

FALL RIVER COUNTY UNAPPROVED MINUTES OF AUGUST 19, 2021

The Fall River Board of County Commissioners met in regular session on August 19, 2021. Present: Joe Allen, Les Cope, Joe Falkenburg, Heath Greenough, Deb Russell and Sue Ganje, 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.sdcountries.org>, or, under Fall River County Commission, SD at <http://www.YouTube.com>.

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

Motion made by Russell, seconded by Cope, to approve the minutes for August 5, 2021.

Motion made by Russell, seconded by Greenough, to surplus to sell a green file cabinet, #01839, Treasurer's Office.

Motion made by Russell, seconded by Greenough, to approve the Auditor's Account with the Treasurer as follows:

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.

/s/Sue Ganje, County Auditor of Fall River County

/s/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	\$ 1,398,356.84

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.

The board received notification from the Empower Coalition on a raffle to raise funds for the Toys for Kids program by Poker Run on 8-21-21.

Frank Maynard met with the board to report that the Rapid City National Weather Service's radar has been damaged and will be down for approximately two weeks. The 2022 L.E.M.P.G. agreement has been sent out and will need to be signed and returned to South Dakota OEM by September 30, 2021 if the county agrees to participate.

Maynard informed the Board that applications have been completed for the annual awards for Safety Benefits conference in November, and the preliminary paperwork is being worked on for the Fall River County Annual Exercise. He also spoke on the challenges facing fire departments as more people are building homes in rural Fall River County. Maynard reported on receiving \$16,849.35 for the L.E.M.P.G. reimbursement, and fires and incidents.

Susie Hayes, Director of Equalization, met with the board. Motion made by Allen, seconded by Russell, to approve hiring for James 'Cody' Johnson, administrative assistant, \$13.00

per hour; Cody Romey, administrative assistant (uncertified assessor) \$13.00 per hour; and Lillian Heidebrink, administrative assistant (uncertified assessor), \$13.00 per hour, all effective August 9, 2021, as per union contract.

Discussion was held on continued sales and tax increases.

Commissioner Cope updated the board about the first Ag Land Value Committee meeting on August 30, 2021 at 3:00 p.m. and presented that agenda.

Lance Russell, State's Attorney, met with the Board to review the revised Ordinance 2021-01, and the Board's responsibilities. This includes determining the number of cannabis dispensary establishments, the fee (recommended by the State to set fee at \$5,000.00), the hours of operation for the dispensary, and the setback/separation distances from specific uses. The board agreed to authorize 1 dispensary, set the fee at \$5,000.00, set hours of operation from 10:00 a.m. to 6:00 p.m., Monday through Saturday, and for a 1,000-foot setback/separation from specific uses.

Russell discussed the Application for isolated tract easement by Debra Irene Alexiou-Fleming and Harry Fleming, as per SDCL 31-22-3. He asked Greg Erlandson (the attorney representing the petitioners) to visit the location with himself and Highway Superintendent Seiler before any action is taken.

State's Attorney Russell updated the board on the issue of the tax deed properties that were deeded to the City of Edgemont, noting that an Attorney General opinion issued in 1985 requires that those properties be for public use. The City has asked Russell to request an AG opinion to determine if private ownership is described as public use. The issue will be put on hold until the AG opinion is received.

Motion made by Russell, seconded by Allen, to approve setting a special meeting on August 31, 2021 at 9 a.m. for the first reading of the revised Ordinance 2021 – 01, with a special meeting on September 7, 2021 at 9:00 for the second reading, both on medical cannabis.

The Hearing for Off-Sale Liquor License, Forney's Standard Service, Oelrichs, SD, was held as advertised. Motion made by Cope, seconded by Allen, to approve the application for the Off-Sale Liquor License, Forney's Standard Service, in Oelrichs, SD. With Russell abstaining, all others voting yes, motion carries.

The Hearing for 2022 PILT Distribution was held as advertised. Representatives from the Edgemont School were present. Commissioner Russell spoke of the money needed to balance the budget, if changes were made to the revenues the county receives, it would result in increased taxes.

Motion made by Greenough to approve giving 75% of PILT monies received to the schools, fire districts and ambulance. Motion dies for lack of a second.

Motion made by Cope, seconded by Greenough, to approve giving 50% of PILT monies received to the schools, fire districts and ambulance. With Cope and Greenough voting yes, all

others voting no, motion failed. The auditor requested distribution scenarios they would like to see, which will be brought back to the next meeting.

Motion made by Russell, seconded by Allen, to approve tabling a decision on how to distribute the PILT monies until the September 2, 2021 meeting.

Randy Seiler, Highway Superintendent, met with the board. Motion made by Russell, seconded by Cope, to approve the July 2021 reimbursement to the highway department for fuel used or work performed as follows: Sheriff's Department for \$2,744.21; Weed and Pest Office for \$1,201.85; Building for \$92.18; Emergency Management for \$161.54; DOE for \$47.15; and Extension for \$22.50 and maintenance for building vehicles in the amount of \$76.44 and Fire for water tanker repairs in the amount of \$904.41. With Greenough voting no, all others voting yes, motion carries.

Motion made by Greenough, seconded by Russell, to approve the application for permit to occupy county highway right-of-way from an existing vault near 13321 N Angostura Rd. to the property line between 27901 Pillar Rock Circle and 27900 Twin Rock Bend Rd.

Seiler presented the board with a quote from Nelson's Oil and Gas, Inc. to remove and dispose of the oil furnace from the Ardmore shop; the board requested Seiler bring more quotes.

Seiler spoke of KD Construction getting a contract for 25,000 tons of gravel; the bid was supposed to be for 45,000 tons. The difference will need to be rebid. Motion made by Allen, seconded by Russell, to approve requesting sealed bids for 20,000 tons of gravel for Shep's Canyon Road. With Greenough voting no, all others voting yes, by roll call vote, motion carries.

Seiler updated the board that there is a road grader that will need to be replaced in the upcoming year, a full-time person will be hired with a CDL after Labor Day and that mowing will happen after the project at Shep's Canyon Road is done. Discussion was held on jake brake signs and whether to amend the ordinance. The Chairman asked that the road grader purchase be put on the next agenda.

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

GENERAL FUND

AMAZON CAPITAL SERVICES	SUPPLY	\$253.84
CURA HOSPITALITY	INMATE MEALS	\$12,373.21
BANKS, BRIDGETTE	COURT REPORTER	\$30.40
BOB BARKER COMPANY INC	SUPPLY	\$571.02
BLACK HILLS CHEMICAL	SUPPLY	\$155.16
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$5,146.51
CENTRAL BODY SHOP	HAIL REPAIR	\$5,578.00
CENTURY BUSINESS LEASING	COPIER LEASE/USAGE/METER	\$816.96
CHEYENNE SANITATION	SANITATION COLLECTION	\$371.73
COLBATH, ANGELA M	CAAF	\$316.90

CULLEN, DAN	REIMBURSEMENT	\$217.50
CULLIGAN SOFT WATER	RENTAL/SUPPLY	\$223.50
FARRELL, FARRELL & GINSBACH	CAAF	\$3,004.65
FR CO REGISTER OF DEEDS	SUPPLY	\$20.00
FALL RIVER COUNTY HERALD	PUBLICATION	\$168.00
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$2,292.49
HAMILTON COUNTY SHERIFF	TAX DEED SERVED	\$37.00
HOBART SALES & SERVICE	SERVICE/REPAIR	\$1,019.50
HOT SPRINGS ACE HARDWARE	SUPPLY	\$90.41
CITY OF HOT SPRINGS	CITY WATER BILL	\$1,190.17
LYNN'S DAKOTAMART	SUPPLY	\$17.37
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$4,194.24
MARICOPA COUNTY	TAX DEED SERVED	\$80.00
MARCO	COPIER LEASE	\$165.00
MASTEL, BRUCE	DATABASE SETUP & MON	\$35.00
MEDICAL WASTE TRANSPORT	MEDICAL WASTE TRANSPORTS	\$178.71
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$202.50
MONUMENT HEALTH	MORGUE FEE	\$461.00
QUADIENT FINANCE USA, INC	POSTAGE	\$1,142.48
NUTRIEN AG SOLUTIONS	SUPPLY	\$3,445.50
OKANOGAN COUNTY SHERIFF	TAX DEED SERVED	\$81.00
O'NEILL, JUSTIN	CAAF	\$4,921.46
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNINGTON/TRANSPORT	\$5,315.52
PRYOR LEARNING SOLUTIONS	SUBSCRIPTION	\$299.00
QUILL CORPORATION	SUPPLIES	\$177.53
CITY OF RAPID CITY	BLOOD DRAW ANALYSIS	\$440.00
RIES, ABBEY	REIMBURSEMENT	\$100.00
RUSSELL, LANCE	REIMBURSEMENT	\$60.60
SD DEPARTMENT OF HEALTH	BLOOD DRAW ANALYSIS	\$120.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITTANCE	\$1,271.63
SDPAA	LIABILITY INSURANCE	\$84,391.67
SERVALL	RUGS AND MATS SERVICE	\$429.15
SOFTWARE SERVICES INC	SOFTWARE SUPPORT	\$1,298.00
STEVEN'S AUTOMOTIVE	REPAIR	\$4,277.98
WENDELL'S GARAGE	SERVICE	\$445.99
WESTERN FIRST AID & SAFETY	SUPPLY	\$294.89
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$6,760.00
NORTON, LYLE	UNIFORM ALLOWANCE	\$50.00
	TOTAL FOR GENERAL FUND	\$154,533.17
COUNTY ROAD & BRIDGE		
B H ELECTRIC COOP INC.	UTILITY HIGHWAY ELECTRIC	\$35.15
BLACK HILLS ENERGY	UTILITY POWER ELECTRIC	\$392.67
CHEYENNE SANITATION	SANITATION COLLECTION	\$74.00

CITY OF EDMONT	CITY OF EDMONT WATER	\$84.10
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$255.73
CITY OF HOT SPRINGS	CITY WATER BILL	\$39.29
SDPAA	LIABILITY INSURANCE	\$17,398.18
	TOTAL COUNTY ROAD & BRIDGE	\$18,279.12
911 SURCHARGE REIMBURSEMENT		
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$82.34
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$804.65
SDPAA	LIABILITY INSURANCE	\$220.50
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$1,107.49
FIRE PROTECTION FUND		
ARDMORE FIRE DISTRICT	2021 FIRE INSURANCE	\$1,352.02
EDGEMONT FIRE DEPT	2021 FIRE INSURANCE	\$4,470.53
HOT SPRINGS FIRE DEPT	2021 FIRE INSURANCE	\$17,447.00
MINNEKAHTA FIRE	2021 FIRE INSURANCE	\$1,386.88
OELRICHS VOL FIRE DEPT	2021 FIRE INSURANCE	\$1,792.95
ORAL FIRE DEPT	2021 FIRE INSURANCE	\$919.09
SDPAA	LIABILITY INSURANCE	\$231.65
SMITHWICK FIRE DEPARTMENT	2021 FIRE INSURANCE	\$466.03
	TOTAL FOR FIRE PROTECTION FUND	\$28,066.15
EMERGENCY MANAGEMENT		
AMAZON CAPITAL SERVICES	SUPPLY	\$35.98
GOLDEN WEST	PHONE BILL/LONG DISTANCE	\$156.42
MARCO	COPIER LEASE	\$38.90
QUADIENT FINANCE USA, INC	POSTAGE	\$0.51
SDPAA	LIABILITY INSURANCE	\$1,433.78
	TOTAL FOR EMERGENCY MANAGEMENT	\$1,665.59
M & P RELIEF		
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$165.00
	TOTAL M & P RELIEF	\$165.00
COURTHOUSE BUILDING FUND		
HOT SPRINGS ACE HARDWARE	SUPPLY	\$16.19
	TOTAL FOR COURTHOUSE BUILDING FUND	\$16.19
	TOTAL PAID BETWEEN 8/6/21 AND 8/19/21	\$203,832.70

Break was taken at 10:17 a.m. and the meeting reconvened at 10:25 a.m.

Public comment was heard from Sheriff Evans, noting 20 males and 3 females in the Fall River County Jail, with 1 male and 2 females in the Pennington County Jail, for a total of 27 inmates. Additional comments were heard from Andrea Powers about possible stipulations for the tax deed sale, and Jeff Kauffman spoke on the need to audit election machines due to the small margin in votes in Amendment A results.

Dustin Ross, Andersen Engineers, met with the board. Motion made by Russell, seconded

by Cope, to approve the following resolution:

FALL RIVER COUNTY RESOLUTION #2021-46

A Plat of Juhl Acres Tract, located in Section 1, T7S, R5E, BHM, Fall River County, South Dakota

Formerly Lot B of Lot 2 of Whole Note Subdivision

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

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

Dated this 19th day of August, 2021.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg, Chairman

Fall River County Board of Commissioners

Budget requests were heard from the following people:

Kelsey Trotter, Edgemont YMCA

Bob Nelson and Mary Kay Thompson, Hot Springs Library

Bob Nelson, Mayor of the City of Hot Springs, met with the board to present documents on library costs and revenues, membership numbers and charges for rural card holders. Commissioner Russell spoke of a prior agreement on sharing dispatch salary costs, which has not been increased in years.

Sue Ganje, Auditor, met with the board and presented information on the American Rescue Plan, Coronavirus State and Local Fiscal Recovery Funds, specifically on Premium Pay allowed for work performed since the start of COVID-19.

The board and auditor reviewed discussed the approved 2022 Provisional budget.

Motion made by Russell, seconded by Cope, to enter executive session, as per SDCL 1-25-2(1) for personnel purposes and as per SDCL 1-25-2 (4) for negotiations at 11:30 a.m.

The Board came out of executive session at 11:50 a.m. and recessed until 2:00 p.m. for the tax deed auction.

The tax deed auction began at 2:00 p.m.

Motion made by Russell, seconded by Greenough, to adjourn at 2:31 p.m.

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

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



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

September 16, 2021

Hon. Mike Rounds
716 Hart Senate Office Bldg.
Washington DC 20515

Dear Senator Rounds,

As the national conversation on infrastructure concludes in the coming weeks, several provisions have been brought to our attention that we believe would impact the supply chain in Fall River County. Several sections within the House's version of the infrastructure bill would disrupt freight rail operations and service across South Dakota, push heavier trucks onto local highways, and negatively impact such aspects as our oil and gas development and international trade.

These include such provisions as requiring crew size mandates on railroads but not on other modes of transportation and a multi-billion dollar unfunded mandate to replace locomotives built prior to 2008. Another provision would require freight trains coming into the United States from Mexico to nearly immediately stop once they enter the country and perform a Mexican-to-American crew interchange and safety inspections. This contradicts an existing procedure allowing trains to proceed up to 15 miles inland and stop at proper railyards before they make their exchanges and checks thus risking unsafe conditions on the border and bottlenecks with international trade. These are just some of the provisions that are causes for concern in the rail title of the bill that could adversely impact rail service in South Dakota and nationwide.

Closer to home, a provision in the House bill would effectively prohibit the movement of fossil fuels, namely liquefied natural gas, by freight trains. Moving these products by rail is one of the key methods of moving these materials from nearby developments like the Bakken Field. Interestingly this prohibition does not extend to other forms of transportation such as the trucking industry. This means we may see an increase in heavy trucks carrying these materials in places like Fall River County as they move southward towards distribution hubs like Denver. Policies like these aren't just shortsighted because they needlessly attack an industry but they

create ancillary problems for our communities. Moving freight by rail is three times more efficient than trucks and 99.99 percent of hazmat trains reach their final destination without incident. Policy changes that push more freight onto trucks actually increase pollution all while making roads less safe for passenger vehicles. In addition, the freight rail industry is privately owned, operated and maintained which means they cover the cost of their own infrastructure and repair. Pushing more trucks onto local highways only increases the burden on South Dakota taxpayers.

As a result of these issues, the county is requesting you oppose unnecessary policies like these whether they be included in a final infrastructure bill in the coming weeks or in future efforts that would impact the freight rail system. Instead, I would urge you to consider the existing benefits our freight rail system provides our economy and local communities such as efficiently moving freight, helping to lower emissions, creating good paying jobs, and providing transportation options to local businesses when weighing your infrastructure policies.

Sincerely,

Joe Falkenburg
Chairman
Fall River County Commission



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PHONE: (605) 745-5130 FAX: (605) 745-6835***

September 16, 2021

Hon. Dusty Johnson
1714 Longworth House Office Bldg.
Washington DC 20515

Dear Congressman Johnson,

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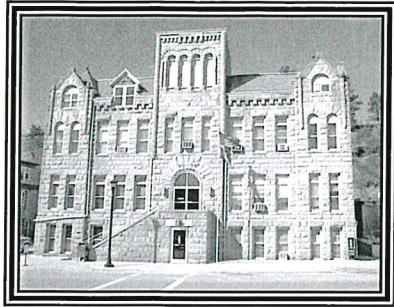
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Sincerely,

Joe Falkenburg
Chairman
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906 NORTH RIVER ST
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PHONE: (605) 745-5130 FAX: (605) 745-6835***

September 16, 2021

Hon. John Thune
511 Dirksen Senate Office Bldg.
Washington DC 20515

Dear Senator Thune,

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Sincerely,

Joe Falkenburg
Chairman
Fall River County Commission

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 August 2021.

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SAVINGS:

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First National Bank of Lead: ICS Acct	\$	1,046,105.73

CERTIFICATES OF DEPOSIT:

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Black Hills Federal Credit Union, HS:	\$	250,000.00
Bank of the West, HS:	\$	542,423.60
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RETURNED CHECKS:

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Caveye, Russell	10/26/2020	\$	64.77

TOTAL \$ 10,846,312.50

Dated This 31st Day of August 2021.



Sue Ganje, County Auditor of Fall River County



Teresa Pullen, County Treasurer of Fall River County

County Monies	\$	10,568,913.91
Held for other Entities	\$	85,276.73
Held in Trust	\$	192,121.86
TOTAL	\$	10,846,312.50

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

September 07, 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 and Car Show Fundraiser to be held on September 17th & 18th, 2021 at the Hills Edge Auto. 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:	September 17, 2021, 4pm and September 18, 9am to 7pm
Location of Event:	American Legion, 104 5 Jennings Avenue, Hot Springs, SD 57747
Cost of Tickets:	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



*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: September 16, 2021

Subj: Commission Update

1. **SD Dept. of Emergency Management:** I attended the Edgemont City Council Meeting on September 7th, to provide updates to the county Pre Disaster Mitigation Plan (PDM) and the Local Emergency Operations Plan (LEOP). I attended the Oelrichs Town Board meeting on August 2nd, 2021 to provide the same information. I am scheduled to attend the Hot Springs City Council meeting on September 20, 2021 to do the required updates.
2. **Fall River County Annual Exercise:** The exercise was held on Sept. 15, 2021. I will be completing the required paperwork for full credit.
3. **Corrections Training (Lexipol):** One of the requirements for the Safety Benefits program is to provide training to jailers, dispatchers, and law enforcement personnel. Lexipol provides virtual training modules to accomplish these requirements. Additionally, there are modules that meet the needs of the office personnel within the county. The cost is \$3,264 per year for 51 employees. I would recommend approval.
4. **Fires & Incidents:**
 1. 9/04/2021: Sig. 1 fatality Hwy 79: Fall River Sheriff, SD Highway Patrol, Hot Springs Ambulance, Hot Springs Fire, SD GFP, and Fall River Coroner.
 2. 9/11/2021: Grass Fire: 6 miles south of Provo: 12 acres: Ardmore Fire, Edgemont Fire, and Buffalo Gap National Grasslands.
 3. 9/11/2021: Sig. 1: Oral Road: Vehicle in the Irrigation Canal. Fall River Sheriff, Hot Springs Ambulance.

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



Esri Inc
380 New York Street
Redlands CA 92373

Subject: Renewal Quotation

Date: 09/10/2021
To: Stacey Martin
Organization: County of Fall River
GIS Dept
Fax #: 605-745-6835 **Phone #:** 605-745-7584

From: Alan Chrest
Fax #: 909-307-3083 **Phone #:** 888-377-4575 Ext. 2857
Email: achrest@esri.com

Number of pages transmitted
(including this cover sheet): 4

Quotation #26029099
Document Date: 07/12/2021

Please find the attached quotation for your forthcoming term. Keeping your term current may entitle you to exclusive benefits, and if you choose to discontinue your coverage, you will become ineligible for these valuable benefits and services.

If your quote is regarding software maintenance renewal, visit the following website for details regarding the maintenance program benefits at your licensing level
<http://www.esri.com/apps/products/maintenance/qualifying.cfm>

All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your coverage at a later date.

Please note: Certain programs and license types may have varying benefits. Complimentary User Conference registrations, software support, and software and data updates are not included in all programs.

Customers who have multiple copies of certain Esri licenses may have the option of supporting some of their licenses with secondary maintenance.

For information about the terms of use for Esri products as well as purchase order terms and conditions, please visit
<http://www.esri.com/legal/licensing/software-license.html>

If you have any questions or need additional information, please contact Customer Service at 888-377-4575 option 5.

**esri**[®]

380 New York Street
Redlands, CA 92373
Phone: 888-377-45752857
Fax #: 909-307-3083

Quotation

Date: 07/12/2021**Quotation Number:** 26029099

County of Fall River
GIS Dept
906 N River St
Hot Springs SD 57747
Attn: Stacey Martin

Customer Number: 229788

For questions regarding this document, please contact Customer Service at 888-377-4575.

Send Purchase Orders To:

Environmental Systems Research Institute, Inc.
380 New York Street
Redlands, CA 92373-8100
Attn: Alan Chrest

Please include the following remittance address on your Purchase Order:

Environmental Systems Research Institute, Inc.
P.O. Box 741076
Los Angeles, CA 90074-1076

Item	Qty	Material#	Unit Price	Extended Price
10	1	52384 ArcGIS Desktop Advanced Concurrent Use Primary Maintenance Start Date: 10/11/2021 End Date: 10/10/2022	3,000.00	3,000.00
1010	1	98696 ArcGIS Publisher for Desktop Concurrent Use Primary Maintenance Start Date: 10/11/2021 End Date: 10/10/2022	500.00	500.00
2010	1	87192 ArcGIS Desktop Basic Single Use Primary Maintenance Start Date: 10/11/2021 End Date: 10/10/2022	400.00	400.00
			Item Subtotal	3,900.00
			Estimated Tax	0.00
			Total	USD 3,900.00

DUNS/CEC: 06-313-4175 **CAGE:** 0AMS3

Quotation is valid for 90 days from document date.

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

Issued By: Alan Chrest **Ext:** 2857

[CSBATCHDOM]

To expedite your order, please reference your customer number and this quotation number on your purchase order.



esri[®]

380 New York Street
Redlands, CA 92373
Phone: 888-377-45752857
Fax #: 909-307-3083

Quotation

Page 2

Date: 07/12/2021

Quotation Number: 26029099

Item Qty Material#

Unit Price

Extended Price

Renewal Options:

- Online: Renew through My Esri site at <https://my.esri.com>
 - Credit Card
 - Purchase Order
 - Email Authorization
- Email or Fax: Email Authorization, Purchase Order or signed quote to:
 - Fax: 909-307-3083
 - Email: service@esri.com

Requests via email or signed quote indicate that you are authorized to obligate funds for your organization and your organization does not require a purchase order.

If there are any changes required to your quotation please respond to this email and indicate any changes in your invoice authorization.

If you choose to discontinue your support, you will become ineligible for support benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your support coverage at a later date.

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <http://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <http://assets.esri.com/content/dam/esrisites/media/legal/ma-full/ma-full.pdf> apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <http://www.esri.com/en-us/legal/terms/state-supplemental> apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy GSA, BPA) on your ordering document.

**esri**[®]

380 New York Street
Redlands, CA 92373
Phone: 888-377-45752857
Fax #: 909-307-3083

Quotation

Page 3

Date: 07/12/2021

Quotation No: 26029099

Customer No: 229788

Item	Qty	Material#	Unit Price	Extended Price
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US FEDERAL CUSTOMERS: If you are a federal customer or a contractor purchasing on behalf of a federal customer a purchase order is required to receive an invoice. Please email the purchase order to service@esri.com

By signing below, you are authorizing Esri to issue a software support invoice in the amount of USD _____ plus sales tax, if applicable.

Please check one of the following:

_____ I agree to pay any applicable sales tax.

_____ I am tax exempt. Please contact me if Esri does not have my current exempt information on file.

Signature of Authorized Representative

Date

Name (Please Print)

Title

**FARRELL, FARRELL & GINSBACH
LAWYERS**

441 NORTH RIVER STREET
HOT SPRINGS, SOUTH DAKOTA 57747
PHONE: 605.745.5161
FAX: 605.745.3154
EMAIL: farrellginsbach@gwtc.net

**WILLIAM R. HUSTEAD
COLE J. ROMEY**

**PATRICK M. GINSBACH, OF COUNSEL
JANE M. FARRELL, OF COUNSEL
MARTIN P. FARRELL (1940-1995)**

Serving the Southern Hills for 75 years

September 9, 2021

Fall River County Auditor
Attn: Bobby
906 N River Street
Hot Springs, SD 57747

Re: Wynia Petition to Vacate Section

Dear Bobby,

Enclosed please find the Petition to Vacation Section Line Right-of-Way. Please contact Patrick Ginsbach with any questions.

Sincerely,



Lacey Rapp
Office Manager

Encl.

RECEIVED
SEP 09 2021

BY: BT

RECEIVED
SEP 09 2021

PETITION TO VACATION SECTION LINE RIGHT-OF-WAY

TO: FALL RIVER COUNTY COMMISSIONERS

WE, THE UNDERSIGNED qualified voters of Fall River County in the State of South Dakota, pursuant to SDCL 31-3-6, petition the Fall River County Commission to vacate the below listed section line highway, as a public interest that will be served by the proposed vacating of the section line highway:

1. The beginning course and termination of the section line highways to be vacated are as follows:

That portion of the section line highway between Sections 22 and 23 of Township 7 South, Range 5 East of the Black Hills Meridian, commencing on the area where the section line enters Tract D located in the SE1/4NE1/4 of Section 22 and Tract D of the SW1/4NW1/4 Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, and then traveling in a southerly direction 286' to a point where the section line exits Tract D in the SE1/4NE1/4 of Section 22, and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota, according to the Plat thereof recorded in Book VIII of Plats, page 62 in the office of the Fall River County Register of Deeds.

2. The land owners adjacent to the location of the section line highway are:

Estate of Derelle Wynia
12793 US Hwy 18
Hot Springs, South Dakota 57747

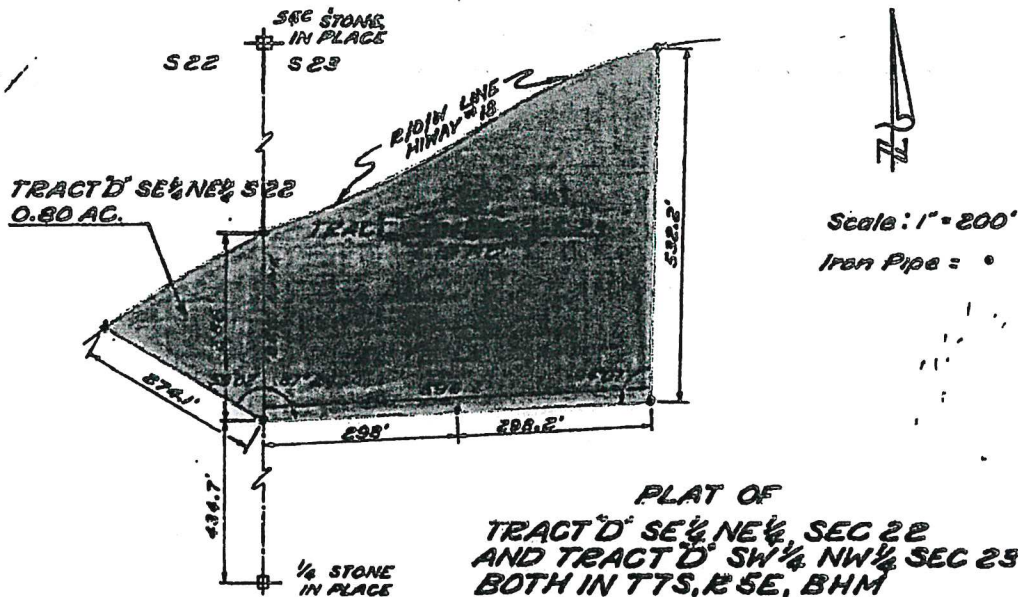
The State of South Dakota
500 E. Capitol Ave.
Pierre, SD 57501

Black Hills Hardscapes, Inc.
1205 Sheridan Street
Hot Springs, SD 57747

3. That the Petitioners seek to vacate the said street that has never been used as a street, nor is it needed for access and is undeveloped, and the section line travels through platted property, known as Tract D in the SE1/4NE1/4 of Section 22 and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River

RECEIVED
SEP 9 2011
BY: BJ

WHEREFORE, your Petitioners pray that notice of the time and place when and where the Petition will be considered, be published one per week for two successive weeks in the Hot Springs Herald Star and at that hearing, that portion of the street as described in this Petition be vacated, subject to any Easements of record.



SURVEYOR'S CERTIFICATE

I, George G. Ross, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE OWNER, I HAVE SURVEYED AND PLATTED TRACT D' SE 1/4 NE 1/4 SEC. 22, AND TRACT D' SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M. AS SHOWN HEREON, ALL DIMENSIONS SHOWN ARE TRUE AND CORRECT.

George G. Ross
REGISTERED LAND SURVEYOR

ACKNOWLEDGEMENT OF SURVEYOR

STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
BE IT REMEMBERED THAT ON THIS 24 DAY OF JANUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED George G. Ross KNOWN TO ME TO BE THE PERSON, DESCRIBED IN, AND WHO EXECUTED THE FOREGOING CERTIFICATE.
MY COMMISSION EXPIRES APRIL 25, 1969.

George E. Olszewski
NOTARY PUBLIC

OWNER'S CERTIFICATE

I (WE), PAUL A. CALHOUN & LESLIE J. CALHOUN, OWNERS OF TRACT "D" SE 1/4 NE 1/4 SEC. 22, TRACT "D" SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M., DO HEREBY APPROVE THE SURVEY AND PLAT, WITNESS (OUR, MY) HAND THIS 24 DAY OF FEBRUARY, 1967.

OWNER Paul A. Calhoun
OWNER Leslie J. Calhoun
OWNER Paul A. Calhoun
Paul A. Calhoun
NOTARY PUBLIC

ACKNOWLEDGEMENT OF OWNERS

STATE OF INDIANA, COUNTY OF LAKE
DAY OF FEBRUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED PAUL A. CALHOUN & LESLIE J. CALHOUN, KNOWN TO ME TO BE THE PERSON DESCRIBED IN, AND WHO EXECUTED THE FOREGOING OWNER'S CERTIFICATE.
MY COMMISSION EXPIRES 1-18-68.

Butler J. White
NOTARY PUBLIC

CERTIFICATE OF COUNTY TREASURER

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER
I, WILLIAM J. HENDERSON, COUNTY TREASURER OF FALL RIVER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON THE EASES PLATTED ABOVE

AS SHOWN BY RECEIPTS OF MY OFFICE, HAVE BEEN PAID TO DATE.

DATE: MARCH 21, 1967
William J. Henderson
COUNTY TREASURER

OFFICE OF REGISTER OF DEEDS

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER
FILED FOR RECORD THIS 22 DAY OF MARCH, 1967, AT 2:15 O'CLOCK
P.M. AND RECORDED IN BOOK 300 OF PLATS ON PAGE 62 THEREIN.

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.

2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.

3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.

4. Abbreviations of common usage may be used. Ditto marks may not be used.

5. Failure to provide all information requested may invalidate the signature.

NAME		RESIDENCE	DATE/COUNTY
SIGN 1	<i>Lonny Mackle</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 807 Almond St #2	DATE OF SIGNING 8-26-21
PRINT	Lonny Mackle	CITY OR TOWN Hot Springs SD 57747	COUNTY OF REGISTRATION Fall River
SIGN 2	<i>Webb Carson</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 13059 FAIR CT	DATE OF SIGNING 8-26-21
PRINT	Webb Carson	CITY OR TOWN HOT SPRING, SD	COUNTY OF REGISTRATION Fall River
SIGN 3	<i>Royce Jones</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1339 Dexter	DATE OF SIGNING 8-20-21
PRINT	Royce Jones	CITY OR TOWN H.S. SD. 57747	COUNTY OF REGISTRATION Fall River
SIGN 4	<i>Kiss Bledsoe</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 13664 Cone Tree Rd	DATE OF SIGNING 8-30-21
PRINT	Kiss Bledsoe	CITY OR TOWN Buhalo Gap, S.C. DAY	COUNTY OF REGISTRATION Fall River
SIGN 5	<i>Lyle Witt</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2327 WASHINGTON	DATE OF SIGNING 8/30/21
PRINT	Lyle Witt	CITY OR TOWN HOT SPRINGS, SD	COUNTY OF REGISTRATION FALL RIVER, SD.
SIGN 6	<i>Glen Popescu</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1345 Sheridan St.	DATE OF SIGNING 8/30/21
PRINT	Glen Popescu	CITY OR TOWN HOT SPRINGS SD	COUNTY OF REGISTRATION Fall River, S.P.
SIGN 7	<i>Steve Preheim</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2317 Washington Ave.	DATE OF SIGNING 8-31-21
PRINT	Steve Preheim	CITY OR TOWN H.S. SD. 57747	COUNTY OF REGISTRATION Fall River
SIGN 8	<i>Caleb Priem</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 12572 Sheep's Canyon Rd	DATE OF SIGNING 8-31-21
PRINT	Caleb Priem	CITY OR TOWN HOT SPRINGS S.D 57747	COUNTY OF REGISTRATION Fall River
SIGN 9	<i>Kelly Haacke</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1076 EVANSTON AVE	DATE OF SIGNING 8-31-21
PRINT	Kelly Haacke	CITY OR TOWN HOT SPRINGS SD 57747	COUNTY OF REGISTRATION Fall River
SIGN 10	<i>James L. Stevens</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1622 EVANSTON AVE	DATE OF SIGNING 8-31-2021
PRINT	James L. Stevens	CITY OR TOWN HOT SPRINGS SD 57747	COUNTY OF REGISTRATION Fall River
SIGN 11	<i>Janet Speirs</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 336 S 21st	DATE OF SIGNING 9-5-21
PRINT	Janet Speirs	CITY OR TOWN HOT SPRINGS, SD 57747	COUNTY OF REGISTRATION Fall River
SIGN 12	<i>Karla D. Richmond</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 27545 Todd Drive	DATE OF SIGNING 9/5/21
PRINT	Karla D. Richmond	CITY OR TOWN HOT SPRINGS, SD 57747	COUNTY OF REGISTRATION Fall River
SIGN 13	<i>Gerald Colloghan</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1038 EVANSTON AVE	DATE OF SIGNING 9-5-21
PRINT	GERALD COLLOGHAN	CITY OR TOWN HOT SPRINGS, SD 57747	COUNTY OF REGISTRATION FALL RIVER
SIGN 14	<i>Barb Boery</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2038 Washington	DATE OF SIGNING 9-5-21
PRINT	Barb Boery	CITY OR TOWN HOT SPRINGS, SD	COUNTY OF REGISTRATION Fall River
SIGN 15	<i>Eugene Nachtigall</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 12749 Country Rd	DATE OF SIGNING 9-5-21
PRINT	Eugene Nachtigall	CITY OR TOWN HOT SPRINGS, SD 57747	COUNTY OF REGISTRATION Fall River
SIGN 16	<i>Jean Nachtigall</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 12749 Country Rd	DATE OF SIGNING 9-5-21
PRINT	JEAN NACHTIGALL	CITY OR TOWN Hot Springs, SD 57747	COUNTY OF REGISTRATION Fall River

17 PRINT <u>Anne Zwetzig</u>	CITY OR TOWN <u>Hot Springs</u>	COUNTY OF REGISTRATION <u>Fall River</u>
SIGN <u>Anne Zwetzig</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>1343 Sherman St</u>	DATE OF SIGNING <u>9/5/21</u>
18 PRINT <u>Bernie Cook</u>	CITY OR TOWN <u>Hot Springs</u>	COUNTY OF REGISTRATION <u>Fall River</u>
SIGN <u>Bernie Cook</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>350 N. Garden St</u>	DATE OF SIGNING <u>9/5/21</u>
19 PRINT <u>Bernie Cook</u>	CITY OR TOWN <u>Hot Springs</u>	COUNTY OF REGISTRATION <u>Fall River</u>
SIGN <u>Connie Ulmer</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>109 S. 23rd St.</u>	DATE OF SIGNING <u>9-5-21</u>
20 PRINT <u>Connie Ulmer</u>	CITY OR TOWN <u>Hot Springs</u>	COUNTY OF REGISTRATION <u>Fall River</u>

VERIFICATION BY PERSON CIRCULATING PETITION

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

Todd Wynia 12793 U.S. Hwy 18 Hot Springs S.D.
Print name of the circulator Residence Address City State

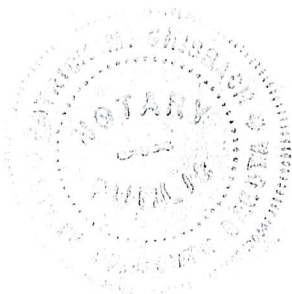
I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this 8 day of September, 2021
(Seal)

My Commission Expires 9-14-2021

Form Revised 2000 - 5:02:08:19

Todd Wynia
Signature of Circulator
Patricia M. Gubuli
Signature of Officer Administering Oath
Notary Public SD
Title of Officer Administering Oath



PETITION TO VACATION SECTION LINE RIGHT-OF-WAY

TO: FALL RIVER COUNTY COMMISSIONERS

WE, THE UNDERSIGNED qualified voters of Fall River County in the State of South Dakota, pursuant to SDCL 31-3-6, petition the Fall River County Commission to vacate the below listed section line highway, as a public interest that will be served by the proposed vacating of the section line highway:

1. The beginning course and termination of the section line highways to be vacated are as follows:

That portion of the section line highway between Sections 22 and 23 of Township 7 South, Range 5 East of the Black Hills Meridian, commencing on the area where the section line enters Tract D located in the SE1/4NE1/4 of Section 22 and Tract D of the SW1/4NW1/4 Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, and then traveling in a southerly direction 286' to a point where the section line exits Tract D in the SE1/4NE1/4 of Section 22, and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota, according to the Plat thereof recorded in Book VIII of Plats, page 62 in the office of the Fall River County Register of Deeds.

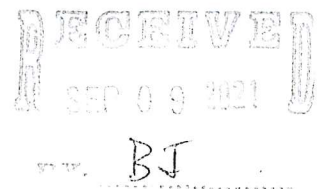
2. The land owners adjacent to the location of the section line highway are:

Estate of Derelle Wynia
12793 US Hwy 18
Hot Springs, South Dakota 57747

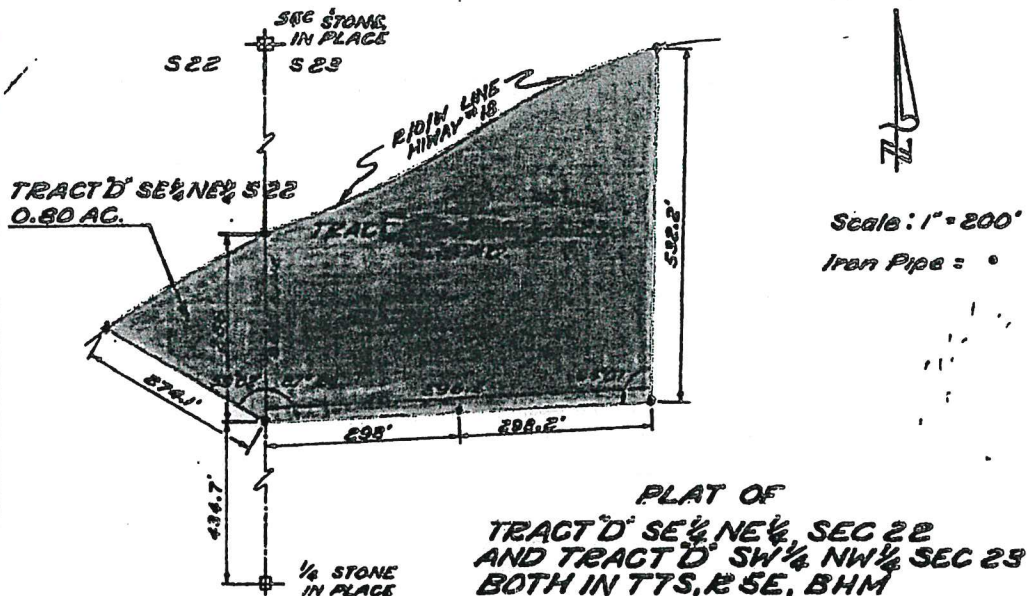
The State of South Dakota
500 E. Capitol Ave.
Pierre, SD 57501

Black Hills Hardscapes, Inc.
1205 Sheridan Street
Hot Springs, SD 57747

3. That the Petitioners seek to vacate the said street that has never been used as a street, nor is it needed for access and is undeveloped, and the section line travels through platted property, known as Tract D in the SE1/4NE1/4 of Section 22 and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River



WHEREFORE, your Petitioners pray that notice of the time and place when and where the Petition will be considered, be published one per week for two successive weeks in the Hot Springs Herald Star and at that hearing, that portion of the street as described in this Petition be vacated, subject to any Easements of record.



PLAT OF
TRACT D SE 1/4 NE 1/4 SEC 22
AND TRACT D SW 1/4 NW 1/4 SEC 23
BOTH IN T7S, R5E, B.H.M.

SURVEYOR'S CERTIFICATE

I, GEORGE G. ROSS, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE OWNER, I HAVE SURVEYED AND PLATTED TRACT D SE 1/4 NE 1/4 SEC. 22, AND TRACT D SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M. AS SHOWN HEREON, ALL DIMENSIONS SHOWN ARE TRUE AND CORRECT.

George G. Ross
REGISTERED LAND SURVEYOR

ACKNOWLEDGEMENT OF SURVEYOR

STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
BE IT REMEMBERED THAT ON THIS 29 DAY OF JANUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED GEORGE G. ROSS KNOWN TO ME TO BE THE PERSON, DESCRIBED IN, AND WHO EXECUTED THE FOREGOING CERTIFICATE.
MY COMMISSION EXPIRES APRIL 28, 1969.

George G. Olyard
NOTARY PUBLIC

OWNER'S CERTIFICATE

I (WE), PAUL A. CALHOUN & LILLIE L. CALHOUN OWNERS OF TRACT "D" SE 1/4 NE 1/4 SEC. 22, TRACT "D" SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M., DO HEREBY APPROVE THE SURVEY AND PLAT, WITNESS (OUR, MY) HAND THIS 29 DAY OF FEBRUARY, 1967.

OWNER

OWNER

OWNER

ACKNOWLEDGMENT OF OWNERS

STATE OF INDIANA, COUNTY OF LAKE
DAY OF FEBRUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED PAUL A. CALHOUN & LILLIE L. CALHOUN, KNOWN TO ME TO BE THE PERSON DESCRIBED IN, AND WHO EXECUTED THE FOREGOING OWNER'S CERTIFICATE.
MY COMMISSION EXPIRES 1-18-68.

Betty J. White
NOTARY PUBLIC

CERTIFICATE OF COUNTY TREASURER

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER
I, WILLIAM L. JOHNSON, COUNTY TREASURER OF FALL RIVER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON THE EASES PLATTED ABOVE

AS SHOWN BY RECEIPTS OF MY OFFICE, HAVE BEEN PAID TO DATE.

DATE: MAR 21, 1967

William L. Johnson
COUNTY TREASURER

OFFICE OF REGISTER OF DEEDS

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER
FILED FOR RECORD THIS 28 DAY OF MARCH, 1967, AT 2:15 O'CLOCK P.M. AND RECORDED IN BOOK 200 OF PLATS ON PAGE 62 THEREIN.

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.

2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.

3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.

4. Abbreviations of common usage may be used. Ditto marks may not be used.

5. Failure to provide all information requested may invalidate the signature.

NAME		RESIDENCE	DATE/COUNTY
SIGN 1	Sheila DeVries	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 27512 Todd Dr.	DATE OF SIGNING Aug. 27, 2021
PRINT	Sheila DeVries	CITY OR TOWN Hot Springs	COUNTY OF REGISTRATION Fall River
SIGN 2	Don DeVries	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 27512 Todd Dr.	DATE OF SIGNING 8-27-21
PRINT	Don DeVries	CITY OR TOWN Hot Springs	COUNTY OF REGISTRATION Fall River
SIGN 3	Rachelle Elshere	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2223 Washington Ave	DATE OF SIGNING 8-27-21
PRINT	Rachelle Elshere	CITY OR TOWN Hot Springs	COUNTY OF REGISTRATION Fall River
SIGN 4	Jerry Wyatt	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 27425 E. ORAL RD	DATE OF SIGNING 9/27/2021
PRINT	Jerry Wyatt	CITY OR TOWN Doral	COUNTY OF REGISTRATION Fall River
SIGN 5	Jeanne Wyatt	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 27425 E. ORAL RD	DATE OF SIGNING 8-27-21
PRINT	JEANNE WYATT	CITY OR TOWN Doral	COUNTY OF REGISTRATION Fall River
SIGN 6	Sheryl Grimes	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2400 HAMPTON RD	DATE OF SIGNING 8-27-21
PRINT	SHERYL GRIMES	CITY OR TOWN HOTSPRINGS	COUNTY OF REGISTRATION FALL RIVER
SIGN 7	Wes Dumas	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2400 Hampton	DATE OF SIGNING Fall River
PRINT	Wes Dumas	CITY OR TOWN HOT SPRINGS	COUNTY OF REGISTRATION Fall River
SIGN 8	Justin Grimes	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 7435 22nd	DATE OF SIGNING 8-27-21
PRINT	Justin Grimes	CITY OR TOWN Hot Springs, SD	COUNTY OF REGISTRATION Fall River
SIGN 9	Kathy Steffen	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 238 S 14th St	DATE OF SIGNING 8-27-21
PRINT	Kathy Steffen	CITY OR TOWN Hot Springs SD	COUNTY OF REGISTRATION Fall River
SIGN 10	Judith Hansen	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 306 So 6th St	DATE OF SIGNING 8-27-21
PRINT	Judith Hansen	CITY OR TOWN 306 So 6th St	COUNTY OF REGISTRATION Fall River
SIGN 11	Frank Mason	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1025 Evanston	DATE OF SIGNING 8/28
PRINT	Frank Mason	CITY OR TOWN H.S.	COUNTY OF REGISTRATION Fall River
SIGN 12	Patrick DeSmet	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 12559 Clayton Drive	DATE OF SIGNING 8/19/21
PRINT	Patrick DeSmet	CITY OR TOWN Hot Springs	COUNTY OF REGISTRATION Fall River
SIGN 13	Patricia L. Colloghan	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1038 Evanston Ave	DATE OF SIGNING 9-5-2021
PRINT	Patricia L. Colloghan	CITY OR TOWN Hot Springs SD	COUNTY OF REGISTRATION Fall River
SIGN 14	Joann Walker	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2510 Washington Ave	DATE OF SIGNING 9-5-2021
PRINT	Joann Walker	CITY OR TOWN Hot Springs, SD	COUNTY OF REGISTRATION Fall River
SIGN 15	Linda M. Styger	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 206 Meadowlark Dr.	DATE OF SIGNING 9-5-2021
PRINT	Linda M. Styger	CITY OR TOWN Hot Springs, SD	COUNTY OF REGISTRATION Fall River
SIGN 16	Patricia A. Strauser	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 402 Jennings Ave	DATE OF SIGNING 9-5-21
PRINT	PATRICIA A STRAUSER	CITY OR TOWN Hot Springs SD-	COUNTY OF REGISTRATION Fall River

17 PRINT		CITY OR TOWN		COUNTY OF REGISTRATION	
SIGN	<i>Marvin W Underwood</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	<i>109- South 23rd St</i>	DATE OF SIGNING	<i>9-5-21</i>
18 PRINT	<i>MARVIN W Underwood</i>	CITY OR TOWN	<i>HOT SPRINGS</i>	COUNTY OF REGISTRATION	<i>FALL RIVER</i>
SIGN	<i>Randall W Meyers</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	<i>27555 Denise DR</i>	DATE OF SIGNING	<i>6 SEP 21</i>
19 PRINT	<i>Randall W Meyers</i>	CITY OR TOWN	<i>Hot Springs</i>	COUNTY OF REGISTRATION	<i>FALL RIVER</i>
SIGN	<i>Bath S Meyers</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	<i>27555 Denise Dr</i>	DATE OF SIGNING	<i>9-6-21</i>
20 PRINT	<i>Bath S Meyers</i>	CITY OR TOWN	<i>Hot Springs</i>	COUNTY OF REGISTRATION	<i>FALL RIVER</i>

VERIFICATION BY PERSON CIRCULATING PETITION

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

Robin Wynia *12743 Liberty Drive* *Hot Springs* *SD*
 Print name of the circulator Residence Address City State

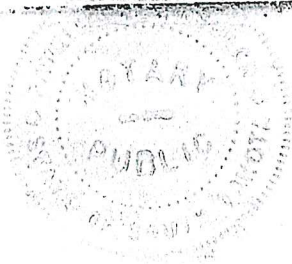
I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Robin Wynia
 Signature of Circulator

Sworn to before me this 8 day of September, 2021.
 (Seal)

Rafael M Gualde
 Signature of Officer Administering Oath
Notary Public Sb
 Title of Officer Administering Oath

My Commission Expires 9-14-2021
 Form Revised 2000 - 5:02:08:19



**NOTICE OF HEARING FOR CONSIDERATION OF
VACATION OF PUBLIC RIGHT-OF-WAY**

NOTICE IS HEREBY GIVEN that the Fall River County Board of Commissioners, pursuant to the provisions of SDCL 31-3-6 and SDCL 31-3-7, will hold a public hearing at _____ o'clock __.m. on September _____, 2021, in the Fall River County Courthouse, second floor, courtroom, 906 N. River St., Hot Springs, South Dakota, to consider a Petition to vacate a public right-of-way, having been proposed to be vacated (1) That portion of the section line highway between Sections 22 and 23 of Township 7 South, Range 5 East of the Black Hills Meridian, commencing on the area where the section line enters Tract D located in the SE1/4NE1/4 of Section 22 and Tract D of the SW1/4NW1/4 Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, and then traveling in a southerly direction 286' to a point where the section line exits Tract D in the SE1/4NE1/4 of Section 22, and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota, according to the Plat thereof recorded in Book VIII of Plats, page 62 in the office of the Fall River County Register of Deeds. Interested persons may present oral testimony at the hearing. Written comments will be received at the Office of the County Auditor, 906 N. River St., Hot Springs, South Dakota, 57747, up until the date and time set for the public hearing.

Dated this _____ day of September, 2021.

Sue Ganje
County Auditor

Published twice at the total of approximate cost of \$_____.

**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 16th day of September, 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:

Angostura Den Inc.
28041 Highway 385
Hot Springs, SD 57747

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 2nd day of September 2021, at Hot Springs, South Dakota.

/s/Sue Ganje
County Auditor
Fall River County

Date Received 8/25/21
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

A. Owner Name and Address

Angostura Don Inc
28041 Highway 385
Hot Springs SD 57747

Owner's Telephone #: 605 745 5456

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

Angostura Don Inc
28041 Highway 385
Hot Springs SD 57747

Business Telephone #: 605 745 5456

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:

Dupree Tract Sec 22 Twp 85
R6 E of BH Meridian

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

E. State Sales Tax Number 1011-9897-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 24 Aug 21 Print Name Robert L. Azarski Signature Robert L. Azarski

H. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on Sept. 9, 2021. Public hearing on the application was held Sept. 16, 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 \$ 0.00

For Local Government Use

Transferred (State Use)

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY:

APPROVAL _____ REVIEW _____

(Seal) _____
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Please complete the reverse side if applicable

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

Name of corporation/partnership/LP LLC Angostura Don Inc

Address of office and principal place of business of corporation/partnership/LP/LLC 28041 Highway 385 Hot Springs

Are all managing officers of this corporation/partnership/LP/LLC of good moral character having never been convicted of a felony? ☒ Yes ☐ No 57747

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

Name	Office	Address	Occupation
Robert AZARSKI	Pres	Box 323 Hot Springs SD 57747	Manager
Shirley AZARSKI	-	Box 323 Hot Springs SD 57747	retired
Shawn Rost	-	541 N. Cerritos Dr Palm Springs Ca 92262	Banker
Susan Rost	Sec Treas	541 N. Cerritos Dr Palm Springs Ca 92262	CPTA

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

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

28041 Highway 385 Hot Springs SD 57747

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

Robert Azarski Pres

24 August 2021

Fall River County Sheriff's Office

906 N. River Street, Hot Springs, SD 57747

Phone: (605)745-4444

Fax: (605)745-7591

E-mail: sheriff@frcounty.org



LIQUOR AND MALT BEVERAGE LICENSE APPLICATION

Board of Commissioners

Fall River County

Hot Springs, SD

Dear Commissioners:

The following person/firm has made application for a beverage license

LEGAL NAME Angostura Den Inc D.O.B. _____

PHYSICAL ADDRESS 28041 Highway 385

CITY Hot Springs, SD 57747

BUSINESS NAME Angostura Den Inc.

LOCATION OF BUSINESS _____

OWNER/MANAGER Robert Azarski

EFFECTIVE DATE of LICENSE _____

TYPE of LICENSE off-sale liquor

WE RECOMMEND THAT THIS LICENSE BE

APPROVED Robert Evans NOT APPROVED 9-2-21

REASON _____

Sincerely,

Bob Evans
Sheriff

Date: 9/2/21

By: Robert Evans
Deputy

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: 09-09-2021

COURT HOUSE ...FUEL/GAS PURCHASES :

(All Departments)

FROM DATE: 08-01-2021

THROUGH DATE: 08-31-2021

GALLONS: 109.60

TOTAL: \$ 293.62

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: 09-09-2021
SHERIFF'S DEPARTMENT GAS PURCHASES:
FROM DATE: 08-01-2021
THROUGH DATE: 08-31-2021
TOTAL GALLONS: 1,093.50
TOTAL: \$ 2,929.61

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: 09-09-2021

WEED BOARD FUEL PURCHASES:

FROM DATE: 08-01-2021

THROUGH DATE: 08-31-2021

GALLONS: 223.30

TOTAL: \$ 598.25

FRC HWY: km

HOT SPRINGS, SOUTH DAKOTA 57747 June 29,2006

FALL RIVER COUNTY, SOUTH DAKOTA

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

Date: 06-29-2006
Fall River County Weed Board
Cost for Work Requested: HUB AND BRAKE REPAIR, SEALS AND ROTOR
FROM DATE: 08-01-2021
THROUGH DATE: 08-31-2021
TOTAL: \$ 1,249.01

City of Hot Springs

Bob Nelson

Mayor

Phone: 605-745-3135

bobnelson@hs-sd.org



To: Larry Dean
From: Bob Nelson, Mayor
Date: August 30, 2021
Re: Letter of Support for the FHWA Functional Classification Revision on University Avenue

Mr Dean: This letter is to inform you the City of Hot Springs supports the Federal Highway Administration's functional classification revision of University Avenue from the junction of US 18 east to US 385.

Robert Nelson
Mayor of Hot Springs, SD

Proposed Functional Classification Revision
for
Hot Springs
South Dakota
2021

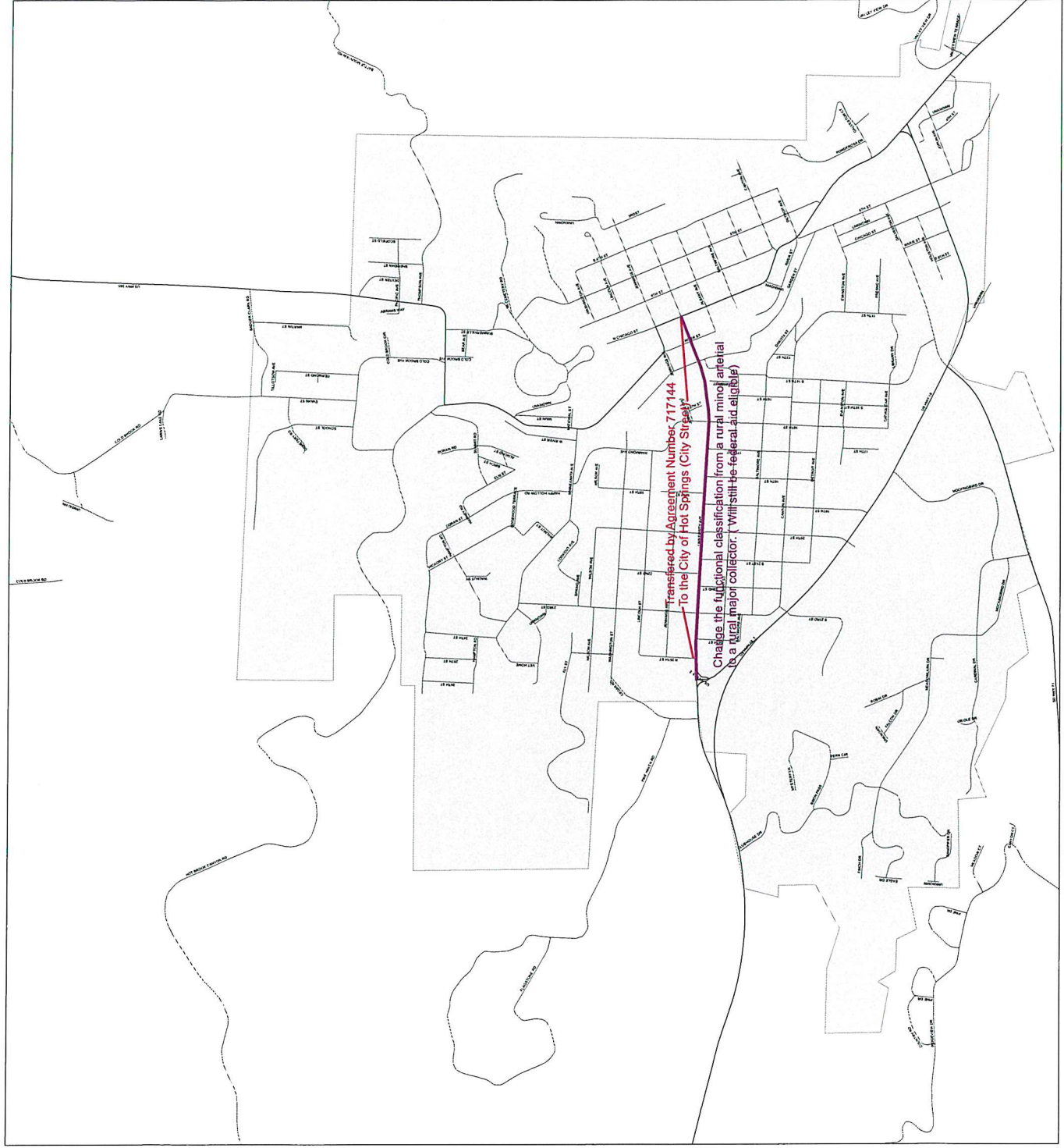


Prepared By:
Project Development
South Dakota Department of Transportation

In Cooperation With The
U.S. Department of Transportation
Federal Highway Administration

Legend

— Roads



RESTRICTION OF LIABILITY: THE SDOTD does not warrant the accuracy or completeness of the data and expressly disclaims any liability for any loss or damage caused by or arising from the use or reliance on the data. The user of the data is advised to verify the accuracy and completeness of the data before using it for any purpose. The user of the data is advised to verify the accuracy and completeness of the data before using it for any purpose. The user of the data is advised to verify the accuracy and completeness of the data before using it for any purpose.

**FALL RIVER COUNTY
RESOLUTION
APPROVING THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
PROPOSED FUNCTIONAL CLASSIFICATION**

WHEREAS, there are identified specific types of roads and corresponding functions of those roads, some of which have not been updated for several years; and

WHEREAS, the Federal Highway Administration (FHWA), has prescribed rules governing the functional classification of roadways within Fall River County; and

WHEREAS, the South Dakota Department of Transportation (SDDOT) has verified all roadway mileage for Fall River County; and

WHEREAS, SDDOT has recommended that changes be made to specific roadways based upon functional classification standards as prescribed by FHWA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby approve changing the following functional classifications in Fall River County:

Rural Minor Arterial to a Rural Major Collector

University Ave: From the intersection of US 18 east approximately 1.013 miles to the intersection of US 385/N. Chicago St.

Adopted this _____

Day of _____, 2021.

FALL RIVER COUNTY COMMISSION:

ATTEST:

Chairman

Auditor

PREPARED BY: Lori Allen
Name: Lori Allen
Address: 11086 Burlington Dam Rd.
Edgemont, SD 57735
Telephone #: 605-877-0965

**FALL RIVER COUNTY
PIPELINE EASEMENT**

This Pipeline Easement is made and entered into this 13 day of September, 2021, by and between Fall River County, a political subdivision of the State of South Dakota, Grantor, hereinafter referred to as "County" acting by and through its Board of County Commissioners and Timothy Allen and Lori Allen, Landowner(s), hereinafter referred to as "Grantee(s)", whose Post Office address is (are): 11086 Burlington Dam Rd. Edgemont, SD 57735 and _____.

I.

County, as Grantor, hereby grants and conveys to the above Landowner(s), as Grantee(s), a permanent, continuing, (15) fifteen foot wide easement for a pipeline, including replacement, maintenance, and repair of the pipeline and its associated values, meter pits and other components as need be, upon the terms and conditions set forth hereinafter, over, upon, under and across Fall River County Highway # FRD 116.

Easement to be in that area adjacent to the NE/NE Quarter of Section 2 in Township 8, Range 2, and the SW/SW Quarter of Section 36 in Township 7, Range 2, of the Black Hills Meridian, Fall River County, South Dakota. 7

And

The pipeline to run from the NE/NE Quarter of Section 2 in Township 8, Range 2, to the SW/SW Quarter of Section 36 in Township 7, Range 2, of the Black Hills Meridian, Fall River County, South Dakota.

General location to be marked on attached Fall River County Map. (line through road affected in the general location).

II.

That the terms and conditions upon which the above identified easement is granted and which is subject to and based upon, and upon which it is given, are as follows:

- a. That the Grantee(s) shall for the purpose of inspection, notify Fall River County Water Users District at (605)745-7648 or Fall River County Highway Dept. at (605)745-3137 in

PIPELINE EASEMENT CONT'D

advance, before pipe is placed or covered.

b. That the Grantee(s) shall be solely responsible for the cost of installation, maintenance, repair and replacement of said pipeline without contribution on the part of the County.

c. That Grantee(s) shall use the pipeline solely for the benefit of the real property identified in the above Paragraph "I". And such other real property belonging to Grantee(s) that is contiguous thereto.

d. That Grantee(s) shall not be entitled to use this easement for any other purpose not provided for herein.

e. That Grantee(s) shall be solely responsible for securing and maintaining any and all permits, licenses or other agreements with the State of South Dakota or any other governmental agency with respect to the construction, maintenance, repair and replacement of said pipeline.

f. That Grantee(s) shall indemnify and hold the County harmless from any and all claims, causes of action or damages which may be alleged or have occurred or been caused result of the Grantee(s)'s use of this easement, the pipeline or the negligence of the Grantee(s), their agents or employees with respect thereto.

g. That Grantee(s) shall maintain, repair, and replace, construct, install and place the pipeline in such a manner so as not to interfere with the use of the real property by the County or its successors and assigns.

h. That Grantee(s) agrees that with any disturbance of the ground during repair, placement, replacement or otherwise that thereafter Grantee(s) shall restore the ground to its natural terrain and in the same condition as the existing roadway at the completion of any such activity.

i. That Grantee(s) agrees to bury the pipeline in the earth at least seven (7) feet deep and shall erect a sign at the location of the roadway marking the location of the pipeline with a steel post and steel sign identifying the existence of the pipeline and that installing the pipeline the parties understand and agree that the easement is for one and a quarter (1 ¼) inch pipeline which shall be sheltered in a two (2) inch casement. Grantee(s) also agree(s) that if the pipeline is to cross a County road that is paved that the above conditions apply except that the Grantee(s) agree(s) to bore under said road to install said pipeline.

j. That Grantee(s) shall have the right of ingress and egress upon County's real estate herein contemplated for purposes of constructing, repairing, maintaining and replacing said pipeline in order to keep it serviceable and in a useable condition. That said

PIPELINE EASEMENT CONT'D

construction, repair, maintenance and replacement shall be done at Grantee(s)'s cost.

III.

That the consideration for this easement is One Dollar (\$1.00) and other good and valuable Consideration.

IV.

The parties further agree that this easement and all its terms and conditions shall inure to and be for the benefit of the parties to this agreement, as well as for their respective heirs, successors in interest and assigns.

Fall River County, Grantor

By: _____
Chairman
Fall River County Commissioners

ATTEST:

Fall River County Auditor

STATE OF SOUTH DAKOTA)
SS)
COUNTY OF FALL RIVER)

On this _____ day of _____, before me
_____, the undersigned officer, personally
appeared _____, known to me or satisfactorily proven
to be Chairman of the Fall River County Board of Commissioners, and acknowledged to
me that he/she executed the same on behalf of Fall River County, a Political Subdivision
of the State of South Dakota in his/her capacity as Chairman of the Fall River County
Commission, for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

My Commission Expires:

(SEAL)

Notary Public – South Dakota

PIPELINE EASEMENT CONT'D

Owner as Grantee

By: Lori Allen and _____
Lori Allen

STATE OF South Dakota)

COUNTY OF Fall River) SS)

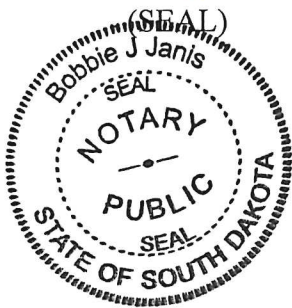
On this 13th day of September, 2021, before me,
Bobbie J Janis, the undersigned officer, personally known to
me or satisfactorily proven to me to be the person(s) whose name(s) is/are subscribed to
the foregoing instrument and acknowledged to me that they executed the same for the
purpose therein contained.

IN THE WITNESS WHEREOF I hereunto set my hand and official seal.

Bobbie J Janis
Notary Public

My commission Expires:

May 18, 2027



PIPELINE EASEMENT CONT'D

Owner as Grantee

By: _____ and _____

Timothy Allen

STATE OF _____)

SS)

COUNTY OF _____)

On this _____ day of _____, _____, before me, _____, the undersigned officer, personally known to me or satisfactorily proven to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose therein contained.

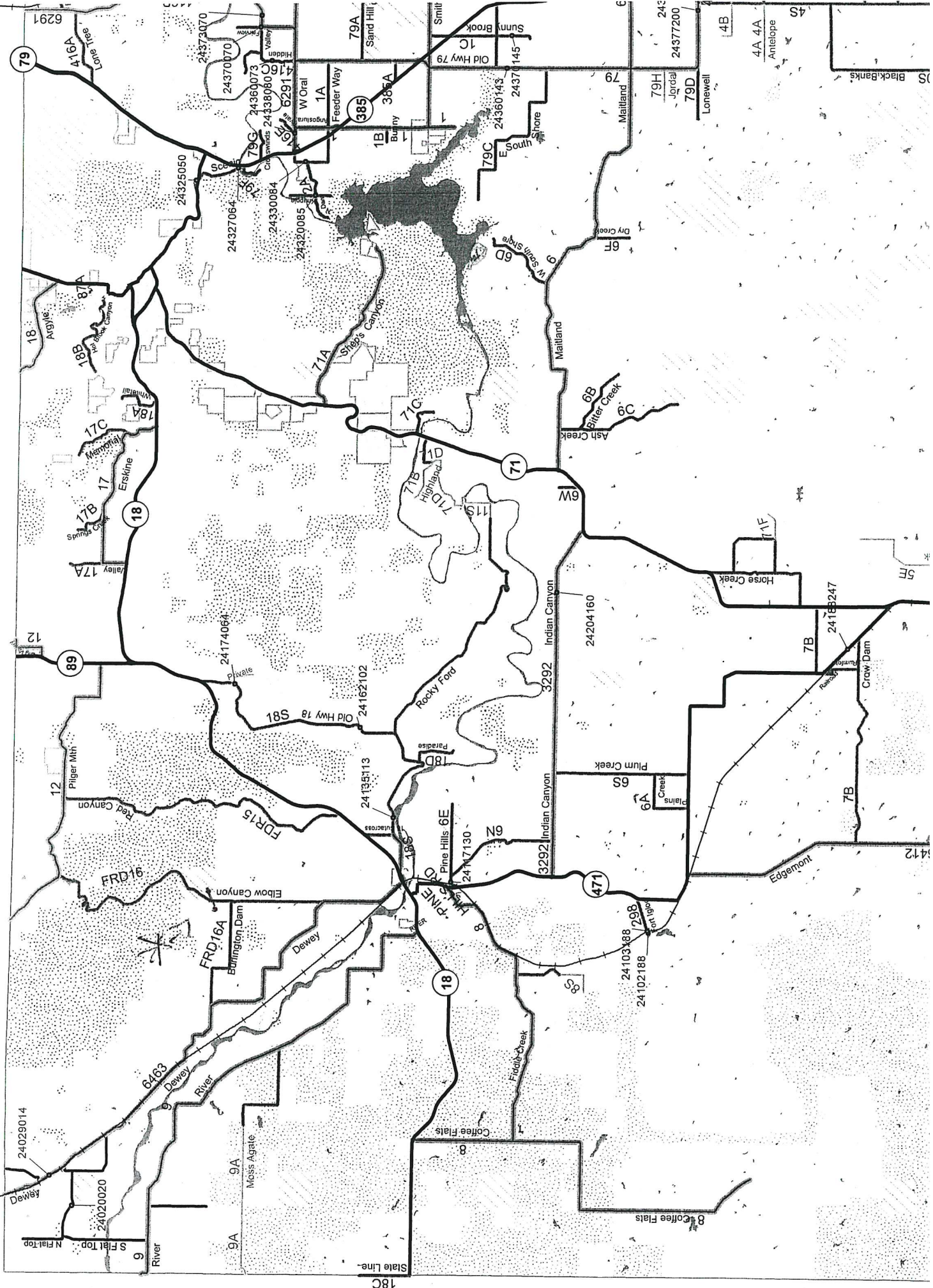
IN THE WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public

My commission Expires:

(SEAL)

Ex. A



Medical Cannabis Program Rules Pass Interim Rules Review Committee



For Immediate Release: September 13, 2021
Contact: DOHComments@state.sd.us

Medical Cannabis Program Rules Pass Interim Rules Review Committee

PIERRE, S.D. – Today, the Legislature’s Interim Rules Review Committee approved the Department of Health’s proposed administrative rules to establish a medical cannabis program in South Dakota. The legislature approved 143 of 149 proposed rules.

Following the legislature’s endorsement of the rules, Governor Kristi Noem and Secretary of Health Kim Malsam-Rysdon released the following statements:

*“We are on track to implement a responsible medical cannabis program in South Dakota according to the direction given by the voters,” said **Governor Noem**. “I commend the Department of Health for its hard work to streamline the process. South Dakota will continue to implement the best, most patient-focused medical cannabis program in the country.”*

*“The passage of today’s proposed rules package by the committee is the result of months of work. It’s proof that the public engagement process works,” said **Kim Malsam-Rysdon, Secretary of Health**. “I am disappointed the rules review committee chose to take out the list of specific medical conditions for qualifying medical cannabis patients, a list the Department promulgated based on public input.”*

On September 3, 2021, the Department of Health released the latest draft of its proposed rules for the states Medical Cannabis program. [CLICK HERE](#) to view them.

For more information on South Dakota’s medical cannabis program, please visit medcannabis.sd.gov.

###



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Montana/Dakotas State Office
5001 Southgate Drive
Billings, Montana 59101
<http://www.blm.gov/montana-dakotas>



August 31, 2021

In Reply Refer To:
Montana-Dakotas Comp Sale

Dear Surface Managing Agency/Interested Party:

The BLM is conducting an oil and gas lease sale. The preliminary list of parcels and leasing recommendations is posted for your review via the internet on our home page. Please refer to the Montana/Dakotas BLM website at <http://on.doi.gov/2gJqg1B>. Current and updated information about our EAs, Lease Sale Notices, and corresponding information pertaining to this sale can be found at the link referenced above. Once there, search for the Montana-Dakotas Oil and Gas lease sale to review the preliminary parcel list with recommended stipulations and notices.

If you have any comments or know of any issues that should be addressed in our analysis of the parcels, please provide comments using one of the following methods:

Electronic: BLM e-Planning website – <https://eplanning.blm.gov>
Advanced Search for NEPA # DOI-BLM-MT-0000-2021-0006-EA
Click “Documents”
Click “Comment on Document”

Mail: Bureau of Land Management
Montana/Dakotas State Office
Branch of Fluid Minerals
Attn: Christine Cimiluca
5001 Southgate Drive
Billings, MT 59101

Contact: Christine Cimiluca (406) 896-5110

To be most useful, we should receive your comments before October 1, 2021. A map of the parcel locations has also been posted to our internet web site. If your office plans to utilize GIS applications in your review of these parcels, shapefile data can be found here:

BLM e-Planning website: <https://eplanning.blm.gov>.
Advanced Search for NEPA # DOI-BLM-MT-0000-2021-0006-EA
Under Maps, Click "Data"

If you have any questions, or would like more information about lease sale notices or the EA process, please contact Christine Cimiluca at (406) 896-5110 or via email at ccimiluc@blm.gov or Tessa Wallace at (406) 791-7768 or via email at tlwallace@blm.gov.

Sincerely,

ANDREW GIBBS

Digitally signed by ANDREW
GIBBS
Date: 2021.08.31 14:32:01 -06'00'

Andrew Gibbs
Chief, Branch of Fluid Minerals
Bureau of Land Management
Montana-Dakotas State Office