeding with the help of a person (pro bono) from Gunderson, Palmer, Nelson & Ashmore, LLP (GPNA) in regard to this matter. Ruzicka stated he is willing to share their findings, but it doesn't take care of the other 65 Road Districts who will be faced with the same issue in the future. Hindle commented to Ruzicka that by taking the initiative now, and having a plan adopted, his Road District will be better off in the future. Ruzicka agreed. Lintz clarified the County and Road Districts share the same authority regarding this matter. Hindle pointed out "if it's adopted." Ruzicka said he had spoken with Highway Superintendent, Jesse Doyle regarding the County's permitting process for things such as approaches, driveways, etc. and learned "the County has no authority to even overlook that." Doyle suggested maybe Ruzicka could reach out to each Road District's contact person to tell them what his Road District is working on. Hindle concluded by saying he thinks the Road Districts need to comply with their approaches, etc. if they wish to obtain a building permit; stating, that would be about the only area where the County would become involved. Lintz asked if anyone else had a public comment. No one else spoke.

F. **CHS – EMPLOYMENT PROGRAM:** Amber Maidens, Human Resources Director

1. Approve CHS Employment Program, Project Skills. Maidens referenced the Commissioners' request, at a previous County Commission Meeting, that the documents for Project Skills be sent to legal for review. Maidens stated she had sent the documents to Legal Counsel, Aaron Davis and State's Attorney, Tracy Kelley, and emailed a copy to each Commissioner. Maidens said Kelley was familiar with the program, so had no comment. Maidens then deferred to Davis for comments. Davis stated "it all looked really good, great track record" and " that there is no downside for us...liability or anything." Hartman asked "who would be overseeing it?" Maidens said each department will be working directly with the school. Busskohl asked if any of the Department Heads present had any comment. Custer County Sheriff, Derrick Reifenrath said, consciously he couldn't allow kids to be exposed to some of the things the Sheriff's Department sees. Based on that, Reifenrath said they would probably not be able to participate. Motion to approve by Hartman; seconded by Busskohl; vote taken, all aye.

G. **LIENS:** McKinsey Scroggin, Lien Clerk/Accounts Payable

1. Scroggin presented the 3rd annual numbers report for the lien/collections position. She began by stating the position began in early 2024, with the first presentation given to the Commission and community in April 2024. By her first presentation, Scroggins had completed 7 satisfactions of liens during her training period. She has increased that number to 47 satisfactions of liens, both criminal and poor, as of today. By April 2024, she had only collected $12,600. Scroggins was pleased to report that dollar amount has increased to $137,800. Even with the increase, Scroggins said 2026 wasn't the year she was hoping for regarding collection and the continued formation of the Lien Clerk position. She cited part of the reason 2026 did not meet her expectations was because she and Deputy Finance Officer, Michelle Zerfas split the Accounts Payable position in January 2026; thus, eliminating the need for a separate position in the office. Scroggins was also assisting with elections due to a staffing shortage. With the addition of 2 new hires in the Auditor's office, Scroggins says she will be able to focus more on liens and collections for 2027.
2. Scroggins moved on to discuss and have approved the adoption of new poor guidelines. Scroggins said she hoped the Commissioners had a chance to look over the new guidelines, and then credited State's Attorney, Tracy Kelley and Legal Counsel, Aaron Davis for their contributions to the process. Hindle asked where the "numbers" in the poor guidelines originated from. Scroggins replied Kelley had suggested looking at Pennington County's poor guidelines and making them more suited to Custer County's needs. The "numbers" for Appendix A - Income Guidelines came from the Federal Poverty Standards document; Appendix B - Maximum Shelter Contributions came from current HUD Fair Market Rents for the Custer County, South Dakota HUD Metro FMR Area. Scroggins suggested Appendix B be reviewed annually. Jason Ferguson from The Custer Chronicle asked what are the guidelines used for? Scroggins

replied the guidelines help to treat each case with the exact same standards. Linde asked if The City of Custer contributes at all. Kelley said the city is not legally obligated to contribute. Scroggins said that some of the cities, Custer, Hermosa.. do help out of kindness and because they are able to. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye: motion carried.

H. **COUNTY CHRISTMAS PARTY:** Amber Maidens, Human Resources Director & Scott Storms, DOE

1. Discussion and approval of 2026 Custer County Christmas Party. Storms humbly asked if the Commission was interested in having a County Christmas Party like there has been in past years. Hartman asked Storms if he remembered how much it cost. Storms replied "about $2,700." Hartman, "and that was for employee and spouse?" Storms, "employee plus one." Linz asked if it was going to be held in the same place (Crazy Horse Memorial). Storms said that hadn't been decided, but Maidens had sent something out asking for feedback. Storms added that would probably be the ideal place because they (Crazy Horse Memorial) seem to have everything, everyone likes. Busskohl asked if there had been much feedback. Maidens responded, "no, but people really appreciate being able to bring their spouse or plus one." Busskohl suggested getting an estimate from the facility the party will be held at. Storms said he'd gather hard numbers to present to the Commission.

I. **EMERGENCY:** Steve Esser, EMS Director

1. Approve Chairman's signature on LEMPG 85-25 Single Signature form to be signed by Commission Chair. Motion to approve by Hindle; seconded by Linde vote taken, all aye: motion carried.
2. Esser mentioned an alternative to the County's present method of printing on-site personnel identification. It is called the Salamander system, and Amber Maidens received training on it at the South Dakota Emergency Managers Association Conference. Esser said the State will provide the "consumables" ex. cartridges. The printer will cost $5,000.

J. **EAST CUSTER COUNTY AMBULANCE DISTR:** Dawn McLaughlin, Finance Officer

1. Approval and signature by Commission Chair on Amended Order for Organization and Incorporation of the East Custer County Ambulance District because when the Order was submitted, the word "County" was left out. Motion to approve by Busskohl; seconded by Hindle; vote taken, all aye: motion carried.

K. **Airport:** Aaron Davis, Legal Counsel

1. Approve the Chairman's signature on County letter to the FAA regarding covenants on airport property and of sending the letter by email to the FAA. Davis said he had been working with Mead & Hunt regarding the discussion with the FAA about the covenants involved with construction at the Custer County Airport. Mead & Hunt made suggestions of what could be submitted to the FAA

on Custer County's position regarding covenants. The letter is requesting the FAA appropriately adjust the covenants so the Airport project could be completed. Upon signature approval, Davis said the letter would be emailed by the Auditor's Office to FAA contacts. Hartman stated the covenants were placed on the purchased property by the Forest Service. Motion to approve by Hartman; seconded by Hindle; vote taken, all aye: motion carried.

L. Sheriff: Derrick Reifenrath, Sheriff

1. Acknowledge the hiring of Quintin Gilg as a full-time Deputy Sheriff, fully benefited, with starting wage of $26.32 and a start date of October 19, 2026. Reifenrath said Gilg has a BA in Criminal Justice from Chadron State College and has been a Custer County Sheriff Reserve since 2024. Gilg is an EMT and firefighter. Reifenrath said Gilg's "soon to be" previous job is working for the Park Service at MT. Rushmore. Hartman asked Reifenrath if Gilg has a slot in the Academy yet. Reifenrath said that he has asked for a slot, but has not received a reply yet; but that "yes," Gilg will have to go to the academy. Hindle said "so he is uncertified?" Reifenrath answered, "yes, he is uncertified." Motion to approve by Hindle; seconded by Busskohl; vote taken, all aye: motion carried.
2. Reifenrath mentioned the Sheriff's Department has conducted more Dispatch interviews and he believes they will be hiring another dispatcher, and he will have that on the next Agenda.

M. HIGHWAY: Jesse Doyle, Highway Department Superintendent

1. ROW Occupancy request from Golden West Telecom for buried fiber optic facility at Cross Road S2 T4S R4E. Motion to approve by Hartman; seconded by Busskohl; vote taken, all aye: motion carried.
2. ROW Occupancy request from Golden West Telecom for buried fiber optic facility at Mill Drive S14 T4S R4E. Motion to approve by Busskohl; seconded by Linde; vote taken, all aye: motion carried.
3. ROW Occupancy request from Golden West Telecom for buried fiber optic facility at Ridgeview Springs Road S31 T6S R6E. Motion to approve by Linde; seconded by Busskohl; vote taken, all aye: motion carried.
   Doyle told the Commission the increase in ROW permits is federally driven because Golden West Telecom receives money back from the Federal Government through "the broad band connectivity deal, through the State, through the Feds." Golden West Telecom has to meet so many service connections to people in order to qualify for the money. Doyle continued by stating "Pine Ridge and Rose Bud did not want Golden West Telecom on, part way through the project." The permits slotted for that area were than allotted to the surrounding counties.
4. Discussion/action on Granite Heights development. Doyle said Custer City Planning (CCP) is currently in the planning stages of further expansion of the Bearded Buffalo property, east of Custer. The purposed expansion and development shows multi-family housing to be placed on the west side of the

Bearded Buffalo property with 2 access points onto Granite Hill Road. Doyle said the CCP was asking for comments to be turned in today, and that he took this to the Planning Commission last night during their public comment section. Doyle expressed concern with the following:

a. It is imperative Custer County be involved in this process as long as it affects the County regardless of the City's Extraterritorial Clause.
b. Placing 2 additional access points on Granite Heights Road (GHR), a County maintained road, for multi-family housing will place considerably higher traffic levels onto GHR. Doyle continued by saying this will cause higher maintenance costs to County infrastructure, while the City will see increased tax revenue. The traffic increase on GHR will mean a traffic increase at the intersection of Mineral Dr. and Highway 16a where there is a "line of sight" issue looking towards the west, with added congestion during school hours. Doyle suggested the DOT be involved.
c. There is a sewer line that runs under GHR via an easement, and is the property of the East Custer Sewer District. It has known issues that the sewer district is aware of and it wishes to improve the line at some point. The same sewer line has prevented the installation of proper sized culverts on GHR to improve the drainage on French Creek.
d. Doyle concluded with while he agrees the idea of multi-family housing is good and is needed in the area, the proposal needs to be reviewed carefully, by all "stakeholders" and alternative access be considered.

5. Busskohl agreed with Doyle. EMS Director, Steve Esser is concerned that the purposed development is in a flood area where work is being done to lessen flooding impact. Esser is curious as to how the development will be elevated to avoid flooding. Hindle asked Doyle if he had visited with the DOT. Doyle had not as of yet. Hindle was concerned with the wear and tear on GHR. Doyle pointed out there is roughly 140 parking spaces allocated to the development. Busskohl and Hartman agreed that additional information is needed from the City. Sheriff Reifenrath expressed safety concerns with the additional, left-turning traffic 140 parking spots would create. Busskohl made a motion to have Legal Counsel, Aaron Davis draft and send a letter from the County Commission to the City Planning Commission sharing concerns from County Emergency Services, Highway Department, Sheriff, etc. Motion to approve by Busskohl; seconded by Hindle, vote taken, all aye: motion carried.

6. Discussion and approval of a new diesel, 185 cfm, tow-behind air compressor for $32,000. to replace the current one that was purchased 20 years ago. Motion to approve by Busskohl; seconded by Hindle; vote taken, all aye: motion carried.

N. **FINANCE:** Dawn McLaughlin, Finance Officer

1. Acknowledge new State Mileage Rates effective October 1, 2026. Rates are as follows: $0.76/mile; or, $0.34/mile if a state employee chooses to use their personal vehicle when a fleet vehicle is available. McLaughlin said Custer County usually follows the State rates. She said the County is currently at $0.70/mile; or $0.31/mile. Hartman said he likes the idea of following the State rates. Motion to approve by Hartman; seconded by Busskohl; vote taken, all aye: motion carried. Hindle clarified the Custer County Commissioners do not go by these rates. Instead they receive a stipend.

O. **HUMAN RESOURCES:** Amber Maidens, Human Resources Director

1. Discussion and approval of a Temporary addendum to 3.13 of the Handbook. Maidens said "temporary addendum" because they are in the middle of updating the Custer County Employee Handbook. The Temporary addendum 3.13 is to read: Purposed Department Hours of Operation that defer from the standard M-F, 8am-5pm schedule must be presented to the County Commission for review and approval before implementation. The Commission will consider requests on a case-by-case basis taking into account each department's responsibilities, staffing and public service needs. Motion to approve by Hartman; seconded by Hindle; vote taken, all aye: motion carried.
2. Discussion and approval of Human Resources Change in Hours of Operation. Maidens asked for Commission approval to begin work days as early as 7:30am with departure time between 3:30pm to 5pm. Motion to approve by Hindle; seconded by Busskohl; vote taken, all aye: motion carried.

P. **Commission**

1. HVAC – No new news
2. Mail call – Invitation from South Dakota Pork Producers Council for October 28, 2026 Swine & Dine Event. Attendees need to RSVP by October 16th.
3. Meeting Schedule – Fire Advisory Board Meeting, Thursday, October 8, 2026 at 6pm in Argyle.
4. Meeting Reports – Hindle attended the Custer County Annual Budget & Custer County Republicans Meetings; Busskohl attended Custer City Council Planning Meeting, Highlands Pancake Breakfast Fundraiser & the Republican Lincoln Day Dinner; Hartman attended a Custer County Housing meeting & a Custer County Planning meeting.

Q. **Executive Session**

1. Executive Session as per SDCL 1-25-2(3) Legal
2. Executive Session as per SDCL 1-25-2(4) Contract
3. Executive Session as per SDCL 1-25-21(1) Personnel

4. Executive Session as per SDCL 28-13-42 Indigent
   Motion to enter and exit Executive Sessions as per SDCL 1-25-2(3) Legal; SDCL 1-25-2(4) Contract; SDCL 1-25-21(1) Personnel; SDCL 28-13-42 Indigent made by Linde; seconded by Busskohl; vote taken, all aye; motion carried. Executive Session entered at 8:55 AM and concluded at 10:40 AM.

R. Actions Taken by Commission Outside of Executive Session

1. Motion to Approve Indigent Request made by Linde; seconded by Busskohl; vote taken, all aye; motion carried.
2. Scott Storms wanted to give an update on the Custer County Christmas Party; $2,969. was spent on last year's party. He sent an email out to Laughing Waters at Crazy Horse Monument for an estimate.

S. Adjourn

Motion by Hartman and seconded by Busskohl to adjourn the meeting at 10:50 AM. The next meeting will be at 8:00 AM, Wednesday, October 21, 2026 in the Commissioner's Room in the Custer County Courthouse.

Jim Lintz

Jim Lintz, Chairman

Attest: Stacy A. Armbruster

COUNTY AUDITOR SEAL CUSTER, SOUTH DAKOTA

Stacy Armbruster, Custer County Deputy Auditor

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