

## **FALL RIVER COUNTY UNAPPROVED MINUTES OF SEPTEMBER 1, 2022**

The Fall River Board of County Commissioners met in regular session on September 1, 2022. 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.sdcounties.org>, or, under Fall River County Commission, SD at <http://www.YouTube.com>.

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

Motion made by Russell, seconded by Allen, to approve the August 18 and August 25, 2022 minutes.

Motion made by Russell, seconded by Allen, to approve the Black Hills Power request for the discretionary formula reduction for Centrally Assessed Utilities, pay '23, in the amount of \$209,748.00 for the Edgemont City Sub-Station #112.

Motion made by Greenough, seconded by Russell, to approve setting a supplement and contingency hearing for September 22, 2023 at 9:30 a.m.

Motion made by Russell, seconded by Allen, to approve transferring from ARPA fund to General fund, in the amount \$1,049,467.50.

There were no applicants for county assistance.

Frank Maynard, Emergency Management, met with the Board. Motion made by Allen, seconded by Greenough, to approve to participate in the Local Emergency Management Program Grant (L.E.M.P.G) and authorize the Chairman to sign.

Maynard reported that the SD Safety Benefits will have a defensive driving class that is 2-hour course and offered on October 19 and October 20, 2022.

Motion made by Russell, seconded by Allen, to allow Maynard to apply for the Community Wildfire Protection Plan Grant.

Maynard also reported on fires and incidents.

Motion made by Allen, seconded by Cope, to table the items for the sheriff until later in the meeting.

Motion made by Russell, seconded by Allen, to take off the table the items for the sheriff.

Bob Evans, Sheriff, introduced the new Deputy Sheriff, Blaine Wilson and reported that there are 9 males and 5 females in the Fall River County Jail and 1 male and 1 female in the Pennington County Jail, for a total of 16 inmates.

Motion made by Greenough, seconded by Russell, to approve travel for Deputy Vince Logue to attend Civil Process Training Sessions, South Dakota Sheriff's Association Fall Conference, Aberdeen, SD, October 10 and October 11, 2022.

Motion made by Cope, seconded by Greenough, to approve the application of 24/7 staff funding grant.

Discussion was held on vehicle maintenance issues; one has head gasket issues, with another needing a motor replaced. Motion made by Cope, seconded by Greenough, to approve having Steven's Automotive replace the engine in the 2016 Chevy Tahoe in the approximate amount of \$7,000.00 and then surplus after the new vehicles are equipped with the necessary items for law enforcement, dependent upon how quickly the 2016 Chevy Tahoe can be repaired and the other vehicles are ready to be put into use.

Diane Newham discussed with the Board concerns about not having enough law enforcement presence in the Igloo area. Concerns were also raised about the lack of road repair in the Igloo area.

Lily Heidebrink, Director of Equalization, reported to the Board that the Office of Hearing Examiners supported the County's decision regarding Jim Kent and the assessment value of \$43,160.00. Heidebrink also reported that the Vivos assessment will be \$3,986,920.00.

Motion made by Allen, seconded by Greenough, to approve the abatement for Michiyo and Cody R. Romey, parcel #65016-00000-01704, Angostura Highlands Subd. Lot D of Lot 17A, Sec 35, Twp 8, Rg 6, for pay 2022, \$1,973.27, abatement. Re: Late application for tax reduction program due to Covid.

Les Cope, Commissioner, met with the Board. Motion made by Greenough, seconded by Cope, to approve the request from Black Hills Council of Local Governments, in the amount of \$5,000.00 to oppose the Black Hills Forest Service proposed Forest Plan.

The 2023 Provisional budget hearing was held as advertised.

Randy Seiler, Highway Superintendent, met with the Board. Motion made by Greenough, seconded by Russell, to approve the pipeline easement for Lynda Long adjacent to the SW Quarter of Section 2 in Township 9S, Range 7E, and the NW Quarter of Section 11 in Township 0 9S, Range 7E of the Black Hills Meridian, Fall River County, South Dakota and the pipeline to run from the SW Quarter of Section 2 in Township 9S, Range 7E, to the NW Quarter of Section 11, in Township 9S, Range 7E, of the Black Hills Meridian, Fall River County, South Dakota.

Motion made by Russell, seconded by Allen, to approve the Highway Department approach permit to serve a business and residence on the north side of Smithwick Road at 13828 Smithwick Road.

Seiler updated the Board that they have the new Freightliner in; a rebate on the old one will be sent soon and is approximately \$58,000.00. The Highway Department will start an asphalt project next week. Discussion was also held on the upcoming 5-year Plan hearing, including projects that are already included in the plan, with the possibility of adding a few more projects.



Jared Stearns met with the Board. Motion made by Greenough, seconded by Russell, to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION #2022-40**

**Survey plat of Tract 1 of Stearns Ranch Addition locates in the SE1/4SE1/4 of Section 21, Township 9 South, Range 3 East of the Black Hills Meridian, Fall River County, South Dakota**

WHEREAS, there has been presented to the Board of Commissioners of Fall River County, South Dakota, the within plat of the above described lands, and it appears to this Board that

- a. the system of streets set forth therein conforms to the system of streets of existing plats and Section Lines of the County.
- b. adequate provision is made for access to adjacent unplatted lands by public dedication or physically accessible Section Line,
- c. all provisions of any County subdivision regulations have been complied with,
- d. all taxes and special assessments upon the property have been fully paid,
- e. the plat and survey of the land have been lawfully executed,

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

Dated this 1<sup>st</sup> day of September, 2022.

ATTEST:

/s/Sue Ganje

Fall River County Auditor

/s/Joe Falkenburg, Chairman

Fall River County Board of Commissioners

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

**GENERAL FUND**

AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$904.83
BQ & ASSOCIATES, P.C.,LLO	GARNISHMENT	\$131.00
BOMGAARS SUPPLY	SUPPLY	\$314.57
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
BUILDERS FIRST SOURCE	SUPPLY	\$71.79
COLBATH & SPERLICH, PC	CAAF/MAG/JUVENILE	\$5,096.13
CREDIT COLLECTION BUREAU	COLLECTIONS	\$604.18
DAKOTA RADIOLOGY	INMATE MEDICAL IMAGING	\$43.00
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,473.10
EFTPS	EFTPS PAYROLL TAXES	\$44,820.49
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$108.75
EXPRESS COLLECTIONS, INC.	GARNISHMENT	\$254.00
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$2,827.35
FARRELL, FARRELL &GINSBACH	CAAF/MI	\$3,506.14
FALL RIVER COUNTY HERALD	PUBLICATION	\$84.00

GLASS PRO +	RESTITUTION	\$232.30
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$585.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$351.83
CITY OF HOT SPRINGS	3RD QTR FIRE SPRINKLER	\$24.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$21,343.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$351.00
LINCOLN COUNTY TREASURER	QMHP/MI	\$231.20
LYLE'S HANDYMAN	SERVICE	\$65.00
MARKETLAB INC	SUPPLY	\$369.38
MASTERCARD	COUNTY CREDIT CARD	\$553.20
MCNEMAR, KIM	QMHP/MI	\$300.00
MEDICAL WASTE TRANSPORT	UTILITY	\$189.30
MONUMENT HEALTH	INMATE MEDICAL	\$92.40
MOSS, WILLIAM PSY.D., LLC	QMHP/MI	\$1,225.00
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$700.00
NEW YORK LIFE INSURANCE	NEW YORK LIFE INSURANCE	\$65.00
NORTON, TINA	CONTRACT NURSE INMATE	\$1,250.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$2,342.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
PENNINGTON COUNTY JAIL	INMATE MEDICAL	\$49.00
QUILL CORPORATION	OFFICE SUPPLIES	\$30.28
RELIANCE STANDARD LIFE	VISION PLAN	\$280.40
RAMKOTA HOTEL-PIERRE	HOTEL/CONFERENCE	\$164.00
RIES, ABBEY	REIMBURSEMENT	\$120.00
SCOVEL PSYCHOLOGICAL	QMHP/MI	\$4,000.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$21,235.01
SERVALL	RUG/UNIFORM SERVICE	\$450.72
SONNY'S SUPER FOODS	SUPPLY	\$209.89
SD DEPT OF PUBLIC SAFETY	2ND HALF TELETYPE SE	\$3,090.00
UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$122.00
VERIZON WIRELESS	CELL PHONE PLAN	\$504.74
COMMISSIONERS	AUGUST SALARIES	\$4,100.00
AUDITOR'S OFFICE	AUGUST SALARIES	\$20,666.77
AUDITOR'S OFFICE	OVERTIME	\$15.57
TREASURER'S OFFICE	AUGUST SALARIES	\$16,823.32
TREASURER'S OFFICE	OVERTIME	\$214.97
STATE'S ATTORNEY'S OFFICE	AUGUST SALARIES	\$14,812.26
STATE'S ATTORNEY'S OFFICE	OVERTIME	\$1,441.36
MAINTENANCE	AUGUST SALARIES	\$9,750.28
MAINTENANCE	OVERTIME	\$70.12
ASSESSOR'S OFFICE	AUGUST SALARIES	\$22,793.36
ASSESSOR'S OFFICE	OVERTIME	\$29.26
REGISTER OF DEEDS OFFICE	AUGUST SALARIES	\$9,369.33
REGISTER OF DEEDS OFFICE	OVERTIME	\$6.48
VETERAN'S SERVICE OFFICE	AUGUST SALARIES	\$4,143.36



GIS OFFICE	AUGUST SALARIES	\$4,090.15
SHERIFF	AUGUST SALARIES	\$26,063.16
SHERIFF	OVERTIME	\$7,400.44
JAIL	AUGUST SALARIES	\$24,741.85
JAIL	OVERTIME	\$3,981.01
CORONER	AUGUST SALARIES	\$1,050.00
NURSE	AUGUST SALARIES	\$4,172.28
EXTENSION	AUGUST SALARIES	\$4,713.38
EXTENSION	OVERTIME	\$1,613.04
WEED & PEST OFFICE	AUGUST SALARIES	\$5,523.44
	TOTAL FOR GENERAL FUND	\$310,038.43
<b>COUNTY ROAD &amp; BRIDGE</b>		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$37.51
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSRUANCE	\$365.50
BLACK HILLS ELECTRIC	UTILITY	\$35.00
BROSZ ENGINEERING, INC.	ENGINEERING	\$165.00
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$366.08
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$523.70
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$1,062.89
EFTPS	EFTPS PAYROLL TAXES	\$9,478.47
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIR	\$189.75
FALL RIVER HEALTH	RANDOM DRUG TEST	\$50.00
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$70.40
GODFREY BRAKE SERVICE	SUPPLY	\$1,098.04
GROSSENBURG IMPLEMENT, INC	SUPPLY	\$866.21
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$165.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$85.72
HOT SPRINGS AUTOMOTIVE	AUTO SUPPLY PARTS	\$1,384.54
CITY OF HOT SPRINGS	WATER	\$277.72
RICOH USA INC	CONTRACT SERVICE	\$31.71
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$5,780.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$216.00
LOISEAU CONSTRUCTION INC.	ROAD PROJECT	\$72,500.00
MASTERCARD	COUNTY CREDIT CARD	\$442.98
MAVERICK TIRE & AUTO	SUPPLY	\$1,999.84
NEWMAN SIGNS INC.	SIGNAGE	\$534.39
PACIFIC STEEL & RECYCLING	SUPPLY	\$75.22
POMP'S TIRE SERVICE INC.	SUPPLY	\$7,588.80
RELIANCE STANDARD LIFE	VISION PLAN	\$40.80
RAPID DELIVERY	DELIVERY	\$120.91
ROSANE CONSTRUCTION LLC	DUST CONTROL	\$37,751.74
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$124.47
SD DEPT OF TRANSPORTATION	STATE COST SHARE ROA	\$3,802.25
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$5,015.40
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREMENT	\$40.00

UNITED WAY BLACK HILLS	UNITED WAY DONATION	\$20.00
HIGHWAY DEPARTMENT	AUGUST SALARIES	\$38,959.68
HIGHWAY DEPARTMENT	OVERTIME	\$2,835.59
	TOTAL COUNTY ROAD & BRIDGE	\$194,601.31
<b>911 SURCHARGE REIMBURSEMENT</b>		
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$129.09
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$375.20
EFTPS	EFTPS PAYROLL TAXES	\$5,092.90
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$90.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,706.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$54.00
MASTERCARD	COUNTY CREDIT CARD	\$6.00
RELIANCE STANDARD LIFE	VISION PLAN	\$12.66
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$2,677.29
VERIZON WIRELESS	CELL PHONE PLAN	\$41.99
DISPATCH	AUGUST SALARIES	\$20,286.87
DISPATCH	OVERTIME	\$1,873.71
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$33,648.57
<b>EMERGENCY MANAGEMENT</b>		
EFTPS	EFTPS PAYROLL TAXES	\$1,560.24
MASTERCARD	COUNTY CREDIT CARD	\$29.95
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$635.42
VERIZON WIRELESS	CELL PHONE PLAN	\$83.98
FR EMERGENCY MANAGEMENT	AUGUST SALARIES	\$8,373.55
	TOTAL FOR EMERGENCY MANAGEMENT	\$10,683.14
<b>24/7 SOBRIETY FUND</b>		
DRUG TESTS IN BULK	SUPPLY	\$1,500.00
EFTPS	EFTPS PAYROLL TAXES	\$327.95
24/7 OFFICE	AUGUST SALARIES	\$1,920.75
	TOTAL FOR 24/7 SOBRIETY FUND	\$3,748.70
<b>COURTHOUSE BUILDING FUND</b>		
RENODRY USA LLC	SYSTEM	\$15,161.76
	TOTAL FOR COURTHOUSE BUILDING FUND	\$15,161.76
	TOTAL PAID BETWEEN 8/19/22 AND 9/1/22	\$552,720.20

Break was taken at 9:52 a.m. and the meeting reconvened at 9:58 a.m.

Public comment was heard from Jerry Roe, Minnekahta Fire Chief, regarding first response boundaries designated between the Minnekahta Fire Department and the Hot Springs Fire Department and inquired on how to obtain getting added to the 911 system for Dispatch Services. Additional comments were heard from Commissioner Greenough about the most recent SD Farm Bureau Meeting for Districts 4 and 5. Discussion was held on carbon dioxide pipelines, cleaning up ethanol plants, pumping projects, Medicaid expenses, and marijuana.



John McBride, Andersen Engineers, met with the Board. Motion made by Russell, seconded by Greenough, to approve the following resolution:

**FALL RIVER COUNTY RESOLUTION #2022-41**

**A Plat of Hageman Tract and Tranquil Acres Tract, located in the E1/2 of Section 19, T7S, R8E, BHM, Fall River County, South Dakota**

**Formerly that part of Farm Unit – 47 lying North of the County Road**

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 1<sup>st</sup> day of September, 2022.

ATTEST:  
/s/Sue Ganje  
Fall River County Auditor

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

Motion made by Russell, seconded by Greenough, to enter executive session as per SDCL 1-25-2 (1) for personnel purposes, as per SDCL 1-25-2 (3) for legal purposes and as per SDCL 1-25-2(4) for negotiation purposes at 10:19 a.m., with member from the Hot Springs City Council and the Mayor of Hot Springs.

The Board came out of executive session at 11:28 a.m.

Motion made by Greenough, seconded by Allen, to appoint Jennifer Mraz as Coroner, effective immediately.

The Board recessed at 11:29 p.m. and the meeting resumed in executive session at 1:30 p.m.

Motion made by Allen, seconded by Russell, to adjourn at 3:54 p.m.

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

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

**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 2022.

Total Amount of Deposit in First Interstate Bank, HS:	\$	272,349.98
Total Amount of Deposit in First National Bank, Lead:	\$	1,000.00
Total Amount of Deposit in First National Bank-ARP Checking, Lead:	\$	1,000.00
Total Amount of Cash:	\$	2,611.69
Total Amount of Treasurer's Change Fund:	\$	900.00
Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:	\$	15,136.21

**SAVINGS:**

#4) First Interstate Bank, HS:	\$	313,096.40
#10) First National Bank of Lead: ICS Acct	\$	1,049,248.28
#18) First National Bank of Lead-ARP ICS Acct	\$	1,031,681.49
#20) First National Bank of Lead-RAI MM Acct	\$	111,913.01

**CERTIFICATES OF DEPOSIT:**

#9) First Interstate, HS:	\$	-
#8) Black Hills Federal Credit Union, HS:	\$	250,000.00
#14) Schwab Treasury:	\$	24,730.05
#15) First National Bank, Lead:	\$	315,294.45
#16) Black Hills Community, Rapid City:	\$	826,288.29
#17) Liberty National, Sioux Falls:	\$	4,071,779.21
#21) Schwab Treasury 2 Yr:	\$	269,225.63
#22) Schwab Treasury 2 Yr:	\$	984,271.88
#23) Schwab Treasury 2 Yr:	\$	983,437.50

**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:**

Remedy Ranch/John Rivard	8/29/2022	\$	796.27
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**TOTAL \$ 10,525,295.34**

Dated This 31st Day of August 2022.

  
Sue Ganje, County Auditor of Fall River County  
Teresa Pullen, County Treasurer of Fall River County

County Monies	\$	10,136,019.88
Held for other Entities	\$	134,242.57
Held in Trust	\$	255,032.89
<b>TOTAL</b>	<b>\$</b>	<b>10,525,295.34</b>

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.



**FALL RIVER COUNTY RESOLUTION #2022-42**

WHEREAS, Fall River County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

**Mileage:** \$0.51 per mile; \$0.28 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

**In-state meal rates of:**

\$6.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$14.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$20.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$40.00 Total

**Out-of-state meal rates of:**

\$10.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$18.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$28.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$56.00 Total

**Lodging In-state:**

Up to \$120.00 plus tax a day from check-in

**Lodging Out-of-state:**

\$175.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective August 20, 2019.

Passed and approved this 22<sup>nd</sup> day of September, 2022.

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Joe Falkenburg, Chair  
Fall River Board of County Commissioners

ATTEST:

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Sue Ganje  
Fall River County Auditor

## Board of Finance Per Diem Rates

Milage Reimbursement		
ARSD 5:01:02:01		
Low Mileage	\$ .28 / Mile	Personal vehicle is used, and state motor pool vehicles are available.
High Milage	\$ .51 / Mile	Personal vehicle is used, and state motor pool vehicles are NOT available.
Special Needs Mileage	\$ .51 / Mile	Regular Vehicle
Special Needs Mileage	\$ .68 / Mile	Large Vehicle

In-State Per Diem Rates			
ARSD 5:01:02:14			
Lodging		\$75.00 + tax	
Meals			
	Amount	Leave Before	Arrive After
Breakfast	\$6.00	5:31 AM	7:59 AM
Lunch	\$14.00	11:31 AM	12:59 PM
Dinner	\$20.00	5:31 PM	7:59 PM
Daily Maximum	\$40.00		

Out-of-State Per Diem Rates			
ARSD 5:01:02:11			
<b>Lodging</b>		\$175.00 + tax	Additional \$100 available with excess lodging approval
Meals			
	Amount	Leave Before	Arrive After
Breakfast	\$10.00	5:31 AM	7:59 AM
Lunch	\$18.00	11:31 AM	12:59 PM
Dinner	\$28.00	5:31 PM	7:59 PM
<b>Daily Maximum</b>	<b>\$56.00</b>		

Out-of-Country Per Diem Rates			
ARSD 5:01:02:10.01			
<b>Lodging</b>		\$175.00 + tax	Additional \$100 available with excess lodging approval
Meals			
	Amount	Leave Before	Arrive After
Breakfast	\$10.00	5:31 AM	7:59 AM
Lunch	\$21.00	11:31 AM	12:59 PM
Dinner	\$29.00	5:31 PM	7:59 PM
<b>Daily Maximum</b>	<b>\$60.00</b>		

**Effective September 12, 2022**



current

Mileage Reimbursement	
ARSD 5:01:02:01	
\$0.23 per mile	Personal vehicle is used and state motor pool vehicles are available
\$0.42 per mile	Personal vehicle is used and state motor pool vehicles are NOT available

In-State			
ARSD 5:01:02:14			
Lodging		\$75.00 + tax	
Meals	Amount	Leave Before	Arrive After
Breakfast	\$ 6.00	5:31 AM	7:59 AM
Lunch	\$ 14.00	11:31 AM	12:59 PM
Dinner	\$ 20.00	5:31 PM	7:59 PM
Daily Maximum	\$ 40.00		

Out-of-State			
ARSD 5:01:02:11			
Lodging		\$175.00 + tax	
		<i>*additional \$100 available with excess lodging approval</i>	
Meals	Amount	Leave Before	Arrive After
Breakfast	\$ 10.00	5:31 AM	7:59 AM
Lunch	\$ 18.00	11:31 AM	12:59 PM
Dinner	\$ 28.00	5:31 PM	7:59 PM
Daily Maximum	\$ 56.00		

Out-of-Country			
ARSD 5:01:02:10.01			
Lodging		\$175.00 + tax	
		<i>*additional \$100 available with excess lodging approval</i>	
Meals	Amount	Leave Before	Arrive After
Breakfast	\$ 10.00	5:31 AM	7:59 AM
Lunch	\$ 21.00	11:31 AM	12:59 PM
Dinner	\$ 29.00	5:31 PM	7:59 PM
Daily Maximum	\$ 60.00		

**FALL RIVER COUNTY RESOLUTION #2022-43**

**ORDER FOR ORGANIZATION AND INCORPORATION  
OF THE COBBLESTONE MOUNTAIN ESTATES ROAD DISTRICT  
FALL RIVER COUNTY, SOUTH DAKOTA**

WHEREAS, all voting property owners that are within the proposed district have agreed to and petitioned for the organization of the Cobblestone Mountain Estates Road District, and

WHEREAS, an Election was held on September 6, 2022 asking the voters to accept or reject the formation of the Angostura Land Estates Road District, with 20 voters accepting and 0 voters rejecting the formation of the Cobblestone Mountain Estates Road District, and

NOW, THEREFORE, BE IT ORDERED, that the Fall River County Commissioners shall declare the Cobblestone Mountain Estates Road District to be organized and established as a governmental subdivision of the State of South Dakota and a public body, corporate and political, effective as of today's date, with taxing authority for the 2022 tax year payable in 2023 and after, and

BE IT FURTHER ORDERED, that the Cobblestone Mountain Estates Road District be described as follows:

Lots 1 thru 14, Lot 15R, Lots 16 thru 22, Lots 25 thru 26, Lots 29 thru 34, Lots 37 thru 39, Lots 42 thru 45, Lot 46R, Lot 48R, Lot 53, Lots 55 thru 57, Lots 63 thru 66, Schorfheide Tract, Appaloosa Ridge Tract, Adams Tract, Double B Tract, White Tract, and Lonestar Ranch Tract, all of Cobblestone Mountain Estates Subdivision located in Sec 1 & 2, T7S, R5E, BHM, Fall River County, South Dakota.

Dated this 22 day of September, 2022

\_\_\_\_\_  
Joe Falkenburg, Chairman  
Fall River County Commissioner

ATTEST:

\_\_\_\_\_  
Sue Ganje  
Fall River County Auditor

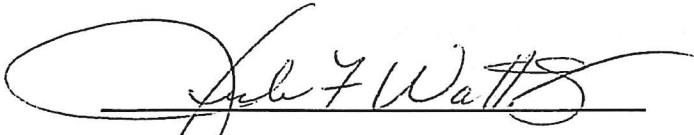
The Cobblestone Mountain Estates Road District Election was held September 6, 2022. The final results of the election were as follows:

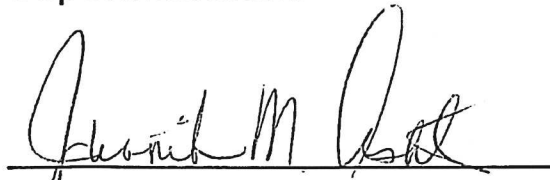
**For** the formation of the Cobblestone Mountain Estates Road District: 20

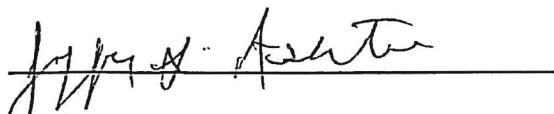
**Against** the formation of the Cobblestone Mountain Estates Road District: 0

We hereby certify the above results as the final results.

Dated this 6th day of September, 2022

  
\_\_\_\_\_  
Superintendent

  
\_\_\_\_\_  
Judge

  
\_\_\_\_\_  
Judge



---

**George Krenz**

4608 S Louise Ave  
Sioux Falls, SD 57106  
(507)441-3154

September 14, 2022

**Fall River County Auditor**

906 North River St.  
Hot Springs, SD 57747  
(605)745-5130

Dear Fall River County Auditor,

I am writing this letter to dispute a collection order and a lien filed against me by Fall River County in the amount of \$7,083.80.

In January of 2016, I was incarcerated in the Fall River County Jail. While in their custody, I was injured while working as a trustee. A local doctor at the hospital told the jail staff that I had an umbilical hernia which would require surgery. The jail staff said that the county would have to pay for this surgery since I was injured doing work for the county while in their custody.

The jail staff scheduled me for surgery. I agreed to the same day procedure and was taken in shackles to the hospital in Hot Springs to have the surgery. The jail staff took care of everything. As an inmate, I had no insurance nor was I given any paperwork. The surgery was deemed successful and I had to rest the few weeks before my release from jail after serving my jail sentence.

I was released from jail in February 2016. I wasn't given any information about my surgery, much less a bill. I heard nothing about it until April 29, 2021 when I received the county lien statement in the mail. I immediately called the auditor's office and the lady told me she would look into it. I didn't hear anything back until now as this case was turned over to the Credit Collections Bureau. I would greatly appreciate it if you could fix this mistake.

Please cancel this lien against me and the debt collection order. Fall River County is fully responsible for the injury I sustained while in their custody as well as paying the medical bills for the surgery in their entirety.

Thank you for your time and careful consideration.

Sincerely,



**George Krenz**

### **6.3.6. Leave without Pay**

Any employees, including those in their first year of service, may request leave without pay in extenuating circumstances. Such leave, for new employees, of five days and less is at the sole discretion of the department head. Such leave for longer periods for new employees are at the discretion of the department head with the approval of the County Commissioners. For any county employee to take non FMLA leave without pay, they must exhaust their vacation and personal leave before taking leave without pay. One leave per year, for employees with cumulative hours over 2080, of five days and less is at the sole discretion of the department head. For any exceptions the employee must have supervisor approval and have the supervisor and employee meet with the commission.

Employees should be aware that LWOP affects their entitlement to or eligibility for certain benefits. The employee may continue his/her group insurance coverage by pre-paying the entire premium during the affected period of the leave. Employees must arrange for such continuation of coverage with the county prior to the commencement of the extended leave without pay.

### **6.3.7 Administrative Leave Due to Pending Investigation**

An employee may be placed on Administrative Leave with pay or reassigned pending investigation.

The Department Supervisor will confer with the Chairperson or Vice Chairperson for the Board of Commissioners within 24 hours of the employee being placed on Administrative Leave to determine if said leave shall be paid or if the employee is to be assigned to other duties for the duration. If the employee was placed on paid administrative leave and is exonerated or is found innocent of the charges, the employee will be restored to original employment status. Reassignment should only be used when an employee's presence at work would not be harmful to the public, interfere with any ongoing investigations, or detract from the integrity of Fall River County government.

A Law Enforcement Officer may be placed on Administrative Leave pending an investigation relating to the use of lethal force in the performance of their job or an incident that requires investigation.

*(Also see section 8.4 Suspension Without Pay or With Pay)*

## **6.4. Other Benefits**

### **6.4.1 Workers Compensation**

Employees who are injured on the job must report their injuries to a supervisor or department head immediately (within 24 hours) who in turn shall, as with all accidents, report the incident to the department head/law enforcement agency for investigation. The initial written notice must be filed in accordance with SDCL 62-7-10, as soon as possible, but not more than three days as failure to give notice as required prohibits a claim for compensation. A "First Report of Injury" form will be completed by assigned personnel and forwarded to the insurance company. The county reserves the right to require consulting opinions. For billing purposes, the service provider should be told by the employee that this is a work-related or worker's compensation



**CUSTER COUNTY SHERIFF'S OFFICE**  
**SHERIFF MARTY MECHALEY**  
420 MT RUSHMORE ROAD, CUSTER, SOUTH DAKOTA, 57730  
PHONE: (605) 673-8146 FAX: (605)673-8154



### **Job Announcement 7/7/2022**

The Custer County 24/7 Sobriety Program is accepting applications for a part-time 24/7 Technician, the starting wage is \$16.07 per hour. Applicant must be willing to work any shift, including nights, weekends, and holidays. This is a part-time as needed position without benefits. The position is open until filled.

Education Required: GED/High School Diploma

Minimum Age: 18

Duties and responsibilities include, but are not limited to: Administering Breathalyzer (PBT), remote alcohol monitoring bracelet (SCRAM), Vehicle Interlock System, Drug Patch and urine analysis (UA) tests to participants, Recording test results, Monitoring Participants, Handling and recording monetary transactions, Reporting and documenting violations, Communicating appropriately with participants and co-workers, and performing other Sheriff's Office duties as assigned. Reliability is important with this position.

Contact Name: Lt. Jeff McGraw

Applications are available on the Custer County website or by contacting Tim Holland, Custer County Human Resource Director, 420 Mt. Rushmore Rd., Custer, SD 57730. Phone 605-673-8134 or FAX 605-673-8150. Applicants must complete a Custer County application. Custer County is an equal opportunity employer.





**PENNINGTON COUNTY**  
invites applications for the position of:  
**24/7 Program Technician-Male Only**

An Equal Opportunity Employer

**SALARY:** \$16.67 - \$18.40 Hourly

**OPENING DATE:** 08/17/22

**CLOSING DATE:** 08/31/22 11:59 PM

**POSITION DESCRIPTION:**

We are seeking applicants interested in a fast-paced, team oriented part-time employment who want to be a part of the criminal justice system as a representative of the Pennington County Sheriff's Office.

The 24/7 Sobriety Program employs Technicians responsible for collecting breath and/or urine samples from multiple individuals. The 24/7 Tech position requires close and courteous interaction with program clients, cash handling, a high level of accuracy, and the ability to handle multiple tasks simultaneously. The program staff conducts testing 7 days per week during the hours of 5:30 - 8:30 am and 5:30 - 8:30 pm.

Hours and days will vary requiring the right applicant to have a flexible schedule.

**POSITION FUNCTIONS:**

Essential Duties and Responsibilities

- Administering PBT and urinalysis tests to participants
- Data Entry of test results
- Handling and recording monetary transactions
- Reporting and documenting violations
- Communicating with program stakeholders, coworkers and participants
- Performing other duties as assigned

Attending monthly all staff meetings

**QUALIFICATIONS:**

- High School Diploma or GED
- 1 year money handling experience
- 1 year demonstrated experience in a multi-tasking role
- Preference for those with working experience in the criminal justice system.
- Due to the nature of this position, we are accepting applications from male applicants only at this time

Preference for those with limited scheduling conflicts.

**ADDITIONAL INFORMATION:**

OUR OFFICE IS LOCATED AT:  
130 Kansas City Street  
Rapid City, SD 57701  
605-721-6112  
[jon.morrill@pennco.org](mailto:jon.morrill@pennco.org)

An Equal Opportunity Employer

---

### **24/7 Program Technician-Male Only Supplemental Questionnaire**

- \* 1. Do you have a high school diploma or GED?
  - ☐ Yes
  - ☐ No
- \* 2. Do you have a valid drivers license? If yes, please list license number, state issued, and expiration date.
- \* 3. Due to staffing restrictions, this position is only open to male applicants. Do you meet this requirement?
  - ☐ Yes, I meet this requirement
  - ☐ No, I do not meet this requirement
- \* 4. Have you used any form of illegal drugs in the past 3 years? If yes, please explain below.
- \* Required Question

## COURT CASES

*Gateway v. Union County* (552 N.W.2d 591, 1996, S.D. 81). Companies can deny Sheriff from serving papers in a nonpublic area.

*Casselman* 472 N.E.2d 1318. A Sheriff cannot force his way into a home to serve a Writ of Attachment.

*Wagner v. Truesdall* 574 N.W.2d 627. Allow for substantial consequence for substitute service.

*Grajczyk v. Tasca*, 717 N.W. 2d 624 (2006 SD 55) Also discusses substantial compliance issues.

## SHERIFF FEES

**SDCL 7-12-18** - Fees and traveling expenses chargeable by sheriff. The sheriff shall charge and remit the following:

- (1) For serving an order of arrest with commitment or bail bond and return, twenty-five dollars;
- (2) For serving summons, complaint, warrant of attachment, affidavit, notice and undertaking in claim and delivery, or injunction, order to show cause, citation, or other process, and return of the instrument fifty dollars for all such process or instruments served at the same time upon the same person regardless of the capacities in which such person is served. However, for all such process or instruments served upon another such person at approximately the same time at the same place, ten dollars;
- (3) For serving subpoena for witness, each person, twenty dollars;
- (4) For traveling expenses in a motor vehicle, a mileage allowance of eight cents above the rate set for state employees by the State Board of Finance for each mile actually and necessarily traveled by motor vehicle. For traveling expenses



in a private plane, a mileage allowance of ten cents above the rate set for state employees by the State Board of Finance for each mile actually and necessarily traveled by private plane. However, actual cost may be paid for travel by train, bus, plane, or other commercial vehicle;

(5) For serving writ of execution and return of the instrument, whether satisfied or unsatisfied, ninety-five dollars;

(6) For levying writ of possession, fifty dollars. However, if the sale of the property levied upon is not subsequently held, the actual costs or expenses associated with levying writ of possession shall be paid;

(7) For advertisement of sale in newspaper, in addition to printing, twenty-five dollars;

(8) For posting notices of sale of real property, twenty-five dollars, and mileage;

(9) For executing writ or order of partition, twenty-five dollars;

(10) For making deed for land sold on execution or order of sale, one hundred dollars except no fee is charged when the deed only requires the sheriff's signature;

(11) In addition to the applicable fees and expenses, a commission of six percent on all money received and disbursed by the sheriff on execution or order of sale, order of attachment, decree or on sale of real property or personal property. However, in no case may the commission be **less than fifty dollars** or more than **three thousand five hundred dollars**. The commissions shall be included as a part of the cost of execution, order of sale, order of attachment, decree, or on sale of real or personal property, which shall be paid by the debtor out of the proceeds. However, in all cases of redemption prior to the sale, the sheriff is entitled to the commission as stated above, to be paid by the redemptioner as a cost of the redemption;

(12) For cases in the circuit court, if persons, in whose favor an execution or order of sale is issued, bid in the property sold on execution or decree, the sheriff or officer making the sale shall receive the following compensation: If the amount for which the property **is bid in is one thousand dollars or less, the sum of forty dollars**. If the amount for which the property is bid in is **more than one thousand**



*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 22, 2022

Subj: Commission Update

1. Travell Approval: I am requesting approval to attend the 2022 Safety and Loss Control Training Conference in Pierre on November 2 & 3, 2022.
2. Community Wildfire Protection Plan: I have completed the application for the grant to write the plan.
3. EOC Computers: The computers that I have for use in the EOC are several years old. I am completing a list to surplus these computers and two power supply units that have dead batteries.
4. Computer Purchase: The HP desk computer I am using was purchased in 2016 and is now starting to have some issues. I am getting prices on a new computer and will bring the information back to the Commission for approval.
5. Fires & Incidents:
  1. 9/5/2022: Sig. 1, vehicle rollover: mm55, Hwy 18: Oelrichs Fire, First Responders, HS Ambulance and Fall River Sheriff.
  2. 9/11/22: Sig. 1, motorcycle : Angustura Rd: Fall River Sheriff.
  3. 9/11/2022: Sig. 1, motorcycle: mm47 Hwy 18: Fall River Sheriff, SD HP, Hot Springs Ambulance, Hot Springs Fire, Lakota Air Rescue.

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



# 2022 Annual Safety & Loss Control Training Conference

November 2 & 3, 2022 - Ramkota River Center, Pierre SD

*The conference begins at 12:30 pm on Nov. 2 and wraps up at 12:15 pm on Nov. 3*

## GENERAL SESSIONS

- The Importance of Cyber & Physical Security
- Avoiding Those High Dollar Work Comp Claims
- Being a Safety Leader

## BREAKOUT SESSION TOPICS INCLUDE

- Reasonable Suspicion - Drugs & Alcohol
- Ergonomics at Work
- Case Study: Developing a Safety Culture
- Leading without Being the Boss

## LODGING

- Ramkota Hotel / 605-224-6877 / \$98 plus tax
- Governors Inn / 605-224-4200 / \$85 plus tax
- Americinn Fort Pierre / 605-223-2358
- Clubhouse Suites Pierre / 605-494-2582
- Holiday Inn Express Fort Pierre / 605-223-9045

## REGISTER BY OCT 28

Registration fee includes breaks, banquet & breakfast.

Register three & the fourth is free!

- SDPAA and/or SDML WCF Member Registration Fee: \$75
- Non-Pool Member Registration Fee: \$90
- A late fee of \$10 is assessed for registrations after October 28 / No refunds after October 28
- To qualify for 2023 Silver and Gold Level Safety Awards, members must have someone attend the 2022 Conference

Make checks payable to:

**SAFETY BENEFITS INC.**

Phone: 888-313-0839 or 605-334-9567

Email: [kwarnke@safety-benefits.com](mailto:kwarnke@safety-benefits.com)

To register by mail, send completed form & payment to:

**SAFETY BENEFITS INC**

**602 E STATE ST**

**PLANKINTON SD 57368**

NAME:	TITLE:
ENTITY/EMPLOYER:	
CITY/COUNTY:	
TELEPHONE #:	
EMAIL:	

(Attach sheet for additional names)



*Executive Proclamation*  
*State of South Dakota*  
*Office of the Governor*

*Whereas*, Command Sergeant Major Jason W. Maynard's dedication to service has made him a valuable asset to this state and country and we have very few occasions to recognize patriotic individuals like him, who leave the comforts of their home and family to nobly serve a cause greater than themselves; and,

*Whereas*, he has dedicated over 30 years of his life making sacrifices that demonstrated no mission was too hard, no challenge was too great, and through tests and trials he emerged stronger than before; and,

*Whereas*, his loyalty and leadership as a command sergeant major and his service in Germany, Bosnia-Herzegovina, Kosovo, Iraq, and numerous bases in the United States have made him a cornerstone in the Armed Forces of this country, and it is a privilege to honor his success, his sacrifice, and his service; and,

*Whereas*, he has earned many awards and commendations including being selected as Drill Sergeant of the Year for the entire United States Army in 2004; and,

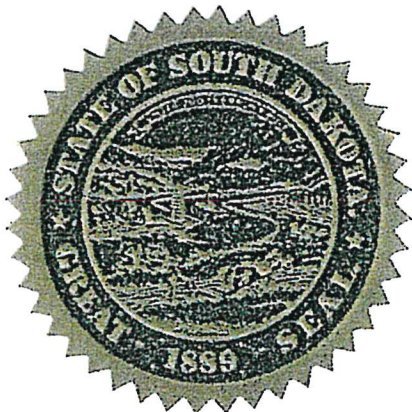
*Whereas*, Command Sergeant Major Maynard continues to give of himself, and our future his brighter thanks to his dedication; and,

*Whereas*, it is fitting and proper as Governor to commend Command Sergeant Major Maynard for over 30 years of dedicated and outstanding service to this state and country:

*Now, Therefore, I, Kristi Noem*, Governor of the State of South Dakota, do hereby proclaim September 30, 2022, as

**COMMAND SERGEANT MAJOR  
JASON W. MAYNARD DAY**

in South Dakota, and I join with his family and friends in wishing him well in his retirement and thanking him for his service to the State of South Dakota and to the United States of America.



*In Witness Whereof*, I have hereunto set my hand and caused to be affixed the Great Seal of the state of South Dakota, in Pierre, the Capital City, this twelfth day of May in the Year of Our Lord, Two Thousand and Twenty-Two.

  
Kristi Noem, Governor

Attest:

  
Steven J. Barnett, Secretary of State

**FALL RIVER COUNTY RESOLUTION #2022-44**  
**Contingency Transfer 2022, #3**

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted to the following Departments: Juvenile Care 10100X4272215, \$22,620.00

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Contingency Transfer #3 for 2022.

Dated at Fall River County, South Dakota this 22<sup>nd</sup> day of September 2022.

ATTEST:

\_\_\_\_\_  
Joe Falkenburg  
Fall River County Board of Commissioners

\_\_\_\_\_  
Sue Ganje  
Fall River County Auditor's Office

**FALL RIVER CONTINGENCY TRANSFER HEARING #3**

8/4/2022	\$ 22,620.00	10100X4272215	Juvenile Care	N	Juvenile Care

**TOTAL      \$ 22,620.00**



# FALL RIVER COUNTY

2023-2027 Five Year  
County Highway and  
Bridge Improvement Plan





**CERTIFICATION FORM**

**The following text shall be included on the front cover of the County Highway and Bridge Improvement Plan:**

---

Certification: As approved this \_\_\_\_ day of \_\_\_\_\_, 2022  
\_\_\_\_ Fall River \_\_\_\_ County Commission

By: \_\_\_\_\_  
County Commission Chairperson

Attest:

\_\_\_\_\_  
County Auditor or Clerk

County Contact Person: Randy Seiler – Highway Superintendant  
Phone Number: 605-745-5137  
Email Address: frchwydept@gwtc.net

Received by SDDOT on \_\_\_\_\_  
Approved by SDDOT on \_\_\_\_\_

---

## CHECKLIST OF REQUIREMENTS FOR ANNUAL UPDATE

- ☐ Certification Form
- ☒ Projected Revenue Available per year
- ☒ 5-year Project List (Programmed Projects)
- ☒ Project Status List
- ☐ Affidavit of publication of public meeting notice (copy of the notice or article alone, is not sufficient)
- ☐ Township coordination letters/notice (sample letter and mailing list is acceptable)
- ☐ Attendance list from public meeting (all attendees – not just commission members)
- ☐ Public Comments (if no comments are received, clearly indicate that in the plan submittal) See Meeting Minutes

# REVENUES AND PROGRAM



**REVENUE SOURCES TABLE (Show amounts in thousands of dollars)**

<u>Account Description</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
<b>Local Funds</b>					
General Funds-property tax	255	255	255	255	255
Motor Vehicle Licenses	877	877	877	877	877
Wheel Tax	105	105	105	105	105
Annual STP Payout Funds	238	238	238	238	238
2019 HIP Funds					
<b>Intergovernmental Funds</b>					
Township Services					
<b>State Funds</b>					
PE - BIG (planning to apply for)			64		
PE - BIG (awarded by DOT)					
Preservation - BIG (planning to apply for)					
Preservation - BIG (awarded by DOT)					
Rehab/Repl - BIG (planning to apply for) *Design Phase, **Const. Phase					
Rehab/Repl - BIG (awarded by DOT)				400	
Other (Match on STP Projects, Pavement Marking Prj.)		* 2,840			
<b>Federal Funds</b>					
TAP					
ER/FEMA					
OTHER (STP, Bridge, Signing, Hazard Elimination, SIB Loans)	** 1,176				
<b>TOTAL</b>	<b>2,651</b>	<b>4,315</b>	<b>1,539</b>	<b>1,875</b>	<b>1,475</b>

**Note:**

- For State and Federal Funds, only enter the applicable amount (i.e. 80% of total project cost).
- Include both BIG funds awarded and BIG funds that will be applied for but not yet received.

\* Igloo Bridges

\*\* Chilson Bridge



## Annual Listing of Programmed Projects

Project Location	Project Description	Year	Status
1.1 W & 0.3 S of Burdock	2019 BIG-Replacement (Construction Phase)	2022	Project Completed 2022
4 E & 8 N of Edgemont	STIP Bridge Replacement for Structure 24-162-102 over Mickelson Trail	2022-2023	Project under construction
SD471 Provo to Igloo, Remove Bridges and Obliterate Old State Highway 298	Grading, Gravel Surfacing, Box Culvert, Obliteration of Bridges and Roadway	2023-2024	Design Complete - SDDOT in Process of ROW Negotiations. SDDOT 2018 Cost Estimate is \$2.5M. Current SDDOT Funding Agreement with County has the State Funding Share Capped at \$1.1M resulting in Fall River County responsible for the remaining \$1.4M. SDDOT has indicated ROW Process could Delay Project
County Rd 18S ~ 12 Miles	Asphaol Surface Treatment and Fog Seal	2025	Future Project
County Rd 18B ~ 2.7 Miles	Asphaol Surface Treatment and Fog Seal	2025	Future Project
County Rd 79 ~ 3.6 Miles	Asphaol Surface Treatment and Fog Seal	2025	Future Project
County Rd 6291 East of Oral 3.8 Miles	Asphaol Surface Treatment and Fog Seal	2025	Future Project
0.8 S & 0.2 E of Oelrichs	Structure 24-419-212	2026	Change Date due to SDDOT delays on other projects and unknown County Project Cost Share
County Wide	Graveling	2022 - 2027	No Change

## FIVE YEAR PROGRAMMED PROJECT LISTING

Project Location	Project Description	Year	Proposed Five-Year Project Funding Information (in thousands of dollars)					
			Local Funding	Federal Funding	State Funding	Unfunded	Anticipated Grant	Total Project Cost
4 E & 8 N of Edgemont	STP Bridge Replacement for Structure 24-162-102 over Mickelson Trail (Construction)	2022 - 2023	1,224	# 1,176				2,400
County Wide	Graveling	2023	400					400
SD471 Provo to Igloo, Remove Bridges and Obliterate Old State Highway 298	Grading, Gravel Surfacing, Box Culvert, Obliteration of Bridges and Roadway	2023 - 2024			2,500			2,500
County Wide	Graveling	2024	400					400
County Rd 18S ~ 12 Miles	Asphalt Surface Treatment and Fog Seal	2025	480					480
County Rd 18B ~ 2.7 Miles	Asphalt Surface Treatment and Fog Seal	2025	108					108
County Rd 79 ~ 3.6 Miles	Asphalt Surface Treatment and Fog Seal	2025	144					144
County Rd 6291 East of Oral 3.8 Miles	Asphalt Surface Treatment and Fog Seal	2025	152					152
County Wide	Graveling	2025	400					400
0.8 S & 0.2 E of Oelrichs	Structure 24-419-212	2026	115		460			575
County Wide	Graveling	2026	400					400
County Wide	Graveling	2027	400					400

# Requires STATE/COUNTY PROJECT FUNDING AGREEMENT to be Amended. If not amended the STATE Project Funding Obligation is Capped at \$1.1M

Local Funding Includes: Match on BIG funding, traditional BRO & BRP projects, TAP projects, etc., and some shortfalls/balances on misc. projects. Also STP Payout funds.

Federal Funding Includes: 100% of Signing & Delineation projects, and approx. 80% of STP, BRO, BRP, and TAP projects. Federal portion of ER/FEMA projects.

State Funding Includes: 80% of awarded BIG projects, approx. 60% of Pavement Marking projects, and approx. 20% match on STP projects.

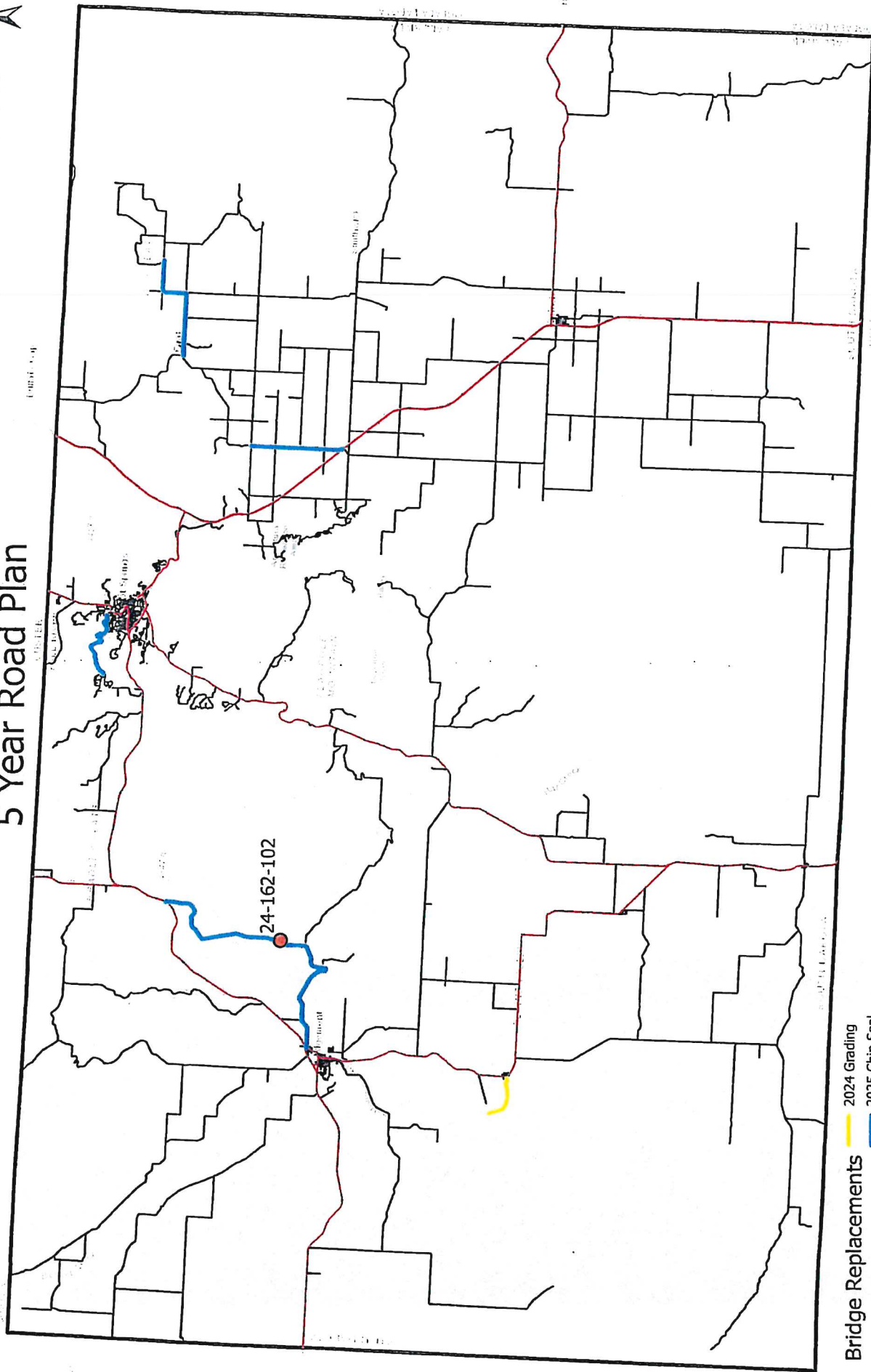
Anticipated Grant (BIG): 80% of total



The image shows the front cover of a book. The cover is a deep red color with a fine, woven texture. In the upper portion, there is a faint, light-colored grid pattern that resembles a map or a technical drawing. The word "MAPS" is printed in a clean, white, sans-serif font, centered horizontally in the middle of the cover. In the bottom right corner, there are several thin, white, diagonal lines that appear to be part of the book's design or perhaps a reflection from the scanning process.

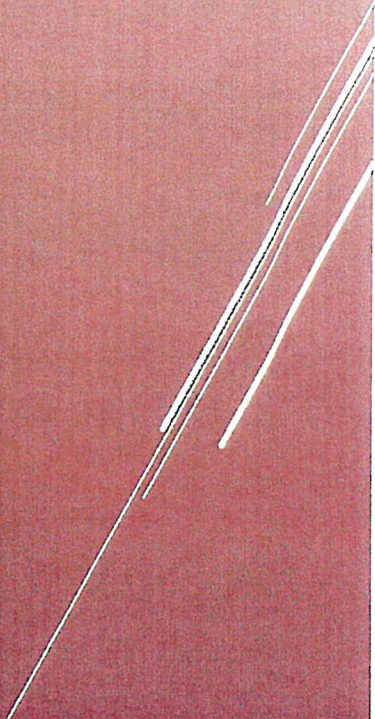
# MAPS

# 2023-2027 Fall River County 5 Year Road Plan





# PUBLIC INPUT



Insert Affidavit of Publication Here

---

Insert copy of Advertisement Here



Insert Township Letters here

---

Insert Attendance Sheet Here

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

On this date 8-31-22, the Applicant hereby applies to the Fall River County Highway Department for permission to construct an approach road connection to the North side of (road name) Indian Cannon road (road #) 3292 approximately at 100 yds west of intersection to Plain Creek rd. The road approach will serve a residence and will be (residence, church, business, etc.) constructed between 9-1-22 and 12-1-22 at (beginning date) (completion date) applicant's expense.

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

Name: Jared Stearns Address: 11450 plain creek rd Edgemont, SD  
Phone #: 605-870-9909 Signed: Jared Stearns  
(Property Owner)

---

**TO BE COMPLETED BY FALL RIVER COUNTY HIGHWAY DEPARTMENT**

Permit #: 8 31 22  
MO/DY/YR

PRELIMINARY INSPECTION: Date 8-31-22 By: Randy Seiler

Culvert Diameter 18" Culvert Length 40'

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

Remarks: \_\_\_\_\_

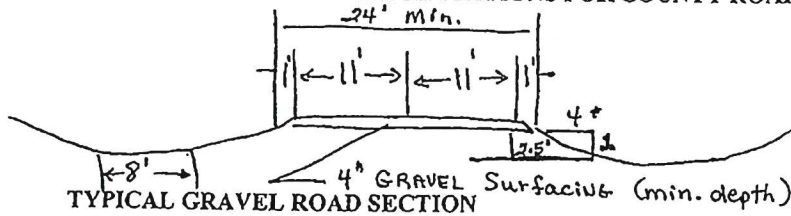
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PERMIT: X APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

Randy Seiler Date: 8-31-22  
Superintendent/Foreman



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

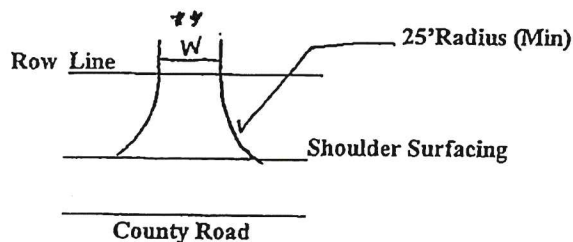


\* Maximum slope is 4 to 1 (current Standard of the South Dakota DOT Steeper slopes are subject to the Approval of Fall River County

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

The following are standards which shall be met:

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



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

Maximum W - 50'

**TYPICAL APPROACH DETAIL**

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

APPROVED By: \_\_\_\_\_

(Chairman ) FALL RIVER COUNTY COMMISSIONERS

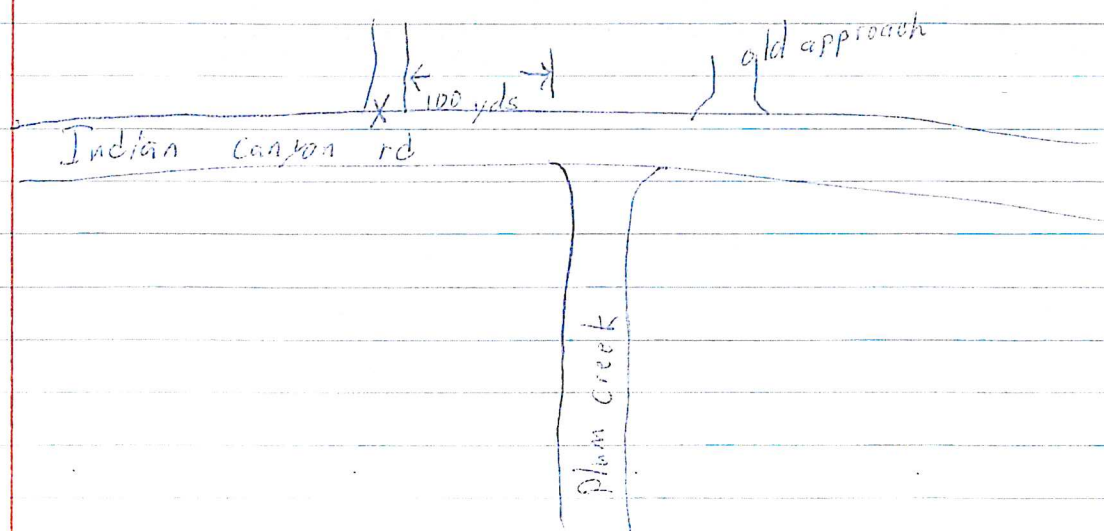
DATE

RECOMMENDED BY: *Randy Seitz*

FALL RIVER COUNTY HIGHWAY SUPERINTENDENT

8-31-22

DATE



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

On this date 7/3/2022, the Applicant hereby applies to the Fall River County Highway Department for permission to construct an approach road connection to the East side of (road name) Angostura Rd (road #) 1 approximately at Co Hwy 1.

The road approach will serve a Residence and will be (residence, church, business, etc.) constructed between 7/3/2022 and 7/5/2022 at (beginning date) (completion date)

applicant's expense.

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

Name: David Gobbo Address: 39250 east 145th Court  
Keenesburg Co. 80643

Phone #: 303-598-8864

Signed: Dave Gobbo  
(Property Owner)

Digitally signed by Dave Gobbo  
DN: CN=Dave Gobbo, OU=End Users,  
OU=AP Users, DC=a-p, DC=com  
Date: 2022.07.18 14:37:35-06'00'

**TO BE COMPLETED BY FALL RIVER COUNTY HIGHWAY DEPARTMENT**

Permit #: 9-14-22  
MO/DY/YR

PRELIMINARY INSPECTION: Date 7-3-22 By: Randy Seitz

Culvert Diameter \_\_\_\_\_ Culvert Length \_\_\_\_\_

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

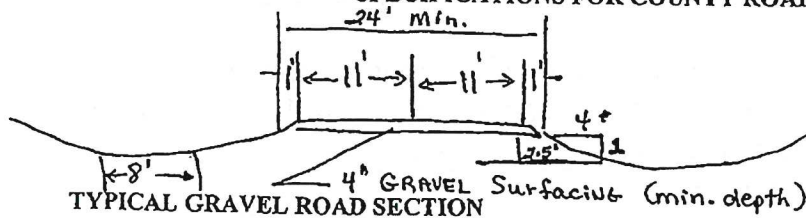
PERMIT: ✓ APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

Randy Seitz  
Superintendent/Foreman

Date: 9-14-22



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

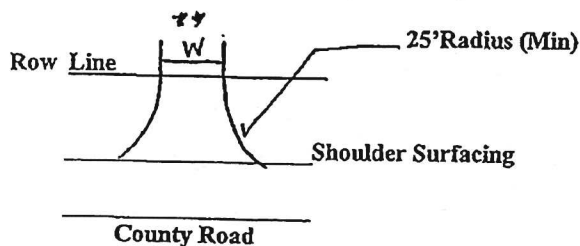


\* Maximum slope is 4 to 1 (current Standard of the South Dakota DOT. Steeper slopes are subject to the Approval of Fall River County

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

The following are standards which shall be met:

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



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

Maximum W - 50'

**TYPICAL APPROACH DETAIL**

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

APPROVED By:

(Chairman ) FALL RIVER COUNTY COMMISSIONERS

DATE

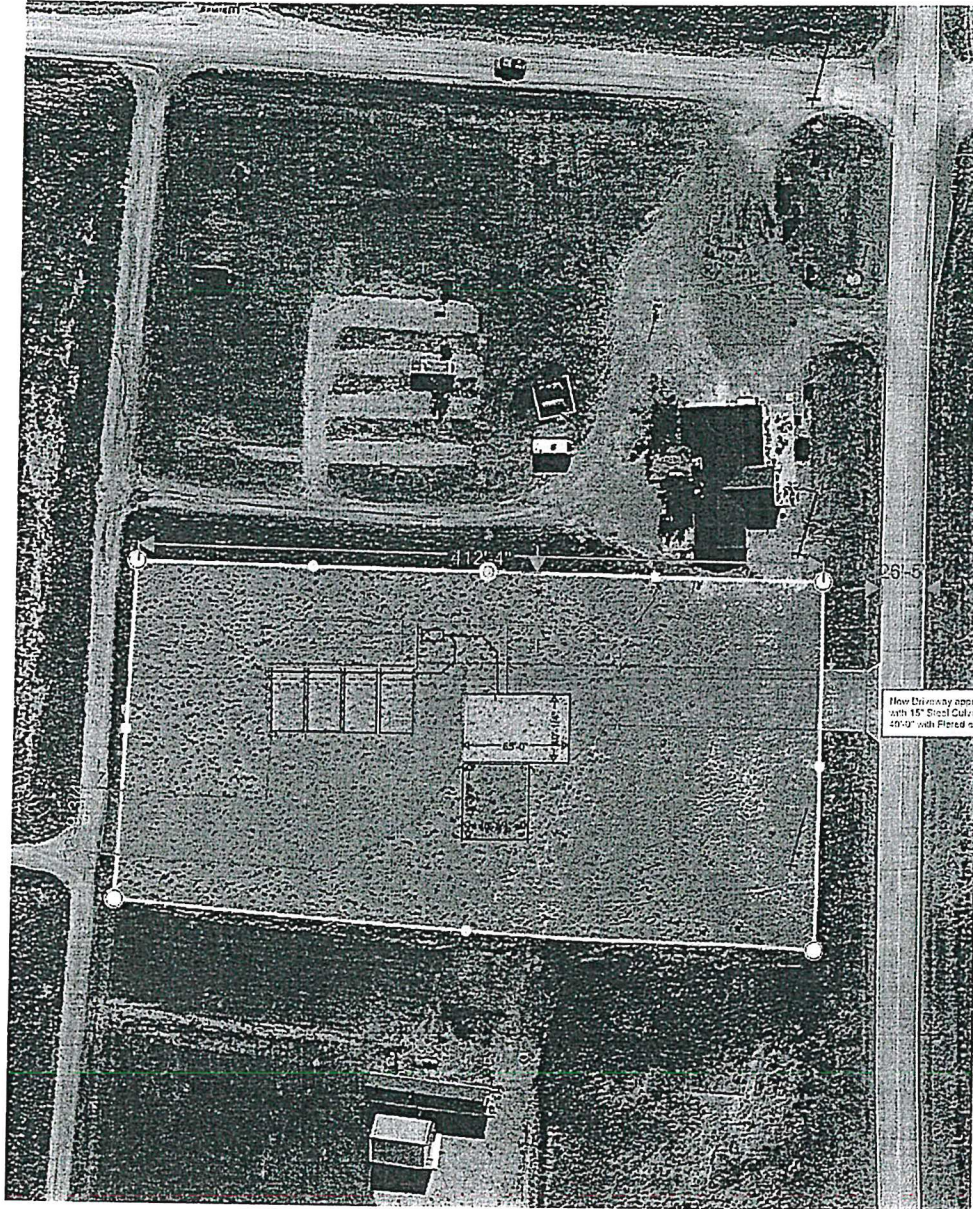
RECOMMENDED BY: *Randy Seith*

FALL RIVER COUNTY HIGHWAY SUPERINTENDENT

*9-14-22*

DATE







Highway Department <hwy@frcounty.org>

---

## David & Penny Gobbo's Drive way approach

1 message

**Dave Gobbo** <dgobbo@a-p.com>

Mon, Jul 18, 2022 at 3:01 PM

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

Cc: Penny Gobbo <gobbopenny@yahoo.com>, David Gobbo <dgobbo11@gmail.com>

Randy

Thanks for expecting my permit. Please let me know of any changes that are needed, I will be adding the flared end section to help with the slope as we talked.

Thanks David Gobbo

**Dave Gobbo**  
Senior Superintendent

m 303.598.8864  
dgobbo@a-p.com




WE BUILD. trust. communities. people.

797 Ventura Street  
Aurora, CO 80011  
www.a-p.com



---

### 2 attachments

 **Lots Plan view 6 Highway Approach.pdf**  
8353K

 **FALL RIVER COUNTY HIGHWAY DEPARTMENT Signed.pdf**  
66K



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

<b>Date: 09/06/2022</b>
<b>COURT HOUSE ...FUEL/GAS PURCHASES:</b>
(All Departments)
<b>FROM DATE: 08/01/2022</b>
<b>THROUGH DATE: 08/31/2022</b>
<b>GALLONS: 151.90</b>
<b>TOTAL: \$ 634.73</b>

FRC HWY: CAS

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

<b>Date: 09/06/2022</b>
<b>SHERIFF'S DEPARTMENT GAS PURCHASES:</b>
<b>FROM DATE: 08/01/2022</b>
<b>THROUGH DATE: 08/31/2022</b>
<b>TOTAL GALLONS: 1199.90</b>
<b>TOTAL: \$5013.90</b>

FRC HWY: CAS

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

<b>Date: 09/06/2022</b>
<b>WEED BOARD FUEL PURCHASES:</b>
<b>FROM DATE: 08/01/2022</b>
<b>THROUGH DATE: 08/31/2022</b>
<b>GALLONS: 145.10</b>
<b>TOTAL: \$ 606.31</b>

FRC HWY: CAS



~~Sep 19 2022 1:06pm~~

*Fax Issues - Fixed*

1

**FAXED BID: 6057454188**

**TO: FALL RIVER COUNTY HIGHWAY DEPT. FAX # 745-5912  
PHONE # 745-5137**

**DATE: 9/19/2022**

**FROM: NELSONS OIL & GAS PHONE:605-745-4189**

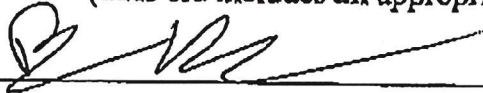
**BID FOR: 8,000 GALLONS DSL#2 SUMMER BLEND**

**AMOUNT OF BID:**

*\$ 3.75 per gal.*

(This bid includes all appropriate taxes and fees)

**Signed By:**



**Note: all faxed bids must be received in the Fall River County Highway Dept. office at the above number before 10:00 A.M. to be considered, unless otherwise stated by the caller for bids.**

**If declining to bid please write the words; "Decline today's bid." On the line designated for the Bid Amount.**

**Thank You**

**FAX:**  
**EMAIL:MKulish@mgoil.com**

**PHONE: 6053435984**

**TO: FALL RIVER COUNTY HIGHWAY DEPT. FAX # 745-5912**  
**PHONE # 745-5137**

**DATE: 9/19/2022**

**FROM: MG OIL**

**BID FOR: 8,000 Gallons DSL#2 SUMMER BLEND**

**AMOUNT OF BID:** \_\_\_\_\_  
(This bid includes all appropriate taxes and fees)

**Signed By:** NO Response - (S)

**Note: all bids must be received in the Fall River County Highway Dept. office at the above number before 10:00 A.M. to be considered, unless otherwise stated by the caller for bids.**

**If declining to bid please write the words; " Decline todays bid." On the line designated for the Bid Amount.**

**Thank You**

**FAXED BID:**


**TO: FALL RIVER COUNTY HIGHWAY DEPT. FAX # 745-5912  
PHONE # 745-5137**

**DATE: 9/19/2022**

**FROM: PJ'S HIDAWAY PHONE:605-662-5000**

**BID FOR: \_8,000 GALLONS DSL#2 SUMMER BLEND**

**AMOUNT OF BID:** \_\_\_\_\_  
(This bid includes **all** appropriate taxes and fees)

**Signed By:** Decline to Bid - Per Phone 

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

**If declining to bid please write the words; " Decline todays bid." On the line designated for the Bid Amount.**

**Thank You**



FALL RIVER COUNTY COURTHOUSE

906 N. RIVER ST

HOT SPRINGS, SD 57747

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

BID: 6600 gallons of propane, request for Bid, to be delivered on       

Specifications: Propane is to be HD-5 grade, 90% or greater propane, preferably 95%

Propane, with other gases as per ASTM D-1835

DATE 09/09/2022

FROM: NELSON'S OIL & GAS

PHONE1(605)745-4189

BID FOR: 6600 gallons of propane, delivered to the County Courthouse.

AMOUNT OF BID (Including all applicable taxes and fees): \$1.89

AUTHORIZED SIGNATURE: 

DATE SIGNED: 9-14-2022

NOTE: All bids must be received in the Fall River County Auditor's Office at the above address (faxed or hand delivered), before 9:00 am DATE 09/15/2022 to be considered, unless otherwise stated by the caller for bids.

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

Thank You

Dave Weishaupl, Maintenance Supervisor

09/09/2022 14:01 T-06:00 TO: +16057456835 FROM: 6057205294

FALL RIVER COUNTY COURTHOUSE

906 N. RIVER ST

HOT SPRINGS, SD 57747

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

BID: 6600 gallons of propane, request for Bid, to be delivered on 9/19/22 ?

Specifications: Propane is to be HD-5 grade, 90% or greater propane, preferably 95%

Propane, with other gases as per ASTM D-1835

DATE 09/09/2022

FROM: Mc Gas Propane

PHONE# 1(605)745-5959

BID FOR: 6600 gallons of propane, delivered to the County Courthouse.

AMOUNT OF BID (Including all applicable taxes and fees): 1.90 p/gallon

AUTHORIZED SIGNATURE: [Signature] Mc Gas

DATE SIGNED: 9-9-22

605-499-9668

NOTE: All bids must be received in the Fall River County Auditor's Office at the above address

(faxed or hand delivered), before 9:00 am DATE 09/15/2022 to be considered, unless

otherwise stated by the caller for bids.

If declining to bid please fax/return this form with the words: "decline today's bid" on the

line designated for the Bid Amount.

Thank You

Dave Weishaupl, Maintenance Supervisor

FALL RIVER COUNTY COURTHOUSE

906 N. RIVER ST

HOT SPRINGS, SD 57747

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

BID: 6600 gallons of propane, request for Bid, to be delivered on       

Specifications: Propane is to be HD-5 grade, 90% or greater propane, preferably 95%

Propane, with other gases as per ASTM D-1835

DATE 09/09/2022

FROM: Hi-D-Way

PHONE# 1(605)890-1010, fax 1(605)662-5757

BID FOR: 6600 gallons of propane, delivered to the County Courthouse.

AMOUNT OF BID (Including all applicable taxes and fees): 2.09

AUTHORIZED SIGNATURE: 

DATE SIGNED: 9/12/22

NOTE: All bids must be received in the Fall River County Auditor's Office at the above address (faxed or hand delivered), before 9:00 am DATE 09/15/2022 to be considered, unless otherwise stated by the caller for bids.

If declining to bid please fax/return this form with the words: "decline today's bid" on the

Line designated for the Bid Amount.

Thank You

Dave Weishaupl, Maintenance Supervisor



# U.S. railways to halt grain shipments ahead of potential shutdown -agriculture sources

By P.j. Huffstutter and Tom Polansek



CHICAGO, Sept 13 (Reuters) - Some U.S. railroads will start halting crop shipments on Thursday, a day ahead of a potential work stoppage, an agricultural association and sources at two grain cooperatives said on Tuesday, threatening exports and feed deliveries for livestock.

With farmers starting to harvest autumn crops that are shipped to meat and biofuels producers, the shipping disruptions could add to already high inflation. Farmers also plan to add fertilizer to fields after the harvest, and shipments of fertilizer are being delayed.

Max Fisher, chief economist at the National Grain and Feed Association, which represents most U.S. grain handlers, said rail customers reported at least one railway would stop taking grain shipments on Thursday morning.

Most major U.S. railways have already stopped accepting new shipments of ammonia fertilizer and other potentially hazardous materials, said Justin Louchheim, senior government affairs director at The Fertilizer Institute, an industry group.

Louchheim said fertilizer producers are now evaluating how much storage they have for ammonia that cannot move by rail, and whether some can move by truck.

The potential rail shutdown looms just six weeks before most Midwest farmers would begin applying fertilizer, said Josh Linville, fertilizer director at StoneX Group. About 40% of the U.S. fertilizer supply is on a rail car at some point before arriving on a farm, he said.

Railroads have until a minute after midnight on Friday to reach tentative deals with holdout unions representing about 60,000 workers.

Worries about service interruptions boosted prices for corn-based ethanol at several hubs and kept sellers out of the market, said Josh Pedrick, a managing editor for S&P Global Commodity Insights.

The Association of American Railways (AAR), which represents railroad companies, did not immediately respond to request for comment on grain transportation.

The work stoppage would be keenly felt in states like North Dakota, South Dakota, Minnesota and Nebraska, from which grain is hauled via rail to ports in the Pacific Northwest for export, said Thomas Lahey, domestic freight manager at grain merchandiser Columbia Grain International. Grain elevators in the upper Midwest move soybeans to the PNW mostly via BNSF Railway, Canadian Pacific Railway (CP.TO) and Union Pacific (UNP.N), he said.

U.S. Class 1 railroads transported nearly 1.5 million carloads of grain in 2020, including 691,000 carloads of corn, 340,000 carloads of soybeans and 248,000 carloads of processed soybeans like soymeal and soyoil, AAR said.

## **ENOUGH ANIMAL FEED?**

U.S. chicken producers rely on about 27 million bushels of corn and 11 million bushels of soymeal every week to feed their birds, the National Chicken Council said. Much is moved by rail.

"Any disruption of service could negatively impact the welfare of the birds, and ultimately impact production at a time when Americans are already dealing with record food inflation," council spokesman Tom Super said.

In North Carolina, a pork and poultry producer, local grain growers do not produce enough corn to feed all the farm animals, said Bob Ford, executive director of the North Carolina Poultry Federation.

"We'd be in trouble if they went on strike for very long," Ford said. "We'd run out of corn."

Wayne-Sanderson Farms, a Georgia-based chicken company owned by Cargill Inc and Continental Grain, is working with local corn producers to augment feed supplies if needed during rail disruptions, spokesman Frank Singleton said.

The beginning of corn harvesting in the southern United States, a main poultry region, "will relieve some of the pressure" on feed supplies, he said.

Some rail customers that feed livestock do not have enough soymeal, said Fisher, of the National Grain and Feed Association. In a worst case scenario, that could force some producers to cull animals.

Railroads also ship hexane, a chemical solvent that crushers use to extract oil from soybeans, said Mike Steenhoek, executive director of Soy Transportation Coalition.

"Any slowdown or stoppage of rail service – especially on the eve of harvest – would significantly impact farmers' ability to meet customer demand – both domestically and internationally," Steenhoek said.

Reporting By P.J. Huffstutter and Tom Polansek in Chicago; Additional reporting by Karl Plume in Chicago, Rod Nickel in Winnipeg, Canada, and Stephanie Kelly in New York; Editing by David Gregorio



## OPINION

# Could your private land become a thoroughfare?

BY RACHAEL BUZANOWSKI  
BUDD-FALEN LAW OFFICES LLC

**F**rom Montana to New Mexico and all states west, federal lands make up a great deal of the landscape. These lands are often open for grazing, mineral development, and recreational activities to the public. However, not all these federal lands have legal public access. Sure, some have public roads going to them, but others are completely landlocked by privately owned lands. Still other federal lands are found in what is known as the "checkerboard."

Checkerboard lands trace back to the time when the U.S. government granted thousands of acres to railroad companies by giving them the odd numbered sections (640 acres), for up to 20 miles, on either side of the tracks. The remaining sections were reserved to the federal government and are now generally managed by the Bureau of Land Management. The railroad companies eventually sold their lands to private landowners to finance the construction of the railroads. This resulted in the current configuration of one section being managed by the BLM and the next being privately owned.

The common corners of four checkerboard sections consist of two private and two federal sections, with the private sections situated diagonally from each other. Federal lands in the checkerboard have generally been deemed inaccessible to the public unless serviced by a public road because there is no right to trespass across private land to access federal land. However, the scope of private property rights in the checkerboard are now being tested in a Wyoming federal court. In a case

specifically designed to get a court's ruling on the issue, four members of the public used a "ladder" to go from one corner of federal land to another. "Technically" these individuals did not touch the private surface, but they clearly entered the airspace above the private lands — it would be impossible not to. This airspace is as much part of the private property as the soil beneath it.

There is nothing in Congress' creation of the checkerboard land pattern that indicates it intended to allow the public to access federal lands by crossing private property. Congress knows how to write bills that allow access across private property to federal lands, Congress did not do that here. Even the federal agencies do not believe that the public can corner cross to get to the federal checkerboard sections. Brochures developed by the BLM and Forest Service caution against corner crossing to get to federal lands. If access to federal checkerboard land is desirable, Congressional, and state statutes, provide a plan — purchase the access from the private landowner.

The defendants argue that because the federal Unlawful Inclosures Act (UIA) prohibits anyone from enclosing or obstructing free passage or transit over or through federal lands, a private landowner cannot stop the public from accessing federal lands across private lands. This argument grossly enlarges both the scope and the purpose of the UIA. The UIA was created to prevent ranchers from strategically fencing lands in such a way that provided them exclusive livestock grazing on federal lands. The act in no way gives permission to the public to trespass on private property. Thus, the UIA simply does not apply here since the issue in this case is keeping unwanted trespassers off private land, not preventing others from grazing cattle on federal land.

The public does not have the right to trespass on private property to get to federal lands. According to the U.S. Supreme Court, "Ownership of property implies the right of possession and control and includes the right to exclude others; that is, a true owner of land exercises full dominion and control over it and possesses the right to expel trespassers." This should include stopping someone from using a "ladder" just to get across your property. While the scope of private property is defined by state law, this case will have west-wide implications for all private property owners in checkerboard lands. Depending on the outcome of this litigation, your private land could become a thoroughfare to the federal lands. ♦



# Conservationists push plan to 'rewild the West'

## — Propose retiring livestock grazing

A proposal to introduce threatened and endangered species onto federal lands in the West could have severe consequences for livestock grazing, with plan proposers calling for reduced livestock grazing in large portions of the West.

A group of academics and conservationists has released a study called "Rewilding the American West," which details a framework to "rewild" public lands by introducing animals such as wolves, beavers and other threatened and endangered plant and animal species to protected areas on western public lands.

"Beyond concerns for human survival and flourishing, a principled commitment to the natural world and a sense of moral urgency underpins the motivation for our proposal," the study says. The research was influenced by President Joe Biden's "30x30 plan,"

and the researchers say they take a major step in advancing the president's vision by envisioning "a bold and science-based rewilding of public lands."

The researchers claim the benefits of the proposal would contribute to stream restoration and help mitigate drought, wildfires and climate change. The study identifies 11 large-scale reserves to disperse species in the western U.S., coining the area as the "Western Rewilding Network."

"In general, rewilding aims to reestablish vital ecological processes that can involve removing troublesome nonnative species and restoring key native species," the study read. "Our rewilding call is grounded in ecological science and is necessary regardless of changing political winds."

Wolves and beavers are noted as the centerpiece of restoration. The network would also include 92 threatened and endangered species: five amphibians,

five birds, two crustaceans, 22 fish, 39 flowering plants, five insects, 11 mammals, one reptile and two small species. The researchers claim that in seven out of the 11 potential reserves, more than half of the listed species are threatened by livestock grazing.

"Federal lands with managed livestock allotments often have various ecological impacts because of the multiple direct and indirect effects of these introduced large herbivores," the study alleges. "For example, in many areas, livestock grazing causes stream and wetland degradation, affects fire regimes, and inhibits the regeneration of woody species, especially willow."

The researchers also point to livestock grazing as a source of greenhouse gas emissions and say the impacts of methane can shift landscapes from carbon sinks to carbon sources.

The rewilding plan for the proposed network includes three major steps:

- Retiring livestock grazing allotments on federal land within the proposed reserve network.
- Protecting, reestablishing or recovering gray wolves, especially within the network.
- Reintroducing beavers in suitable habitats within the network.

The study claims these three steps would greatly improve ecosystem structure and function. In addition to limiting livestock grazing, the study calls for limiting resource extraction and off-road vehicles.

The plan would reduce livestock grazing allotments on federal lands by 29%, which equates to more than 17,000 square miles.

The proposal notes that an "economically and socially just federal compensation program" could be established for those who relinquish their grazing permits for permanent retirement.

"Although our proposal may at first blush appear controversial or even quix-

otic, we believe that ultra-ambitious action is required," the researchers wrote. "We are in an unprecedented period of converging crises in the American West, including extended drought and water scarcity, extreme heat waves, massive fires triggered at least partly by climate change, and biodiversity loss with many threatened and endangered species."

The researchers also note that lands in the proposed network are already owned by the public, and they additionally claim meat produced from the forage on all federal lands accounts for only 2% of national meat production, citing a 2006 study.

"Our plan represents a historic opportunity to rewild significant portions of the American West that could serve as an inspiring model for other regions and

would ensure our natural heritage remains intact for future generations," the study concludes.

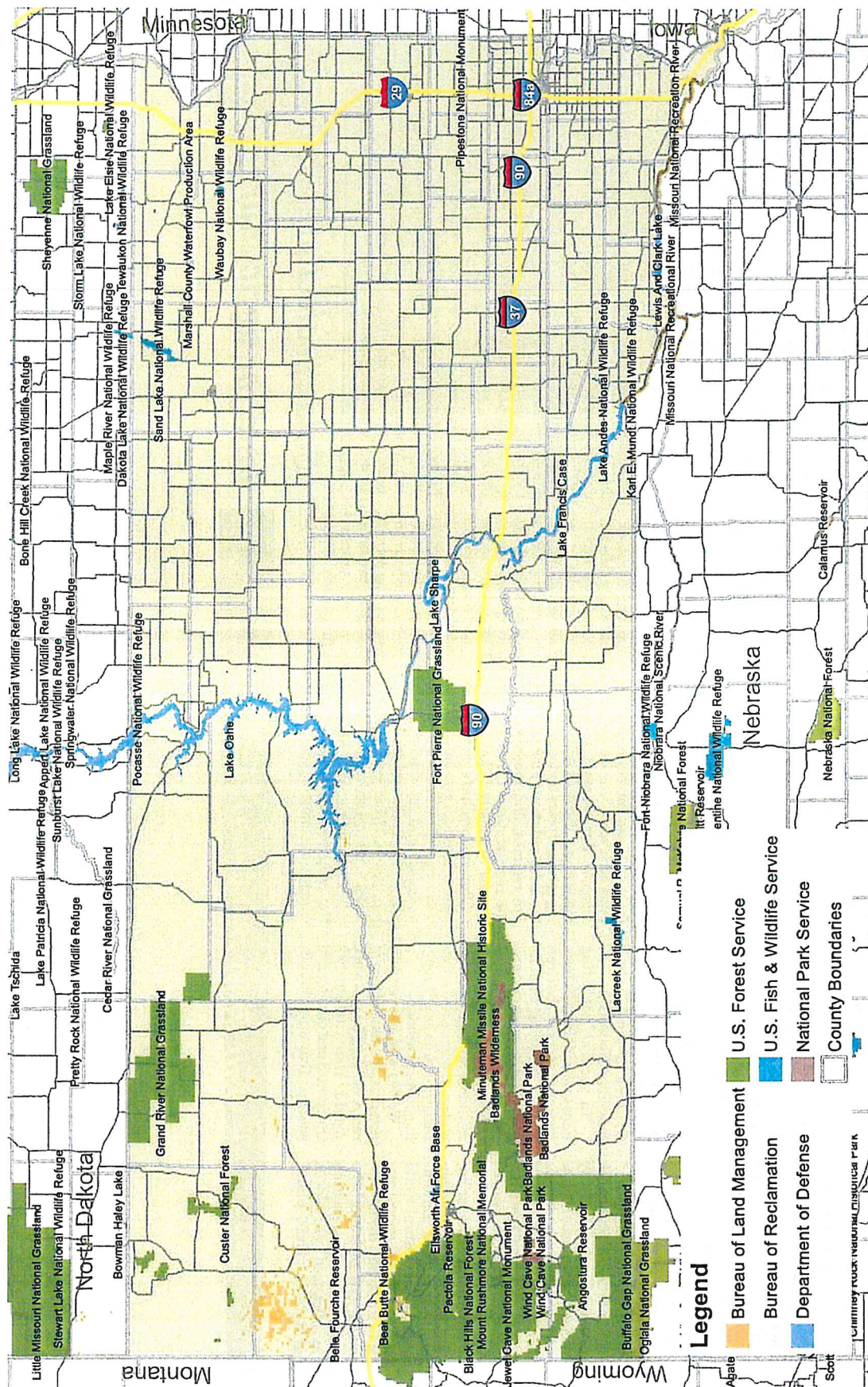
Conservationist groups expressed their support for the network. "With logging, mining, oil and gas drilling, and livestock grazing remaining a significant threat to federal public lands, we must stop this endless resource exploitation and start conserving, reconnecting and restoring a landscape scale," said Sarah McMillan, conservation director at WildEarth Guardians.

"The ecological and economic benefits of the rewilding plan presented in this paper would be significant and would accumulate over time as riparian areas, clean water and biodiversity are restored and climate change is mitigated through increased carbon storage." — Anna Miller, WLSJ managing editor

*Solar project preserves land for agricultural use*

*Full Bill 2022*





Federal Land Management Area (FLMA) geographic area is subject to change. For most current unit level information, contact the appropriate FLMA. FLMA data may be missing.

Source: Central Federal Lands Highway Division | 03/2013



## Federal Lands - South Dakota







Auditor Office &lt;aud@frcounty.org&gt;

## Election Machine manipulation in all SD counties, Getting rid of voting machines

1 message

matthew.monfore &lt;matthew.monfore@protonmail.com&gt;

Mon, Sep 19, 2022 at 1:53 PM

To: "commissioners@frcounty.org" <commissioners@frcounty.org>, "auditor@frcounty.org" <auditor@frcounty.org>, "Ganje, Sue" <Sue.Ganje@state.sd.us>

Please pass on to the commissioners  
Hello Auditor and County Commissioners.

I am Matthew Monfore, a Baptist preacher, from Oral, SD. I am 28 and have lived all but about 4 yrs. of my life in Fall River County. I have been working with SD Canvassing <https://www.sdcanvassing.com> concerning Election Manipulation in SD. To my best knowledge, Every County in South Dakota (and America) has election manipulation through tabulator machines (this is not the auditor's fault). There was a meeting held with legislators Friday Sept. 2 in Pierre at the Capitol concerning this matter (link in this email). I have been in contact with about 20 county auditors in the state, and there is litigation pending right now where Judge Pekas, ordered the preservation of CVR (Cast Vote Records) for the 2020 election.

I would like to be placed on the agenda to address what we have found, and working toward the goal of getting rid of all election machines, and moving to paper ballots.

I have spoken with Mr. Falkenburg on the phone and sent him an email, which I will forward on to all of you here:  
"Hi Mr. Falkengurg.

This is an email I sent to a State Attorney with info. Also, are attached docs. related to election machines. This is SDCanvassing website: <https://www.sdcanvassing.com>

VIDEO: Also, here is the Dr. Frank County Commissioner meeting in Northern California  
<https://rumble.com/v1k4zlp-election-fraud-in-northern-california.html>

Article: Also, here is an article with official court docs. involving the SOS and AG in Oregon that machines are connected WIRELESSLY:

<https://www.thegatewaypundit.com/2022/05/oregon-county-suing-voter-integrity-group-stop-examination-2020-ballots-admits-systems-can-hacked/>

Article: And here is a Politico article about ES&S machines and 33,000 that have MODEMS

<https://www.politico.com/news/2020/08/13/election-voting-machine-misleading-claims-394891>

VIDEO: And it is very important to listen to forensic expert, Jeff Lenberg

<https://rumble.com/v1jdp7v-jeff-lenberg-reveals-details-of-forensic-investigation-in-coffee-county-ga-.html>

We are tired of being smeared as "election-deniers" and "conspiracy theorists". We have experts and evidence on our side. People need to be informed...

Bi-partisan issue (at least)

1. Here are short videos of Professor Halderman (hired by Democrats, detailing NO machine is safe; democrats questioning the election (why are we not allowed to?), and Dominion vendor (which we don't use, admitting wireless connection)

1. J. Alex Halderman



Professor of Computer Science & Engineering, University of Michigan  
Director, University of Michigan Center for Computer Security and Society  
Director, Michigan CSE

<https://www.youtube.com/watch?v=ReWLkIPVkg0>

2. DEMOCRATS ADMITTING

<https://www.youtube.com/watch?v=nDyUFTEi-gg>

3. Hacking

[https://www.youtube.com/watch?v=KE4wj\\_Nylus&t=139s](https://www.youtube.com/watch?v=KE4wj_Nylus&t=139s)

4. Dominion voting presentation admitsto using Verizon, Sprint, and AT&T

[https://www.youtube.com/watch?v=Co91BdP\\_G\\_o&t=5sCredit](https://www.youtube.com/watch?v=Co91BdP_G_o&t=5sCredit)

Credit Kanekoathegreat, investigative journalist

## A FEW COUNTIES TAKING ACTION IN AMERICA; GET RID OF VOTING MACHINES

1. New Mexico, Otero County WATCH THE VIDEO IN THE ARTICLE OF THE COMMISSIONERS...

<https://www.thegatewaypundit.com/2022/06/breaking-otero-county-new-mexico-votes-remove-dominion-voting-systems-zuckerberg-drop-boxes-election-machines/>

2. Nevada, Nye County, DITCH VOTING MACHINES

<https://thenevadaglobe.com/fr/nye-county-votes-to-ditch-dominion-voting-machines/>

3. Missouri, State, ordering paper ballots by Jan. 2023, and banning machines by January, 2024

[https://www.komu.com/news/state/new-missouri-law-bans-use-of-electronic-voting-machines/article\\_3d3e64ea-f7c2-11ec-bebc-3f8019ad1c45.html](https://www.komu.com/news/state/new-missouri-law-bans-use-of-electronic-voting-machines/article_3d3e64ea-f7c2-11ec-bebc-3f8019ad1c45.html)

4. Tennessee, Williamson County, Dominion machines recalled

<https://thefederalist.com/2022/03/01/tennessee-secretary-of-state-urges-recall-of-dominion-voting-machines-in-williamson-county/>

Statement from Dr. Frank's Telegram

**"The Machines are Not Connected to the Internet"**

This misleading mantra has been repeated by election officials all over the country.

The TRUTH is that even when the machines are not connected to local networks, they can be hacked wirelessly. (Recently admitted by the Oregon Attorney General in official court documents. I'm testifying in this upcoming case.)

The TRUTH is that nearly all of our voting devices are shipped with wireless modems, but they are purportedly "turned off" in the software, and can only be turned on with special passwords. Passwords that the local clerks don't even have.

Guess who has the passwords?

The Secretaries of State and the Vendors.

It is widely known that Secretary of State's networks are easily hacked (I've witnessed this myself). And the vendors are not to be trusted, since they won't let us look inside their machines.

*Our elections are so hacked.*

Folks, we need to "Vote Amish." All paper, no machines."

"Hi Lynn, the following will update and inform you on the CVRs. It is an email I sent to an auditor. also are attachments and info on SD laws. San Francisco County puts their CVRs online <https://sfelections.sfgov.org/november-3-2020-election-results-detailed-reports>

"

Thank you

THE FOLLOWING IS A CONGLOMERATION OF EMAILS I HAVE SENT IN PART, OR WHOLE, TO SOS, AND AT LEAST SOME OF MY COMMUNICATIONS WITH AROUND 20 AUDITORS (MAINLY THE LARGER ONES BY POPULATION) ALSO ATTACHED ARE SCREENSHOTS FROM THE RECENT DEPERNO CASE IN ANTRIM COUNTY, MI WHERE FORENSIC TESTS WERE DONE BY MULTIPLE EXPERTS ON MACHINES. ES&S MACHINES DO CONNECT TO THE INTERNET. THE DS200 HAD A VERIZON SIM CARD MODEM AND THE DS400 HAD A WIRELESS MODEM. YOU WILL ALSO SEE BELOW LINKS TO VIDEOS WITH JEFF O'DONNELL AND WALTER DAUGHERITY, WHO

ACQUIRED A MACHINE FROM MESA CO, COLORADO AND SHOWED THAT THE MACHINES WERE HACKED, and the Lincoln co meeting on sept 8th, as well as the Friday sept 2 meeting at the capitol. ALSO, Jeff O'Donnell and Lindell are in a video talking about how, of about 400 CVRs acquired, 95% have been manipulated. ALSO provided is a link to the list of states and how many CVRs have been acquired. Interestingly, Draza Smith (who works with O'Donnell, noted that San Francisco, CA posts their CVRs online for anyone to see. <https://t.me/ladydraza/2335> <https://t.me/ladydraza/2335> Why is it so difficult to acquire in SD?

Hello

My name is Matthew Monfore, from Fall River Co, SoDak. I was at the FRI Sept 2 meeting, and I noted contradictions in what was being said... "CVRs don't exist" "They do exist" and SOS Election Director needs to "clarify" with vendor. I had sent some of the following information (I also include additional here) to other auditors and the SOS in South Dakota.

1. Why is the SOS and auditors saying ES&S doesn't connect to internet? They do
2. Why are all the auditors seemingly saying the same thing? (according to FRI meeting, they are getting info from SOS...)

1. "Disinformation" and propaganda are being spread by the SOS and the auditors....FACT-CHECKING IS NOT CLICKING ON THE FIRST FEW ARTICLES ON GOOGLE

3 I challenge the SOS and auditors to meet with computer experts...

4. I recorded the FRI meeting, and the TH meeting at Lincoln Co

I also provide videos that would properly inform you what is going on. If you are a public servant, then please get to the bottom of this.

5. I hope in the end, you are on the right side of history. I genuinely think auditors intend well, but can't speak for the machine companies and hackers And I am skeptical of the SOS office (maybe they are just ignorant)
6. Other states are giving out CVRs. What's wrong with South Dakota?

"

COMPUTER EXPERT JEFF O'DONNELL CVRs, 95% are manipulated 1. Computer expert Jeff O'Donnell has found around 95%, conservative estimate, of CVRs have been manipulated, after looking at about 400 (gotten from other states) of them. Are you aware of this?

<https://frankspeech.com/video/cast-vote-records-detecting-fingerprint-fraud>

Jeff is at 15.45, but the whole video will inform you of where we are coming from legally...

Showing fraud 2.5 mins CVRs

<https://frankspeech.com/video/we-can-see-same-algorithm-run-across-multiple-sets-cvrs-we-can-see-same-algorithm-run-across>

2. the Secretary of State selection director recently stated she needed to clarify with the vendor, on CVRs accessibility. Have you heard from her on this clarification?



ALSO THESE ARE FOLLOW-UP QUESTIONS I HAVE AFTER/FROM THE LINCOLN COUNTY THURS SEPT 8 MEETING:

1. Would you be willing to meet/talk with one of the computer experts that could show you the manipulation of the CVRs?
2. Also, running a sample test would not show manipulation if the machines are hacked on Election Day in real-time...

Email I sent to auditors (didn't make around to all)

"I would like a copy of CVRs. Thank you.

Hi

This is Matthew Monfore from Fall River County, SD. I talked with -----about CVRs. And the Friday Sept. 2 2022 meeting at the capitol.

Here is the link to the video with an index of speakers, what was said, and time etc.

<https://rumble.com/v1it4xz-full-vid-2022-09-02-south-dakota-election-castvoterecords-meetinghearing-st.html>

Here are instructions on how to get the CVRs off of your system (ElectionWare). Bottom of pgs. 7 and following.

Page 5 and 6 are a template letter of what I am to send to you for public records request. Also, p.6 mentions p. 37 of User's Guide, *If "you are not readily familiar with how to generate this report, you can refer to the instructions outlined in the ES&S Electionware Volume V Results User's Guide. You will find the relevant information begins on page 37. Simply select choices for ALL records. I have also included some screenshots and detailed instructions for EVS version 6.1.1.0."* <https://magaraccoon.com/docs/cvrsfordummiesv2.pdf>

Here are the states that have followed CVRs requests

<https://ordros.com/cvrstatus.asp>

ES&S and internet

I have heard the SOS say the machines are not capable of connecting to the internet. This is not true. Who is really spreading "disinformation"?

VIDEO

1. As reported by NBC (I will get back to you on more information) SPECIFICALLY FOR ES&S, THE SYSTEM SOUTH DAKOTA USES

<https://www.nbcnews.com/politics/elections/online-vulnerable-experts-find-nearly-three-dozen-u-s-voting-n1112436>

"The three largest voting manufacturing companies — Election Systems & Software, Dominion Voting Systems and Hart InterCivic — have acknowledged they all put modems in some of their tabulators and scanners. The reason? So that unofficial election results can more quickly be relayed to the public. Those modems connect to cell phone networks, which, in turn, are connected to the internet.



The largest manufacturer of voting machines, ES&S, told NBC News their systems are protected by firewalls and are not on the "public internet." But both Skoglund and Andrew Appel, a Princeton computer science professor and expert on elections, said such firewalls can and have been breached."

## 2.ARTICLE FORM FORTUNE

<https://fortune.com/2019/08/08/swing-state-voting-systems-connected-internet-vice-report/>

"Researchers, scouring the internet using parameters based on one known IP address of a fire-walled system in Rhode Island, found about 35 ES&S systems whose connections had been left open, in some cases for months or even years."

"ES&S tells *Fortune*. "In some states it is a common practice to modem unofficial election results at the close of the polls to help the media in releasing early projections."

I have a list of people. I would love to coordinate a meeting between you, the SOS, and all the auditors of SD. The machines can be connected to the internet (you are spreading disinformation and propaganda if you say they can't). Below, I provide a recent election lawsuit in which a Verizon modem was found in a DS200 ,and connection modem in DS400 (I wonder that there is a typo here, and meant DS450, or if it is a different model) analyzed by Penrose in the former and Cotton in the latter (SEE ATTACHED FILE). TYPING SOMETHING INTO GOOGLE AND CLICKING ON A COUPLE ARTICLES IS NOT "FACT-CHECKING", THAT IS PROPAGANDA...

Hi Sheri, and all auditors, clerks, and deputies,

I have a list of people. I would love to coordinate a meeting between you, the SOS, and all the auditors of SD. The machines can be connected to the internet (you are spreading disinformation and propaganda if you say they can't). Below, I provide a recent election lawsuit in which a Verizon modem was found in a DS200 ,and connection modem in DS400 (I wonder that there is a typo here, and meant DS450, or if it is a different model) analyzed by Penrose in the former and Cotton in the latter (SEE ATTACHED FILE). TYPING SOMETHING INTO GOOGLE AND CLICKING ON A COUPLE ARTICLES IS NOT "FACT-CHECKING", THAT IS PROPAGANDA...

1. Jeff O'Donnell <https://magaraccoon.com/>

"Jeff is a "full stack" software and database engineer with over 40 years of successful private-sector experience. Since graduating from the University of Pittsburgh, he has worked for and with great companies like Rockwell International, Westinghouse Electric Nuclear, U.S. Steel, Mellon Bank, General Defense, the Penn State Applied Research Laboratory, and Concurrent Technologies.

More recently, he has owned and operated numerous software development, consulting, and security companies. Currently, he serves as President of Qest Development LLC and Chief Information Officer of Ordros Analytics.

Jeff has spent the last year using his data analytics and software development skills to perform research on U.S. elections, particularly the 2020 General election."

People are getting tired of being smeared and their lives destroyed because they are seeking the truth. O'Donnell and Daugherty, 40 min presentation I CHALLENGE SHERI LUND TO WATCH THIS. <https://frankspeech.com/video/computer-and-cyber-experts-jeff-odonnell-and-walter-daugherty-validate-cyber-crime-inside>

2. Walter Daugherty: Texas A&M Computer Science & Engineering  
Bio<https://engineering.tamu.edu/cse/profiles/wdaugherty.html>

The rest of the experts are mentioned in the Matt Deperno, Antrim Co. Michigan, forensics of the machines, particularly ES&S

<https://www.depernowlaw.com/all-expert-reports.html> You download the reports and read the one-by-one (the is from # 1)

3. Russ Ramsland, Allied Security Operations Group:Forensics

1.

My name is Russell James Ramsland, Jr., and I am a resident of Dallas County, Texas. I hold an MBA from Harvard University, and a political science degree from Duke University. I have worked with the National Aeronautics and Space Administration (NASA) and the Massachusetts Institute of Technology (MIT), among other organizations, and have run businesses all over the world, many of which are highly technical in nature. I have served on technical government panels.

2.

I am part of the management team of Allied Security Operations Group, LLC, (ASOG). ASOG is a group of globally engaged professionals who come from various disciplines to include Department of Defense, Secret Service, Department of Homeland Security, and the Central Intelligence Agency. It provides a range of security services, but has a particular emphasis on cybersecurity, open source investigation and penetration testing of networks. We employ a wide variety of cyber and cyber forensic analysts. We have patents pending in a variety of applications from novel network security applications to SCADA (Supervisory Control and Data Acquisition) protection and safe browsing solutions for the dark and deep web. For this report, I have relied on these experts and resources.

4. Penrose, James

<https://cybersecuritysummit.com/speaker/penrose-jim/>

He found the Verizon modem in a DS200

5. Ben Cotton, Bio from From affidavit, report #3

1) I am over the age of 18, and I understand and believe in the obligations of an oath. I make this affidavit of my own free will and based on first-hand information and my own personal observations.

2) I am the founder of CyFIR, LLC (CyFIR).

3) I have a master's degree in Information Technology Management from the

University of Maryland University College. I have numerous technical certifications, including the Certified Information Systems Security Professional (CISSP), Microsoft Certified Professional (MCP), Network+, and



Certified CyFIR Forensics and Incident Response Examiner.

4) I have over twenty five (25) years of experience performing computer forensics and other digital systems analysis.

5) I have over eighteen (18) years of experience as an instructor of computer forensics and incident response. This experience includes thirteen (13) years of experience teaching students on the Guidance Software (now OpenText) EnCase Investigator and EnCase Enterprise software.

6) I have testified as an expert witness in state and federal courts and before the United States Congress.

7) I regularly lead engagements involving digital forensics for law firms, corporations, and government agencies.

And I throw in a couple other names just in case Col. Phil Waldron

, <https://defendourunion.org/colonel>. Sean Smith

<https://truthandliberty.net/bio/shawn-smith/>

You owe it to your constituents and the state of South Dakota, and your country, to get to the bottom of this.

Lincoln Co, Sept 8 meeting link

<https://rumble.com/v1jaeqb-cvrs-auditors-lincoln-co-south-dakota-cvrs-95-manipulated-acc.-to-odonnell-.html>

Matthew Monfore here from Fall River Co, SoDak. I had been emailing other elected officials and am forwarding the emails on to you. Thank you for your labors.

JesusSKing,

Matthew Monfore

Hello, Matthew Monfore here, a few laws that need to be amended, clarified, or added in South Dakota.

As per the latest dealings/ignorance of SOS's from Kentucky and North Dakota, not to mention South Dakota, as reported by Lindell's team (video Sept 8

<https://frankspeech.com/video/mike-responds-secretary-states-getting-irritated-when-their-citizens-ask-cast-vote-records>)

1. we are being prevented from obtaining CVRs (Cast Vote Records) via a 1994 law (attached) which was for "dinosaur machines", USB devices weren't really marketed until 1996 and after (which contain the CVRs). Lindell's team now has 1,000 of 3,000 county CVRs in America. South Dakotans are being refused these records (I recall at the FRI Sept 2 meeting at the capitol, talks of the EAC, 2005, and CVR's being used to audit and adjudicate; WE ARE WAY BACK IN 1994!) Computer expert Jeff O'Donnell has gone through about 400 CVRs and found 97% manipulation of CVRs (also see previous email where Antrim Co. MI found modems in DS200 and DS 400 despite us in SD being told repeatedly that such internet capabilities don't exist; if you didn't get this email with screenshots, please email me and I will send). A law banning machines would be nice too, but if no support in legislature, we should allow a forensic inspection, to be contracted by experts of our choosing, of every machine in South Dakota in order to be part of our election process. <https://frankspeech.com/article/save-your-county>

2. LINDELL AND TEAM ARE ENCOURAGING US TO "FOIA" COMMUNICATIONS BETWEEN SOS AND THE AUDITORS AND ES&S OR ES&S VENDOR. I UNDERSTAND WE ARE NOT ALLOWED TO DO THIS IN SD. WE NEED TO MAKE A LAW DESIGNATING BETWEEN "PRIVATE" CORRESPONDENCE AND "OFFICIAL" OR "DEPT./OFFICE" DEALINGS/CORRESPONDENCE THAT SHOULD BE OPEN TO THE PUBLIC.

<https://frankspeech.com/article/save-your-state>

THANK YOU, AND KEEP GOING! WE DON'T WANT TO BE CONTROLLED BY ES&S AND WHOEVER RUNS THEM.



## FOLLOWING IS MY EMAIL TO LINDELL'S TEAM:

"Hello. This is Matthew Monfore of Fall River Co, South Dakota. Just south of Mt Rushmore.  
Need help countering responses from auditors and SOS office.

1. The County auditors, probably instructed by the SD SOS Steve Barnett, are citing SD Codified law 12-17b FROM 1994! (attached), which states that "program board"s [what was that in 1994 when the law was written/revised? USB devices weren't marketed until late 90's, after the law; and what kind of voting machines were used then, 30 YEARS AGO] must be "sealed"? So a bunch of old dinosaur voting machines?

2. What does "sealed" mean. My understanding is that it can basically mean wrapped with signature and seal of a county official. Doesn't mean it can't be opened under a lawful "open record request"! Any advice from anyone?

3. SOUTH DAKOTA IS DENYING FOIA OF SOS EMAILS BECAUSE IT IS "PRIVATE CORRESPONDENCE... ATTACHED SCREENSHOTS OF LAWS

## VIDEOS

STOP GASLIGHTING US: COMPUTER EXPERT ON HACKING ELECTION MACHINES. DEMOCRATS CONCERNED ABOUT ELECTION HACKING

1. J. Alex Halderman

Professor of Computer Science & Engineering, University of Michigan  
Director, University of Michigan Center for Computer Security and Society  
Director, Michigan CSE

<https://www.youtube.com/watch?v=ReWLkIPVkg0>

2. DEMOCRATS ADMITTING

<https://www.youtube.com/watch?v=nDyUFTEi-gg>

3. Hacking

[https://www.youtube.com/watch?v=KE4wj\\_Nylus&t=139s](https://www.youtube.com/watch?v=KE4wj_Nylus&t=139s)

4. Dominion voting presentation admits to using Verizon, Sprint, and AT&T

[https://www.youtube.com/watch?v=Co91BdP\\_G\\_o&t=5sCredit](https://www.youtube.com/watch?v=Co91BdP_G_o&t=5sCredit)

Credit Kanekoathegreat, investigative journalist

Thanks,

Matthew Monfore

Matthew Monfore

Evangelist / missionary

JesusIsKingMission.com

605 890 2604 cell

matthew.monfore@protonmail.com

Sent with Proton Mail secure email.

7 attachments

Screen Shot 2022-09-10 at 6.39.44 AM.png  
225K



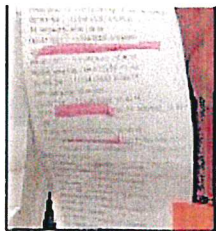


Figure 4

The figure shows a document with red markings and text, possibly a ballot or official form. The text is partially obscured by red markings, but some words are visible, such as "FALL RIVER COUNTY" and "ELECTION".



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The figure shows a document with red markings and text, possibly a ballot or official form. The text is partially obscured by red markings, but some words are visible, such as "FALL RIVER COUNTY" and "ELECTION".

Screen Shot 2022-09-09 at 1.15.55 PM.png  
3393K



Section 18. The resolution board shall determine the disposition of those ballots which cannot be properly counted by the tabulating equipment. A true duplicate copy shall be made of any ballot in question and substituted for the rejected ballot. All duplicate ballots shall be clearly labeled "duplicate," shall bear a serial number which shall be registered on the rejected ballot, and shall be counted in lieu of the rejected ballot. The resolution board may observe the activities at the counting location on behalf of their respective political party.

Section 19. After the tabulating procedure is completed, the ballots shall be placed in boxes and resealed. Any program board which may be used in the automatic tabulating equipment shall be removed and stored similarly to the ballots.

Section 20. Automatic tabulating equipment shall be tested prior to a recount or election contest as provided in section 9 of this Act, and then the official ballots shall be recounted. The new returns printed by the automatic tabulating equipment shall be certified by the recount board as the official returns for the election. They shall be signed and sealed by the person in charge of the election and made public.

Section 21. The State Board of Elections may promulgate rules pursuant to chapter 1-26 concerning:

- (1) The criteria and procedure for approving voting systems pursuant to sections 5 to 20, inclusive, of this Act;
- (2) Notices and forms;
- (3) Test procedures; and
- (4) The arrangement and conduct of voting, absentee voting, tabulating, preparing returns, and recounts.

Section 22. That §§ 12-17A-1 to 12-17A-44, inclusive, be repealed.

Signed February 24, 1994.

## ESS DS200 Machine

The DS200 machine was found to have a wireless 4G modem installed internally within the enclosure of the machine. The printed tapes that summarize the activity during the election show that the 4G modem was used to send the results to a central listener server via secure file transfer. The Telit LE910-SV1 in Figure 5 was found within the ESS&S enclosure.

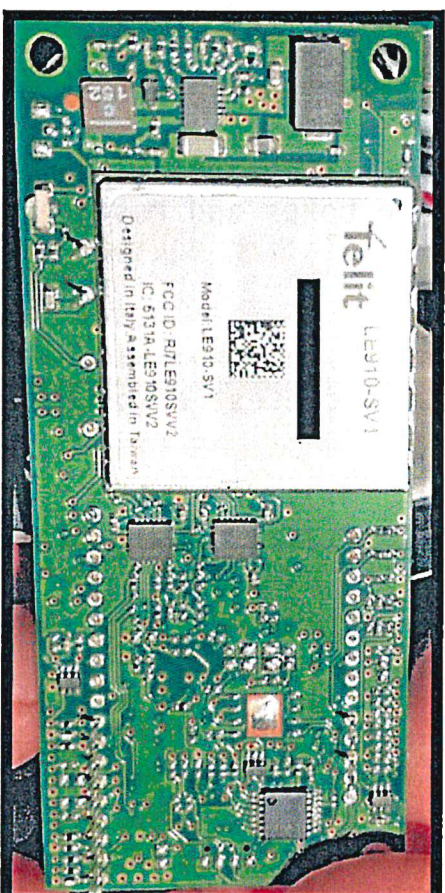


Figure 5

April 9, 2021

The printed summary tape from the ESS&S machines also indicate that the submission of the vote totals occurred using the wireless 4G modem, see Figure 6.



## What Records are Exempt from the Freedom of Information Act in South Dakota?

Certain records are exempt from the South Dakota Freedom of Information Act as outlined in Section 1-27-1.5 to Section 1-27-1.9 of the state's Codified Laws. These exemptions are essential to avoid the unnecessary exposure of confidential information that can intrude on a person's privacy and jeopardize state security. They include:

- Negotiation records and appraisal information relating to the sale or purchase of any interest in real or personal property by a public body
- Security procedures, plans, policies, standards, or any other security-related information of the Gaming Commission
- Information concerning the protection of private or public property and any individual within or on such a property
- Trade secrets which, if disclosed, would give an advantage to a business competitor
- Medical records, including all alcohol or drug counseling, testing, or treatment, besides deaths and births records
- Personal information of students of any educational institution possessed by a public agency, aside from typical directory information
- **Attorney work product**
- Records collated by law enforcement and other agencies responsible for investigations, especially if they form a part of intelligence information or investigation
- **Calendars, personal correspondence, and telephone call records of public officials**
- Individuals' credit information and account payment information which is given in confidence
- Employment applications except those submitted by persons employed into policymaking and executive positions of any public agency
- The financial information provided by or on behalf of a person or enterprise in the quest of qualifying to submit a bid
- Examination questions, results, or other test questions of employment, licensure, academic credit, or promotion examination
- Passport numbers, social security numbers, driver license numbers, and other personally identifying numbers
- Any commercial and financial information submitted by private individuals in respect of export services
- Disaster or emergency response plans
- Any list containing personally identifying information of occupants from the Department of Game, Fish, and Parks lodging facilities
- Any record declared as confidential by state or federal statute
- Proprietary information relating to a vendor's unique methods of doing business, products or services, and determining product prices or service rates submitted to any public agency
- Commercial and financial information submitted by individuals or businesses as part of economic development loans applications
- Any record that is relevant to a dispute to which a public agency is a party
- Recommendations, notes, and drafts expressing opinions and formulating policies
- Documents or communications of the state elected or appointed official or employee used in the deliberative or decisional process regarding any decision arising from their official duties

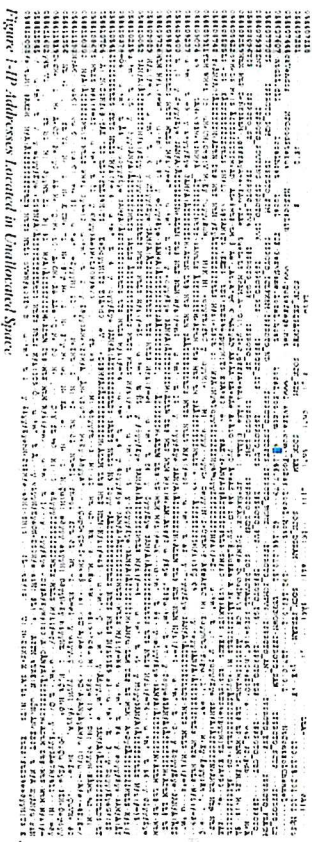


Completed Printing Write-in Review Report  
00:51:53 11/04/2020 5124023  
4G Network Available  
00:51:53 11/04/2020 5124026  
User selected Begin Modem Process  
00:51:57 11/04/2020 7004070  
Modem device /dev/ttyS2 found.  
00:52:04 11/04/2020 5104072  
PPP service started  
00:52:19 11/04/2020 5104074  
SFTP service started for IP address 10.48  
.51.1.  
00:52:45 11/04/2020 5104076  
SFTP transfer complete for file /tmp/1720  
-031735049/-0523120519052253-1-20201104T0  
91524.zip.cerf.  
00:52:46 11/04/2020 1003190  
Ejection results transmitted Successfully  
00:53:25 11/04/2020 1004016  
Shutdown initiated.  
14:17:56 11/05/2020 6004118  
Motherboard VT8070  
14:18:15 11/05/2020 1004002  
Ejection loaded  
14:18:22 11/05/2020 1004326  
All data paths OK

Figure 6

The Telit LE910-SV1 card installed in the ES&S device was utilizing a commercial Verizon SIM card with an APN configuration specific to the ES&S DS200 provisioning. Testing revealed that the same SIM card could be utilized in a separate wireless hotspot device and the device could then join the same APN as the ES&S voting machines. An unauthorized user could gain access to this APN by an extra SIM card pre-provisioned for this APN, or by removing a SIM from an operational device and using it in another device.





Further examination of the ICX clearly indicates that this system is also actively configured to communicate on a private network of 10.114.192.x with FTP settings to connect to 10.114.192.12 and 10.114.192.25. Also apparent is that at one time this system was configured to have the IP address 192.168.1.50. This IP address is also a private IP range. These IP configurations and artifacts definitively identify two things, 1) the device has been actively used for network communications and 2) that this device has communicated to public IP addresses not located in the United States. Further analysis and additional devices would be required to determine the timeframe of these public IP communications.

10) ESS DS400 Communications. A careful examination of the ESS DS400 devices and thumb drives was conducted. This examination proved that each DS400 had a Verizon cellular wireless communications card installed and that the card was active on powerup, which meant that there is the ability to connect to the public internet on these devices as well. Both of the DS400 devices were configured to transmit election results to IP address 10.48.51.1. This is a private network, which means that it would only be accessible by the remote DS400 systems through leveraging the public internet and establishing a link to a communications gateway using a public IP or via a virtual private network (VPN). It is important to understand that this

communication can only occur if the cellular modems have access to the public internet. I did not have the entire communications infrastructure for the private network and given this lack of device production associated with the DS200, I can not say which other devices may have connected to this private network nor the full extent of the communications of nor the remote accesses to the DS400 devices.

11) Out of Date Security Updates and Virus Definitions. An analysis of operating system, and antivirus settings on the servers and computers provided to me was conducted. It was

immediately apparent that these systems were extremely vulnerable to unauthorized remote access and manipulation. For example, none of the operating systems had been patched nor the antivirus definition files updated for years. The Antirim EMS was last updated in 2016. The other systems were in a similar state. This lack of security updating has left these systems in an extremely vulnerable state to remote manipulation and hacking. Since 2016 more than ninety seven (97) critical updates have been issued for the Windows 10 operating system to prevent unauthorized access and hacking. The fact that these systems are in such a state of vulnerability, coupled with the obvious public and private internet access, calls the integrity of the voting systems into question. The Halderman report dated March 26, 2021 relating to this matter validates this finding. It also validates that the system is in a state such that an unauthorized user can easily bypass the passwords for the system and database to achieve unfettered access to the voting system in a matter of minutes. These manipulations and password bypass methodologies can be performed remotely if the unauthorized user gains access to the system through the private network or the public internet.

12) Incomplete Compliance with the Subpoena for Digital Discovery. Antirim County has apparently failed to produce all of the voting equipment for digital preservation and analysis. I

CHAPTER 110

(HB 1034)

ELECTRONIC VOTING PROCEDURES REVISED

AN ACT ENTITLED, An Act to separate punch card voting from optical mark voting.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-16-2 be amended to read as follows:

12-16-2. All official ballots shall be printed on good quality bond paper, in black ink, and in the English language. The names of candidates for each office shall be printed in large type under the designation of the party or principle for which the nomination is made, so that all the names of candidates for each party shall be in separate columns and each party ticket shall be printed side by side on the ballot with names of candidates for each office directly opposite each other and the names of all independent candidates shall occupy a column separate from regular party tickets under the heading "independent candidates." If the certificate of nomination of an independent candidate filed pursuant to § 12-7-1 specifies the name of a national political party, or a political party organized



## Executive Summary

Two versions of Michigan voting systems both Dominion and ESS have been found to have utilized wireless technology. The Dominion Voting Systems proposal for Antrim County shows a quote for wireless transmission capabilities, see Figure 1. Dominion representatives also confirmed issues with wireless transmission of vote totals and even went as far as disabling the saving of ballot images without explicit authorization.

The ESS Model DS200 was found to have an internal wireless card, that has a private network address that was designed to communicate with an ES&S Primary Host Server. These devices and servers are ostensibly designed to operate on a virtual private network (VPN) that does not allow routing to the Internet. While each of the devices do have private network Internet Protocol (IP) addresses, testing revealed that the SIM card used for the DS200 could be utilized in a generic device 4G wireless device and allow for access to the same access point name (APN). There is substantial risk to the ES&S APN connected machines from malicious actors that have access to any SIM card with pre-programmed access to the APN.

The manufacturer of the wireless 4G card used in the ES&S DS200 is a company named Telit. Telit is an internet of things company that has recently taken major investment from a Chinese investment fund that has ties to the Chinese Communist Party according to UK media reporting.

M. MICHAEL ROUNDS  
U.S. SENATOR  
SOUTH DAKOTA

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INDIAN AFFAIRS  
VETERANS' AFFAIRS

September 1, 2022

Fall River County County Commissioners  
C/O Joe Falkenburg  
906 North River Street  
Hot Springs, SD 57747-1309

Dear Commissioners,

I wanted to let you know that your message regarding the Department of the Interior's American the Beautiful Initiative has been received and reviewed. Senator Rounds appreciates your concerns and values your input.

I tried to call but was unable to reach you. Please feel free to call me at our Washington, D.C. office at (202) 224-5842 or toll free at (844) 875-5268. I look forward to hearing from you soon.

Sincerely,

Lucas Heitkamp  
Office of Senator Mike Rounds

716 HART SENATE OFFICE BLDG.  
WASHINGTON, DC 20510  
(202) 224-5842

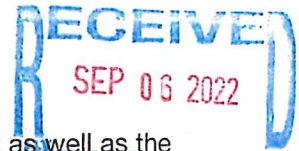
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SUITE 210  
PIERRE, SD 57501  
(605) 224-1450

320 NORTH MAIN STREET, SUITE A  
SIOUX FALLS, SD 57104  
(605) 336-0486

221 BROWN COUNTY 19 S  
ABERDEEN, SD 57401  
(605) 225-0366

603 OMAHA STREET  
SUITE 100  
RAPID CITY, SD 57701  
(605) 343-5035





I have sent this missive to all 3007 Counties of the United States of America as well as the Shire towns and historical County Seats of the Abolished counties and towns of the Unorganized Borough . I request that it be placed on the agenda for discussion by the elected officials and citizens of the Counties and if found worthy be included as a referendum in the next election cycle .

Having watched closely for the last 12 years or so the ever widening political divide in our country and the increasing political violence I have come to the conclusion that it is time for a discussion that will lead to a Convention of the Counties then the States . What problem would warrant a discussion that results in a referendum leading to such an unprecedented course of action

It has become evident that the National Democrat party has fully embraced the socio-economic fantasy of Mr Marx and has embarked on a program of societal change that disregards the past and refuses to build on the existing culture and ethos but intendeds to destroy and replace the norms of the enlightenment with those of the socialist international .

On the other hand it appears as if the Republican Party has taken up the mantle of the Democrat party of JFK while retaining its roots in the abolition of slavery . The contrast could not be more stark . One believes in the primacy of the state and the other in the primacy of the individual . One in the state controlling the means of production and distribution ,the other in the concept of private property and the price discovery of the market . The Government is schizophrenic and unable to govern as the constitution intended as the apposing sides have no common ground anymore .

The government has become a redistributionist kleptocracy stealing and borrowing from one to buy the favors of another at the expense of the Counties and States . The government has over regulated the ability of the citizens of the States and Counties to produce goods and services and create private wealth while devaluing the remaining wealth thru their inflationary fiscal policy .

At this time I see three ways forward .

One , To continue on the current path toward yet another socialist utopia . There are those Counties and States that may fervently wish to trudge that path and as long as it is on their dime and not using the wealth of their neighbor its their choice .

Two , To discuss among the citizens of the Counties and then the States the possible changes to the government that may return some if not all of the liberties that have been legislated away over the last 70 or so years . This can be done through the Article 5 of the constitution via a convention of the States . There is currently an effort under way to do just that The effort is a few states away from fruition . It is limited in scope ,but, is a start in getting the government under fiscal control . There are many other corrections to our constitution that should be discussed on the county level and then after being run through the algorithm of the Citizens of the counties brought to the States in hopes of calling a second convention of the States . What changes could be made to return the ability to create wealth and liberty . What unconstitutional agencies can be eliminated ? What laws can be eliminated , What fiscal policy can be modified or eliminated ? How can we repair the broken chain of custody of our election ballots ? I defer to the wisdom of the citizens of the counties and their elected officials .

Three , The stark divisions may lead some to consider the idea of separation spelled out in the accompanying declaration , yet , Rule 12 says in part that you should do the right thing and not the expedient thing ,low though , the right thing is usually much harder and time consuming. The resulting outcomes though are longer lasting and satisfying as they are generally built on the conventions and rituals that have evolved to guide us in our civil society as well as refreshing our compact to account for the new and innovative ideas

I pray you share this with your Mayors , City Councils , Clerks , Managers Sheriffs , the Tribes and the rest of the elected county officials and most important The Citizens .

Yours , Jueswi Person Specul



## A Declaration of Secession

As the political and ideological divisions in our country are growing ever wider and irreparable with each passing day with no indications of either political party wishing or able to work toward a lasting remedy . As the Democrat Party by all appearances has embraced socialism with all its horrors and has declared its intention to impose its totalitarian single party rule on the Intire country . As the Republican party dose not seem to realize that there is a problem or if so ,wish to confront it .

Therefor In the lifetime of a republic there comes time for introspection to determine the course forward and to delineate the reasons that may require a secession and creation of a new government entity to better represent the citizens and secure their liberty . We list the following concerns that do not seem to have solutions for consideration .

The government has indebted its self and thereby us to an unsustainable or repayable level with no indication of any remedy or restraint now or in the future .

The government has instituted a punitive tax code that rewards the non productive at the expense of the productive and innovative when just alternative systems are readily available .

The government has refused to limit the terms the members of both the house and the senate thereby creating a class or professional political aristocrats working for their interests and not the citizens

The government has removed religion from the citizens business thereby making its self a deity and thereby alienating a majority of the citizens

The government has refused to investigate wide spread election fraud ignoring or refusing to litigate the facts on technicalities thereby alienating 50 percent of the electorate . This has called into question the legitimacy of not only this election but all future elections .

The government has refused to enforce the immigration laws and has encouraged the illegal migration of the poor , desperate and criminal citizens of failed socialist counties of the world with the intent of changing the cultural ethos of our country . This is being done for purely political purposes to create a single party , totalitarian government in which to subjugate the citizens .

The government has usurped the powers of the many states violating the tenth amendment on numerous occasions and stealing the wealth of the citizens of the states for political advancement of a socialist ideology . The states were and should to be independent of the federal government except for maters of defense and interstate commerce and foreign policy .

The government desires to disarm the citizens for the purpose of single party subjugation of the citizens instead of encouraging the owner ship of firearms for personal protection and a bulwark against totalitarian tyranny as the second amendment states and implies

The government has begun to spy on its citizens without warrant and to falsely redefine the citizens as terrorists for the purpose of political investigation and intimidation .

The government has adopted radical interpretations of mental illness and embarked on a program of indoctrination to convince the citizens that millions of years of evolution and thousands of years of culture should be disregarded and to submit their children to the vivisectionists knife .

Over

The government has usurped the states and county responsibility and duty to educate the children of the citizens and demanded the inclusion of anti American and anti western programs or suffer the loss of funding that should have stayed with the states and counties

The government has instituted policies and entered into agreements that discourage and restrict private industry and the creation of private wealth forcing employment to foreign shores and our citizens into poverty

These are more than idle complaints but are the issues that many in the government wish to implement , others ignore and refuse to acknowledge and few have called our attention to .

There is a problem that needs to be addressed !

As the populations of the many states and counties exceed the populations of the original colonies it seems that the sheer numbers and diversity of the citizens have overwhelmed the capacity of the existing federal government and allowed an unresponsive self-aggrandizing government to evolve . As the existing federal government has incrementally usurped the responsibilities and duties of the states and counties and surreptitiously created a dependent class that cries for more and then more that can no longer be supported by the citizens . As the numbers , and a lack of political will do not allow for a constitutional convention or the necessary amendments It becomes obvious that a secession of the states and counties that do not wish to become entangled in another failed socialists experiment and wish to re-empower , improve and refresh the constitution as well as reestablishing the dominance of the individual in their relationship with the government is called for .

What form the new covenant takes is open to debate but it is hoped that it will include refreshed constitution and the predominance of the counties to act as a bulwark against an over bearing federal institution . As the populations of the counties and states would rather be citizens than subjects some changes to the existing power structure must take place to guarantee their liberty and prosperity .

So .There are some minor changes that should be discussed in the interest of maintaining balance in a new covenant . Electors for a federal executive should be chosen by the counties . Election districts should be confined to the counties . State and federal representatives are to be chosen by the citizens of the counties . State Senators should be chosen by the county council and any candidates for federal senators by the state representatives . The terms of the state and federal senators and representatives shall be limited .

Our time is short as a free people please act and demand a convention to enact this declaration

