

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

TO THE HONORABLE BOARD OF FALL RIVER COUNTY COMMISSIONERS:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 31st day of July 2021.

Total Amount of Deposit in First Interstate Bank, HS:	\$	2,208,706.04
Total Amount of Deposit in First National Bank, Lead:	\$	1,000.00
Total Amount of Cash:	\$	1,523.51
Total Amount of Treasurer's Change Fund:	\$	900.00
Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:	\$	40,049.02
SAVINGS:		
First Interstate Bank, HS:	\$	1,105,607.89
First National Bank of Lead: ICS Acct	\$	1,045,839.25
CERTIFICATES OF DEPOSIT:		
First Interstate, HS:	\$	788,864.24
Black Hills Federal Credit Union, HS:	\$	250,000.00
Bank of the West, HS:	\$	541,560.86
Schwab Treasury:	\$	274,327.74
First National Bank, Lead:	\$	309,081.91
Black Hills Community, Rapid City:	\$	805,786.21
Liberty National, Sioux Falls:	\$	4,023,703.80

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

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

RETURNED CHECKS:

Brun, Cyril	9/2/2020	\$	806.60
Caveye, Russell	10/26/2020	\$	64.77

TOTAL \$ 11,398,356.84

Dated This 31st Day of July 2021.



Sue Ganje, County Auditor of Fall River County



Teresa Pullen, County Treasurer of Fall River County

County Monies	\$	11,078,742.68
Held for other Entities	\$	125,728.63
Held in Trust	\$	193,885.53
TOTAL	\$	11,398,356.84

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



EMPOWER Coalition

of the Southern Hills, Inc.

Established March 2009

August 9, 2021

To Whom It May Concern:

Pursuant to SDCL 22-25-24 & 25 local raffles need to provide notice to the city and county governments where the raffle is being held.

EMPOWER Coalition of the Southern Hills, Inc. would like to submit a raffle request to the City of Hot Springs, and County of Fall River, South Dakota to raise funds for the Toys for Kids program during a Poker Run on Fundraiser to be held on August 21st, 2021 at the American Legion. The raffle request is for the Poker Run itself and to sell 50/50 tickets for the event. Thank you for your consideration.

Organization Name:	EMPOWER Coalition of the Southern Hills, Inc. Toys for Kids
Organization Address:	302 South 19 th Street, Hot Springs, SD 57747
Contact Name:	Valerie Henry
Contact Phone Number:	605-440-2584
Contact Email Address:	val@gwtc.net
Date of Event:	August 21, 2021, 11am to 6pm
Location of Event:	American Legion, 1045 Jennings Avenue, Hot Springs, SD 57747
Cost of Tickets:	\$15 dollars each hand, includes meal. \$5 EXTRA hand. \$5 Wild card draw will be available / 50/50 raffle tickets are \$1 each, 6 for \$5, or arm length for \$20
List of Prizes or Value:	50% of Poker Hand sales; Raffle tickets prize is 50% of the money taken in by the raffle ticket sales. The other 50% is retained by the nonprofit, which is EMPOWER. Each ticket purchased equals one entry in the drawing for a winner.
Proceeds to be used for:	EMPOWER Coalition of the Southern Hills, Inc. Toys for Kids

Respectfully submitted,

Valerie L. Henry
CEO

Codified Laws

[Home](#) > [Codified Laws](#) > [22](#) > [25](#) > [25](#)

[<](#) [PREVIOUS](#) [NEXT](#) [>](#)

Go To:(1-1-1) or Google Search



PRINTER FRIENDLY

22-25-25. Bingo and lotteries permitted for restricted purposes--Conditions.

The game, bingo, as defined in § 22-25-23, or lottery, as defined in § 22-25-24, may not be construed as gambling or as a lottery within the meaning of § 22-25-1, if:

- (1) The bingo game or lottery is conducted by a bona fide congressionally chartered veterans' organization; a religious, charitable, educational, or fraternal organization; a local civic or service club; a political party; a volunteer fire department; a local industrial development corporation as defined in § 5-14-23; or a political action committee or political committee on behalf of any candidate for a political office which exists under the laws of the State of South Dakota;
- (2) The proceeds therefrom do not inure to the benefit of any individual;
- (3) No separate organization or professional person is employed to conduct the bingo game or lottery or assist therein;
- (4) No compensation of any kind in excess of the state minimum wage per hour or sixty dollars, whichever is greater, in value is paid to any person for services rendered during any bingo session in connection with the conduct of the bingo game or in consideration of any lottery. However, the provisions of this subdivision do not apply to games or lotteries conducted in connection with any of the following events: a county fair conducted pursuant to § 7-27-3, the state fair conducted pursuant to chapter 1-21, or a civic celebration recognized by resolution or other similar official action of the governing body of a county, municipality, or village;
- (5) No prize in excess of two thousand dollars is awarded at any one play of bingo;
- (5A) The actual value of any lottery prize is stated before any chances for the lottery are sold. A lottery prize of a stated amount of dollars in value may be given to a person who sells a winning lottery ticket or share as long as the winning lottery ticket or share is selected at random;
- (6) The organizations authorized under subdivision (1) of this section, before conducting a bingo game or before selling any chances for a lottery give thirty days' written notice of the time and place thereof to the governing body or designated administrative official of the county or municipality in which it intends to conduct the bingo game or lottery, and the governing body does not

pass a resolution objecting thereto. However, any organization that conducts a lottery and tickets or shares for such lottery are sold state-wide shall provide written notice of such lottery pursuant to this subdivision only to the secretary of state and to the governing body where the drawing for such lottery is held. A municipality pursuant to § 9-29-5 may by ordinance prohibit within the municipality the sale of lottery tickets or shares for such lottery issued pursuant to this section; and

- (7) No organization authorized to conduct a bingo game or lottery under subdivision (1) of this section may enter into any lease or agreement with any other person or organization to provide equipment or services associated with the conduct of a bingo game or lottery. However, this subdivision does not apply to any lease or agreement with a distributor licensed pursuant to §§ 22-25-28 to 22-25-51, inclusive, to provide bingo or lottery equipment and supplies.

Source: SL 1970, ch 247, § 4 (1); SL 1973, ch 149, § 4; SL 1976, ch 158, § 25-8; SL 1984, ch 168; SL 1985, ch 184; SL 1987, ch 167; SL 1989, ch 198, § 1; SL 1991, ch 191; SL 1991, ch 192; SL 1992, ch 60, § 2; SL 2001, ch 113, § 1; SL 2006, ch 127, § 1; SL 2010, ch 122, § 1; SL 2013, ch 109, § 1.

22-25-25.1. Congressionally chartered veterans' organization defined.

Any veterans' organization which has applied for a congressional charter prior to July 1, 1989, shall be deemed a congressionally chartered veterans' organization pursuant to § 22-25-25 until such application is denied or until July 1, 1995, whichever occurs first.

Source: SL 1989, ch 198, § 2.

August 1st, 2021

Southwest District Commission
906 N River St
Hot Springs, SD 57747-1309

Dear Southwest District Commission,

The South Dakota Office of Emergency Management operates a grant program that provides financial support to counties emergency management program. This program is called the Local Emergency Management Performance Grant (LEMPG). It is a grant program that has its lineage from the FEMA's Emergency Management Performance Grant (EMPG).

We are sending this grant package to all 66 counties in the state. Since this is an annually renewing grant, we need to provide information on the grant to all counties whether they have participated in the grant before or not. Counties can take part in the grant or leave the grant as they so choose on an annual basis.

The LEMPG provides a single funding, operating, and reporting instrument for the accomplishment of activities and products. The Agreement acknowledges the LEMPG applies to preparedness for natural and man-made disasters.

The 2022 Local Emergency Management Performance Grant Sub-Recipient Agreement is comprised of the main agreement and four exhibits; Exhibit A which describes the grant, Exhibit B which describes terms and conditions that apply to the grant, Exhibit C which identifies work topic areas under the LEMPG, and Exhibit D the Administrative Manual which provides administrative instructions and definitions. The main agreement includes Section 25 which identifies general requirements which must be completed by the end of the contract. Exhibit B is derived from Federal requirements of FEMA's Emergency Management Performance Grant (the grant the LEMPG funds are awarded from). Entities receiving funds from this grant must abide by all Terms and Conditions outlined in this Exhibit. Exhibit C identifies topic areas that all reimbursed positions must participate in and which should be reported on a monthly basis and submitted quarterly.

If you wish to take part in the 2022 LEMPG program, please sign the 2022 Local Emergency Management Performance Grant Agreement and return the signed signature to your assigned Regional Coordinator by September 30, 2021. If you do not wish to participate, please have your emergency manager contact their Regional Coordinator by email so we have verification from you. We will notify you when we receive our EMPG award in the spring/summer of 2022 and are able to provide reimbursement payments.

An option we are offering this year is to receive a digital copy of this agreement and the ability to execute

the contract electronically through Adobe Sign. Digital signatures are allowed under SDCL 53-12 and our intent is to move to electronic execution of this contract next year. This year it is voluntary. The benefits of utilizing Adobe Sign are a much quicker turnaround time in completion of signing the contract and efficiencies in handling. If you would like to participate in digitally signing this agreement this year, please contact your Regional Coordinator and we will get the agreement sent to you ready for digital signature.

Note to the County Auditor:

The SLA grant is provided to counties to pay for 50% of the emergency management director's salary and benefits accrued as a result of maintaining the office of the director. This is an ongoing grant with a Catalog of Federal Domestic Assistance number of 97.042. This grant and any other associated with the South Dakota Office of Emergency Management is to be accounted for within fund 226.

Sincerely,

A handwritten signature in black ink, reading "Tina A. Titze". The signature is written in a cursive, flowing style.

TINA A. TITZE
Director

cc: County Auditor (letter only)
Emergency Manager (electronic copy)

Attachments: 2022 LEMPG Grant Package



*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: August 19, 2021

Subj: Commission Update

1. NWS Radar: The National Weather Service Rapid City radar unit is down for repairs due to severe hail damage on July 11th. The radar will be down approximately two weeks.
2. SD Dept. of Emergency Management: The 2022 LEMPG agreement has been sent out to all counties. If the county agrees to participate, the agreement needs to be signed and returned to SD OEM by Sept. 30, 2021.
3. Safety Benefits: The completed applications for the annual awards have been sent to Safety Benefits. The conference will be in Pierre on Nov. 3 & 4, 2021 at the Ramkota Inn.
4. Fall River County Annual Exercise: I am working on the preliminary paperwork to conduct the required annual full scale exercise. The exercise must be completed by Sept. 20, 2021.
5. Fire Departments: The 2020 Census listed the population of Fall River County as 6,973, a drop from the 2010 Census of 7,094. The trend for housing is increasing in the rural areas and less in the municipality arena. This presents significant challenges for the local fire departments that incur additional structures outside of their primary response area. The expectation of the rural residents is the available equipment/trained firefighters and timely response to incidents.
6. LEMPG Reimbursement for 1st and 2nd Qtr.: Fall River County will be receiving a check for \$16,849.35. This amount is the 50% State share for the cost of the county emergency management program.
7. Fires & Incidents:
 1. 8/13/2021: Sig. 1 motorcycle accident; Jensen Hwy., Fall River Sheriff, SD Highway Patrol, Hot Springs Police, Hot Springs Ambulance and Hot Springs Fire.
 2. 8/16/2021: Sig. 1 vehicle rollover: Hwy 79 mm 38: Hot Springs Fire, Hot Springs Ambulance.

Franklin W. Maynard, CEM, CFM

Emergency Manager

Fall River County

906 N. River Street

Hot Springs, SD 57747

Greetings,

If your County adopted the temporary medical cannabis facilities ordinance earlier this year, you may recall that the ordinance would only prohibit the zoning or licensing of medical cannabis facilities until the State promulgated rules. To date the Department of Health has drafted proposed rules (https://medcannabis.sd.gov/docs/4490-medicalcannabis-drafrules_06-23-21.pdf). It is my understanding that there will be a public hearing on the proposed rules on or about September 13, 2021. The rules could be adopted shortly thereafter and become effective sometime after October 4, 2021.

This leaves little time for counties to adopt more comprehensive zoning and licensing ordinances related to cannabis. SDACC is providing a licensing ordinance related to cannabis establishments for communities without zoning ordinances. This ordinance will continue to act as a stop gap to cannabis establishments until your County can do the necessary due diligence in discussing and adopting the appropriate policy for your County. The ordinance is based upon similar regulations in Spearfish and Watertown. Basically, the ordinance would restrict the development of cannabis cultivation, cannabis manufacturing and cannabis testing establishments. Your County will have to decide how many cannabis dispensaries to allow. You are required to have at least one.

The Licensing Ordinance is pretty straightforward. You will need to:

1. Determine the number of cannabis dispensary establishments
2. Determine a fee (we suggest \$5,000 – same as the State)
3. Determine the hours of operation
4. Determine the setback/separation distances from specific uses

If you are interested in these regulations, it is crucial that your County follows the suggested timeline below. If the County has not adopted some form of cannabis zoning/licensing regulations by the time the State's promulgated rules go into effect, your County will not be able to prohibit cultivation, manufacturing, or testing facilities or the number and location of dispensaries.

July 26, 2021 – SDACC provides template

July 26, 2021 – August 24, 2024 – County Develops Ordinance

August 31, 2021 – 1st Reading

September 7, 2021 – 2nd reading

September 14, 2021 – Publish Ordinance

October 4, 2021 – Ordinance in effect

As common practice, before adoption, we suggest you share this information with your States Attorney.

ORDINANCE 2021 – 02

AN ORDINANCE ADDING CHAPTER [REDACTED] TO THE REVISED ORDINANCES OF THE [REDACTED] COUNTY CREATING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS

BE IT ORDAINED by the Board of County Commissioners of Fall River County that Title [REDACTED] of the Revised Ordinances of Fall River County is hereby amended by adding new Chapter [REDACTED] as follows:

XX.01: PURPOSE AND INTENT

The Board of County Commissioners of Fall River County enacts the following licensing ordinances in order to ensure that cannabis establishments within the unincorporated areas of the County operate in a manner which complies with state laws and regulations, protects the health, safety, and welfare of the general public, prevents potential conflicts and issues arising from ownership and employees, recognizes certain safety and security considerations, and minimizes risk of unauthorized use or access of cannabis by the general public.

XX.02: DEFINITIONS

Unless an alternative definition is explicitly stated in this section, this chapter utilizes the definitions for cannabis-related terms which are defined by SDCL 34-20G-1.

Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

Cannabis Cultivation Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

Cannabis Dispensary: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

Cannabis Establishment: cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

Cannabis Product Manufacturing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

Cannabis Products: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof, and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures

Cannabis Testing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

Department: the South Dakota Department of Health

XX.03: LICENSE REQUIRED

- (a) No cannabis establishment may be located or operate in the unincorporated area of the county without the appropriate valid and current cannabis establishment license issued by the County pursuant to this article. A violation of this provision is subject to the general penalty provision in Chapter [REDACTED]. Each day of the violation constitutes a separate offense.
- (b) No cannabis establishment may be located or operate in the unincorporated area of the county without the appropriate valid and current cannabis establishment registration certificate issued by the Department pursuant to rules promulgated under SDCL 34-20G. A violation of this provision is subject to the general penalty provision in Chapter [REDACTED]. Each day of the violation constitutes a separate offense.

XX.04: LICENSE APPLICATION

- (a) An application for a cannabis establishment license must be made on a form provided by the County. No other application form will be considered.
- (b) The applicant must submit the following:
 - 1. Application fee of [REDACTED] (Suggest \$5,000). The County will reimburse \$2,500 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.
 - 2. An application that will include, but is not limited to, the following:
 - i. The legal name of the prospective cannabis establishment;
 - ii. The physical address of the prospective cannabis establishment that meets the location requirements in XX.07, as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder.
 - iii. The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment.

- iv. A sworn statement that no principal officer, owner, or board member has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction.
- v. Any additional information requested by the County.

XX.05: ISSUANCE OF LICENSE

- (a) The County will issue a license unless:
 - 1. The applicant has made a false statement on the application or submits false records or documentation; or
 - 2. Any owners, principal officer, or board member of the applicant is under the age of twenty-one (21) years; or
 - 3. Any owner, principal officer, or board member of the applicant has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction;
 - 4. The proposed location does not meet the applicable location requirements found in XX.07 and under SDCL 34-20G;
 - 5. The proposed location does not meet all location requirements under SDCL 34-20G and the administrative rules promulgated thereunder;
 - 6. The license is to be used for a business prohibited by state or local law, statute, rule, ordinance, or regulation; or
 - 7. Any owner, principal officer, or board member of the applicant has had a cannabis establishment license revoked by the County or a registration certificate revoked by the state; or
 - 8. An applicant, or an owner, principal officer, or board member thereof, is overdue in payment to the County of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or
 - 9. The applicant will not be operating the business for which the license would be issued.
- (b) In the case of an application for a cannabis dispensary license, the County will reject the application if the limit on the number of cannabis dispensaries has been reached.
- (c) The license must be posted in a conspicuous place at or near the entrance to the cannabis establishment so that it may be easily read at any time.

XX.06: COUNTY NEUTRALITY AS TO APPLICANTS

- (a) Upon request from the Department as to the County's preference of applicants, the County will neither support nor oppose any registration certificate application under consideration by the Department. Likewise, if inquiry is made by the Department, the County will abstain from endorsing any application as beneficial to the community.

XX.07: LOCATIONS

(a) Cannabis Dispensary

1. Dispensary shall not be located within a prescribed distance from certain existing uses as measured from the lot line of the property where the dispensary is proposed, to the lot line of the protected uses listed below:
 - i. Shall not be located within 1,000 feet of a public or private school existing before the date of the cannabis dispensary establishment application. (34-20G-55)
 - ii. Shall not be located within _____ feet from a nonresidential daycare facility
 - iii. Shall not be located within _____ feet from a public park, public pool or public recreational facility or library
 - iv. Shall not be located within _____ feet of a religious institution
 - v. Shall not be located within _____ feet of a residence.
 - vi. No future development will cause a dispensary to become nonconforming due to the establishment of a protected use within the distance prescribed herein.
2. Other location standards are as follows:
 - i. No cannabis dispensary shall share premises with or permit access directly from another cannabis establishment, business that sells alcohol or tobacco, or if allowed by law, other cannabis establishment. (44:90:04:14)
 - ii. It shall be unlawful to operate a dispensary in a building which contains a residence or a mixed-use building with commercial and residential uses.
3. General Provisions and Performance Standards for Dispensaries are shown below:
 - i. No more than _____ cannabis dispensaries shall be allowed to operate in the unincorporated area of the County at any time.
 - ii. No dispensary shall allow access entry to anyone under 21 years of age
 - iii. Access control methods shall be installed pursuant to state requirements
 - iv. Shall be located within a completely enclosed permanent structure. Mobile dispensaries are prohibited.
 - v. Drive-through dispensaries are prohibited.
 - vi. No cannabis dispensary may operate between the hours of _____ and _____ any day of the week.
 - vii. Shall provide for proper disposal of cannabis remnants and/or by-products and shall not place waste items in exterior refuse containers.
 - viii. Retail products, storage, sales, and display areas shall be kept out of the public view and shall not be visible from the exterior of the building.

- ix. Signage and advertising shall be limited to on premise signage only, no billboard advertising, pole signage is prohibited, and signage is limited to text only with no graphic displays or video.

(b) Cannabis Cultivation Facility

1. Cannabis Cultivation Facility shall not be located within a prescribed distance from certain existing uses as measured from the lot line of the property where the cultivation facility is proposed, to the lot line of the protected uses listed below:
 - i. Shall not be located within 1,000 feet of a public or private school existing before the date of the cannabis cultivation establishment application. (34-20G-55)
 - ii. Shall not be located within _____ feet from a nonresidential daycare facility
 - iii. Shall not be located within _____ feet from a public park, public pool or public recreational facility or library
 - iv. Shall not be located within _____ feet of a religious institution
 - v. Shall not be located within _____ feet of a residence.
 - vi. No future development will cause a cultivation facility to become nonconforming due to the establishment of a protected use within the distance prescribed herein.

2. General Provisions and Performance Standards for Cannabis Cultivation Facilities

- i. All cultivation operations shall be within a completely enclosed permanent building.
- ii. Shall provide for proper disposal of cannabis remnants and/or by-products and shall not place waste items in exterior refuse containers.
- iii. Shall provide for a ventilation and filtration system designed to ensure that odors from cultivation are not detectable beyond the property line. Ventilation and filtration systems shall meet the standards set forth by the State of South Dakota. All cultivation operations shall be within a completely enclosed permanent building or secured greenhouse facility.
- iv. Security measures shall be installed as required by state regulations.
- v. Perimeter of the property shall be fenced with minimum of a six (6) foot high solid fence and security access gates.
- vi. Signage and advertising shall be limited to on premise signage only, no billboard advertising, pole signage is prohibited, and signage is limited to text only with no graphic displays or video.

(c) Cannabis Testing Facility

1. Cannabis Testing Facility shall not be located within a prescribed distance from certain existing uses as measured from the lot line of the property where the testing facility is proposed, to the lot line of the protected uses listed below:
 - i. Shall not be located within 1,000 feet of a public or private school existing before the date of the cannabis testing establishment application. (34-20G-55).
 - ii. Shall not be located within _____ feet from a nonresidential daycare facility.
 - iii. Shall not be located within _____ feet from a public park, public pool or public recreational facility or library.
 - iv. Shall not be located within _____ feet of a religious institution.
 - v. Shall not be located within _____ feet of a residence.

- vi. No future development will cause a testing facility to become nonconforming due to the establishment of a protected use within the distance prescribed herein.

2. General Provisions and Performance Standards for Cannabis Testing Facilities

- i. All testing operations shall be within a completely enclosed permanent building.
- ii. Shall provide for proper disposal of cannabis remnants and/or by-products and shall not place waste items in exterior refuse containers.
- iii. Shall provide for a ventilation and filtration system designed to ensure that odors from cultivation are not detectable beyond the property line. Ventilation and filtration systems shall meet the standards set forth by the State of South Dakota. All cultivation operations shall be within a completely enclosed permanent building or secured greenhouse facility.
- iv. Security measures shall be installed as required by state regulations.
- v. Perimeter of the property shall be fenced with minimum of a six (6) foot high solid fence and security access gates.
- vi. Signage and advertising shall be limited to on premise signage only, no billboard advertising, pole signage is prohibited, and signage is limited to text only with no graphic displays or video.

(d) Cannabis Product Manufacturing Facility

- 1. Cannabis Product Manufacturing Facility shall not be located within a prescribed distance from certain existing uses as measured from the lot line of the property where the manufacturing facility is proposed, to the lot line of the protected uses listed below:
 - i. Shall not be located within 1,000 feet of a public or private school existing before the date of the cannabis testing establishment application. (34-20G-55).
 - ii. Shall not be located within _____ feet from a nonresidential daycare facility.
 - iii. Shall not be located within _____ feet from a public park, public pool or public recreational facility or library.
 - iv. Shall not be located within _____ feet of a religious institution.
 - v. Shall not be located within _____ feet of a residence.
 - vi. No future development will cause a manufacturing facility to become nonconforming due to the establishment of a protected use within the distance prescribed herein.

2. General Provisions and Performance Standards for Cannabis Testing Facilities

- i. All manufacturing operations shall be within a completely enclosed permanent building.
- ii. Shall provide for proper disposal of cannabis remnants and/or by-products and shall not place waste items in exterior refuse containers.
- iii. Shall provide for a ventilation and filtration system designed to ensure that odors from cultivation are not detectable beyond the property line. Ventilation and filtration systems shall meet the standards set forth by the State of South Dakota. All cultivation operations shall be within a completely enclosed permanent building or secured greenhouse facility.
- iv. Security measures shall be installed as required by state regulations.
- v. Perimeter of the property shall be fenced with minimum of a six (6) foot high solid fence and security access gates.

- vi. Extraction processes utilizing flammable liquefied gas shall not be located in any building containing Group A, E, I, or R occupancies as defined by the International Building Code.
- vii. Exit doors from extraction rooms shall swing in the direction of egress and be self-closing. Panic hardware shall be provided on door and where latching door hardware is provided panic hardware shall also be provided.
- viii. Extraction rooms, booths, or hoods, including ductwork where required for hazardous exhaust systems shall be protected by an approved automatic fire extinguishing system.
- ix. Signage and advertising shall be limited to on premise signage only, no billboard advertising, pole signage is prohibited, and signage is limited to text only with no graphic displays or video.

XX.08: BUILDING CODE

All Cannabis Establishments are required to be constructed in conformance with the 2021 Edition of the International Building Code and International Fire Code.

XX.09: EXPIRATION OF LICENSE AND RENEWAL

- (a) Each license expires one year from the date of issuance and may be renewed only by making application as provided in Section XX.04. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.
- (b) The renewal fee is (Suggest \$5,000). The County will reimburse \$2,500 for applicants who fail to obtain a renewal of their registration certificate from the Department.
- (c) Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the County may order closure of the cannabis establishment.
- (d) If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

XX.10: SUSPENSION

- (a) A license may be suspended if the license holder or an employee or agent of the license holder:
 - 1. Violates or is otherwise not in compliance with any section of this article.
 - 2. Consumes or smokes or allows any person to consume or smoke cannabis on the premises of the cannabis establishment.
 - 3. Knowingly dispenses or provides cannabis or cannabis products to an individual or business to whom it is unlawful to provide cannabis or cannabis products.
- (b) A license may be suspended if the license holder has its Department-issued registration certificate suspended, revoked, or not renewed by the Department or if the registration certificate is expired.

- (c) A license may be suspended if the license holder creates or allows to be created a public nuisance at the cannabis establishment.

XX.11: REVOCATION

- (a) A license may be revoked if the license is suspended under Section XX.11 and the cause for the suspension is not remedied.
- (b) A license may be revoked if the license is subject to suspension under Section XX.11 because of a violation outlined in that section and the license has been previously suspended in the preceding 24 months.

- (c) A license is subject to revocation if a license holder or employee of a license holder:

1. Gave false or misleading information in the material submitted during the application process;
2. Knowingly allowed possession, use, or sale of non-cannabis controlled substances on the premises;
3. Operated the cannabis establishment or the business of the cannabis establishment for which a license is required under this article while the license was suspended;
4. Repeated violations of Section XX.12;
5. Operated a function of a cannabis establishment for which the license holder was not licensed (e.g., a licensed cannabis cultivation facility conducting cannabis testing functions without a cannabis testing establishment license);
6. A license holder, or an owner, principal officer, or board member thereof, is delinquent in payment to the city, county, or state for any taxes or fees related to the cannabis establishment;
7. A license holder, or an owner, principal officers, or board member thereof, has been convicted of, or continues to employ an employee who has been convicted of, a disqualifying felony offense as defined by SDCL 34-20G; or
8. The license holder has its Department-issued registration certificate suspended, revoked, or not renewed or the registration certificate is expired.
9. The license holder allows a public nuisance to continue after notice from the County.

XX.12. SUSPENSION AND REVOCATION PROCESS

- (a) The license holder will receive a notice of intent to suspend or notice of intent to revoke informing the license holder of the violation and the County's intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.

- (b) If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the County Commission Chairperson, Auditor, Sheriff, and _____
- (c) A suspension will be for thirty (30) days and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder exercises its rights to process and appeal, in which case the suspension takes effect upon the final determination of suspension.
- (d) A revocation will be for one (1) year and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder appeals the revocation, in which case the revocation takes effect upon the final determination of revocation.
- (e) The license holder who has had the license revoked may not be issued any cannabis establishment license for one year from the date the revocation became effective.

XX.13: APPEAL

An applicant or license holder who has been denied a license or renewal of a license or who has had a license suspended or revoked under this article may appeal to the Board of County Commissioners by submitting a written appeal within ten (10) days of the postmark on the notice of denial, nonrenewal, suspension, or revocation. The written appeal must be submitted to _____ County Courthouse (address), _____, South Dakota, 57 _____. The appeal will be considered by the Board of County Commissioners at a regularly scheduled meeting within one month of the receipt of the appeal.

XX.14: LICENSES NOT TRANSFERRABLE

No cannabis establishment license holder may transfer the license to any other person or entity either with or without consideration, nor may a license holder operate a cannabis establishment at any place other than the address designated in the application.

XX.15: LIABILITY FOR VIOLATIONS

Notwithstanding anything to the contrary, for the purposes of this article, an act by an employee or agent of a cannabis establishment that constitutes grounds for suspension or revocation will be imputed to the cannabis establishment license holder for purposes of finding a violation of this article, or for purposes of license denial, suspension, or revocation, only if an officer, director or general partner or a person who managed, supervised or controlled the operation of the cannabis establishment, knowingly allowed such act to occur on the premises.

XX.16: PENALTIES

Any person who operates or causes to be operated a cannabis establishment without a valid license or in violation of this article is subject to a suit for injunction as well as prosecution for ordinance violations. Such violations are punishable by a maximum fine of five hundred dollars (\$500.00). Each day a cannabis establishment so operates is a separate offense or violation.

Severability. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

CHAPTER 31-22

CONDEMNATION OF EASEMENTS FOR ISOLATED TRACTS

31-22-1 Right to access from isolated tract to highway.

31-22-2 Inability to agree with servient landowner--Application to board of county commissioners--Contents of application--Notice to servient landowner--Contents of notice--Service of notice.

31-22-3 Visit to land--Width of right-of-way--Convenience of parties--Use of section line or governmental fractional subdivision.

31-22-4 Assessment of damages--Report to county auditor--Destruction of records.

31-22-5 Appeal by servient landowner--Trial de novo--Procedure for appeal--Costs.

31-22-6 Right to easement complete upon payment of damages or refusal thereof--Payment of costs of proceedings--Fees and mileage of county commissioners.

31-22-7 Responsibility for erecting fence--Easement separating farms--Easement through one farm--Gates--Law of partition fences applicable.

31-22-8 Maintenance of right-of-way by dominant landowner.

31-22-1. Right to access from isolated tract to highway.

Every owner of an isolated tract of land containing at least ten acres not touched by a passable public highway or smaller tract of land containing at least five acres used or intended to be used in good faith in whole or in part for residential purposes is entitled to an easement or right-of-way across adjacent lands to reach a public highway, which easement or right-of-way may be secured as provided in this chapter. An isolated tract is further defined as an area which is either inaccessible by motor vehicle because of natural barriers from all other land owned by the owner of the isolated tract or is such an area which is not touched by a passable public highway, which is in use or reasonably usable for motor vehicles. A tract of land adjoining a section line right-of-way for at least sixty-six feet is not an isolated tract if a passable road can be built within the adjoining section line to connect to a passable public highway.

Source: SL 1935, ch 179, § 1; SDC 1939, § 28.0801; SL 1955, ch 101; SL 1970, ch 161; SL 2004, ch 198, § 1.

31-22-2. Inability to agree with servient landowner--Application to board of county commissioners--Contents of application--Notice to servient landowner--Contents of notice--Service of notice.

If the owner of such an isolated tract is unable to agree with the owner of surrounding lands for purchase of a right-of-way from such isolated tract of land to a public highway, he may apply to the board of county commissioners for relief, making his application in writing and describing the isolated tract and the surrounding land over which a right-of-way is desired. The county commissioners shall thereupon cause to be served upon the owner or owners of such surrounding land a notice in writing of a time when such board will visit such land and lay out one right-of-way across such surrounding land, and assess the damages therefor, which notice shall be served at least five days prior to the date set for such visit and appraisal.

Source: SL 1935, ch 179, § 2; SDC 1939, § 28.0802.

31-22-3. Visit to land--Width of right-of-way--Convenience of parties--Use of section line or governmental fractional subdivision.

Upon the day set for such visit to such land for the purpose of laying out such right-of-way and appraising the damages to the owner of the surrounding land therefor, the county commissioners shall proceed to the place named, shall lay out a right-of-way not less than twenty-five nor more than sixty-five feet in width

from such isolated tract of land across surrounding lands to a public highway, and in so doing shall consider the convenience of the parties. Wherever it is practicable to do so, such board shall lay such right-of-way along a section line or the line of a government fractional subdivision of a section.

Source: SL 1935, ch 179, § 3; SDC 1939, § 28.0803; SL 1977, ch 243.

31-22-4. Assessment of damages--Report to county auditor--Destruction of records.

The county commissioners shall assess and determine the damage which the right-of-way is to the owner of the land across which it is laid, and they shall file with the county auditor a full report of all their proceedings in the premises, and the county auditor shall record the same in his record of highways. However, the county auditor may destroy any record which the records destruction board, acting pursuant to § 1-27-19, declares to have no further administrative, legal, fiscal, research, or historical value.

Source: SL 1935, ch 179, § 3; SDC 1939, § 28.0803; SL 1981, ch 45, § 21.

31-22-5. Appeal by servient landowner--Trial de novo--Procedure for appeal--Costs.

The owner of the land over which such right-of-way is laid may appeal from the decision and assessment of damages by such county commissioners to the circuit court for the county where such land or some part thereof is located, and upon such appeal the trial shall be de novo. Such appeal shall be taken within the time and in the manner as other appeals from the board of county commissioners, but the appellant shall not recover costs upon such appeals unless he is awarded judgment for a greater sum than the sum awarded by such board of county commissioners.

Source: SL 1935, ch 179, § 6; SDC 1939, § 28.0807.

31-22-6. Right to easement complete upon payment of damages or refusal thereof--Payment of costs of proceedings--Fees and mileage of county commissioners.

Upon payment of the sum assessed to the owner of the land over which such right-of-way is laid or upon his refusal to accept the same upon the deposit of such sum with the clerk of courts of the county in which such lands are located, the right of the owner of such isolated tract to the free use of said right-of-way shall be complete; provided the owner of such isolated tract shall have paid all of the costs of the proceedings in laying out and assessing the damages of said right-of-way, and the commissioners shall each be entitled to a fee of three dollars per day and five cents for each mile necessarily traveled in going to and returning from the lands where such right-of-way is located.

Source: SL 1935, ch 179, § 4; SDC 1939, § 28.0804.

31-22-7. Responsibility for erecting fence--Easement separating farms--Easement through one farm--Gates--Law of partition fences applicable.

If the right-of-way be laid along the line separating two farms, then the owner of the isolated tract for which such right-of-way was laid shall erect and maintain one-half of the fence along both sides of such right-of-way, but if it be laid through a farm and not along the border thereof, no fence will be deemed necessary unless requested by the owner of land through which such road passes, in which cases the owner of the isolated tract shall erect and maintain the fence along both sides of such right-of-way and shall locate at a point to be described by the owner of the land gates at least sixteen feet wide in each of such fences. But if no fence is requested the owner of such isolated land shall construct, maintain, and keep closed substantial and suitable gates in all fences which such roadway may cross. The laws of this state pertaining to the erection and

maintenance of partition fences shall apply to the fencing of such right-of-way wherever not in conflict with this section.

Source: SL 1935, ch 179, § 5; SDC 1939, § 28.0805.

31-22-8. Maintenance of right-of-way by dominant landowner.

Whenever such right-of-way has been laid out as provided by this chapter, the owner of such isolated tract of land shall keep and maintain such right-of-way at his or her own expense.

Source: SL 1935, ch 179, § 7; SDC 1939, § 28.0806.

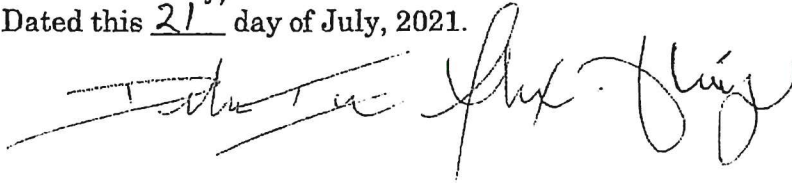
AFFIDAVIT OF DEBRA IRENE ALEXIOU-FLEMING

I, Debra Irene Alexiou-Fleming ("Irene"), being first duly sworn upon my oath, state and aver as follows:

1. That I am the owner of approximately 90 acres of real property located in Fall River County, South Dakota as two separate tracts: County Line Tract consisting of ten or more acres, Irene Tract consisting of approximately 80 acres, and Harry Tract consisting of approximately 70 acres.
2. That Harry Fleming ("Harry") and I previously owned the real property together as husband and wife.
3. That when Harry and I divorced, the real property was allocated with Harry retaining the Harry Tract and I received the County Line Tract and Irene Tract.
4. That the above-referenced real property is considered an isolated tract as it consists of "at least ten acres", is "not touched by a passable public highway", and is "intended to be used in good faith in whole or in part for residential purposes. . ." SDCL §31-22-1.
5. That the above-referenced real property is an area which is either inaccessible by motor vehicle because of natural barriers from all other land owned by the owner of the isolated tract or is such an area which is not touched by a passable public highway, which is in use or reasonably usable for motor vehicles. *Id.*

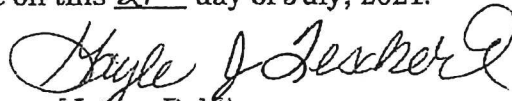
Further your affiant sayeth naught.

Dated this 21st day of July, 2021.



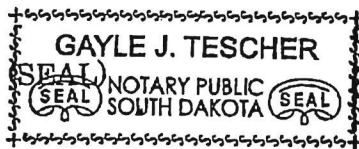
Debra Irene Alexiou-Fleming

Subscribed and sworn to before me on this 21st day of July, 2021.



Notary Public

My comm. Expires: 4/20/2022



Ag Land Value Committee Meeting
August 30, 2021 at 3 p.m.

Call meeting to order

1. Commissioners have appointed us to be on this.
2. Name this Committee or Advisory Board.
3. Resolution to send to Governor Noem.
 - A. DOR put new soil classifications off for 1 year.
 1. Why can't we be part of the process.
 - B. Rules have no factual background.
 1. Little to no statistics are in this area.
 2. Statistics are wrong as they are from different areas of the State where there is more rain.
 3. Pierre has taken all local power away. Laws changed in 2018
??? (Lance)
4. Discussion-Writing is resolution
5. Next meeting when we can get Reps. Together
 - A. Address no local power
 - B. Law on land not farmed for 30 years is grass land.

Adjourn

**NOTICE OF HEARING UPON APPLICATION FOR OFF-SALE LIQUOR LICENSE FEE AND
APPLICATION OUTSIDE OF MUNICIPALITIES**

NOTICE IS HEREBY GIVEN THAT the Fall River Board of County Commissioners in and for the County of Fall River, South Dakota, on the 19th day of August, 2021, at the hour of 9:30 a.m. will meet during regular session to consider the following application for Off-Sale Liquor License, located outside of municipalities, to operate within the County of Fall River, South Dakota, for the 2021 licensing period, which has been presented to the governing body and filed with the County Auditor's Office.

FOR LICENSE PERIOD CALENDAR YEAR 2021

TYPE OF LICENSE

APPLICATION:

Larry Forney
29096 HWY 385
Oelrichs, SD 57763

Retail (Off-Sale)
Liquor

NOTICE IS FURTHER GIVEN THAT any person, persons or their attorney may appear at said scheduled public hearing and present objections, if any objections there be.

Dated this 5th day of August 2021, at Hot Springs, South Dakota.

/s/Sue Ganje
County Auditor
Fall River County

Date Received 7/21/21
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

A. Owner Name and Address

LARRY N. FORNEY P.O. BOX 153
29098 HWY 385 OELRICHS S.D.
57763

Owner's Telephone #: 605 535-2761

C. Indicate the class of license being applied for (submit separate application for each class of license).

- ☐ Retail (on-sale) Liquor
☐ Retail (on-sale) Liquor - Restaurant
☐ Convention Center (on-sale) Liquor
☒ Package (off-sale) Liquor
☐ Retail (on-off sale) Wine and Cider
☐ Retail (on-off sale) Malt Beverage & SD Farm Wine
☐ Package Delivery
☐ Hunting Preserve
☐ Other _____

Is this license in active use? ☐ Yes ☒ No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses?

☒ Yes ☐ No If Yes, please list on the back page.

B. Business Name and Address

FORNEY'S STANDARD SERV 57763
29098 HWY 385
P.O. BOX 153 OELRICHS S.D.

Business Telephone #: 535-2761

Place of business is located in a municipality? ☐ Yes ☒ No

County: FALL RIVER

Do you own or lease this property? ☒ Own ☐ Lease

Are real property taxes paid to date? ☒ Yes ☐ No

D. Legal description of licensed premise:

PARDOLAND LAYING N. & E of 5CT
385/18/79
Sec. 12 TWP 10 RG 7

Have you ever been convicted of a felony? ☐ Yes ☒ No

E. State Sales Tax Number 1001-0673-ST

F. New license ☒ Transfer? (\$150) ☐ Re-issuance ☐

G. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Date 7-20-21 Print Name LARRY N. FORNEY Signature Larry N. Forney

H. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on Aug 12, 2021. Public hearing on the application was held Aug 19, 2021, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Renewal - no public hearing held ☐

Amount of fee collected with application \$ 1,900.00

Amount of fee retained \$ 1,900.00

Forwarded with application \$ 0

For Local Government Use

(Seal) _____
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY:

APPROVAL _____ REVIEW _____

Company supplement information
(For corporate/partnership/LP/LLC applicants)

Name of corporation/partnership/LP LLC _____

Address of office and principal place of business of corporation/partnership/LP/LLC _____

Are all managing officers of this corporation/partnership/LP/LLC of good moral character having never been convicted of a felony? ☐ Yes ☐ No

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other alcoholic beverage license:

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
	RETAIL ON-OFF-SALE MAIT BEVERAGE FALLON

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

Date

Larry Surry

2-20-24



Auditor Office <aud@frcounty.org>

Payment in Lieu of Taxes

1 message

Oelrichs VFD <oelrichsvfd2001@hotmail.com>

Sat, Aug 14, 2021 at 8:02 PM

To: "Commissioners@frcounty.org" <Commissioners@frcounty.org>

Dear Fall River County Commissioners,

I am writing to you in regards to the Payments In Lieu of Taxes(PILT). At this time our Department only receives 25% of the PILT money that the County receives.

The Oelrichs Fire Department and Oelrichs Fire District is requesting the full amount of the PILT money be distributed to the Oelrichs Fire District.

Our Department fights fires on Federal land and we are not reimbursed unless the fire lasts over four hours. Most of the fires do not go over four hours thus the Department isn't receiving any reimbursement for these fires.

For fires that are over four hours the rate has recently decreased from \$140 to \$85 per engine. Currently our district taxes are around \$12,000 divided between capitol outlay and operating costs. Only approximately \$8500 is available for operating costs and the rest is held by the district for capitol outlay for equipment needs.

Most of the operating funds are paid for vehicle, workman's comp, and general liability insurance with very little left for operating costs.

I would appreciate your consideration in this matter. Please call me at the number below with any questions.

Thank You,

Larry Osmotherly

Fire Chief

Oelrichs Volunteer Fire Dept

605-890-2737

HOT SPRINGS, SOUTH DAKOTA 57747

FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department
P.O. Box 939
Hot Springs, S.D. 57747

Date: 8-02-2021
Fall River County Courthouse Maint. Dept.
Work Performed to MAINTAIN DEPT VEHICLES
FROM DATE: 06-01-2021
THROUGH DATE: 08-02-2021
TOTAL: \$ 76.44

FRC HWY: km

HOT SPRINGS, SOUTH DAKOTA 57747

FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department
P.O. Box 939
Hot Springs, S.D. 57747

Date : 08-02-2021

**EMERGENCY MANAGEMENT:
MAINT AND REPAIRS TO WATER TANKER**

Cost for Work Requested: \$ 904.41

FROM DATE: 06-01-2021

THROUGH DATE: 08-02-2021

TOTAL: \$ 904.41

HOT SPRINGS, SOUTH DAKOTA 57747

FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department

P.O. Box 939

Hot Springs, S.D. 57747

Date: 08-10-2021

WEED BOARD FUEL PURCHASES:

FROM DATE: 07-01-2021

THROUGH DATE: 07-31-2021

GALLONS: 448.60

TOTAL: \$ 1201.85

FRC HWY: km

HOT SPRINGS, SOUTH DAKOTA 57747

FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department

P.O. Box 939

Hot Springs, S.D. 57747

Date: 08-10-2021

COURT HOUSE ...FUEL/GAS PURCHASES :

(All Departments)

FROM DATE: 07-01-2021

THROUGH DATE: 07-31-2021

GALLONS: 120.70

TOTAL: \$ 323.37

HOT SPRINGS, SOUTH DAKOTA 57747
FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department
P.O. Box 939
Hot Springs, S.D. 57747

Date: 08-10-2021

SHERIFF'S DEPARTMENT GAS PURCHASES:

FROM DATE: 07-01-2021

THROUGH DATE: 07-31-2021

TOTAL GALLONS: 1024.30

TOTAL: \$ 2744.21

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

TO: THE BOARD OF COUNTY COMMISSIONERS

DATE: 8/5/2021

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 13321 N Angostura Rd

To: the property line between 27901 Pillar Rock Circle and 27900 Twin Rock Bend Rd

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 provide service to the residence at 27903 Pillar Rock Circle
2. Pipe size, cable size and type: Cable: 22ga-50pr copper cable; Duct: Sch 40 PVC
3. Outside diameter: Cable: 0.89" 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

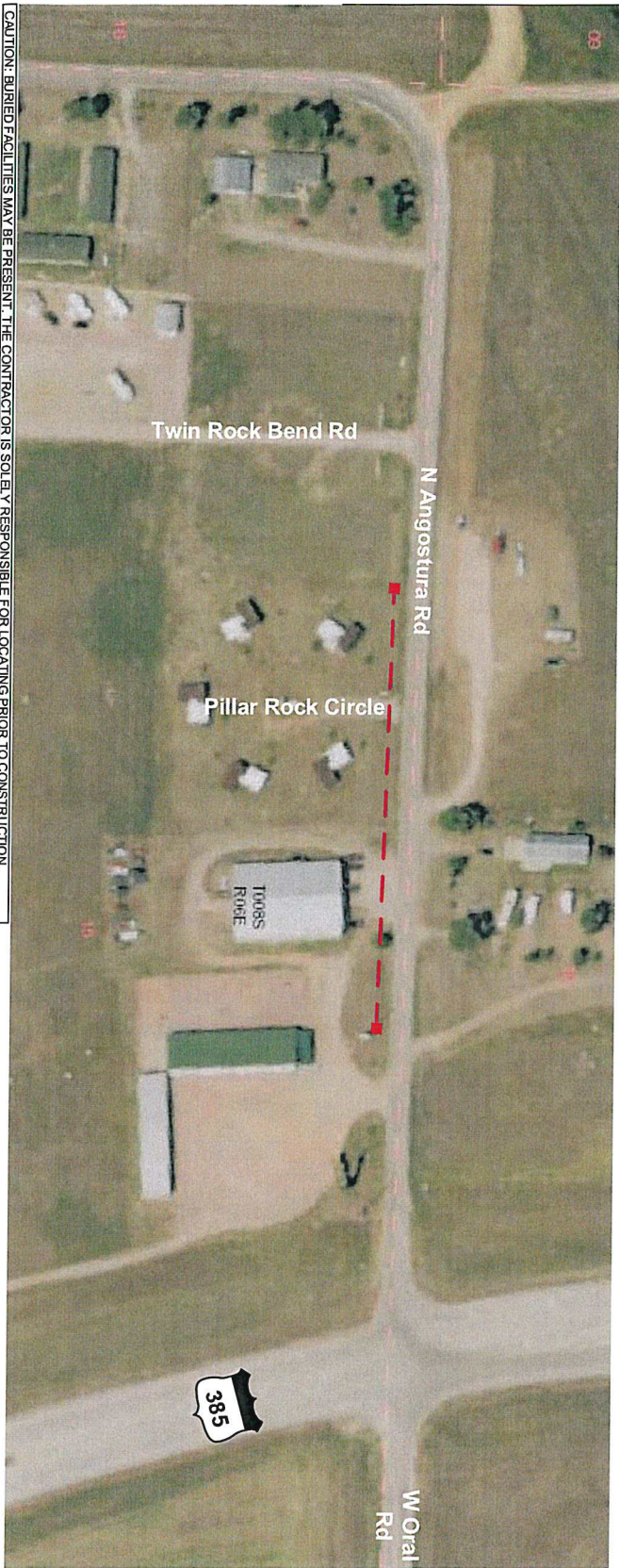
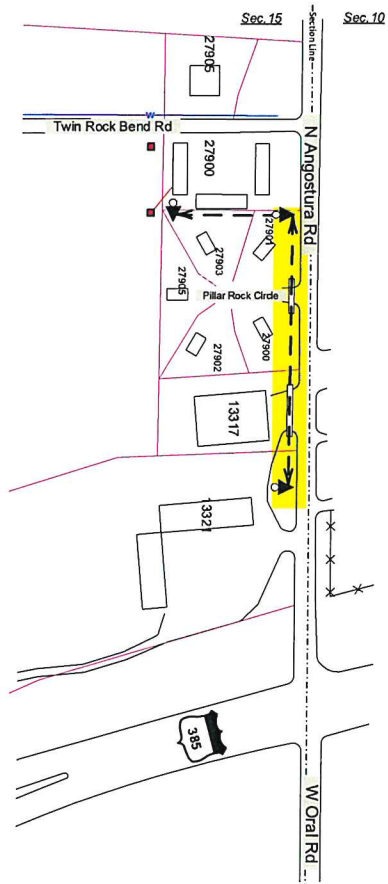
SUBMITTED 5-Aug _____ 20 21

Golden West Telecommunications

By Mickie Abell _____ Mickie Abell

Right-of-Way Specialist

Title



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: 6E
Twp: 8S



As Stated

Golden West Telecommunications
Name: Fall River Cable
WO: Jack Sutter 171592
Ext: Hot Springs
Route: N Angostura Rd
ROW: Private
Section: 15

Staked By:	SEF	Date:	7/27/21
Revised By:	MAA	Date:	8-5-21
Revised By:		Date:	
Revised By:		Date:	
Revised By:		Date:	
Plowed By:		Date:	
As Bld By:		Date:	

Drawing Not To Scale	Sheet	1	of	1
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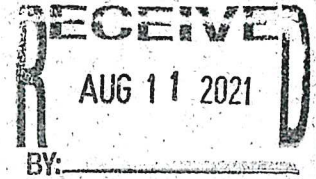
1346 GALVESTON AVE.
HOT SPRINGS, SD 57747

NELSON'S

Oil & Gas, Inc.

Phone: 605-745-4189
Fax: 605-745-4188
Email: info@nelsonsoilandgas.com

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



REF: Ardmore Shop

August 6, 2021

ATTN: Randy Seiler

Nelson's Oil & Gas is pleased to submit the following bid options to you for your consideration.

This is a bid to remove & dispose of the oil furnace from the Ardmore shop. We would install a propane hanging 100,000 Btu heater with venting & gas piping to a propane tank.

\$4300.00 plus applicable taxes

Add Purchase of 500 Gallon Propane tank

\$2200.00 plus applicable taxes

The above bid options may be withdrawn by Nelson's Oil & Gas if not accepted within 30 days. Payment terms: Payment is expected in full at completion of project unless other arrangements are made prior. If paid with a debit/credit card there will be an additional processing fee charged.

Thank you for giving Nelson's Oil & Gas the opportunity to be of service to you on your heating and/or cooling needs.

Thank You,

A handwritten signature in black ink, appearing to read "Brian Nelson", written over a horizontal line.

Nelson's Oil & Gas
Brian Nelson, Heating & Cooling

4/20/21	FALL RIVER COUNTY	3+ YEAR BUDGET WORKSHEET	EDGE MONT YMCA	AS OF MARCH	21	21 YTD	22	PAGE	77
ACCOUNT DESCRIPTION	GL#	18 ACTUAL	19 ACTUAL	20 ACTUAL	3-YEAR AVERAGE	BUDGET	ACTUAL	REQUESTED	APPROVED
EDGE MONT YMCA	10100X4260437	1,000.00	1,500.00	1,500.00	1,333.33	1,500.00	1,500.00	\$ 10,000.00	
ACCOUNT TYPE TOTALS	42	1,000.00	1,500.00	1,500.00	1,333.33	1,500.00	1,500.00	\$ 10,000.00	
FUND TOTALS	10100	1,000.00	1,500.00	1,500.00	1,333.33	1,500.00	1,500.00	\$ 10,000.00	
DEPT TOTALS	437	1,000.00	1,500.00	1,500.00	1,333.33	1,500.00	1,500.00	\$ 10,000.00	

* = BUDGET INCLUDES TRANSFERS AND/OR SUPPLEMENTS

Please see attached financial report and letter explaining the reason for increase.

Thank you,

Kelsey Trotter
YMCA Director
307.756.2959 cell

ORIGINAL

6/22/21 FALL RIVER COUNTY 3+ YEAR BUDGET WORKSHEET PUBLIC LIBRARY AS OF DECEMBER 21 LPBUDW PAGE 1

ACCOUNT DESCRIPTION	GL#	18 ACTUAL	19 ACTUAL	20 ACTUAL	3-YEAR AVERAGE	21 BUDGET	21 YTD ACTUAL	%	22 REQUESTED	22 APPROVED
4291.511 EDGE PYMT	10100X4291511	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	100		
4292.511 H.S. PYMT	10100X4292511	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	100	\$40,000	
ACCOUNT TYPE TOTALS	42	24,000.00	24,000.00	24,000.00	24,000.00	24,000.00	24,000.00	100		
FUND TOTALS	10100	24,000.00	24,000.00	24,000.00	24,000.00	24,000.00	24,000.00	100		
DEPT TOTALS	511	24,000.00	24,000.00	24,000.00	24,000.00	24,000.00	24,000.00	100		

* = BUDGET INCLUDES TRANSFERS AND/OR SUPPLEMENTS

FINAL TOTALS 24,000.00 24,000.00 24,000.00 24,000.00 24,000.00 24,000.00

Dawn Johnson



Auditor Office <aud@frcounty.org>

30x30

1 message

Murray, Katie <Katie.Murray1@mail.house.gov>

Mon, Jul 26, 2021 at 8:45 AM

To: "commissioners@frcounty.org" <commissioners@frcounty.org>

Thank you for your recent letter to Rep. Johnson with the resolution the commission recently passed opposing the 30x30 executive order. Rep. Johnson shares your concerns and opposes this expansion of federal lands as well. He has cosponsored the "No Land Grab Act of 2021" which would prohibit this order from taking effect, you can find the text [here](#).

Please share this information with your fellow Fall River County Commissioners. Again, thank you for your letter and resolution. Let me know if you ever have questions!

Katie Murray

West River Director | Rep. Dusty Johnson

[2525 West Main Suite 310 | Rapid City, SD 57702](#)

(605) 646-6454

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COMMITTEES:

ARMED SERVICES

BANKING, HOUSING, AND
URBAN AFFAIRS

ENVIRONMENT AND PUBLIC WORKS

VETERANS' AFFAIRS

July 23, 2021

Fall River Country Commissioners
906 North River Street
Hot Springs, SD 57747-1309

Dear Fall River Country Commissioners,

Thank you for contacting me about the Keystone XL Pipeline (KXL Pipeline). I appreciate hearing from you about this issue.

On January 19, 2021, I joined Senator John Thune and Representative Dusty Johnson in sending a letter to then President-elect Biden regarding the KXL Pipeline. In our letter, we stated that failing to construct the project would negatively impact economic activity in South Dakota, decrease our nation's energy security and damage our bilateral relationship with Canada.

The following day, President Biden signed an executive order revoking the cross-border permit for the KXL Pipeline. This permit was originally issued by President Trump and allowed TC Energy (formerly TransCanada) to construct, connect, operate and maintain pipeline facilities at the international border of the United States and Canada.

President Biden made a mistake when he revoked this cross-border permit. The federal government has an obligation to take a fact-based approach to decision making. Research on this subject indicates that transporting crude oil via pipeline is both a safer and more environmentally friendly alternative to road or rail transportation. In addition, requiring our agricultural producers to compete against energy companies for increasingly scarce rail space will raise transportation costs for farmers, which is yet another negative side effect of this decision.

The consequences of President Biden's energy agenda are clearly detrimental to our nation's economic development. We will continue to try and educate this administration and those supporting this decision about the need for this pipeline. Unfortunately, we do not have the votes in the Senate or in the House of Representatives to pass legislation correcting this damaging executive order.

Again, thank you for your concerns. Hearing from you and other South Dakotans is important to me as I work to make the best legislative decisions for our state and nation.

Sincerely,



Mike Rounds
United States Senator