

FALL RIVER COUNTY UNAPPROVED MINUTES OF JANUARY 7, 2021

The Fall River Board of County Commissioners met in regular session on January 7, 2021. Present: Joe Allen, Les Cope, Joe Falkenburg, Heath Greenough, Deb Russell and Sue Ganje, Auditor. The Oath of Office for Joe Allen, Les Cope and Heath Greenough were placed on file with the Auditor.

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. The full context of the meeting can be found on the county website under Commissioners at <http://fallriver.sdcounties.org>, or, under Fall River County Commission, SD at <http://www.YouTube.com>.

The meeting was turned over to the Auditor, who asked for nominations for the Chairman of the Board. Nomination was made by Russell, seconded by Allen, for Falkenburg as Chairman.

The Auditor asked for further nominations. Motion made by Russell, seconded by Cope, to have nominations cease. Falkenburg is the Chair for 2021. The meeting was turned back to the Chairman of the Board.

Motion made by Falkenburg, seconded by Allen, to nominate Russell as the Vice-Chair.

Motion made by Greenough, seconded by Cope to have nomination cease. Russell is the Vice-Chair for 2021.

The board reviewed the list of items to approve, Susan Henderson asked to remove the First National Bank of Lead as a depository; Russell noted that our policy gives the treasurer the authority to choose between approved banks for investment of county monies.

Motion made by Allen, seconded by Greenough, to set the ride-a-long fee for prisoner and mental health transports – \$40.00 per day to Rapid City and \$100.00 per day to Yankton and Sioux Falls.

Motion made by Cope, seconded by Russell, to approve setting the meeting dates on the 1st and 3rd Thursday of each month.

Motion made by Russell, seconded by Cope, to approve the consent agenda through the indigent burial rate (with the exception of the banks, ride-a-long fees and appointments) as follows: to appoint the Fall River County Herald-Star as the Official newspaper for 2021; to designate three feet of the bulletin board in the courthouse lobby for legal matters and to also post Commission agendas on the ground, side and first floor doors of the courthouse; to designate chattel mortgage sale places as the Courthouse front door, Oral Post Office, Oelrichs Post Office, and the Edgemont Post Office; to set the prisoner care per day at \$85.00 as per Sheriff's Office; to approve the Fall River Rural Health Clinic as the health care facility for jail, under the direct supervision of Dr. Avery Sides, as primary caregiver for inmates and the Regional Health Medical Clinic as the secondary, to approve Tina Norton, Inmate Contract Nurse, \$1,250.00 per month, and to set the Indigent burial rate at \$1,900.00.

Motion made by Russell, seconded by Cope, to appoint Joe Allen and alternate Joe Falkenburg

to the L.E.P.C. board; appoint Joe Falkenburg and alternate Heath Greenough to the Weed board; to appoint Les Cope and alternate Deb Russell to the Custer/Fall River Regional Waste Management Board; and appoint Deb Russell and alternate Les Cope to the Black Hills Council of Local Governments Board (6th District of Local Governments); to appoint Heath Greenough and alternate Joe Falkenburg to the Resource, Conservation and Development (R C & D) board; to appoint Joe Allen and alternate Les Cope to the Western SD Juvenile Services Center Board, and appoint Deb Russell and alternate Joe Falkenburg to the Prairie Hills Transit Board.

Motion made by Russell, seconded by Greenough, to approve travel for the county officials to attend meetings of the Black Hills Associations and to request office supervisors to obtain travel approval for all other meetings requiring more than same-day travel.

Motion made by Greenough, seconded by Allen, to approve the following resolutions on State Bids and Election fees and mileage; and the following listing: Longevity schedule; 2021 Commission salaries; 2021 salaries for appointed officials, and the 2021 listing of employee wages, including per diem for the weed board at \$25.00 per meeting plus mileage and coroner per call amount, and to table the 2021 elected official salaries resolution for the treasurer, auditor, register of deeds, state's attorney and sheriff until after executive session:

FALL RIVER COUNTY RESOLUTION #2021-01

WHEREAS, the Division of Purchasing and Printing of the State of South Dakota has competitively bid state contracts for the purchase of necessary supplies, equipment and materials for state and local governments, and

WHEREAS, the Fall River County Board of Commissioners is authorized to purchase necessary supplies, equipment and materials for its use, and

NOW THEREFORE, BE IT RESOLVED, that the Board of Fall River County Commissioners enter into an agreement with the Division of Purchasing and Printing of the State of South Dakota to purchase equipment, supplies and materials.

Dated this 7th day of January 2021.

/s/Joe Falkenburg, Chairman
Fall River County Commission

ATTEST:

/s/Sue Ganje
Fall River County Auditor

FALL RIVER COUNTY RESOLUTION #2021-02

WHEREAS, pursuant to SDCL 12-15-11, the Board of County Commissioners at their first meeting shall set a fee for Election Board and the mileage rate;

NOW THEREFORE BE IT RESOLVED, that the Fall River County Board of Commissioners have set the FLAT FEE FOR ATTENDANCE OF ELECTION SCHOOL AT \$15.00; and

BE IT FURTHER RESOLVED, that the Fall River Board of County Commissioners has set the fee for Election Boards for the Primary and General and all Special Elections as follows:

ALL ELECTION BOARDS WILL RECEIVE A FLAT FEE OF \$130.00; RESOLUTION AND ABSENTEE BOARDS WILL BE SET AT \$9.45 PER HOUR, and

ALL PROVISIONAL BOARDS WILL BE SET AT A \$20.00 FLAT FEE, and

BE IT FURTHER RESOLVED, that the Fall River County Commissioners set the mileage rate at \$.42 per mile for the transporting of ballots and ballot boxes by the precinct superintendent.

Dated this 7th day of January, 2021

/s/Joe Falkenburg, Chairman
Fall River County Commission

ATTEST:

/s/Sue Ganje, County Auditor
Fall River County

Longevity Pay

Longevity pay after 2 years of continuous service with the County, the employee shall be paid \$25.00 per month equating to \$300.00 per year. For each year of service after the initial 2 years of service, the employee shall be paid \$50.00 per month equating to \$600.00 per year. For twenty years of service and up shall be paid \$75.00 per month equating to \$900.00 per year.

Wages for 2021			Eligible for Longevity	Oglala Lakota County
COMMISSIONERS				
Allen, Joe	Commissioner	Salary \$9,600.00		
Greenough, Heath	Commissioner	\$9,600.00		
Falkenburg, Joe	Commissioner	\$10,200.00		
Cope, Les	Commissioner	\$9,600.00		
Russell, Deborah	Commissioner	\$10,200.00		
APPOINTED OFFICIALS				
		Salary		
Cullen, Dan	Veteran's Service Officer	\$47,560.32	600.00 per year	
Weishaupl, David	Maintenance Supervisor	\$38,160.12		
Maynard, Frank	Emergency Management	\$61,082.64	600.00 per year	
Seiler, Randy	Hwy Superintendent	\$66,918.60	900.00 per year	
Hayes, Susan	Director of Equalization	\$52,120.24	600.00 per year	\$10,300.00
Stacey Martin	GIS	\$46,921.80	600.00 per year	
Steinmetz, Nina	Weed Supervisor	\$48,281.28	600.00 per year	

HOURLY		Hourly, or per call/meeting	
Anderson, Rebecca	Greeter	\$11.00	
Behrens, Donna	Coroner	\$150.00 Per Call	
Belt, Isnalawica	Deputy Sheriff	\$19.50	
Belt, Sydney	Dispatcher	\$16.50	
Berens, Larry	Security	\$12.00	
Birkland, LaVella	Register of Deeds Office	\$16.25	600.00 per year
Blessing, Brett	Hwy Department	\$23.04	600.00 per year
Boche, Carol	State's Attorney Office	\$17.06	300.00 per year
Buchholz, Martin	Hwy Department	\$21.38	600.00 per year
Caster, Patty	Assessor's Office	\$18.00	
Denison, Frances	Assessor's Office	\$19.91	600.00 per year
Eberle, Aaron	Auditor's Office	\$16.83	600.00 per year
Fleming, Melissa	Dispatcher	\$21.18	600.00 per year
Gibson, Carlo	Hwy Department	\$19.11	300.00 per year
Grapentine, Laci	Greeter	\$11.00	
Hageman, Wayne	Weed Board	\$25.00 Per Meeting	
Hansen, Bradley	Jailer	\$22.41	600.00 per year
Heisinger, Gerard	Hwy Department	\$20.88	600.00 per year
Hosterman, Rachel	Sheriff's Office	\$14.00	
Hylle, Amanda	24/7	\$13.00	
Janis, Bobbie	Auditor's Office	\$20.87	600.00 per year
Jarman, Martha	Dispatcher	\$27.89	900.00 per year
Jenniges, Edie	State's Attorney Office	\$18.35	600.00 per year
Johnson, Jean	Greeter	\$11.00	
Johnson, Valarie	Greeter	\$11.00	
Logue, Vincent	Deputy Sheriff	\$24.95	600.00 per year
Luther, Brandon	Jailer	\$20.56	300.00 per year
Maciejewski, Anna	Treasurer's Office	\$15.43	600.00 per year
Maciejewski, Calvin	Hwy Department	\$23.16	900.00 per year
Maciejewski, Kyle	Deputy Sheriff	\$22.35	600.00 per year
Madsen, Toni	24/7	\$13.00	
Martin, Ken	Hwy Department	\$17.66	600.00 per year
McMillan, Thomas	Deputy Sheriff	\$22.50	
Mendez, Jose	Maintenance Office	\$18.45	600.00 per year
Mraz, Jennifer	Dispatcher	\$21.58	600.00 per year
Norton, Lyle	Deputy Sheriff	\$23.33	600.00 per year
Novotny, Bob	Weed Board	\$25.00 Per Meeting	
Oechsle, Kenneth	Weed & Pest	\$11.00	
Otteson, Anthony	Jailer	\$17.50	
Palmer, Ray	Weed & Pest	\$13.00	
Petersen Dee, Tamra	Assessor's Office	\$14.00	

Pokorski, David	Jailer	\$20.56	300.00 per year
Rakness, Elizabeth	Deputy Sheriff	\$22.31	300.00 per year
Raskiewicz, Casey	Hwy Department	\$17.05	
Rhoads, Amy	Extension Office	\$14.00	
Rhoe, Kelli	Treasurer's Office	\$17.00	
Schmidt, Stacy	Auditor's Office	\$19.72	600.00 per year
Schubbel, Frederick	Hwy Department	\$19.11	300.00 per year
Shaw, Nikki	Treasurer's Office	\$15.43	600.00 per year
Shull, Eric	Hwy Department	\$18.05	
Sides, John	Weed Board	\$25.00 Per Meeting	
Simunek, Trina	Dispatcher	\$19.58	600.00 per year
Spitzer, Kristi	Nurse's Office	\$22.53	900.00 per year
Standen, Julianne	Greeter	\$11.00	
Steinmetz, Clayton	Hwy Department	\$16.05	
Stover, Crispeen	Register of Deeds Office	\$13.00	
Timmins, Kathy	Treasurer's Office	\$16.66	300.00 per year
Tomlinson, Julie	Auditor's Office	\$17.39	600.00 per year
Turner, Caitlin	Assessor's Office	\$18.55	600.00 per year
Wishard, Jonathan	Jailer	\$16.50	
Wood, Wesley	Maintenance Office	\$14.00	
Wyatt, Jerry	Weed & Pest	\$25.00 Per Meeting	
Zimiga, Austin	Jailer	\$20.56	

Motion made by Greenough, seconded by Cope, to set the chairman of the mental health board's fee of \$125.00 per hour; to not rehire any employee who is eligible for and has retirement funds withheld, for a period of 6 months, if that employee has resigned and withdrawn their SD Retirement Funds, unless specifically authorized by the Board; to have government agencies notify the county on activities and to appoint Stacey Martin, PIO (Public Information Officer), with Melissa Fleming and Bobbie Janis as assistants.

Motion made by Russell, seconded by Allen, to approve the December 1 and December 10, 2020 minutes. The December 15, 2020 minutes were not available.

Motion made by Greenough, seconded by Russell, to confirm that an easement is not needed in relation to the vacation of part of a Highway, formerly known as County Road 9 and River Road, petitioned by Mark Tubbs, Tubbs Land and Cattle.

No applicants for county assistance met with the board.

Eric Pickar, Attorney for Bangs McCullen Law firm, met with the board, via google meets. Motion made by Russell, seconded by Allen, to accept the petition for Spirit Canyon Road District and set the election date for February 2, 2021.

Motion made by Russell, seconded by Cope, to deny the request to waive payments pursuant to SDCL 6-16-12.

Bob Evans, Sheriff, met with the board to report that there are 21 males and 4 females in the Fall River County Jail, 3 females and 1 male in the Pennington County Jail, with 1 inmate on work release, for a total of 30 inmates.

Discussion was held on need for one more Deputy. Motion made by Greenough, seconded by Russell, to approve hiring one additional Deputy Sheriff.

Motion made by Russell, seconded by Greenough, to approve the 2021 contract for housing of prisoners and detainees in the Pennington County Jail and authorize the Sheriff to sign.

Teresa Pullen, Treasurer, met with the board. Motion made by Allen, seconded by Greenough, to allow Pullen to continue with First Interstate Bank as a new credit card issuer for the county.

Falkenburg questioned Pullen on interest amounts paid by First National Bank of Lead, which is 2.00% for cd's and .40% for the ICS account. Pullens noted attempts made for local investments. Motion made by Greenough, seconded by Russell, to designate, by roll call vote, First Interstate Bank, First National Bank of Lead, Bank of the West, Black Hills Federal Credit Union, Black Hills Community Bank, Liberty National Bank as the official banks for 2021.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Greenough, seconded by Cope, to set the private road work hearing for February 4, 2021, 9:55 a.m. as per SDCL 31-11-41 thru 31-11-45.

Seiler updated the board that they have been graveling or blading when there is moisture. Butler will be down to discuss the road grader at a future meeting; the current buy back on the 2014 motor grader the board will sell is \$150,000.00 from Butler Machinery. The Chilson Bridge and the Township Bridge north of Dewey are on schedule and will happen about the same time. So far there is no state action on the Provo Bridge.

SD Representatives Trish Ladner & Tim Goodwin (in person) and Senator Julie Frye-Mueller (via google meet) met with the board to discuss issue of possible increased property taxes due to current sales in the county. Also present were Don Olstad and Susie Hayes, Director of Equalization. The Senator and Representatives are willing to explore options which may include changes to school formulas, elderly freeze, and assessing agriculture land valuations, and to introduce bills while they are in session. The problem does exist statewide, but mostly West River. The continuing increase of values will affect residents and ability to stay in their homes.

The board was updated on Covid monies, Shep's Canyon Road, improving cell phone and internet service and Amendment A and Initiated Measure 26. The owner-occupied levy is applied differently by counties, which will be looked at as use of soils for ag land.

Discussion was also held on state's rights and Article 10; there needs to be more separation between the states and the federal government.

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

GENERAL FUND

CURA HOSPITALITY

INMATE/FOOD SUPPLY

\$11,048.79

A-Z SHREDDING INC	SHREDDING	\$78.02
BLACK HILLS CHEMICAL	SUPPLY	\$409.44
BLACK HILLS ENERGY	UTILITY/POWER ELECTRIC	\$3,704.02
EN-TECH LLC	FUMIGATION	\$110.00
DUDE SOLUTIONS, INC.	GIS SUPPORT CONTRACT	\$265.98
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$627.90
GALLS	UNIFORM ALLOWANCE	\$348.92
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERVER	\$5,241.77
HOT SPRINGS ACE HARDWARE	SUPPLY	\$269.06
CITY OF HOT SPRINGS	HANGAR RENT	\$1,200.00
JENSEN, LYLE	CONTRACT	\$1,500.00
KNECHT, ANDREW JOHN	CAAF	\$8,991.90
MARCO	COPIER LEASE	\$175.18
MCGLUMPHY, ERIN	REIMBURSEMENT	\$753.27
OTIS ELEVATOR COMPANY	SERVICE CONTRACT	\$437.04
PENNINGTON COUNTY JAIL	TRANSPORT	\$244.85
QUILL CORPORATION	OFFICE SUPPLIES	\$20.99
SD SHERIFF'S ASSN	2021 DUES	\$712.82
SERVALL	RUG/UNIFORM SERVICE	\$400.78
SONNY'S SUPER FOODS	SUPPLY	\$57.20
STEVEN'S AUTOMOTIVE	SERVICE	\$35.15
VANGUARD APPRAISALS INC	ANNUAL SERVICE FEES	\$11,800.00
MILES, SASHA	BLOOD DRAW	\$75.00
	TOTAL FOR GENERAL FUND	\$48,508.08

COUNTY ROAD & BRIDGE

BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$773.96
	TOTAL COUNTY ROAD & BRIDGE	\$773.96

EMERGENCY MANAGEMENT

GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERVER	\$8.50
MARCO	COPIER LEASE	\$34.05
	TOTAL FOR EMERGENCY MANAGEMENT	\$42.55
	TOTAL PAID BETWEEN 1/1/21 AND 1/7/20	\$49,324.60

Break was taken at 10:27 a.m. and the meeting reconvened at 10:33 a.m.

No public comment was heard.

Motion made by Cope, seconded by Allen, to enter into executive session as per SDCL 1-25-2 (1) personnel and (3) for legal purposes at 10:34 a.m.

Meeting resumed at 11:20 a.m.

Motion made by Allen, seconded by Greenough to increase new County Treasurer Pullen salary by \$2,000 and approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2021-03

WHEREAS, pursuant to SDCL 7-7-9.1, 7-7-12 and 7-12-15 the Board of Commissioners by Resolution may establish the salary payable to the County Treasurer, County Auditor, County Register of Deeds, County State's Attorney and County Sheriff; and

WHEREAS, the salary may not be less than the following schedule and is based upon the most recent decennial federal census. The Fall River Census is 7,094.

Treasurer, Auditor, Register of Deeds - Population under 10,000: \$29,270.00;
State's Attorney - Population under 10,000: \$32,600.00
County Sheriff – Population under 10,000: \$41,256 plus 10% for jail admin

BE IT RESOLVED, that the Fall River Board of County Commissioners set the salaries as follows, effective January 1, 2020:

Treasurer, Teresa Pullen:	\$42,160.08 (plus \$17,175.25 from Oglala Lakota County)
Auditor, Sue Ganje:	\$57,471.00 (plus \$17,175.25 from Oglala Lakota County)
Reg. of Deeds, Mel Engebretson:	\$52,432.68 (plus \$17,175.25 from Oglala Lakota County)
State's Attorney, Lance Russell:	\$71,316.12 (plus \$25,000.00 from Oglala Lakota County)
Sheriff, Bob Evans	\$57,840.24

Passed and approved this 7th day of January, 2021.

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

ATTEST:
/s/Sue Ganje
Fall River County Auditor

Motion made by Greenough, seconded by Cope to approve giving Kelli Rhoe the negotiated wage increase of \$2.00 per hour, with no longevity.

Motion made by Russell, seconded by Allen, to approve the 2021 Oglala Lakota/Fall River County Contract, with a change that Oglala Lakota County will pay Fall River County directly for those officials that work with Oglala Lakota County, and Fall River will include that with Fall River County salaries.

Motion made by Greenough, seconded by Allen, to adjourn at 11:22 a.m.

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

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



January 9, 2021

Dear Fall River County Commission:

SDSU Extension values the input of their partners. Due to the important partnership between your county and SDSU Extension 4-H Youth Development, we would appreciate your assessment of SDSU Extension 4-H Youth Program Advisor Erin McGlumphy's performance in completing job duties this year in relation to interactions with the Fall River County Commission.

Performance assessments cover the time period of October 1, 2019 – September 30, 2020. We ask that specific examples be provided for both positive job performance actions as well as those that are in need of improvement.

If possible, please return by February 1st, 2021 and return to:

SDSU Extension
Attn: Amber Erickson
SAG 109, Box 2207E
Brookings, SD 57007-2097

Or by email to: amber.erickson@sdstate.edu

Thank you,
Amber Erickson
4-H Field Operations Coordinator

MEMORANDUM OF UNDERSTANDING

Between

SDSU Extension and Counties of South Dakota 2021

In accordance with Chapter 4.05, Section 4.0504, Revised Code of 1939 and as subsequently amended to conduct Extension educational programs in Agriculture and Natural Resources, Family and Consumer Sciences, Community Development and 4H/Youth Development with the complete understanding of all parties concerned. SDSU Extension, the United States Department of Agriculture and the Board of County Commissioners of **Fall River County** enter in the following agreement:

COOPERATIVE EDUCATIONAL PROGRAM DEVELOPMENT

SDSU Extension agrees to give guidance and active assistance to the 4-H Advisor in determining and carrying out 4-H and Youth Development educational programs that will be of greatest benefit to the people in the county. SDSU Extension agrees to assist the 4-H Advisor in the conduct of their work by providing program planning and development, leadership, training, supervision, and subject matter support through Extension specialists, field specialists, publications, and technology information services.

PERSONNEL AND FINANCIAL RESPONSIBILITY OF COOPERATING COUNTY

The Board of County Commissioners agrees to furnish an office suitable to all parties of the Memorandum. The Board of County Commissioners further agrees to provide sufficient funds for qualified office administrative support, 4-H Advisor travel expenses, office supplies, and equipment, postage, demonstration and educational supplies, telephone/internet and related charges and computer/related equipment, subject to the county's budgetary authority.

The Board of County Commissioners agrees to pay annually to South Dakota State University for partial salary support of the 4-H Advisor position. Payments must be made by the 31st day of March in this calendar year. For the calendar year 2021, this is in the amount of \$10,310. This position will work 50% of time in Fall River County. Should the position become vacant during the 2021 calendar year, or portions thereof, the county shall be reimbursed on a pro-rata basis for such period(s) of vacancy at the close of the calendar year.

The Board of County Commissioners agrees to reimburse the 4-H Advisor for official use of their personal vehicle, meals and lodging on official business away from their county office headquarters at rates and policies equal to or above those established by the State Board of Finance. The 4-H Advisor will submit itemized vouchers for official travel expenses to the County Auditor for presentation to the Board of County Commissioners for payment.

The 4-H Advisor will travel within the county to serve clientele and conduct educational programming. Furthermore, the 4-H Advisor will participate in some out-of-county activities that are related to their duties for the county, e.g. State Fair, for which the Board of County Commissioners agrees to reimburse travel expenses. The Board of County Commissioners further agrees to allow the 4-H Advisor to participate in some training and special events outside of the county which are related to their duties and continued professional development. For these specific mandated professional development events, SDSU Extension will provide travel reimbursement to the 4-H Advisor.

ACCESS TO CONFIDENTIAL DATA

Access to SDSU Extension data and communications, whether it resides on county-owned or SDSU Extension-owned equipment, shall be restricted to South Dakota State University personnel or their respective designees. As stated in the South Dakota Board of Regents Acceptable Use Policy, information resources and technology should be used to support the operations and missions of the South Dakota Regental System. Accordingly, the Chief Information Technology Office at South Dakota State University will investigate any and all allegations of misuse of technology by SDSU Extension personnel. Allegations of misuse of technology on county-owned equipment by SDSU Extension personnel will be investigated jointly by the SDSU Office of Information Technology, the Vice President of Information

Technology and the appropriate county personnel. SDSU will work with individual counties as requested to establish a standard Third Party Agreement to address network access concerns.

COOPERATIVE PERSONNEL EMPLOYMENT POLICY

It shall be the responsibility of SDSU Extension to screen and certify the qualifications of applicants for a vacant position. The County Commission will be represented in interviewing candidate(s) for the open position and participate in recommending approval or rejection of the candidate's employment by SDSU Extension. Salary will be determined by SDSU Extension with approval of South Dakota State University and the South Dakota Board of Regents.

If the performance of a 4-H Advisor becomes unsatisfactory, his/her employment may be terminated in accordance with South Dakota State University and Board of Regents Personnel policies. In addition, SDSU Extension may need to remove a 4-H Advisor when either appropriated State or Federal funds or the County funds are not adequate to satisfactorily carry on effective 4-H and Youth Development Extension educational programs in the county.

The employment policies of SDSU Extension and parties to this cooperative agreement are required to conform to provisions of the Civil Rights Act of 1964 and related amendments thereto prohibiting discrimination.

APPROVAL AND/OR MODIFICATION OF MEMORANDUM

This memorandum will be in effect when the Board of County Commissioners and SDSU Extension approve it. It supersedes all previously signed agreements and shall remain in effect until it is expressly terminated in writing by one or more of the parties concerned. This agreement should be reviewed at the first meeting of the County Commission each year for purposes of informing new members and reacquainting experienced members with its provisions.

DATE

CHAIRPERSON, BOARD OF COUNTY COMMISSIONERS

DATE

DIRECTOR, SDSU EXTENSION

FALL RIVER COUNTY RESOLUTION #2021-6

**ORDER FOR ORGANIZATION AND INCORPORATION
OF THE SPIRIT CANYON 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 Spirit Canyon Road District, and

WHEREAS, an Election was held on February 2, 2021 asking the voters to accept or reject the formation of the Spirit Canyon Road District, with _9_ voters accepting and _0_ voters rejecting the formation of the Spirit Canyon Road District, and

NOW, THEREFORE, BE IT ORDERED, that the Fall River County Commissioners shall declare the Spirit Canyon 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 2021 tax year payable in 2022 and after, and

BE IT FURTHER ORDERED, that the Spirit Canyon Road District be described as follows:

Lots 1 through 35 of Red Canyon Subdivision located in the E1/2 of the NE1/4 of Section 9, the NW1/4 of Section 10, and a portion of the S1/2 of the SW1/4 Section 3, T7S, R3E, Black Hills Meridian, Fall River County, South Dakota.

Dated this 4th day of February, 2021

Joe Falkenburg, Chairman
Fall River County Commissioner

ATTEST:

Sue Ganje
Fall River County Auditor

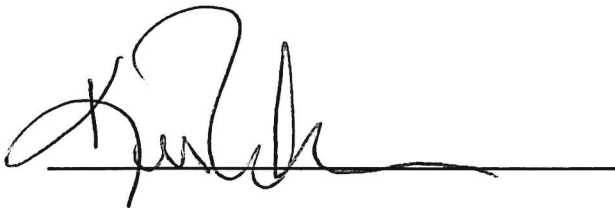
The Spirit Canyon Road District Election was held February 2, 2021. The final results of the election were as follows:

For the formation of the Spirit Canyon Road District: 9

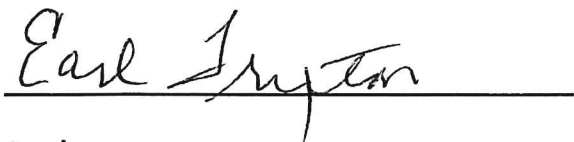
Against the formation of the Spirit Canyon Road District: 0

We hereby certify the above results as the final results.

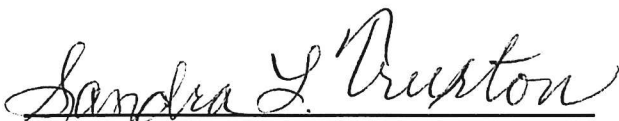
Dated this 2nd day of February, 2021

A handwritten signature in black ink, appearing to be "K. Smith", written over a horizontal line.

Superintendent

A handwritten signature in black ink, appearing to be "Earl Inytor", written over a horizontal line.

Judge

A handwritten signature in black ink, appearing to be "Sandra L. Ruston", written over a horizontal line.

Judge

2021 Spring Workshop

Wednesday, March 17, 2021

Thursday, March 18, 2021

Pierre Ramkota

REGISTRATION FEE:

County Commissioners

Two Day Registration \$110.00

Start time – 8:30 AM Wednesday

Please note this registration form is for County Commissioners

_____ County

NAME

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Return with prepayment by **Friday, March 5, 2021:**
(No refund after this date)

SDACC
211 E Prospect Ave
Pierre, SD 57501

Room blocks have been made at the following hotels:
(Blocks under "SD Counties" and will be released on February 12th, 2021)

Ramkota Hotel – 224-6877 - \$105.99

Quality Inn – 410 W Sioux Ave - 224-0377 - \$66.60

Country Inn & Suites – 110 E Sioux Ave– 224-5951 - \$66.60

SDACC Agenda

Wednesday, March 17, 2021

- 8:30 – 9:30 a.m. **Get to Know Your Association**
Bob Wilcox, Executive Director
Kris Jacobsen, Deputy Director
SDACC Board of Directors
- 9:30 – 10:00 a.m. **Break**
- 10:00 – 10:45 a.m. **Compliance and Other Matters**
Rod Fortin, Legislative Audit
- 11:00 – 11:45 a.m. **Basics of Road and Bridge**
Greg Vavra, SD LTAP
- 12:00 – 1:00 p.m. **Lunch – Rooms AFG**
- 1:00 – 1:45 p.m. **Emergency Relief (ER) Reimbursement Update**
Local Federal Bridge Replacement Program – Additional 2021 federal funding
Tammy Williams, SD DOT LGA
Doug Kinniburgh, SD DOT LGA
- 2:00 - 2:45 p.m. **Title**
Toby Morris, Colliers
- 2:45 - 3:00 p.m. **Break**
- 3:15 - 4:00 p.m. **Rural Housing & Development**
Jim Schmidt, Sioux Empire Housing
- 4:15 – 5:00 p.m. TBD
- 5:00 p.m. **Social -**

Thursday, March 18, 2021

- 8:00 – 8:45 a.m. **Ten Principles of Parliamentary Procedure**
Reed Holwegner, SD Legislative Research Council
- 9:00 – 9:45 a.m. **Highway 101**
Greg Vavra, SD LTAP
- 9:45 – 10:15 a.m. **Break**
- 10:15 – 11:00 a.m. **Code of Ethics**
David Pfeifle, SDPAA
- 11:15 – 12:00 noon TBD
- 12:00 – 1:00 p.m. **Lunch – Rooms AFG**
- 1:15 – 2:00 p.m. **SDML WC / SDPAA**
Brad Wilson, Insurance Benefits
Lynn Bren, SDPAA
- 2:15 – 3:00 p.m. TBD



*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: February 4, 2021

Subj: Commission Update

1. Tablet Purchase: I am requesting approval to purchase a tablet to be utilized with the Salamander Track App program. The Office of Emergency Management is purchasing the application to be installed on a device in the county. (attached)
2. Single Signature Sheet: I am requesting approval to have the Chairman sign the Single Signature Sheet required by the LEMPG contract with OEM.
3. List of Volunteers: Attached is a listing of the Emergency Management volunteers. I am requesting approval of the list.
4. First Quarter LEMPG Workplan: The workplan and supporting documents were submitted on January 28, 2021 via the WebEOC program.
5. Part Time Employee: I am requesting consideration by the Commission to allow the hiring of a 20 hour a week employee for Emergency Management. The position will be utilized for office computer work, filing, CRMCS credentialing and report tracking. This position qualifies for 50% reimbursement from the State under the LEMPG program.
6. Fires & Incidents:
 1. 1/13/2021: Semi rollover: Hwy 79 mm 34: Hot Springs Fire and Hot Springs Ambulance.
 2. 1/27/2021: Possible Propane Leak: N. 6th St. Hot Springs Fire and Hot Springs Police.

*Franklin W. Maynard, CEM, CFM
Emergency Manager*

*Fall River County
906 N. River Street
Hot Springs, SD 57747*

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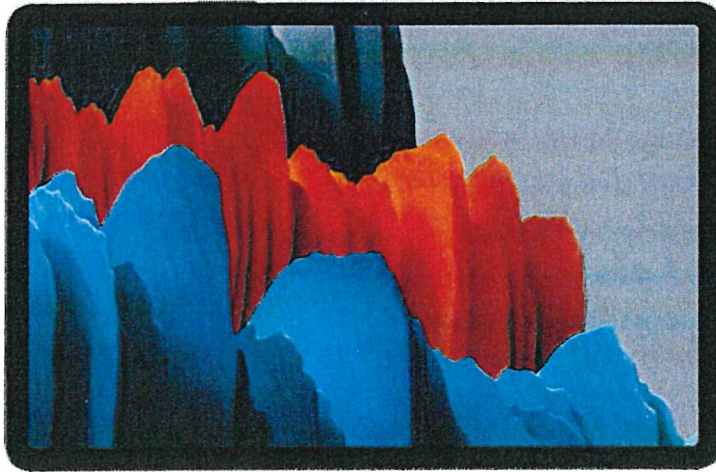


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\$629.99



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★★★★★ (2,181)



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\$159.99

About \$6.67/mo.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF PUBLIC SAFETY - OFFICE OF EMERGENCY MANAGEMENT
LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT**

Quarterly Report Single Signature Sheet

**Fall River County
1st Quarter**

Quarterly Report

I certify that I have reviewed the work plan and documentation as reported in this quarterly activity report and have found it to comply with the goals, objectives and requirements as identified in the State and Local Agreement.

I further certify that the hours of the Emergency Management staff indicated on their respective time sheets are true and correct and in accordance with policy and necessary signatures are in place and complete.

County Commission Chairperson

Date

85-21

In submitting this claim, the claimant represents that justification to support this claim is contained in the approved jurisdictions work plan. I certify that all hours recorded on included time sheets are accurate and were worked in performance of emergency management activities.

I further certify that all claims listed on this grant reimbursement request have been paid without use of federal funds, and I allow the submitted costs to be used to match the state EMPG grant.



County Emergency Manager

1-26-21

Date

Salary & Benefits

I certify all claims have been paid and proof of such payment is on file in the office of the County Auditor. I also certify that the emergency manager(s) has/have worked the required hours per the Schedule of Required Hours for the months that this report is produced for. These claims represent the COUNTY SHARE of emergency management salary and benefits only.



County Auditor

1-26-21

Date

Failure of the county/district to accomplish the objective and work requirement set forth in the SLA Agreement, submit the required paperwork and documentation, and forward this report within established guidelines without adequate justification and acceptance by the State, will subject the county to the withholding of funds, from whatever source, provided under this agreement.

85-21 Financial Claims Report

[Return Print PDF](#)

Agency/Organization

In submitting this claim, the claimant represents that justification to support this claim is contained in the approved jurisdiction's work plan.

Understood that failure to execute the elements of that work plan may result in withholding or recovery of funds claimed and approved.

County	Name of Person Submitting	Quarter	Fiscal Year	Vendor Number
Fall River	Frank Maynard	First Quarter (October 1 FY 2021 - December 31)		1205465411

Details

Claimant Agency or Vendor	Personnel Costs	Travel Costs	Check No. or Other Proof of Payment
---------------------------	-----------------	--------------	-------------------------------------

1st Month: October, 2020

Salary	\$ 4743.5500	\$ 0.0000	008337
Social Security (OASI)	\$ 362.8800	\$ 0.0000	008337
Retirement	\$ 284.6100	\$ 0.0000	008337
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	

2nd Month: November, 2020

Salary	\$ 4743.5500	\$ 0.0000	008418
Social Security (OASI)	\$ 362.8800	\$ 0.0000	008418
Retirement	\$ 284.6100	\$ 0.0000	008418
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	

3rd Month: December, 2020

Salary	\$ 4743.5500	\$ 0.0000	008499
Social Security (OASI)	\$ 362.8800	\$ 0.0000	008499
Retirement	\$ 284.6100	\$ 0.0000	008499
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	
	\$ 0.0000	\$ 0.0000	

Total Amount Expended\$ 16173.1200 \$ 0.0000

Estimated Reimbursement
(50%)\$ 8086.5600 \$ 0.0000

Documentation & Justification

Load up to three documents as justification for claimed expenses.

Document 1

Document 2

Document 3

Dates

Date Submitted01/25/2021 16:59:34

Date Reviewed

Date

Approved



*Emergency Management
Fall River County*

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

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



Date: February 4, 2021

Subj: Volunteers

Emergency Management

1. The following is a list of known volunteers that may be utilized during events within Fall River County:

Norm Pudwill	Marc Lamphere
Tracy Bastian	Jan Speirs
Kevin Fees	Sally Park Hageman
Les Madsen	Loren Seegrist
Phil Knapp	Bob Beninati
2. The list is not inclusive, and may be expanded during an actual event. If additional individuals are needed, a sign in sheet will be provided to allow coverage under the county workers comp.

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

Franklin W. Maynard, CEM, CFM

Fall River County

906 N. River Street

Hot Springs, SD 57747

Name	Class	Date(s)	Location
Isnalawica Belt	Search & Seizure	1/30/2021-1/31/2021	Belle Fourche, SD
Martha Jarman	Emergency Medical Dispatch Recertification	1/28/2021	Rapid City, SD
Lyle Norton	Wild Fire Investigation	2/22/2021-2/26/2021	Rapid City, SD
Kyle Maciejewski	Wild Fire Investigation	2/22/2021-2/26/2021	Rapid City, SD
Thomas McMillan	Law Enforcement Training	3/29/2021-3/31/2021	Pierre, SD

Liberty Chrysler Center, 1120 E. Omaha St. Rapid City, SD 57701 605-343-2896

February 3, 2021

Fall River County
Sheriff's Office
906 North River Street
Hot Springs, SD 57747

RE: 2021 Ram 1500 Special Service

Sheriff Evans,

This letter is for the acceptance of 2021 Ram 1500 Special Service, per your request. The truck is a crew cab, 4x4, with 5.7L V8 engine. Pricing is based on the 2021 South Dakota State bid Notice of Awards, contract #17345.

2021 Ram 1500 Special Service (White):	\$27,396 (base price)
Additional requested upfits:	\$790 – Spotlight, Driver side A-Pillar mount \$1695 – Integrated bedside cargo box – “Ram-Box” \$ 595 – Remote Start
Total of Vehicle:	\$30,476

Estimated delivery is 14-16 weeks from date of order.

Signing below indicates your acceptance of this pricing and your directive for Liberty Chrysler Center to provide the above-described vehicle. X_____

Thank you,

Michael Dann
Commercial Sales Consultant
605-545-6438

FALL RIVER COUNTY COURTHOUSE

906 N. RIVER STREET

HOT SPRINGS, SD 57747

PHONE: 745-5130, FAX: 745-6835

BID: 9,500 gallons of propane, Request for Bid, to be delivered on 2-1-2021

Specifications: Propane is to be HD-5 grade, 90% or greater propane, preferably 95% propane, with other gases as per ASTM D-1835.

DATE 1/26/2021

FROM Nelson's Propane

745-4199
PHONE: ~~745-5959~~

BID FOR: 9,500 gallons of propane, delivered to the County Courthouse.

AMOUNT OF BID (Including all applicable taxes and fees):

\$ 1.18

AUTHORIZED SIGNATURE:



DATE SIGNED:

1-26-21

NOTE: All bids must be received in the Fall River County Auditor's Office at the above address (faxed or hand delivered), before 9:00 a.m. Thursday 1/28/2021 to be considered, unless otherwise stated by the caller for bids.

If declining to bid please fax/return this form with the words: "decline today's bid" on the line designated for the Bid Amount.

Thank You

Dave Welshaupl, Maintenance Supervisor

Nelson's Oil
&
gas

FALL RIVER COUNTY COURTHOUSE**906 N. RIVER STREET****HOT SPRINGS, SD 57747****PHONE: 745-5130 FAX: 745-6835****BID: 9,500 gallons of propane, Request for Bid, to be delivered 2/1/2021****Specifications: Propane is to be HD-5 grade, 90% or greater propane, preferably 95% propane, with other gases as per ASTM D-1835.****DATE: 1/26/2021****FROM: P.J.'S Hide-Away****PHONE: 890-1010, Fax: 662-5757****BID FOR: 9,500 gallons of propane, delivered to the County Courthouse.****AMOUNT OF BID (Including all applicable taxes and fees):** \$1,20**AUTHORIZED SIGNATURE:** **DATE SIGNED:** 1/28/21**NOTE: All bids must be received in the Fall River County Auditor's Office at the above address (faxed or hand delivered), before 9:00 a.m. on Thursday 1/28/2021, to be considered, unless otherwise stated by the caller for bids.****If declining to bid please fax/return this form with the words: "decline today's bid" on the line designated for the Bid Amount.****Thank You****Dave Weishaupl, Maintenance Supervisor**

FALL RIVER COUNTY COURTHOUSE

906 N. RIVER STREET

HOT SPRINGS, SD 57747

PHONE: 745-5130, FAX: 745-6835

BID: 9,500 gallons of propane, Request for Bid, to be delivered 1st February 2021

Specifications: Propane is to be HD-5 grade, 90% or greater propane, preferably 95% propane, with other gases as per ASTM D-1835.

DATE: 1/26/2021

FROM Mc Gas Propane

PHONE: 745-5959

BID FOR: 9,500 gallons of propane, delivered to the County Courthouse.

AMOUNT OF BID (Including all applicable taxes and fees): 1.299 p/gallon

AUTHORIZED SIGNATURE: [Signature]

DATE SIGNED: 1-27-2021

NOTE: All bids must be received in the Fall River County Auditor's Office at the above address (faxed or hand delivered), before 9:00 a.m. on Thursday 1/28/2021, to be considered, unless otherwise stated by the caller for bids.

If declining to bid please fax/return this form with the words: "decline today's bid" on the line designated for the Bid Amount.

Thank You

Dave Weishaupl, Maintenance Supervisor.

HAUSMANN MOTORSPORTS, LLC

PO Box 13033
Grand Forks, ND 58208
Office (701) 775-8004
Fax (701) 772-3266

Oil & Gas Energy
Chemical & Fertilizer
www.hausmannmotorsports.com

Ryan Cell (701) 739-3781
Trey Cell (701) 739-4900
Jeff Cell (701) 741-7500

Load Ticket No: 1570
HM No: 19763
Point of Origin: Excel Gas Plant Wright, WA
Final Destination: Hot Springs, SD
Customer Name: Fall River Court House
Product Description: Stentched Propane
Amount Loaded: 10,100
Other Info: _____
Authorized Carrier: Hausmann Motorsports, LLC
Driver's Name: Trevor D Davis
Truck No: 137 Trailer No: 66
Load Date: 1-29-2021
Loading Start Time: 8:15 AM/PM
Loading End Time: 8:45 AM/PM
Loading Demurrage Time: _____ AM/PM
Explain loading Demurrage: _____

Offload Date: 1-29-2021
Offloading Start Time: 1:00 AM/PM
Offloading End Time: 3:00 AM/PM
Offloading Demurrage Time: _____
Explain Offloading Demurrage: Arrived at 11:40 Am.
had to wait for extension hose to unload.
(11:40 Am. - 1:00 pm) Tank did not
equalize with trailer very well.
Date Assigned: 1-28-2021
Name of Dispatcher: Andy

Drivers Signature: [Signature]

Ryan Hausmann
Marketing/Logistics
ryan@hausmannmotorsports.com

Trey Hausmann
Marketing/Logistics
trey@hausmannmotorsports.com

Heather Rittel
Office Manager
heather@hausmannmotorsports.com

Jeff Hausmann
Owner
jeff@hausmannmotorsports.com

Diane Hausmann
Owner
diane@hausmannmotorsports.com

Ashley Rogers
Financial Operations
ashley@hausmannmotorsports.com

Driver Complete Below If Applicable

Gross: _____

Tare: _____

Net: _____

Storage Tank:

Before 6 % / After 86 %

Filling Nurse Tank or Bobtail ☐ Yes ☒ No

Scale Ticket Attached? _____

Driver Complete Below If Applicable

Hauled Elsewhere: ☐ All ☐ Part
(same customer)

Explain: _____

Diverted Load: Why? _____
(to different customer)

Delivered Where: _____

Did you Notify Dispatch? ☐ Yes ☐ No Who? _____

Additional Driver Comments:

Tank temp. 32°F Ending temp 42°F Trailer temp 40°F Ending 36°F
Trailer start 9/1 Trailer End Of Empty
Have a nice day!

Bill of Lading No. **114162**

OFFICE COPY

Seller:

ROWDY PIPELINE, LLC
404 Frontage Rd
Gillette, WY 82716
307.622.5005

Location: Jewell Plant

Date (YYYY-MM-DD): 2021 - 1 - 29
Time (HH:MM:SS): 9:47:37

B.O.L. Number: 1570
Bay Number: 3B

Consignee:

NGL Supply Co LTD
550, 435 4th Ave SW
Calgary, Alberta T2P3A8

Shipper: hausmann
Driver: 2020

Product:


UN1075 Liquified Petroleum Gas
2.1 - Noncorrosive
Spec Gravity @ 60F: 0.48902 sg
Product Temp: 44.28 Deg F
Product Density: 31.3314 lbs/Ft3
Product Pressure: 195.43 psi

Meter Start: 01/29/21 09:16:39 AM
Meter End: 01/29/21 09:47:36 AM
Odor: Propane w/ Mercaptan
Indicated Volume: 9670.80 gal
Net Volume: 10099.76 gal
Mercaptan: 1008.606 cc

Emergency Phone:

1-800-424-9300
(CHEMTREC) CCN806045

Driver Signature: _____

 Odorized Propane

This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulation of the Department of Transportation.

Parcel_Number	Abtmt Years	Abtmt Type	Abtmt Amount	Abatement Reason
11000-00705-123-19	2020 pay 2021	Partial	\$1,790.66	Late application for Tax Reduction Program
14000-00708-212-24	2019 pay 2020	Adjusted	\$547.70	Asking for AG status taxes (was NA value)
65209-00100-027-00	2020 pay 2021	Pro-rated	\$1,077.17	Building destroyed in fire on 7/03/2020
85000-02017-000-10	2020 pay 2021	Total Tax	\$682.12	Tiny Home was moved out of state in 2018
65290-00200-013-00	2019 pay 2020	Adjusted	\$80.64	Should have been Owner Occupied - data entry error
	2020 pay 2021	Adjusted	\$78.84	Should have been Owner Occupied - data entry error
		Shagla Total =	\$159.48	
29000-00906-111-00	2020 pay 2021	Adjusted	\$10.26	Error in total Acres - Land was overassessed
	2019 pay 2020	Adjusted	\$9.98	Error in total Acres - Land was overassessed
	2018 pay 2019	Adjusted	\$11.05	Error in total Acres - Land was overassessed
	2017 pay 2018	Adjusted	\$11.50	Error in total Acres - Land was overassessed
	2016 pay 2017	Adjusted	\$12.22	Error in total Acres - Land was overassessed
		Smith Total =	\$55.01	
Parcel_Number	Abtmt Years	Abtmt Type	Abtmt Amount	Abatement Reason
72150-13400-004-00	2020 pay 2021	Pro-rated	\$333.33	Building damaged in fire on 3/31/2020
Parcel_Number	Abtmt Years	Abtmt Type	Abtmt Amount	Abatement Reason
75180-00705-130-21	2020 pay 2021	Adjusted	\$588.28	Building should have been on Discretionary
75290-00100-003-00	2020 pay 2021	Adjusted	\$482.46	Error in LAND data entry - LAND was overassessed
75330-00600-004-00	2020 pay 2021	Adjusted	\$891.94	Late application for Tax Reduction Program
75390-03100-020-00	2020 pay 2021	Adjusted	\$608.98	Late application for Tax Reduction Program
75410-02200-002-01	2020 pay 2021	Pro-rated	\$1,829.92	Building destroyed in fire on 2/17/2020
75410-02200-003-01	2020 pay 2021	Pro-rated	\$3,850.49	Building destroyed in fire on 2/17/2020
75410-02200-007-00	2020 pay 2021	Pro-rated	\$2,593.07	Building destroyed in fire on 2/17/2020
75410-00900-010-00	2020 pay 2021	Adjusted	\$573.25	Should have been Owner Occupied - data entry error
	2019 pay 2020	Adjusted	\$516.34	Should have been Owner Occupied - data entry error
		Allen Total =	\$1,089.59	

Fall River County VSO 2020 4th Quarter report

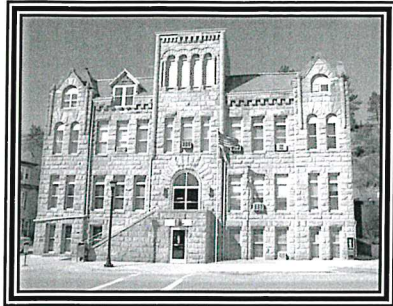
1. VSO Congressional Forum Via Microsoft Teams 13 November.
2. SDDVA Mini Conference Via ZOOM 15 December.
3. Met with and explained benefits to more than 80 Veterans and/or dependents.
4. Assisted a multitude of Veterans in filing for their military records from the National Personnel Records Center to provide evidence in filing claims.
5. Provided State Veterans Home applications to and successfully referred several veterans to residency in State Veterans Home.
6. Filed 167 disability and/or pension claims with the Veterans Benefit Administration.
7. Over \$763,000 of disability or pension awards this quarter (Monthly breakdown)

Total Monthly Veteran Awards for Periods OCT 01 – DEC 31 2020

For month	Number of awards	Total Amount
October, 2020	26	\$ 208,582.37
November, 2020	21	\$ 159,576.68
December, 2020	200	\$ 395,331.21

Total Awards for Past Years

For year	Number of claims	Amount
2018	858	\$15,496,596.60
2019	685	\$11,994,753.48
2020	326	\$ 6,412,032.96



**FALL RIVER COUNTY
COUNTY COMMISSIONERS
COURTHOUSE
906 NORTH RIVER ST
HOT SPRINGS, SOUTH DAKOTA 57747
PHONE: (605) 745-5130 FAX: (605) 745-6835**

February 4, 2021

Senator John Thune
Dirksen Senate Office Building, 511
Washington, DC 20510

Senator Mike Rounds
Hart Senate Office Building, 502
Washington, DC 20510

Representative Dusty Johnson
1714 Longworth HOB
Washington, DC 20515

Dear Sirs,

I think we have some of the first onslaught on our Second Amendment rights. It is imperative we strike back, at all levels, to ensure our Constitution is upheld and we would like to voice our objection to a recent bill proposed by Ms. Jackson Lee, H.R. 127. We strongly urge you to review this proposed bill to familiarize yourselves with the severity of this attack on our gun rights.

This 19-page bill is completely absurd and is a veiled effort to confiscate our guns. It makes impossible requirements for gun owners. Some of the most striking features are: needing to register every firearm and their ammunition in your possession regardless of how or when it was acquired as well as the storage location of said firearm and ammunition; taking a 24 hour long gun safety training course; the creation of a database of fire arms which would be available to the general public as well as any Law Enforcement Agency; the requirement of a liability insurance policy; being required to notify the Attorney General if a gun or ammunition is loaned to a friend or family member; the requirement of a psychological evaluation by a Licensed Psychologist approved by the Attorney General which would include interviewing the individual, the spouse, family member or close associate of an individual; the inability to transfer or gift a firearm to anyone who has not received a license under the provisions of HR 127; a fee of \$800 for a gun license; fines of \$75,00 to \$150,000 and up to 25 years in prison for violating provisions of HR 127.

With just this brief synopsis, it quickly shows the underlying intent of this anti-gun legislation. We, and our elected officials must remain vigilant to maintain our freedom under the Second Amendment.

We, the Commissioners of Fall River County, South Dakota, strongly urge you to stop the progress of these and other absurd restrictions on our way of life. Please keep us, and your other Constituents of any proposed legislation that would infringe on our Second Amendment freedoms.

Sincerely,

Joe Falkenburg, Chairman
Fall River County Commission

117TH CONGRESS
1ST SESSION

H. R. 127

To provide for the licensing of firearm and ammunition possession and the registration of firearms, and to prohibit the possession of certain ammunition.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Ms. JACKSON LEE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for the licensing of firearm and ammunition possession and the registration of firearms, and to prohibit the possession of certain ammunition.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sabika Sheikh Firearm
5 Licensing and Registration Act”.

6 **SEC. 2. LICENSING OF FIREARM AND AMMUNITION POSSES-**
7 **SION; REGISTRATION OF FIREARMS.**

8 (a) FIREARM LICENSING AND REGISTRATION SYS-
9 TEM.—

1 (1) IN GENERAL.—Chapter 44 of title 18,
2 United States Code, is amended by adding at the
3 end the following:

4 **“§ 932. Licensing of firearm and ammunition posses-**
5 **sion; registration of firearms**

6 “(a) IN GENERAL.—The Attorney General, through
7 the Bureau of Alcohol, Tobacco, Firearms and Explosives,
8 shall establish a system for licensing the possession of fire-
9 arms or ammunition in the United States, and for the reg-
10 istration with the Bureau of each firearm present in the
11 United States.

12 “(b) FIREARM REGISTRATION SYSTEM.—

13 “(1) REQUIRED INFORMATION.—Under the
14 firearm registration system, the owner of a firearm
15 shall transmit to the Bureau—

16 “(A) the make, model, and serial number
17 of the firearm, the identity of the owner of the
18 firearm, the date the firearm was acquired by
19 the owner, and where the firearm is or will be
20 stored; and

21 “(B) a notice specifying the identity of any
22 person to whom, and any period of time during
23 which, the firearm will be loaned to the person.

1 “(2) DEADLINE FOR SUPPLYING INFORMA-
2 TION.—The transmission required by paragraph (1)
3 shall be made—

4 “(A) in the case of a firearm acquired be-
5 fore the effective date of this section, within 3
6 months after the effective date of this section;
7 or

8 “(B) in the case of a firearm acquired on
9 or after the effective date, on the date the
10 owner acquires the firearm.

11 “(3) DATABASE.—

12 “(A) IN GENERAL.—The Attorney General
13 shall establish and maintain a database of all
14 firearms registered pursuant to this subsection.

15 “(B) ACCESS.—The Attorney General shall
16 make the contents of the database accessible to
17 all members of the public, all Federal, State,
18 and local law enforcement authorities, all
19 branches of the United States Armed Forces,
20 and all State and local governments, as defined
21 by the Bureau.

22 “(c) LICENSING SYSTEM.—

23 “(1) REQUIREMENTS.—

24 “(A) GENERAL LICENSE.—Except as oth-
25 erwise provided in this subsection, the Attorney

1 General shall issue to an individual a license to
2 possess a firearm and ammunition if the indi-
3 vidual—

4 “(i) has attained 21 years of age;

5 “(ii) after applying for the license—

6 “(I) undergoes a criminal back-
7 ground check conducted by the na-
8 tional instant criminal background
9 check system established under sec-
10 tion 103 of the Brady Handgun Vio-
11 lence Prevention Act, and the check
12 does not indicate that possession of a
13 firearm by the individual would violate
14 subsection (g) or (n) of section 922 or
15 State law;

16 “(II) undergoes a psychological
17 evaluation conducted in accordance
18 with paragraph (2), and the evalua-
19 tion does not indicate that the indi-
20 vidual is psychologically unsuited to
21 possess a firearm; and

22 “(III) successfully completes a
23 training course, certified by the Attor-
24 ney General, in the use, safety, and

1 storage of firearms, that includes at
2 least 24 hours of training; and

3 “(iii) demonstrates that, on issuance
4 of the license, the individual will have in
5 effect an insurance policy issued under
6 subsection (d).

7 “(B) ANTIQUE FIREARM DISPLAY LI-
8 CENSE.—The Attorney General shall issue to
9 an individual a license to display an antique
10 firearm in a residence of the individual if the
11 individual—

12 “(i) is the holder of a license issued
13 under subparagraph (A);

14 “(ii) supplies proof that the individual
15 owns an antique firearm;

16 “(iii) describes the manner in which
17 the firearm will be displayed in accordance
18 with regulations prescribed by the Attorney
19 General, and certifies that the firearm will
20 be so displayed; and

21 “(iv) demonstrates that the individual
22 has provided for storage of the firearm in
23 a safe or facility approved by the Attorney
24 General for the storage of firearms.

1 “(C) MILITARY-STYLE WEAPONS LI-
2 CENSE.—The Attorney General shall issue to
3 an individual a license to own and possess a
4 military-style weapon if the individual—

5 “(i) is the holder of a license issued
6 under subparagraph (A); and

7 “(ii) after applying for a license under
8 this subparagraph, successfully completes a
9 training course, certified by the Attorney
10 General, in the use, safety, and storage of
11 the weapon, that includes at least 24 hours
12 of training and live fire training.

13 “(2) PSYCHOLOGICAL EVALUATION.—A psycho-
14 logical evaluation is conducted in accordance with
15 this paragraph if—

16 “(A) the evaluation is conducted in compli-
17 ance with such standards as shall be established
18 by the Attorney General;

19 “(B) the evaluation is conducted by a li-
20 censed psychologist approved by the Attorney
21 General;

22 “(C) as deemed necessary by the licensed
23 psychologist involved, the evaluation included a
24 psychological evaluation of other members of

1 the household in which the individual resides;
2 and

3 “(D) as part of the psychological evalua-
4 tion, the licensed psychologist interviewed any
5 spouse of the individual, any former spouse of
6 the individual, and at least 2 other persons who
7 are a member of the family of, or an associate
8 of, the individual to further determine the state
9 of the mental, emotional, and relational stability
10 of the individual in relation to firearms.

11 “(3) DENIAL OF LICENSE.—

12 “(A) REQUIRED.—The Attorney General
13 shall deny such a license to an individual if—

14 “(i) the individual is prohibited by
15 Federal law from possessing a firearm; or

16 “(ii) the individual has been hospital-
17 ized—

18 “(I) with a mental illness, dis-
19 turbance, or diagnosis (including de-
20 pression, homicidal ideation, suicidal
21 ideation, attempted suicide, or addic-
22 tion to a controlled substance (within
23 the meaning of the Controlled Sub-
24 stances Act) or alcohol), or a brain

1 disease (including dementia or Alz-
2 heimer's); or

3 “(II) on account of conduct that
4 endangers self or others.

5 “(B) AUTHORIZED.—The Attorney Gen-
6 eral may deny such a license to an individual
7 if—

8 “(i) the psychological evaluation re-
9 ferred to in paragraph (2) indicates that
10 the individual—

11 “(I) has a chronic mental illness
12 or disturbance, or a brain disease, re-
13 ferred to in subparagraph (A)(ii)(I);

14 “(II) is addicted to a controlled
15 substance (within the meaning of the
16 Controlled Substances Act) or alcohol;
17 or

18 “(III) has attempted to commit
19 suicide; or

20 “(ii) prior psychological treatment or
21 evaluation of the individual indicated that
22 the individual engaged in conduct that
23 posed a danger to self or others.

24 “(4) SUSPENSION OF LICENSE.—

1 “(A) IN GENERAL.—A license issued under
2 this subsection to an individual who is under in-
3 dictment for a crime punishable by imprison-
4 ment for a term exceeding 1 year is hereby sus-
5 pended.

6 “(B) AUTHORIZED FOR LACK OF FIREARM
7 INSURANCE.—The Attorney General may sus-
8 pend a license issued under this subsection to
9 an individual who has violated section 922(dd)
10 in the most recent 12-month period.

11 “(5) REVOCATION OF LICENSE.—A license
12 issued under this subsection to an individual who is
13 or becomes prohibited by Federal or State law from
14 possessing a firearm is hereby revoked. Such an in-
15 dividual shall immediately return the license, and
16 surrender all firearms and ammunition owned or
17 possessed by the individual, to the Attorney General.

18 “(6) EXPIRATION OF LICENSE.—A license
19 issued to an individual under this subsection shall
20 expire—

21 “(A) in the case of a license that has been
22 in effect for less than 5 years, 1 year after
23 issuance or renewal, as the case may be; or

1 “(B) in the case of a license that has been
2 in effect for at least 5 years, 3 years after the
3 most recent date the license is renewed.

4 “(7) RENEWAL OF LICENSE.—The Attorney
5 General shall renew a license issued to an individual
6 under this subsection if the individual—

7 “(A) requests the renewal by the end of
8 the 60-day period that begins with the date the
9 license expires;

10 “(B) in the 3-year period ending with the
11 date the renewal is requested—

12 “(i) has met the requirement of para-
13 graph (1)(A)(ii)(II); and

14 “(ii) has successfully completed a
15 training course, certified by the Attorney
16 General, in the use, safety, and storage of
17 firearms, that includes at least 8 hours of
18 training;

19 “(C) meets the requirement of paragraph
20 (1)(A)(iii); and

21 “(D) in the case of a license issued under
22 paragraph (1)(C), in the 2-year period ending
23 with the date the renewal is requested, has suc-
24 cessfully completed a training course, certified
25 by the Attorney General, that includes at least

1 8 hours of training in the use of the weapon
2 subject to the license.

3 “(d) FIREARM INSURANCE.—

4 “(1) IN GENERAL.—The Attorney General shall
5 issue to any person who has applied for a license
6 pursuant to subsection (c) and has paid to the At-
7 torney General the fee specified in paragraph (2) of
8 this subsection a policy that insures the person
9 against liability for losses and damages resulting
10 from the use of any firearm by the person during
11 the 1-year period that begins with the date the pol-
12 icy is issued.

13 “(2) FEE.—The fee specified in this paragraph
14 is \$800.”.

15 (2) MILITARY-STYLE WEAPON DEFINED.—Sec-
16 tion 921(a) of such title is amended by inserting
17 after paragraph (29) the following:

18 “(30) The term ‘military-style weapon’ means—

19 “(A) any of the firearms, or copies or duplicates
20 of the firearms in any caliber, known as—

21 “(i) Norinco, Mitchell, and Poly Tech-
22 nologies Avtomat Kalashnikovs (all models);

23 “(ii) Action Arms Israeli Military Indus-
24 tries UZI and Galil;

25 “(iii) Beretta Ar70 (SC-70);

1 “(iv) Colt AR-15;

2 “(v) Fabrique National FN/FAL, FN/
3 LAR, and FNC;

4 “(vi) SWD M-10, M-11, M-11/9, and M-
5 12;

6 “(vii) Steyr AUG;

7 “(viii) INTRATEC TEC-9, TEC-DC9
8 and TEC-22; and

9 “(ix) revolving cylinder shotguns, such as
10 (or similar to) the Street Sweeper and Striker
11 12;

12 “(B) a semiautomatic rifle that has an ability
13 to accept a detachable magazine and has at least 2
14 of—

15 “(i) a folding or telescoping stock;

16 “(ii) a pistol grip that protrudes conspicu-
17 ously beneath the action of the weapon;

18 “(iii) a bayonet mount;

19 “(iv) a flash suppressor or threaded barrel
20 designed to accommodate a flash suppressor;
21 and

22 “(v) a grenade launcher;

23 “(C) a semiautomatic pistol that has an ability
24 to accept a detachable magazine and has at least 2
25 of—

1 “(i) an ammunition magazine that attaches
2 to the pistol outside of the pistol grip;

3 “(ii) a threaded barrel capable of accepting
4 a barrel extender, flash suppressor, forward
5 handgrip, or silencer;

6 “(iii) a shroud that is attached to, or par-
7 tially or completely encircles, the barrel and
8 that permits the shooter to hold the firearm
9 with the nontrigger hand without being burned;

10 “(iv) a manufactured weight of 50 ounces
11 or more when the pistol is unloaded; and

12 “(v) a semiautomatic version of an auto-
13 matic firearm; and

14 “(D) a semiautomatic shotgun that has at least
15 2 of—

16 “(i) a folding or telescoping stock;

17 “(ii) a pistol grip that protrudes conspicu-
18 ously beneath the action of the weapon;

19 “(iii) a fixed magazine capacity in excess
20 of 5 rounds; and

21 “(iv) an ability to accept a detachable
22 magazine.”.

23 (3) CLERICAL AMENDMENT.—The table of sec-
24 tions for such chapter is amended by adding at the
25 end the following:

“932. Licensing of firearm and ammunition possession; registration of firearms.”.

1 (4) DEADLINE FOR ESTABLISHMENT.—Within
2 1 year after the date of the enactment of this Act,
3 the Attorney General shall prescribe final regula-
4 tions to implement the amendments made by this
5 subsection.

6 (b) PROHIBITIONS; PENALTIES.—

7 (1) PROHIBITIONS.—Section 922 of such title is
8 amended by adding at the end the following:

9 “(aa) It shall be unlawful for a person to possess a
10 firearm or ammunition, unless—

11 “(1) the person is carrying a valid license
12 issued under section 932(c)(1); and

13 “(2)(A) in the case of a firearm owned by the
14 person, the firearm is registered to the person under
15 section 932(b); or

16 “(B) in the case of a firearm owned by another
17 person—

18 “(i) the firearm is so registered to such
19 other person; and

20 “(ii) such other person has notified the At-
21 torney General that the firearm has been loaned
22 to the person, and the possession is during the
23 loan period specified in the notice.

1 “(bb)(1) It shall be unlawful for a person to transfer
2 a firearm or ammunition to a person who is not licensed
3 under section 932(c)(1).

4 “(2) It shall be unlawful for a person to sell or give
5 a firearm or ammunition to another person unless the per-
6 son has notified the Attorney General of the sale or gift.

7 “(3) It shall be unlawful for a person to loan a fire-
8 arm or ammunition to another person unless the person
9 has notified the Attorney General of the loan, including
10 the identity of such other person and the period for which
11 the loan is made.

12 “(4) It shall be unlawful for a person holding a valid
13 license issued under section 932(c)(1) to transfer a fire-
14 arm to an individual who has not attained 18 years of
15 age.

16 “(cc) A person who possesses a firearm or to whom
17 a license is issued under section 932(c)(1) shall have in
18 effect an insurance policy issued under section 932(d).”.

19 (2) PENALTIES.—Section 924(a) of such title is
20 amended by adding at the end the following:

21 “(8) Whoever knowingly violates section 922(aa)
22 shall be fined not less than \$75,000 and not more than
23 \$150,000, imprisoned not less than 15 years and not more
24 than 25 years, or both.

1 “(9)(A) Whoever knowingly violates section
2 922(bb)(1) shall be fined not less than \$50,000 and not
3 more than \$75,000, imprisoned not less than 10 years and
4 not more than 15 years, or both.

5 “(B) Whoever knowingly violates section 922(bb)(2)
6 shall be fined not less than \$30,000 and not more than
7 \$50,000, imprisoned not less than 5 years and not more
8 than 10 years, or both.

9 “(C) Whoever knowingly violates section 922(bb)(3)
10 shall be fined not less than \$5,000 and not more than
11 \$10,000.

12 “(D) Whoever knowingly violates section 922(bb)(4)
13 shall be fined not less than \$75,000 and not more than
14 \$100,000, imprisoned not less than 15 years and not more
15 than 25 years, or both, except that if the transferee of
16 the firearm possess or uses the firearm during or in rela-
17 tion to a crime, an unintentional shooting, or suicide, the
18 transferor shall be fined not less than \$100,000 and not
19 more than \$150,000, imprisoned not less than 25 years
20 and not more than 40 years, or both.

21 “(10) Whoever knowingly violates section 922(cc)
22 shall be fined not less than \$50,000 and not more than
23 \$100,000, imprisoned not less than 10 years and not more
24 than 20 years, or both.”.

25 (3) CONFORMING AMENDMENTS.—

1 (A) ELIMINATION OF PROHIBITION ON ES-
 2 TABLISHMENT OF CENTRALIZED FIREARM REG-
 3 ISTRATION SYSTEM.—Section 926(a) of such
 4 title is amended by striking the 2nd sentence.

5 (B) APPLICABILITY TO GOVERNMENTAL
 6 AND MILITARY FIREARMS AND AMMUNITION.—
 7 Section 925(a) of such title is amended in each
 8 of paragraphs (1) and (2), by inserting “and
 9 except for section 932,” after the 2nd comma.

10 (4) EFFECTIVE DATE.—The amendments made
 11 by this subsection shall take effect on the date final
 12 regulations are prescribed under subsection (a)(4).

13 **SEC. 3. PROHIBITION ON POSSESSION OF CERTAIN AMMU-**
 14 **NITION.**

15 (a) IN GENERAL.—Section 922 of title 18, United
 16 States Code, as amended by section 2 of this Act, is
 17 amended by adding at the end the following:

18 “(dd)(1) It shall be unlawful for any person to pos-
 19 sess ammunition that is 0.50 caliber or greater.

20 “(2)(A) It shall be unlawful for any person to possess
 21 a large capacity ammunition feeding device.

22 “(B) Subparagraph (A) shall not apply to—

23 “(i) the manufacture for, or possession by, the
 24 United States or a department or agency of the
 25 United States or a State or a department, agency,

1 or political subdivision of a State, or the possession
2 by a law enforcement officer employed by such an
3 entity for purposes of law enforcement (whether on
4 or off duty);

5 “(ii) the possession by an employee or con-
6 tractor of a licensee under title I of the Atomic En-
7 ergy Act of 1954 on-site for purposes of establishing
8 and maintaining an on-site physical protection sys-
9 tem and security organization required by Federal
10 law, or off-site for purposes of licensee-authorized
11 training or transportation of nuclear materials;

12 “(iii) the manufacture or possession by a li-
13 censed manufacturer or licensed importer for the
14 purposes of testing or experimentation authorized by
15 the Attorney General; or

16 “(iv) the manufacture for, or possession by, an
17 organization that provides firearm training and that
18 is registered with the Attorney General, or the pos-
19 session by an individual to whom such an organiza-
20 tion is providing firearm training during and at the
21 location of the training.”.

22 (b) LARGE CAPACITY AMMUNITION FEEDING DE-
23 VICE DEFINED.—Section 921(a) of such title, as amended
24 by section 1 of this Act, is amended by inserting after
25 paragraph (30) the following:

1 “(31) The term ‘large capacity ammunition feeding
2 device’ means a magazine, belt, drum, feed strip, or simi-
3 lar device that has a capacity of, or that can be readily
4 restored or converted to accept, more than 10 rounds of
5 ammunition, but does not include an attached tubular de-
6 vice designed to accept, and capable of operating only
7 with, .22 caliber rimfire ammunition.”.

8 (c) PENALTIES.—Section 924(a) of such title, as
9 amended by section 2 of this Act, is amended by adding
10 at the end the following:

11 “(11)(A) Whoever knowingly violates section
12 922(dd)(1) shall be fined not less than \$50,000 and not
13 more than \$100,000, imprisoned not less than 10 years
14 and not more than 20 years, or both.

15 “(B) Whoever knowingly violates section 922(dd)(2)
16 shall be fined not less than \$10,000 and not more than
17 \$25,000, imprisoned not less than 1 year and not more
18 than 5 years, or both.”.

○

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

TO: THE BOARD OF COUNTY COMMISSIONERS

DATE: 11/25/2020

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 Old Hwy 18 and US Hwy 18
To: the driveway to the residence at 27877 Old Hwy 18 (8S, 3E, Sec. 11)

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: to upgrade this portion of the Edgemont/Hot Springs exchange to fiber optics
2. Pipe size, cable size and type: Cable: BFO 48; Duct: Sch 40 PVC
3. Outside diameter: Cable: 0.56" O.D.; Duct: 1.660" O.D.
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"
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 not cost to the County or the Federal Government.

APPROVED _____ 20__

County Chairman

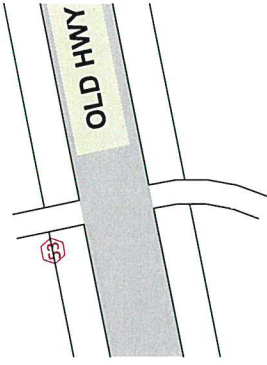
County Auditor

SUBMITTED 25-Nov _____ 20__ 20__

Golden West Telecommunications

By Mickie Abell _____ Mickie Abell

Right-of-Way Specialist
Title



SEC. 2

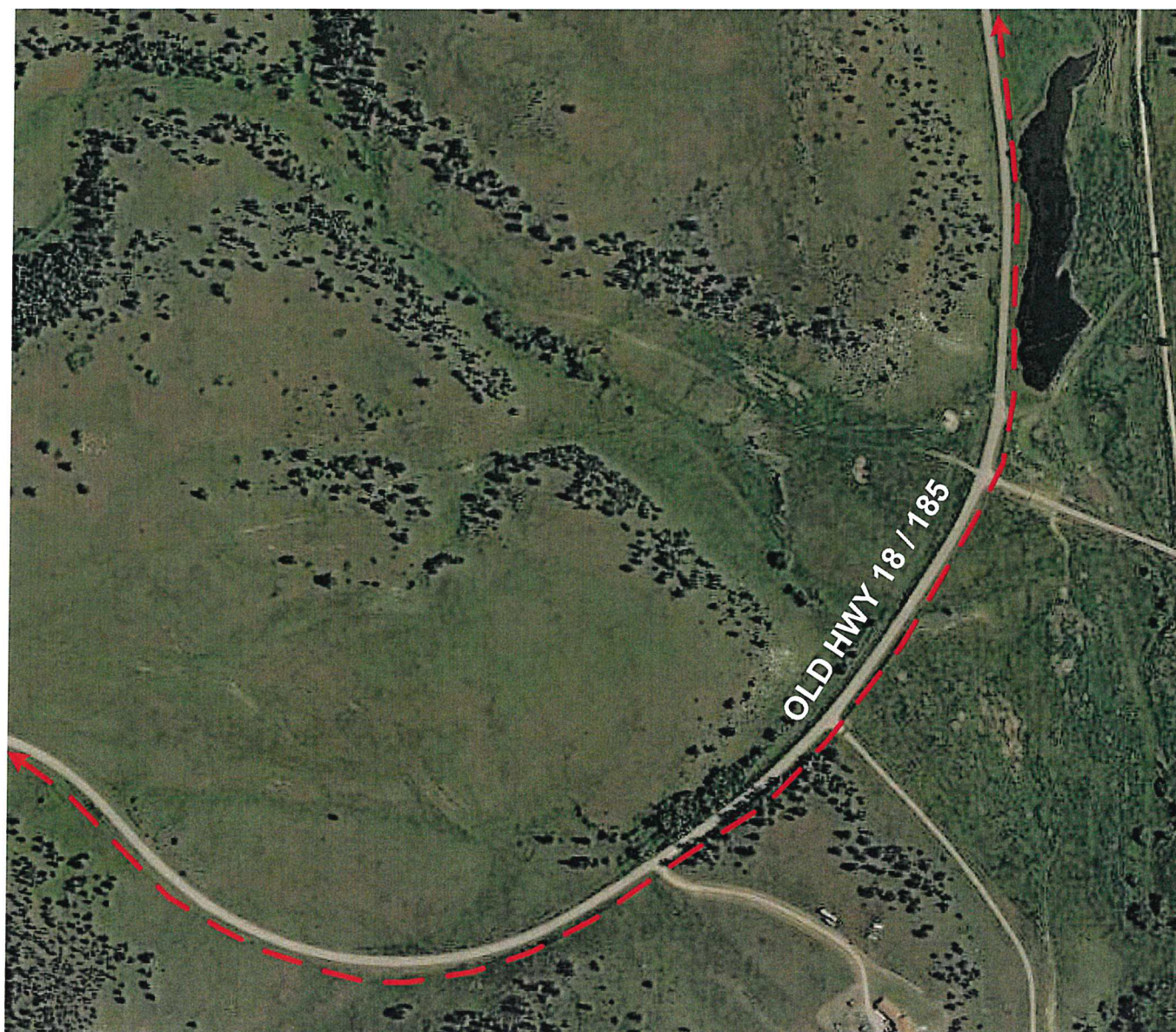
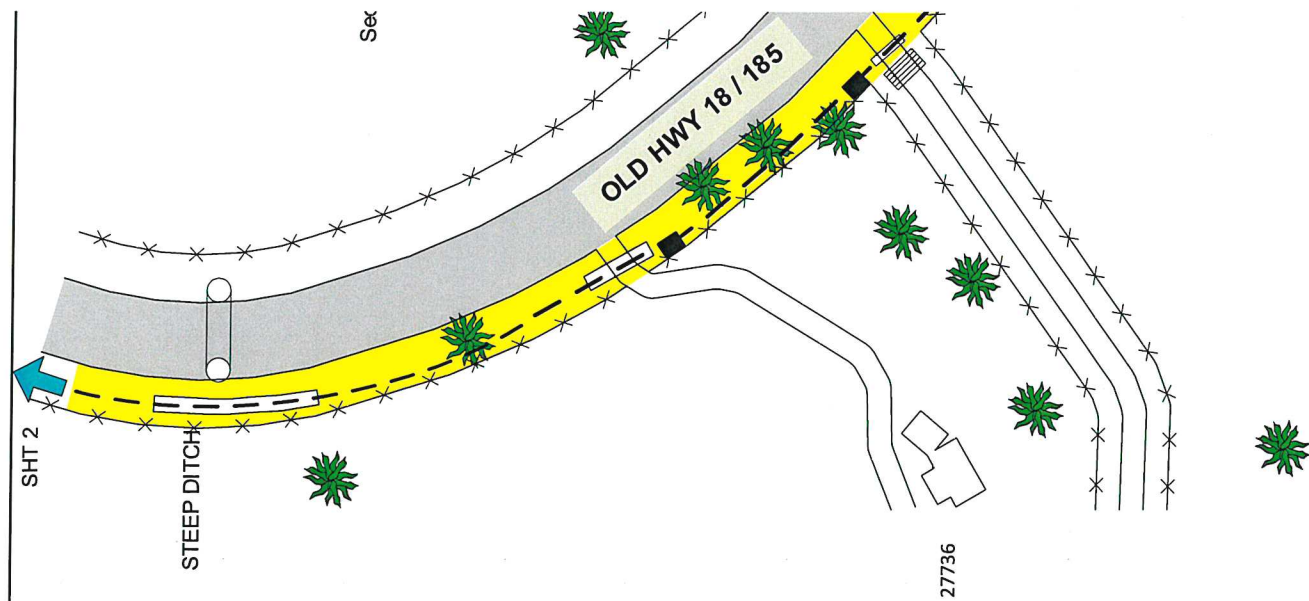
ROCK

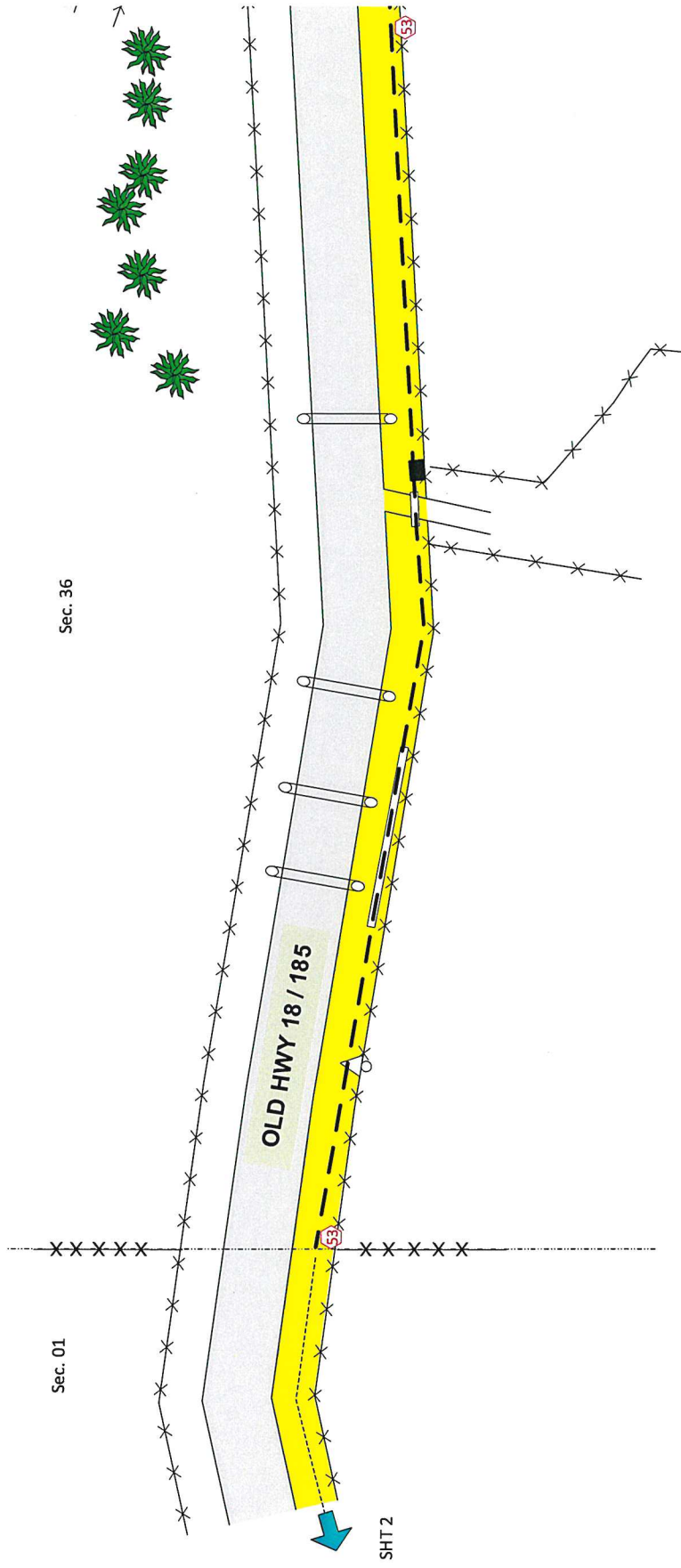
OLD HWY 18 / 185

SEC. 11

SHT 1

OLD HWY 18 / 185





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

TO: THE BOARD OF COUNTY COMMISSIONERS

DATE: 11/25/2020

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: An existing vault near 28558 Old Hwy 18
To: East approximately 2.6 miles to another existing vault.

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: to replace a section of bad cable
2. Pipe size, cable size and type: Cable: BFO 48; Duct: Sch 40 PVC
3. Outside diameter: Cable: 0.56" O.D.; Duct: 1.660" O.D.
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"
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 not cost to the County or the Federal Government.

APPROVED _____ 20 ____

County Chairman

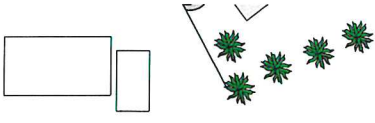
County Auditor

SUBMITTED 25-Nov _____ 20 20

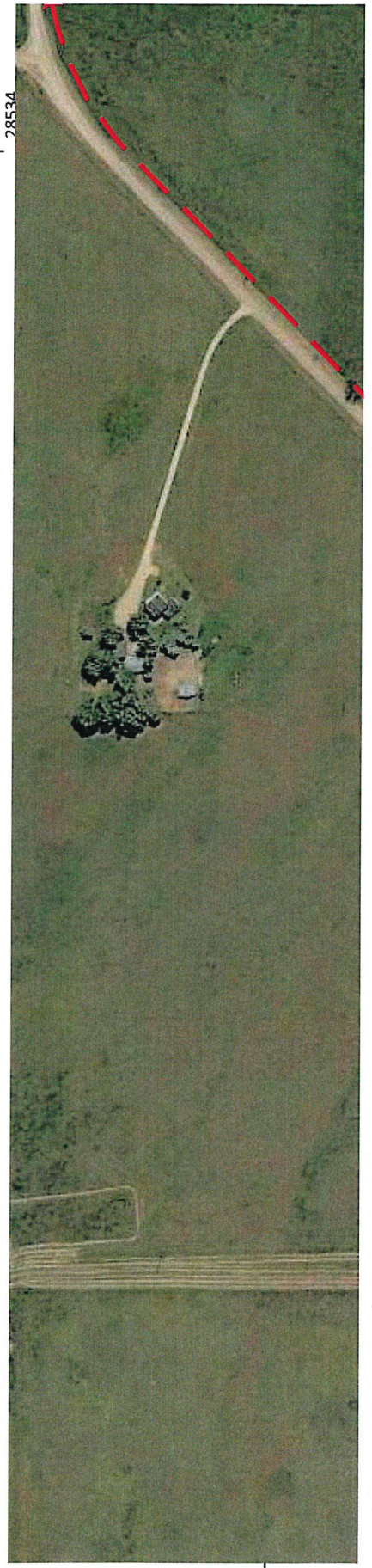
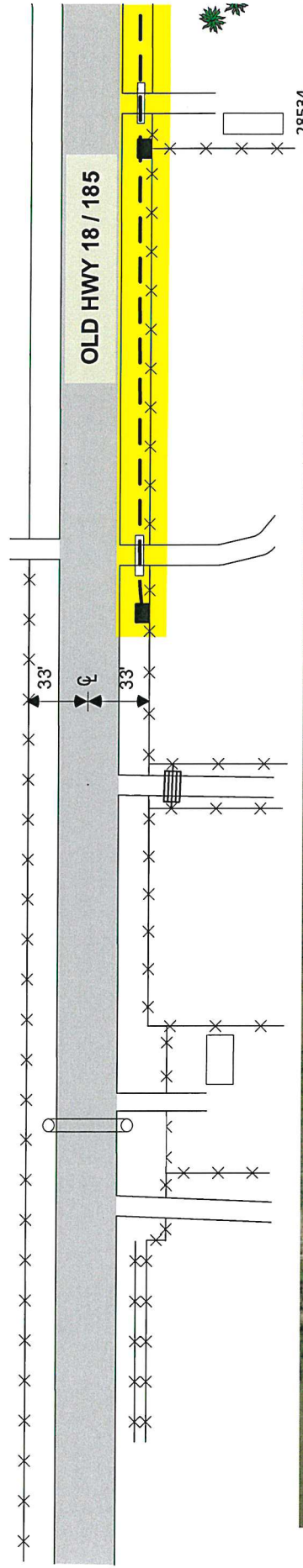
Golden West Telecommunications

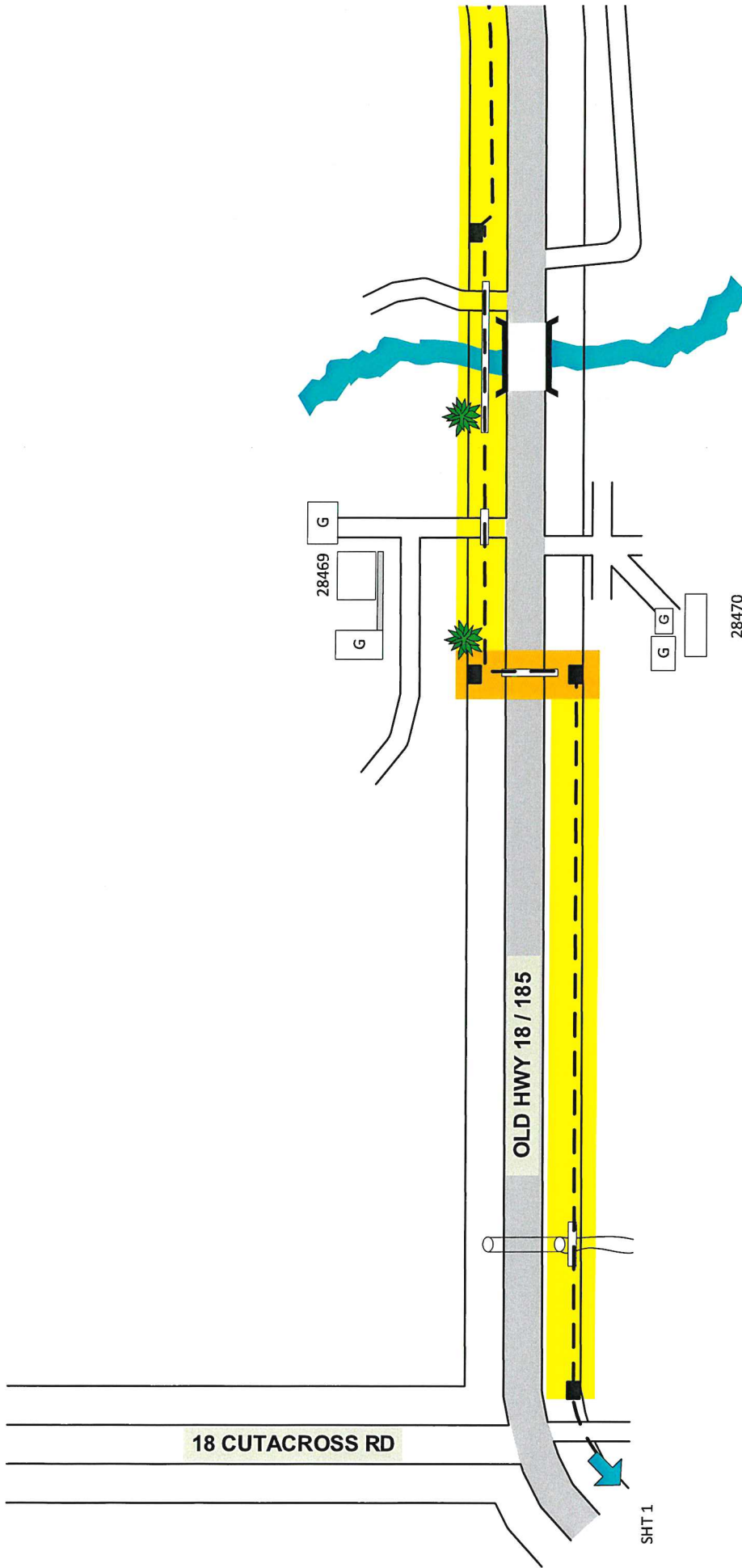
By Mickie Abell _____ Mickie Abell

Right-of-Way Specialist
Title

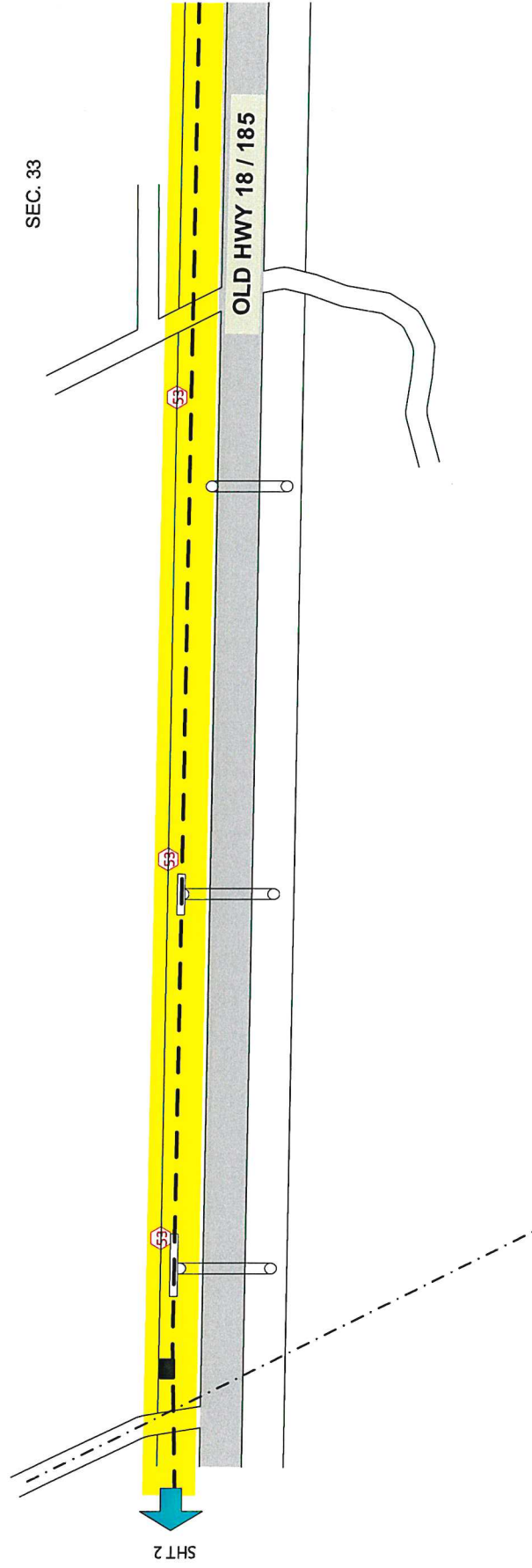


SEC. 31





18 CUTACROSS



FOR SALE

COUNTY SURPLUS MOTOR GRADER

Fall River County, Hot Springs, S.D., will receive sealed bids on Thursday, March 4th, 2021 at 10:15 a.m. for the sale of one (1) **2014 CAT 140M2AWDSD** motor grader (**SN #M9J00872**). Sealed bids should be sent to: Fall River County Auditor's Office at: 906 N. River St., Hot Springs, S.D. 57747, to arrive before 10:15 a.m. on March 4th, 2021. This bid should be clearly marked in the upper left hand corner of the envelope as "motor grader bid". The Fall River County Commissioners reserve the right to reject or accept any and all bids. **For further information contact:**
Randy Seiler, Highway Supt. at (605) 745-5137.

FALL RIVER COUNTY RESOLUTION #2021-07

WHEREAS, the Fall River County Board of Commissioners did adopt the following 2021 ANNUAL LOAD RESTRICTIONS:

Fall River County will impose load limits as follows in coordination with the State Highway's Annual Load Restrictions:

All oil roads will be posted at 7 ton, with the exception of County Road 6N aka as Look Out Road to be posted at 10 ton. These are seasonal Spring Load Limits and the restrictions will take effect when the signs are in place.

NOW THEREFORE BE IT RESOLVED, this amendment was approved and passed on this 4th day of February, 2021.

ATTEST:

Joe Falkenburg, Chairman
Fall River County Board of Commissioners

Sue Ganje, Fall River County Auditor

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

On this date JAN. 20, 2021, the Applicant hereby applies to the Fall River County Highway Department for permission to construct an approach road connection to the NORTH side of (road name) SHEPS CANYON (road #) 71A approximately at 75 x 100 yds from Shagle Corner West. The road approach will serve a RESIDENCE and will be (residence, church, business, etc.) constructed between JAN 2021 and MARCH 2021 at (beginning date) (completion date)

applicant's expense.

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

Name: BRENT HILL Address: PO BOX 399
STURGIS, SD 57785
Phone #: 605-890-1230 Signed: [Signature]
(Property Owner)

TO BE COMPLETED BY FALL RIVER COUNTY HIGHWAY DEPARTMENT

Permit #: 1 20 21
MO/DY/YR

PRELIMINARY INSPECTION: Date 1-20-21 By: Randy Seiter

Culvert Diameter _____ Culvert Length _____

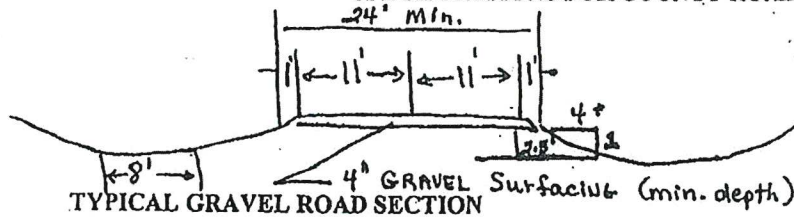
The crown of the presently traveled surface, including shoulder, to be continued at a distance of 20 feet from the nearest edge of the traveled surface of the road-shoulder facing the property.

Remarks: No CMP needed

PERMIT: X APPROVED _____ DENIED _____

Randy Seiter Date: 1-20-21
Superintendent/Foreman

**FALL RIVER COUNTY HIGHWAY DEPARTMENT
SPECIFICATIONS FOR COUNTY ROADS AND APPROACHES**

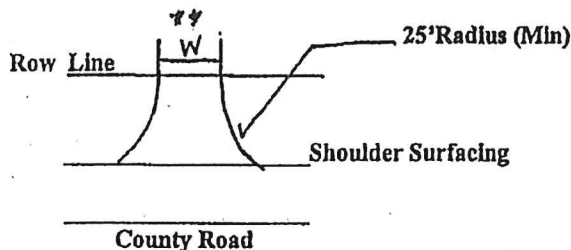


* Maximum slope is 4 to 1 (current Standard of the South Dakota DOT Steeper slopes are subject to the Approval of Fall River County

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

The following are standards which shall be met:

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



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

Maximum W - 50'

TYPICAL APPROACH DETAIL

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

APPROVED BY: _____

(Chairman) FALL RIVER COUNTY COMMISSIONERS

DATE

RECOMMENDED BY: Randy Lertz

FALL RIVER COUNTY HIGHWAY SUPERINTENDENT

1-20-21

DATE

COVID-19 CARES Act Tracker (submitted & reimbursed)

PPE	Cleaning Supplies used for disinfecting facilities or equipment	Equipment used to maintain cleanliness or sanitize items	Payroll Costs for public health and public safety employees	Equipment to support remote work employees	Costs incurred to prepare facilities for employees' return to work	Other operating costs directly to COVID-19	Other personnel Expenses directly related to COVID-19	TOTAL SUBMITTED & RECEIVED
\$150.00	\$28.92	\$296.21	\$91,043.62	\$1,380.00	\$542.50	\$672.31	\$24.75	
\$154.99	\$29.90	\$151.99	\$306.17	\$36.99	\$249.00	\$80.99	\$24.75	
\$270.34	\$38.77	\$468.00	\$94,307.04	\$1,009.95	\$246.98	\$74.00	\$24.75	
\$84.45	\$56.28	\$13,110.23	\$90,814.56	-\$59.97	\$207.00	\$1,600.00	\$24.75	
\$42.21	\$49.84	\$758.00	\$94,006.80		\$182.92	\$99.99	\$56.50	
\$96.57	\$29.88		\$91,100.95		\$570.64		\$13,856.79	
\$639.90	\$148.80		\$58,283.27		\$17.09		\$15,757.59	
\$14.99			\$93,295.03		\$47.55		\$2,679.95	
			\$96,209.59		\$47.68		\$3,328.09	
			\$103,683.25		\$67.06		\$2,045.57	
			\$5,334.66		\$76.50		\$1,945.90	
			\$9,000.00		\$127.54		\$400.00	
			\$89,184.69		\$172.50		\$738.21	
			\$1,000.00		\$25.18			
			\$38,970.85		\$172.50			
\$1,453.45	\$382.39	\$14,784.43	\$956,540.48	\$2,366.97	\$2,752.64	\$2,527.29	\$40,907.60	\$1,021,715.25
								Total County Allocation= \$443,459.00

FALL RIVER COUNTY RESOLUTION NO. 2020-9

AN EMERGENCY RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF CORONAVIRUS (COVID-19).

WHEREAS, the Fall River County Commission has the authority to pass Resolutions, per SDCL§7-8-20 (10), for the purpose of promoting the health, safety, morals and general welfare, of the community and the promotion of health and the suppression of disease; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, a case of COVID-19 has been confirmed in Western South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing all schools in the state have been closed for at least two weeks; and

WHEREAS, on March 16th, 2020, the White House issued guidance recommending that social gatherings of more than ten people be avoided and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the

County's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the County's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19.

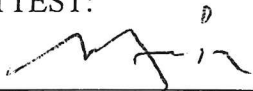
NOW THEREFORE, BE IT RESOLVED, by the Fall River County Commission that:

1. Effective immediately, all Fall River County Facilities are closed to the general public. County and Unified Judicial System offices will continue to operate and conduct business by mail, email, online, by phone or by arranging to work face-to-face/in person on a case-by-case basis.
2. Effective immediately, in cases when a member(s) of the public displays symptoms of COVID-19, as specified by the South Dakota Department of Health, the County offices are directed to refuse face-to-face/in person service and encourage the individual(s) to seek medical attention as specified by public health authorities.
3. This Resolution shall **be** reviewed at each upcoming commission meeting, and appropriate action will be taken as needed.

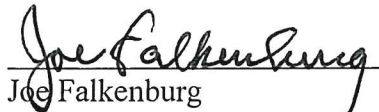
BE IT FURTHER RESOLVED, that this Resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of Fall River County and shall become effective Monday, March 30th, 2020, and is designed to cause the least amount of disruption to the public.

Dated this 27th day of March, 2020.

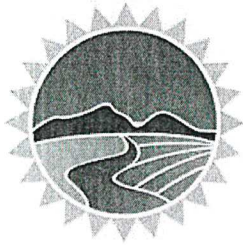
ATTEST:



Sue Ganje
Fall River County Auditor



Joe Falkenburg
Fall River County Board of Commissioners



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 6, 2021

THE HONORABLE JOE FALKENBURG
COUNTY COMMISSION CHAIR, FALL RIVER COUNTY
PO BOX 69
EDGEMONT, SD 57735

Dear COUNTY COMMISSION CHAIR FALKENBURG:

The South Dakota Department of Environment and Natural Resources (DENR) is proposing to renew its general permit for concrete plants. The enclosed public notice will appear in the eleven daily South Dakota newspapers.

State law requires DENR to notify every municipality, county, and Indian tribe upon public noticing an Air Quality general permit. This notice is required to ensure that the local governmental entities affected by the general permit are given an opportunity to comment. By doing so, DENR will be aware of any questions, concerns, comments, or support that your governmental agency has regarding these permits.

Any person wishing to submit comments must do so in writing. DENR must receive all comments at the above address by February 7, 2021. If you have any questions, please contact me at 605-773-3151.

Sincerely,

Teresa Williams

Teresa Williams
Program Assistant
Air Quality Program

Enclosure

NOTICE OF GENERAL AIR QUALITY OPERATING PERMIT FOR CONCRETE PLANTS OPERATING IN SOUTH DAKOTA

The South Dakota Department of Environment and Natural Resources (DENR) is proposing to renew four general air quality permits for concrete plants operating throughout the State of South Dakota. The permits will cover both stationary and portable concrete plants with potential emissions less than 100 tons per year. These permits will replace the previous general permits for concrete plants DENR issued on February 17, 2016.

The proposed general permits identify who may seek coverage under the permit, the general permit requirements, air pollution limits, compliance responsibilities, record keeping and reporting requirements, as well as performance test procedures. Issuing these general permits for concrete plants is another attempt by DENR to streamline environmental permitting in South Dakota and to provide better service to all our customers. These general permits will be effective for five years.

Prior to obtaining coverage under the general air quality permit, the applicant must submit a Notice of Intent form to the department. The Notice of Intent form requires the applicant to describe the operations, equipment, and location that will be covered under this permit. The department will review the information contained in the Notice of Intent to determine if the applicant qualifies for coverage under the general permit and is capable of complying with the general permit. If the applicant qualifies and can meet the requirements, coverage under the general air quality permit will be authorized to the applicant.

In accordance with the Administrative Rules of South Dakota (ARSD) 74:36:04:12, any person desiring to comment on DENR's draft permit must submit written comments to the address below within thirty days of this public notice. Comments may be directed to the following mailing address: Teresa Williams; PMB 2020; Department of Environment and Natural Resources; 523 East Capitol; Pierre, South Dakota 57501. DENR will consider and address all comments submitted and issue a final permit decision pursuant to ARSD 74:36:04:12.01. DENR will notify the applicant and each person that submitted written comments or requested notice of DENR's final permit decision, including notification of any changes to the permit based on the comments.

Any person desiring to contest the issuance of this permit and have a contested case hearing must file a petition, which complies with ARSD 74:09:01:01. This petition must be filed either within thirty days of this public notice or, if that person submits comments on DENR's draft permit pursuant to the paragraph above, within thirty days of receiving notice of DENR's final permit decision. Upon receipt of a petition, DENR will schedule this matter for a contested case hearing before the Board of Minerals and Environment.

If no comments or objections are received within thirty days of this public notice, the draft permit becomes the final permit decision and the proposed permit will be issued.

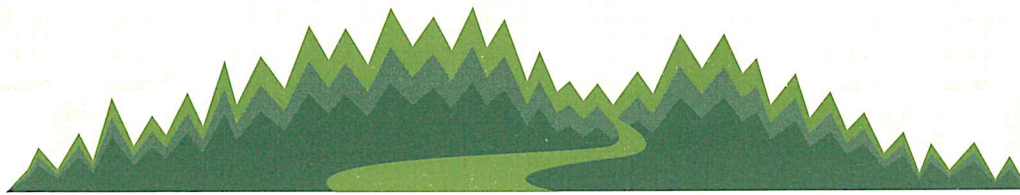
Copies of DENR's draft permit conditions and other information may be obtained from Teresa Williams, at the above address or telephone at (605) 773-3151 or from DENR's website at:

<http://denr.sd.gov/public/>



Hunter Roberts, Secretary
Department of Environment and Natural Resources

Published once at the total approximate cost of _____.



Black Hills Regional Multiple Use Coalition

P.O. Box 9496 • Rapid City, SD 57709 • 605-341-0875 • Fax 605-341-8651

January 15, 2021

TO: BOARD OF DIRECTORS

SUBJECT: MEETING NOTICE

The January meeting of the Black Hills Regional Multiple Use Coalition, Board of Directors will be January 22nd, 4:00 pm at the Holiday Inn in Spearfish.

The draft minutes from the November Board of Directors meeting are attached for your review.

The tentative agenda items are:

- OHV related news and updates
 - o OHV Summit
 - o Northern Hills Rec Assn
 - o Additional discussion from November meeting
- FS Handbook and Manual revisions
- Topics, speakers, field trips for 2021
- Directors' Round Robin

Please feel free to call me at 605-341-0875 if you have any questions or comments.

Ben Wudtke
Executive Secretary

BHRMUC Meeting
November 20th, 2020
Minutes

Attendees: Eric Jennings, Druse Kellogg, Don Hausle, Randy Deibert, Patty Brown, David Moline, Hugh Thompson, Bill Coburn, Butch Oien, Ben Wudtke

Don Hausle called the meeting to order at 4:08 pm, followed by the Pledge of Allegiance.

Minutes from the October meeting were approved as presented.

Eric Jennings provided a Treasurers report, detailing income, expenses, and balance. The Treasurers report was approved as presented.

Hausle suggested adding a discussion of the Lawrence County Comprehensive Plan to the agenda with no opposition. Randy Deibert discussed what the Plan is and said a final draft will come before the Commissioners Tuesday the 24th, 1pm at The Lodge. Randy invited BHRMUC members to attend the Plan meeting.

Hausle kicked off the OHV discussion by detailing recent incidents involving OHVs, including one of his cattle being hit and killed and a neighbor witnessing events of OHVs harassing cattle. Don followed those comments by recognizing not all OHV users are out to cause problems, but noted the Black Hills NF sold 30,000 OHV trail permits in 2020 and even though the bad actors are a fraction of the users, the number of bad actors begins to add up when that many permits are sold. Don said that although he is not, personally, in favor of reducing the number of OHVs in the Black Hills right now, he indicated a continued lack of enforcement may change that. Other discussion recommended looking at the messaging from rental businesses along with hats and t-shirts that sell the message of mud = fun. Hugh Thompson suggested that increasing fines would increase the impact to portion of OHV users who are causing problems and noted that he didn't think 30,000 permits/users would be an issue if folks followed the rules and regulations. Patty Brown suggested looking at what we can do "together", looking for common ground. Patty also noted damage is sometimes caused by full-size vehicles in the forest and reinforced the notion brought up by others that the rules must be enforced. Eric Jennings was in agreement that enforcing the rules and regulations is something we can all rally around and would improve the situation. Eric did, however, caution that there is a sustainable limit to OHV use and law enforcement activity weighs heavy on what that limit may be. Other discussion included the need for additional funding to address the issue, outreach, partnerships, etc. A summary of discussion points from the OHV discussion include:

- Should allow for enjoyment by the public without resource damage or overriding other uses such as non-motorized or other forms of recreation, grazing, timber production, and other uses of the National Forest.
- Enforcement of rules and regulations is paramount – law enforcement must be issuing citations and "making it hurt".
- There is a sustainable limit of OHV use, and that limit depends highly on the extent of damage caused by the bad actors.
- Additional signage encouraging responsible use, from BHRMUC and/or partnerships, may help.
- A need to focus on rental businesses and their message to customers.
- An improved trail system, with fewer dead ends, would help (substantially in many places) reduce the incidence of OHV use off trail, through private property/fences, etc.
- Additional funding for a plan external or parallel to FS.

Deibert motioned to collect the comments and distribute them for further comment at the next meeting.

Thompson seconded – all were in favor.

Donations – Donations were approved for the following groups/organizations:

- SD Project Learning Tree \$500
- WY Project Learning Tree \$500
- SD Ag in the Classroom \$500
- WY Ag in the Classroom \$500
- Mountain States Legal Foundation \$1000
- American Steward of Liberty \$100

Officer Elections – Wudtke said, after discussions with the current officers and without other nominations, that he recommends retaining all four officers. Deibert motioned to retain all current officers, Oien seconded – all in favor.

Round Robin – Hugh Thompson provided commentary on the Range coffee table and boots gifted to the SD Stockgrowers, noting the items were made in China. Patty Brown discussed an issue involving traffic on the Mystic Rd and a request from landowners for the county to mag chloride the road as a dust abatement measure.