

# CUSTER COUNTY

2025-2029 Five Year  
County Highway and  
Bridge Improvement Plan



**COVER FORM AND CERTIFICATION**

**The following text shall be included on the front cover of the Custer County Highway and Bridge Improvement Plan:**

---

Certification: As approved this 25 day of Sept 2024  
Custer County Commission

By:   
County Commission Chairperson

Attest:

  
County Auditor or Clerk



County Contact Person: Jesse Doyle  
Highway Superintendent  
Phone Number: (605) 673-5678  
Email Address: [jdoyl@custercounty.com](mailto:jdoyl@custercounty.com)

Received by SDDOT on 10-7-24  
Approved by SDDOT on 10-7-24

---

## CHECKLIST OF REQUIREMENTS FOR ANNUAL UPDATE

  X   Certification Form

  X   Projected Revenue Available per year

  X   5-year Project List (Programmed Projects)

  X   Project Status List

  X   Notice of Public Meeting

  NA   Township coordination letters/notice (sample letter and mailing list is acceptable)

### **There are no organized townships in Custer County**

  X   Attendance list from public meeting (all attendees – not just commission members)

  X   Public Comments (if no comments are received, clearly indicate that in the plan submittal) Public Comments are as noted in the Minutes of the meeting.

# **REVENUES AND PROGRAM**

## 2025 - 2029 CUSTER COUNTY

**REVENUE SOURCES TABLE (Show amounts in thousands of dollars)**

Account Description	2025	2026	2027	2028	2029
<b>Local Funds</b>					
General Funds-property tax	\$ 620	\$ 620	\$ 620	\$ 620	\$ 620
Motor Vehicle Licenses	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600
Wheel Tax	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180
Annual STP Payout Funds	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240
<b>Intergovernmental Funds</b>					
Secondary Roads					
<b>State Funds</b>					
BIG – PE ( planning to apply for)					
BIG –PE (awarded by DOT)					
BIG – Preservation (planning to apply for)					
BIG – Preservation (awarded by DOT)					
BIG – Rehab/Repl (planning to apply for)	\$ 520				
BIG – Rehab/Repl (awarded by DOT)					
DOT/Custer State Park Access Road Funding	\$ 58				
OTHER (Match on STP Projects, Pavement Marking Prj.)					
<b>Federal Funds</b>					
TAP					
ER/FEMA					
OTHER (STP, Bridge, <u>Signing</u> , Hazard Elimination, SIB Loans)					
<b>TOTAL</b>	\$ 2,218	\$ 1,640	\$ 1,640	\$ 1,640	\$ 1,640

**Note:**

- For State and Federal Funds, only enter the applicable amount (i.e. 80% of total project cost).
- Include both BIG funds awarded and BIG funds that will be applied for but not yet received.

**2025 - 2029 CUSTER COUNTY**

**FIVE-YEAR PROGRAMMED PROJECT LISTING**

Project Location	Project Description	Year	Proposed Five-Year Project Funding Information						Total Cost of Project
			Local Funding	Federal Funding	State Funding	Unfunded	Anticipated Grant	Total Funding	
0.4 E of Buffalo Gap over Beaver Creek Structure No 17-379-260	BIG Preservation or Replacement Project	2025	130	520				650	650
17-2400-0624 Granite Heights	Small Structure Structure Replacement	2025	60					60	60
County Wide	Magnesium Chloride Treatment	2025	200		58			258	258
County Wide	Grading and Aggregate Resurfacing	2025	500					500	500
County Wide	Small Structure Structure Replacement	2025	100					100	100
County Wide	Grading and Aggregate Resurfacing	2026	500					500	500
County Wide	Small Structure Structure Replacement	2026	100					100	100
County Wide	Mag Chloride / Dust Stabilization	2026	200					200	200
County Wide	Grading and Aggregate Resurfacing	2027	500					500	500
County Wide	Small Structure Structure Replacement	2027	100					100	100
County Wide	Mag Chloride / Dust Stabilization	2027	200					200	200
County Wide	Grading and Aggregate Resurfacing	2028	500					500	500
County Wide	Small Structure Structure Replacement	2028	100					100	100
County Wide	Mag Chloride / Dust Stabilization	2028	200					200	200
County Wide	Grading and Aggregate Resurfacing	2029	500					500	500
County Wide	Small Structure Structure Replacement	2029	100					100	100
County Wide	Mag Chloride / Dust Stabilization	2029	200					200	200

**State Funding Includes:** 80% of awarded BIG projects and approx. 20% match on STP projects.

**Anticipated Grant (BIG):** 80% of total

## 2025 - 2029 CUSTER COUNTY

### UPDATE OF PROJECT STATUS

Project Location	Project Description	Year	Status
0.4 E of Buffalo Gap over Beaver Creek Structure No 17-379-260	BIG Preservation or Replacement Project	2025	Will apply for BIG replacement Grant
County Wide	Magnesium Chloride Treatments	2025	Future Project
County Wide	Grading and Aggregate Resurfacing	2025	Future Project
County Wide	Small Structure Structure Replacement	2025	Future Project
County Wide	Grading and Aggregate Resurfacing	2026	Future Project
County Wide	Small Structure Structure Replacement	2026	Future Project
County Wide	Mag Chloride / Dust Stabilization	2026	Future Project
County Wide	Grading and Aggregate Resurfacing	2027	Future Project
County Wide	Small Structure Structure Replacement	2027	Future Project
County Wide	Mag Chloride / Dust Stabilization	2027	Future Project
County Wide	Grading and Aggregate Resurfacing	2028	Future Project
County Wide	Small Structure Structure Replacement	2028	Future Project
County Wide	Mag Chloride / Dust Stabilization	2028	Future Project
County Wide	Grading and Aggregate Resurfacing	2029	Future Project
County Wide	Small Structure Structure Replacement	2029	Future Project
County Wide	Mag Chloride / Dust Stabilization	2029	Future Project

**Custer County 2025-2029 Road Re-gravel schedule**

**2025**

Riverside Road	6 miles
Black Granite	2 miles
Medicine Mountain Road	2 miles
Saginaw Road	2.5 miles

**2026**

7-11 Road	3 miles
Mann Road	2.15 miles
Cobb Road	3 miles
South Fairburn Road	3 miles

**2027**

Pass Creek	2.5 miles
South Fairburn Road	5 miles
18 Mile Road	5 miles
7-11 Road	4 miles

**2028**

Dewey Road	4 miles
Lime Kiln	2 miles
Bavarian Road	.3 mile
Dry Creek Road	2 miles

**2029**

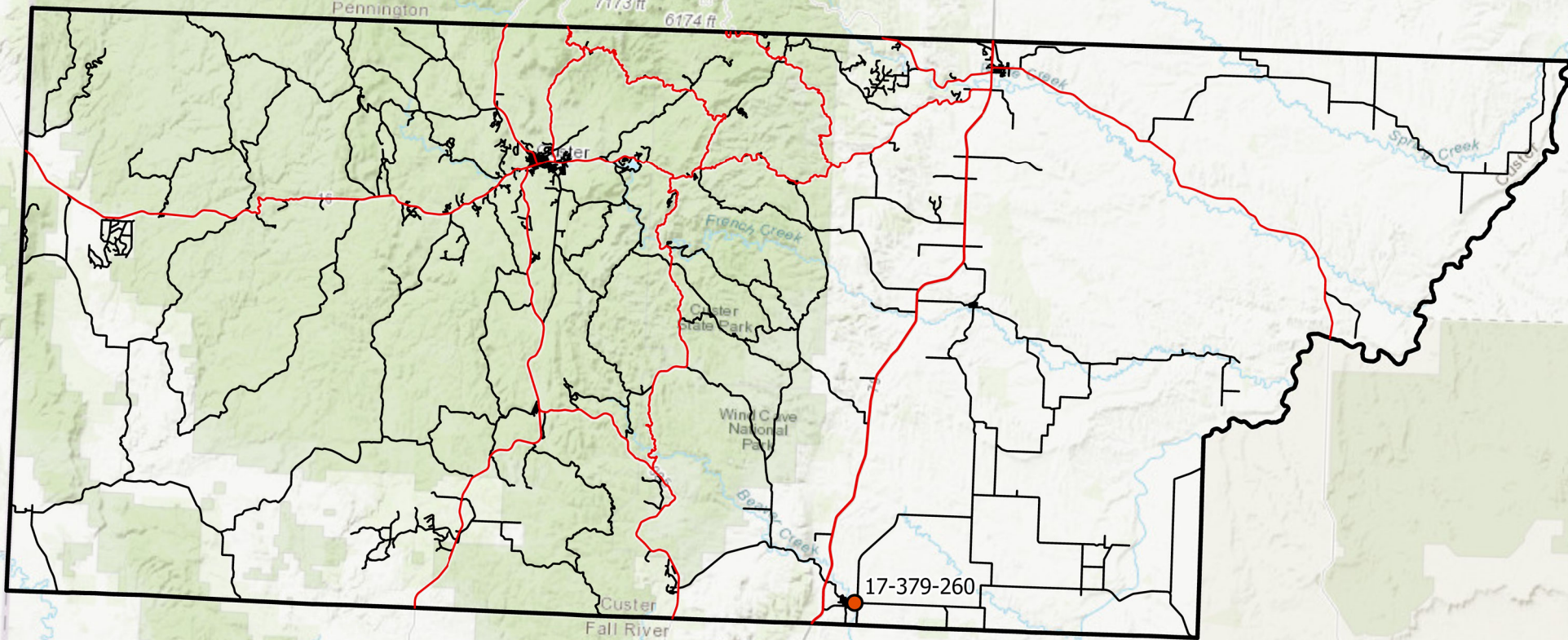
Little Italy Road	.75 mile
Box Canyon Road	3.3 miles
Lower French Creek	2 miles
Downen Road	2 miles



**MAPS**

The image features a solid green background with a vertical gradient, transitioning from a lighter shade at the top to a darker shade at the bottom. On the right side, there are several parallel white lines that are slightly curved and extend from the top right towards the bottom left, creating a sense of motion or a stylized graphic element.

# 2025-2029 Custer County 5 Year Road Plan



## Project Plan

-  Bridge Replacement 2025/2026
-  Highways
-  Roads
-  Custer County

# **PUBLIC INPUT**

The image features a solid green background. In the center, the words "PUBLIC INPUT" are written in a bold, black, sans-serif font. On the right side of the image, there are several parallel white lines that start from the bottom and extend towards the top right corner, creating a sense of movement or a graphic element.

There are no organized townships in Custer County

**Affidavit of Publication**

State of South Dakota )  
 )ss.  
County of Custer )

Jerry Lee Lenander of said county, being duly sworn, on oath says that he is publisher of the Custer County Chronicle, a weekly newspaper printed and published in Custer City, said County of Custer and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein, mentioned, and was and is printed wholly or in part in an office maintained at said place of publication: that the

Custer County Highway  
Notice of Public Meeting

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for two successive week(s), on which said newspaper was regularly published, to wit:

Sept 11, 2024; Sept 18, 2024;  
\_\_\_\_\_, \_\_\_\_\_; \_\_\_\_\_, \_\_\_\_\_;  
\_\_\_\_\_, \_\_\_\_\_; \_\_\_\_\_, \_\_\_\_\_;  
\_\_\_\_\_, \_\_\_\_\_; \_\_\_\_\_, \_\_\_\_\_;

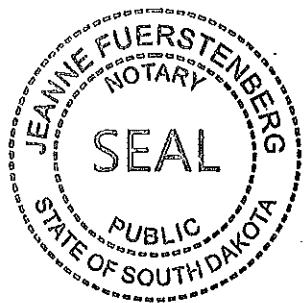
the full amount of the fees for the publication of the annexed notice is \$ 14.54

\_\_\_\_\_  
Subscribed and sworn to me before this 18<sup>th</sup>  
of September, 2024;

Jeanne Fuerstenberg  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

**NOV 30 2027**



**NOTICE OF PUBLIC MEETING**

Custer County Highway Department, in conjunction with the Custer County Commissioners, will hold a public meeting on Wednesday, September 25th at 8:00 a.m. at the Custer County Courthouse in the Commissioner's Room. This meeting is to discuss and receive public input on the progress of the 5 year plan for county highway and bridge improvement in the county. For further information regarding the plan contact Jesse Doyle at 605-673-5678.

Published twice at an approximate cost of \$14.54 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

9/11, 9/18

**Draft Minutes of the Custer County Commission Meeting, Wednesday, September 25, 2024.** Meeting was held at the 1881 Courthouse Museum.

**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.**

1. Museum Director, Debra Hannigan, presented a brief overview of the 1881 Museum Courthouse. Hannigan noted the 140-year old furniture is still in use in the Courtroom, as well as the original flooring. Hannigan thanked Custer County for funding assistance that has helped to cover the cost of the new roof, lighting upgrades, fans, new flooring in parts of the building, as well as the new computer network. Hannigan reminded those in attendance the admission to the museum is free to Custer County residents.

**B. Adopting of the agenda**

1. Amend Agenda to add "Highway" after Item "E" re: addition of 1) Brosz Engineering; 2) ROW Application.

2. Amend Agenda to add item under "J" Title III Funds: Buffalo Gap VFD. Motion to approve Agenda as amended made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

**C. Consent Agenda**

1. Approval of Minutes from September 11, 2024 Commission Meeting.
2. Approval of Minutes from September 11, 2024 Budget Hearing for 2025.
3. Approval of Monthly Reports as follows:

CUSTER COUNTY ROD ACCOUNTING SHEET

SUBJECT PORTION

MARRIAGE LICENSE 15 391-32180 @ \$18.00 \$ 150.00  
 DOMESTIC ARRISE 18 228-32180 @ \$26.60 \$ 458.80  
 M & P Fund 308 263-34121 @ \$16.00 \$ 489.60  
 Prepaid Month's Charge..... \$ 0

MARRIAGE, MISC, VITAL RECORDS  
 COPIES/FAX (NO TAX) 234 181-34135..... \$ 13,231.00  
 Tax & Copies 0 305-248.26..... \$ 0

COUNTY TOTAL..... \$ 14,431.00

Adjustments (If Any)..... \$ 0 Adjusted Total..... \$ 0

SDACO PORTION

M & P Flow-Thru Fund 149 @ \$2.04 \$ 320.80

STATE PORTION/STATE VITAL RECORD FUND

Birth 12 @ \$5..... \$ 60.00  
 Death 19 @ \$5..... \$ 114.00 (9347) STotal 174.00  
 Birth Child Trust...@ \$2..... \$ 24.00 (8338) STotal 24.00

COUNTY ROD VITAL RECORD TO STATE GENERAL FUND

Birth 12 @ \$3..... \$ 36.00  
 Death 19 @ \$4..... \$ 76.00 (1000) STotal 112.00

STATE TOTAL..... \$ 110.00

SDACO TOTAL..... \$ 320.80

GRAND TOTAL..... \$ 14,941.00

Check# 1733 To State \$ 210.00 Check# 1734 To County \$ 14,511.00  
 Check# 1735 To SDACO \$ 300.00


SDCL 7-9-17

Register of Deeds statement of fees collected during month of AUGUST, 2024, Custer County, State of SD is \$ 14,941.00. It has been collected by me as Register of Deeds during the month as shown per Register of Deeds' Official Financial Statement, RECEIPTS, 12/24/11 through 9/12/24.

State of South Dakota  
 County of Custer

Tax & Merges, being duly sworn, deposes and says that she is the Register of Deeds for Custer County, SD. That the foregoing statement is true and correct report of fees collected by her as such Register of Deeds, as required by law.

Subscribed & sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.  
 My Commission Expires \_\_\_\_\_ My Commission Expires \_\_\_\_\_ My Notary Public: *Barbara Cook*



4. Vouchers approved as follows:

**COMMISSIONERS:** CC Utilities \$163.99; Golden West Technologies \$9,911.75.

**COURT:** RO Investigation Research \$1,845.

**AUDITOR:** CC Printers \$276.34; TYLER Technologies \$720.

**FAIRBURN:** Fairburn Town \$52.71.

**ELECTION:** ES&S Software \$2,559.

**NURSE:** SD Department of Health \$1,478.70.

**TREASURER:** CC Printers \$ 326.68; CC Amazon Ink \$48.

**STATE'S ATTORNEY:** CC Printers \$172.14; CC Trial Costs \$669.22; Culligan Water \$25; RedWood Lab \$240; Trittech Software Systems \$2,734.32.

**MAINTENANCE:** CC Verizon \$42.68; CC Amazon \$130.05; CC Family Dollar \$13.81; CC Supplies/ Maintenance \$5,727.74; Black Hills Chemical \$264; Black Hills Electric Coop \$672.51; Black Hills Energy \$242.91; Custer Ace Hardware \$80.93; Freeman's

Electric \$1,069.03; K2 Masonry & Concrete \$39,949.05; McGas Propane \$70; R.P. Lumber \$109.69.

**MENTAL ILLNESS BOARD:** Husted Law Office \$128.36.

**DIRECTOR OF EQUALIZATION:** CC Printers \$283.99; CC GPS \$51.80; CC IAAO Books/ Fedex \$785.83; CC Gas/ Travel Conf. \$392.38; Verizon Connect Fleet \$29.84.

**REGISTER OF DEEDS:** CC Printers \$229.53.

**VETERANS SERVICES:** CC Printers \$66.81.

**HUMAN RESOURCES:** CC Printers \$136.25.

**INFO TECHNOLOGY:** Golden West Technologies \$7.87.

**SHERIFF:** CC Verizon/ Printer \$746.15; CC Supplies \$296.11; CC Notary Stamp/ Travel \$140.22; A&B Pure Water \$54.98; A-Z Shredding \$7.72; Battle Mt. Humane Society \$1,083; DMV \$16.70; FedEx \$67.76; Lamb Motor \$90; LexisNexis \$201.50; Mike Lewis \$285; Motorola Solutions \$33; Steele Collision & Glass \$659.15; Verizon Wireless Services \$150.

**PRISONER CARE:** CC Transit Expenses \$23.60; Correct RX \$118.82; Meade County Auditor \$190; Monument Health \$29.60; Pennington County Jail \$12,695; Inmate Transports \$140.

**AIRPORT:** AirNav.com \$72; Custer Chamber of Commerce \$260; SD Department of Transportation \$3,155.76.

**LIBRARY:** CC Amazon \$2,770.01.

**EXTENSION:** CC Verizon/ Printer \$209.12.

**WEED & PEST:** CC Verizon/ Printer \$228.48; CC Supplies/ Maintenance \$397.63; Verizzonn Connect Fleet \$29.84; Warne Chemical & Equipment \$428.80.

**WEAVE:** Emergency Plumbing \$5,000.

**PLANNING:** CC Printer \$188.56; CC GPS \$25.92; Verizon Connect Fleet \$14.93.

**COUNTY ROAD & BRIDGE:** CC Printer \$197.86; CC Supplies \$283.75; Black Hills Electric Coop \$680.17; Butler Machinery \$2,528.65; Culligan Water \$6.95; Forward



Distributing \$7.40; French Creek Supply \$112.68; Godfrey Brake \$19.37; May Construction \$1,918.37; R.P. Lumber \$19.98; Servall Towel & Linen \$52.48; Simon Team Concrete \$811.75; Buffalo Gap \$73; US Flagpole Guy \$2,839.42.

**EMERGENCY MANAGEMENT:** CC Verizon/ Printer \$216.79; CC Conference/ Repairs \$302.59; A&I Distributors \$672.76.

**SEARCH & RESCUE:** Title III Equip Funds \$23,916.70.

**EMERGENCY LINE:** CC Printer \$231.70; A&B Pure Water \$54.97; Centurylink .77 Cents; Golden West Telecommunication \$191.38; Trittech Software Systems \$24,495.99.

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

#### **D. Conflict of Interest Declarations – None**

#### **E. Public Hearing 8:00-8:15 AM**

1. Highway Superintendent, Jesse Doyle, presented the Custer County Highway Department 5-Year Plan. Doyle noted BIG grant projects, specifically the Buffalo Gap bridge replacement project. Doyle's report included projected revenues available per year; 5-year project list and project status list. Also included in the plan are 2025-2029 Custer County roadway re-gravel lists. Doyle stated the BIG grant application will be the next large project. Additional funding is available for routine work, such as usual mag chloride application and annual surfacing. Motion to approve the Chairman's signature on the 5-year plan made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried. There were no comments from the public.

#### **F. Highway**

1. Daniel Cichosz, Brosz Engineering was in attendance at today's meeting. It was noted the BIG grants operate on a point system; the Buffalo Gap project is close in points (43), but by presenting shovel-ready plans, the boost in score will enable the project to be in the 50-point range, which is beneficial for grant qualification. Depending on the score, the funding could be at an 80/20 repayment schedule, with Custer County's responsibility at 20% of the cost. Shovel-ready plans will be at an approximate cost of \$84K, which is in the budget as "professional services". Shovel-ready plans are good for a period of 10 years. Doyle reiterated the poor condition of the Buffalo Gap bridge and doesn't want to wait until the bridge fails before replacement. The current plan is to replace the bridge with 3 box culverts, which is a better option in this case. Motion to proceed with shovel-ready plans made by Linde; seconded by Hindle; vote taken, all aye; motion carried.
2. Doyle presented application for ROW occupancy from Golden West Telecom for

fiber optic facility at Red Star Road; S4, T5S, R4E, Custer County, SD and requested Commission approval. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

### **G. Planning**

1. Planning Director, Terri Kester, presented Final Plat of Lot 34A & Lot 34B of South Park Ranch Subdivision Phase 3, located in S1/2 SW1/4 Section 8 and N1/2 NW1/4 Section 17, T6S, R4E, BHM, Custer County, SD and requested Commission approval. Kester noted this was presented to the Planning Commission on 9-3-24, where approval was recommended. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

2. Kester presented a request from Katelyn Barkley, Barkley WW, to forgive wastewater non-compliant fee. A 300-gallon plastic holding tank was buried to service an RV site. The tank is non-compliant and was installed without a permit. Since the tank was installed before the fee/fine scale increase, the decision was made to lower the fine to \$1,000. Motion to require the tank to be removed and levy the fine at \$1,000 made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

### **H. Finance Officer**

1. Finance Officer, Dawn McLaughlin, presented Resolution 2024-13 Adoption of 2025 Budget for approval. McLaughlin noted at 3% increase over the 2024 budget. The 2025 Final Budget amount is \$13,050,417; an increase over the provisional budget which came in at \$12,859,000. Motion to adopt Resolution 2024-13 and approve the final 2025 budget made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.



stated that this amount is not currently in her budget. The Yubi keys will need to be purchased before 9/30/2024. Motion to approve purchase of 7 Yubi keys made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

## **I. New Business**

1. Cynthia Finlayson appeared before the Commission to discuss property taxation on a 2<sup>nd</sup> home on her property. She explained that she purchased the 40-acre property in 2020 and it has since been divided into two lots. The previous owners built a cabin and rented the cabin to their son, who was to pay taxes on the cabin only; not the land. She stated there was no documentation showing such an arrangement, nor was she notified of back-tax bill. Finlayson stated there were no documents to track during a title search. Additionally, unbeknownst to her, there is an undocumented cemetery located on the property. She said she should have been notified of the extra taxes on the cabin when she purchased the property, but as there was no documentation, she was unaware of the situation. Finlayson said it is not the fault of the bank or the title company that the cabin taxes are due and according to Finlayson, it took 4 years for Custer County to notify her of the past due taxes, and as such, Finlayson requested that Custer County not charge her those taxes. Interim DOE Director, Teri Morgan, inquired if Finlayson visited the property before purchasing and Finlayson stated she had and had seen the cabin on the site. Commissioner Linde inquired if the cabin is currently in Finlayson's name; Finlayson stated it is. Morgan noted this is a building on leased site situation. Back taxes remain in an amount of \$6,762 for the years 2020, 2021, 2022 and 2023. No penalties or fines are assessed on this amount. Motion to table until DOE can visit the property made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

2. Sam Smolnisky, Search & Rescue, appeared before the Commission to discuss the possible acquisition of a Custer County Incident Command Van. Smolnisky stated lack of connection and challenging communications are a common problem during incident situations. The well-equipped van would help solve this by providing cell reception, satellite internet for computers and radios. The van would be equipped with battery and solar capabilities and would provide a missing piece of the puzzle for emergency situations enabling a command post in remote areas. Smolnisky stated he is aware that many other agencies also have monetary requests of the County but would like consideration for the \$185K estimated cost of the van. EMS Director, Steve Esser, agreed that having an incident command van would be beneficial. He noted further research and additional bids would be recommended. Esser stated he would investigate grant funding toward the possible future purchase.

3. McLaughlin discussed fire premium refunds. McLaughlin and Deputy Auditor, Michelle Zerfas, stated they have been working with GIS and Pennington County officials in utilizing a formula to correctly calculate populations. Accurate populations are necessary to determine refund amounts to be disbursed to fire departments located in Custer County. It was noted that the Fire Advisory Board does not assist in factoring

these amounts. Previously used population figures were found to be incorrect and new counts have now been audited and corrected by an independent CPA. Zerfas noted that a special check run will be performed this week to distribute the proper payments. Commissioner Hindle noted his support; Zerfas thanked the Commission for its assistance in this matter.

## **J. Old Business**

1. Anthony Theodorou, Town of Hermosa Engineer, appeared before the Commission to request approval to use previously distributed ARPA funds in the amount of \$500K. Theodorou appeared at earlier meetings and presented plans for north water tank/water storage, water-flow improvement, Well #2 review and water remediation facility. Theodorou has discussed these proposals at earlier meetings and has since spoken with the State of SD, DANR and BHCLG and stated that all projects meet requirement of the various agencies to use ARPA funds for such. The Town of Hermosa passed Resolution 2024-03 allowing utilization of ARPA funds and SFR loans for the projects. The Town of Hermosa will pay \$42,500 for design plans. Motion to approve \$500K ARPA funds from Custer County for the water tank made by Hartman; seconded by Hindle; vote taken, all aye; motion carried. The Commission clarified that the ARPA monies are to be used exclusively for the tank; no sewer projects; and that the timeframe be expedited.

2. Dane and Kellie Shuman appeared before the Commission to ask consideration to accept and approve their wastewater application and variance. They have a 1-bedroom seasonal cabin and have installed a 750-gallon system following state guidelines; however, Custer County is requiring they install a 3-bedroom system instead. The Shumans maintain that there is no language in Ordinance 2 stating that is a minimum requirement and noted the confusion and contradiction in requirements between the State and the County. They requested documentation from the County stating the 3-bedroom wastewater requirement. Discussion was held regarding seasonal cottages, cabins and residences and Mr. Schuman stated that cottages are mentioned in State guidelines and is asking for a fair and just solution based on information provided to them. Planning Director Kester stated they have previously been over this and the Schumans retained an attorney; the Schumans stated that is no longer the case. Motion to approve the wastewater system based on meeting a 2-bedroom requirement made by Linde; motion dies for lack of second. Linde stated he would like to be shown where Ordinance 2 states requirement of a 3-bedroom minimum. Kester stated she is working with State's Attorney Kelly regarding adding the 3-bedroom wastewater system standard in Ordinance 2. Commissioner Busskohl noted he has spoken with the State, where a 3-bedroom requirement was recommended and noted it is up to individual counties to decide. Commissioners Busskohl and Hindle stated the need to stay with a 3-bedroom requirement. Kellie Schuman stated the County needs to be more clear in the future.

## **K. Title III Funds**

Finance Officer McLaughlin presented requests for Title III monies for the following Custer County Volunteer Fire Departments and Fire Districts:

- 1. Fairburn VFD:** Klinton Rittberger presented a request in the amount of \$29,872 for Type 6 engine supplies, including mobile radio purchases and Type 6 engine slide-in unit. Rittberger provided invoices for the equipment purchases.
- 2. Argyle VFD:** Casey Brazell presented a request in the amount of \$33,378.55 for purchases for Type 6 engines such as fittings, tanks, etc. Brazell noted the department will be upgrading to a 300-gallon tank.
- 3. Custer VFD:** Matt Springs presented a request in the amount of \$31,053 to help cover the cost of Verticus Air Compressor for SCBA tank filling. He noted the tank currently in use is 22-years old. Custer VFD will pay the difference (\$48K total cost).
- 4. Highlands VFD:** Randy Miller appeared before the Commission with a request in the amount of \$29,000 to help pay for radios and brush truck. He noted the current radios are outdated and are not able to pick up signal.
- 5. Battle Creek Fire District:** EMS Director, Steve Esser and Commission Chairman, Jim Lintz spoke on behalf of the district. They are requesting Title III funds in the amount of \$34,372.67 for purchase of \$MSA EV6000 TIC, structure helmet, Globe Supreme leather boot, and Innotex Energy turnout gear.
- 6. Pringle VFD:** Bob Morgan presented request for Title III funds in the amount of \$31,400 for purchase of pump for Tender 4, 10 portable radios, 10 fire shelters, 10 sets of wildland gear and 10 Rogue hoes.
- 7. Buffalo Gap VFD:** EMS Director Esser noted this is the least of the department requests, \$9,000. Documentation will need to be provided before payment can be issued.

Motion to approve above payments in the amount of \$198,107 made by Hartman; seconded by Hindle; vote taken, all aye; motion carried.

## **L. Public Comment**

1. Cheryl Urrutia stated she purchased 8 acres 26 years ago and were told there could only be one home per acre. She asked the Commission to reconsider possible future plans to allow 1/2-acre building lots.
2. LeaAnne McWhorter said she attended the 9-11-24 legislative tax assessment meeting in Pierre. McWhorter was able to speak before the legislature where she suggested that owner-occupied status be uniformly adopted across the state and allow that status for all buildings (non-commercial) on a property. She also suggested a redo of the student funding formula to have funding follow the student. McWhorter also requested counties to be able to determine their funding sources and not the state. She also suggested additional funding from Custer State Park for services rendered; currently Custer County only receives approximately \$36K annually.

3. Susan Swindal spoke to the Commission and stated she is against lowering the size of building lots to ½ acre. She also asked the definition of “affordable housing”.

#### **M. Raffle Request**

1. Randy Miller presented request to approve raffle request by Highlands VFD Auxiliary to conduct a raffle beginning November 2024 (no ending date) Tuesdays 6:00 PM – 8:30 PM. All proceeds will be used for Fire Department expenses; scholarships, local programs such as pee-wee football funding, etc. The monies will all go back to the local community. Miller also reminded those in attendance there will be a pancake breakfast held 10-5-24 at the Highland VFD fire station. Motion to approve raffle request made by Linde; seconded by Buskohl; vote taken, all aye; motion carried.

#### **N. Commission Legal Counsel**

1. Aaron Davis, Commission Legal Counsel presented Resolution 2024-14; A Resolution to Authorize Chairman and Finance Officer to Execute Deeds to Support Fire Protection in Custer County. Once the Resolution becomes effective, a quit claim deed will transfer land from Custer County to the Argyle VFD for the purpose of building a fire hall; the deed will revert the property back to Custer County if the land is not used for that purpose. The land was originally donated by Gold Rush Ranch, LLC. Motion to approve signature of Resolution 2024-14 made by Hartman; seconded by Buskohl; vote taken, all aye; motion carried.

#### **O. Commission**

1. Mail call –
  - a. letter from USDA-BHNF regarding purchase of 120-acres of private property.
  - b. thank-you letter for the County’s support and invitation to GALA from Black Hills Works.
2. Meeting Schedule – Planning Commission meeting will be held Tuesday, October 8<sup>th</sup> rather than Wednesday, October 9<sup>th</sup>.
3. Meeting Reports – Buskohl attended Fire Advisory Board, Custer City, YMCA, Fall workshop. Hindle attended strategic metals, Custer City, interviews for HR position. Buskohl and Hindle will not be available for the December 4, 2024 meeting; discussion about rescheduling was held. Finance Officer McLaughlin will look into the possibility.

#### **P. Adjourn**

Motion by Buskohl and seconded by Linde to adjourn the meeting at 9:46 AM. The next meeting will be at 8:00 AM, Tuesday, October 8, 2024 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 \_\_\_\_\_.



# Meeting Sign-In Sheet

Custer County Commission Meeting

Date: 9-25-2024

Commission Room - 1881 Museum

Place/Room: Custer County Court House

PRINT NAME	ADDRESS	PHONE	SPEAK - Y/N	EMAIL
1. Jess Doyle				
2. RANDY miller				
3. Curtis Munger				
4. Steve Esser				
5. Dane Shuman			yes	
6. Kellie Shuman				
7. Teri Morgan				
8. Clinton Rittberger				
9. Bob Fischer				
10. Fung Sechan			N	
11. Casey Brazell				
12. Cynthia Fulayson			yes	
13. ROBERT MORGAN				
14. Sam Smolnisky			Yes	
15. Patricia Conway				
16. DANIEL CICHOSZ				
17. SUSAN SWINDAL			yes	
18. LeaAnne McWhorter			yes	
19.				
20.				
21.				
22.				