

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF FALL RIVER COUNTY:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 30<sup>th</sup> day of June, 2018.

Total Amt of Deposit in First Interstate Bank: \$193,858.33

Total Amt of Deposit in First National Bank of Lead: \$1,000.00

Total Amount of Cash: \$2,360.64

Total Amount of Treasurer's Change Fund: \$ 900.00

Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days: \$18,864.72

SAVINGS:

First Interstate Bank: \$181,458.88

First National Bank of Lead: \$2,017,005.95

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs: \$3,651,931.01

Black Hills Federal Credit Union: \$250,000.00

Bank of the West \$506,381.99

Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:

Register of Deeds Change Fund: \$500.00

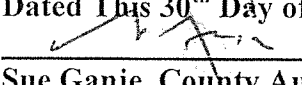
Highway Petty Cash: \$20.00

Election Petty Cash: \$15.00

RETURNED CHECKS:

TOTAL \$6,824,296.52

Dated This 30<sup>th</sup> Day of June, 2018.

  
Sue Ganje, County Auditor of Fall River County.

County Monies: \$6,543,704.18

Held for other Entities: \$78,082.28

Held in Trust: \$202,510.06

TOTAL: \$6,824,296.52

The Above Balance Reflects County Monies, Monies Held in Trust, and Monies Collected for and to be remitted to Other ENTITIES: SCHOOLS, TOWNS, TOWNSHIPS, FIRE AND AMBULANCE DISTRICTS, AND STATE.

PREPARED BY:  
*Sword & Ahrendt Law Office, P.C.*  
PO BOX 283  
702 JENNINGS AVE.  
HOT SPRINGS, SD 57747  
605-745-5422

## QUITCLAIM DEED

**Joe Falkenburg**, in his capacity as Chairman of the Fall River County Commission, grantor, for and in consideration of One dollar and other good and valuable consideration, conveys and quitclaims to **Minnekahta Valley Cemetary, Inc.**, the grantee, of 12032 HWY 18, Hot Springs, Fall River County, South Dakota, 57747, all interest in the following described real estate in the county of Fall River in the state of South Dakota:

A Tract of land known as ROBERTSON'S MEMORIAL PARK more particularly described as follows: Beginning at the Southwest Corner of Section 20, Township 7 South, Range 5 East, BHM., North 44 degrees 44 minutes east 469 feet to the Southwest corner of the proposed park, thence North 89 degrees 29 minutes east parallel with the section line 416.7 feet, thence north 31 minutes West 235.9 feet, thence north 44 degrees 14 minutes West 594.1 feet, thence south 665.5 feet to the place of beginning, containing 4.29 acres more or less, being a part of the Southwest Quarter of the Southwest Quarter of Section 20, Township 7 South, Range 5 East, B.H.M.

together with all improvements and appurtenances thereon and subject to easements, rights-of-way, restrictions, reservations, declarations and covenants of record.

EXEMPT FROM TRANSFER FEE - SDCL 43-4-22(18)

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
**Joe Falkenburg**  
Chairman of the Fall River  
County Commission

STATE OF SOUTH DAKOTA)  
: SS

COUNTY OF FALL RIVER)

On this the \_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned officer, personally appeared **Joe Falkenburg**, in his capacity as the Chairman of the Fall River County Commission, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

BID PROPOSAL

Fr Joe's Sandblasting and Painting  
2551 Kimbell Place  
Rapid City, S.D. 57701  
605-393-1740

June 28, 2018

Proposal Submitted to:  
Fall River County  
Att: Lyle  
Hot Springs, S.D.  
605-645-0554

Work to be done at:  
FRC Courthouse  
Hot Springs, S.D.

We hereby propose to furnish all the materials and perform all the labor for the completion of:  
Sandblasting, prime, and paint 12,000 gallon Propane Tank with a tan color as per discussion

Please contact me at 605-393-1740 if you have any questions.

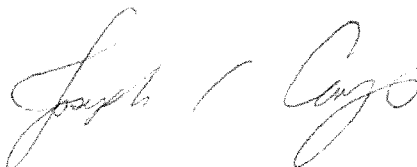
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All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Five thousand two hundred dollars and 00/100 (\$5,200.00) .

with payment as follows: Will be discussed before job begins, appropriate tax applies

Any alteration of deviation form above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Black Hills Agency, Rapid City, South Dakota (605-342-5555).

Respectfully submitted Joseph A. Carlin jr.



Per Joe's Sandblasting

Note—This proposal may be withdrawn by us if not accepted within 30 days.

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ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted \_\_\_\_\_ Signature \_\_\_\_\_



1321 Boston Post Rd  
 Madison, CT 06443  
 1.800.537.6937

**Quote**  
 Quote Number: 15452  
 Date: 07/23/2018  
 Sales Person: Nicole LaSota  
 Valid Until: 10/31/2018

Bill To	Ship To
Ms. Melissa Fleming Fall River County Communications 906 N River St Hot Springs, SD 57747	Ms. Melissa Fleming Fall River County Communications 906 N River St Hot Springs, SD 57747

**Total Response Bronze Package CACH Lite**

Quantity	Part Number	Product	List Price	Unit Price	Ext. Price	Discount
1	TRBRONZE	Total Response Bronze Package Includes: 2 CACH Lite partial EMD service licenses and user training	\$1,998.00	\$1,598.00	\$1,598.00	\$0.00
1	TROCAC	Certification: Call Assessment *Price presumes training is completed within 30 days from the date of registration.*	\$329.00	\$329.00	\$329.00	\$0.00
2	TRBMAINT	Annual Software Maintenance Due 13 months after software delivery	\$99.90	\$79.90	\$159.80	100.00%

Subtotal:	\$2,086.80
Discount:	\$159.80
Discounted Subtotal:	\$1,927.00
Tax:	\$0.00
Shipping:	\$0.00
Total:	\$1,927.00

ACCOUNT DESCRIPTION	GL#	15 ACTUAL	16 ACTUAL	17 ACTUAL	3-YEAR AVERAGE	18 BUDGET	18 YTD ACTUAL	%	IPBUDW REQUESTED	PAGE 84
4260.448 EMPOWER COALITION	10100X4260448	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	100	2500.00	19 APPROVED
ACCOUNT TYPE TOTALS	42	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	100	2500.00	
FUND TOTALS	10100	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	100	2500.00	
DEPT TOTALS	448	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	100	2500.00	

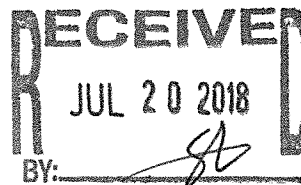
\* = BUDGET INCLUDES TRANSFERS AND/OR SUPPLEMENTS

*SP CORRE CT 2018*

*NO SHOW 6/19/18*

## City of Hot Springs

Kim Barbieri  
City Administrator  
kim.barbieri@hs-sd.org



July 18, 2018

FRC Auditor's Office  
Attn: Sue Ganje  
906 N. River Street  
Hot Springs, SD 57747

RE: City of Hot Springs, Annexation of Municipal Airport

Dear Sue,

Per SDCL §9-4-4.4 the City of Hot Springs is notifying you as County Auditor with our intent to annex the city owned municipal airport property off of Highway 79. Attached is the proposed Resolution of Annexation, an informational map and notice of the public hearing to be held August 6<sup>th</sup>, 2018 at 7:15 pm at the Mueller Civic Center during the regularly scheduled City Council meeting.

Please inform the County Commissioners of our intent.

Respectfully Submitted,

Kimberly H. Barbieri,  
City Administrator

# City of Hot Springs

Kim Barbieri  
City Administrator  
kim.barbieri@hs-sd.org



9-4-4.4. Hearing on resolution of annexation--Notice to landowners and county auditor--Adoption of resolution--Contents. The governing body shall hold a public hearing to consider extension of its boundaries within sixty days of the adoption of the resolution of intent provided for in §§ 9-4-4.2 and 9-4-4.11. Prior to adoption of the resolution of annexation, a copy of the adopted resolution of intent and a notice of the time and place of the public hearing on the resolution of annexation shall be forwarded by certified mail to the affected landowners and the county auditor, who shall then forward the adopted resolution of intent and notice of public hearing regarding the resolution of annexation to the county commissioners. The notice shall be postmarked not less than ten days and not more than twenty days before the date of the public hearing. The governing body shall utilize and rely upon the records of the county director of equalization for the purposes of determining the affected landowners. The governing body may adopt an annexation resolution, containing the description and boundaries of the territory to be annexed, pursuant to chapter 9-19, within one hundred and twenty days of the public hearing. The governing body shall consider any objections to the resolution of annexation and the adopted resolution of intent, and may adopt the resolution of annexation with or without amendments, and may also add to the resolution of annexation any amendments to the resolution of intent. No amendment may be made affecting any property not described in the original resolution.

Source: SDC 1939, § 45.2906; SL 1955, ch 215, § 1; SDCL §§ 9-4-3, 9-4-4; SL 1979, ch 47, §§ 4, 5; SL 1984, ch 52, § 3; SL 1988, ch 74, § 3; SL 2012, ch 54, § 2.



**Resolution 2018-13**  
**ANNEXATION OF HOT SPRINGS MUNICIPAL AIRPORT**

WHEREAS the City of Hot Springs, South Dakota has real property existing in Fall River County approximately 4.7 miles overland from the Hot Springs municipal boundaries and identified as:

Parcel 21990-00806-100-20: A 22.9 ACRE TRACT OF LAND LOCATED IN THE SE1/4  
NW1/4, NE1/4 SW1/4, SEC 10 TWP 8 SOUTH, RG 6 EAST

Parcel 21000-00806-034-30: TRACT A OF SE1/4 SE1/4, SEC 3, TWP 8 SOUTH RG 6 EAST  
(8.15 ACRES)

Parcel 21000-00806-101-20: TRACT A OF NW1/4 NE1/4, TRACT A OF NE1/4 NE1/4, SEC  
10, TWP 8 SOUTH, RG 6 EAST

Parcel 21000-00806-101-30: E1/2 SW1/4, SE1/4 NW1/4, S1/2 NE1/4, SE1/4, LESS A 22.9  
ACRE TRACT IN THE SE1/4 NW1/4 & NE1/4 SW1/4, SEC 10, TWP 8, RG 6 EAST and

Parcel 21000-00806-113-0: W1/2 SW1/4, SW1/4 NW1/4, SEC 11 TWP 8, RG 6 EAST,  
BLACK HILLS MERIDIAN (BHM), FALL RIVER, SOUTH DAKOTA

WHEREAS, the State of South Dakota allows annexing of municipal airports located outside corporate limits per South Dakota Codified Law §9-4-14.

WHEREAS, said annexation will add approximately 502 acres to the existing City of Hot Springs, South Dakota, and

WHEREAS, ample and suitable resources exist to accommodate the orderly growth or development of the annexed territory;

WHEREAS, municipal utilities and a major street network were considered in terms of the proposed boundary extension and the needed municipal service currently exist for the annexed territory with no additional costs to the residents of the annexed territory or the municipality;

WHEREAS, the City relinquishes any extraterritorial jurisdiction created pursuant to South Dakota Codified Law §9-4-14 within the one and one-quarter miles of the exterior boundary of the airport property;

WHEREAS, the Federal Aviation Administration shall still assert jurisdiction surrounding the annexed territory pursuant to FAA regulations and policies;

WHEREAS, proper notice has been given pursuant to South Dakota Codified Law §9-4-14;

WHEREAS, there are no residential properties in the annexed areas that could be affected by difference in tax assessment rate;

WHEREAS, any exclusions or irregularities in boundary lines are not the result of arbitrariness;

WHEREAS, there is a reasonable present or demonstrable future need for annexing the municipal airport in that the City owns the airport and the land it sits on and would like to reap the benefits of the City's plans toward airport development; and

WHEREAS, the activity at the airport has steadily increased and will be needed to support the population that the municipality has or the growth it may experience in the future

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Hot Springs, South Dakota, the City of Hot Springs hereby annexes the following described real property to expand the city boundaries to include the municipal airport as allowed by South Dakota Codified Law §9-4-14:

Namely:

Parcel 21990-00806-100-20: A 22.9 ACRE TRACT OF LAND LOCATED IN THE SE1/4  
NW1/4, NE1/4 SW1/4, SEC 10 TWP 8, RG 6

Parcel 21000-00806-034-30: TRACT A OF SE1/4S E1/4, SEC 3, TWP 8, RG 6 (8.15 ACRES)

Parcel 21000-00806-101-20: TRACT A OF NW1/4 NE1/4, TRACT A OF NE1/4 NE1/4, SEC  
10, TWP 8, RG 6

Parcel 21000-00806-101-30: E1/2 SW1/4, SE1/4 NW1/4, S1/2 NE1/4, SE1/4, LESS A 22.9  
ACRE TRACT IN THE SENW & NESW, SEC 10, TWP 8, RG 6 and

Parcel 21000-00806-113-0: W1/2 SW1/4, SW1/4 NW1/4, SEC 11 TWP 8, RG 6

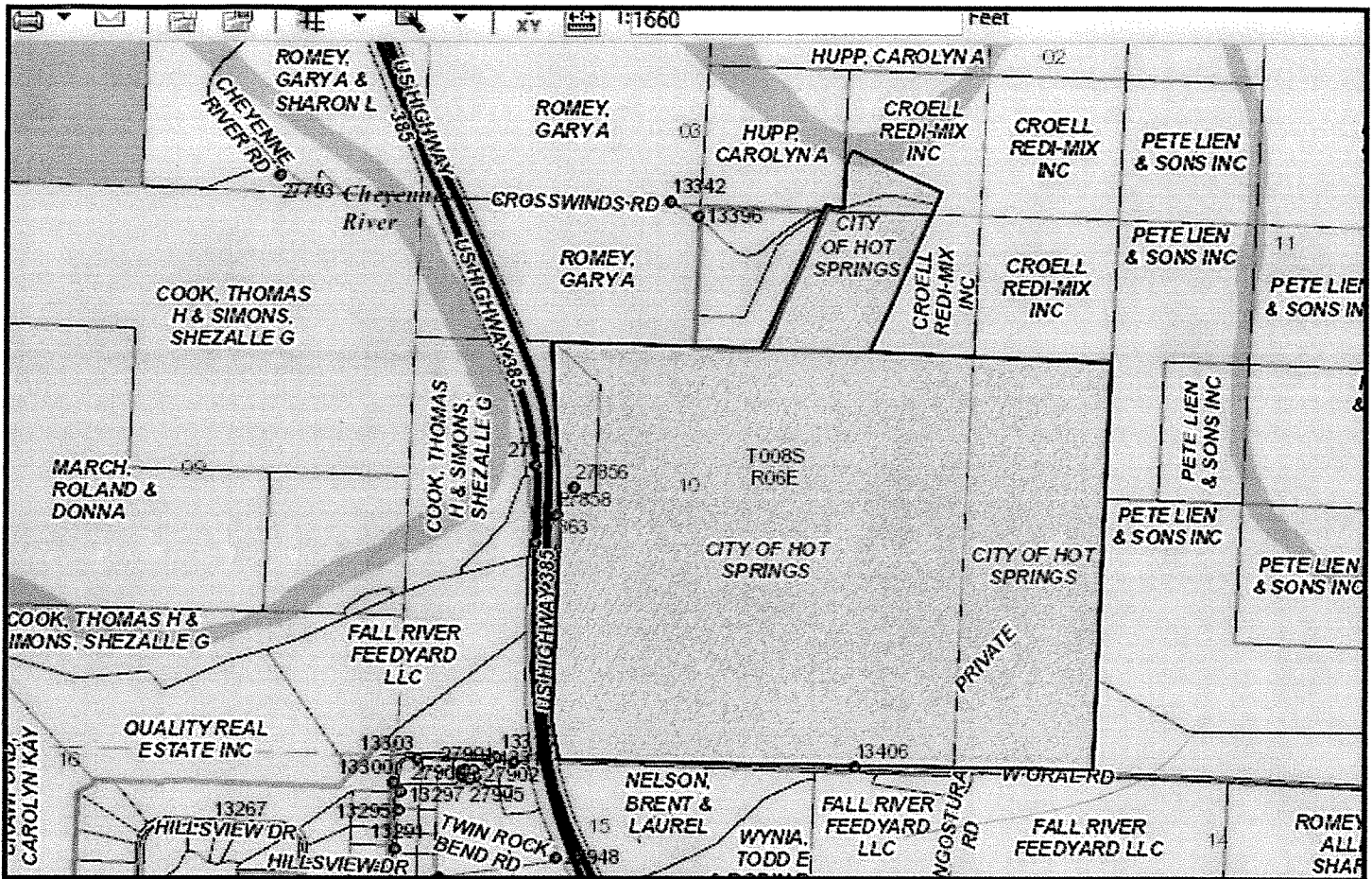
Adopted this 6<sup>th</sup> day of August 2018

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George Kotti, Mayor

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Attest: Misty Summers-Walton, Finance Officer



## MAP SHOWING AREA TO BE ANNEXED

## CODIFIED LAW

SDCL 9-4-14. Municipal airport outside corporate limits exempt from annexation restrictions--Extraterritorial jurisdiction--Application to property in another municipality. If a municipality operates an airport organized pursuant to Title 50 outside the corporate limits of the municipality, the restrictions of § 9-4-1 against annexation of noncontiguous territory do not apply to the annexation of the airport by such municipality. If the municipality annexes such airport, the municipality may exercise extraterritorial jurisdiction pursuant to chapter 11-6, but only to the extent of one and one-quarter miles of the exterior boundary of the airport property. Such one and one-quarter mile extraterritorial jurisdiction supersedes the three-mile extraterritorial jurisdiction of any other municipality or jurisdiction of any other governmental entity, except as provided in Title 50.

Such one and one-quarter mile extraterritorial jurisdiction does not include property located within the corporate limits of another municipality. However, the latter municipality may not allow any airport hazards as defined in Title 50 in its corporate limits within the one and one-quarter mile extraterritorial jurisdiction around the airport property.

Source: SL 2003, ch 42, § 3.

## **NOTICE OF PUBLIC HEARING**

**City of Hot Springs, South Dakota**

Notice is hereby given that the Hot Springs City Council will hold a public hearing on **Monday, August 6, 2018** at the Mueller Civic Center, 801 S 6th St., Hot Springs, SD at 7:15PM during the regularly scheduled Hot Springs City Council meeting to discuss the proposed annexation of the Hot Spring Municipal Airport. All interested citizens are encouraged to attend.

Dated this 25<sup>th</sup> day of July, 2018

Kim Barbieri  
City Administrator

Published once at the total approximate cost of \$\_\_\_\_\_

## Codified Laws

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#### Statute

9-4-4.3

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Printer Friendly

9-4-4.3. Notice of hearing on resolution to landowners and county auditor--Adoption. Prior to adoption, copies of the resolution of intent with a notice of time and place of the public hearing shall be forwarded by certified mail to the affected landowners and the county auditor, who shall then forward the resolution of intent and notice of public hearing regarding the resolution of intent to the county commissioners. The notice shall be postmarked not less than ten days and not more than twenty days before the date of the public hearing. The resolution of intent may be adopted, pursuant to chapter 9-19, with or without amendments after the public hearing. The governing body shall utilize and rely upon the records of the county director of equalization for the purposes of determining the affected landowners.

**Source:** SDC 1939, § 45.2906 as added by SL 1955, ch 215, § 1; SDCL § 9-4-4; SL 1979, ch 47, § 3; SL 1984, ch 52, § 2; SL 2012, ch 54, § 1.

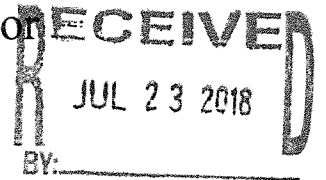
[Back to Chapter 9-4](#)

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Great Plains Regional Office  
115 Fourth Avenue S.E., Suite 400  
Aberdeen, South Dakota 57401



JUL 19 2018

IN REPLY REFER TO:  
Real Estate Services  
MC-306

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED – 7017 0530 0000 6114 2218**

The Honorable Dennis Daugaard  
Governor, State of South Dakota  
500 East Capitol Avenue  
Pierre, South Dakota 57501

Dear Governor Daugaard:

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10, notice is given of the application filed by the **Oglala Sioux Tribe**, to have real property accepted “in trust” for said applicants by the United States of America. The determination whether to acquire this property “in trust” will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property allocated to your organization;
- (3) Any governmental services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with the zoning.

We provide the following information regarding this application:

**Applicant:**

**Oglala Sioux Tribe.**

**Legal Land Description/Site Location:**

In Township 8 South, Range 4 East, Black Hills Meridian, Fall River County, South Dakota, Surface interest only in the following described lands:

Section 18, Lots 1, 2, and 3  
Section 20, All  
Section 21, NW $\frac{1}{4}$   
Section 28, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$   
containing 1,227.31 acres, more or less.

The subject land is commonly known as the Flint Hills Property and is located outside the exterior boundaries of the Pine Ridge Indian Reservation.

**Project Description/Proposed Land Use:**

The Oglala Sioux Tribe is currently leasing this land to the Institute of Range and American Mustang for use as a wild horse sanctuary. The above-described property is also used for sacred traditional uses, i.e., religious and ceremonial purposes of the Oglala Sioux Tribe; and for the production and grazing of wild game and livestock. The Tribe does not intend to change the use of this land.

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.


This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act (NEPA) of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs office listed at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted one thirty day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Additionally, copies of all comments will be provided to the applicant for a response. You will be notified of the decision to approve or deny the application.

If any party receiving this notice is aware of additional governmental entities that may be affected by the subject acquisition, **please forward a copy of this notice to the known interested parties.**

A copy of the application, excluding any documentation exempted under the Freedom of Information Act (FOIA), is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to Luree Livermont, Realty Specialist, or Jolene One Star, Deputy Realty Officer, at (605) 226-7618.

Sincerely,

  
ACTING Regional Director

cc: Superintendent, Pine Ridge Agency  
See Distribution List

**Distribution List:**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED – 7017 0530 0000 6114 2225**

Fall River County Commissioners  
906 N. River Street  
Hot Springs, South Dakota 57747

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED – 7017 0530 0000 6114 2232**

The Honorable George Kotti  
Mayor of Hot Springs  
303 North River Street  
Hot Springs, South Dakota 57747

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED – 7017 0530 0000 6114 2249**

The Honorable Scott Weston  
President, Oglala Sioux Tribe  
Post Office Box 2070  
Pine Ridge, South Dakota 57770



## HEITZMAN DRILL-SITE SERVICES

DALE HEITZMAN (1925-2002)

ROBERT M. ANDERSON

July 17, 2018

Mr. Randy Seiler, Superintendent  
FALL RIVER COUNTY HIGHWAY DEPARTMENT  
P.O. Box 939  
Hot Springs, South Dakota 57747-0939

RE: Overlord #1-27  
NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 27  
T10S, R1E, B.H.M.  
Fall River County, South Dakota  
Fee Mineral Lease

Dear Mr. Seiler;

As you know, Gulf Exploration, LLC is proposing to use Fall River County Road 8 (Coffee Flats Road) to access the above-referenced well location. An Application for Road Approach Permit for access to the above-referenced well location from the county road was filed with your office on/about May 31, 2018. Gulf Exploration, LLC will also be using the Coffee Flats Road for access to three federal wells in this same general area of Fall River County as follows:

Bolero #1-10  
SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10  
T10S, R1E, B.H.M.  
Federal Lease #SDM-105600

Dragoon #1-2  
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 2  
T11S, R1E, B.H.M.  
Federal Lease #SDM-103743


Stonewall #1-5  
SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 5  
T10S, R1E, B.H.M.  
Federal Lease #SDM-105601

We expect drilling operations on these wells to commence sometime in late August pending approval of the three federal APD's by the Bureau of Land Management. A single drilling rig will be contracted to drill all three holes and the actual drilling operation will require approximately five days per well.

In our previous conversations, you expressed concern about said road use and the potential damage thereto resulting from heavy truck traffic associated with construction, drilling and completion operations. In this regard, Gulf Exploration, LLC (Gulf) hereby agrees to repair any damage to County Road 8 resulting from their proposed operations. Gulf will return the county road to a "pre-drilling" condition at their expense as is standard oilfield practice following the completion of operations.

Should you have any questions or require any additional information in this regard, please do not hesitate to contact me.

Sincerely,


  
Robert M. Anderson, CWB  
Authorized Agent for Gulf Exploration, LLC

**FALL RIVER COUNTY HIGHWAY DEPARTMENT  
APPROACH PERMIT  
APPLICATION FOR ROAD APPROACH PERMIT**

On this date May 31, 2018, the Applicant hereby applies to the Fall River County Highway Department for permission to construct an approach road connection to the Northeast side of (road name) Coffee Flats (road #) 8 approximately at 12.3 mi south of US 18 intersection. The road approach will serve a exploratory oil well (business) and will be (residence, church, business, etc.) constructed between July 15, 2018 and November 1, 2018 at (beginning date) (completion date) at

applicant's expense.

Applicant acknowledges that approach and culverts shall meet County specifications, which are on file at the County Highway Department. Please attach a drawing or sketch showing the proposed location of the approach and set stakes in the ground to enable the Superintendent/Foreman to locate the proposed approach.

Name: Robert M. Anderson, Agent for Gulf Exploration, LLC Address: 5315 East 21st Street Casper, Wyoming 82609-4609  
Phone #: 307-473-1268 Signed:   
(Property Owner)

---

**TO BE COMPLETED BY FALL RIVER COUNTY HIGHWAY DEPARTMENT**

Permit # : \_\_\_\_\_  
MO/DY/YR

PRELIMINARY INSPECTION: Date \_\_\_\_\_ By: \_\_\_\_\_

Culvert Diameter \_\_\_\_\_ Culvert Length \_\_\_\_\_

The crown of the presently traveled surface, including shoulder, to be continued at a distance of 20 feet from the nearest edge of the traveled surface of the road-shoulder facing the property.

Remarks: \_\_\_\_\_

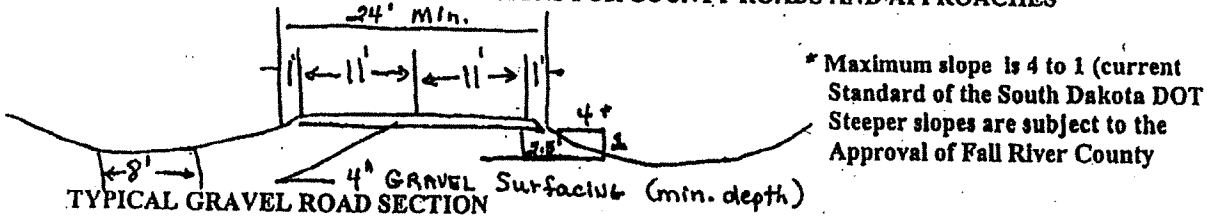
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PERMIT: \_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

Date: \_\_\_\_\_

Superintendent/Foreman

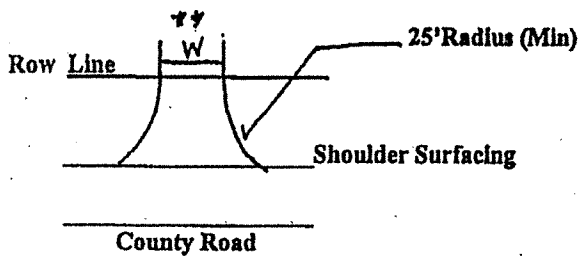
FALL RIVER COUNTY HIGHWAY DEPARTMENT  
 SPECIFICATIONS FOR COUNTY ROADS AND APPROACHES



The above Typical Road Section and Typical Approach Detail (below) shall be followed in the construction of roads to be placed on the County Road System. Road design shall be consistent with published Standards of the American Association of State Highway Transportation Officials. Road construction materials and methods shall conform to the current published edition the "Standard Specifications for Roads and Bridges" of the South Dakota Department of Transportation, when referenced in the Standards below. Copy of these Specifications is on file at the County Highway Department Office.

The following are standards which shall be met:

1. Maximum Grade of any road or portion of road shall not exceed ten percent (10%)
2. Maximum Degree of Curvature shall not exceed twenty one degrees (21 degrees)
3. Crown rates shall be between 0.02 11/11 to 0.06 11/11. Maximum Super elevation rate in curves shall be 0.07 11/11.
4. Culverts shall be sized to assure proper drainage. The minimum size of culvert shall be eighteen inches (18") in diameter. Although fifteen inch (15") diameter will be allowed under certain conditions.
5. Gravel Surfacing shall meet the requirements of Part B of the Standard Specifications.
6. Asphalt and Concrete construction methods and materials shall meet the requirements of Part C and Part D of the "Standard Specifications".
7. All Dead-End Roads shall have Cul-De-Sacs with a minimum constructed radius of fifty feet (50').
8. Approaches shall be constructed perpendicular as practical to the County Road.
9. The Minimum dedicated Right-Of-Way width shall be sixty six feet (66').



\*\* W Is Surface Width at Right-Of-Way line  
 W - 16' Min. for Single Residences  
 W - 20' Min for Multiple Residences  
 W - 28' Min. for Commercial

Maximum W - 50'

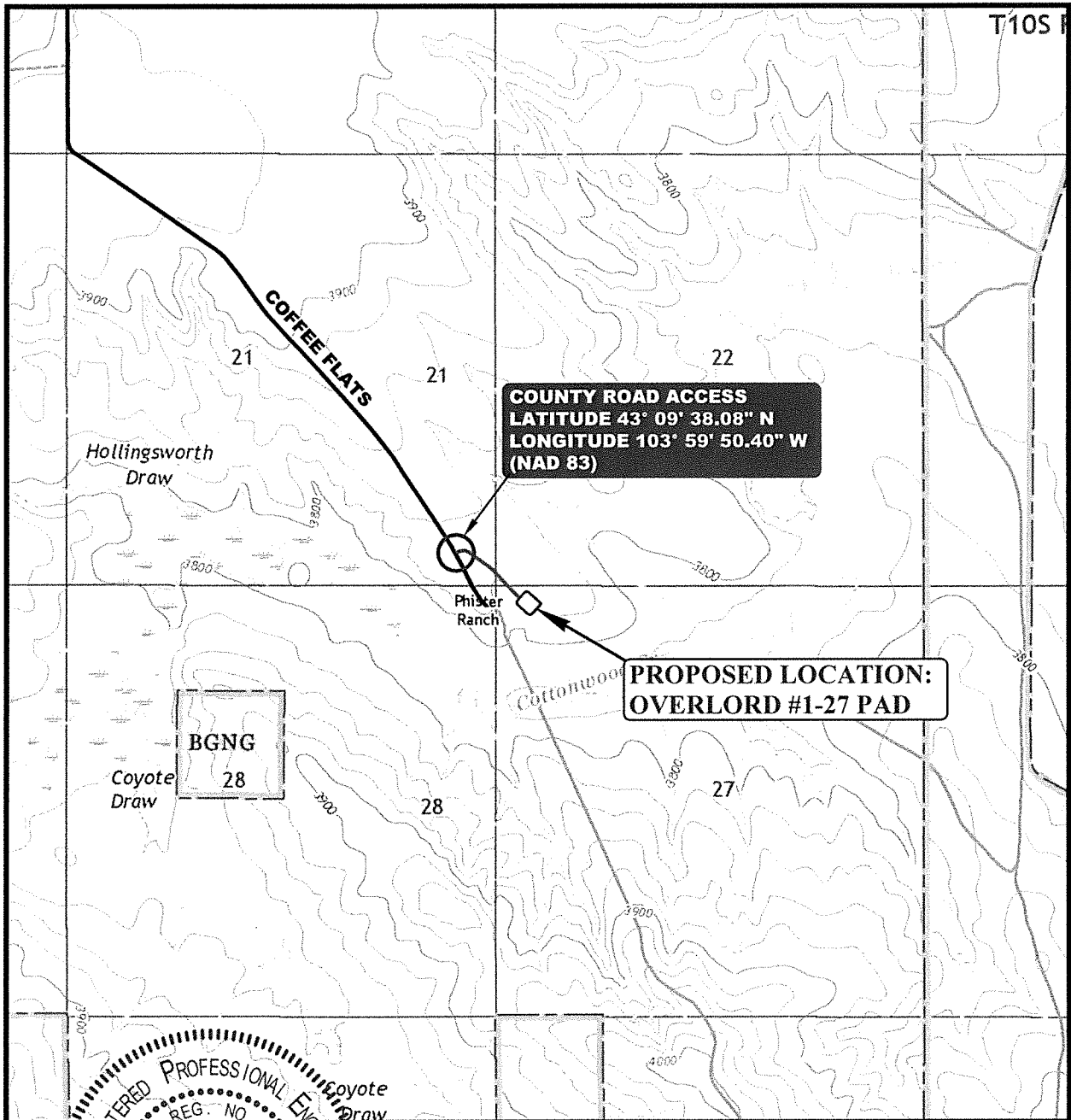
TYPICAL APPROACH DETAIL

1. Only one approach shall be allowed to each tract or parcel of land.
2. Existing roadway drainage will be maintained. Culverts shall be sized to assure proper drainage. The maximum size of culvert shall be eighteen Inches (18") in diameter, although fifteen Inch (15") diameter will be allowed under certain conditions. The minimum length of approach culvert shall be thirty-two feet (32')
3. Sight distance of approaches shall meet published Standards of the American Association of State Highway Transportation Officials.

APPROVED By: \_\_\_\_\_  
 (Chairman) FALL RIVER COUNTY COMMISSIONERS DATE

RECOMMENDED BY: \_\_\_\_\_  
 FALL RIVER COUNTY HIGHWAY SUPERINTENDENT DATE

**GULF EXPLORATION, LLC  
OVERLORD #1-27 PAD  
COUNTY ROAD ACCESS  
LOCATED IN FALL RIVER COUNTY, SOUTH DAKOTA  
SEC. 21, 22 & 27, T10S, R1E, B.H.M.**



REGISTERED PROFESSIONAL ENGINEER  
 REG. NO. 9736  
 HAROLD NELSON MARSHALL  
 SOUTH DAKOTA  
*Harold Marshall*  
 RESPONSIBLE ENGINEER

CONTENTS	
GENERAL NOTES.....	SHEET 1
GEOMETRIC STANDARDS.....	SHEET 2
CULVERT INSTALLATION DETAILS.....	SHEET 3
TRAFFIC CONTROL PLANS.....	SHEETS T1-2
PLAN & PROFILE.....	SHEET P1



DRAWN BY: S.L.W.	DATE DRAWN: 05-01-18
SCALE: 1"=2,000'	REVISED:
<b>ACCESS ROAD</b>	<b>COVER</b>



**UELS, LLC**  
 Corporate Office \* 85 South 200 East  
 Vernal, UT 84078 \* (435) 789-1017

GULF EXPLORATON, LLC  
GENERAL NOTES

SHEET \_\_\_1\_\_\_

DATE: 05-01-18

All materials for construction of the complete project including but not limited to rip-rap, water for dust control and compaction, culverts, bedding materials for culverts, surface course gravel, signs, etc. are to be provided by the contractor at his bid price unless other arrangements are made.

Construction of the approach from the county road must conform to current AASHTO and Fall River County standards. An access permit must be obtained for this approach prior to beginning construction. During construction, the contractor will follow all signing and flagging requirements as stated in the Manual of Uniform Traffic Control Devices latest edition.

Uintah Engineering and Land Surveying assumes no liability written or implied as to the location of pipelines or cable lines in the vicinity of this road design. South Dakota 811 (public lines) and or the owner of the transportation line (Private/Corporate lines) must be contacted for identification and location before construction begins. Transportation lines that may be identified on these plans may not be the only transportation lines in the vicinity of the road. These plans are not intended to be used to identify the location of transportation lines. Extreme caution shall be used when constructing road near or over transportation lines.

EXPLANATIONS:

PLAN & PROFILE SHEETS

Plan & Profile sheets show the horizontal and vertical alignment of the road, sign placement if any, turnout placement if any, estimated culvert placements and sizes, estimated wing ditches, horizontal and vertical curve data, and the percent super for construction of horizontal curves.

SCOPE OF WORK:

SHAPING THE ROADWAY

The roadway is to be shaped to the dimensions shown on the typical cross section included in this document. Care shall be given to insure that the travel-way width is not less or significantly more than the dimensions given on the typical cross section. Where turnouts are indicated, the typical section widths shown on the typical cross section will need to be modified by the amounts shown on the typical turn-out. Where there are horizontal curves, super-elevations will be constructed to the percentages shown on the plan and profile sheets. One-third of the super transition occurs on the curve and two-thirds on the tangent.

Top soil will be handled in the manner agreed upon and stated within the APD and the conditions of approval. If top soil is to be moved; Top soil will be peeled back during construction. Some over-excavation of cut slopes and bar ditches will provide needed material for road construction. Top soil will then be spread back over the cut and fill slopes and bar ditches.

The road shall have a crown as shown on the typical cross section to insure that water will drain off of the travel-way surface.

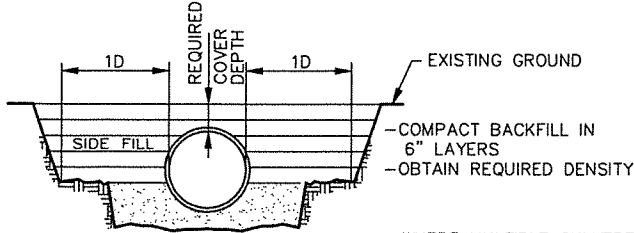


## CULVERT CONSTRUCTION DETAILS

THE PLANS SHOW AN ESTIMATE OF THE NUMBER AND THE SIZE OF THE CULVERTS TO BE PLACED ON THE ROAD. THERE MAY NEED TO BE SOME FIELD ADJUSTMENTS MADE BY THE CONTRACTOR, BLM, AND/OR INSPECTOR/ENGINEER TO THE PLACEMENT AND LENGTH OF THE CULVERTS AND WING DITCHES.

CULVERT INGRESS AND EGRESS DITCH LENGTHS ARE TO BE DETERMINED DURING CONSTRUCTION. ALL DITCHES ARE TO BE CONSTRUCTED WITH SUFFICIENT SLOPE SO THAT WATER WILL EXIT THE DOWNSTREAM SIDE AND NOT POND IN THE DITCH.

ALL CULVERTS SHALL BE OF SUFFICIENT STRENGTH TO SUPPORT AN HS-20 LOADING OR HEAVIER. CHECK WITH MANUFACTURER FOR INFORMATION ABOUT MINIMUM COVER AND LOAD RATINGS. IN NO CASE SHALL COVER OVER CULVERTS BE LESS THAN 1'. CULVERT LENGTHS ARE ESTIMATED ON THE PLANS BUT THERE MAY NEED TO BE SOME ADJUSTMENTS MADE TO THE LENGTHS OF THE CULVERTS DURING CONSTRUCTION.



**BACKFILL DETAIL**

RIP-RAP WILL BE PLACED AT CULVERT INLETS AND OUTLETS WHERE SPECIFIED ON THE PLAN & PROFILE SHEETS. RIP-RAP WILL BE SIZED DEPENDENT UPON PIPE DIAMETER AS SHOWN. RIP RAP SHALL BE WELL GRADED WITH A SUFFICIENT AMOUNT OF SMALLER STONES UNIFORMLY DISTRIBUTED THROUGHOUT.

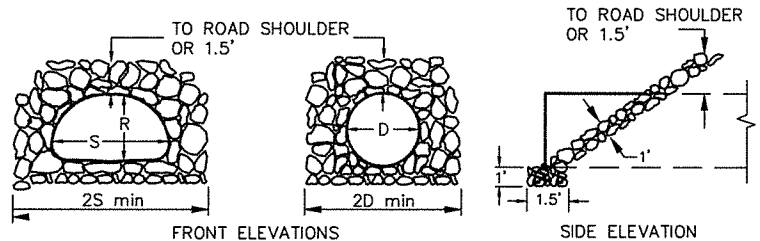
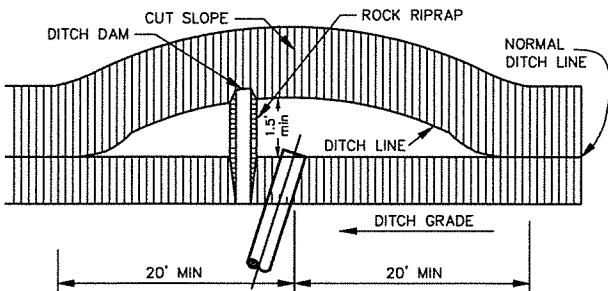
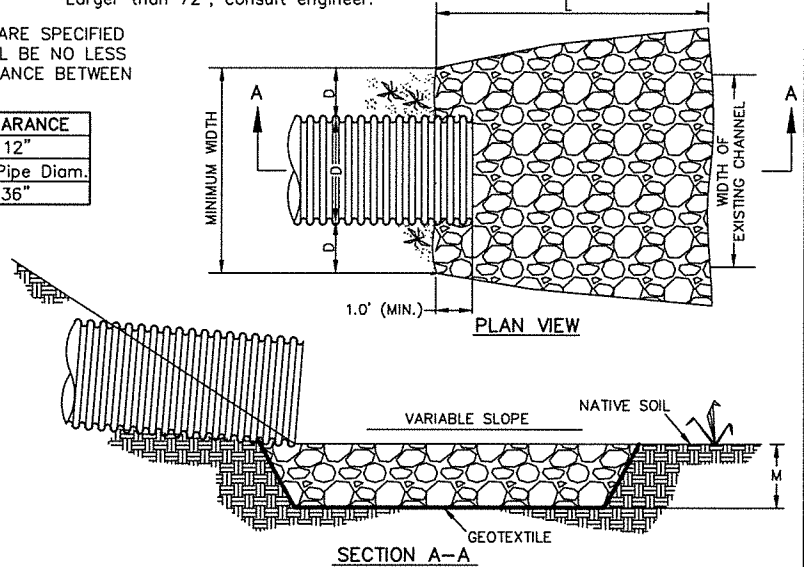
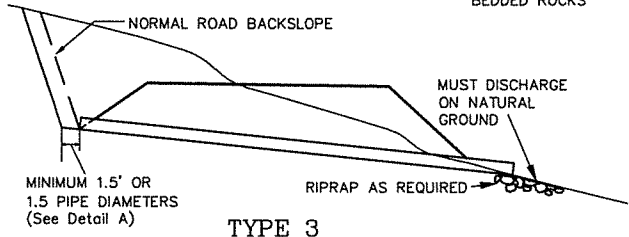
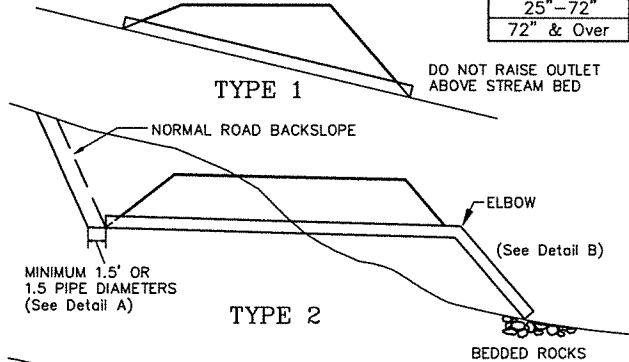
PIPE DIAM.—D	RIP-RAP SIZE	L	M	YARDAGE
0"—24"	60% shall be 8" in diameter or larger	5'	12"	±1 cyds
25"—48"	60% shall be 12" in diameter or larger	10'	18"	±6 cyds
49"—72"	60% shall be 18" in diameter or larger	15'	24"	±19 cyds

\*Larger than 72", consult engineer.

WHERE MULTIPLE CULVERTS ARE SPECIFIED ON THE PLANS, THERE SHALL BE NO LESS THAN THE FOLLOWING CLEARANCE BETWEEN THE CULVERTS.

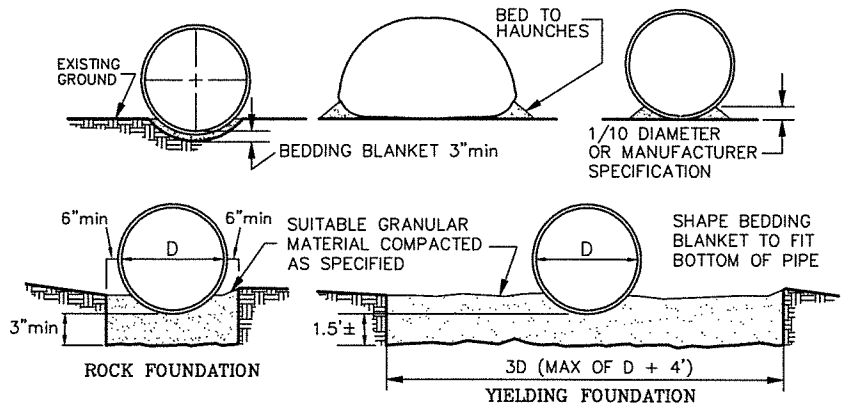
PIPE DIAM.—D	CLEARANCE
0"—24"	12"
25"—72"	1/2 Pipe Diam.
72" & Over	36"

IN LIVE FISH BEARING STREAMS LOWER BOTTOM OF CULVERT 6" BELOW NATURAL CHANNEL SURFACE

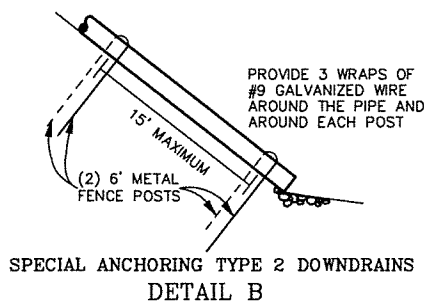


IN NARROW CHANNELS ADJUST RIPRAP TO FIT ORIGINAL STREAM BANKS.

**RIP RAP DETAILS**



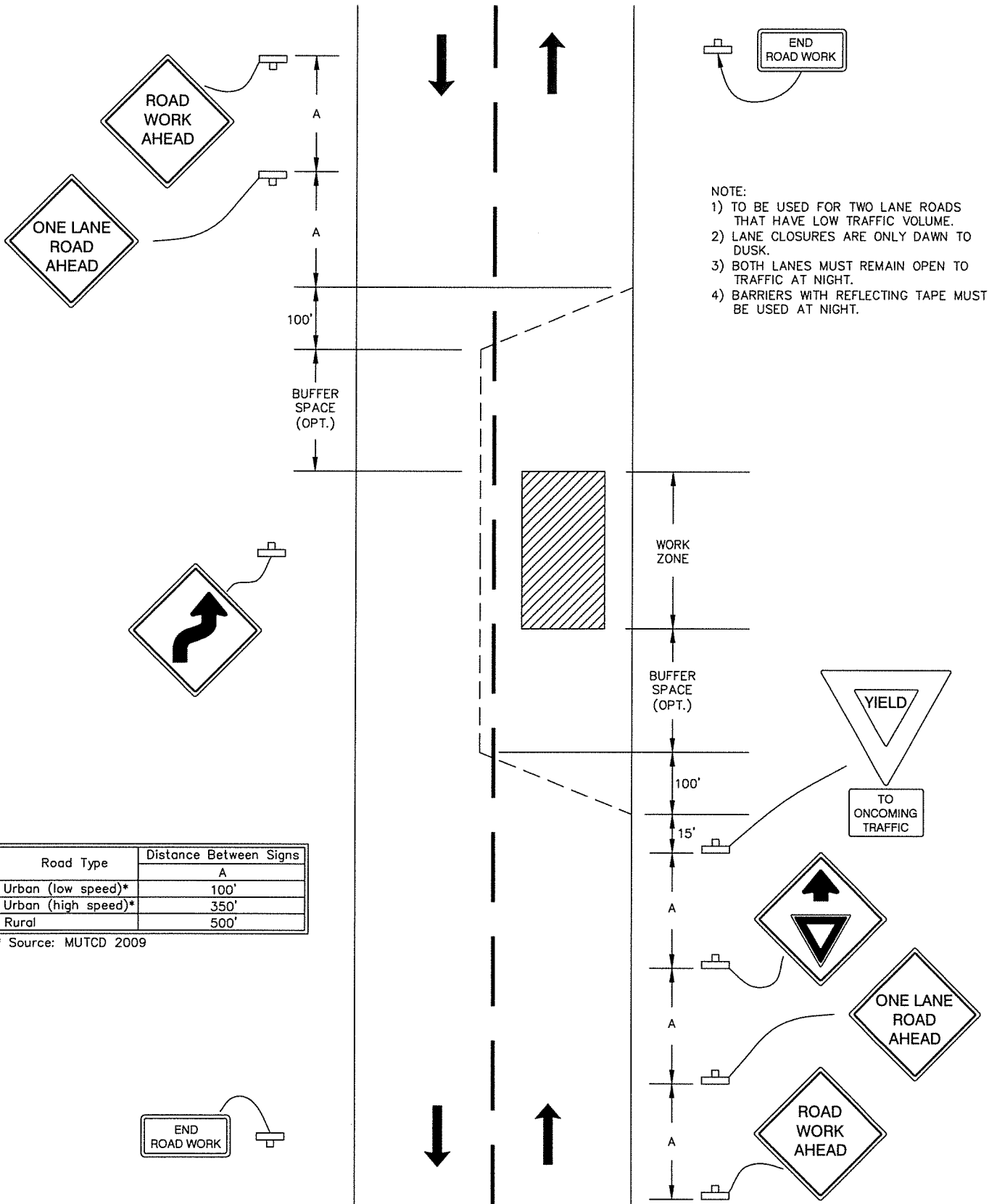
**BEDDING DETAILS**



TRAFFIC CONTROL PLAN

DATE: 05-01-18

WORK WITHIN TRAVELWAY - LOW TRAFFIC VOLUME



NOTE:

- 1) TO BE USED FOR TWO LANE ROADS THAT HAVE LOW TRAFFIC VOLUME.
- 2) LANE CLOSURES ARE ONLY DOWN TO DUSK.
- 3) BOTH LANES MUST REMAIN OPEN TO TRAFFIC AT NIGHT.
- 4) BARRIERS WITH REFLECTING TAPE MUST BE USED AT NIGHT.

Road Type	Distance Between Signs
	A
Urban (low speed)*	100'
Urban (high speed)*	350'
Rural	500'

\* Source: MUTCD 2009

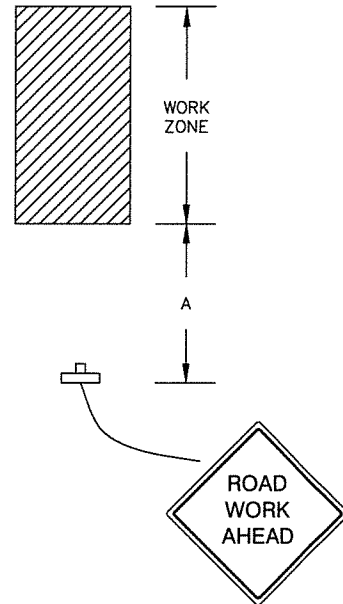


Road Type	Distance Between Signs
	A
Urban (low speed)*	100'
Urban (high speed)*	350'
Rural	500'

\* Source: MUTCD 2009



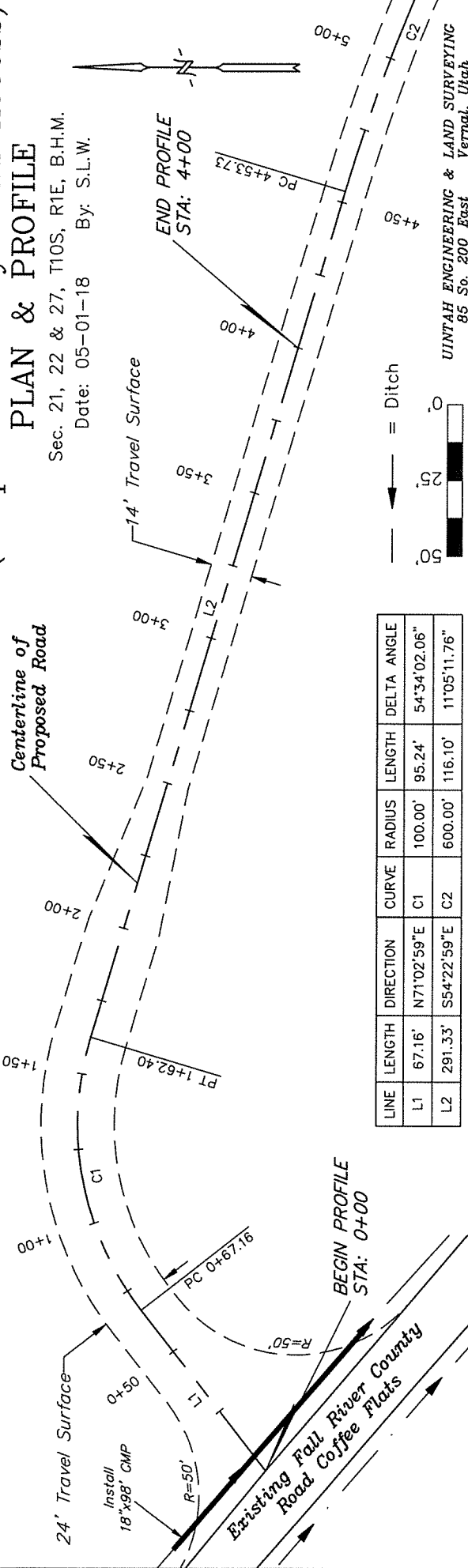
NOTE:  
1) TO BE USED WHEN WORKING BEYOND THE SHOULDER.



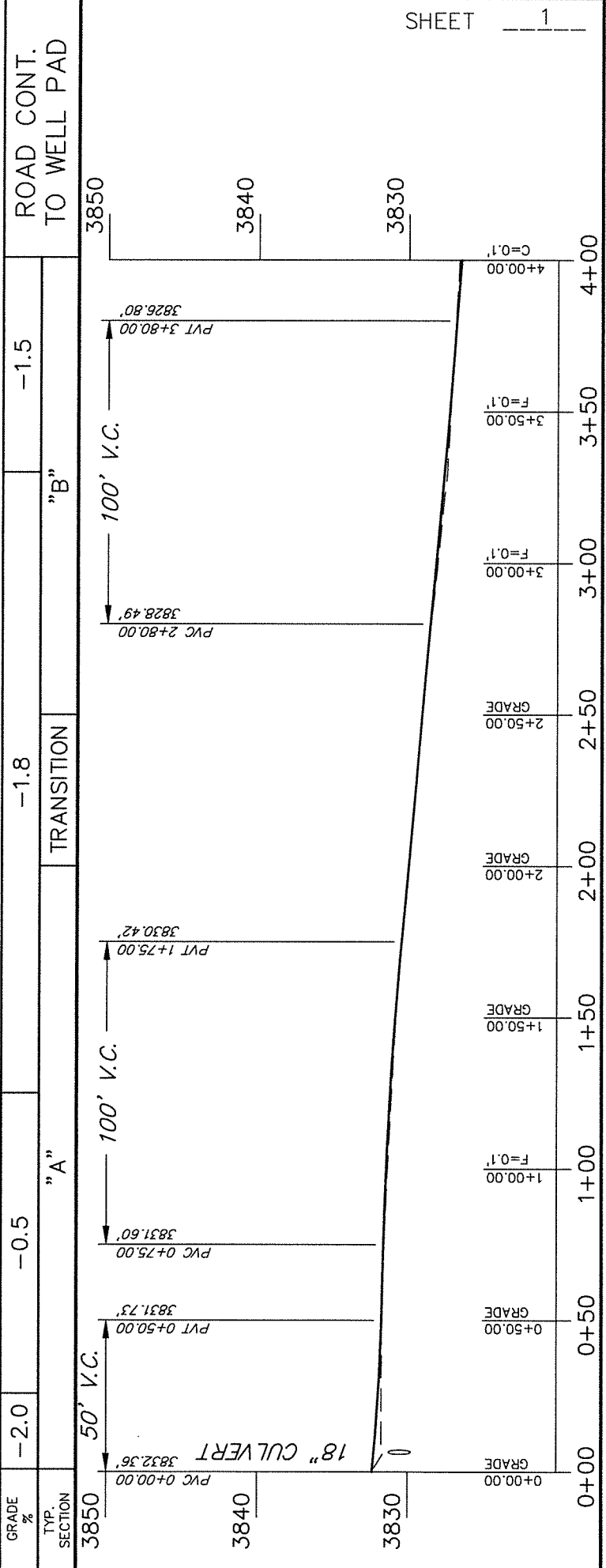
# GULF EXPLORATION, LLC OVERLORD #1-27 PAD (Proposed County Road Access) PLAN & PROFILE

Sec. 21, 22 & 27, T10S, R1E, B.H.M.  
Date: 05-01-18 By: S.L.W.

NOTE:  
1. BEGIN PROFILE STATION 0+00 BEARS N25°53'05"W, 313.60' FROM THE NW CORNER OF SECTION 27, T10S, R1E, B.H.M. WHICH WAS ASSUMED TO BEAR S89°51'54"E FOR 5288.41'.  
2. END PROFILE STATION 4+00 BEARS N49°36'44"W, 635.82' FROM THE NW CORNER OF SECTION 27, T10S, R1E, B.H.M.



LINE	LENGTH	DIRECTION	CURVE	RADIUS	LENGTH	DELTA ANGLE
L1	67.16'	N71°02'59"E	C1	100.00'	95.24'	54°34'02.06"
L2	291.33'	S54°22'59"E	C2	600.00'	116.10'	11°05'11.76"



FALL RIVER TOTAL PILT DISTRIBUTION-2017

COUNTY

less 5% off the top for schools

25%

GENERAL	10100R3330000	514,189.29	559,224.26	
CRBR	20100R3330000	82,576.41	82,576.41	
BDLG	30100R3330000	22,951.00	22,951.00	
FIRE	21100R3330000	1,556.70	1,556.70	666,308.37
TWP	72200L2090200	127.86	31.97	31.97
AMBULANCE	73300L2090100	10,767.30	2,691.83	
	73300L2090200	3,404.10	851.03	
	73300L2090300	5,674.65	1,418.66	\$ 4,961.52
FIRE	75600L2090100	5,889.60	1,472.40	
	75600L2090200	3,917.59	979.40	
	75600L2090300	3,206.47	801.62	
	75600L2090400	1,752.58	438.15	
	75600L2090500	1,587.44	396.86	
	75600L2090600	5,775.10	1,443.78	
	75600L2090700	4,704.77	1,176.19	
	75600L2090800	13,239.19	3,309.80	\$ 10,018.20
		681,320.05	681,320.05	681,320.05

SCHOOLS

EDGEMONT	72100L2090100		17,439.47	17,439.47
HOT SPRINGS	72100L2090200		5,502.32	5,502.32
DELRIKHS	72100L2090300		12,917.15	12,917.15
			35,858.94	35,858.94

TOTAL 2017 PILT DISTRIBUTION:

717,178.99

THIS IS THE DISTRIBUTION TAKING 5% STRAIGHT OFF THE TOP OF THE AMOUNT FOR SCHOOLS  
 25% OF APPORTIONED AMOUNT TO OTHER ENTITIES WITH THAT BALANCE TO THE GENERAL FUND  
 PILT APPORTIONED BY ACRES AND MILL LEVIES BY ENTITIES

# FALL RIVER TOTAL PILT DISTRIBUTION-2018

COUNTY

less 5% off the top for schools

25%

GENERAL	10100R3330000	522,149.97	569,804.39	
CRBR	20100R3330000	83,533.59	83,533.59	
BDLG	30100R3330000	23,272.60	23,272.60	
FIRE	21100R3330000	1,528.05	1,528.05	678,138.63
ARGENTINE	72200L2090200	133.14	33.29	33.29
EDGEMONT	73300L2090100	12,053.55	3,013.39	
HOT SPRINGS	73300L2090200	3,497.70	874.43	
OELRICHS	73300L2090300	5,499.20	1,374.80	5,262.62
ARDMORE	75600L2090100	7,182.37	1,795.59	
CASCADE	75600L2090200	4,078.91	1,019.73	
EDGEMONT	75600L2090300	3,568.69	892.17	
HOT SPRINGS	75600L2090400	1,864.92	466.23	
MINNEKAHTA	75600L2090500	1,485.90	371.48	
OELRICHS	75600L2090600	5,666.09	1,416.52	
ORAL	75600L2090700	4,755.26	1,188.82	
SMITHWICK	75600L2090800	13,753.51	3,438.38	10,588.92
		694,023.45	694,023.45	694,023.45
<b>SCHOOLS</b>				
EDGEMONT	72100L2090100		17,870.79	17,870.79
HOT SPRINGS	72100L2090200		5,659.08	5,659.08
OELRICHS	72100L2090300		12,997.68	12,997.68
			36,527.55	36,527.55

TOTAL 2018 PILT DISTRIBUTION:

730,551.00

THIS IS THE DISTRIBUTION TAKING 5% STRAIGHT OFF THE TOP OF THE AMOUNT FOR SCHOOLS  
 25% OF APPOINTED AMOUNT TO OTHER ENTITIES WITH THAT BALANCE TO THE GENERAL FUND  
 PILT APPORTIONED BY ACRES AND MILL LEVIES BY ENTITIES

As you know our request for funding in Fall River County was due May 10<sup>th</sup>.

Our operating grant for Section 5311 Federal funding was due to the SD Department of Transportation on July 12<sup>th</sup>. Due to the 2 month gap the "projected budget" I am sending for both Hot Springs and Edgemont were not available until July 9<sup>th</sup>.

In our 2018-2019 Section 5311 (Operating/Administrative budget) we are required to provide a budget of individual communities as well as an overall budget. Ridership/mileage are used to determine the percentage of each community's obligation.

\* **From the Section 5311 Application:** There are two categories of public transportation assistance: 1) administrative costs and 2) operating costs. Administrative costs are reimbursed using 82.82% federal funds; examples are project director salaries, vehicle insurance and secretary and bookkeeper salaries. Operating costs are reimbursed using federal funds to pay 51.76% of the operating deficit (full operating cost minus bus income); examples are driver and dispatcher salaries, oil and fuel costs, bus maintenance and repair costs, licenses and bus barn utilities. One half of the local share for both capital and operating costs must be provided in cash from sources other than federal funds. The other half of the local share may be made up of unrestricted funds from other federal programs. Projects eligible for Section 5311 assistance must benefit residents in non-urban areas of South Dakota with less than 50,000 population

Anticipating the merger of Arrow Public Transit in Lemmon and using their existing information every community saw a decrease in the costs that are shared between communities. Keep in mind that these are projected figures. The actual overall budget request will not be awarded until sometime toward the end of September.

I have included budget projects for both Edgemont and Hot Springs.

The Administrative page shows 12 month shared expenses between communities.

The Operating page also shows 12 month shared expenses between communities.

The Summary on line shows the proposed budget for 18-19 and then goes on to show what we expect are revenues that can be used to offset the expenses. That can change.

We are developing a program that will allow us to provide monthly reports to each community that will provide actual expenses for drivers, fuel etc. If possible I'll bring copies for everyone that are customized by community. Because of the large scope of our service area and the number of communities that we serve these will reflect a better picture of actual expenses and revenue.

**PHT - Hot Springs Community  
Project Budget Summary**

	<u>Administrative</u>		<u>Operating</u>		<u>Total</u>
<b>1 TOTAL PROPOSED BUDGET</b>	\$ 37,196.42		\$ 64,039.58		\$ 101,235.99
<b>2 BUS AND OTHER INCOME</b>					
a Bus Donations\Fares	\$ 2,499.15		\$ 4,998.30		
b Bus Advertising					
c Medicaid	\$ 5,491.50		\$ 10,983.00		
d Bus Contracts (Specify)	\$ 7,623.25		\$ 15,246.50		
e Other Local Funds (Specify) United Way	\$ 1,530.75		\$ 3,061.50		
<b>3 TOTAL BUS &amp; OTHER INCOME</b>	\$ 17,144.65		\$ 34,289.30		\$ 51,433.95
<b>4 NET PROJECT COST</b>	\$ 20,051.77		\$ 29,750.28		
<b>5 (Percent to apply to net project costs)</b>	82.82%		51.76%		
<b>6 REQUESTED 5311 FUNDS</b>	\$ 16,606.87		\$ 15,398.74		\$ 32,005.62
<b>7 LOCAL MATCH</b>					
a Title III-B Funds - Same as 2018			\$ 5,363.05		\$ 5,363.05
b Local Funds				\$ -	\$ -
c State Funds - Same as 2018	\$ -		\$ -		\$ -
d Other Funds (Specify) Medicaid/Contracts	\$ 3,444.89		\$ 8,988.48		\$ 12,433.38
<b>8 REQUIRED LOCAL MATCH</b>	\$ 3,444.89		\$ 14,351.53		\$ 17,796.43

**SUMMARY OF ALL FUNDS**

<b>9 Total Requested 5311 Funds (Total shown on line 6)</b>	\$ 32,005.62
<b>10 Total Requested Title IIIB Funds (Sum of Line 7a Admin. Plus Oper. Columns)</b>	\$ 5,363.05
<b>11 Total Requested State Funds (Use amount awarded in previous year.)</b>	\$ -
<b>12 Total Local Effort (Total shown on Line 4 minus Lines 9, 10 and 11.)</b>	\$ 12,433.38
<b>13 Total Project Funding (Total Lines 9-12)+ (Total Line 3)</b>	\$ 101,235.99

Line 13 should be the same as the Total on Line 1

**Project Operating Budget**

	HS	
	<u>Current Year</u>	<u>Proposed</u>
	<u>Expenditures</u>	<u>Budget</u>
	9%	5%
<b>Personnel</b>		
Driver Wages	\$ 34,645.83	\$ 32,723.57
Fringe Benefits	\$ 5,694.81	\$ 7,255.43
Dispatcher Wages	\$ 6,299.48	\$ 5,474.83
Fringe Benefits	\$ 908.26	\$ 660.11
Fleet Support Specialist Wages	\$ 1,532.31	\$ 520.26
Fringe Benefits	\$ 572.30	\$ 78.14
Mechanic Wages	\$ 2,368.70	\$ 1,811.52
Fringe Benefits	\$ 737.01	\$ 390.19
Detailer Wages	\$ -	\$ 172.58
Fringe Benefits	\$ -	\$ 20.74
Jefferson Lines Dispatcher	\$ 581.42	\$ 461.87
Fringe Benefits	\$ 36.76	\$ 35.33
<b>Facilities</b>		
Garage Utilities	\$ 2,197.02	\$ 1,600.00
Garage Supplies/Telephone	\$ 1,026.31	\$ 870.00
Garage Maintenance	\$ 886.12	\$ 1,060.00
Jefferson Lines Expense	\$ 141.26	\$ 90.00
	\$ -	\$ -
<b>Vehicles</b>		
Normal Maintenance/Supplies	\$ 274.67	\$ 600.00
Major Repairs	\$ -	\$ 875.00
Tires	\$ -	\$ 325.00
Fuel	\$ 11,361.43	\$ 8,540.00
<b>Miscellaneous</b>		
Contract Services (Clean/Snow)	\$ 372.79	\$ 375.00
Other (Licenses)	\$ 173.58	\$ 100.00
	\$ -	\$ -
<b>Subtotal Operating</b>	<b>\$ 69,810.07</b>	<b>\$ 64,039.58</b>

	HS	
	<u>Current Year</u>	<u>Proposed</u>
	<u>Expenditures</u>	<u>Budget</u>
	9%	5%
<b>Personnel</b>		
Executive Director	\$ 7,881.04	\$ 4,875.20
Fringe Benefits	\$ 897.55	\$ 551.79
Finance Director	\$ 3,121.64	\$ 2,423.51
Fringe Benefits	\$ 313.53	\$ 206.35
Finance Assistant	\$ -	\$ 1,352.00
Fringe Benefits	\$ -	\$ 548.77
Revenue & Grant Procurement Specialist	\$ 3,313.10	\$ 1,926.95
Fringe Benefits	\$ 1,115.31	\$ 705.45
Information & Operations Director	\$ 3,717.46	\$ 2,193.75
Fringe Benefits	\$ 453.17	\$ 250.58
Human Resource	\$ 3,449.58	\$ 2,214.00
Fringe Benefits	\$ 336.83	\$ 256.12
Media Coordinator	\$ 2,669.95	\$ 1,204.84
Fringe Benefits	\$ 240.94	\$ 101.32
Lemmon Office Management	\$ -	\$ -
Fringe Benefits	\$ -	\$ -
Safety & Facility Officer	\$ 2,132.11	\$ 1,556.17
Fringe Benefits	\$ 194.58	\$ 137.54
Jefferson Lines Administrator	\$ 619.34	\$ 406.25
Fringe Benefits	\$ 58.23	\$ 47.73
Cleaning Person (SP)	\$ -	\$ -
Fringe Benefits (SP)	\$ -	\$ -
<b>Travel</b>		
Travel/Training	\$ 571.58	\$ 750.00
Travel/Mileage/Per Diem/Lodging	\$ 261.85	\$ -
<b>Office</b>		
Office Utilities	\$ 1,129.72	\$ 800.00
Office Supplies/Telephone	\$ 2,744.20	\$ 2,000.00
Office Postage/Bnk Fees	\$ 922.91	\$ 650.00
Office/Main & Repair Equip/Facility	\$ 494.10	\$ 375.00
<b>Contract Services</b>		
Service Contracts	\$ 1,710.50	\$ 1,500.00
<b>Miscellaneous</b>		
Audit	\$ 1,800.00	\$ 1,150.00
Marketing/Ads/Promotion	\$ 455.49	\$ 750.00
Physicals/Pre-employment/Random	\$ 0.44	\$ 2.61
Other (Employee Relat./Board Exp/Prof Fees)	\$ 376.44	\$ 250.00
<b>Insurance</b>		
Vehicle Insurance	\$ 4,382.86	\$ 3,187.73
Bus, Garage & Gen Liability Insurance	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
<b>Subtotal Administrative</b>	<b>\$ 48,911.08</b>	<b>\$ 37,196.42</b>



AGENCY:

PRAIRIE HILLS TRANSIT

2019

Attachment 5

## Project Administrative Budget

	ED	
	<u>Current Year</u>	<u>Proposed</u>
	<u>Expenditures</u>	<u>Budget</u>
	2%	2%
<b>Personnel</b>		
Executive Director	\$ 1,751.34	\$ 1,950.08
Fringe Benefits	\$ 199.45	\$ 220.72
Finance Director	\$ 693.70	\$ 969.40
Fringe Benefits	\$ 69.67	\$ 82.54
Finance Assistant	\$ -	\$ 540.80
Fringe Benefits	\$ -	\$ 219.51
Revenue & Grant Procurement Specialist	\$ 736.24	\$ 770.78
Fringe Benefits	\$ 247.85	\$ 282.18
Information & Operations Director	\$ 826.10	\$ 877.50
Fringe Benefits	\$ 100.71	\$ 100.23
Human Resource	\$ 766.57	\$ 885.60
Fringe Benefits	\$ 74.85	\$ 102.45
Media Coordinator	\$ 593.32	\$ 481.94
Fringe Benefits	\$ 53.54	\$ 40.53
Lemmon Office Management	\$ -	\$ -
Fringe Benefits	\$ -	\$ -
Safety & Facility Officer	\$ 473.80	\$ 622.47
Fringe Benefits	\$ 43.24	\$ 55.01
Jefferson Lines Administrator	\$ 137.63	\$ 162.50
Fringe Benefits	\$ 12.94	\$ 19.09
Cleaning Person (SP)	\$ -	\$ -
Fringe Benefits (SP)	\$ -	\$ -
<b>Travel</b>		
Travel/Training	\$ 127.02	\$ 300.00
Travel/Mileage/Per Diem/Lodging	\$ 58.19	\$ -
<b>Office</b>		
Office Utilities	\$ 251.05	\$ 320.00
Office Supplies/Telephone	\$ 609.82	\$ 800.00
Office Postage/Bnk Fees	\$ 205.09	\$ 260.00
Office/Main & Repair Equip/Facility	\$ 109.80	\$ 150.00
<b>Contract Services</b>		
Service Contracts	\$ 380.11	\$ 600.00
<b>Miscellaneous</b>		
Audit	\$ 400.00	\$ 460.00
Marketing/Ads/Promotion	\$ 101.22	\$ 300.00
Physicals/Pre-employment/Random	\$ 32.64	\$ 27.17
Other (Employee Relat./Board Exp/Prof Fees)	\$ 83.65	\$ 100.00
<b>Insurance</b>		
Vehicle Insurance	\$ 973.97	\$ 1,275.09
Bus, Garage & Gen Liability Insurance	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
<b>Subtotal Administrative</b>	\$ 10,869.13	\$ 14,878.57

PHT - Edgemont Community

Project Budget Summary

	Administrative	Operating	Total
<b>1 TOTAL PROPOSED BUDGET</b>	\$ 14,878.57	\$ 9,624.23	\$ 24,502.80
<b>2 BUS AND OTHER INCOME</b>			
a Bus Donations\Fares	\$ 534.50	\$ 1,069.00	
b Bus Advertising			
c Medicaid	\$ 327.00	\$ 654.00	
d Bus Contracts (Specify)	\$ 846.75	\$ 1,693.50	
e Other Local Funds (Specify) United Way	\$ 251.00	\$ 502.00	
<b>3 TOTAL BUS &amp; OTHER INCOME</b>	\$ 1,959.25	\$ 3,918.50	\$ 5,877.75
<b>4 NET PROJECT COST</b>	\$ 12,919.32	\$ 5,705.73	
<b>5 (Percent to apply to net project costs)</b>	82.82%	51.76%	
<b>6 REQUESTED 5311 FUNDS</b>	\$ 10,699.78	\$ 2,953.29	\$ 13,653.06
<b>7 LOCAL MATCH</b>			
a Title III-B Funds - Same as 2018		\$ 2,145.22	\$ 2,145.22
b Local Funds			\$ -
c State Funds - Same as 2018	\$ -	\$ -	\$ -
d Other Funds (Specify) Medicaid/Contracts	\$ 2,219.54	\$ 607.22	\$ 2,826.76
<b>8 REQUIRED LOCAL MATCH</b>	\$ 2,219.54	\$ 2,752.44	\$ 4,971.98

SUMMARY OF ALL FUNDS

<b>9 Total Requested 5311 Funds (Total shown on line 6)</b>	\$ 13,653.06
<b>10 Total Requested Title IIIB Funds (Sum of Line 7a Admin. Plus Oper. Columns)</b>	\$ 2,145.22
<b>11 Total Requested State Funds (Use amount awarded in previous year.)</b>	\$ -
<b>12 Total Local Effort (Total shown on Line 4 minus Lines 9, 10 and 11.)</b>	\$ 2,826.76
<b>13 Total Project Funding (Total Lines 9-12)+ (Total Line 3)</b>	\$ 24,502.80

Line 13 should be the same as the Total on Line 1

**Project Operating Budget**

	ED	
	<u>Current Year</u>	<u>Proposed</u>
	<u>Expenditures</u>	<u>Budget</u>
	2%	2%
<b>Personnel</b>		
Driver Wages	\$ 7,699.07	\$ (0.00)
Fringe Benefits	\$ 1,265.51	\$ 0.00
Dispatcher Wages	\$ 1,399.89	\$ 2,189.93
Fringe Benefits	\$ 201.84	\$ 264.04
Fleet Support Specialist Wages	\$ 340.51	\$ 208.10
Fringe Benefits	\$ 127.18	\$ 31.26
Mechanic Wages	\$ 526.38	\$ 724.61
Fringe Benefits	\$ 163.78	\$ 156.08
Detailer Wages	\$ -	\$ 69.03
Fringe Benefits	\$ -	\$ 8.30
Jefferson Lines Dispatcher	\$ 129.20	\$ 184.75
Fringe Benefits	\$ 8.17	\$ 14.13
<b>Facilities</b>		
Garage Utilities	\$ 488.23	\$ 640.00
Garage Supplies/Telephone	\$ 228.07	\$ 348.00
Garage Maintenance	\$ 196.92	\$ 424.00
Jefferson Lines Expense	\$ 31.39	\$ 36.00
	\$ -	\$ -
<b>Vehicles</b>		
Normal Maintenance/Supplies	\$ 61.04	\$ 240.00
Major Repairs	\$ -	\$ 350.00
Tires	\$ -	\$ 130.00
Fuel	\$ 2,524.76	\$ 3,416.00
<b>Miscellaneous</b>		
Contract Services (Clean/Snow)	\$ 82.84	\$ 150.00
Other (Licenses)	\$ 38.57	\$ 40.00
	\$ -	\$ -
<b>Subtotal Operating</b>	<b>\$ 15,513.35</b>	<b>\$ 9,624.23</b>



The Office of the State's Attorney  
Fall River and Oglala Lakota Counties

James G. Sword

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906 North River Street, Suite 301 Hot Springs, SD 57747 Phone: (605) 745-3866 Facsimile: (605) 745-3855 frdsa@gwta.net

July 25, 2018

Fall River County Commission  
906 N. River St  
Hot Springs, SD 57747

Re: questions from Commission meeting of July 17, 2018

Commissioners:

I was asked to provide answers to the question as to whether the county could be forced to take a tax deed, and whether the county could sell property taken for less than the full market value; i.e., should any liens exist on the property taken.

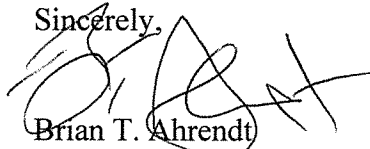
The county is not required to take a tax deed generally. My understanding, after speaking with Mr. Sword, is that a procedure was put into place a few years ago wherein the assessor and treasurer would inspect any properties which were candidates for the issuance of a tax deed and report back to the commission about the condition and potential value of said property, at which point the commission would make the decision as to whether to take the tax deed on the property in question. This procedure should be followed in those general situations.

At the meeting the auditor brought up a statute which she believed required the county to take a tax deed if requested by the school district. That statement is not completely accurate, and is open to some interpretation. SDCL § 10-25-20 is the statute in question, and it is very poorly written so as to be open to multiple interpretations. The actual language of the statute that seems to (possibly) require this is written as follows: "if the treasurer fails, refuses, or neglects to take proceedings for the issuance of a tax deed to the county, the treasurer shall, upon written application of the county commissioners, or the governing body of any municipality, school district, or township within the county that would be a beneficiary of the tax for which the property was sold, may give notice of intention to take tax deed as required by law." SDCL § 10-25-20. I am not aware of any interpretation of the term "shall may" so I cannot say with any certainty what the intent of the legislature was when this statute was enacted. It was last modified in the 2018 legislative session so perhaps someone could enlighten us as to the meaning, but the use of "shall" and "may" in this proximity is completely nonsensical in a legal sense. If we are to attempt to interpret this statute within the context of the rest of the statute, which allows a writ of mandamus to force the treasurer to act, my guess would be that any of the listed governmental units could force the treasurer to take a tax deed, but inserting the word "may" into the statute throws this into confusion in a legal sense because a tax deed cannot issue

without the notice requirement, and stating that someone, probably the treasurer, but possibly the other governmental entity, “may” give notice of intention to take the tax deed is nonsensical. My interpretation, to play it safe, is that the word may should be ignored and, should one of these other listed governmental entities make a written request to take the tax deed (including yourselves), the treasurer will be required to do so. The language allowing a writ of mandamus to issue to force the action seems to imply this interpretation. Regardless, the legislature will need to correct the language of the statute to remove the legally nonsensical language. I have attached a copy of the statute in question to this opinion letter.

As to Commissioner Nabholz’ question concerning whether the county could sell an encumbered property for less than fair market value, the nonpayment of taxes creates a lien superior to all other liens already attached to the property and, as such, anyone purchasing the property would take the property free and clear of the junior liens. Basically, the junior lien holder should receive whatever they are owed, or the amount in excess of the tax lien should the property sell for less than what is owed after paying off the tax lien, if they take the correct steps to do so. It is up to the junior lien holders to protect their liens. The county’s duty ends after giving them the appropriate notice. Please let me know if you have any other questions.

Sincerely,



Brian T. Ahrendt  
Deputy State’s Attorney

## [EXT] Tax Deed

Brian Ahrendt <fallrivercodeputystatesattorney@gwtc.net>

Thu 7/26/2018 4:49 PM

To:Ganje, Sue <Sue.Ganje@state.sd.us>;

Sue:

Please add this email to my letter to the commissioners regarding whether the county could be forced to take a tax deed. The addition is that, should anyone attempt to force the treasurer to take the tax deed, my advice would be to ignore the request and let the person/entity who is attempting to enforce the poorly written statute to ask the court for a writ of mandamus, as I think that the statute is unclear enough to make it an arguable issue. Thanks.

--

Brian Ahrendt  
Deputy States Attorney  
Fall River/Oglala Lakota County  
906 N. River St.  
Hot Springs, SD 57747  
605-745-3866