

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

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April 1, 2021

Governor Kristi Noem  
500 East Capitol Ave.  
Pierre, SD 57501

John Thune  
246 Founders Park Drive Suite 102  
Rapid City, SD 57701

Julie Frye-Mueller  
23764 Wallace St.  
Rapid City, SD 57702

Mike Rounds  
1313 West Main St.  
Rapid City, SD 57701

Trish Ladner  
12567 Pine Shadows Rd.  
Hot Springs, SD 57747

Dusty Johnson  
2525 W Main St.  
Rapid City, SD 57702

Tim Goodwin  
12873 J Pine Rd.  
Rapid City, SD 57702

Dear Governor Noem and Esteemed Colleagues,

The recent decision by the Forest Service to curtail logging on the Black Hills National Forest by 50% to 60%, has reverberations for everyone who is intricately impacted by decisions made by the Forest Service. These management decisions should be done after input from County Commissioners, agricultural producers, local businesses, State Personnel and lawmakers at every level. This will radically increase the chances of devastating forest fires in the future. California should be our example. Coupled with this, is the devastating effect to local communities, such as the closing of the Nieman Sawmill in Hill City, eliminating 120 jobs, 12 contract crews in the Black Hills National Forest. This will have a devastating effect on schools, businesses, taxes, and infrastructure.

The danger of decisions made from the top down is, this could severely affect Fall River County grazing on the thousands and thousands of acres of Forest Service land with many producers depending on this for their agricultural operation through grazing permits. We could lose the ability to graze public lands which would have a similar devastating effect on cattle ranching in Fall River County. It cannot be over emphasized that these arbitrary decisions made by the Forest Service without consultation could drastically affect Fall River County.

This is a wake-up call to us in Fall River County. Although we do not have a large timber industry inside the borders of Fall River County, we are highly dependent on the whims of the Forest Service. Arbitrary rules that are simply made at a higher level and then carried out at a local jurisdiction can have devastating effects for all of us.

It would be our hope that you could do your part to help reverse these changes at our State and National level at any way possible. What goes around always comes around and our turn may be later.

Sincerely,

Joe Falkenburg, Chairman  
Fall River County Commission

## Noem Signs Emergency Declaration



Governor Kristi Noem today signed an emergency declaration that allows the use of additional state funds for South Dakota counties impacted by this week's blizzard and flood.

"The storms this week have been extremely difficult for many of our communities," said **Noem**. "This has been a statewide emergency with people impacted by heavy snow, high winds, rain, and freezing rain. This emergency declaration provides state agencies flexibility to help counties recover."

The extra money comes from the state's Disaster Fund. The money can be used for costs incurred by state agencies for resources deployed to the scene at the request of a county. The emergency order also allows for the activation of the South Dakota National Guard if necessary.

Noem said the state has been providing resources and technical assistance as needed to those counties dealing with the storm's aftermath. Departments like Public Safety and Transportation have been working with affected counties before the storm's onset earlier this week. On Thursday, Noem activated the State Emergency Operations Center (SEOC) that is being used to help coordinate the state's response.

"We have an obligation to help counties, and we will," said **Noem**. "We want to ensure our infrastructure remains strong during this period and people get the help they need."

Depending on the extent of damage, the state may eventually request a Presidential Disaster Declaration asking for federal funds to aid recovery efforts.

## **FALL RIVER COUNTY RESOLUTION #2021-21**

### **Disaster Declaration Resolution**

WHEREAS, Fall River County, South Dakota on March 15, 2021 through still ongoing has suffered severe storm damage caused by a heavy wet snowstorm resulting in widespread flooding issues, and

WHEREAS, this severe storm caused road damage, property flooding and loss of access, loss of livestock, and

WHEREAS, the roads, bridge damage and culverts damaged, severe flooding has isolated some residents, and caused livestock losses, and

WHEREAS, Fall River County has incurred expenses as they endeavor to provide road repair and access to residents of the county, and

NOW IT BE RESOLVED THAT the Fall River County Commissioners do hereby declare a disaster for the population of the area impacted.

The Fall River County Commissioners respectfully request that any and all assistance that may be available from State and Federal agencies be provided to all local governments to include Fall River County and to the local businesses and the general population as we work to overcome this disaster.

BE IT ALSO RESOLVED THAT the Fall River County Commissioners do hereby declare a flooding and winter storm disaster and respectfully request the Governor of the State of South Dakota to declare a disaster area and to request a Presidential Declaration of Disaster to insure that the maximum amount of assistance is made available to local governments, business and residents affected.

Dated this 1<sup>st</sup> day of April, 2021.

ATTEST:

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Joe Falkenburg, Chairman  
Fall River County Board of Commissioners

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Sue Ganje  
Fall River County Auditor



**STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 2021-07**

**Whereas,** The State of South Dakota is suffering from widespread drought conditions, low humidity, high wind, and high temperatures that create serious peril for our state; and,

**Whereas,** The entirety of our state is suffering from abnormally dry, or moderate and severe drought conditions, with nearly 80 percent of our state being in moderate and severe drought conditions; and,

**Whereas,** Drought conditions threaten life, livestock, property, and the livelihood of our citizens, and resultant fires, worsened by these conditions, cause significant damage to infrastructure and cause unexpected costs; and,

**Whereas,** Substantial state and local government resources have been committed to help alleviate the effects of this severe weather and dangerous fire conditions, and local workforce and firefighting resources are being depleted for firefighting efforts; and,


**Whereas,** State, local, and federal government activities and resources are required to contain and control wildfire activity throughout the state:

**NOW, THEREFORE,** I, KRISTI NOEM, Governor of the State of South Dakota, under provisions of SDCL 34-48A, otherwise known as the Emergency Management law, do hereby declare a state of emergency to exist in South Dakota during this fire incident period through June 1, 2021, unless further extended by a subsequent Executive Order.


**BE IT FURTHER ORDERED,** Available resources and functions of state government are hereby authorized under the coordination of the Department of Agriculture, its successor the Department of Agriculture and Natural Resources, the Department of Public Safety, and the Wildland Fire Division, as necessary to provide relief and assistance.

Dated in Pierre, South Dakota this 30th day of March, 2021.



  
Kristi Noem  
Governor of South Dakota

ATTEST:

  
Steve Barnett  
Secretary of State



## **Fall River County Resolution 2021-22**

### **Drought Disaster Resolution**

**Whereas,** Fall River County is suffering from widespread drought conditions, low humidity, high wind, and high temperatures that create serious peril for Fall River County; and,

**Whereas,** the entirety of Fall River County is suffering from abnormally dry, or moderate and severe drought conditions, with nearly all of Fall River County being in moderate and severe drought conditions; and,

**Whereas,** Drought conditions threaten life, livestock, property, and the livelihood of our citizens, and resultant fires, worsened by these conditions, cause significant damage to infrastructure and cause unexpected costs; and,

**Whereas,** Substantial state and local government resources may need to be committed to help alleviate the efforts of this severe weather and dangerous fire conditions, and local workforce and firefighting resources may be depleted for firefighting efforts; and,

**Whereas,** State, local and federal government activities and resources may be required to contain and control wildfire activity throughout Fall River County:

**NOW, IT BE RESOLVED THAT** the Fall River County Commissioners do hereby declare a state of emergency to exist in Fall River County during this fire incident and drought period.

**BE IT ALSO RESOLVED THAT** the Fall River County Commissioners do hereby commit all local, state and federal resources to provide assistance in preventing large wildfires and producer losses due to the existing drought conditions and assistance be made available to local governments, businesses and residents affected.

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Joe Falkenburg, Chairman

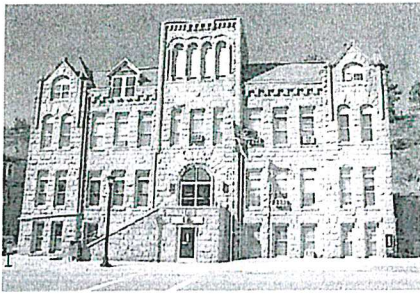
Fall River County Board of Commissioners

ATTEST:

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Sue Ganje

Fall River County Auditor



## FALL RIVER & OGLALA LAKOTA COUNTY TREASURER

906 North River Street  
Hot Springs, SD 57747  
Phone: 605-745-5145  
Fax: 605-745-3530

March 31, 2021

RE: Quote for roll off containers for storage shed clean up,

I spoke to both Sanders Sanitation and Rosane Enterprises regarding the cost to obtain a 30 yard roll off container for the clean up of the storage unit. Here are the verbal quotes they provided me over the phone this week. Both quotes are for a rental of 30 days.

Sanders Sanitation:

\$100.00 Delivery Fee  
\$275.00 Haul away Fee  
\$ 59.00 per ton of trash

Will take non freon appliance type items.

Rosane Enterprises:

\$375.00 Delivery & Haul away Fee  
\$100.00 per ton of trash  
\$15.00 extra for each appliance, mattress, etc.

Teresa Pullen  
Fall River/Oglala Lakota County Treasurer

## Opinion of Probable Cost

7/10/2019

PROJECT NO.: Fall River County Oelrichs Main Street Improvements  
Main Street - 0.68 Mile

LOCATION: Oelrichs, SD

24' - 28' Top Width

Item Description	Quantity	Unit	Unit Price	
Participating				
Mobilization	1	LS	\$ 65,000.00	\$ 65,000.00
Clearing	1	LS	\$ 7,500.00	\$ 7,500.00
Full Depth Reclamation	10514	SqYd	\$ 3.25	\$ 34,170.50
Water For Granular	40	Mgal	\$ 30.00	\$ 1,200.00
Remove and Salvage Reclaimed Base Material	846	SqYd	\$ 8.00	\$ 6,768.00
Place Salvaged Base Material	603	SqYd	\$ 5.00	\$ 3,015.00
Remove Existing Approach Pipe	1	LS	\$ 7,500.00	\$ 7,500.00
Install New 18" Arch Approach Pipe	420	Ft	\$ 24.00	\$ 10,080.00
Placing Topsoil	1500	CuYd	\$ 5.00	\$ 7,500.00
Unclassified Excavation	8500	CuYd	\$ 8.00	\$ 68,000.00
Base Course	2484	Tons	\$ 42.00	\$ 104,328.00
Concrete Valley Gutter	360	SqYd	\$ 54.00	\$ 19,440.00
Asphalt Concrete Composite	2540	Tons	\$ 110.00	\$ 279,400.00
Traffic Control, Misc.	1	LS	\$ 10,000.00	\$ 10,000.00
Seeding	1	LS	\$ 15,000.00	\$ 15,000.00
Erosion & Sediment Control	1	LS	\$ 15,000.00	\$ 15,000.00
			Sub-Total	\$ 653,901.50
			Contingencies	\$ 65,000.00
Non-Participating				
Design Engineering & Plans Preparation	1	LS		\$ 58,000.00
Construction Engineering & Administration				\$ 86,000.00
			Estimate Total	\$ 862,901.50



## 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 29-Mar 20 21

Golden West Telecommunications

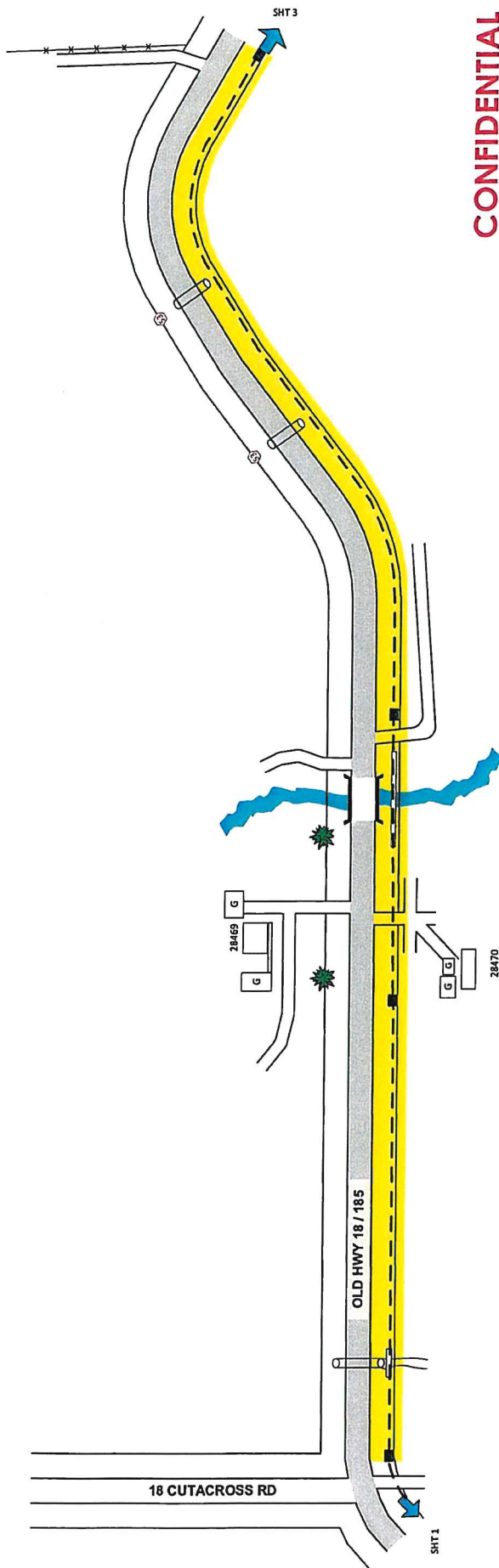
By *Mickie Abell* Mickie Abell

Right-of-Way Specialist  
Title





SEC. 32



**CONFIDENTIAL**

Proposed Cable Route

Proposed Bore

State: South Dakota  
County: Fall River  
Range: 3E  
Twp: 85



As Staked

Golden West Telecommunications

Name: Fall River Co.-Old Hwy 18  
WO: Edgemont 170020  
Ech: Edgemont  
Route: ALLIANCE  
ROW: Public  
Section: 32

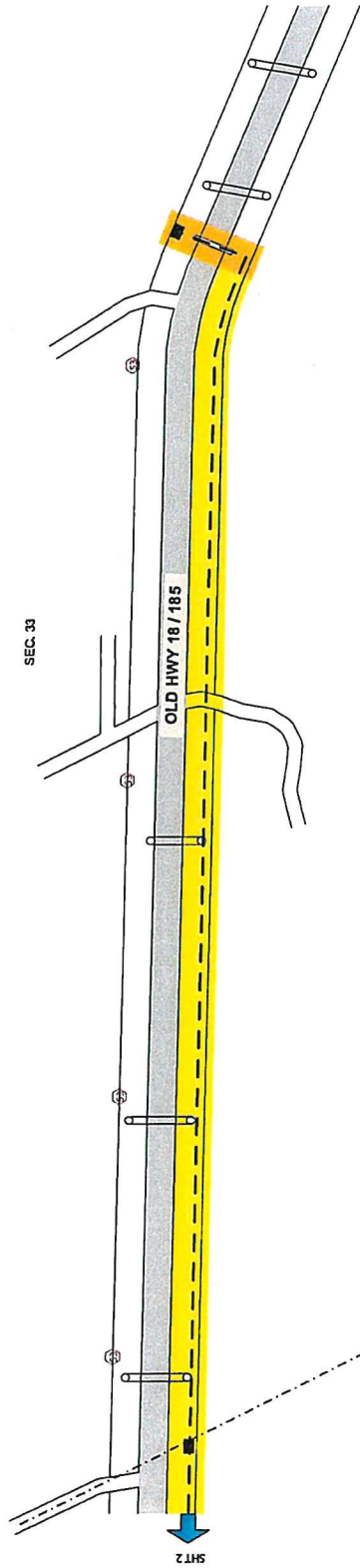
Staked By:	SEA	Date:	10-9-20
Revised By:	M.A.	Date:	11-24-20
Revised By:	M.A.	Date:	3-29-21
Revised By:		Date:	
Revised By:		Date:	
Revised By:		Date:	
As Bldg By:		Date:	

Drawing Not To Scale  
Sheet 2 of 3



CAUTION: BURIED FACILITIES MAY BE PRESENT. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR LOCATING PRIOR TO CONSTRUCTION.





**CONFIDENTIAL**

Proposed Cable Route

State: South Dakota  
 County: Fall River  
 Range: 3E  
 Twp: 8S



As Staked			
Golden West Telecommunications			
Name:	Fall River Co. - Old Hwy 18	Staked By:	SEF
WO:	Edgemont 120820	Verified By:	M.A.
Exh:	Edgemont	Verified By:	M.A.
Route:	ALL & L	Verified By:	M.A.
ROW:	Public	Verified By:	M.A.
Section:	33	Verified By:	M.A.
Drawing Not To Scale			
Sheet	3	of	3

CAUTION: BURIED FACILITIES MAY BE PRESENT. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR LOCATING PRIOR TO CONSTRUCTION.

## **Riparian Buffer Strip Tax Incentive**

2021 South Dakota Legislature passed House Bill 1042 which was then signed by the Governor on February 24<sup>th</sup>. This Bill amends the riparian buffer strip tax incentive program (SDCL 10-6-31.7 & 10-6-31.8).

Riparian Buffer refers to the perennial vegetation on either side of a stream. The purpose of this vegetation buffer is to improve water quality by reducing chemicals, sediments, and nutrients carried into streams.

### Qualifications

**Location:** Only land along eligible streams and lakes can qualify. The list of these streams in Fall River County:

Beaver Creek, Beef Creek, Cascade Creek, Cedar Canyon Creek, Cheyenne River, Cold Brook, Fall River, Hat Creek, Hell Canyon Creek, Horsehead Creek, Hot Brook, Lame Johnny Creek, & Red Canyon Creek. Along some of these creeks only the lower sections of the creek are eligible.

**Size:** This strip of perennial vegetation must be a minimum of 50' wide on either side of the stream (with a maximum buffer of 120' on each side of the stream) to qualify for the program.

**Management:** Owners must agree to the following management rule on the land within the buffer:

- perennial vegetation cannot be harvested or mowed before July 10<sup>th</sup>
- grazing is prohibited from May 1<sup>st</sup> to September 30<sup>th</sup>
- a minimum of 4" of perennial vegetation cover shall be maintained at all times

**Application:** Landowners must submit a completed application to the Director of Equalization before October 16<sup>th</sup>. This application, if approved, is good for 10-years or until change in use or ownership of land.

Two significant changes to the law:

1. The application for the tax incentive is now good for a 10-year period.
2. The value reduction is now 50%.