

**FALL RIVER COUNTY UNAPPROVED MINUTES OF SEPTEMBER 17, 2019**

The Fall River Board of County Commissioners met in regular session on September 17, 2019. Present: Joe Allen, Joe Falkenburg, Paul Nabholz, and Sue Ganje, Auditor. Ann Abbott and Deb Russell were absent.

The Pledge of Allegiance was given and the meeting called to order at 9:00 a.m.

The agenda was reviewed for conflicts; none were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by Nabholz, seconded by Allen, to approve the agenda, as written.

Motion made by Nabholz, seconded by Allen, to approve the minutes of September 3 and September 5, 2019, with a correction to the September 3 minutes to reflect that discussion on the Chilson bridge was about the width, not length of the bridge, and that during public comment Nabholz referred to a letter he received from county employees on employment issues and the inability of the commission to deal with those issues outside the employees' union.

Sue Ganje, Auditor advised the board of the outcome of the election to form the Sonrise North Road District. Motion made by Nabholz, seconded by Allen, to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION #2019-30**

**ORDER FOR ORGANIZATION AND INCORPORATION  
OF THE SONRISE NORTH ROAD DISTRICT  
FALL RIVER COUNTY, SOUTH DAKOTA**

WHEREAS, all voting property owners that are within the proposed district have agreed to and petitioned for the organization of the Sonrise North Road District, and

WHEREAS, an Election was held on September 10<sup>th</sup>, 2019 asking the voters to accept or reject the formation of the Sonrise North Road District, with 6 voters accepting and 0 voters rejecting the formation of the Sonrise North Road District, and

NOW, THEREFORE, BE IT ORDERED, that the Fall River County Commissioners shall declare the Sonrise North Road District to be organized and established as a governmental subdivision of the State of South Dakota and a public body, corporate and political, effective as of today's date, with taxing authority for the 2019 tax year payable in 2020 and after, and

BE IT FURTHER ORDERED, that the Sonrise North Road District be described as follows:

LOTS 1-23 OF SONRISE NORTH SUBDIVISION OF SE1/4NW1/4 AND LOT A OF LOT 2 OF WHOLE NOTE SUBDIVISION, ALL IN SECTION 1, T7S, R5E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA, ACCORDING TO THE PLAT THEREOF RECORDED IN

BOOK XXIV OF PLATS, PAGE 22 IN THE FALL RIVER COUNTY REGISTER OF DEEDS OFFICE

AND

LOT THREE (3) OF TRACT ONE (1) OF HALFNOTE SUBDIVISION LOCATED IN GOVERNMENT LOT THREE (3), SECTION ONE (1), TOWNSHIP SEVEN (7) SOUTH, RANGE FIVE (5) EAST OF THE BLACK HILLS MERIDIAN, FALL RIVER COUNTY, SOUTH DAKOTA

AND

TRACT AR1 AND AR2 OF HALFNOTE SUBDIVISION CONTAINING ALL OF TRACT A OF TRACT 1 AND A PORTION OF TRACT 1, ALL IN THE NW1/4 OF SECTION 1, T7S, R5E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA

Dated this 17<sup>th</sup> day of September, 2019

/s/Joe Falkenburg, Chairman  
Fall River County Commissioner

ATTEST:

/s/Sue Ganje  
Fall River County Auditor

Motion made by Nabholz, seconded by Allen, to approve pay raises for the following: Brandon Luther (Jailer), effective August 14, 2019, from \$12.50 to \$13.50 (2080 hours) and David Pokorski (Jailer), effective August 8, 2019, from \$12.50 to \$13.50 (2080 hours), as per union contract.

There were no county assistance or death expense applications.

Motion made by Nabholz, seconded by Allen, to accept 3 petitions and approve setting the hearings to Vacate a plat, and two Plats for partial vacation for Joseph Hilt, Chantel Holz (fka Chantel Edmonds) and Kendra Alexander on October 1, 2019 at 9:35 a.m.

Motion made by Nabholz, seconded by Allen, to approve travel for Frank Maynard and Lyle Jensen to attend the Annual Safety and Benefit Loss Control Training Conference, November 20 and November 21, 2019 in Mitchell, SD.

Motion made by Nabholz, seconded by Allen, to approve the commodity flow study and authorize the chairman to sign.

Erin McGlumphy, Extension and 4-H, met with the board. Motion made by Nabholz, seconded by Allen, to approve the purchase of a phone for McGlumphy for work related purposes.

Motion made by Allen, seconded by Nabholz, to approve the purchase of a computer in the amount of \$929.00. McGlumphy notified the board that she would be attending Extension Fall Conference, October 22, 2019 through October 24, 2019 in Brookings, SD.

Lyle Jensen, Building Supervisor, met with the board to present a quote for elevator repair.

The State's Attorney reviewed the quote and determined that the quote is exempt from public bid as per SDCL 5-18A-22 (4). Motion made by Nabholz, seconded by Allen, to approve the quote from Otis Elevator Company in the amount of \$68,800.00.

Ann Abbott entered the meeting at 9:09 a.m.

Two electric quotes were presented for wiring in the new dispatch area. These will be brought back to the next meeting, as only one was listed on the agenda for this meeting.

Motion made by Abbott, seconded by Nabholz, to approve the quote from Lowe's for a new Whirlpool 5.3-cu ft High Efficiency Top-Load washing machine for the jail, in the amount of \$1,139.00.

Motion made by Nabholz, seconded by Allen, to approve the surplus list presented by Jensen, for the online auction that will be held from September 25, 2019 through October 1, 2019, with the list kept on file at the auditor's office as well.

Susie Hayes, Director of Equalization, met with the board. Motion made by Abbott, seconded by Allen, to approve hiring Patty Caster, certified assessor, \$14.00 per hour, effective September 16, 2019, as per union contract. With Nabholz voting nay, all others voting yes, the motion carried.

Motion made by Allen, seconded by Abbott, to allow Hayes to advertise and select an individual for the administrative assistant position in the Director of Equalization's office, pending final approval at the next meeting.

Brian Ahrendt, State's Attorney, was unable to meet with the board. Nabholz recommended tabling the policy and noted some items including the need for policy to also address those exempt employees who can carry as per SDCL 22-14-24 in relation to insurance coverage, etc. Motion made by Nabholz, seconded by Abbott, to table the Fall River County Conceal Carry Policy including Waiver and Hold Harmless Agreement until the addressing of exempt individuals, times guns are allowed or prohibited on the second floor and the 14 day notification to the Sheriff process. This will brought back to the next meeting.

Paul Nabholz, Commissioner, met with the board. Discussion was held on the most recent Custer/Fall River landfill meeting. They will know about a possible grant on September 26, 2019 for the compactor. Due to lack of certain operators, the only business they were able to transact was paying the bills. Discussion was also held on waiting for a report on the economics of shredding for better compaction and not applying yet for a state grant on a shredder, and briefly spoke of the judge's letter.

Motion made by Nabholz, seconded by Abbott to table business with the sheriff until he is available.

Motion made by Nabholz, seconded by Abbott, to take the business with the sheriff off the table.

Bob Evans, Sheriff, met with the board to advise we have the billing for Zuercher software

and he is still working with the City of Hot Springs for the county and city breakdown. Evans advised there are 10 males and 6 females in the Fall River County Jail, with 1 male and 2 females in the Pennington County Jail.

Motion made by Nabholz, seconded by Abbott, to approve Brad Hansen as jail sergeant, effective April 30, 2018.

Motion made by Abbott, seconded by Allen, to approve the Management Control Agreement for the National Crime Information Center (NCIC).

Brief discussion was held on a deputy vehicle that was totaled.

Brett Blessing, Highway Department, met with the board. Motion made by Abbott, seconded by Allen, to approve Blessing as the highway foreman, effective June 21, 2019.

Fuel quotes were presented as follows:

9/11/2019 Fuel Quotes	8,000 Gal #2 Dyed Diesel
Nelson's	\$2.19/gallon
PJ's Hi-D-Way	No Bid
M & G Oil	No Bid

Motion made by Nabholz, seconded by Abbott to approve the low and only bid from Nelson's for in the amount of \$2.19 per gallon, for 8,000 gallons of #2 dyed diesel, for a total of \$17,520.00.

Motion made by Nabholz, seconded by Allen, to approve the August 2019 fuel used or work performed to reimburse the highway department as follows: Sheriff's Department for \$2,631.63; Weed and Pest for \$595.81; Emergency Management for \$88.06; Director of Equalization for \$18.05; State's Attorney for \$17.77; and VSO for \$11.74.

Motion made by Nabholz, seconded by Allen, to approve the change order for Project BRF 6463(00) 16-1 PCN 05QV (Burdock Bridge) to extend the deadline from September 1, 2019 to September 13, 2019.

Motion made by Nabholz, seconded by Allen, to approve a list presented by Blessing, to surplus for the online auction that will be held from September 25, 2019 through October 1, 2019, with the list kept on file at the auditor's office as well.

Motion made by Allen, seconded by Abbott, to approve setting a hearing for the 5- year plan on October 15, 2019 at 10:15 a.m.

Blessing updated the board that the culverts were in on County Road 4 and culverts have been ordered for the Ardmore Bridge. The 4 mile stretch project on old Hwy 79 was completed, noting it was slick after installation, until it cured. There was extra cost due to the additional milling.

Motion made by Allen, seconded by Abbott, to approve the bills as follows:

**GENERAL FUND**

AHRENDT, BRIAN T	TRAVEL REIMBURSEMENT	\$47.88
ARROWWOOD RESORT & CONFERENCE	CONFERENCE HOTEL	\$203.90
AUDRA HILL CONSULTING,INC	MI QMHP EVALUATION	\$344.85
CURA HOSPITALITY	INMATE MEALS	\$10,263.11
A-Z SHREDDING INC	SHREDDING	\$23.00
BEESEY LAW OFFICE	CAAF	\$1,760.50
BENNETT'S APPLIANCE SER.	REPAIR	\$78.64
BLACK HILLS CHEMICAL	SUPPLY	\$304.24
BUILDER'S FIRST SOURCE	SUPPLY	\$100.38
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$1,131.14
CLINICAL LABORATORY	AUTOPSY	\$1,935.00
COLBATH, ANGELA M	CAAF/ SPERLICH	\$2,926.00
CORRECT RX PHARMACY SERV.	INMATE PHARMACY	\$216.68
CPS TECHNOLOGY SOLUTIONS	IBM MAINTENANCE RENEWAL	\$3,764.21
CRAWFORD, BRIAN	COUNTY ASSISTANCE	\$240.00
CULLEN, DAN	TRAVEL REIMBURSEMENT	\$237.50
CUSTER COUNTY SHERIFF	ZUERCHER/NEW 911 SYSTEM	\$46,750.14
DAKOTA INN	HOTEL	\$390.00
EN-TECH LLC	FUMIGATION	\$110.00
ENVIRONMENTAL PRODUCTS	SUPPLY	\$221.16
DUDE SOLUTIONS	GIS SUPPORT CONTRACT	\$253.31
FARRELL,FARRELL &GINSBACH	CAAF	\$1,801.33
FALL RIVER COUNTY HERALD	PUBLICATION	\$1,251.82
GALLS	UNIFORM ALLOWANCE	\$208.06
GOLDEN WEST TECHNOLOGIES	IT SUPPORT/CONTRACT	\$4,655.90
HILLYARD/SIOUX FALLS	SUPPLY	\$116.74
HOT SPRINGS ACE HARDWARE	SUPPLY	\$527.32
HOT SPRINGS AUTOMOTIVE	SUPPLIES	\$162.77
IDEMIA IDENTITY&SECURITY	MAINTENANCE CONTRACT	\$2,189.00
LYNN'S DAKOTAMART	INMATE OVER-COUNTER	\$31.09
MARCO	COPIER LEASE	\$165.00
MCGLUMPHY, ERIN	TRAVEL REIMBURSEMENT	\$273.27
O'NEILL, JUSTIN	CAAF	\$795.25
PENN CO STS ATTN Y OFFICE	MI	\$215.00
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON	\$3,662.80
PENNINGTON COUNTY	DETOX	\$226.00
PENN COUNTY SHERIFF	TAX DEED SERVED	\$51.72
PHOENIX INVESTIGATIONS	COURT ORDERED INVESTIGATION	\$445.36
QUILL CORPORATION	SUPPLIES	\$589.86
RAMKOTA HOTEL-PIERRE	HOTEL, CONFERENCES	\$216.00
RAPID CITY JOURNAL (THE)	PUBLICATION	\$696.25
RAPID FIRE PROTECTION INC	ANNUAL FIRE ALARM INSPECTION	\$385.00
SAFETY BENEFITS INC	SAFETY BENEFITS TRAINING	\$65.00

SD DEPARTMENT OF HEALTH	BLOOD DRAWS	\$525.00
SD FEDERAL PROPERTY AG	NEW/USED TRUCK	\$22,000.00
SERVALL	RUGS AND MATS SERVICE	\$377.31
SOFTWARE SERVICES INC	SOFTWARE SERVICES	\$400.00
SONNY'S SUPER FOODS	INMATE SUPPLIES	\$61.20
SD DEPT OF PUBLIC SAFETY	TELETYPE 2ND HALF	\$3,090.00
WESTERN SD JUV SERV CTR	JUVENILE CENTER	\$8,060.00
WINTER, PAUL R.	CAAF	\$3,670.25
	TOTAL FOR GENERAL FUND	\$128,215.94
<b>COUNTY ROAD &amp; BRIDGE</b>		
B H ELECTRIC COOP INC.	UTILITY HIGHWAY ELECTRIC	\$35.00
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$17.01
POWERPLAIN OIB	PARTS	\$991.39
SD ASSN OF COUNTY COMM.	2019 CONVENTION REGISTRATION	\$185.00
	TOTAL FOR COUNTY ROAD AND BRIDGE	\$1,228.40
<b>911 SURCHARGE REIMBURSMENT</b>		
CUSTER COUNTY SHERIFF	ZUERCHER/NEW 911 SYS	\$23,375.07
CENTURY LINK	911 DISPATCH LINES	\$609.30
	TOTAL FOR 911 SURCHARGE REIMBURSMENT	\$23,984.37
<b>EMERGENCY MANAGEMENT</b>		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$48.43
MARCO	COPIER LEASE	\$34.05
QUILL CORPORATION	SUPPLIES	\$89.99
RAMKOTA HOTEL-PIERRE	HOTEL, CONFERENCES	\$154.00
SAFETY BENEFITS INC	SAFETY BENEFITS TRAINING	\$65.00
UNITED STATES GEOLOGICAL	U.S. GEOLOGICAL SURVEY	\$4,370.00
	TOTAL FOR EMERGENCY MANAGEMENT	\$4,761.47
<b>24/7 SOBRIETY FUND</b>		
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$73.49
ORIGIN DIAGNOSTICS LLC	SUPPLY	\$2,080.00
	TOTAL FOR 24/7 SOBRIETY FUND	\$2,153.49
<b>COURTHOUSE BUILDING FUND</b>		
CERTIFIED LABORATORIES	BOILER REPAIR/MAINTENANCE	\$2,511.00
NELSONS OIL & GAS INC.	SERVICE	\$5,466.59
	TOTAL FOR COURTHOUSE BUILDING FUND	\$7,977.59
	TOTAL PAID BETWEEN 9/4/19 AND 9/17/19	\$168,321.30

Break was taken at 9:50 a.m. and the meeting reconvened at 9:55 a.m.

Public comment was heard from Lyle Rudloff, Chuck Kelsey, and Jim Angell on the Chilson Bridge. A request to invite the SD DOT was made to confirm design, width, bid date, etc. Falkenburg noted that Seiler would be at the next meeting for those questions. Angell complemented the highway for mowing from his house to the river on Rocky Ford Road. Falkenburg noted the bad year the county has had from the flooding, with extra costs for all the road

work. He also received and read with regret a resignation letter from Commissioner Abbott, effective on November 4, 2019 at the end of the regular meeting that day.

Dustin Ross, Andersen Engineers, met with the board. Motion made by Allen, seconded by Nabholz, to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION #2019-31**

**A plat of Stow Away Tract and Tract Seger 1 Revised, Located in the NW1/4 of Section 15, T8S, R6E, BHM, Fall River County, South Dakota**

**Formerly Tract Seger-1, Lot 1 revised, and Lot 13**

WHEREAS, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of the above described lands, and it appearing to this Board that the system of streets conforms to the system of streets of existing plats and section lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the county subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed; now and therefore,

BE IT RESOLVED that said plat is hereby approved in all respects.

Dated this 17<sup>th</sup> day of September, 2019.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg

Fall River County Board of Commissioners

Sue Ganje, Auditor, presented Black Hills Power values for the discretionary formula. Motion made by Allen to approve the Black Hills Power Discretionary for pay 2020. After more discussion was held, Allen rescinded the motion, to allow Ganje to confirm some information and bring back.

Ganje also presented the amount of reimbursement to the county made in the 2019 Annual Distribution Report for Court Appointed Attorney and Public Defender Fund and the Abused and Neglected Child Defense Fund, which came to \$8,703.49 and \$1,824.33, respectively.

Discussion was held on getting a SEAT plane in Hot Springs; this may be unable to happen at this time.

Motion made by Nabholz, seconded by Allen, to table the 2020 Budget until after executive session.

Motion made by Nabholz, seconded by Abbott, to enter executive session as per SDCL 1-25-2 (1), SDCL 1-25-2 (3) and SDCL 1-25-2 (4) for personnel, legal and negotiation purposes at 10:17 a.m.

The board came out of executive session at 11:08 a.m.

Motion made by Abbott, seconded by Allen, to approve the 2020 Annual Budget with the following changes from the Provisional budget, and the following levy resolution:

General Fund:

Elections from \$61,570 to \$62,863; Auditor from \$232,385 to \$238,805; Treasurer from \$218,997 to \$225,277; States Attorney from \$185,000 to \$190,007; CASA from \$0.00 to \$1,585; General Governmental Building from \$272,065 to \$271,960; Director of Equalization from \$248,480 to \$257,455; Register of Deeds from \$127,670 to \$129,381; Veterans Service Officer from \$52,527 to \$53,482; GIS from \$64,029 to \$65,009; IT from \$80,225 to \$83,725; Total General Government from \$2,094,945 to \$2,131,546; Sheriff from \$667,495 to \$683,618; Jail from \$731,125 to \$750,155; Total Public Safety from \$1,464,165 to \$1,499,318; County Nurse from \$59,831 to \$60,806; Drug Abuse from \$0.00 to \$12,000; Total Health & Welfare from \$158,631 to \$171,606; County Extension from \$56,125 to \$56,840; Weed Control from \$145,165 to \$146,405; Total Conservation of Natural Resources from \$221,290 to \$223,245; 911 Transfers Out – Fire from \$2,324 to \$2,279; 911 Transfers Out – Dispatch from \$200,292 to \$198,497; 911 Transfers out – Library from \$16,973 to \$16,861; 911 Transfers Out – Emergency Management from \$65,685 to \$66,670; Total Other Uses from \$439,874 to \$438,907; Total Expenditure Appropriations from \$4,402,090 to \$4,487,807; Total Appropriations from \$4,402,090 to \$4,487,807; Cash Balance Applied from \$625,580 to \$664,650; Current Property Tax Levy from \$2,691,122 to \$2,742,280; Net Total Taxes from \$2,728,572 to \$2,779,730; Subtotal from \$4,633,779 to \$4,724,007; Less 5% from \$(231,689) to \$(236,200); Net Means of Finance from \$4,402,090 to \$4,487,807; Total Appropriations from \$4,402,090 to \$4,487,807

County Road and Bridge Fund:

Highways, Roads, & Bridges from \$2,446,469 to \$2,461,449; Total Expenditure Appropriations from \$2,446,469 to \$2,461,449; Total Appropriations from \$2,446,469 to \$2,461,449; Cash Balance Applied from \$521,223 to \$533,231; Current Property Tax Levy from \$263,710 to \$267,470; Net Total Taxes from \$372,170 to \$375,930; Subtotal from \$2,575,231 to \$2,590,999; Less 5% from \$(128,762) to \$(129,550); Net Means of Finance from \$2,446,469 to \$2,461,449; Total Appropriations from \$2,446,469 to \$2,461,449

Fire Fund:

Current Property Tax Levy from \$1,071 to \$1,116; Net Total Taxes from \$1,071 to \$1,116; Other Financing Sources from \$2,324 to \$2,279; Total Other Revenues from \$3,929 to \$3,884

Building Fund:

Cash Balance Applied from \$(71,898) to \$(74,189); Current Property Tax Levy from \$120,498 to \$122,789; Net Total Taxes from \$123,298 to \$125,589

911 Fund:

Communications Center (911) from \$330,292 to \$328,497; Total Expenditure Appropriations from \$330,292 to \$328,497; Total Appropriations from \$330,292 to \$328,497; Other Financing Sources from \$200,292 to \$198,497; Total Other Revenues from \$330,292 to \$328,497; Subtotal from \$330,292 to \$328,497; Net Means of Finance from \$330,292 to \$328,497; Total Appropriations from \$330,292 to \$328,497



Library Fund:

Current Property Tax Levy from \$7,027 to \$7,139; Net Total Taxes from \$7,027 to \$7,139; Other Financing Sources from \$16,973 to \$16,861; Total Other Revenues from \$16,973 to \$16,861

Emergency Management Fund:

Emergency & Disaster Services from \$107,435 to \$108,420; Total Expenditure Appropriations from \$107,435 to \$108,420; Total Appropriations from \$107,435 to \$108,420; Other Financing Sources from \$65,685 to \$66,670; Total Other Revenues from \$107,435 to \$108,420; Subtotal from \$107,435 to \$108,420; Net Means of Finance from \$107,435 to \$108,420; Total Appropriations from \$107,435 to \$108,420;

Tax Levy in COUNTY TAX LEVIES	Dollars	\$'s/1,000
<b>WITHIN LIMITED LEVY:</b>		
* General County Purposes		
(10-12-9)	\$2,664,303.00	4.288
Library	\$6,751.00	0.016
LIMITED LEVY (10-12-21) -		
SUB TOTAL		
<b>OUTSIDE LIMITED LEVY:</b>		
County Snow Removal Fund		
(34-5-2)		
* Highway and Bridge Reserve		
(10-12-13)		
Courthouse, Jail, etc., Bldg.		
(7-25-1)	\$119,357.00	0.192
Bond Interest Sinking		
(7-24-18)		
Ag Building		
(7-27-1)		

Resolution

ADOPTION OF ANNUAL BUDGET FOR FALL RIVER

County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and, Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions

have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR FALL RIVER

County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2019 and ending December 31, 2019 and the same is hereby approved and adopted by the Board of County Commissioners of Fall River County, South Dakota, this 18th day of September, 2018.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor

UNLIMITED LEVY - SUB TOTAL		
LIMITED AND UNLIMITED LEVY - SUB-TOTAL		
OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76)		
(31-12-27)	\$261,067.00	0.719
Fire Protection (34-31-3)	\$1,060.00	0.147
TOTAL TAXES LEVIED BY COUNTY	\$3,052,538.00	5.362

Fall River, County, South Dakota. The accompanying taxes are levied by Fall River County for the year January 1, 2019 through December 31, 2019.

BOARD OF COUNTY COMMISSIONERS OF  
Fall River County, South Dakota

/s/ Joe Falkenburg Chairman

/s/ Joe Allen Commissioner

/s/ Paul Nabholz Commissioner

/s/ Ann Abbott Commissioner

/s/ Deborah Russell Commissioner

ATTEST /s/ Sue Ganje County Auditor

\* These Amounts include the 25% to be distributed to cities.

As of 9/17/19, these levies are not approved by the Department of Revenue

With Nabholz voting no, all others voting yes, motion carries.

Motion made by Allen, seconded by Nabholz, to adjourn at 11:13 a.m.

/s/ Joe Falkenburg  
Joe Falkenburg, Chairman  
Board of Fall River County Commissioners

ATTEST:  
/s/ Sue Ganje  
Sue Ganje, Fall River County Auditor

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 31<sup>st</sup> day of August 2019.

Total Amt of Deposit in First Interstate Bank:	<u>\$126,541.13</u>
Total Amt of Deposit in First National Bank of Lead:	<u>\$1,000.00</u>
Total Amount of Cash:	<u>\$1,828.14</u>
Total Amount of Treasurer's Change Fund:	<u>\$ 900.00</u>
Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:	<u>\$22,479.82</u>
SAVINGS:	
First Interstate Bank:	<u>\$661,191.82</u>
First National Bank of Lead:	<u>\$1,030,688.98</u>
CERTIFICATES OF DEPOSIT:	
First Interstate-Hot Springs:	<u>\$4,056,787.49</u>
Black Hills Federal Credit Union:	<u>\$250,000.00</u>
Bank of the West	<u>\$525,542.47</u>
Schwab Treasury	<u>\$1,300,000.00</u>

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

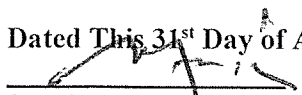
Register of Deeds Change Fund: \$500.00  
Highway Petty Cash: \$20.00  
Election Petty Cash: \$15.00

RETURNED CHECKS:

Bayan, Fritchie \$957.52, Lic 08/24/2018

TOTAL \$7,978,452.37

Dated This 31<sup>st</sup> Day of August 2019.

  
Sue Ganje, County Auditor of Fall River County.

County Monies: \$7,702,590.46  
Held for other Entities: \$90,546.13  
Held in Trust: \$185,315.78  
TOTAL: \$7,978,452.37

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.

## FW: [EXT] Battle Mountain road repair

Frank Maynard Emg Mgr <frem@gwtc.net>

Thu 9/26/2019 8:39 AM

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

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**From:** Trigg, Ed [mailto:Ed.Trigg@blackhillscorp.com]

**Sent:** Thursday, September 26, 2019 7:34 AM

**To:** Schmelz, Tyrel

**Cc:** Savage, Frank; Jost, Brian; frem@gwtc.net

**Subject:** Battle Mountain road repair

Tyrel,

Thanks for the call yesterday. Just wanted to confirm that the road repair at Battle Mountain will cost about \$10K. Black Hills Energy is committed to spend up to \$3K for our part of repairing the road. If SDGF&P can commit \$4K and we can get the other users (Golden West, Weather Service, Fall River, etc...) to commit a total of \$3K more there would be enough to complete the repairs. Please contact me to get the invoice processed. Thanks!

*Ed Trigg* Senior Comm Tech

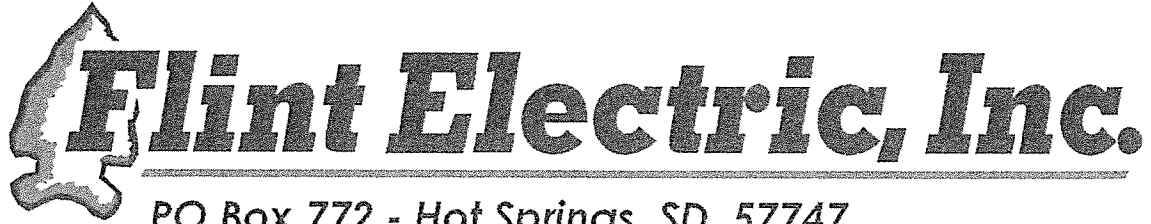
Black Hills Energy

605-721-2673 Office

605-858-0045 Mobile

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PO Box 772 - Hot Springs, SD 57747

605-745-7774 (Phone) – 605-745-8774 (Fax)

To: Fall River County

DATE: June2, 2014

Attn: Lyle Jensen

PROJECT: New Dispatch Electrical

**-Scope of Work-**

With regards to the project listed above, Flint Electric, Inc. will provide all required Electrical Labor, Materials to Install New Branch Circuits for Dispatch Area as Follows—

- 2-20 Amp Twist Locks Cord Ends for Generator Switch
- 2-LED Lights Over Work Stations w/Separate Dimmer Switches
- 1-30 Amp Branch Circuit for Mini Split
- 16-Receptacles in Each Work Station
- 4-Branch Circuits-2 In Each Work Station
- Remove Cove Heater
- Install 2-1000 Watt Fan Forced Heaters w/T-Stats on Heater

The proposal is as follows:

(\$1,820.00) One Thousand Eight Hundred Twenty Dollars and No Cents

This Proposal Does Not Include Excise Tax

This proposal is valid for 30 days from date of proposal.

\_\_\_\_\_  
Purchaser -- Company Name

FLINT ELECTRIC, INC.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

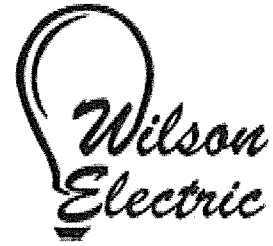
Name: \_\_\_\_\_

Name: Flint Jeschke

Title: \_\_\_\_\_

Title: Owner

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



September 8, 2019

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

RE: Dispatch Wiring  
Attn: Lyle Jensen - 605-890-0372

Lyle:

Thank you for allowing us to propose the following bid. I have attached cut sheets for the heaters and light fixtures. Let me know if you have any questions.

Inclusions

- Heating/Cooling
  - Remove cove heat
  - Supply and install (2) new wall heaters beneath desks
    - Use existing circuit from removed cove heat
    - T-Stat to be on heaters
  - Supply and install power to new mini-split on roof - 30 amp 240v circuit
    - Feed mini-split from non-UPS main GE bolt in panel
- Supply and install (2) twist lock receptacles - 20 amp 120v- on wall below UPS panel
  - Provide new 20 amp circuits
- Desk Wiring
  - Supply and install (8) double duplex receptacles - (4) per desk
  - Provide (2) new 20 amp circuits for plugs (1 for each desk) from UPS panel
- Lighting
  - Supply and install (2) new pendant stem hung cylinder lights above new dispatch desk
  - Supply and install dimmer switch for new lighting
- Excise Tax

Exclusions

- Unforeseen/existing conditions

Total: \$5539.00

Sign if Approved: x \_\_\_\_\_

Best Regards,

*Todd Wilson*



2727 N Plaza Dr.  
Rapid City, SD 57702

Phone 605-348-6529 Fax 605-342-1160

**Quote**

No.: **62505**

Date: 9/18/2019

Prepared for:

Lyle Jensen  
Fall River County Auditor  
906 N River Street  
Hot Springs, SD 57747 U.S.A.

Account No.: 1889  
Phone: (605) 745-5145  
Fax: (605) 745-3530

Qty	Description	UOM	Sell	Total
1	Aruba 2540 24G PoE+ 4SFP+ Switch	EA	\$2,507.33	\$2,507.33
1	Project Installation & Configuration	EA	\$500.00	\$500.00

**Your Price:**                       
**\$3,007.33**

**Total:**                       
**\$3,007.33**

Prices are firm until 10/2/2019

**Prepared by:** Eric Eisenbraun, ericeisenbraun@goldenwest.com

**Date:** 9/18/2019

**Accepted by:** \_\_\_\_\_

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

**Disclaimer**

Unless otherwise specified, all labor is charged on a time and materials basis. Any additional service charge or travel will apply.  
Any quoted cable runs assume that there is an available cable pathway; if not, additional charges may apply.  
Applicable taxes and/or additional freight charges may be added on to the invoice.  
Terms: 30% down payment required for sales of \$ 5,000.00 or more, with the balance due Net 15 days of invoicing.



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**Discretionary Formula for Centrally Assessed Companies**

<b>Structure Description</b>	<b>Entity</b>	<b>Tax Dist</b>
Minnekahta Sub Station	BHP	9

<b>Year Qualified</b>				<b>End Year/Pay Year</b>
<b>2012 pay 2013</b>	<b>2013 pay 2014</b>	<b>2014 pay 2015</b>	<b>2015 pay 2016</b>	<b>2016 pay 2017</b>
\$1,887,874.00	Comm waived value	\$1,977,102.00	\$2,036,032.00	\$2,262,914.00

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**Discretionary Formula for Centrally Assessed Companies**

<b>Structure Description</b>	<b>Entity</b>	<b>Tax Dist</b>
HS Shop Building	BHP	5

<b>Year Qualified</b>				<b>End Year/Pay Year</b>
<b>2015 pay 2016</b>	<b>2016 pay 2017</b>	<b>2017 pay 2018</b>	<b>2018 pay 2019</b>	<b>2019 pay 2020</b>
\$201,425.00	\$221,752.00	\$247,989.00	\$223,246.00	\$220,186.00

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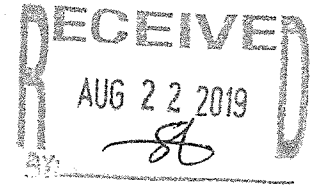
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**Discretionary Formula for Centrally Assessed Companies**

<b>Structure Description</b>	<b>Entity</b>	<b>Tax Dist</b>
Edge City Sub-Station #112	BHP	39

<b>Year Qualified</b>				<b>End Year/Pay Year</b>
<b>2018 pay 2019</b>	<b>2019 pay 2020</b>	<b>2020 pay 2021</b>	<b>2021 pay 2022</b>	<b>2022 pay 2023</b>
\$677,119.00	\$668,225.00	\$0.00	\$0.00	\$0.00

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TO: Fall River County Commissioners

FROM: Todd Bailey  
SD Central Assessor

Re: Discretionary Formula for Centrally Assessed Companies

Date: August 13, 2019

Black Hills Power is a company that is assessed by the Department of Revenue.

Black Hills Power has certified that the following property located in your county qualifies for the discretionary formulas under SDCL 10-6-35.2 that has been adopted by your county.

Year Qualified	Formula Year	Structure Description
2015	5	Hot Springs Shop Building
2018	2	Edgemont City Sub-Station # 112

The Department's Record of your discretionary formula:

Year 1	Year 2	Year 3	Year 4	Year 5
0%	0%	0%	0%	0%

The county is responsible for determining whether these structures qualify for the discretionary formula. If approved, please deduct **\$220,186** from the Hot Springs School District, **\$220,186** from Hot Springs City and this amount from any other taxing district affected by this value. If approved, please deduct **\$668,225** from the Edgemont School District, **\$668,225** from Edgemont City and this amount from any other taxing district affected by this value. Please note these changes on the growth reports that are submitted to the Department of Revenue. **Also, please inform Paula Brinker from Black Hills Power** of your decision. Paula's e-mail address is [paula.brinker@blackhillscorp.com](mailto:paula.brinker@blackhillscorp.com). A copy of the discretionary report by school district is included.

I would be happy to answer any questions you have regarding this issue. If you have any specific questions regarding this structure, please contact Paula Brinker at Black Hills Power. Her phone number is (605) 718-2815.

This form is to be used to list discretionary formula values by school district. The total of lines 1, 3, 5, 7 and 9 must equal the total value of properties subject to discretionary formula. The total of lines 2, 4, 6, 8 and 10 must equal total value deducted for discretionary formula. These numbers are ALL FACTORED

SCHOOL DISTRICT Edgemont (23-1)	UTILITIES		TOTAL	
1. Values subject to Discretionary Starting 01/1/2015				
2. Value deducted for Discretionary Starting 01/1/2015				
3. Values subject to Discretionary Starting 01/1/2016				
4. Value deducted for Discretionary Starting 01/1/2016				
5. Values subject to Discretionary Starting 01/1/2017				
6. Value deducted for Discretionary Starting 01/1/2017				
7. Values subject to Discretionary Starting 01/1/2018	668,225		668,225	
8. Value deducted for Discretionary Starting 01/1/2018	668,225		668,225	
9. Values subject to Discretionary Starting 01/1/2019				
10. Value deducted for Discretionary Starting 01/1/2019				

SCHOOL DISTRICT _____	UTILITIES		TOTAL	
1. Values subject to Discretionary Starting 01/1/2015				
2. Value deducted for Discretionary Starting 01/1/2015				
3. Values subject to Discretionary Starting 01/1/2016				
4. Value deducted for Discretionary Starting 01/1/2016				
5. Values subject to Discretionary Starting 01/1/2017				
6. Value deducted for Discretionary Starting 01/1/2017				
7. Values subject to Discretionary Starting 01/1/2018				
8. Value deducted for Discretionary Starting 01/1/2018				
9. Values subject to Discretionary Starting 01/1/2019				
10. Value deducted for Discretionary Starting 01/1/2019				

This form is to be used to list discretionary formula values by school district. The total of lines 1, 3, 5, 7 and 9 must equal the total value of properties subject to discretionary formula. The total of lines 2, 4, 6, 8 and 10 must equal total value deducted for discretionary formula. These numbers are ALL FACTORED

SCHOOL DISTRICT Hot Springs 23-2	UTILITIES		TOTAL	
1. Values subject to Discretionary Starting 01/1/2015	220,186		220,186	
2. Value deducted for Discretionary Starting 01/1/2015	220,186		220,186	
3. Values subject to Discretionary Starting 01/1/2016				
4. Value deducted for Discretionary Starting 01/1/2016				
5. Values subject to Discretionary Starting 01/1/2017				
6. Value deducted for Discretionary Starting 01/1/2017				
7. Values subject to Discretionary Starting 01/1/2018				
8. Value deducted for Discretionary Starting 01/1/2018				
9. Values subject to Discretionary Starting 01/1/2019				
10. Value deducted for Discretionary Starting 01/1/2019				

SCHOOL DISTRICT _____	UTILITIES		TOTAL	
1. Values subject to Discretionary Starting 01/1/2015				
2. Value deducted for Discretionary Starting 01/1/2015				
3. Values subject to Discretionary Starting 01/1/2016				
4. Value deducted for Discretionary Starting 01/1/2016				
5. Values subject to Discretionary Starting 01/1/2017				
6. Value deducted for Discretionary Starting 01/1/2017				
7. Values subject to Discretionary Starting 01/1/2018				
8. Value deducted for Discretionary Starting 01/1/2018				
9. Values subject to Discretionary Starting 01/1/2019				
10. Value deducted for Discretionary Starting 01/1/2019				

# Fall River County Conceal Carry Policy

This policy establishes the County's expectations of county employees who wish to carry a concealed pistol in the Fall River County courthouse.

The county is not liable for any wrongful or negligent act or omission related to actions of persons or employees who carry a concealed pistol. Unless specific job duties require it, the ability to carry a concealed pistol is not within the scope of employment and is not a condition of employment. Nothing in this policy should be interpreted to require or encourage any employee who lawfully possesses a pistol to carry it in the Fall River County Courthouse, or use it in defense of others.

## Eligibility to Conceal Carry

An employee may carry a concealed pistol in the Fall River County courthouse while performing his or her job duties so long as that employee can legally carry a concealed pistol ("eligible employee"), and meets all of the requirements of County Policy set forth below. It is the responsibility of the employee to understand county policy, state and federal laws and to know whether he or she can legally carry a concealed pistol. An eligible employee may carry a concealed pistol in the Fall River County courthouse, with the exception of the Courtroom, Jury Room, Court Services Office and adjoining waiting area, Clerk of Court's office and adjacent hallways located on the 2nd floor of the courthouse, unless prohibited by federal or state law or by order of the Fall River County Sheriff.

## Requirements of Conceal Carrying

An eligible employee must comply with all requirements of the law, and county policy, when carrying a concealed pistol. The employee must always keep the pistol completely concealed, except for those instances where necessary for self-defense or transferring to locked storage. Pistols must always be in the immediate control of the eligible employee in a holster or in locked storage, and the employee cannot leave his or her pistol unattended in or on his or her workstation or in a purse, bag, desk, filing cabinet, or other storage container left behind at the employee's office.

County policy requires eligible employees to have a valid "enhanced" permit, as that term is used in SDCL 23-7-8 et seq., in order to conceal carry in the Fall River County courthouse. The cost of obtaining said permit shall be solely that of the employee, and the county will not reimburse any of the costs incurred by any employee in obtaining same. It is solely the responsibility of the individual employee to determine the requirements to qualify for, to obtain, and to retain, an enhanced permit. An eligible employee must comply with county policy and all requirements of the law.

Employees who desire conceal carry in the Fall River County Courthouse must, in addition to those requirements set forth above, notify the Fall River County Sheriff, in writing, of their intent to conceal carry in the Fall River County Courthouse. Said notification must be delivered to the Fall River County Sheriff's Office no less than fourteen days prior to being allowed to conceal carry in the courthouse, not counting the day the notice is presented to the Sheriff. It shall be the Sheriff's responsibility to notify any employee of their ineligibility to conceal carry in the Fall

River County Courthouse within fourteen days of the employee notifying the Sheriff as set forth in this paragraph.

**Prohibited Acts**

The county will not tolerate any inappropriate displaying or use of a firearm and any such display or use will result in disciplinary action being taken against the employee, up to and including termination. In addition, a violation of any portion of this policy will result in disciplinary action, up to and including termination.

Concealed carry in the Fall River County Courthouse is a privilege granted by the county to eligible employees, and said privilege may be revoked by the county without further notice or a hearing at any time.

**WAIVER AND HOLD HARMLESS AGREEMENT**

By signing below, **I hereby agree to indemnify and hold Fall River County harmless** for any injuries, damages, losses or claims, liabilities, costs or expenses (including but not limited to reasonable attorney's fees and other litigation costs and expenses) incurred by Fall River County as a result of any claims or suits that I (or anyone claiming by, under or through me) or any third party (including but not limited to other employees of Fall River County, visitors to the Fall River County Courthouse, or members of the public) may bring against Fall River County to recover any losses, liabilities, costs, damages, or expenses which may arise as a result of my choice to conceal carry in the Fall River County Courthouse. I understand that **I am solely responsible** for the results of my use of any firearm I choose to conceal carry in the Fall River County Courthouse, and **no policy of insurance obtained by Fall River County will protect me from any claims made against me, personally**, stemming from my use of any firearm I choose to conceal carry in the Fall River County Courthouse. If I desire to protect myself from any potential claims made as a result of my use of any firearm I choose to conceal carry in the Fall River County Courthouse, it is my sole responsibility to seek out and obtain my own policy of insurance, or other form of protection or indemnification. I understand and accept all risks, whether foreseeable or unforeseeable, stemming from my choice to conceal carry, or my use of any firearm I choose to conceal carry in the Fall River County Courthouse.

I hereby state that I have read both the Fall River County Conceal Carry Policy and the Waiver and Hold Harmless Agreement and I understand and agree to the terms set forth therein.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Employee: \_\_\_\_\_  
[Print name]

\_\_\_\_\_  
Supervisor

## Aaron Eberle

---

**From:** Paul Nabholz [pnabholz@gwtc.net]  
**Sent:** Friday, September 27, 2019 11:56 AM  
**To:** Aaron Eberle; Sue Ganje  
**Subject:** Fw: Courthouse Conceal Carry Policy  
**Attachments:** CL148 FR Carry Policy.docx

Ladies,

Didn't see this in the packet either, so it would be good to include along with the attachment.

Regards, Paul

**From:** Ganje, Sue  
**Sent:** Tuesday, September 24, 2019 8:58 AM  
**To:** Ann Abbott ([jbart@gwtc.net](mailto:jbart@gwtc.net)) ; Joe Allen ; Deb Russell ; Brian Ahrendt  
**Cc:** Paul Nabholz  
**Subject:** Fw: Courthouse Conceal Carry Policy

passing on an edited policy ....

Sue Ganje  
County Auditor  
Fall River/Oglala Lakota County  
605-745-5130

---

**From:** Paul Nabholz <[pnabholz@gwtc.net](mailto:pnabholz@gwtc.net)>  
**Sent:** Saturday, September 21, 2019 5:14 PM  
**To:** Ganje, Sue  
**Subject:** [EXT] Courthouse Conceal Carry Policy

Dear Sue,

Please take a look at this and see if this is what you had in mind for a policy. The State's is a general policy for employees and doesn't even address the special requirements for the Capital. As our whole deal was about carry in the courthouse, that was all I attempted to deal with. I talked to J.F. about doing this, but not the specifics. Anyhow, if this is along what you had in mind please send it out for me and include it (the policy) in the packet and put it on the agenda for me. If not, give a call.

Regards,

Paul

Hello Brian and Commissioners,

Sept 21, 2019

It has been such a long drawn out thing to get the concealed carry passed that I wanted to get the policy to match what Judge Pfeifle had agreed to in his letters and stated in our June 18<sup>th</sup> commission meeting. Since I wrote and answered most of the letters between the Judge and County, I figured it would be easier for me to rewrite the policy than occupying a lot of Brian's time in revisions. Further, Brian has something of a conflict in being the lawyer for the commission and also appearing before the Judge to try cases.

First, after a couple rewrites of my own, I recognized that we aren't dealing with overall employee carry policy, but only *courthouse* carry policy. With an overall employee policy we would, like the state did, have to include out of state carry policies which neither Brian's last version or I consider. So, if employees presently carry, but not in the courthouse, they are not affected by this policy.

Next, the big reason behind asking the Judge to allow carry in the courthouse is that the employees were not permitted to carry when court was not in session. On court days we have the Sheriff and deputies for protection, but when court is not in session our employees were not protected. The original motion was that employees would not carry in the courtroom when court is in session. At 46:30 in the June 18<sup>th</sup> meeting the Judge says he doesn't want our employees carrying where court functions are going on. So, I brought back the ability of our employees to carry on the second floor except when court is in session or court functions are transpiring. It allows qualified employees to carry in the commission meetings.

I noted the exemptions under SDCL 22-14-24 which allows the Judge, States Attorney, Sheriff, deputies and those involved in law enforcement to carry in courthouses without violating the law or meeting the training requirements for non-exempt employees that the Judge has required. Those exempt under 22-14-24 should probably not be signing the policy as it would have deputies indemnifying the county from needing insurance and signing that they were solely responsible.

I got rid of the Supervisor's line in the Agreement as many of the employees may not have supervisors or are supervisors.

I removed the 14 day waiting period from notifying the Sheriff as in getting the enhanced permits, the Sheriff has already fingerprinted the employee and gotten a clear background check from the FBI.

As the Judge requested and Deb required in the Jun 18<sup>th</sup> motion, I included the written notification to the Sheriff of those routinely carrying *and* for those occasionally carrying that they notify the Sheriff before each occasion.

I didn't see any need to change anything about the Waiver and Hold Harmless section that Brian had written to protect the county and checked twice that I hadn't miscopied anything. As I noted above, signing the agreement should probably only be for those that are clearly not exempt under 22-14-24 and expect to carry in the courthouse.

I used Brian's description of the areas where non-exempt but qualified employees can't carry on the second floor as this was my original error when I failed to include anything but the courtroom.

Please let me know of any other changes I should make to get this thing put to bed.

Regards,

Paul



## Fall River County Courthouse Conceal Carry Policy

The County recognizes the right to bear arms in accordance with state and federal laws afforded by the Second Amendment of the United States Constitution and Article VI, Section 24 of the South Dakota Constitution. This policy establishes the County's expectations of county employees who wish to carry a concealed pistol in the Fall River County Courthouse while engaged in the duties of county employment.

The County is not liable for any wrongful or negligent act or omission related to the actions of persons or employees who carry a concealed pistol. Unless specific job duties require it, the ability to carry a concealed pistol is not within the scope of employment and is not a condition of employment. Nothing in this policy should be interpreted to require or encourage any employee, unless specific job duties require it, who lawfully possesses a pistol to use it in the defense of others.

### Eligibility to Conceal Carry

An employee may carry a concealed pistol while performing his or her job duties so long as that employee can legally carry a concealed pistol ("eligible employee"). It is the responsibility of the employee to understand state and federal laws and to know whether he or she can legally carry a concealed pistol. An eligible employee may carry a concealed pistol on state and county owned property unless prohibited by federal or state law or by executive order of the Governor.

### Requirements of Concealed Carrying in the Fall River County Courthouse

An eligible employee must comply with all requirements of the law when carrying a concealed pistol. The employee must always keep the pistol completely concealed, except for those instances where necessary for self-defense or transferring to locked storage. Pistols must always be in the immediate control of the eligible employee in a holster or in locked storage, and the employee cannot leave his or her pistol unattended in or on his or her workstation or in a purse, bag, desk, filing cabinet, or other storage container left behind at the employee's office.

County policy establishes several requirements for an employee, not exempt under SDCL 22-14-24, who would like to carry a concealed pistol in the Fall River County courthouse: 1) An employee shall have a valid "enhanced" permit, as that term is used in SDCL 23-7-8 et seq. The cost of obtaining said permit shall be solely that of the employee and the county will not reimburse any of the costs incurred by any employee in obtaining same. It is solely the responsibility of the individual employee to determine the requirements to qualify for, to

obtain, and retain an enhanced permit. 2) An employee shall notify the Fall River County Sheriff once in writing of their intent to routinely carry in the Fall River County courthouse prior to doing so and those occasionally carrying prior to each occasion. 3) An employee may not carry in the Courtroom, Jury Room, Court Services Office and adjoining waiting area, or the Clerk of Courts Office and adjacent hallways located on the 2<sup>nd</sup> floor of the Fall River Courthouse, when court is in session or court functions are transpiring.

### Prohibited Acts

The County will not tolerate any inappropriate displaying or use of a firearm and any such display or use will result in disciplinary action being taken against the employee, up to and including termination. In addition, a violation of any portion of this policy will result in disciplinary action, up to and including termination.

### Waiver and Hold Harmless Agreement

By signing below, **I hereby agree to indemnify and hold Fall River County harmless** for any injuries, damages, losses or claims, liabilities, costs or expenses (including but not limited to reasonable attorney's fees and other litigation costs and expenses) incurred by Fall River County as a result of any claims or suits that I (or anyone claiming by, under, or through me) or any third party (including but not limited to other employees of Fall River County, visitors to the Fall River County Courthouse, or members of the public) may bring against Fall River County to recover any losses, liability, costs, damages, or expenses which may arise as a result of my choice to conceal carry in the Fall River County Courthouse. I understand that **I am solely responsible** for the results of my use of any firearm I choose to conceal carry in the Fall River County Courthouse, and **no policy of insurance obtained by Fall River County will protect me from claims made against me, personally**, stemming from my use of any firearm I choose to conceal carry in the Fall River County Courthouse. If I desire to protect myself from potential claims made as a result of my use of any firearm I choose to conceal carry in the Fall River County Courthouse, it is my sole responsibility to seek out and obtain my own policy of insurance, or other form of protection or indemnification. I understand and accept all risks, whether foreseeable or unforeseeable, stemming from my choice to conceal carry, or my use of any firearm I choose to conceal carry in the Fall River County Courthouse.

I hereby state that I have read both the Fall River County Courthouse Conceal Carry Policy and the Waiver and Hold Harmless Agreement and I understand and agree to the terms set forth therein.

Dated: \_\_\_\_\_

Employee signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

FALL RIVER COUNTY ORDINANCE #2019-01

AN ORDINANCE PROHIBITING THE USE OF DYNAMIC BRAKE DEVICES

- A. Except as provided in this section, the use or operation of a dynamic braking device on unmuffled vehicles is hereby prohibited within Fall River County.
- B. A dynamic braking device is a device used on vehicles that converts the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes. These devices are commonly referred to as “air brakes,” “engine brakes,” “compression brakes,” “Jacob’s Brakes,” or “Jake Brakes.”
- C. This section shall not apply to emergency vehicles, whether or not responding to an emergency.
- D. As an affirmative defense to a charge of a violating of this section, the driver of the vehicle must prove by a preponderance of the evidence that:
1. The driver of the vehicle was operating the vehicle in compliance with all applicable laws at the time the unmuffled dynamic braking device was used; and
  2. The speed of vehicle was reasonable given all of the relevant circumstances; and
  3. The driver believed that the use of the unmuffled dynamic braking device was necessary to either:
    - a. Avoid an imminent threat to the safety of the driver or any other person; or
    - b. Avoid an imminent threat to property.
  4. The driver’s belief as to the necessity for using the unmuffled dynamic braking device was objectively reasonable.
  5. Violation of this ordinance shall incur a fine of \$250.00 for the first violation and \$500 fine for each subsequent violation.

  
Chairman: Fall River County Commissioners

First Reading: 8/20/19

Second Reading:

Published:

Effective:

## Aaron Eberle

---

**From:** Paul Nabholz [pnabholz@gwtc.net]  
**Sent:** Friday, September 27, 2019 11:54 AM  
**To:** Aaron Eberle; Sue Ganje  
**Subject:** Fw: County Jake brake bans on State Highways

Ladies, I don't see this additional information in the packet, so you might add this under the Jake Brake stuff.  
Thanks, Paul

**From:** Ganje, Sue  
**Sent:** Tuesday, September 24, 2019 9:33 AM  
**To:** Paul Nabholz ; Suomala, Jon  
**Subject:** Re: County Jake brake bans on State Highways

Thank you Jon for answering questions from Paul for the Board. Sue  
Sue Ganje  
County Auditor  
Fall River/Oglala Lakota County  
605-745-5130

---

**From:** Paul Nabholz <pnabholz@gwtc.net>  
**Sent:** Tuesday, September 24, 2019 9:29 AM  
**To:** Ganje, Sue; Suomala, Jon  
**Subject:** Re: [EXT] County Jake brake bans on State Highways

Sounds like Jon has agreed to what JF's thought was and with Deb's added description, Brian and Joe A. could write their ordinance. I think I am done on this topic as I just didn't want to pass something that the SDDOT wouldn't do. I'll thank Jon and be done unless you think of something I should chase.

Regards, Paul

Thanks Jon, that should do. Regards, Paul

**From:** Ganje, Sue  
**Sent:** Tuesday, September 24, 2019 8:51 AM  
**To:** Ann Abbott (jbart@gwtc.net) ; Joe Allen ; Brian Ahrendt  
**Cc:** Paul Nabholz  
**Subject:** Fw: County Jake brake bans on State Highways

Passing on the continuing conversation on location of signs...  
Sue Ganje  
County Auditor  
Fall River/Oglala Lakota County  
605-745-5130

---

**From:** Suomala, Jon  
**Sent:** Monday, September 23, 2019 3:41 PM  
**To:** Paul Nabholz; Ganje, Sue; Aaron Eberle; Deb Russell  
**Cc:** Kinniburgh, Doug (DOT); Horan, Tom; Zacher, Rich  
**Subject:** RE: [EXT] County Jake brake bans on State Highways

Paul:

I marked in red how the SDDOT would describe the sections you had described. I think if an ordinance was passed prohibiting unmuffled dynamic engine braking on the routes as described, the signs would be installed as you describe in the highlighted portion below. Please let me know if you have any questions or need anything else. Thanks.

Jon Suomala  
Region Traffic Engineer  
SDDOT – Rapid City Region  
(605)394-2695

**From:** Paul Nabholz <pnabholz@gwtc.net>  
**Sent:** Monday, September 23, 2019 11:33 AM  
**To:** Suomala, Jon <Jon.Suomala@state.sd.us>; Ganje, Sue <Sue.Ganje@state.sd.us>; Aaron Eberle <frcaud@gwtc.net>; Deb Russell <deb.debkrussell@gmail.com>  
**Cc:** Kinniburgh, Doug (DOT) <Doug.Kinniburgh@state.sd.us>; Horan, Tom <Tom.Horan@state.sd.us>; Zacher, Rich <Rich.Zacher@state.sd.us>  
**Subject:** Re: [EXT] County Jake brake bans on State Highways

Hey Jon,

I think I understand what you, the SDDOT, are willing to do. I am looking for a confirmation of my descriptions and yet again signage. We would be banning unmuffled dynamic engine braking, “On US Highway 18 from the intersection with the west end of Mule Deer Road to the intersection with US Highway 18B (basically the top of the hill a few miles west of Hot Springs) then east on US Highway 18B to the intersection of US Highway 18 and US Highway 18B”, “On US Highway 18 from the intersection of US Highway 18 and US Highway 18B to the intersection of SD Highway 79 and US Highway 18”, and “On SD Highway 79 from the intersection with Spring Canyon Road (a couple miles north of Maverick Junction) to the intersection with US Highway 18.” So, you would place a sign at the start of the section on 18 at the top of the hill west of Hot Springs that east bound traffic would see and a sign on the Highway 18 Bypass just west of Fall River Road that west bound traffic would see, a sign on Highway 18/Fall River Road just south of the Highway 18 Bypass that south bound traffic would see and a sign on Highway 18/Fall River Road just west of Maverick Junction that north or west bound traffic would see, and finally, you would place a sign at the start of the section on 79 a few miles north of Maverick Junction that south bound traffic would see and a sign just north of Maverick Junction on 79 that north bound traffic would see.

So if you would please correct my descriptions to how the SDDOT would normally describe these sections, it will limit confusion going forward as the descriptions would be what we would use in the ordinance.

My understanding is that you would not have restrictions or requirements for where the county chooses to place our own signs on county maintained roads. That is correct.

Hello Deb,

J.F. was concerned about the ban being across the entire county and didn't want it to be. If you could get with Randy and get a description of the section of road near the gravel pit that had the brake noise problem we could include it in the ordinance so only those 4 areas were subject to the ban we could pass it with one ordinance.

Hello Sue,

I can only e-mail Deb without breaking open meeting rules (better safe than sorry), so you might forward to Brian and the comms now or after bouncing it off Deb and J.F.

Happy Monday, so great to be back at the grindstone,

Paul

**From:** Suomala, Jon  
**Sent:** Friday, September 20, 2019 3:31 PM  
**To:** Paul Nabholz ; Ganje, Sue ; Aaron Eberle  
**Cc:** Kinniburgh, Doug (DOT) ; Horan, Tom ; Zacher, Rich  
**Subject:** RE: County Jake brake bans on State Highways

Paul:

That is correct, the entrances to communities within the county would be signs entering Hot Springs, Edgemont, Oelrichs, etc. I think we would consider Edgemont and Oelrichs as close enough to the state highway since you would easily be able to hear the engine brake on the highway from the community even if the highway does not pass through the actual city limits. I don't know if an ordinance for only certain segments of highway would be legal or if the ordinance would have to prohibit it in the entire county, but if an ordinance was passed that was written that way, that is how we would sign it. So, if the ordinance says, "Unmuffled dynamic engine braking is prohibited on US18 from the intersection with Country Club Dr to the intersection with Buena Vista Rd" we would put a sign on each end of that segment. Hopefully, this answers your questions. Please let me know if you need anything else. Thanks.

Jon Suomala  
Region Traffic Engineer  
SDDOT – Rapid City Region  
(605)394-2695

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**From:** Paul Nabholz <pnabholz@gwtc.net>  
**Sent:** Tuesday, September 17, 2019 3:17 PM  
**To:** Suomala, Jon <Jon.Suomala@state.sd.us>; Ganje, Sue <Sue.Ganje@state.sd.us>; Aaron Eberle <frcaud@gwtc.net>  
**Cc:** Kinniburgh, Doug (DOT) <Doug.Kinniburgh@state.sd.us>  
**Subject:** Re: [EXT] County Jake brake bans on State Highways

Hello Jon,

Sorry to be slow with the return. The original idea on some of the commissioners' minds was to only place the signs on specific sections of state and county roads where exhaust/dyn brake noise was a complaint. Specifically 18 coming down the hill into Hot Springs, out of Hot Springs down 18/Fall River Road to Maverick Junction, and north of the KOA campground approaching Maverick Junction on 79. My initial understanding on reading your letter was that the "community" was the county and there would be state placed signs shortly after entering Fall River County on all state roads. Reading more closely, "entrances to communities within the county" makes it sound like you would only have the signs entering HS, Edgemont, Oelrichs, and maybe Ardmore. Is that correct? Are these, Edgemont and Oelrichs, actually signed as the state hiway may not be in city limits? Finally, can the county instead specify the above mentioned areas for the signs without including the entire county?

We really don't want to pass an ordinance without knowing what you will allow us to or where your policy dictates signs be placed.

Regards,

Paul Nabholz

FR Commissioner

**From:** Suomala, Jon  
**Sent:** Friday, August 23, 2019 3:57 PM  
**To:** Paul Nabholz ; Ganje, Sue ; Aaron Eberle  
**Cc:** Kinniburgh, Doug (DOT)  
**Subject:** RE: County Jake brake bans on State Highways

Paul:

I found out that we do have a couple of counties on the east side of the state that have this ordinance and our approach is to install signs on the state routes at the entrances to communities within the county. With this being the case, please let me know if you still want signs installed as we will install all of the signs on the state routes. The ordinance must state "unmuffled dynamic engine braking is prohibited" as the signs will read "UNMUFFLED DYNAMIC ENGINE BRAKING PROHIBITED BY COUNTY ORDINANCE". Please let me know if you have any questions or need any other information. Thanks.

Jon Suomala  
Region Traffic Engineer  
SDDOT – Rapid City Region  
(605)394-2695

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**From:** Paul Nabholz <pnabholz@gwtc.net>  
**Sent:** Monday, August 19, 2019 9:28 AM  
**To:** Ganje, Sue <Sue.Ganje@state.sd.us>; Aaron Eberle <fraud@gwtc.net>  
**Cc:** Kinniburgh, Doug (DOT) <Doug.Kinniburgh@state.sd.us>; Suomala, Jon <Jon.Suomala@state.sd.us>  
**Subject:** Re: [EXT] County Jake brake bans on State Highways

Dear Sue, Aaron,

I talked with Jon this morning and he will get back with us by e-mail. He noted that the state usually doesn't allow cities to post noise signs at specific areas, but only on entry to the town along state hiways so everyone is notified. He would talk with his boss regarding FR county and whether we would only have signs at entry into the county or could have them at problem areas. He noted that law enforcement probably wouldn't enforce what was seen as needed braking. Don't know whether this would make any difference to our passage or not, but thought it would be good to pass along to the comms and packet.

Regards,  
Paul

**From:** Kinniburgh, Doug (DOT)  
**Sent:** Friday, August 16, 2019 2:00 PM  
**To:** Paul Nabholz  
**Cc:** Ganje, Sue ; Suomala, Jon  
**Subject:** RE: County Jake brake bans on State Highways

Hi Paul,

I am going to refer you to Jon Suomala, Rapid City Region Traffic Engineer, regarding any possible signing along state highways. Whether the state does the signing or permits you to install signs will be his call. I have carbon copied him on

this email or you may contact him at 605-394-2244. In regard to you question about if the County has authority to regulate noise, that I will refer you to your States Attorney. I will say that we had determined that we do not have authority to regulate noise, but we do honor and sign for the ordinances as passed at the local level.

*Doug Kinniburgh*

**Local Government Engineer**  
**Office of Local Government Assistance, SDDOT**  
**700 E. Broadway, Pierre, SD 57501**  
**605-773-4284**  
**doug.kinniburgh@state.sd.us**

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**From:** Paul Nabholz <pnabholz@gwtc.net>  
**Sent:** Friday, August 16, 2019 11:24 AM  
**To:** Kinniburgh, Doug (DOT) <Doug.Kinniburgh@state.sd.us>  
**Cc:** Ganje, Sue <Sue.Ganje@state.sd.us>  
**Subject:** [EXT] County Jake brake bans on State Highways

Hey Doug,

Fall River County is having a first reading of an ordinance to ban unmuffled Jakes in certain areas. While a couple spots are county roads, the main spots considered are on State highways, 18, 79, and 385. My main concern is 18 coming from the west into Hot Springs. The bypass even has a gravel run-off ramp for runaway trucks. My question is whether the county has any authority to post "no unmuffled engine brake" signs along the road. Do we submit a list to the SDDOT for your final determination of what can safely be posted? It looks like many states only allow Jake brake bans in towns.

Thanks,

Paul Nabholz  
FR Commissioner  
745 3749



# FALL RIVER COUNTY

2020-2024 Five Year  
County Highway and  
bridge improvement Plan



## CHECKLIST OF REQUIREMENTS FOR ANNUAL UPDATE

- Certification Form
- Projected Revenue Available per year
- 5-year Project List (Programmed Projects)
- Project Status List
- Affidavit of publication of public meeting notice (copy of the notice or article alone, is not sufficient)
- Township coordination letters/notice (sample letter and mailing list is acceptable)
- Attendance list from public meeting (all attendees – not just commission members)
- Public Comments (if no comments are received, clearly indicate that in the plan submittal) **See Meeting Minutes**

## REVENUES AND PROGRAM

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

<b>Account Description</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
<b>Local Funds</b>						
General Funds-property tax	255	255	255	255	255	255
Motor Vehicle Licenses	877	877	877	877	877	877
Wheel Tax	105	105	105	105	105	105
Annual STP Payout Funds	238	238	238	238	238	238
2019 HIP Funds		222				
<b>Intergovernmental Funds</b>						
Township Services						
<b>State Funds</b>						
PE - BIG (planning to apply for)						
PE - BIG (awarded by DOT)						
Preservation - BIG (planning to apply for)						
Preservation - BIG (awarded by DOT)						
Rehab/Repl - BIG (planning to apply for) *Design Phase, **Const. Phase						
Rehab/Repl - BIG (awarded by DOT)	950					
Other (Match on STP Projects, Pavement Marking Prj.) *Igloo Bridges, **Chilson Bridge, #SDGF&P Cost-Share			*2,400	#130		
<b>Federal Funds</b>						
TAP						
ER/FEMA						
OTHER (STP, Bridge, Signing, Hazard Elimination, SIB Loans) *Igloo Bridges,		**1,256				
<b>TOTAL</b>	<b>2,425</b>	<b>2,953</b>	<b>3,875</b>	<b>1,605</b>	<b>1,475</b>	<b>1,475</b>

**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.

## FIVE-YEAR PROGRAMMED PROJECT LISTING

Project Location	Project Description	Year	Proposed Five-Year Project Funding Information (in thousands of dollars)					Total Project Cost
			Local Funding	Federal Funding	State Funding	Unfunded	Anticipated Grant	
4 E & 8 N of Edgemont	STIP Bridge Replacement for Structure 24-162-102 over Mickelson Trail (Construction)	2020	294	1,176				1,470
1.1 W & 0.3 S of Burdock	2019 BIG-Replacement 24-020-020 ~ if awarded BIG begin design in 2019	2020	237		950			1,187
County Wide	Graveling	2020	400					400
County Road 79; SD 385 S, 4 Miles	Process in Place Pavement & Gravel Surfacing -- 4 Miles	2020	160					160
SD471 Provo to Igloo, Remove Bridges and Obliterate Old State Highway 298	Grading, Gravel Surfacing, Box Culvert, Obliteration of Bridges and Roadway	2021			#2,400			2,500
County Wide	Graveling	2021	400					400
County Wide	Graveling	2022	400					400
County Road 1 ~ 4 miles (Cost Share with State Parks)	Asphalt Surface Treatment and Fog Seal	2022	80		*80			160
County Road 2A ~ 2.5 Miles (Cost Share with State Parks)	Asphalt Surface Treatment and Fog Seal	2022	50		*50			100
County Road 6291 ~ 8.5 Miles	Asphalt Surface Treatment and Fog Seal	2022	340					340
0.8 S & 0.2 E of Oelrichs	Structure 24-419-212	2023	350					350
County Wide	Graveling	2023	400					400
County Wide	Graveling	2024	400					400

# Requires STATE/COUNTY PROJECT FUNDING AGREEMENT to be Amended. If not amended the STATE Project Funding Obligation is Capped at \$1.1M

\* SDGF&P Cost-Share Anticipated

Local Funding Includes: Match on BIG funding, traditional BRO & BRP projects, TAP projects, etc., and some shortfalls/balances on misc. projects. Also STP Payout funds.

Federal Funding Includes: 100% of Signing & Delineation projects, and approx. 80% of STP, BRO, BRP, and TAP projects. Federal portion of ER/FEMA projects.

State Funding Includes: 80% of awarded BIG projects, approx. 60% of Pavement Marking projects, and approx. 20% match on STP projects.

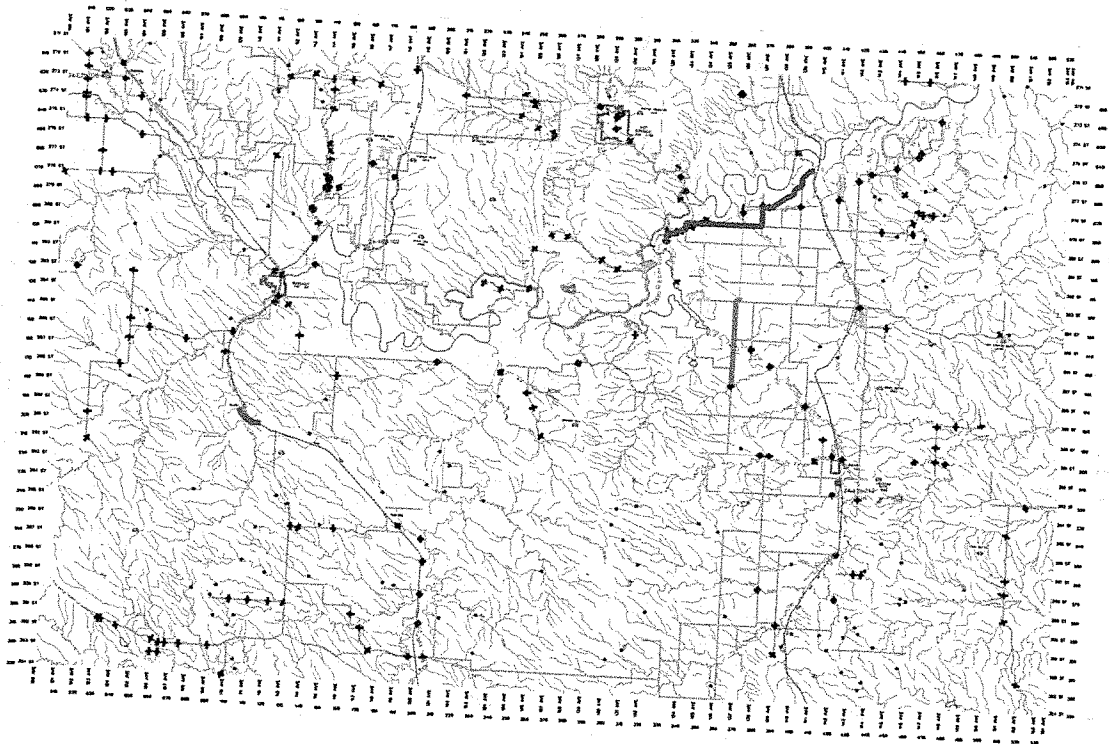
Anticipated Grant (BIG): 80% of total

## PROJECT STATUS LIST

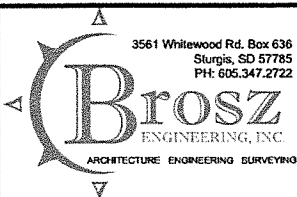
Project Location	Annual Listing of Programmed Projects Project Description	Year	Status
4 E & 8 N of Edgemont	STIP Bridge Replacement for Structure 24-162-102 over Mickelson Trail	2019 - 2020	Currently under Design for 2020 Construction
SD471 Provo to Igloo, Remove Bridges and Obliterate Old State Highway 298	Grading, Gravel Surfacing, Box Culvert, Obliteration of Bridges and Roadway	2020	Design 95% Complete - SDDOT in Process of ROW Negotiations. SDDOT 2018 Cost Estimate is \$2.5M. Current SDDOT Funding Agreement with County has the State Funding Share Capped at \$1.1M resulting in Fall River County responsible for the remaining \$1.4M. SDDOT has indicated ROW Process could Delay Project
County Wide	Graveling	2020 - 2024	No Change
County Road 79; SD 385 S, 4 Miles	Process in Place Asphalt Pavement & Gravel Surfacing	2020	No Change
1.1 W & 0.3 S of Burdock	2019 BIG-Replacement (Construction Phase)	2021	No Change
0.8 S & 0.2 E of Oelrichs	Structure 24-419-212	2023	Change Date due to SDDOT delays on other projects and unknown County Project Cost Share
County Road 1 ~ 4 miles (Cost Share with State Parks)	Asphalt Surface Treatment and Fog Seal	2022	No Change
County Road 2A ~ 2.5 Miles (Cost Share with State Parks)	Asphalt Surface Treatment and Fog Seal	2022	No Change
County Road 6291 ~ 8.5 Miles	Asphalt Surface Treatment and Fog Seal	2022	No Change

MAPS

2020-2024 FALL RIVER COUNTY 5 YEAR ROAD PLAN



- 2021 Replacement
- 2022 Replacement
- 2023 Replacement
- ▬ 2020 Reclamation Project
- ▬ 2021 Grading Project
- ▬ 2022 Chip Seal Project



SHEET DESCRIPTION: 2020-2024 PROJECTS

COUNTY: FALL RIVER



PUBLIC INPUT

## [EXT] Golden West - Fall River Road Permit Request

Bekki Reinert <BekkiReinert@GoldenWest.com>

Tue 9/17/2019 2:40 PM

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

@ 1 attachment

Fall River Co Rd Permit.pdf;

Hi Sue,

I have attached a Fall River County Rd Permit for the Commissioners approval, along with a construction sheet indicating the construction location. Please contact me if you have questions. I will not be mailing a hard copy unless you request it by responding to this e-mail.

Thank you,

Bekki

*Bekki Reinert*

ROW Technician

Golden West Telecommunications

PO Box 411

415 Crown Street

Wall, SD 57790

[bekkireinert@goldenwest.com](mailto:bekkireinert@goldenwest.com)

605-279-2161

605-279-1245 (Direct)

605-209-9067 (Cell)

605-279-2797 (Fax)



September 17, 2019

Fall River County Hwy Department  
Atten: Sue Ganje  
906 N. River Str  
Hot Springs, SD 57747

Ref: 27801 Sand Creek Rd – Carl and Kari Sanders

Fall River County Commissioners:

Golden West Telecommunications has a telephone service request from Carl and Kari Sanders at their residence at 27801 Sand Creek Rd.

Enclosed is Fall River County utility permit application for the above referenced road. Also enclosed is a set of construction plans showing the proposed area of construction.

When approved, please return the original permit application to my attention at PO Box 411 Crown Street, Wall, SD 57790.

If you have any questions, comments or concerns, please contact me directly at 605-279-1245 or e-mail [bekkireinert@goldenwest.com](mailto:bekkireinert@goldenwest.com).

Sincerely,

A handwritten signature in cursive script that reads "Bekki Reinert".

Bekki Reinert  
Golden West Telecommunications  
ROW Technician  
PO Box 411  
Wall, SD 57790  
605-279-1245

Enclosures: 1

APPLICATION FOR PERMIT TO OCCUPY COUNTY HIGHWAY RIGHT-OF-WAY

TO: THE BOARD OF COUNTY COMMISSIONERS

DATE: 9/17/2019

FALL RIVER COUNTY,  
HOT SPRINGS, SOUTH DAKOTA

Application is hereby made by Golden West Telecommunications, South Dakota for permit to occupy highway right-of-way located from: Intersection of Hay Canyon Rd and Sand Creek Rd

To: Driveway of 27801 Sand Creek Rd - Carl and Kari Sanders

AERIAL FACILITIES: Location, type and size of the proposed line and anchors with respect to the centerline of the road or outer edge of the right-of-way and location of crossings showing any right-of-way are shown on Exhibit "A" (Sketch) attached.

UNDERGROUND FACILITIES: A sketch showing the approximate route and location of the proposed facility for which a permit is hereby requested is attached as Exhibit "A" and made a part hereof.

The following information is pertinent to the proposed installation:

1. Intended usage or rating: Telecommunication services to 27801 Sand Creek Rd
2. Pipe size, cable size and type: BFO 12
3. Outside diameter: N/A
4. Maximum pressure at which pipeline will be operated: N/A
5. Size and Type of metal casing: N/A
6. Minimum depth of cable or pipeline: 36" - Bores will be 8' deep under road bed
7. Casing will be installed by minimum size boring and will extend from toe of in-slope to toe of in-slope.
8. This installation will comply with the most recently adopted ASA, Code for Gas Transmission and Distribution Pipe systems or the National Safety Code. Marker sign(s) will be installed where appropriate.

The installation and maintenance of said utility facilities will not interfere with or impair construction, maintenance or use of any highway and will comply with all safety regulations of the State and Federal Government. When trenching is done on County R.O.W. the trenches must be tamped to avoid any settlement.

Future adjustments and maintenance will be in accordance with State and Federal Laws and Regulations and will be performed at no cost to the County or the Federal Government.

APPROVED \_\_\_\_\_ 20\_\_

SUBMITTED 17-Sep 20 19

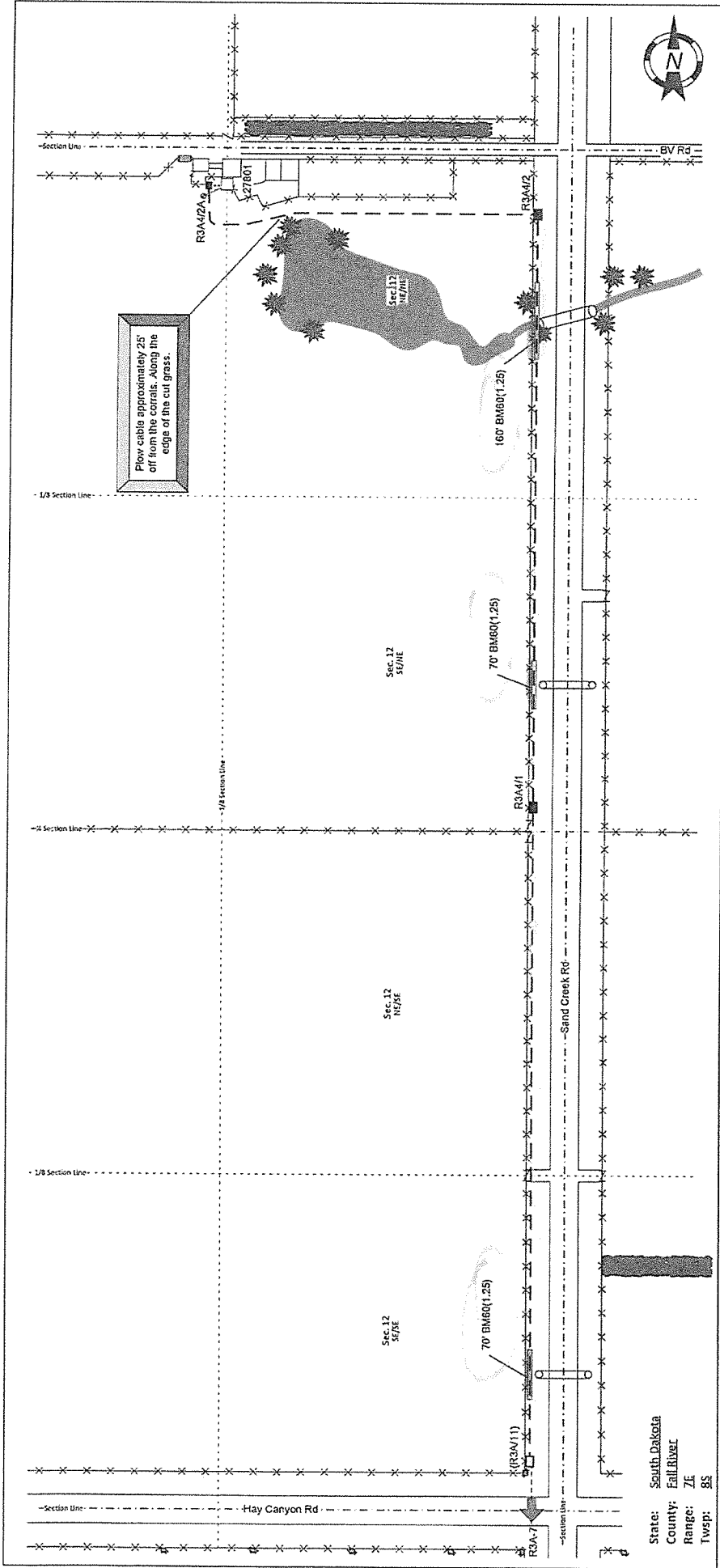
\_\_\_\_\_  
County Chairman

\_\_\_\_\_  
Golden West Telecommunications

\_\_\_\_\_  
County Auditor

By Bekki Lynett, ROW Tech, SWTC

\_\_\_\_\_  
ROW Technician - Golden West Telecommunication:  
Title



# Confidential Property of Golden West