

Draft Minutes of the Custer County Commission Meeting, Wednesday, December 11, 2024

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Busskohl, Craig Hindle and Commission Legal Counsel Aaron Davis. Dawn McLaughlin, Finance Officer was not present.

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 move Item "K" Coroner to immediately follow Item "D" Conflict of Interest. Motion to approve Agenda as amended made by Busskohl; seconded by Linde; all aye; motion carried.

C. Consent Agenda

- 1. Approve Minutes of November 20, 2024 Commission meeting.
- 2. Approve monthly reports as follows:

November 27, 2024

THE BOARD OF CUSTER COUNTY
COMMISSIONERS

I hereby submit the following report to my examination of cash and cash items in the hands of the Custer County Treasurer's Office of this county as of November 27, 2024.

Total amount of actual cash	\$46,896.73
First Interstate Checking	\$606,691.67
First Interstate Savings	\$2,472,628.20
Edward Jones MN Acct	\$176,609.91
SD FT	\$675,573.00
First Interstate Cd's	\$101,230.73
Sentinel FCU Checking	\$208.03
Sentinel FCU TIA	\$118,289.70
Sentinel Savings Acct	\$10,136.72
Credit Union's CD's	\$167,604.16
Highmark FCU Savings	\$10,217.82
Highmark Checking	\$4,989.00
Dakotah Bank Checking	\$2,767.50
Dakotah Bank CD's	\$74,822.48
Edward Jones Investments	\$2,048,028.00
Accrued Interest	\$22,670.17
Balance:	\$7,691,088.14

Dawn McLaughlin, Custer County Finance Officer

CUSTER COUNTY ROAD ACCOUNTING SHEET

COUNTY FORTION

MARRIAGE LICENSE 1 181-2210 @ \$12.00 18.00
 DOMESTIC ABUSE 1 329-3200 @ \$33.00 33.00

MARRIAGE, WED. VITAL RECORDS
 COPYSWAK (NO TAX) 106 181-346.28 \$ 14,462.75
 Tax & Copy 2 181-349.34 \$ 0

COUNTY TOTAL..... \$-64,261.75

Adjusted Total..... \$

Star County, SD
 S. H. Ruffner, Sr.
 Reg. 10 1920

RE 1 10/27/2024 11:00 AM
 TO : RECORDED FUND
 BY : (Name) (Amount) \$
 TO : \$0
 BY : (Name) (Amount) \$80.00 (3447) \$Total 220.00

TO STATE GENERAL FUND
 TO STATE GENERAL FUND
 BY : (Name) (Amount) \$14.00
 TO STATE GENERAL FUND
 BY : (Name) (Amount) \$129.06 (1000) \$Total 144.06

TO STATE GENERAL FUND
 BY : (Name) (Amount) \$-283.00

TO STATE GENERAL FUND
 BY : (Name) (Amount) \$-55,692.75

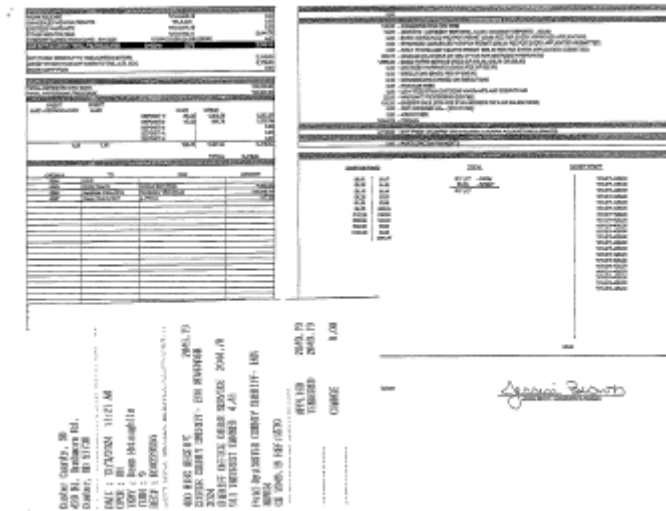
TO STATE GENERAL FUND
 BY : (Name) (Amount) \$8.00 (Check# 1762) To County \$ 14,834.75
 283.00

SDCL 7-9-17

Register of Deeds witnessed of fees collected during month of NOVEMBER, 2024. Custer County, South Dakota
 O.S. 2610.26 In fees not been collected by me or Register of Deeds during the month as shown per
 Register of Deeds' Official Fee Book, ENCOMPENSATION, 2023F, through 4, 2024.

State of South Dakota
 County of Custer

I, _____, Register of Deeds, do hereby certify that the above is a true and correct copy of the fees collected by me as Register of Deeds for Custer County, SD, this
 December 11, 2024, in accordance with the provisions of the laws of this State. Witness my hand and the seal of the County of Custer, South Dakota, this
 11th day of December, 2024. My Commission Expires: 7-31-25, Henry Fuchs, Register of Deeds



3. Approve Vouchers approved as follows:

PAYROLL: Commissioners \$5,431.48; Election \$880.65; Auditor \$12,785.80; Treasurer \$12,833.37; Info Systems & Tech \$3,310.41; States Attorney \$14,949.49; Courthouse Building \$9,056.82; Director of Equalization \$11,083.17; Register of Deeds \$5,381.79; Veterans Services \$2,193; Human Resources \$1,744.15; Sheriff \$52,640.94; Coroner \$837.05; Nurse \$905.96; Library \$11,477.41; Conservation \$772.27; Weed and Pest \$3,460.34; Planning \$7,750.44; County Road & Bridge \$41,285.31; Emergency Management \$2,796.36; 24/7 Sobriety \$778.18; Emergency Line \$19,833.88.
 Commissioners \$5,431.50; Election \$108.11; Auditor \$12,900.92; Treasurer \$12,838.94; Info Systems & Tech \$3,310.41; States Attorney \$14,383.69; Courthouse Building \$9,056.84; Director of Equalization \$9,597.93; Register of Deeds \$5,393.25; Veterans Service \$2,010.23; Human Resources \$1,911.12; Sheriff \$56,294.73; Nurse \$882.19; Coroner \$837.04; Conservation \$772.26; Library \$10,958.18; Weed & Pest \$3,253.80; Planning \$7,613.24; County Road & Bridge \$43,135.95; Emergency Management \$2,796.36; 24/7 Sobriety \$867.85; Emergency Line \$20,842.34.

COMMISSIONERS: Catastrophic Legal Expense Relief Program \$3,309; Southern Hills Publishing \$155.52; Valhalla Legal \$2,340.

COURT APPOINTED ATTORNEY: Colbath & Sperlich \$518.59; Husted Law \$9,364.40.

AUDITOR: Golden West Technologies \$87.50.

STATE'S ATTORNEY: Witness Fee \$20; Witness Fee \$44.29; Relx Inc \$467.

MAINTENANCE: City of Custer \$269.90; Custer Ace Hardware \$47.10.

DIRECTOR OF EQUALIZATION: Verizon Connect Fleet \$54.88.

VETERANS SERVICES: TYLER Technologies \$449.

INFO TECHNOLOGY: Golden West Technologies \$8,668.46.

SHERIFF: Black Hills Ammunition \$1,908.12; French Creek Supply \$31.98; Great Western Tire \$977; Kiesler Police Supply \$322; LexisNexis \$202; Murray Auto Repair \$81.55.

PRISONER CARE: Meade County Auditor \$285; Monument Health Client Billing \$380.17.

AIRPORT: Andersen Engineers \$8,203; Brenden Hendrickson \$4,717.40; Moss Rock Landscaping \$102,519.25.

MENTAL HEALTH: Audra Hill Consulting \$153.04; New Trails Ministry \$300.

MENTALLY ILL: Pennington County Public Defenders \$69.

TITLE III FUNDS: Battle Creek Fire District \$10,035.11.

FIRE PROTECTION: Argyle Volunteer Fire Department \$11,750; Buffalo Gap Fire Dept \$5,750; Custer Volunteer Fire Department \$40,000; Dewey Fire Department \$3,000; Folsom Fire Department \$6,500; Highlands Fire Department \$8,250; Pringle Fire Department \$8,750.

EXTENSION: Jacqueline Maude \$249.

COURT HOUSE ART GALLERY: Dakota Moments \$65; Roxanne Horkey \$174.15; Southern Hills Publishing \$188.

WEED & PEST: Verizon Connect Fleet \$54.88.

PLANNING: Southern Hills Publishing \$160; Verizon Fleet Connect \$54.88.

ELECTION: ES&S \$5,536.99; Mt. Rushmore Telephone Company \$19.30.

COUNTY ROAD & BRIDGE: Advanced Drug Testing \$198.60; Black Hills Electric Coop \$690.14; Black Hills Energy \$105.52; Black Hills Truck & Trailer \$2,548.90; Brosz Engineering \$2,700; Butler Machinery \$3,350.36; Culligan \$6.95; Custer Ace Hardware

\$159.94; Diesel Machinery \$1,066.80; Floyd's Truck Center \$194.06; French Creek Supply \$668.88; Grossenburg Implement \$3,111.12; ISC Companies \$116.91; Logans Transmission \$1,921; MG Oil \$23,621.58; Partsones NAPA \$104.94; RP Lumber \$22.98; Runnings \$16.80; SDACHS \$350; Servall Towel & Linen \$89.69; Southern Hills Septic \$310.

FAIR: Custer County Fair Association \$7,000.

EMERGENCY MANAGEMENT: Golden West Technologies \$2,517.19.

COUNTY BUILDINGS: All Metal INC \$3,877.56.

EMERGENCY LINE: Golden West Technologies \$2,760; Range \$25.59.

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

D. Conflict of Interest Declarations – None.

E. Coroner

1. Jim Sanders, Custer County Coroner, appeared before the Commission to share concerns in rising cost associated to the position. Autopsy rates have increased significantly, with Custer County bearing the expense. Sanders has spoken with legislators in trying to find a solution to allow counties to bill autopsy expenses to individual's estates and noted that many counties are on board with this idea. Sanders is hopeful this matter can be brought forward during the next legislative session. Autopsies can be ordered by the Coroner, State's Attorney and Sheriff. The DCI recently ordered autopsies in Custer County at a significant cost and in this case, Sanders deemed them unnecessary. Chairman Lintz noted that the Commission will stand behind the bill when presented.

F. Highway

1. Highway Superintendent, Jesse Doyle, requested authorization for Chairman's signature on 2025 Bridge Improvement Grant Program Resolution. Motion to approve made by Linde; seconded by Hindle; vote taken, all aye; motion carried.

2. Doyle also requested authorization for Chairman's signature on ROW Certificate Project BRF 6488(00)23-1 Bridge Improvement Grant Project. Motion to approve made by Hartman; seconded by Buszkohl; vote taken, all aye; motion carried.

3. Authorization for Chairman's signature on Utilities Certificate for Project BRF 6488(00)23-1 Bridge Improvement Grant Project was requested, as well. Motion to approve made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried. It was noted that all utilities have been notified of the project.

4. Approve authorization for Chairman's signature on Voluntary ROW Donation for Project BRF 6488(00)23-1 Bridge Improvement Grant Project. This is due to misalignment of property lines (by approximately 1-foot). Motion to approve made by Hindle; seconded by Buszkohl; vote taken, all aye; motion carried.

5. Request Commission authorization to use RAIF funds for culvert purchase. These culverts are for a project on Lower French Creek Road that involves culvert replacement at 2 crossings. The new culverts will be 7' in diameter and 70' long at cost of \$68K and qualify for RAIF funding. The current culverts are near failure; the project is expected to take one week in total with the roadway being closed only during daylight hours and will entail a detour. Informational notices will appear in the Custer Chronicle, social media, and possibly 511. Motion to approve use of \$68K RAIF funds made by Buszkohl; seconded by Hartman; vote taken, all aye; motion carried.

6. Doyle presented 2025 Highway Calendar for review; the Commission so acknowledged.

G. Planning

1. Planning Director, Terri Kester presented Final Plat: TIMM TRACT, AND WOOD TRACTS 1 THRU 4, ALL OF PACER SUBDIVISION, LOCATED IN THE SE ¼ OF SECTION 2, T4S, R4E, BHM, CUSTER COUNTY, SD Parcels 014877, 005709, 005708 & 013933 for Commission approval. This was presented to the Planning Commission on 10-1-24, where approval was recommended. Motion to approve made by Buszkohl; seconded by Hindle; vote taken, all aye; motion carried.

2. Kester presented Final Plat: BECK TRACT, VANDARWARKA TRACT, AND SCHLOTTERBACK TRACT OF PACER SUBDIVISION, ALL LOCATED IN THE SE ¼ OF SECTION 2 AND THE NE ¼ OF SECTION 11, T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Parcels 005934, 014876, 005717 & 005720 for approval. This was presented at the 11-5-24 Planning Commission meeting, where approval was recommended. Motion to approve made by Hartman; seconded by Linde; vote taken, all aye; motion carried.

3. Approval for AT&T cell tower modification—Fairburn; Parcels 002094 & 014575 Margery Fish was requested. This modification entails addition of new antennas and was approved by the Planning Commission 12-3-24. Motion to approve made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

4. Kester requested approval AT&T cell tower modification—Little Teton, Parcels 015064 & 006754 Nancy Kelley for installation of new antennas. This request was approved by the Planning Commission 12-3-24. Motion to approve made by Hindle; seconded by Buszkohl; vote taken, all aye; motion carried.

5. Approval of T-Mobile cell tower modification—Parcels 002865 & 015526; Earl & Stacey Sallee for addition of new antennas was requested. This request was approved by the Planning Commission 12-3-24. Motion to approve made by Buszkohl; seconded by Linde; vote taken, all aye; motion carried.

6. Kester presented the 2025 Planning Commission meeting calendar for approval. The Commission so acknowledged.

7. Kester presented 2025 Fee & Permit rates schedule and noted there are no changes made from the 2024 schedule. Commissioner Hindle stated that building permit fees remain too low. The Commission so acknowledged.

8. Kester shared that she has received several Planning Commission interest forms regarding openings on the board. She will have these available for review and present at the 12-30-24 Commission meeting.

H. Department of Equalization

1. Director Scott Storms made a request to move Melissa Bradford from permanent part-time, non-benefitted status to permanent part-time benefitted status with no rate of pay change at this time. Bradford will be testing for certification in January 2025 and will receive certified rate of pay once she receives accreditation. Motion to approve made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

I. Finance Officer

1. Barbara Cox, Deputy Auditor, requested approval of Abatement 2024-22A Parcel #013282 in the amount of \$790.00 re: tax-exempt property. This railroad property was incorrectly inserted into a Road District. Motion to approve made by Busskohl; seconded by Hartman; vote taken, all aye; motion carried.

2. Post-Election Audit results were presented and acknowledged.

On November 21, 2024, a Post-Election Audit was conducted on the following precinct in Carter County from the general election that was held on November 5, 2024:

The results of the Post-Election Audit are as follows:

Precinct 5	
	Total Votes
Amendment H Yes	266
Amendment H No	493
Colton Jones	217
Mark Hartman	449
Michael D. Busskohl	497

The Post-Election Audit Board hand counted and tallied votes for the selected races. Hand counted totals for Amendment H matched the tabulate totals exactly. Hand counted totals for Colton Jones were 217, tabulate 216; hand count for Mark Hartman 449, tabulate 450; hand count for Michael D. Busskohl 497, tabulate 498.

3. Cox presented MASA Access benefit for approval. (Risty Benefits) This benefit covers ambulance and air ambulance transport for employee (and dependents, if added) as long as they have a qualifying major health plan in place. This is being offered at a monthly fee of \$8/employee and \$17/month for family. There are some counties who cover the \$8/employee cost and the Commission would like to discuss this at the 12-30-24 meeting when McLaughlin is present. Motion to approve offering this benefit to employees at their expense made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried.

4. Grant supplement \$600,000 to Airport budget line item 101-4-331-429.02

runway improvements was presented for approval. Airport Manager, Brenden Hendricksen, noted that although the line item reads "runway improvements", this is actually for the taxiway improvement project. The expenses tied to this project have mostly been reimbursed by the FAA and State monies. Motion to approve supplement made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

5. Approval for purchase of 2024 Ford Expedition Max from Lamb Motors via State Bid pricing for Fleet vehicle use was requested. Lamb Motors has a few vehicles in stock at this pricing and are sold on a "first come, first served" basis. Currently, DOE has an older model Tahoe for surplus and the fleet vehicle is an older unreliable Explorer that will be surplussed. The 2024 Ford Expedition Max will be purchased using funds in the Highway Department budget; not contingency funds. Motion to approve purchase 2024 Ford Expedition Max made by Hindle; seconded by Busskohl; vote taken, all aye; motion carried. **After approval, it was discovered that the Ford Expedition Max was sold and not available at this time. Lamb Motors will notify Custer County when a replacement is in their inventory. The 2024 Ford Expedition was available and purchased by Custer County 12-11-24**

6. Approval for purchase of 2024 Ford Expedition from Lamb Motors via State Bid pricing for Department of Equalization fleet was requested. This falls under the same terms as the above request. It was decided that the Buick Encore will become a fleet vehicle. This purchase will be expensed from the DOE budget. Motion to approve purchase of 2024 Ford Expedition made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

7. 2025 Custer County pay scale was presented for review. This will be approved at the 12-30-24 meeting.

8. 2025 Custer County calendar was also presented. Once reviewed, final approval will take place at the 12-30-24 meeting.

J. Treasurer

1. Delinquent property list was presented and acknowledged.

K. Fire Advisory Board

1. Klinton Rittberger appeared before the Commission to discuss Fire Advisory Board surplus funds. In January, 2023, \$690,000 was assigned to the Custer County volunteer fire departments, with \$90,000 of those funds used by the FAB for designated coordinators and other expenses in creating a Fire District. Custer VFD received \$325,000 and an additional \$250,000 was allocated to the Argyle VFD for funding their new fire department building. A balance of \$80,239.17 remains in the fund, and under the control of the Commissioners. Rittberger asked that these funds be placed back in the hands of the FAB, with the remaining \$25,000 that would bring the balance up to \$105,239.17 and would like clarity that these funds remain under control of the FAB, to be used as deemed necessary. He stated the plan is to distribute some of the funds amongst several departments that have not received funds from the original \$690,000

and would like \$75,000 to remain within the FAB budget for emergencies or necessities. Rittberger referenced a revolving fund that was in effect several years ago to be used for those purposes, as well (normally a balance of \$20-\$30K). Discussion was held regarding the \$90,000 that was to be for fire district creation to ensure that amount stays under the control of the FAB. Klinton recommended keeping at least \$75,000. Commissioner Busskohl had brought this up at a previous meeting and was told that the monies were for districting and now would need to decide how those funds would be disbursed to fire departments. Chairman Lintz stated the districting issue is not over and that until it is decided, those funds should not be disbursed. Future discussion with the Finance Officer will be held to determine the amount to remain the fund for future districting expenses. Formal action will be necessary to set aside monies between funds. The intent is to assist fire departments in relieving the financial burdens, and districting is one way to accomplish this. Some outlying departments are having a difficult time keeping up with inflation. Rittberger referenced previous windfall monies given to departments by the Commission. He stated the number of calls is increasing and although departments are seeking alternative ways of compensation, financial assistance from the county will be needed in the coming years. Rittberger stated a recent gift of \$3,000 to departments was above normal requests and is the first increase in many years. Finance Officer McLaughlin is assisting Rittberger to retrieve additional data. Rittberger will return to the Commission in the next few months with an update.

2. Rittberger presented a raffle request for the Fairburn VFD. This raffle is for a rifle and noted that the coyote shoot will be held the second week in January, 2025. More information can be found on the Fire Department's Facebook page. Motion to approve raffle request made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

L. Public Comment

1. LeaAnne McWhorter spoke about the West Dam project and noted different sources of funding, including private donations. She is hoping that District 30 reps will be able to assist now that the project is in place.

2. Julianne Gramkow mentioned the "RISE" program and noted a grant had recently been received. Gramkow encouraged those seeking information about the program to contact her.

M. Nurse

1. The 2025 SD DOH/Custer County Nurse contract was presented for review and approval. The terms remain the same as 2024—total of \$5,914.80 annually and will be paid to the SD DOH in 4 installments of \$1,478.70. Motion to approve and have the Chairman sign made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

N. 4-H

1. Michelle Zerfas presented an update regarding 4-H in Custer County. She noted the program has been without an advisor for the past year. The State of SD made an offer to an applicant recently and is awaiting a response. The volunteers have kept the program running, but need an advisor to relieve them. Zerfas has been in contact with several counties who stated they are hiring their own advisor as a county employee, while still following SDSU guidelines, and this has been a successful alternative to keeping 4-H active in their counties. Zerfas stated that a request from SDSU for the Chairman's signature on an MOU was received, but until an advisor is in place that will not be signed.

O. Commission

1. Mail call –
 - a) letter from SD DPS re: LEMPG/SD OEM noting documents had not been received in a timely manner. Commissioner Buszkohl asked EMS Director, Steve Esser why the requested documents were late and how far behind they were. Esser stated he was late in getting to them and missed the deadline. Some of the documents pertain to wage reimbursement, but are now all caught up. The other document is 140 pages and will be sent to the Commissioners.
 - b) letter from the Custer Ministerial Alliance was received.
 - c) letter from Pennington County Commissioners re: moratorium on utility-scale alternative energy systems was received. It was noted there are no such utilities in Custer County.
2. Meeting Schedule –
 - a) Oath of Office ceremony for 2025 elected officials to be held Thursday, January 2, 2025 at 8:15 AM in the courtroom. Commissioners Hartman and Buszkohl; State's Attorney Kelley and Coroner Sanders will be sworn in at that time.
 - b) The next Commission meeting will be held Monday, December 30th at 8:00 am.
 - c) Buszkohl stated there is an ambulance meeting 12-11-24 at 4:30 PM and is open to the public.
 - d) Custer County employee Christmas party to be held Friday, December 13, 2024 at 5:30 PM at Crazy Horse
3. Meeting Reports – Linde attended Historical Society open house; Lintz attended BH Commissioners meeting at Prairie Winds Casino and noted it was not well-attended. After a recent Weed Board meeting, Lintz noted the prairie dog enforcement is going well; Buszkohl and Hartman attended Planning Commission meeting.

P. Executive Session

1. Motion to enter into Executive Session as per SDCL 1-25-21(1) Personnel made by Buszkohl; seconded by Hindle, vote taken, all aye; motion carried. Executive Session entered into at 9:12 AM and concluded at 10:43 with no action taken.

Q. Adjourn

Motion by Hartman and seconded by Busskohl to adjourn the meeting at 10:44 AM; vote taken, all aye; motion carried. The next meeting will be at 8:00 AM, Monday, December 30, 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 _____.