

## **FALL RIVER COUNTY UNAPPROVED MINUTES OF NOVEMBER 5, 2020**

The Fall River Board of County Commissioners met in regular session on November 5, 2020. Present: Joe Allen, Joe Falkenburg, Heath Greenough, Paul Nabholz, Deb Russell and Sue Ganje, Auditor. Falkenburg asked for a moment of silence for our country.

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

The agenda was reviewed for conflicts, none noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED. The full context of the meeting can be found on the county website under Commissioners at <http://fallriver.sdcountries.org>, or under Fall River County Commission, SD at <http://www.YouTube.com>.

Motion made by Greenough, seconded by Russell, to approve the agenda as written.

Motion made by Nabholz, seconded by Russell, to approve the minutes of October 6, 2020.

Motion made by Russell, seconded by Greenough, to surplus to junk 1 desktop computer and 2 computer monitors, Highway Department.

Motion made by Russell, seconded by Nabholz, to approve reimbursement for volunteer hours of Pam Craig, election, at \$11.00 per hour. With Nabholz voting no, all others voting yes, motion carries.

Motion made by Nabholz, seconded by Greenough, to approve the following resolution:

### **Fall River County Resolution Number 2020 – 39**

#### **A RESOLUTION RECONVEYING CERTAIN PROPERTY TAKEN AS TAX DEED**

WHEREAS, certain real property located in Edgemont, South Dakota, with the legal description of:

Lots Thirteen (13), Fourteen (14) and Fifteen (15), Block Five (5), Original Town, now City, of Edgemont, Fall River County, South Dakota

was taken by the Fall River County Treasurer by Tax Deed pursuant to SDCL §10-25 on September 9th, 2020; and

WHEREAS, the record owner of this real property, Gayle Marriott, desires a reconveyance of said real property pursuant to SDCL 10-25-41 through 10-25-43; and

WHEREAS, Fall River County agrees to reconvey said property to the record owner, Gayle Marriott, for consideration, not less than the total principal, interest, and costs of all taxes

represented in the tax deed and any other taxes and interest which are unpaid on the real property; and

WHEREAS, the Fall River County Commission has determined to set the cost of the requested reconveyance at the total amount of the cost of the back taxes, plus the costs incurred to take the real property through the tax deed process, for a total amount of eighteen thousand four hundred fifty-seven dollars and sixty seven cents (\$18,457.67)

NOW, THEREFORE BE IT RESOLVED by the County Commission of Fall River County that the chairman is authorized to sign a Quitclaim Deed reconveying the real property described herein to Gayle Marriott, the record owner of said property, upon the full payment of \$18,457.67 U.S. dollars cash, received at the Office of the Fall River County Treasurer.

Approved and adopted this 5<sup>th</sup> day of November, 2020.

/s/Joe Falkenburg

Fall River County, Commission Chairman  
Fall River County, South Dakota

ATTEST:

/s/Sue Ganje

Fall River County, Auditor  
Fall River County, South Dakota

Motion made by Allen, seconded by Nabholz, to approve CP2020-04, in the amount of \$340.00 for rental assistance, with repayment.

Bob Evans, Sheriff, met with the board. Motion made by Greenough, seconded by Nabholz, to approve hiring Rachel Hosterman, Sheriff's administrative assistant, \$13.00 per hour, effective October 26, 2020 as per union contract.

Evans reported that there are 12 males and 3 females in the Fall River County Jail, with 1 inmate on work release and 3 males in Pennington County, for a total of 18 inmates; Isnalawica Belt, new Deputy Sheriff, was also introduced to the commissioners. Greenough spoke about items on a section line, Evans will follow up.

Roger Horton, Edgemont City Council, met with the board. Motion made by Russell, seconded by Greenough, to approve the 2021 Law Enforcement Agreement with the City of Edgemont. With Nabholz voting no, all others voting yes, motion carries.

Susie Hayes, Director of Equalization, met with the board to review the current discretionary formula, and advised the board that they could change it now if desired. Motion made by Russell, seconded by Nabholz, to approve the discretionary formula at the 20 – 40 – 60 – 80 – 100 and grandfather in all existing businesses that are at the 5 year 0% with the following resolution:

**Fall River County Resolution No. 2020-40**

### **Discretionary Formula SDCL 10-6-35.2**

WHEREAS, the County of Fall River, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-35.2.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-35.2:

- ☒ Any new industrial or commercial structure, or any addition, renovation, or reconstruction to an existing structure, located within a designated urban renewal area as defined in SDCL § 11-8-4, if the new structure, addition, renovation, or reconstruction has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(1));
- ☐ Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(2));
- ☒ Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-35.2(3));
- ☐ Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-35.2(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(4));
- ☒ Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(5));
- ☐ Any new affordable housing structure containing four or more units with a monthly rental rate of the units at or below the annually calculated rent for the state's sixty percent area median income being used by the South Dakota Housing Development Authority, for a minimum of ten years following the date of first occupancy, if the structure has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(6));
- ☐ Any new residential structure, or addition to or renovation of an existing structure, located within a redevelopment neighborhood established pursuant to SDCL § 10-6-56 if the new structure, addition, or renovation has a full and true value of five thousand dollars or more. The structure shall be located in



an area defined and designated as a redevelopment neighborhood based on conditions provided in SDCL § 11-7-2 or 11-7-3 (SDCL § 10-6-35.2(7)); or

- Any commercial, industrial, or nonresidential agricultural property which increases more than ten thousand dollars in full and true value as a result of reconstruction or renovation of the structure (SDCL § 10-6-35.2(8)); and be it

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 20% of the Pre-Adjustment Value;
- b. For the second tax year the following construction, 40% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 60% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 100% of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year proceeding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FURTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 5<sup>th</sup> day of November, 2020

Fall River County Commission



/s/Joe Falkenburg, Chairman

Attest:

/s/Sue Ganje

Fall River County Auditor

With Greenough and Nabholz voting no, all others voting yes, by roll call vote, motion carries.

Motion made by Nabholz, seconded by Russell, to approve setting a hearing on November 17, 2020 at 9:40 a.m. for omitted property add-on.

Hayes thanked the board for allowing part time help for fall assessing.

Lyle Jensen, Building Supervisor, met with the board. Motion made by Russell, seconded by Nabholz, to approve the lease agreement with Golden West for fiber optic capabilities, in the amount of \$742.50 per month.

Frank Maynard, Emergency Management, met with the board. Motion made by Greenough, seconded by Russell, to approve the Hazardous fuels reduction project in the Hot Brook area to reduce danger on county owned property, at no cost to the county.

Maynard updated the board about fire potential in Southwestern South Dakota, and advised that the SD Office of Emergency Management will be purchasing two Salamander TRACK apps for each of the LEMPG counties, and he will be bringing quotes for an I Phone and a tablet back to the board. Maynard reported on a webinar he attended on the floodplain and on fires and incidents.

The supplement and contingency hearing was held as advertised. Motion made by Russell, seconded by Nabholz, to approve the following resolution and to include a cash transfer from the General Fund to Emergency Management Fund in the amount of \$66,670.00:

**FALL RIVER COUNTY RESOLUTION #2020-38**

**Supplemental Budget 2020, #3**

**Contingency Transfer 2020, #4**

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget, and whereas, as due and legal notice has been given, the following Supplements to revenues for November 05, 2020 be approved as follows: General Fund: Covid Cares Act 10100R3310400, \$5,743.51 Means of finance to be cash for revenues received, and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted to the following Departments: Mental Illness Board 10100X4221445, \$4,814.00; Victim's Forensic 10100X4291434, \$2,557.00; Covid-19 10100X4260222, \$14,794.00

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget #3 and Contingency Transfer #4 for 2020.

Dated at Fall River County, South Dakota this 5<sup>th</sup> day of November 2020.

/s/Joe Falkenburg

Fall River County Board of Commissioners

ATTEST:

/s/Sue Ganje

Fall River County Auditor's Office

Commissioner Russell presented an amendment to Ordinance 2010-01 on behalf of Scott Roy and Melissa Holt. The amendment would allow for a barking dog if the dog is actively guarding livestock or protecting property, then the owner of the dog would not be subject to this ordinance. Scott and Melissa gave a brief on their business and efforts to appease the neighbor who filed a complaint. Scott advised he had found a right to farm SD Codified Law that could eliminate calls to Law Enforcement if it was in the Ordinance and the owner of the dog qualifies for Agriculture status. Commissioner Russell and State's Attorney Ahrendt will work together on the amendment.

Commissioner Nabholz updated the board about the recent Black Hills Council of Local Government meeting, future of the Fall River meat processing facility, funding of libraries by cities and the potential liability, Covid grant monies and BBB grants.

Brian Ahrendt, State's Attorney, met with the board. Motion made by Nabholz, seconded by Greenough, to approve appointed Lance Russell as a limited deputy, not to exceed \$2,000.00.

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

#### **FALL RIVER COUNTY RESOLUTION #2020-41**

**A Plat of Tract Deb 2 and a private access and utility easement of Merrill Subdivision, of Section 2, T7S, R5E, BHM, Fall River County, South Dakota**

**Formerly a portion of the E. 250' of SE1/4NW1/4**

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 5<sup>th</sup> day of November, 2020.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg

Fall River County Board of Commissioners

Motion made by Allen, seconded by Russell, to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION #2020-42**

**A Plat of Compound tract revised and KOA tract revised, located in SW1/4 Section 27,  
T7S, R6E, BHM, Fall River County, South Dakota**

**Formerly Compound Tract and KOA Tract**

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 5<sup>th</sup> day of November, 2020.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg

Fall River County Board of Commissioners

Randy Seiler, Highway Superintendent, met with the board. Motion made by Russell, seconded by Allen, to approve the September 2020 fuel used or work performed to reimburse the highway department as follows: Sheriff's Department for \$\$1,478.11; Weed and Pest Office for \$294.09; Building for \$31.79; Emergency Management for \$46.88; Director of Equalization for \$64.32; and Election \$59.41, and also to include a transfer to Highway for fire tanker costs from Fire fund, in the amount of \$1,403.70 and surfacing the courthouse parking lot with ground asphalt in the amount of \$10,811.98 from Building fund.

Propane quotes were presented as follows:

10/27/2020 Propane Quotes  
Nelson's

500 Gal Gasoline foe Edgemont Shop  
\$1.19/gallon



Hi-D-Way	\$1.39/gallon
CBH Propane	\$1.39/gallon

Motion made by Nabholz, seconded by Greenough, to approve the low bid from Nelson's for 500 gallons of gasoline in the amount of \$1.19 per gallon, for a total amount of \$595.00.

Seiler updated the board that epoxy-chip seal on the on the Scenic Road Bridge, #79F, will cost approximately \$112,000.00. The asphalt overlay would be approximately \$23,000.00. The sealant spray would be \$620.00, which the board agreed to. Motion made by Greenough, seconded by Russell, to rescind the October 20, 2020 motion for the asphalt overlay on the Scenic Road Bridge, #24-325-05.

Motion made by Nabholz, seconded by Russell, to spend \$1,000 on the bridge, by using sealer and fixing drainage. Motion passes by a roll call vote.

Seiler updated the board that the bridge inspection on the bridge by Oral was okay and that he received a final FEMA check for \$96,380.00. He also advised that he and Robin Lecy met with Cliff Reuer, LTAP, on the Shep's Canyon Road. A report from Reuer will be presented at the next meeting. Falkenburg noted the need to really look hard at our most travelled roads for possible improvements.

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

#### GENERAL FUND

ACCOUTER RENTAL AND SALES	SERVICE	\$145.00
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$549.16
BRUMBAUGH & QUANDAH L P.C.	GARNISHMENT	\$36.36
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$4,008.64
BOMGAARS SUPPLY	SUPPLY	\$23.65
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
BUILDER'S FIRST SOURCE	SUPPLY	\$25.99
CASCADE FIRE DEPARTMENT	ELECTION RENTAL	\$25.00
CENTURY BUSINESS LEASING	COPIER LEASE AND USAGE	\$326.81
CHILDREN'S HOME SOCIETY	COURT COST	\$48.72
CREDIT COLLECTION BUREAU	COLLECTIONS	\$32.81
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,102.40
SD DEPT OF LABOR & REG	REEMPLOYMENT ASSISTANCE	\$2,070.00
EFTPS	EFTPS PAYROLL TAXES	\$35,972.45
ELECTION SYSTEMS & SOFTWARE	ELECTION SUPPLY	\$954.54
EN-TECH LLC	FUMIGATION	\$410.00
DUDE SOLUTIONS, INC.	GIS SUPPORT CONTRACT	\$265.98
FARRELL, FARRELL & GINSBACH	CAAF	\$2,604.07
FR COUNTY TREASURER	FIRST INTERSTATE	\$8.42
GINSBACH, PATRICK M.	GENERAL ELECTION	\$28.06
SILVERNAIL, JULIE	GENERAL ELECTION	\$39.74

HANSON, MICHAEL	CAAF	\$9,593.30
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$555.00
HILLS EDGE AUTO SALES	MAINTENANCE	\$78.18
HOBART SALES & SERVICE	SERVICE	\$228.15
HOT SPRINGS ACE HARDWARE	SUPPLY	\$301.65
HOT SPRINGS AUTOMOTIVE	SUPPLY	\$28.10
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$17,733.50
JENSEN, LYLE	REIMBURSEMENT	\$276.83
LIUNA LABORERS LOCAL 620	UNION DUES	\$300.00
LAMPHERE, MARC	GENERAL ELECTION	\$145.00
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$687.35
MCLEODS OFFICE SUPPLY CO.	ELECTION SUPPLY/SUPPLIES	\$456.35
MELLETT COUNTY SHERIFF	INMATE HOUSING	\$220.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$500.00
NEW YORK LIFE INSURANCE	NEW YORK LIFE INSURANCE	\$65.00
NOHR, LINDA	BLOOD DRAW	\$100.00
NORTON, TINA	CONTRACT NURSE INMATE	\$1,375.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
O'NEILL, JUSTIN	CAAF	\$8,700.06
POWELL, DEBRA J	BLOOD DRAW	\$150.00
QUILL CORPORATION	OFFICE SUPPLIES	\$57.02
RELIANCE STANDARD LIFE	VISION PLAN	\$161.96
RUSHMORE COMMUNICATIONS	RADIO	\$152.52
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$33,605.06
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$16,882.35
SERVALL	RUG/UNIFORMS SERVICE	\$400.78
SPERLICH, PEGGY	GENERAL ELECTION	\$145.00
SONNY'S SUPER FOODS	SUPPLY	\$145.35
SD SUPPLEMENT RETIREMENT	SDRS CONTRIBUTION	\$1,600.00
THEILMANN, LAURIE	GENERAL ELECTION	\$21.04
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$54.99
VERIZON WIRELESS	CELL PHONE PLAN	\$749.44
WAXLER, MARY SUE	GENERAL ELECTION	\$32.73
WENDELL'S GARAGE	MAINTENANCE	\$2,112.19
DEVRIES, SHEILA	GENERAL ELECTION	\$58.44
REAGAN, RHETA	GENERAL ELECTION	\$145.00
FRAUNE, RITA ANN	GENERAL ELECTION	\$44.41
AABERG, WANDA M	GENERAL ELECTION	\$145.00
DUFFY, MICHAEL	GENERAL ELECTION	\$63.11
COATES, VIRGINIA	GENERAL ELECTION	\$145.00
BEHRENS, DONNA	MILEAGE REIMBURSEMENT	\$30.24
FEES, IRMA	GENERAL ELECTION	\$32.73
COATES, ED	GENERAL ELECTION	\$145.00

POURIER, RUTH	GENERAL ELECTION	\$145.00
BIRKHOLT, FRANCES M	GENERAL ELECTION	\$145.00
DEVRIES, DONALD J	GENERAL ELECTION	\$58.44
BECKER, JANET	GENERAL ELECTION	\$63.11
STOKES, AMY	GENERAL ELECTION	\$130.00
KUNSMAN, PAULINE	GENERAL ELECTION	\$145.00
BURROWS, MARY	GENERAL ELECTION	\$32.73
THIES, JUDITH	GENERAL ELECTION	\$145.00
STEARNS, FLORA	GENERAL ELECTION	\$145.00
HENRY, VALERIE	REFUND	\$124.94
BURRIS, DAVID	GENERAL ELECTION	\$145.00
CARLSON, VIRGINIA	GENERAL ELECTION	\$145.00
TWISS, TMARA	GENERAL ELECTION	\$167.68
ANDERSEN, DONALD	GENERAL ELECTION	\$193.72
ANDERSON, PAM J.	GENERAL ELECTION	\$145.00
BATCHELOR, LAURA ANN	GENERAL ELECTION	\$145.00
HANSEN, JUDY	GENERAL ELECTION	\$145.00
STOVER, SASHA	BLOOD DRAW	\$375.00
MOWRY, LANA	GENERAL ELECTION	\$145.00
REED, CYNTHIA	GENERAL ELECTION	\$152.56
TAYLOR, YVONNE	GENERAL ELECTION	\$145.00
MARTIN, MIRIAM	GENERAL ELECTION	\$145.00
STRAUSER, GARRY	GENERAL ELECTION	\$145.00
COLLIGON, RICK	GENERAL ELECTION	\$145.00
MCDANIEL, PRISCILLA	GENERAL ELECTION	\$64.36
NACHTIGALL, JEAN	GENERAL ELECTION	\$145.00
PETERSON, SARAH	GENERAL ELECTION	\$32.73
FITZGERALD, VELVA	GENERAL ELECTION	\$145.00
FOUST, GREGORY	GENERAL ELECTION	\$28.06
BECKER, RANDALL	GENERAL ELECTION	\$63.11
BRADLEY-THOMPSON, BO	GENERAL ELECTION	\$145.00
SYMSTAD, JEFF	GENERAL ELECTION	\$145.00
CONGER, LESTA	GENERAL ELECTION	\$163.90
HAMAKER, KRISTOFER	GENERAL ELECTION	\$145.00
BROWN EYES, TEIGHLOR	GENERAL ELECTION	\$145.00
NOTHEIS, JOHN	GENERAL ELECTION	\$145.00
CARR, NANCY	GENERAL ELECTION	\$28.05
COLEMAN, BRAYDEN	GENERAL ELECTION	\$145.00
CRAIG, PAM	GENERAL ELECTION	\$28.05
GEORGE, ROBERT	GENERAL ELECTION	\$145.00
JUHL, KELLI	GENERAL ELECTION	\$32.72
KERSTEN, MELINDA	GENERAL ELECTION	\$28.05
JACOBSEN, GARY	GENERAL ELECTION	\$11.69



PARKER, EMMA	GENERAL ELECTION	\$145.00
PARKER, MEGAN	GENERAL ELECTION	\$145.00
RUTHERFORD, JOHN	GENERAL ELECTION	\$44.41
RUTHERFORD, THERESA	GENERAL ELECTION	\$44.41
STEWART, SHYANN	GENERAL ELECTION	\$145.00
WAINMANN, MICHAEL	GENERAL ELECTION	\$145.00
JOHNSON, JEAN	GENERAL ELECTION	\$152.68
CHILDERS, SANDRA	GENERAL ELECTION	\$145.00
SMITH, MARIS	GENERAL ELECTION	\$145.00
NILES, MALISA L	GENERAL ELECTION	\$32.73
COMMISSIONER	OCTOBER SALARIES	\$4,100.00
ELECTION OFFICE	OCTOBER SALARIES	\$2,468.50
AUDITOR'S OFFICE	OCTOBER SALARIES	\$16,350.54
AUDITOR'S OFFICE	OVERTIME	\$889.71
TREASURER'S OFFICE	OCTOBER SALARIES	\$11,404.95
TREASURER'S OFFICE	OVERTIME	\$76.87
STATE'S ATTORNEY'S OFFICE	OCTOBER SALARIES	\$11,869.28
STATE'S ATTORNEY'S OFFICE	OVERTIME	\$142.80
MAINTENANCE	OCTOBER SALARIES	\$11,247.63
MAINTENANCE	OVERTIME	\$127.67
ASSESSOR'S OFFICE	OCTOBER SALARIES	\$16,356.50
ASSESSOR'S OFFICE	OVERTIME	\$24.00
REGISTER OF DEEDS OFFICE	OCTOBER SALARIES	\$8,062.03
REGISTER OF DEEDS OFFICE	OVERTIME	\$13.50
VETERAN'S SERVICE OFFICE	OCTOBER SALARIES	\$3,616.69
GIS OFFICE	OCTOBER SALARIES	\$3,563.48
SHERIFF	OCTOBER SALARIES	\$28,819.66
SHERIFF	OVERTIME	\$3,186.65
JAIL	OCTOBER SALARIES	\$16,167.53
JAIL	OVERTIME	\$4,544.09
CORONER	OCTOBER SALARIES	\$450.00
NURSE'S OFFICE	OCTOBER SALARIES	\$3,572.23
EXTENSION OFFICE	OCTOBER SALARIES	\$1,251.25
WEED & PEST OFFICE	OCTOBER SALARIES	\$4,492.62
	TOTAL FOR GENERAL FUND	\$307,989.70
<b>COUNTY ROAD &amp; BRIDGE</b>		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$33.30
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$350.88
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$449.93
BOMGAARS	SUPPLY	\$21.95
BROSZ ENGINEERING, INC.	ENGINEERING	\$840.00
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$5,955.23
DALE'S TIRE & RETREADING	TIRE PARTS/SUPPLY	\$2,430.76

DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$471.00
EFTPS	EFTPS PAYROLL TAXES	\$8,895.18
FALL RIVER COUNTY HERALD	PUBLICATION	\$28.52
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$150.00
SIMON MATERIALS	GRAVEL/ASPHALT	\$7,079.99
HOT SPRINGS ACE HARDWARE	SUPPLY	\$12.99
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$187.31
RICOH USA INC	CONTRACT SERVICE	\$75.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$3,625.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$125.00
LAWSON PRODUCTS	INVENTORY	\$144.95
MG OIL	INVENTORY/SUPPLY	\$686.95
NEBRASKA SALT & GRAIN	ICE CONTROL SALT SUPPLY	\$2,193.00
NELSONS OIL & GAS INC.	FUEL	\$16,392.00
NEWMAN TRAFFIC SIGNS	SIGNAGE	\$91.52
RELIANCE STANDARD LIFE	VISION PLAN	\$39.54
RDO EQUIPMENT CO	PARTS	\$829.27
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$124.47
SD DEPT OF TRANSPORTATION	STATE COST SHARE ROA	\$11.61
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$22,705.70
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$4,674.42
HENRY, VALERIE	REFUND	\$5.57
HIGHWAY DEPARTMENT	OCTOBER SALARIES	\$38,477.68
HIGHWAY DEPARTMENT	OVERTIME	\$476.00
	TOTAL COUNTY ROAD & BRIDGE	\$117,584.72
<b>911 SURCHARGE REIMBURSEMENT</b>		
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$67.21
CENTURY BUSINESS LEASING	COPIER LEASE AND USAGE	\$82.00
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$302.40
EFTPS	EFTPS PAYROLL TAXES	\$4,304.38
GALLS	UNIFORMS	\$171.14
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$60.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$1,450.00
JENSEN, LYLE	REIMBURSEMENT	\$212.99
LIUNA LABORERS LOCAL 620	UNION DUES	\$50.00
PORTFOLIO RECOVERY ASSOC.	GARNISHMENT	\$202.41
RELIANCE STANDARD LIFE	VISION PLAN	\$6.33
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$533.34
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$2,108.49
VERIZON WIRELESS	CELL PHONE PLAN	\$42.00
DISPATCH	OCTOBER SALARIES	\$18,600.79
DISPATCH	OVERTIME	\$1,070.56

	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$29,566.90
<b>EMERGENCY MANAGEMENT</b>		
EFTPS	EFTPS PAYROLL TAXES	\$1,350.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$71.99
QUILL CORPORATION	OFFICE SUPPLIES	\$39.18
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$1,095.12
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$569.22
VERIZON WIRELESS	CELL PHONE PLAN	\$84.00
FR EMERGENCY MANAGEMENT OFFICE	OCTOBER SALARIES	\$4,833.55
	TOTAL FOR EMERGENCY MANAGEMENT	\$8,043.06
<b>24/7 SOBRIETY FUND</b>		
ALCOHOL MONITORING SYSTEM	SCRAM 24/7 SUPPLY	\$424.39
EFTPS	EFTPS PAYROLL TAXES	\$268.84
QUILL CORPORATION	OFFICE SUPPLIES	\$615.44
SD DEPARTMENT OF HEALTH	BLOOD DRAW/AUTOPSY	\$410.00
SDML WORKERS COMPENSATION	WORKMAN'S COMP	\$177.88
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$25.74
24/7 OFFICE	OCTOBER SALARIES	\$1,764.75
	TOTAL FOR 24/7 SOBRIETY FUND	\$3,687.04
<b>COURTHOUSE BUILDING FUND</b>		
HENRY, VALERIE	REFUND	\$21.53
	TOTAL FOR COURTHOUSE BUILDING FUND	\$21.53
	TOTAL PAID BETWEEN 10/21/20 AND 11/5/20	\$466,893.00

Break was taken at 10:21 a.m. and meeting resumed at 10:26 a.m.

No public comment was heard.

The 2020-09 Covid-19 resolution was reviewed. Motion made by Greenough, seconded by Allen, to leave the courthouse as it is. With Nabholz voting no, all others voting yes, by roll call vote, motion carries.

Official Canvass for the 2020 General Election was conducted. Motion made by Greenough, seconded by Allen, to approve the Official 2020 General Election Canvass.

Motion made by Greenough, seconded by Russell, to enter into executive session as per SDCL 1-25-2 (1), for personnel purposes at 11:30 a.m.

The Board came out of executive session at 12:29 a.m.

Motion made by Greenough, seconded by Allen, to offer Gary Martino the Building Supervisor position, with a starting salary of \$35,000.00, with a 6 month probation period.

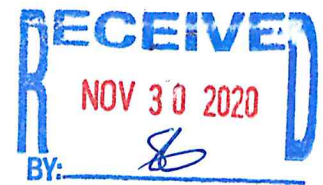
Motion made by Greenough, seconded by Allen, to adjourn at 12:30 p.m.



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

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

\* petitions received w/ enough  
eligible signatures. *SB*



# PETITION

TO THE COUNTY COMMISSION, FALL RIVER COUNTY, SOUTH DAKOTA

The petition of Mark Tubbs, Member of the Tubbs Land and Cattle, L.L.C., respectfully shows:

1. The following described real estate is located within Section Twenty-seven (27), Twenty-eight (28), and Thirty-four (34) in Township Seven (7) South, Range One (1) East., B.H.M., Fall River County, South Dakota:

The legal description of the plat is: the Plat of the Public Highway in Section Twenty-seven (27), Twenty-eight (28) and Thirty-four (34) all in Township Seven (7) South, Range One (1) East of the Black Hills Meridian (B.H.M.), Fall River County, South Dakota, which said plat was filed in the office of the Register of Deeds of Fall River County on January 6, 1921, and recorded in Book 2 of Plats, Page 37.

2. All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of 1.7 acres, and located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Southeast terminus of Lot B that is located on the quarter section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B on the section line of the Southeast Quarter of the Northeast Quarter of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of .55 acres, and located in the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Northwest terminus of Lot C that is located in the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot A on the quarter section line located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot C, consisting of 2.34 acres, and located in the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South,

Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot D that is located on the quarter section line in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B in the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of 2 acres, and located in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot A that is located on the section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot C on the quarter section line in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37;

All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot C, consisting of .45 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot B that is located on the quarter section line in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the Southwest corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37; and

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of .73 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the section line located between the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, and Northwest Quarter of the Northwest



Quarter of Section Thirty-five (35), Township Seven (7), Range One (1) East, B.H.M., Fall River County, South Dakota, to the beginning of Lot F on the section line of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37.

3. Said petitioners seek to have vacated, pursuant to the provisions of SDCL 31-3-6 and 11-3-21.1, the following described Public Highway:

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of .73 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the section line located between the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Thirty-four (34), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, and Northwest Quarter of the Northwest Quarter of Section Thirty-five (35), Township Seven (7), Range One (1) East, B.H.M., Fall River County, South Dakota, to the beginning of Lot F on the section line of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

4. Said petitioners seek to have vacated, pursuant to the provisions of SDCL 31-3-6 and 11-3-21.1, the following described Public Highway:

All of the East-West Public Highway, described as Lot C, formerly known as County Road 9 and River Road, consisting of .45 acres, and located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot B that is located on the quarter section line in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the Southwest corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the East-West Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of .55 acres, and located in the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South,

Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Northwest terminus of Lot C that is located in the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot A on the quarter section line located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot A, consisting of 1.7 acres, and located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37, from the Southeast terminus of Lot B that is located on the quarter section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B on the section line of the Southeast Quarter of the Northeast Quarter of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot B, consisting of 2 acres, and located in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot A that is located on the section line in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot C on the quarter section line in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-eight (28), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

All of the Northwest-Southeast Public Highway, formerly known as County Road 9 and River Road, described as Lot C, consisting of 2.34 acres, and located in the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County South Dakota, in the Public Highway Plat of



January 6, 1921, Book 2 of Plats, Page 37 from the Northwest terminus of Lot D that is located on the quarter section line in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-seven (27), Township Seven (7), Range One (1) East, B.H.M. Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37 to the beginning of Lot B in the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Twenty-seven (27), Township Seven (7) South, Range One (1) East, B.H.M., Fall River County, South Dakota, in the Public Highway Plat of January 6, 1921, Book 2 of Plats, Page 37. The Public Highway to be vacated is adjacent to land owned by Tubbs Land and Cattle, L.L.C.

5. Said petitioner certifies that he represents all of the adjoining landowners of the above-described Public Highway, formerly known as River Road, and further certify that the Public Highway, formerly known as River Road, be vacated consist of a platted Public Highway that is impassable and is dangerous for vehicular travel. The Public Highway, formerly known as County Road 9 and River Road, petitioned to be vacated has not been used in the past twenty-one years. Your petitioner asserts that the vacation of the above-described Public Highway is in the public interest and safety.
6. WHEREFORE, said petitioners pray that notice of the time and place where and when this petition will be considered be published once each week for two successive weeks in the Fall River County Herald-Star, the legal newspaper of Fall River County, South Dakota, and that said hearing take place less than ten (10) days from the second publication of the notice and that upon said hearing a resolution be adopted by the Fall River County Commission vacating the Public Highway, formerly known as County Road 9 and River Road, as described above, reserving, however, any easements and rights-of-way presently existing in said Public Highway, formerly known as River Road, for public utility or drainage purposes.

Dated on this 17<sup>th</sup> day of November, 2020.

STATE OF SOUTH DAKOTA     )  
   )  
COUNTY OF FALL RIVER     )

I, the undersigned petitioner, being first duly sworn depose and state that we have read the foregoing petition and know the contents thereof; and that the same is true of our own knowledge, information, and belief, and that as to matters stated upon information and belief, are believed to be true and correct.

Mark K. Tubbs, member  
Mark Tubbs, Member, Tubbs Land and Cattle, L.L.C.

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of November, 2020.

(SEAL)

James S. Brundage  
Notary Public—South Dakota  
My commission expires: July 15, 2025



INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME		RESIDENCE	DATE/COUNTY
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
1	<i>Rachel Crase</i>	400 10th Ave	11/20/20
PRINT	Rachel Crase	CITY OR TOWN Edgemont SD 57735	COUNTY OF REGISTRATION FALL RIVER
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
2	<i>Robin Haley</i>	108 3rd Ave	11-20-20
PRINT	Robin Haley	CITY OR TOWN Edgemont SD 57735	COUNTY OF REGISTRATION Fall River
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
3	<i>Patrick A Dinks</i>	407 H ST	11-20-20
PRINT	Patrick A Dinks	CITY OR TOWN Edgemont SD 57735	COUNTY OF REGISTRATION Fall River
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
4	<i>Holly Peterson</i>	27389 Burdock Loop	11-20-20
PRINT	Holly Peterson	CITY OR TOWN Edgemont S.D 57735	COUNTY OF REGISTRATION Fall River
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
5	<i>Pam Christopherson</i>	701 1st Ave	11-20-20
PRINT	Pam Christopherson	CITY OR TOWN Edgemont, SD 57735	COUNTY OF REGISTRATION Fall River
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
6	<i>Kerry D Barke</i>	28511 Old Hwy 18	11-20-20
PRINT	Kerry D Barke	CITY OR TOWN Edgemont S.D.	COUNTY OF REGISTRATION Fall River
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
7	<i>Pat Hattenbeck</i>	665 Oak St.	11-21-20
PRINT	Pat Hattenbeck	CITY OR TOWN Dewey SD 57735	COUNTY OF REGISTRATION Custer
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
8	<i>Todd Peterson</i>	27389 Burdock Loop	11-21-20
PRINT	Todd Peterson	CITY OR TOWN Edgemont	COUNTY OF REGISTRATION Fall River
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
9	<i>Margorie Harsh</i>	110 4th Ave.	11-20-20
PRINT	Margorie Harsh	CITY OR TOWN Edgemont S.D.	COUNTY OF REGISTRATION
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
10	<i>Bill Barlow</i>	1003 C St	11-20-20
PRINT	Bill Barlow	CITY OR TOWN Edgemont SD	COUNTY OF REGISTRATION FALL RIVER Co

NAME	RESIDENCE	DATE/COUNTY
11 SIGN <u>Julie Silvernail</u> PRINT Julie Silvernail	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>110 S 18th Hot Springs</u> CITY OR TOWN	DATE OF SIGNING <u>11-20-20</u> COUNTY OF REGISTRATION <u>Fall River</u>
12 SIGN <u>Sara Harper</u> PRINT Sara Harper	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>3075th Ave</u> CITY OR TOWN <u>Edgemont, S.D.</u>	DATE OF SIGNING <u>11/20/2020</u> COUNTY OF REGISTRATION <u>Fall River</u>
13 SIGN <u>John A. Putnam</u> PRINT John A. Putnam	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>27150 N FLAT TOP RD</u> CITY OR TOWN <u>BURDICK SD 57735</u>	DATE OF SIGNING <u>11.21.2020</u> COUNTY OF REGISTRATION <u>Fall River</u>
14 SIGN <u>Hazel Morehouse</u> PRINT Hazel Morehouse	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>610 Maple Way</u> CITY OR TOWN <u>Edgemont</u>	DATE OF SIGNING <u>11-21-2020</u> COUNTY OF REGISTRATION <u>Fall River</u>
15 SIGN <u>Mark Welden</u> PRINT Mark Welden	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>11478 Tell for Rd</u> CITY OR TOWN <u>Edgemont SD</u>	DATE OF SIGNING <u>11-21-2020</u> COUNTY OF REGISTRATION <u>Fall River</u>

#### VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Mark Tubbs 10891 River Rd Edgemont SD  
Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Mark K. Tubbs  
Signature of Circulator

Sworn to before me this 30 day of November, 2020

(Seal)

Stacy Schmidt  
Signature of Officer Administering Oath

My Commission Expires 3/1/23  
Form Revised 2008 - 5:02:08:05

Deputy Auditor  
Title of Officer Administering Oath





*Emergency Management  
Fall River County*

*Franklin W. Maynard CEM CFM  
906 N. River St.  
Hot Springs, SD 57747*

605 745-7562 605 890-7245 em@frcounty.org



Date: December 1, 2020

Subj: Commission Update

1. LEPC Grant Application: I submitted the LEPC Grant application on November 24, 2020.
2. Salamander TRACK App: The SD Office of Emergency Management will be purchasing two TRACK Apps for each LEMPG Counties. The recommendation is to install one on a I Phone and the other on a tablet. I will be exploring costs, etc for the possible purchase of a tablet that meets the requirements for the TRACK App. **I have requested consideration for this expense to be covered by the COVID funding.**
3. ASFPM Webinar: I attended a webinar sponsored by ASFPM on November 20th. This counts for my CECs for my certified floodplain manager certification.
4. Fires & Incidents:
  - a. None to report

A handwritten signature in blue ink that reads "Franklin W. Maynard".

*Franklin W. Maynard, CEM, CFM  
Emergency Manager  
Fall River County  
906 N. River Street  
Hot Springs, SD 57747*





## QUOTATION

Newman Signs Inc.  
PO Box 1728  
Jamestown, ND 58402  
Phone: 800-437-9770

\*\*Prices on quote are guaranteed for 30 days\*\*

Quote #: TRFQTE036930

Quote Date: 11/18/2020

Customer Number: FAL-03-010

Ship Via: DELIVERY

Sales Rep: Cara Allbee

FOB: ORIGIN

Payment Terms: Net 30

## Bill To:

FALL RIVER COUNTY  
PO BOX 939  
HOT SPRINGS SD, 57747

## Ship To:

FALL RIVER COUNTY  
27518 CACASDE RD  
HOT SPRINGS SD, 57747

Header Note: PLUS FREIGHT- THANK YOU STACEY! CARA

SEQ	Item Number/Cost Code/Description/Note	Quantity	Unit Price	Extended Price
1	SPECIALTRAFFIC T-DP018006D 2Z3A 18X6 - DOUBLE FACED - 0.080 - FLAG POST PUNCH/STD RADIUS 1 SIDE - HIP - WH/GRE - W/BDR - SEE ATT	24.00	30.50	732.00
2	SPECIALTRAFFIC T-DP024008D 2Z3A 24X8 - DF - 0.080 - FLAG PUNCH/STD RADIUS - HIP - WH/GRE - W/BDR - SEE ATT 1EA) 13077	1.00	38.63	38.63
3	SPECIALTRAFFIC T-DP030009/2M3A 30X9 - S/F - .80 - 1 POST STD PUNCH / STD RADIUS - HIP - W/G - W/BDR - SEE ATT 2 EA) Bunny Dr	2.00	23.20	46.40
4	SPECIALTRAFFIC T-DP036009/2M3A 36X9 - S/F - .80 - 1 POST STD PUNCH / STD RADIUS - HIP - W/G - W/BDR - SEE ATT 3 EA) Merchen Rd 2 EA) Justice Dr 2 EA) Patriotic Dr 1 EA) Liberty Dr --> 1 EA) <-- Liberty Dr	9.00	25.35	228.15
5	SPECIALTRAFFIC T-DP048009/2M3A 48X9 - S/F - .80 - 1 POST STD PUNCH / STD RADIUS - HIP - W/G - W/BDR - SEE ATT 2 EA) Independence Dr	2.00	31.54	63.08

11/30/2020 10:02:17 AM



## QUOTATION

\*\*Prices on quote are guaranteed for 30 days\*\*

Newman Signs Inc.  
PO Box 1728  
Jamestown, ND 58402  
Phone: 800-437-9770

Quote #: TRFQTE036930

Quote Date: 11/18/2020

Customer Number: FAL-03-010

Ship Via: DELIVERY

Sales Rep: Cara Allbee

FOB: ORIGIN

Payment Terms: Net 30

Bill To:

FALL RIVER COUNTY  
PO BOX 939  
HOT SPRINGS SD, 57747

Ship To:

FALL RIVER COUNTY  
27518 CACASDE RD  
HOT SPRINGS SD, 57747

Header Note: PLUS FREIGHT- THANK YOU STACEY! CARA

Subtotal:	1,108.26
Tax:	0.00
Total:	<u>\$1,108.26</u>

Total subject to any applicable tax and freight charges. Additional freight charges for residential delivery, inside delivery, liftgate delivery, limited access delivery, or other charges incurred will be invoiced to the customer.

11/30/2020 10:02:17 AM

## ARTICLE II: REGULATIONS

### SECTIONS 2. NOISY DOGS

No person may allow any dog under his/her control to habitually make loud noises to disturb or annoy persons who are of ordinary sensibilities. This ordinance section does not apply to working farm or ranch dogs while performing that work which is their essential purpose as a working farm or ranch dog, including, but not necessarily limited to, herding livestock or protecting livestock from predators. To qualify for this exception the owner of the animal must provide sufficient evidence to qualify their animal for the exception.



ORDINANCE 2010-1

AN ORDINANCE PROVIDING FOR THE CONTROL OF ANIMALS WITHIN FALL RIVER COUNTY

BE IT ORDAINED by the Fall River County Commission that Ordinance \_\_\_\_ of Ordinances of Fall River County be implemented to read as follows:

PURPOSE: Public health, safety, and welfare are the primary concerns of the Fall River County Commission. Although the first and primary responsibility for animal control belongs to the owner, this ordinance is intended to address the situations where owners of animals covered by this ordinance fail to take proper responsibility for their animals.

ARTICLE 1. GENERAL

SECTION 1. DEFINITIONS

For the purpose of this chapter the following words and phrases shall have the meanings herein ascribed to them:

- A. Animal. Any mammal, bird, reptile, amphibian or fish, except humans.
- B. Domestic Animal. Any animal that through long association with man, has been bred to a degree which has resulted in genetic changes affecting temperament, color, conformation, or other attributes of the species to an extent that makes it unique and different from wild individuals of its kind. Said term is to include, but not limited to, dogs and cats.
- C. Animal Control Officer. The officer(s) approved by the Fall River County Commission and authorized to investigate and enforce violations of this ordinance and the laws of the State of South Dakota relating to cruelty, abuse, and injury to animals. The Fall River County Sheriff and his deputies shall act as Animal Control Officers, in the absence of or at the request of the Animal Control Officer.
- D. At large. Any dog located off the property of its owner and not under control of a competent person at least ten (10) years of age.
- E. Control. Any dog is under control if it is restrained by a leash, cord, chain, or electric collar or is being carried or is within a vehicle being driven or parked on the highways.
- F. Dangerous Animal. Any animal that, by itself or by environmental circumstances, at the determination of an animal control officer after investigation, is a threat to the physical well being of other animals or humans.
- G. Owner. Any person, partnership, corporation, or other legal entity owning, harboring or keeping any animal, or in the case of a person under the age of 18, that person's parent(s) or legal guardian.

H. Shelter Manager. The supervisor of the Animal Shelter. The Shelter Manager performs or causes to be performed the professional services required in the care, treatment or euthanasia of the animals being handled. The shelter manager shall not be an employee of Fall River County.

I. Vicious Dog.

1. Any dog which, when unprovoked, in a vicious or terrorizing manner approaches in apparent attitude of attack or bites, inflicts injury, assaults or otherwise attacks a human being upon the streets, sidewalks, or any public grounds or places; or

2. Any dog which, on private property, when unprovoked, in a vicious or terrorizing manner approaches in apparent attitude of attack or bites, or inflicts injury, or otherwise attacks a mail carrier, meter reader, service person, delivery person, or other employed person who is on the private property by reason of permission of the owner or occupant of such property or who is on private property by reason of a course of dealing with or as a guest of the owner of such private property.

3. Has severely injured or killed a domestic animal or livestock while off the owner's property; or

4. Has been used primarily or in part for the purpose of animal fighting or is an animal trained for animal fighting.

J. Bite. The grasping or tearing of clothing, any abrasion, scratch, puncture, laceration, bruise, or piercing of the skin inflicted by the teeth of an animal.

## SECTIONS 2. RECORDS

A. It shall be the duty of the Shelter Manager and the Animal Control Officer(s) to keep, or cause to be kept, accurate and detailed records of the finding, impoundment, and disposition of all animals coming into their custody.

B. It shall be the duty of the Shelter Manager and the Animal Control Officer(s) to keep or to cause to be kept, accurate and detailed records of the following:

i) All bite cases reported to him/her and the investigation of the same;

ii) All citations and warning tickets issued by him/her; and

iii) All investigations conducted by him/her concerning reported violations of state law regarding inhumane treatment of animals.

C. It shall be the duty of the Shelter Manager and the Animal Control Officer(s) to keep, or cause to be kept, accurate and detailed records.

D. It shall be the duty of the Shelter Manager or the Animal Control Officer(s) to keep, or cause to be kept, records of all animals quarantined for animal bites and proceedings regarding vicious dogs.

### SECTION 3. ENFORCEMENT

A. The provisions of this Ordinance shall be enforced by the Animal Control Officer. The complaining party must first file a written complaint with the Animal Control Officer and the complaining party must agree to testify in open court to the allegations made in the written complaint.

B. The Animal Control Officer may issue a citation for a violation of this ordinance or may issue warning tickets requiring corrections of the violation.

C. No person may hinder, delay or obstruct the Animal Control Officer in the lawful performance of any duty under this ordinance, or seek the release of any animal in the custody of the Animal Control Officer.

D. Any person, firm, or corporation violating any provision of this ordinance shall be subject to all applicable civil and criminal remedies allowed under the laws of the State of South Dakota, in addition to a fine of not more than five hundred dollars (\$500) and/or 30 days in the Fall River County Jail may be imposed by the ordinance herein. A person violating this ordinance may be required to make restitution to any victim of said violation.

E. The Fall River County Commissioners shall establish a fine schedule that lists the violation and suggested penalty imposed for each violation. Said schedule shall be used the Animal Control Officer as guidance for setting the fine on any citation given. However, said schedule is not to be binding upon the Court.

F. This ordinance shall apply to all of Fall River County, State of South Dakota, except for those areas within any organized municipality.

G. The omission to specify or affirm in this ordinance any liability to any damages, penalty, forfeiture, or other remedy imposed by law and allowed to be recovered or enforced in any civil action or proceeding for any act or omission declared punishable in this ordinance does not affect any right to recover or enforce the same.

## ARTICLE II: REGULATIONS

### SECTION 1. DOGS AT LARGE

No owner may permit his dog to be at large off of the owner's premises.



## SECTIONS 2. NOISY DOGS

No person may allow any dog under his/her control to habitually make loud noises to disturb or annoy persons who are of ordinary sensibilities.

## SECTION 3. KEEPING OF VICIOUS DOG

A. It shall be considered a public nuisance for any person to own or keep a vicious dog, except under specific conditions set forth herein.

B. No dog may be declared vicious if an injury or damage is sustained to any person who was committing a willful trespass or other tort upon the premises occupied by the owner or keeper of the dog, or who was teasing, tormenting, abusing or assaulting the dog or was committing or attempting to commit a crime.

C. The Animal Control Officer(s) may make a determination that a dog is vicious after taking the following into consideration:

- i) The nature and severity of the attack; and
- ii) Whether the dog has shown a propensity to display dangerous, aggressive behavior and is able or likely to inflict injury to another animal or person.
- iii) Previous incidents of a like nature.

D. After a dog has been declared vicious, the owner of the dog shall be notified accordingly in writing by the Animal Control Officer. The written notification shall also include any containment procedures or facilities deemed necessary by the Animal Control Officer to control said animal, which may include, but not limited to, muzzling, chaining, double fencing, caging or euthanasia.

E. Any dog declared vicious by the procedures set forth in this Section that is subsequently found off the premises of the owner or if the Animal Control Officer determines that a violation of the written containment notice has occurred, the Animal Control Officer shall immediately seize and impound said dog. If the dog cannot be captured without undue risk to the safety of the Animal Control Officer, it may be immediately destroyed in a manner whereby the head is not damaged. If the dog has been seen running at large and/or has bitten a person or animal, the Animal Control Officer may order the owner or custodian to deliver the dog to the animal shelter within 24 hours to be impounded.

### ARTICLE III. IMPOUNDMENT AND DISPOSITION OF ANIMALS

#### SECTION 1. IMPOUNDMENT OF ANIMALS

A. The Animal Control Officer may seize and impound an animal directly from its owner's property or possession without court order or other written permission in the following circumstances:

- i) Said animal is suspected of having rabies;
- ii) Said animal's life is in immediate jeopardy;
- iii) Said animal poses an immediate threat to the physical well-being of other animals or humans; or
- iv) Said animal has been observed at large by the Animal Control Officer and returns to private property; however, the animal's owner is not present on the property to take control of said animal.

B. When animals are found running at large and their ownership is known or unknown to the Animal Control Officer, such animal(s) may be impounded or at the discretion of the Animal Control Officer, returned to their owner who shall be issued a warning and written notification of containment procedures deemed necessary to control said animal as provided by this ordinance.

C. Immediately upon impounding any animal, the Animal Control Officer shall make every reasonable effort to notify the owner of the animal so impounded and inform the owner of the conditions whereby he may regain possession of his/her animal. If an animal is wearing a rabies tag or other identification, the Animal Control Officer shall immediately after impounding said animal, and before destroying or disposing of it, ascertain the name of the owner from the records of the veterinarian and inform that owner of the conditions whereby he/she may regain possession of his animal.

D. If any owner has requested in writing that his animal be destroyed, the same shall be humanely destroyed. Under no circumstances shall it be sold or given to any other person. The owner shall be charged a fee for the humane destruction of his/her animal.

#### SECTION 2. REDEMPTION AND DESTRUCTION OF IMPOUNDED ANIMALS

A. Any animal impounded under the provisions of this ordinance and not reclaimed by its owner within four (4) days may be humanely destroyed by the Animal Control Officer, or be sold or placed in the custody of some person deemed to be a responsible and suitable person to the owner of such animal.

B. The Animal Control Officer may destroy any sick or injured animal which has been impounded, if that animal is not wearing a rabies tag, license tag, or other identification, without holding it for four (4) days, if its condition is such that it makes its earlier destruction necessary.



C. Any vicious dog or animal having bitten, scratched or attacked two or more persons and/or domestic animals or livestock shall be destroyed by the Animal Control Officer after at least three (3) days prior actual notice to the owner. The owner shall have the right to request a hearing in Magistrate Court to show cause why said animal should not be euthanized as a dangerous and/or vicious animal. The request for hearing shall be filed with the Fall River County Auditor's Office. If such a request is filed, Fall River County shall take no further action on said animal until after the hearing, except in an emergency to protect public safety or in accordance with any other provision of this ordinance.

### SECTION 3. IMPOUNDMENT FEES

A. Any animal impounded pursuant to this ordinance may be reclaimed upon payment by the owner to Fall River County of a fee for each animal reclaimed, plus any charges for boarding the animal and veterinarian services rendered.

B. The Fall River County Commission shall set the fee for reclaiming any animal impounded pursuant to this ordinance.

## ARTICLE V. RABIES CONTROL

### SECTION 1. BITE CASES, QUARANTINE AND RABID ANIMALS

A. For purposes of this Section, "Veterinarian" shall mean a veterinarian licensed to practice in the State of South Dakota.

B. It shall be the duty of every health care practitioner to report to the Shelter Manager, the names and addresses of persons treated for bites inflicted by animals, together with such information as will be helpful in rabies control

C. Every owner having knowledge that his/her animal has bitten or is suspected of biting a human being, shall forthwith report the same to the Shelter Manager for disposition of said animal under the provisions of this ordinance.

D. All quarantine procedures and all procedures for management of animals that have bitten humans, animals exposed to rabies, and rabid animals, will be in accordance with the current "Compendium of Animal Rabies Control" promulgated by the National Association of State Public Health Veterinarians, Inc. In case of conflict between said Compendium and this ordinance concerning said quarantines and procedures, the recommendation in said Compendium will take precedence over this ordinance.

E. Any animal shall be considered unvaccinated unless proof of a current rabies vaccination effective not less than thirty (30) days prior to the bite is provided within twenty-four (24) hours of the bite. An Animal Control Officer or the State Department of Health may order the destruction of any unvaccinated animal that has bitten a person if, based on sound medical



judgments, a greater risk to human life exists by not doing so. In making such determination the following facts may be considered:

- i) The history of the animal, including the possibility of its exposure to rabies;
- ii) The vaccination record of the animal;
- iii) The health of the animal;
- iv) The nature, location, and seriousness of the bite;
- v) The circumstances surrounding the bite, including whether or not the bite was provoked; and
- vi) The tolerance of the person bitten to the vaccines used for treatment.

F. Any dog or cat that bites or attacks a person shall be quarantined at the direction of the Animal Control Officer or any veterinarian for a period of not less than ten (10) days. During quarantine the animal shall be securely confined and kept from contact with any other animal or humans other than the caretaker. If the dog or cat has bitten or attacked while on the premises of the owner and has a current rabies vaccination by veterinarian, the Shelter manager may, if it is determined that the facilities are adequate and the owners are responsible persons, quarantine the animal on the owner's premises. The quarantined animal must, at all times be available for inspection during the quarantine period, and shall be evaluated by the veterinarian at the first sign of illness. Confinement is to be at the owner's expense.

G. At the end of the specified quarantine period, the animal will be examined by a veterinarian at the owner's expense. If the veterinarian finds that the animal is showing no clinical signs or symptoms known to be present in active cases of rabies, the animal will be released from quarantine and may be reclaimed by the owner. The veterinarian shall so notify the Animal Control Officer.

H. Any stray animal that bites a person, if its ownership cannot be ascertained within forty-eight (48) hours of the bite, shall be euthanized and the Animal Control Officer shall arrange to have the animal's head sent to a competent laboratory to be examined for rabies.

I. If a veterinarian, during a routine examination, discovers an animal that may have rabies but is unable to make a definite diagnosis, the veterinarian shall have authority to require, at the owner's expense, any procedure or confinement necessary to make an accurate diagnosis.

J. When any animal has been diagnosed by a veterinarian as being rabid or dies during quarantine or rabies observation, the veterinarian shall immediately send the head of such animal to a competent laboratory for pathological examination and shall notify the proper Public Health Official and Animal Control Officer of reports of human contacts and the diagnosis made of the suspected animal.

K. Every owner whose animal is bitten or scratched by an animal showing positive symptoms of rabies or by a wild or carnivorous mammal or bat not available for testing, shall have that animal examined by a veterinarian at the owner's expense. Said animal shall be euthanized, quarantined or held for further observation as requested and the owner shall be responsible for all expenses incurred as a result thereof.

L. Any person who kills or causes to be killed any rabid animal, any animal suspected of having been exposed to rabies, or any animal biting a human, shall immediately report the same to the Animal Control Officer. No person may sell, give away, remove from the County, or otherwise dispose of such animal without written permission of the Animal Control Officer. The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the Animal Control Officer. The Animal Control Officer or veterinarian shall direct the disposition of any animal found to be infected with rabies.

M. No person shall fail or refuse to surrender any animal for quarantine or euthanasia as required herein when demand is made by the Shelter Manager. A violation shall be punished pursuant to Article 1, Section 3 of this ordinance.

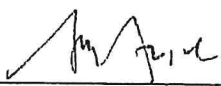
#### ARTICLE IV. SEVERABILITY

Each of the provisions of this ordinance is separate and severable and if any provision or any part of any provision hereof is held illegal or invalid, the remaining provisions shall not be affected thereby and shall remain in full force and effect.

FALL RIVER COUNTY COMMISSION

  
MICHAEL ORTNER  
CHAIRMAN

ATTEST:

  
SUE GANJE, COUNTY AUDITOR  
FALL RIVER

First Reading: 2/16/10  
Second Reading: 3/12/10  
Published: 3/30/10  
Effective Date: 4/10/10



Rx Date/Time MAR-03-2011 (THU) 10:26  
Mar. 3, 2011 9:27AM Fall River County Highway Dept.

No. 0716 P. 2

P. 002

FAXED BID:

ACCEPTED 11/23/2020,  
KW

TO: FALL RIVER COUNTY HIGHWAY DEPT.

FAX # 605-745-5912

PHONE # 605-745-5137

Average

@ \$1.812 PER GAL

DATE: 11-23-20

FROM: Nelsons PHONE: 605-745-4189

BID FOR: ~~PROPANE: (To top off 2) 1000 ga. tanks in Hot Springs and 1) 500 ga. tank in Edgemont)~~

AMOUNT OF BID: \$ 8000 Dyed 50/50 Diesel #1 1.895 gal #2 1729 gal

(THIS BID INCLUDES ALL APPROPRIATE TAXES AND FEES)

Signed By: 

NOTE: all faxed bids must be received in the Fall River County Highway Dept. office at the above number before the time deadline as stated by the caller for bids

If declining to bid please fax back this form with the words; "Decline today's bid" on the line designated for the Bid Amount.

THANK YOU



**FAXED BID:**

**TO: FALL RIVER COUNTY HIGHWAY DEPT.**

**FAX # 745-5912**

**PHONE # 745-5137**

DATE: 11/23/2020  
FROM: H1-D-WAY FUEL PHONE: 890-1010  
BID FOR: 8000 GAL 50/50 BLEND DIESEL  
AMOUNT OF BID: NO BID - NOT PLACING TANKER ORDERS

(THIS BID INCLUDES ALL APPROPRIATE TAXES AND FEES)

Signed By: Bill TANNER BY PHONE  
KEN MARTIN

**NOTE:** all faxed bids must be received in the Fall River County Highway Dept. office at the above number before 9:00 a.m. to be considered, unless otherwise stated by the caller for bids.

If declining to bid please fax back this form with the words; **"Decline todays bid"** on the line designated for the Bid Amount.

**THANK YOU**

Subject **FALL RIVER COUNTY Seeking bids on 8000 gal 50/50 WINTER Diesel**  
From <hwyofficemgr@gwtc.net>  
To Dispatch <dispatch@MGOIL.com>  
Date 2020-11-23 07:59

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GOOD MORNING.

WE ARE SEEKING BIDS ON 4000 GALS EACH #1 AND #2 DIESEL. CAN BE MIXED IN YOUR TANK PRIOR TO DELIVERY, OR ADDED TO OUR TANK SEPERATELY.

BIDDING ENDS AT 9AM.

KEN MARTIN  
FALL RIVER COUNTY HWY DEPT OFFICE MGR

NO RESPONSE AS OF 9:05 AM 11/23/2020.

NO BID.  
KL