

FALL RIVER COUNTY UNAPPROVED MINUTES OF FEBRUARY 2, 2023

The Fall River Board of County Commissioners met in regular session on February 2, 2023. 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; Greenough noted a conflict with the pay raise for Malachiah Fleming. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED. The full context of the meeting can be found on the county website under Commissioners at <http://fallriver.sdcountries.org>, or, under Fall River County Commission, SD at <http://www.YouTube.com>.

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

Motion made by Greenough, seconded by Russell, to approve the minutes of January 19, 2023, with the correction of the Gravel Bid Hearing to be on February 16, 2023, not February 2, 2023.

Motion made by Greenough, seconded by Russell, to surplus to junk #02131, a street crosswalk sign, from Maintenance.

Motion made by Russell, seconded by Allen, to amend the January 5, 2023 minutes to reflect Hayley Rough Surface as Jailer, rather than Dispatcher.

Motion made by Russell, seconded by Allen, to adjust Malachiah Fleming to \$20.25 per hour and Anthony Otteson to \$22.25 per hour, to Grade (II) from (III), effective December 21, 2022, as per union contract. With Greenough abstaining, all others voting yes, motion carried.

Motion made by Greenough, seconded by Russell, to approve setting a hearing for The Lodge at Angostura, LLC for a Retail (on-off sale) Malt Beverage and SD Farm Wine and a Retail (on-off sale) Wine and Cider, on February 16, 2023, at 9:25 a.m.

There were no applicants for county assistance.

Lyle Norton, Sheriff, reported to the Board that there are 9 males and 3 females in the Fall River County Jail, with 1 male and 1 female in the Pennington County Jail.

Norton advised the Board of two sessions of Control Tactics Training at the South Annex on February 17 – February 18, 2023 and March 17 – March 18, 2023 for Fall River County Sheriff's Office and Hot Springs Police Department. Chief Deputy Belt will instruct the training.

Motion made by Greenough, seconded by Allen, to approve hiring part time help in Dispatch.

Motion made by Greenough, seconded by Allen, to approve travel for Charles Dobbs, Deputy, to Criminal Interdiction Training, Pierre, SD, March 27 – March 29, 2023.

Norton reported to the Board that they are working on changes to the employment screening process; this will bring some additional costs to the County; however, it will hopefully help to retain employees. Norton also spoke of starting to revamp the clothing allowance; both items will help to modernize the department.

Frank Maynard, Emergency Management, met with the Board. Motion made by Allen, seconded by Greenough, to approve the following resolution:

**Fall River County
Disaster Declaration Resolution 2023-07**

WHEREAS, Fall River County, South Dakota has suffered damage and loss due to the blizzard December 12th through December 16th, 2022, and

WHEREAS, the Fall River County Board of Commissioners resolve that these conditions constitute a disaster of such severity and magnitude that effective response is beyond the capabilities of the County and there are not enough resources locally available to alleviate the damage and economic chaos resulting from these conditions; and

WHEREAS, Fall River County may not have the financial resources to respond to the results caused by this disaster; and

WHEREAS, the Fall River County Board of Commissioners is aware of loss to the agricultural community, and loss of electricity and other fundamental infrastructure; and

WHEREAS, outside resources are required to repair roads and other critical infrastructure.

NOW THEREFORE, BE IT RESOLVED, the Fall River County Board of Commissioners, South Dakota declare an emergency, and

BE IT FURTHER RESOLVED, we the Fall River Board of Commissioners, South Dakota respectfully petition the Governor of the State of South Dakota and the President of the United States to insure the maximum amount of assistance is made available to local governments, business and residents affected.

Dated this 5th day of January, 2023

/s/Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

/s/Sue Ganje
Fall River County Auditor

Maynard requested a cell phone for newly hired Gary Baker; the Board asked that he bring the item back when he had prices and more information.

Motion made by Allen, seconded by Greenough, to approve travel for Gary Baker to attend EM101 training in Pierre, SD, March 9, 2023.

Maynard also reported on fires and incidents.

Stacey Martin, GIS, reported to the Board the annual report on taxes, taxable value and mill levies, and the new housing report. There has been growth in the County, causing increases in residential taxing areas. Further information is posted on the County website.

Dave Weishaupl, Building Supervisor, met with the Board. Motion made by Russell, seconded by Allen, to approve the Golden West Quote for a HP ProDesk 400 G6 Desktop Mini, in the amount of \$1,426.92.

Motion made by Greenough, seconded by Allen, to approve the Golden West Quote for 2 Axis P3265-LV fixed dome 2.1 MP cameras, in the amount of \$1,399.40.

Discussion was held on jail plumbing; the Board advised Weishaupl to get a quote to replace existing plumbing. This may help to make a better decision on replacing existing plumbing or building a new jail.

The Private Road Work Hearing was held as advertised. Motion made by Greenough, seconded by Allen, to continue with private road work services, as per SDCL 31-11-41 thru 31-11-45, to be used only in emergency situations when other contractors are not available, and set the fee at \$175.00 per hour.

Randy Seiler, Highway Superintendent, met with the Board and presented propane and fuel quotes as follows:

1/23/2023	Propane Quotes Ardmore	500-Gal Propane
	Hi-D-Way	\$2.29/gallon
	Nelson's Oil and Gas	\$2.59/gallon
	Dakota Propane	No Bid
1/23/2023	Propane Quotes Hot Springs	1,000-Gal Propane
	Hi-D-Way	\$2.29/gallon
	Nelson's Oil and Gas	\$2.39/gallon
	MG Oil	No Bid
1/23/2023	Fuel Quotes	8,000-Gal Gasoline
	Nelson's Oil and Gas	\$3.52/gallon
	Hi-D-Way	No Bid
	MG Oil	No Bid

Motion made by Russell, seconded by Allen, to approve the low bid from Hi-D-Way for 500 gallons of propane at Ardmore Shop, at \$2.29 per gallon and for 1,000 gallons of propane at the Hot Springs Shop, at \$2.29 per gallon, for a total of \$3,435.00.

Motion made by Cope, seconded by Russell, to approve the low bid from Nelson's Oil and Gas for 8,000 gallons of gasoline, at \$3.52 per gallon, for a total of \$28,160.00.

Motion made by Russell, seconded by Allen, to approve travel for Seiler to attend the SDACHS 2023 Short Course, Deadwood, March 21 – March 23, 2023.

Seiler stated the gravel and road grader school provided by LTAP will be on March 8, 2023, at 8 a.m. It will be held at the South Annex.

Seiler updated the Board that he had been working with Stacey Martin to create a map of the roads that Seiler would recommend as secondary roads or roads that are minimum or no maintenance. Seiler would like things to mimic how the State classifies roads, but still make things workable for the County and would like Commissioner input on roads that they would like to see added or removed. State's Attorney

Russell would like to put a notice in the paper, hold a public hearing and write a resolution to proceed forward and to help finalize the matter; he would also like Seiler to find out more information from other counties on minimum maintenance standards.

The first reading of Medical Marijuana Ordinance #2021-01 Amended was held as advertised. Motion made by Cope, seconded by Greenough to approve increasing the fee to \$25,000.00 and only allowing for 1 dispensary, with no cultivation, testing and product manufacturing. Cope and Greenough rescinded their motion to define which draft with further detail.

Motion made by Cope, seconded by Greenough, to approve Draft 3 of Medical Marijuana Ordinance #2021-01 Amended, to include increasing the fee to \$25,000.00 and only allowing for 1 dispensary, with no cultivation, testing and product manufacturing. With Falkenburg voting no, all others voting yes, motion carried.

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

GENERAL FUND

AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$729.70
AMAZON CAPITAL SERVICES	SUPPLY	\$2,327.78
BOB BARKER COMPANY INC	INMATE SUPPLIES	\$509.20
BH BUSINESS SOURCE	FURNITURE	\$12,120.23
BQ & ASSOCIATES, P.C., LLO	GARNISHMENT	\$131.00
BOMGAARS SUPPLY	SUPPLY	\$7.18
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CAMERON, GEORGE	COURT REPORTER	\$24.50
CHADRON MOTOR CO. INC,	REPAIR	\$7,807.71
COLBATH & SPERLICH, PC	CAAF/MAG/JUV	\$9,701.94
CREDIT COLLECTION BUREAU	COLLECTIONS	\$1,281.15
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,674.82
DIV OF CHILD SUPPORT	CHILD SUPPORT	\$437.50
EFTPS	PAYROLL TAXES	\$49,282.29
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$42.50
FALL RIVER COUNTY HERALD	PUBLICATION	\$833.19
GALLS	UNIFORMS/SHERIFF SUPPLY	\$189.68
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$555.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$280.70
CITY OF HOT SPRINGS	HANGER RENT	\$1,125.00
HUSTEAD LAW OFFICE, P.C.	CAAF	\$5,362.99
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$25,045.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$324.00
LIGHTING MAINTENANCE CO.	SUPPLY	\$121.18
LYLE'S LOCK SERVICE	SERVICE	\$100.00
LYNNS DAKOTAMART	INMATE SUPPLY	\$9.49
LYNN'S DAK. MART PHARMACY	INMATE PHARMACY	\$573.05
MARCO	COPIER LEASE	\$212.66
MARTY'S TIRE & AUTO BODY	SERVICE	\$980.00
MASTERCARD	COUNTY CREDIT CARD	\$984.20

MCNEMAR, KIM	QMHP/MI	\$600.00
MEADE COUNTY AUDITOR	INMATE HOUSING	\$400.00
MESSERLI & KRAMER	GARNISHMENT	\$327.05
MONUMENT HEALTH	INMATE MEDICAL	\$106.93
MONUMENT HEALTH RAPID CITY	INMATE MEDICAL	\$14.27
NATIONWIDE RETIREMENT SOL	NATIONWIDE RETIREMENT	\$700.00
NATIONAL 4-H COUNCIL	SUPPLY	\$260.70
NEW YORK LIFE INSURANCE	NEW YORK LIFE INSURANCE	\$65.00
NORTON, TINA	CONTRACT NURSE INMATE	\$1,850.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$11,200.00
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
QUILL CORPORATION	OFFICE SUPPLIES	\$40.57
RELIANCE STANDARD LIFE	VISION PLAN	\$356.28
RAMKOTA HOTEL-PIERRE	HOTEL/SHERIFF CONFERENCE	\$460.00
CITY OF RAPID CITY	BLOOD ANALYSIS	\$560.00
RUSSELL, LANCE	TRAVEL REIMBURSEMENT	\$30.80
SOUTH DAKOTA ST TREASURER	SALES TAX	\$10.58
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION/SPECIAL PAY PLAN	\$30,848.03
SERVALL	RUG SERVICE	\$450.72
SONNY'S SUPER FOODS	SUPPLY	\$63.41
SOUTHERN HILLS LAW PLLC	CAAF	\$554.35
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$17.59
ULINE	OFFICE FURNITURE	\$1,316.53
VERIZON WIRELESS	CELL PHONE PLAN	\$502.83
THOMSON REUTERS	ONLINE SOFTWARE SUBS	\$148.00
MRAZ, JENNIFER	MILEAGE	\$51.00
NORTON, LYLE	TRAVEL REIMBURSEMENT	\$200.00
COMMISSIONERS	JANUARY SALARIES	\$4,350.00
AUDITOR'S OFFICE	JANUARY SALARIES	\$22,834.02
AUDITOR'S OFFICE	OVERTIME	\$384.34
TREASURER'S OFFICE	JANUARY SALARIES	\$19,054.62
TREASURER'S OFFICE	OVERTIME	\$55.70
STATE'S ATTORNEY'S OFFICE	JANUARY SALARIES	\$16,776.16
STATE'S ATTORNEY'S OFFICE	OVERTIME	\$1,244.89
MAINTENANCE	JANUARY SALARIES	\$11,137.18
MAINTENANCE	OVERTIME	\$94.08
ASSESSOR'S OFFICE	JANUARY SALARIES	\$18,588.88
ASSESSOR'S OFFICE	OVERTIME	\$31.05
REGISTER OF DEEDS OFFICE	JANUARY SALARIES	\$10,733.21
VETERAN'S SERVICE OFFICE	JANUARY SALARIES	\$4,540.03
GIS OFFICE	JANUARY SALARIES	\$4,536.82
SHERIFF	JANUARY SALARIES	\$40,397.36
SHERIFF	OVERTIME	\$9,600.17
JAIL	JANUARY SALARIES	\$35,362.08
JAIL	OVERTIME	\$2,313.39
CORONER	JANUARY SALARIES	\$450.00

NURSE'S OFFICE	JANUARY SALARIES	\$3,534.00
NURSE'S OFFICE	OVERTIME	\$50.58
EXTENSION OFFICE	JANUARY SALARIES	\$1,627.50
WEED & PEST OFFICE	JANUARY SALARIES	\$4,748.11
	TOTAL FOR GENERAL FUND	\$388,040.71
COUNTY ROAD & BRIDGE		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEASE	\$37.51
ADVANCED DRUG TESTING	RANDOM EMPLOYMEE DRUG TEST	\$104.00
AIR WORKS	PARTS/SERVICE	\$206.99
AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$365.50
AMAZON CAPITAL SERVICES	SUPPLY	\$32.22
BLACK HILLS ELECTRIC	UTILITIES SMITHWICK	\$81.66
BILL'S HEATING	PROPANE	\$2,496.10
BOMGAARS	SUPPLY	\$616.75
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$2,104.00
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$630.20
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$405.48
EFTPS	PAYROLL TAXES	\$13,406.34
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIR	\$13.10
FALL RIVER HEALTH	PRE-EMPLOYMENT PHYSICAL	\$50.00
FORWARD DISTRIBUTING	SUPPLIES/PARTS	\$44.15
FALL RIVER COUNTY HERALD	PUBLICATION	\$24.89
GIBSON, CARLO	CLOTHING ALLOWANCE	\$16.99
GRIMM'S PUMP SERVICE INC	SERVICE	\$1,459.96
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$180.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$329.60
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$7,303.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$270.00
MASTERCARD	COUNTY CREDIT CARD	\$14.79
NEWMAN SIGNS INC.	SIGNAGE	\$131.66
NORTHERN TRUCK EQUIP	PART	\$480.24
PACIFIC STEEL & RECYCLING	SUPPLY	\$140.53
POMP'S TIRE SERVICE INC.	PARTS	\$130.77
RELIANCE STANDARD LIFE	VISION PLAN	\$65.00
RAPID DELIVERY	DELIVERY	\$1.30
RUSHMORE COMMUNICATIONS	REPAIRS	\$946.93
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$124.47
SD DEPT OF TRANSPORTATION	STATE COST SHARE ROA	\$440.38
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$6,909.66
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREMENT	\$40.00
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$436.11
SUMMIT SIGNS & SUPPLY INC	SUPPLY	\$425.00
HIGHWAY DEPARTMENT	JANUARY SALARIES	\$54,821.51
HIGHWAY DEPARTMENT	OVERTIME	\$1,540.78
	TOTAL COUNTY ROAD & BRIDGE	\$96,827.57

911 SURCHARGE REIMBURSEMENT

AMERICAN FAMILY ASSURANCE	AMERICAN FAMILY ASSURANCE	\$67.21
AMAZON CAPITAL SERVICES	SUPPLY	\$149.98
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$317.54
EFTPS	PAYROLL TAXES	\$7,853.56
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$60.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,486.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$27.00
MASTERCARD	COUNTY CREDIT CARD	\$6.00
RELIANCE STANDARD LIFE	VISION PLAN	\$7.48
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$3,511.41
VERIZON WIRELESS	CELL PHONE PLAN	\$41.83
FLEMING, MELISSA	UNIFORM ALLOWANCE	\$80.00
DISPATCH	JANUARY SALARIES	\$22,789.90
DISPATCH	OVERTIME	\$6,322.13
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$44,023.40
EMERGENCY MANAGEMENT		
EFTPS	PAYROLL TAXES	\$1,620.46
MARCO	COPIER LEASE	\$38.90
MASTERCARD	COUNTY CREDIT CARD	\$71.59
QUILL CORPORATION	OFFICE SUPPLIES	\$69.34
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$669.62
VERIZON WIRELESS	CELL PHONE PLAN	\$83.66
FR EMERGENCY MANAGEMENT	JANUARY SALARIES	\$5,580.22
	TOTAL FOR EMERGENCY MANAGEMENT	\$8,133.79
DOMESTIC ABUSE FUND		
W.E.A.V.E.	2023 BUDGET ALLOTTMENT	\$7,000.00
	TOTAL FOR DOMESTIC ABUSE FUND	\$7,000.00
24/7 SOBRIETY FUND		
EFTPS	PAYROLL TAXES	\$343.30
	TOTAL FOR 24/7 SOBRIETY FUND	\$343.30
M & P RELIEF		
TRIMIN SYSTEM, INC.	SOFTWARE CONTRACT	\$7,500.00
	TOTAL FOR M & P RELIEF	\$7,500.00
	TOTAL PAID BETWEEN 1/20/22 AND 2/2/23	\$551,868.80

Break was taken at 10:18 a.m. and the meeting reconvened at 10:28 a.m.

Public comment was heard from Joe Falkenburg advising people to be careful when disposing of dead animals due to the possibility of contracting diseases; don't touch anything without gloves on.

Teresa Pullen, Treasurer, met with the Board. Motion made by Russell, seconded by Allen, to approve the abatements for Michelle R. Talbot, parcel #81900-00000-02715, Mobile Home on leased site at 540 S. 21st St. 1964 60x12 Frontier Grandview Mobile Home Park, for pay 2013 through pay 2021, \$549.32 and Leroy Randall, parcel #81900-00000-00810, Mobile Home on leased site at 409 21st Street 1972 65x14 Sharlo Grandview Mobile Home Park, for pay 2014 through pay 2021, \$914.79. Re: Real property owner has destroyed the abandoned mobile home on the leased sites as per SDCI 21-51-19.

There is no employee water policy at this time; Pullen will bring back to a future meeting.

Lily Heidebrink, Director of Equalization, reported to the Board that the State recommends the office should not supply estimated taxes, just current values. During a recent audit, the Director of Equalization Office were referred to a property tax portal from the Department of Revenue that would provide the public with a lot of information. Heidebrink will give instructions on how to get to the website.

Alice McIntire spoke to the Board about concerns regarding taxes for she and Gary's property. Discussion was held on purchase of property, estimate of assessments, property taxes and amounts being high. Motion made by Russell, seconded by Allen, to not allow adjustment of taxes for Alice and Gary McIntire. With all voting yes, by roll call vote, motion carried.

Lisa Pawloski reported to the Board regarding concerns with the Real Property taxes estimated for land she purchased and making sure the correct information is available on the website.

Conrad Cutchin met with the Board. Motion made by Allen, seconded by Greenough, to abate the increase to Cutchin's property by 36% to bring the mobile home value to the correct figure.

Sue Ganje, Auditor, reported to the Board about changes on the tax bills and how they appear due to the new software system that is being used.

Discussion was held on EPA considering tougher regulation of livestock farm pollution; the Board was in agreement that a letter should be written to the Governor and the Congressional Representatives and Senator. Further discussion was held on a multi-state lawsuit regarding how retirement is taxed on the Federal Level; the Board agreed about writing a letter to address this issue.

Discussion was held on the removal of District 30 Senator Frye-Mueller's voting rights and action that could be taken. Motion made by Cope, seconded by Allen, that the Fall River County Commission unequivocally supports Senator Julie Frye-Mueller and that we rebuke and censure the members of the Senate who disenfranchised the voters of Fall River County of District 30 in an unconstitutional manner, depriving Senator Frye-Mueller and all the voters of District 30 without due process of law.

Cope exited the meeting at 11:39 a.m.

Motion made by Greenough, seconded by Allen, to adjourn at 11:40 a.m.

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

ATTEST:

/s/Sue Ganje, Auditor
Fall River County Auditor's Office

2023 Spring Workshop

Wednesday, April 19, 2023

Thursday, April 20, 2023

Pierre Ramkota

REGISTRATION FEE:

County Commissioners

Two Day Registration \$110.00

Start time – 8:30 AM Wednesday

Please note this registration form is for County Commissioners

_____ County

NAME

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

Return with prepayment by **Friday, April 7, 2023:**
(No refund after this date)

SDACC
211 E Prospect Ave
Pierre, SD 57501

MAKE REGISTRATION CHECKS PAYABLE TO SDACC

Room blocks have been made at the following hotels:
(Blocks under "SD Counties" and will be released on March 18, 2023)

Ramkota Hotel – 224-6877 - \$109.00

Quality Inn – 410 W Sioux Ave - 224-0377 - \$79.00

Governor's Inn – 700 W Sioux Ave– 224-4200 - \$75.00

SDACC Agenda

Wednesday, April 19, 2023

- 8:30 – 9:30 a.m. **Get to Know Your Association**
Kris Jacobsen, Executive Director
Kade Haley, Deputy Director
SDACC Board of Directors
- 9:30 – 10:00 a.m. **Break**
- 10:00 – 10:45 a.m. **SD Dept of Revenue**
Robin Carlson, Property Tax
- 11:00 – 11:45 a.m. **Rural Practice Program**
Marya Tellinghuisen, State Court Administration Staff Attorney
Rachel Norberg, Attorney – Gregory County
- 12:00 – 1:00 p.m. **Lunch – Rooms AFG**
- 1:00 – 1:45 p.m. **SD Office of Emergency Management**
Dustin Hight, Recovery Team Leader
- 2:00 - 2:45 p.m. **Juvenile Justice**
Annie Brokenleg, Juvenile Diversion Coordinator -State of South Dakota
- 2:45 - 3:00 p.m. **Break**
- 3:15 - 4:00 p.m. **SD Local Transportation Assistance Program**
Gill Hedman Technical Assistance Provider
Cliff Reuer, Technical Assistance Provider
- 4:15 – 5:00 p.m. **Cybersecurity**
Jim Edman, Cybersecurity and Infrastructure Security Agency (CISA)
- 5:00 p.m. **Social -**

Thursday, April 20, 2023

- 8:00 – 8:45 a.m. **A SDDOT View From the State**
Mike Behm, Division Director, Planning & Engineering
- 9:00 – 9:45 a.m. **SD DOT Local Government Assistance Program**
Joanne Hight, Program Manager, Local Government Assistance
- 9:45 – 10:15 a.m. **Break**
- 10:15 – 11:00 a.m. **Parliamentary Procedure**
Todd Kays, 1st District
Luke Muller, 1st District
- 11:15 – 12:00 noon **Current Zoning Issues**
Todd Kays, 1st District
Luke Muller, 1st District
- 12:00 – 1:00 p.m. **Lunch – Rooms AFG**
- 1:15 – 2:00 p.m. **South Dakota 4-H: A Partnership with County Government**
Oakley Perry, Program Manager, 4-H County Operations and Professional Dev
- 2:15 – 3:00 p.m. **Legislative Audit**
Rod Fortin

South Dakota Association of County Welfare Officials

2023 Spring Workshop

April 12 – 13, 2023
SD Counties Office
211 East Prospect Avenue
Pierre, SD

REGISTRATION FEE:

Welfare Officials

Registration \$50.00

Please note this registration form is for Welfare Officials

_____ County

NAME

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

Return with prepayment by **Friday, April 7, 2023:**
(No refund after this date)

SDACC
211 E Prospect Ave
Pierre, SD 57501

SDACWO SPRING WORKSHOP

APRIL 12 – 13, 2023

PIERRE, SD

AGENDA

Wednesday April 12:

10:00-11:00	Jacob Parsons – Director of Fiscal Policy - SDAHO Agency information and view of healthcare providers re: upcoming Medicaid expansion
11:00-12:00	Business meeting and open issues discussion
12:00-1:00	Lunch
1:00-2:00	Community Health Workers - TENTATIVE
2:00-2:45	Sara Foust – Codington County Welfare Director Resilient Communities – what are they and how they work
2:45-3:00	Break
3:00-4:45	Update County Manual for Poor Relief Assistance Rent, utilities, burials, medications, transportation, etc.

Thursday April 13:

8:30-9:30	Corwin Jones - Executive Director Pierre Area Referral Service Agency information and working with Counties
9:30-10:30	QPR/suicide prevention - Lori Montis or Helpline Center TENTATIVE
10:30-10:45	Break
10:45-12:00	Sarah Aker – Director - Division of Medical Services – DSS Medicaid expansion – rollout in July 2023 State process, expectations, fiscal and resident impact, etc.
12:00-1:00	Adjourn workshop Lunch

9/14/22

Fall River County

PROPERTY TAX HISTORY

FOR PARCEL 78100-03300-00300

PARCEL OWNER FALL RIVER COUNTY

LEGAL DESC: 906 N RIVER ST

HOT SPRINGS SD
ORIGINAL TOWN OF OELRICHS: LOT 3, 57747
BLK 33

TAX CERTIFICATE# 2015-00305

TAXBILL#	TAX AMT	FEES DUE	NOW DUE	TOTAL DUE	PAID	RECEIPT	DATEPAID	PAID BY
20220 R099811	19.05	40	19.45	19.45				
20219 R099765	16.18	39	23.57	23.57				
20218 R099944	16.01	96	26.37	26.37				
20217 R099894	16.61	66	23.66	23.66				
20216 R099878	16.57	34	16.62	16.62				
20215 R099821	10.74	28	16.94	16.94				
20214 R099420	10.65	20	27.85	27.85				
20213 R099344	10.45	12	24.57	24.57				
20212 R099291	10.08	15	25.57	25.57				
20211 R099226	163.89	511	664.86	664.86	10.21	8274	7/13/11	PATRICIA ORTLOFF
20210 SUBTOTAL								
PROPERTY TAX DUE								
ADDL FEES NEXT MONTH:		1.19						

FALL RIVER COUNTY COMMISSION RESOLUTION NUMBER 2023 – 08

WHEREAS, Alexander Hamilton, in *Federalist 22*, penned the following truism: “The fabric of the American empire ought to rest on the solid basis of THE CONSENT OF THE PEOPLE. The streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority.” and

WHEREAS, State Senator Julie Frye-Mueller has been elected twice to the South Dakota Senate by the PEOPLE of South Dakota Legislative District 30; and

WHEREAS, State Senator Julie Frye-Mueller won two Senate Terms in spite of State Senator Lee Schoenbeck’s Political Action Committee, South Dakota Strong, spending thousands of dollars on misleading political advertisements; and

WHEREAS, State Senator Lee Schoenbeck unilaterally stripped State Senator Julie Frye-Mueller of her Committee Assignments; and

WHEREAS, State Senator Lee Schoenbeck convinced members of the South Dakota Senate to suspend District 30 State Senator Julie Frye-Mueller’s rights as a State Senator, over the objection of Lieutenant Governor Larry Rhoden, and without basic due process of law to have a copy of the charges against her, confront her accuser and to have any presumption of innocence; and

WHEREAS, the People of District 30 have been deprived of representation in the South Dakota State Senate, which is tantamount to taxation without representation; and

WHEREAS, Senator Lee Schoenbeck and the State Senate have acted in haste and in an arbitrary and capricious manner; and

WHEREAS, Thomas Jefferson, wrote in *Notes on the State of Virginia* in 1782: “We lay it down as a fundamental, that laws, to be just, must give a reciprocation of right; that, without this, they are mere arbitrary rules of conduct, founded in force, and not in conscience.” and

WHEREAS, Senator Julie Frye-Mueller has not committed drunkenness, crimes, corrupt conduct, gross incompetency, malfeasance or misdemeanor in office; and

WHEREAS, in *Bond v. Floyd*, 385 U.S. 116, the United States Supreme Court ruled: “We therefore hold that the disqualification of Bond from membership in the Georgia House because of his statements violated Bond's right of free expression under the First Amendment.” and

WHEREAS, Thomas Jefferson wrote that “Opinion, & the just maintenance of it, shall never be a crime in my view; nor bring injury on the individual.” and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that

Senator Julie Frye-Mueller be immediately restored to all of her rights as a South Dakota State Senator, including but not limited to restoration of her committee assignments; and

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the members of the South Dakota Senate voting to unconstitutionally suspend Senator Julie Frye-Mueller and deprive the People of South Dakota Legislative District 30 representation are rebuked and censured for their irresponsible and unconstitutional actions.

Moved, passed and adopted this 16th day of February, 2023.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

New National Opioids Settlements: Teva, Allergan, CVS, Walgreens, and Walmart
Opioids Implementation Administrator
opioidsparticipation@rubris.com

Fall River County, SD
Reference Number: CL-391148

TO LOCAL POLITICAL SUBDIVISIONS AND SPECIAL DISTRICTS:

THIS PACKAGE CONTAINS DOCUMENTATION TO PARTICIPATE IN THE NEW NATIONAL OPIOID SETTLEMENTS. YOU MUST TAKE ACTION IN ORDER TO PARTICIPATE.

Deadline: April 18, 2023

Five new proposed national opioid settlements ("*New National Opioid Settlements*") have been reached with **Teva, Allergan, CVS, Walgreens, and Walmart** ("*Settling Defendants*"). This *Participation Package* is a follow-up communication to the *Notice of National Opioid Settlements* recently received electronically by your subdivision or special district ("*subdivision*").

You are receiving this *Participation Package* because South Dakota is participating in the following settlements:

- **Teva**
- **Allergan**
- **CVS**
- **Walgreens**
- **Walmart**

If a state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

This electronic envelope contains:

- *Participation Forms* for Teva, Allergan, CVS, Walgreens, and Walmart, including a release of any claims.

The *Participation Form for each settlement* must be executed, without alteration, and submitted on or before April 18, 2023, in order for your subdivision to be considered for initial participation calculations and payment eligibility.

Based upon subdivision participation forms received on or before April 18th, the subdivision participation rate will be used to determine whether participation for each deal is sufficient for the settlement to move forward and whether a state earns its maximum potential payment under the settlement. If the settlement moves forward, your release will become effective. If a settlement does not move forward, that release will not become effective.

Any subdivision that does not participate cannot directly share in the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. Any subdivision that does not participate may also reduce the amount of money for programs to remediate the opioid crisis in its state. Please note, a subdivision will not necessarily directly receive settlement funds by participating; decisions on how settlement funds will be allocated within a state are subject to intrastate agreements or state statutes.

You are encouraged to discuss the terms and benefits of the *New National Opioid Settlements* with your counsel, your Attorney General's Office, and other contacts within your state. Many states are implementing and allocating funds for these new settlements the same as they did for the prior opioid settlements with McKesson, Cardinal, Amerisource, and J&J/Janssen, but states may choose to treat these settlements differently.

Information and documents regarding the *New National Opioid Settlements* and how they are being implemented in your state and how funds will be allocated within your state allocation can be found on the national settlement website at <https://nationalopioidsettlement.com/>. This website will be supplemented as additional documents are created.

How to return signed forms:

There are three methods for returning the executed *Participation Forms* and any supporting documentation to the Implementation Administrator:

- (1) *Electronic Signature via DocuSign:* Executing the *Participation Forms* electronically through DocuSign will return the signed forms to the Implementation Administrator and associate your forms with your subdivision's records. Electronic signature is the most efficient method for returning *Participation Forms*, allowing for more timely participation and the potential to meet higher settlement payment thresholds, and is therefore strongly encouraged.
- (2) *Manual Signature returned via DocuSign:* DocuSign allows forms to be downloaded, signed manually, then uploaded to DocuSign and returned automatically to the Implementation Administrator. Please be sure to complete all fields. As with electronic signature, returning manually signed *Participation Forms* via DocuSign will associate your signed forms with your subdivision's records.
- (3) *Manual Signature returned via electronic mail:* If your subdivision is unable to return executed *Participation Forms* using DocuSign, signed *Participation Forms* may be returned via electronic mail to opioidsparticipation@rubris.com. Please include the name, state, and reference ID of your subdivision in the body of the email and use the subject line Settlement Participation Forms - [Subdivision Name, Subdivision State] - [Reference ID].



*Emergency Management
Fall River County*

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

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



Date: February 16, 2023

Subj: Commission Update:

1. Cell Phone: Fall River County has a cell phone that can be utilized by Gary Baker. The cost is approximately \$43.00 per month.
2. Desk Scanner Purchase: I am requesting approval to purchase a Cannon Imgage Formula document scanner for \$704.00. This unit would be shared with Weed and Pest and Extension. By purchasing this equipment, each office would be able to scan documents that we are required to keep, thus eliminating boxes of paper that must be stored. We would be able to provide for sensitive documents to be kept secure.
3. Angustura EAP Exercise: Scheduled for March 22, 2023 starting at 10a at the Oral School Bldg.
4. Fires & Incidents:
 - a. None

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



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Model Name imageFORMULA DR-M140

Connectivity Technology USB

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About this item

- Convenient: Compact design, great for desktop use in an office
- Reliably handles many different document types in batches or individually: Receipts, photos, business cards, plastic or embossed cards, reports, contracts, long documents, thick or thin documents, and more
- Fast and efficient: Scans both sides of a document at the same time, in color, at up to 40 pages-per-minute, with a 50 sheet automatic feeder
- Usage: Ideal for healthcare, financial services, government, and other paper-intensive environments
- Broad compatibility: Windows TWAIN and ISIS drivers included
- Bundled software: Powerful, yet easy-to-use scanning software, as well as a tool for businesses to create, view, edit, convert, and collaborate with PDF files, and Kofax VRS to reduce the time involved in manual document preparation and automatically enhance the quality of scanned images
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NOTICE OF HEARING UPON APPLICATION FOR A NEW MALT BEVERAGE AND SD FARM WINE LICENSE AND A NEW WINE AND CIDER LICENSE OUTSIDE OF MUNICIPALITIES

NOTICE IS HEREBY GIVEN THAT the Fall River Board of County Commissioners in and for the County of Fall River, South Dakota, on the 16th day of February, 2023, at the hour of 9:25 a.m. will meet in regular session to consider the following application for a Malt Beverage & SD Farm Wine License and a Wine and Cider License, located outside of municipalities, to operate within the County of Fall River, South Dakota, for the 2022/2023 licensing period (Malt Beverage & SD Farm Wine and the 2023 licensing (Wine) period, which have been presented to the governing body and filed with the County Auditor's Office.

FOR LICENSE PERIOD 2022-2023

TYPE OF LICENSE

NEW:

The Lodge at Angostura, LLC
13297 N. Angostura Rd.
Hot Springs, SD 57747

Retail (On-Off Sale)
Malt Beverage & SD Farm Wine

FOR LICENSE PERIOD 2023

TYPE OF LICENSE

NEW:

The Lodge at Angostura, LLC
13297 N. Angostura Rd.
Hot Springs, SD 57747

Retail (On-Off Sale)
Wine and Cider

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

Dated this 2nd day of February 2023, at Hot Springs, South Dakota.



Sue Ganje
County Auditor
Fall River County

NOTICE TO RECEIVE BIDS FOR ANNUAL MATERIALS

Notice is hereby given that sealed bids will be received at the office of the Fall River County Highway Department Office, 27518 Cascade Rd, P.O. Box 939, Hot Springs, South Dakota 57747 and the Auditor's Office, 906 N. River Street, Hot Springs, South Dakota, 57747 until 9:30 a.m. Feb 16, 2023, for furnishing Fall River County Highway Department for a period of 2 years for the following materials:

1. PRICE PER TON FOR 1" GRAVEL AGGREGATE BASE COURSE
2. PRICE PER TON FOR LIMESTONE LEDGE ROCK BASE COURSE

The purpose of this bid is to establish a contract to furnish the articles or commodities specified, as required by the Fall River County Highway Department. All bid prices will be legally binding from Feb 16th, 2023, through December 31, 2024. Fall River County does not guarantee the purchase of any minimum or maximum quantity during the term of the contract.

Bids must be submitted on forms furnished by the Fall River County Highway Department.

A bid bond will not be required.

The General Specification/Contract should also be signed and returned to accompany the bid. (These can be obtained at the Fall River County Highway Dept. or mailed to Bidders upon request at 605-745-5137). The Successful Bidder will then be mailed a copy of this Contract once signed by the Fall River County Commission and Fall River County Auditor.

All materials shall meet the South Dakota Department of Transportation's Standard Specifications for Road and Bridges 2015 Edition. Bid Forms and specifications are available upon request through the Fall River County Highway Department Office, 27518 Cascade Rd, Hot Springs, South Dakota 57747, (605)745-5137 and the Auditor's Office, 906 N. River Street, Hot Springs, South Dakota, 57747, (605)745-5130

The Board of County Commissioners of Fall River County reserves the right to accept or reject any or all bids and to waive any informalities or irregularities and to accept the bid which they deem to be in the best interest of Fall River County.

Sue Ganje
Fall River County Auditor

Published twice at the total approximate cost of _____.

HOT SPRINGS, SOUTH DAKOTA 57747

FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department

P.O. Box 939

Hot Springs, S.D. 57747

Date: 2/8/2023
COURT HOUSE ...FUEL/GAS PURCHASES:
(All Departments)
FROM DATE: 12/28/2022
THROUGH DATE: 1/31/2023
GALLONS: 64.10
TOTAL: \$226.90

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

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

Date: 02/8/2023
SHERIFF'S DEPARTMENT GAS PURCHASES:
FROM DATE: 12/28/2022
THROUGH DATE: 1/31/2023
TOTAL GALLONS: 1066.70
TOTAL: \$3,767.66

HOT SPRINGS, SOUTH DAKOTA 57747

FALL RIVER COUNTY, SOUTH DAKOTA

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

Date: 2/8/2023
WEED BOARD FUEL PURCHASES:
FROM DATE: 12/28/2022
THROUGH DATE: 1/31/2023
GALLONS: 40.00
TOTAL: \$140.81

ORDINANCE #2021 – 01
AN ORDINANCE AMENDING ORDINANCE #2021 – 01 AND ALL AMENDMENTS THERETO, IN
ACCORDANCE WITH THE PROVISION OF CHAPTER 11-2, 1967 SDCL, AND AMENDMENTS THEREOF,
AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH

BE IT ORDAINED by the Fall River County Commissioners:

ORDINANCE 2021-01 AMENDED

AN ORDINANCE ADDING CHAPTER 14 TO THE REVISED ORDINANCES OF THE FALL RIVER COUNTY
CREATING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS

BE IT ORDAINED by the Board of County Commissioners of Fall River County that Title 1 of the Revised Ordinances of Fall River County is hereby amended by adding new Chapter 14 as follows:

XX.01: PURPOSE AND INTENT

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

XX.02: DEFINITIONS

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

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

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

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

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

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

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

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

Department: the South Dakota Department of Health

XX.03: LICENSE REQUIRED

- (a) No cannabis establishment may be located or operate in the unincorporated area of the county without the appropriate valid and current cannabis establishment license issued by the County pursuant to this article. A violation of this provision is subject to the general penalty provision in Chapter 14. Each day of the violation constitutes a separate offense.
- (b) No cannabis establishment may be located or operate in the unincorporated area of the county without the appropriate valid and current cannabis establishment registration certificate issued by the Department pursuant to rules promulgated under SDCL 34-20G. A violation of this provision is subject to the general penalty provision in Chapter 14. Each day of the violation constitutes a separate offense.

XX.04: LICENSE APPLICATION

- (a) An application for a cannabis establishment license must be made on a form provided by the County. No other application form will be considered.
- (b) The applicant must submit the following:
 - 1. Application fee of \$25,000.00 ~~\$5,000.00~~. The County will reimburse \$2,500 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.
 - 2. An application that will include, but is not limited to, the following:
 - i. The legal name of the prospective cannabis establishment;
 - ii. The physical address of the prospective cannabis establishment that meets the location requirements in XX.07, as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder.

- iii. The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment.
- iv. A sworn statement that no principal officer, owner, or board member has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction.
- v. Any additional information requested by the County.

XX.05: ISSUANCE OF LICENSE

(a) The County will issue a license unless:

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

(b) In the case of an application for a cannabis dispensary license, the County will reject the application if the limit on the number of cannabis dispensaries has been reached.

(c) The license must be posted in a conspicuous place at or near the entrance to the cannabis establishment so that it may be easily read at any time.

XX.06: COUNTY NEUTRALITY AS TO APPLICANTS

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

XX.07: LOCATIONS

(a) Cannabis Dispensary

1. Dispensary shall not be located within a prescribed distance from certain existing uses as measured from the lot line of the property where the dispensary is proposed, to the lot line of the protected uses listed below:
 - i. Shall not be located within 1,000 feet of a public or private school existing before the date of the cannabis dispensary establishment application. (34-20G-55)
 - ii. Shall not be located within 1,000 feet from a nonresidential daycare facility
 - iii. Shall not be located within 1,000 feet from a public park, public pool or public recreational facility or library
 - iv. Shall not be located within 1,000 feet of a religious institution
 - v. Shall not be located within 1,000 feet of a residence.
 - vi. No future development will cause a dispensary to become nonconforming due to the establishment of a protected use within the distance prescribed herein.
2. Other location standards are as follows:
 - i. No cannabis dispensary shall share premises with or permit access directly from another cannabis establishment, business that sells alcohol or tobacco, or if allowed by law, other cannabis establishment. (44:90:04:14)
 - ii. It shall be unlawful to operate a dispensary in a building which contains a residence or a mixed-use building with commercial and residential uses.
3. General Provisions and Performance Standards for Dispensaries are shown below:
 - i. No more than 1 cannabis dispensaries shall be allowed to operate in the unincorporated area of the County at any time.
 - ii. No dispensary shall allow access entry to anyone under 21 years of age
 - iii. Access control methods shall be installed pursuant to state requirements
 - iv. Shall be located within a completely enclosed permanent structure. Mobile dispensaries are prohibited.
 - v. Drive-through dispensaries are prohibited.
 - vi. No cannabis dispensary may operate between the hours of 6:01 p.m. and 9:59 a.m. any day of the week, excluding Sundays.
 - vii. Shall provide for proper disposal of cannabis remnants and/or by-products and shall not place waste items in exterior refuse containers.
 - viii. Retail products, storage, sales, and display areas shall be kept out of the public view and shall not be visible from the exterior of the building.
 - ix. Signage and advertising shall be limited to on premise signage only, no billboard advertising, pole signage is prohibited, and signage is limited to text only with no graphic displays or video.

- (b) Cannabis Cultivation Facility: Fall River County will not license and prohibits the establishment of

Cannabis Cultivation Facilities within the unincorporated areas of the County.

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

2. General Provisions and Performance Standards for Cannabis Cultivation Facilities

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

(c) Cannabis Testing Facility: Fall River County will not license and prohibits the establishment of Cannabis Testing Facilities within the unincorporated areas of the County.

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

2. General Provisions and Performance Standards for Cannabis Testing Facilities

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

(d) Cannabis Product Manufacturing Facility: Fall River County will not license and prohibits the establishment of Cannabis Product Manufacturing Facilities within the unincorporated areas of the County.

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

2. General Provisions and Performance Standards for Cannabis Testing Facilities

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

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

XX.08: BUILDING CODE

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

XX.09: EXPIRATION OF LICENSE AND RENEWAL

- (a) Each license expires one year from the date of issuance and may be renewed only by making application as provided in Section XX.04. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.
- (b) The renewal fee is ~~\$25,000.00~~ \$5,000.00. The County will reimburse \$2,500 for applicants who fail to obtain a renewal of their registration certificate from the Department.
- (c) Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the County may order closure of the cannabis establishment.
- (d) If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

XX.10: SUSPENSION

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

XX.11: REVOCATION

- (a) A license may be revoked if the license is suspended under Section XX.11 and the cause for the suspension is not remedied.
- (b) A license may be revoked if the license is subject to suspension under Section XX.11 because of a violation outlined in that section and the license has been previously suspended in the preceding 24 months.
- (c) A license is subject to revocation if a license holder or employee of a license holder:
 - 1. Gave false or misleading information in the material submitted during the application process;
 - 2. Knowingly allowed possession, use, or sale of non-cannabis controlled substances on the premises;
 - 3. Operated the cannabis establishment or the business of the cannabis establishment for which a license is required under this article while the license was suspended;
 - 4. Repeated violations of Section XX.12;
 - 5. Operated a function of a cannabis establishment for which the license holder was not licensed (e.g., a licensed cannabis cultivation facility conducting cannabis testing functions without a cannabis testing establishment license);
 - 6. A license holder, or an owner, principal officer, or board member thereof, is delinquent in payment to the city, county, or state for any taxes or fees related to the cannabis establishment;
 - 7. A license holder, or an owner, principal officers, or board member thereof, has been convicted of, or continues to employ an employee who has been convicted of, a disqualifying felony offense as defined by SDCL 34-20G; or
 - 8. The license holder has its Department-issued registration certificate suspended, revoked, or not renewed or the registration certificate is expired.
 - 9. The license holder allows a public nuisance to continue after notice from the County.

XX.12. SUSPENSION AND REVOCATION PROCESS

- (a) The license holder will receive a notice of intent to suspend or notice of intent to revoke informing the license holder of the violation and the County's intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.
- (b) If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the County Commission

Chairperson, Auditor, Sheriff, and vice-chair.

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

XX.13: APPEAL

An applicant or license holder who has been denied a license or renewal of a license or who has had a license suspended or revoked under this article may appeal to the Board of County Commissioners by submitting a written appeal within ten (10) days of the postmark on the notice of denial, nonrenewal, suspension, or revocation. The written appeal must be submitted to Fall River County Courthouse, 906 N River St., South Dakota, 57747. The appeal will be considered by the Board of County Commissioners at a regularly scheduled meeting within one month of the receipt of the appeal.

XX.14: LICENSES NOT TRANSFERRABLE

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

XX.15: LIABILITY FOR VIOLATIONS

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

XX.16: PENALTIES

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

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

application.

Passed and adopted this ____ day of February, 2023.

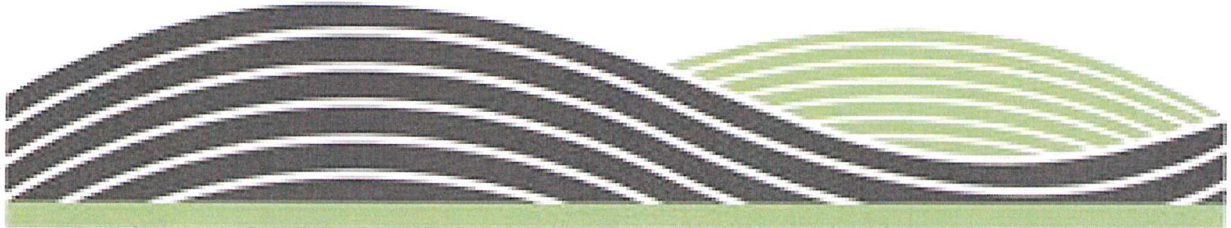
Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

This ordinance shall become effective twenty days after publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum in timely involved prior thereto.

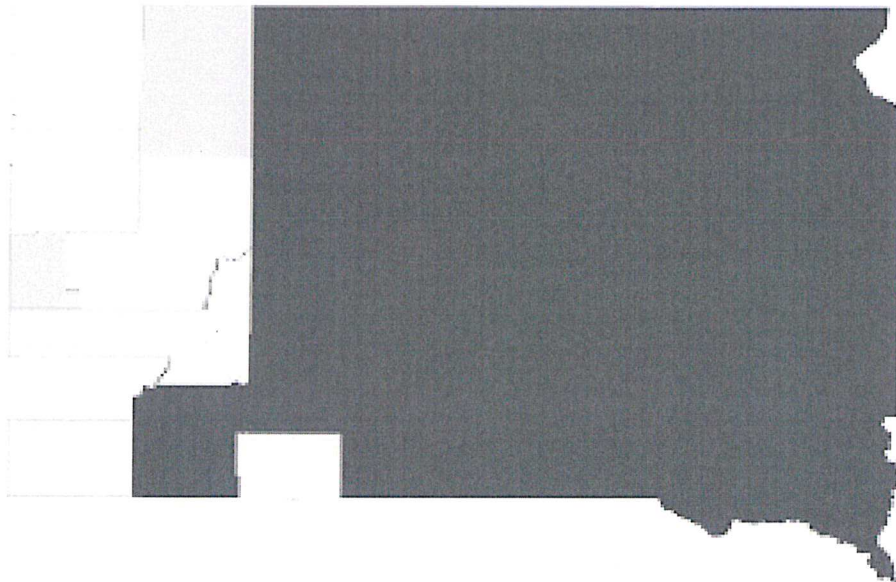
1st Reading:
2nd Reading:
Adopted:
Published:
Effective:



BLACK HILLS

COUNCIL OF LOCAL GOVERNMENTS

2020-2022 Performance Report



730 E Watertown St, Rapid City, SD 57701

Phone: (605) 394-2681

Email: jsietsema@wrbsc.com

Website: <https://www.blackhillscouncil.com/>

Member Representatives

Bennett County - Jeff Slattery, Commissioner
Butte County - Kim Richards, Commissioner
Custer County - Steve Esser, Emergency Manager
Fall River County - Deb Russell, Commissioner
Harding County - Dean Wagner, Commissioner
Lawrence County - Randy Deibert, Commissioner
Meade County - Doreen Creed, Commissioner
Pennington County - Gary Drewes & Ron Rossknecht, Commissioners
Perkins County - Mike Schweitzer, Commissioner

City of Martin - Gary Rayhill, Mayor
City of Belle Fourche - Randy Schmidt, Mayor
City of Custer City - Tim Hartmann, Planning Director
City of Hot Springs - Bob Nelson, Mayor
City of Deadwood - Sharon Martinisko, City Council
City of Lead - John Wainman, City Administrator
City of Spearfish - Steve McFarland, City Administrator
City of Sturgis - Kevin Forrester, City Council
City of Summerset - Melanie Torno, Mayor
City of Box Elder - Larry Larson, Mayor
City of Rapid City - Ritchie Nordstrom, Pat Roseland, & Jesse Ham, City Council
City of Lemmon - Chad Abel, Finance Officer

Executive Board Members

Chairman - Randy Deibert, Lawrence County Commissioner
Vice Chairman - Gary Drewes, Pennington County Commissioner
Secretary - Ritchie Nordstrom, Rapid City Council Member
Treasurer - Larry Larson, Mayor of Box Elder

Staff

Jennifer Sietsema - Executive Director
Bill Lass - Senior Community Development Planner
Lysann Zeller - Community Development Planner/GIS Specialist
Kailey Snyder - Resiliency and Mitigation Planner
Sally Uhrig - Administrative Assistant

Introduction

This report is a summary of the services provided by Black Hills Council of Local Governments (BHCLG) from January 1, 2020, through year-end 2022. The document contains general organization information, regional service highlights, and specific work activities listed by county.

Background

BHCLG is a voluntary association of county and municipal governments that was established in 1972. The nine (9)-county region is a U.S. Economic Development Administration designated "Economic Development District." BHCLG is considered a "quasi-governmental" organization.

Services

BHCLG provides the following technical and administrative assistance:

- Grant & Loan Application Writing
- Project Administration
- Research & Information Source
- Land Use Planning & Ordinance Development
- Comprehensive Planning
- Mitigation Planning
- HazMat Plan Updates
- Redistricting Assistance
- Annexation Studies
- Floodplain Management Assistance
- Mapping/GIS (Geographic Information Systems)
- Environmental Reviews
- Strategic Planning
- Davis-Bacon Act Monitoring

Funding

BHCLG is financed through membership dues, administrative charges, state and federal agency service contracts, special purpose grants, and technical assistance fees. The 2021 expense budget was \$405,026. Approximately 18.9% of BHCLG funding comes from local government dues.

2020-2022 Highlights

The following programs, services, and assistance activities were provided throughout the region:

- A total of 153 applications were prepared.
- Successful proposals resulted in \$318,296,223 of outside funding since January 2020.
- BHCLG received an additional \$146,435 in direct funding.
- BHCLG's administration of the regional CEDS and cooperation with BHCED and SBDC program partners resulted in loans closed that accounted for 116 retained and 140 new jobs. BHCED has a loan portfolio totaling \$54,300,000 and a total of 120 loans.
- BHCLG directly provided 2020 Census information and/or assistance to five (5) counties and six (6) cities for redistricting.
- BHCLG, under a contract from the SD Bureau of Finance and Management, finalized assistance to our 10 counties and 38 cities in accessing an initial allocated amount of \$45,138,333 from the CARES Act. This activity required providing direct guidance to meet the program rules and communicating on-going updates throughout the process.
- Provided information and assistance to all cities and counties with their direct allocation of American Rescue Plan Act funding. Total ARPA allocation in our region is \$50,929,618.
- District staff has continued in-person meetings whenever necessary through the on-going pandemic. Zoom meetings have played a larger role in day-to-day activities. Specific metrics were not tracked, but this method of communicating with members played a significant role in meeting the significant increase in work activity caused by stimulus funds.
- Two (2) county Mitigation Plans were completed this year and work continues to secure funding for three (3) more.
- Nine (9) cities and counties were assisted with land use planning or municipal ordinances assistance, creation, or revisions.
- Six (6) communities and counties were assisted with comprehensive planning.
- Numerous local governments and private businesses were assisted with registering/updating of the System for Award Management. SAM requires active status to be eligible for federal program application and award.
- Provided on-going information on numerous grant and loan programs available to cities and counties in the region.
- Participated in County Association meetings and Municipal League district meetings in the region.
- Prepared State Water Plan and Small Water Facilities Funding applications for the Town of Morristown (Corson County) Water System Improvements Project (\$202,600 in DANR funding awarded).

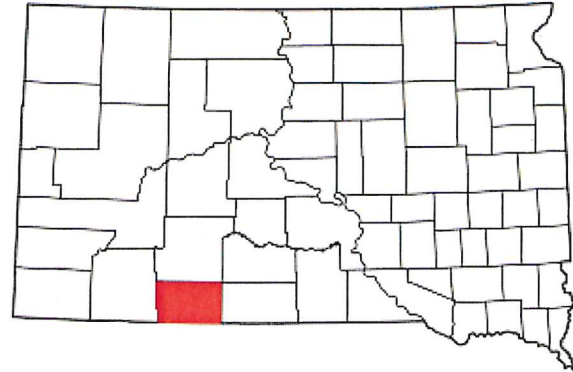
Overall Funding Total

Since 2000, BHCLG has assisted its membership in obtaining \$491,880,607 in outside funding assistance. This figure represents \$2,577, for every person in the region (based on 2020 Census population data). It also results in a return on investment for our members at a ratio of \$318 to \$1.

Acronyms Used In This Report

AFG	Assistance to Firefighters Grant - FEMA
ARPA	American Rescue Plan Act
BBB	Bulldoze, Build & Beautify - CDBG/GOED
BHCED	Black Hills Community Economic Development
CAG	Community Access Grant - DOT
CARES	Coronavirus Aid, Relief, and Economic Security Act
CDBG	Community Development Block Grant - GOED
CEDS	Comprehensive Economic Development Strategy
CF	Community Facilities - USDA RD
CWFCP	Consolidated Water Facilities Construction Program - DANR
CWPP	Community Wildfire Protection Plan
CWSRF	Clean Water State Revolving Fund - DANR
DANR	Department of Agriculture and Natural Resources
DOT	Department of Transportation (South Dakota)
DWFF	Drinking Water Facilities Funding - DANR
DWSRF	Drinking Water State Revolving Fund - DANR
EDA	Economic Development Administration (U.S.)
EDPP	Economic Development Partnership Program - GOED
EII	Economic Impact Initiative - USDA RD
EPA	Environmental Protection Agency
ESSER	Elementary and Secondary School Emergency Relief Fund
FEMA	Federal Emergency Management Agency
FLAP	Federal Lands Access Program
GF&P	Game, Fish & Parks (South Dakota)
GOED	Governor's Office of Economic Development
HMGP	Hazard Mitigation Grant Program - OEM
LEP	Limited English Proficiency - USDA RD
LIIP	Local Infrastructure Improvement Program - GOED
LWCF	Land and Water Conservation Fund - GF&P
OEM	Office of Emergency Management (South Dakota)
PDM	Pre-Disaster Mitigation - OEM
RTP	Recreational Trails Program - GF&P
SAM	System for Award Management
SBDC	Small Business Development Center
SCPG	Small Community Planning Grant - DANR
SDCFG	South Dakota Community Foundation Grant
SDHDA	South Dakota Housing Development Authority
SHPO	State Historic Preservation Office (South Dakota)
SRF	State Revolving Fund - DANR
SSFF	Sanitary/Storm Sewer Facilities Funding - DANR
SWFF	Small Water Facilities Funding - DANR
SWMG	Solid Waste Management Grant – DANR
SWP	State Water Plan - DANR
TA	Transportation Alternatives - DOT
USDA RD	United States Department of Agriculture Rural Development
WWTP/F	Wastewater Treatment Plant/Facility

Bennett County



Return on Investment 2000-2022

Assistance Obtained	\$19,158,765
Dues Paid	\$33,011

Return on Investment = 580 to 1

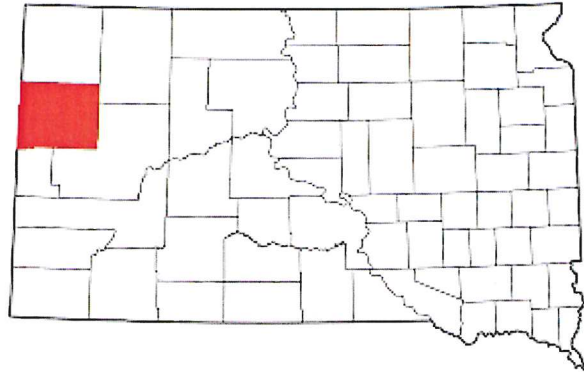
Recent Applications – Since January 1, 2020

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
BC Hospital	Generators - HMGP	OEM	\$796,001	\$796,001	Approved
BC Hospital	Expansion - CF	USDA RD	\$13,602,000	\$13,602,000	Approved
BC Hospital	Expansion - CDBG	GOED	\$2,020,000	\$2,020,000	Approved
BC Hospital	Brownfields	EPA	100%	100%	Approved
Martin	Martin VFD Generator - HMGP	OEM	\$32,515	\$32,515	Approved
Bennett County	Natural Hazard Mitigation Plan	OEM	\$7,500	-	Pending
			Total	\$16,450,516	

Recent Work Activities

- Prepared and assisted in the development of the five (5) applications listed above in Bennett County.
- Completed assistance to Bennett County and Martin for CARES money allocated by the State. Bennett County was allocated \$222,291.13. Cities within Bennett County received \$236,249.22.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Bennett County and cities within were \$653,612.
- Provided redistricting assistance to Bennett County using GIS mapping and 2020 Census information.
- Discussed funding options with Martin for new water and sewer infrastructure improvements.
- Provided information on USDA Community Facilities program for Bennett County road grader funding.
- Provided information on the Bridge Investment Program for possible Bennett County projects.
- Discussed options for Martin swimming pool improvements.
- Provided information on Transportation Alternatives program for a project to improve access to grocery store and safe crossing at the stoplight.
- Discussed Housing Infrastructure Financing Program through SDHDA.
- Discussed Deadwood Fund for improvements to the roof of the theatre.
- Prepared an Environmental Review for the CDBG award for the Bennett County Hospital Expansion.
- Prepared an Environmental Review for the USDA Rural Development Community Facilities funding for the Bennett County Hospital Expansion.
- Provided information on EDA technology and equipment grant for Bennett County Hospital.
- Attended the Revitalizing Martin - Sidewalk, Curb, Safe Crossing, Water Control Subcommittee meeting.
- Submitted an application to the EPA Brownfields program for Bennett County Hospital Expansion Project asbestos removal and lead-based paint inspection/testing.
- Continued administration of HMGP funding and quarterly reports for Martin VFD generator project.
- Continued administration of HMGP quarterly reports for Bennett County Hospital generator.

Butte County



Return on Investment 2000-2022

Assistance Obtained
Dues Paid

\$18,007,101
\$134,831

Return on Investment = 134 to 1

Recent Applications – Since January 1, 2020

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Belle Fourche	Housing Study Grant	SDHDA	\$5,000	\$5,000	Awarded
Belle Fourche	Industrial Park Railroad Siding - LIIP	GOED	\$240,000	\$240,000	Awarded
Belle Fourche	Community Forestry Grant	DANR	\$5,000	\$5,000	Awarded
Belle Fourche	Gay Park Playground Equipment - LWCF	GF&P	\$74,500	\$74,500	Awarded
Belle Fourche	Hat Ranch Well - DWSRF	DANR	\$1,760,000	\$1,760,000	Awarded
Belle Fourche	Roundup Grounds Playground - LWCF	GF&P	\$79,738	-	Pending
Belle Fourche	Landfill Shredder - SWMG	DANR	\$359,152	-	Pending
Butte County	Mitigation Plan Update - HMGP	OEM	\$15,000	-	Pending
Butte-Meade Sanitary Water District	Water System Improvements - SWP	DANR	\$2,502,949	NA	Approved
Butte-Meade Sanitary Water District	Water System Improvements - DWSRF	DANR	\$3,325,000	3,325,000	Awarded
Newell	Wastewater System Improvements - SWP	DANR	\$708,878	NA	Approved
Newell	Water System Improvements - SWP	DANR	\$1,141,238	NA	Approved
Newell	Wastewater System Improvements - CWSRF	DANR	\$603,000	\$603,000	Awarded
Newell	Water System Improvements - DWSRF	DANR	\$992,000	\$992,000	Awarded
			TOTAL	\$7,004,500	

Recent Work Activities

- Prepared and assisted in the development of the 14 applications listed above in Butte County.
- Completed assistance to Butte County and all cities for CARES money allocated by the State. Butte County was allocated \$688,937.35. The amount received by cities in Butte County was \$1,490,292.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Butte County and cities within were \$2,025,711.
- Provided information to Butte County and Belle Fourche regarding redistricting process using GIS mapping and 2020 Census information; partnership with District III to complete the work.
- Provided assistance to Butte County for Subdivision Regulations revisions (on-going).
- Completed SRF administration of Belle Fourche Day Street Lift Station project.
- Completed Davis-Bacon administration of Belle Fourche Day Street Lift Station SRF project.
- Completed sign ordinance revisions for Belle Fourche.
- Prepared Small Community Planning Grant applications for Newell water and sewer systems.
- Discussed funding possibilities for grandstands and assisted living facility in Newell.
- Discussed and researched potential funding options for required sidewalk accessibility improvements in Newell.
- Researched USDA Rural Placemaking Innovation Challenge grant for Belle Fourche.

Custer County



Return on Investment 2000-2022

Assistance Obtained
Dues Paid

\$31,454,079
\$68,445

Return on Investment = 460 to 1

Recent Applications – Since January 1, 2020

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Buffalo Gap	Water System Improvements - DWSRF	DANR	\$1,147,000	\$1,147,000	Awarded
Buffalo Gap	Small Community Planning Grant	DANR	\$10,000	\$10,000	Awarded
Custer City	Floodway Structure Demolition - HMGP/PDM	OEM	\$160,110	\$160,110	Awarded
Custer City	WWTF Phase 1 Improvements - SWP	DANR	\$12,450,400	NA	Approved
Custer City	WWTF Phase 2 Improvements - SWP	DANR	\$11,442,000	NA	Approved
Custer City	WWTF Imp. Phase 1A & Phase 1B - CWSRF	DANR	\$1,539,000	\$1,539,000	Awarded
Custer City	WW Treatment Imp. Phases 2 & 3 - CWSRF	DANR	\$11,442,000	\$11,442,000	Awarded
Custer City	ARPA Funding for WWTF Phase 1 - CWSRF	DANR	\$125,100	\$125,100	Awarded
Custer City	Mickelson and Skywalk Connector & Trailhead - RTP	GF&P	\$298,529	\$186,851	Awarded
Custer County	Search and Rescue Building Generator - HMGP	OEM	\$13,712	-	Pending
Custer County	Mitigation Plan Update - HMGP	OEM	\$12,000	\$12,000	Awarded
Hermosa	WW Lagoon Expansion & Gumbo Lily Lane Improvements - SWP	DANR	\$3,531,727	NA	Approved

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Hermosa	New Well, WRT System & Gumbo Lily Lane Improvements - SWP	DANR	\$6,436,028	NA	Approved
Hermosa	WW Lagoon Expansion & Gumbo Lily Lane Improvements - CWSRF	DANR	\$1,074,000	\$1,074,000	Awarded
Hermosa	New Well, WRT System & Gumbo Lily Lane Improvements - DWSRF	DANR	\$3,025,000	\$3,025,000	Awarded
Southern Hills Water System	System Expansion - DWSRF	DANR	\$3,600,000	\$3,600,000	Awarded
			TOTAL	\$22,321,061	

Recent Work Activities

- Prepared and assisted in the development of the 16 applications listed above in Custer County.
- Completed assistance to Custer County and all cities for CARES money allocated by the State. Custer County was allocated \$592,688. The amount received by cities within Custer County was \$621,482.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Custer County and cities within were \$ 1,742,706.
- Continued SRF administration of Custer Wastewater Treatment Facility Phase I Improvements.
- Provided HMGP project administrative assistance to Custer County for Hydrologic and Hydraulic (H&H) Study.
- Provided assistance to Custer City with extra-territorial jurisdiction (ETJ) mapping (on-going).
- Finalized adoption of Custer City Comprehensive Plan.
- Continued administration of HMGP funding for flood acquisition properties.
- Discussed potential funding options for West Dam and Mickelson Trail lighting in Custer City.
- Attended Custer City “Community Gathering” meetings hosted by Dakota Resources.
- Facilitated BHNF County meetings for Forest Plan Revision.

Fall River County



Return on Investment 2000-2022

Assistance Obtained
Dues Paid

\$30,082,837
\$125,158

Return on Investment = 240 to 1

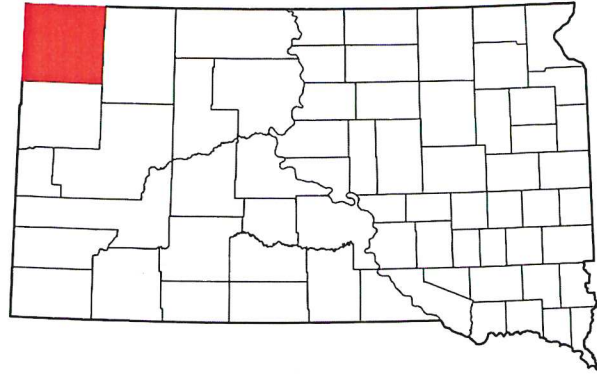
Recent Applications – Since January 1, 2020

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Angostura Irrigation District	Water Main Repair Project - SWP	DANR	\$196,000	NA	Approved
Edgemont	Water Improvements: Iron Filtration - DWSRF	DANR	\$637,000	\$637,000	Awarded
Edgemont	BBB Funding for 300 K Street - CDBG	GOED	\$9,600	\$9,600	Awarded
Fall River Water Users	Fairburn Well & South Improvements - DWSRF	DANR	\$10,007,000	\$10,007,000	Awarded
Hot Springs	Hwy. 385/18 Water & Sewer - CDBG	GOED	\$565,975	\$565,975	Awarded
Hot Springs	Road Reconstruction by Schools and Clinic - CAG	DOT	\$587,620	\$580,000	Awarded
Hot Springs	New Well and Water Storage - SWP	DANR	\$4,250,000	NA	Approved
Hot Springs	North River Street Water Main Replacement - SWP	DANR	\$392,000	NA	Approved
Hot Springs	North River Street Sewer Main Replacement - SWP	DANR	\$704,000	NA	Approved
Hot Springs	North 24 th Street Sewer Replacement - SWP	DANR	\$638,525	NA	Approved
			TOTAL	\$11,799,575	

Recent Work Activities

- Prepared and assisted in the development of the 10 applications listed above in Fall River County.
- Completed assistance to Fall River County and all cities for CARES money allocated by the State. Fall River County was allocated \$443,459. The allocation for cities within Fall River County was \$982,073.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Fall River County and cities within were \$1,303,922.
- Update to Fall River County HazMat Plan in progress.
- Provided information to Fall River County Emergency Manager on mitigation projects.
- Completed public hearing for Hot Springs Drinking Water Improvements project.
- Completed SRF administration for Oelrichs Drinking Water Improvements project.
- Completed Davis-Bacon administration for Oelrichs Drinking Water Improvements SRF project.
- Completed Benefit-Cost Analysis for City of Hot Springs generator project.
- Completed Environmental Review for CDBG program funding for Hwy 385 project.
- Provided CDBG project administrative assistance to Hot Springs on Hwy 385 project.
- Continued SRF administration of Edgemont Drinking Water Project – Phases 1-3.
- Assisted in the preparation and adoption of the City of Hot Springs Comprehensive Plan.
- Provided information on grants for community garden fencing project in Edgemont.
- Provided information to Fall River County regarding USDA funding for roads and infrastructure for meat processing facility.
- Facilitated meetings with BHNH Counties for Forest Plan Revision.

Harding County



Return on Investment 2000-2022

Assistance Obtained
Dues Paid

\$2,311,798
\$23,464

Return on Investment = 98 to 1

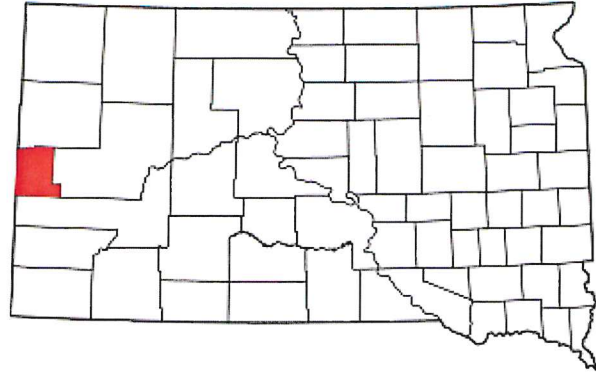
Recent Applications – Since January 1, 2020

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Buffalo	Small Community Planning Grant - Wastewater	DANR	\$10,000	\$10,000	Awarded
Buffalo	West Tipperary Street Reconstruction - CAG	DOT	\$240,000	-	Not Funded
Buffalo	Slim Miller Park Comm. Forestry Grant	DANR	\$5,000	-	Pending
Harding County	Mitigation Plan Update - HMGP	OEM	\$7,500	\$7,500	Awarded
			TOTAL	\$17,500	

Recent Work Activities

- Prepared and assisted in the development of the four (4) applications listed above in Harding County.
- Completed assistance to Harding County and all cities for CARES money allocated by the State. Harding County was allocated \$85,745. The total amount for cities in Harding County was \$98,343.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Harding County and cities within were \$252,121.
- Provided technical assistance to Harding County Highway Department regarding SD DOT small structures and licensing for GIS.
- Provided assistance to Harding County for redistricting using 2020 Census information and GIS mapping.
- Provided information to Harding County regarding CDBG funding program and income survey requirements for the community/fire/EMT/library building.
- Provided information to Harding County regarding Community Engineering Corps.
- Consideration of shared regional engineering services for rural counties.
- Provided information to Camp Crook regarding DANR funding programs for sewer improvements.
- Provided information to Buffalo for park improvements.

Lawrence County



Return on Investment 2000-2022

Assistance Obtained
Dues Paid

\$62,804,825
\$305,0238

Return on Investment = 206 to 1

Recent Applications – Since January 1, 2020

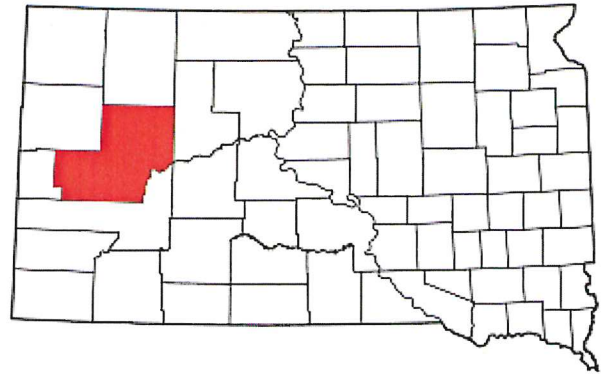
Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Apple Springs Sanitary District	Wastewater System Acquisition - SWP	DANR	\$1,319,000	NA	Approved
Apple Springs Sanitary District	Water System Acquisition - SWP	DANR	\$643,000	NA	Approved
Apple Springs Sanitary District	Wastewater System Acquisition - CWSRF	DANR	\$1,319,000	-	Withdrawn
Apple Springs Sanitary District	Water System Acquisition - DWSRF	DANR	\$643,000	-	Withdrawn
Deer Mountain Sanitary District	Water System Improvements - DWSRF	DANR	\$2,174,000	\$2,174,000	Awarded
Deer Mountain Sanitary District	Water System Improvements - DWSRF (Addt'l. Funding)	DANR	\$3,047,350	\$3,047,350	Awarded
Lawrence County	NHMP Update - BRIC	OEM/FEMA	\$19,500	-	Pending
Lead	Mill Street Sewer/Storm Sewer - SWP	DANR	\$378,733	NA	Approved
Lead	Mill Street Water - SWP	DANR	\$360,138	NA	Approved
Lead	Mill Street Sewer/Storm Sewer (Updated) - SWP	DANR	\$501,261	NA	Approved
Lead	Mill Street Water (Updated) - SWP	DANR	\$490,320	NA	Approved
Lead	Miners Ave Sewer/Storm Sewer - SWP	DANR	\$346,788	NA	Approved
Lead	Miners Ave Water - SWP	DANR	\$219,045	NA	Approved

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Lead	Mill Street Utility Project - CDBG	GOED	\$607,044	\$607,044	Awarded
Lead	Mill Street & Miners Ave Sewer/Storm Sewer - CWSRF	DANR	\$272,632	\$272,632	Awarded
Lead	Mill Street & Miners Ave Water - DWSRF	DANR	\$187,287	\$187,287	Awarded
Lead	Miners Ave Utility Project - CDBG	GOED	\$429,937	\$429,937	Awarded
Lead-Deadwood Sanitary District	WWTP Improvements - SWP	DANR	\$907,000	NA	Approved
Lead-Deadwood Sanitary District	Drinking Water System Improvements - SWP	DANR	\$3,720,000	NA	Approved
Lead-Deadwood Sanitary District	WWTP Improvements - CWSRF	DANR	\$907,000	\$907,000	Awarded
Lead-Deadwood Sanitary District	Drinking Water System Improvements - DWSRF	DANR	\$3,720,000	\$3,720,000	Awarded
Meadow Crest Sanitary District	New Well - SWP	DANR	\$590,000	NA	Approved
Powder House Pass CID	WRRF Expansion & Lift Station - SWP	DANR	\$7,500,000	NA	Approved
Powder House Pass CID	WRRF Expansion & Lift Station - CWSRF	DANR	\$7,501,000	\$7,501,000	Awarded
Spearfish	Exit 8 Shared Use Path Phase II - TA	DOT	\$400,000	\$400,000	Awarded
Spearfish	WW Conveyance & Treatment Imp. - SWP	DANR	\$8,521,000	NA	Approved
Spearfish	Exit 17 Well/ Tank - SWP	DANR	\$4,620,000	NA	Approved
Spearfish	WW Conveyance & Treatment Imp. - CWSRF	DANR	\$8,521,000	\$8,521,000	Awarded
Spearfish	Exit 17 Water Tank & Well - DWSRF	DANR	\$4,620,000	\$4,620,000	Awarded
Terry Trojan Water District	Meter Pit Project - SWP	DANR	\$347,262	NA	Approved
Terry Trojan Water District	Water Storage Tank - DWSRF	DANR	\$757,400	\$757,400	Awarded
Terry Trojan Water District	Water Storage Tank - SWP	DANR	\$215,000	NA	Approved
Terry Trojan Water District	Water Meters - DWSRF (Add'l. Funding)	DANR	\$700,000	-	Pending
Whitewood	Warning Siren - HMGP	OEM	\$42,416	-	Pending
Whitewood	WWTF Improvements - SWP	DANR	\$3,758,000	-	Pending
			TOTAL	\$33,144,650	

Recent Work Activities

- Prepared and assisted in the development of the 35 applications listed above in Lawrence County.
- Completed assistance to Lawrence County and all cities for CARES money allocated by the State. Lawrence County was allocated \$1,707,249. The total amount received by cities in Lawrence County was \$5,451,425.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Lawrence County and cities within were \$5,019,894.
- Provided assistance to Spearfish and Whitewood with their redistricting process using GIS mapping and 2020 Census information.
- Completed Lawrence County Comprehensive Plan.
- Participated in Forest Service OHV Summit.
- Completed an Environmental Review for Whitewood Laurel Street Improvement CDBG project.
- Continued administration and Davis-Bacon monitoring of Whitewood Laurel Street Improvements CDBG project.
- Completed CDBG administration and closeout of Lead Houston Street Infrastructure Improvements project.
- Prepared a CDBG amendment request for additional funding and change in scope for Lead Mill Street project.
- Discussed CDBG funding and application process for Handley Center after school program improvements in Lead.
- Provided assistance to Lawrence County on Forest Plan Revision.
- Met with Lead Comprehensive Plan Commission and provided a Scope of Work for Lead Comprehensive Plan update.
- Provided assistance to Spearfish for Parks and Recreation Master Plan.
- Provided information to Shirt Tail Gulch (HOA) on SRF funding programs.
- Provided assistance to Whitewood on funding programs for drinking water improvements.
- Provided information to Lead on funding programs for water line to lab/Deadwood.
- Provided information to Central City regarding Small Community Planning Grant for stormwater project.
- Assisted Central City with UEI and SAM registration to be eligible for Federal funding.

Meade County



Return on Investment 2000-2022

Assistance Obtained
Dues Paid

\$85,850,613
\$263,801

Return on Investment = 325 to 1

Recent Applications – Since January 1, 2020

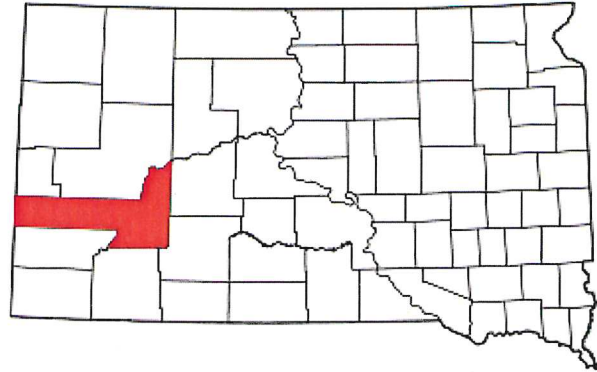
Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Bear Butte Valley Water, Inc.	Alkali Road Expansion - SWP	DANR	\$1,999,000	NA	Approved
Bear Butte Valley Water, Inc.	Alkali Road Expansion - DWSRF	DANR	\$2,058,000	\$2,058,000	Awarded
Bear Butte Valley Water, Inc.	Backup Deep Well & Tilford Road Loop - SWP	DANR	\$4,998,000	NA	Approved
Bear Butte Valley Water, Inc.	Elk Vale Road Loop - SWP	DANR	\$8,947,000	NA	Approved
Bear Butte Valley Water, Inc.	Greslin Ground Storage Reservoir & Booster - SWP	DANR	\$1,048,500	NA	Approved
Bear Butte Valley Water, Inc.	Alkali Road Expansion, Backup Deep Well, Greslin GSR & Booster Station - DWSRF	DANR	\$6,317,500	\$6,317,500	Awarded
Black Hawk Water User District	Water System Improvements Phase II - SWP	DANR	\$6,675,500	NA	Approved
Black Hawk Water User District	Exit 52 Water Main Crossing - DWSRF	DANR	\$1,688,000	\$1,688,000	Awarded
Faith	New Elevated Water Storage Tank - SWP	DANR	\$2,274,000	NA	Approved
Faith	Elevated Water Storage Tank (Amend) - SWP	DANR	\$3,000,000	NA	Approved
Faith	New Elevated Water Storage Tank - DWSRF	DANR	\$1,609,000	\$1,609,000	Awarded

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Faith	New Elevated Water Storage Tank - DWSRF (Additional Funding)	DANR	\$1,391,000	\$1,391,000	Awarded
Faith	Minneapolis Brewing Co. Warehouse - Deadwood Fund	SHPO	\$25,000	\$20,000	Awarded
Faith	West 6 th Street Reconstruction - CAG	DOT	\$600,000	-	Not Funded
High Meadows Water Assoc.	Water System Improvements - SWP	DANR	\$2,558,000	NA	Approved
High Meadows Water Assoc.	Water System Improvements - DWSRF	DANR	\$2,558,000	\$1,140,000	Awarded
Meade County	Hazard Mitigation Plan - HMGP	OEM	\$12,000	\$12,000	Awarded
Northdale Sanitary District	Sewer Re-route - SWP	DANR	\$440,000	NA	Approved
Northdale Sanitary District	Sewer Re-route - CWSRF	DANR	\$440,000	\$440,000	Awarded
Northdale Sanitary District	ARPA Funding for Sewer Re-route - CWSRF	DANR	\$132,000	\$132,000	Awarded
Piedmont	Central Wastewater System - SWP	DANR	\$4,500,000	NA	Approved
Piedmont	Water Tower & Well - SWP	DANR	\$2,200,000	NA	Approved
Sturgis	New Well, Well House, & Storage Tank - SWP	DANR	\$6,126,125	NA	Approved
Sturgis	Sanitary Sewer Rehab - SWP	DANR	\$19,751,760	NA	Approved
Sturgis	Sanitary Sewer Rehab - CWSRF	DANR	\$10,339,000	-	Pending
Sturgis	Water System Improvements - DWSRF	DANR	\$4,938,000	\$4,938,000	Awarded
Summerset	Siouxland Road Reconstruction - CAG	DOT	\$600,000	-	Not Funded
Summerset	Splash Pad & Park Improvements - LWCF	GF&P	\$358,253	-	Pending
Summerset	WWTP Expansion - SWP	DANR	\$9,995,000	NA	Approved
Summerset	WWTP Expansion - CWSRF	DANR	\$9,519,321	\$9,519,321	Awarded
Summerset	City Hall/Police Station Generator - HMGP	OEM	\$28,525	-	Pending
Weston Heights HOA	Water Storage Tank - SWP	DANR	\$2,629,550	NA	Approved
Weston Heights HOA	Water Storage Tank - DWSRF	DANR	\$3,871,000	\$3,871,000	Awarded
			TOTAL	\$33,135,821	

Recent Work Activities

- Prepared and assisted in the development of the 33 applications listed above in Meade County.
- Completed assistance to Meade County and all cities for CARES money allocated by the State. Meade County was allocated \$1,871,605. The amount allocated to cities in Meade County was \$2,259,402.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Meade County and cities within were \$5,503,159.
- Provided assistance to Meade County and Faith with their redistricting process using GIS mapping and 2020 Census information.
- Completed the 5-year update for the Meade County Mitigation Plan.
- Continued administrative assistance of TIF #2 for Meade County.
- Provided information to Meade County about funding for mitigation projects and options for Community Wildfire Protection Plan update.
- Provided information to Faith regarding funding for powerline burials for municipal-owned lines.
- Provided information to Summerset regarding project funding for warning sirens.
- Provided Scope of Work to Sturgis for Comprehensive Plan.
- Continued work on Meade County Comprehensive Plan update.
- Provided information and application assistance to Meade County and homeowners living in Hideaway Hills for mitigation programs.
- Provided information to Piedmont on funding assistance for a centralized sanitary sewer system.
- Provided information to the Summerset on flood mitigation programs and acquisitions.
- Provided information to Summerset on the SDHDA Housing Infrastructure Financing Program for new housing developments.
- Provided information to Summerset regarding funding availability for Norman Ranch Subdivision.
- Provided administrative assistance to Meade County School District - Sturgis Brown High School, Piedmont School, and Williamson Middle School - for Davis-Bacon compliance on ESSER funding.
- Continued administration of CDBG funding for Faith Wastewater System Improvements project.
- Provided technical assistance to Piedmont for ETJ and zoning mapping.
- Facilitated a survey for Sturgis Economic Development Corporation to obtain feedback from Sturgis area residents and workers.
- Continued SRF administration of Sturgis Wastewater Improvements Project - Phase 1.
- Continued SRF administration of Sturgis Wastewater Improvements Project - Phase 2.
- Provided information to Sturgis on Wastewater Improvements project funding from DANR/ARPA.
- Provided information to Black Hawk Road District regarding USDA Community Facilities Program.
- Facilitated meetings with BHNH Counties for Forest Plan Revision.
- Completed SRF administration and Davis-Bacon monitoring of Black Hawk Water User District Water System Improvements Project - Phase 1.
- Provided information to Faith regarding LWCF grant for possible Durkee Lake improvements project.
- Discussed grant funding opportunities for Sturgis Lakeside Adventure Park and attended a community meeting.
- Participated in Meade County Transportation Plan meetings.
- Provided information to Faith on funding for Senior Center Roof.
- Provided information to Quaal Water Association on funding for drinking water improvements.
- Provided information to Black Hawk Water Users District regarding funding for water storage security fence.
- Provided information to Black Hawk Sanitary District on funding for new pumps.

Pennington County



Return on Investment 2000-2022

Assistance Obtained
Dues Paid

\$245,289,247
\$654,5103

Return on Investment = 375 to 1

Recent Applications – Since January 1, 2020

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Box Elder	Tower Road and Prairie View Storages Water System Improvements - DWSRF	DANR	\$6,190,500	\$6,190,500	Awarded
Box Elder	Industrial Park Infrastructure (2020) - Pete Lien	EDA	\$456,997	-	Not Funded
Box Elder	Industrial Park Infrastructure (2021) - VRC Metal Systems	EDA	\$1,611,351	-	Not Funded
Box Elder	Backup Generators for 2 Wells - HMGP	OEM	\$238,142	-	Pending
Box Elder	Highway 14/16 & 151st Street Sewer Improvements - CWSRF	DANR	\$5,800,000	\$5,800,000	Awarded
Box Elder	Westgate, Cheyenne Blvd, & South Box Elder Sewer Improvements - CWSRF	DANR	\$6,261,000	\$6,261,000	Awarded
Box Elder	Cheyenne Pass, Well #7, Gumbo/Douglas/Country/Line Rd. - DWSRF	DANR	\$6,630,000	\$6,630,000	Awarded
Box Elder	Prairie View Water Reservoir Replacement - SWP	DANR	\$1,700,000	NA	Approved

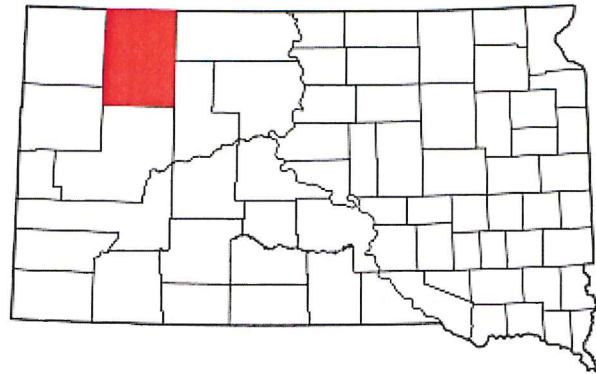
Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Box Elder	Well #11 Reservoir & Piping - SWP	DANR	\$4,129,600	NA	Approved
Box Elder	Tower Road Main Extension - SWP	DANR	\$670,400	NA	Approved
Green Valley Sanitary District	Connection to Rapid City Sewer - CWSRF	DANR	\$2,375,000	\$2,375,000	Awarded
Hill City	New Potable Water Well - SWP	DANR	\$637,500	NA	Approved
Keystone	Well, Reservoir, Booster Station Project - SWP	DANR	\$781,258	NA	Approved
Keystone	Well Project - SWP	DANR	\$195,000	NA	Approved
Keystone	Bullion Street Project - SWP	DANR	\$1,187,606	NA	Approved
Pennington County	Mitigation Plan Update and Story Map - HMGP	OEM	\$52,500	\$52,500	Awarded
Rapid City	Water Reclamation Facility - DWSRF	DANR	\$145,000,000	\$145,000,000	Awarded
Rapid City	Miscellaneous Imp. - DWSRF	DANR	\$3,750,000	\$3,750,000	Awarded
Rapid City	Solid Waste - SWMG	DANR	\$11,900,000	-	Pending
Rapid Valley Sanitary District	Connection to Box Elder and New Well - SWP	DANR	\$6,679,000	NA	Approved
Rapid Valley Sanitary District	Connection to Box Elder and New Well - DWSRF	DANR	\$6,679,000	\$6,679,000	Awarded
Rapid Valley Sanitary District	Wastewater Treatment Facility Improvements - SWP	DANR	\$51,575,000	NA	Approved
Wall	Bike Path 2020 - TA	DOT	\$400,000	-	Not Funded
Wall	Bike Path 2021 - TA	DOT	\$400,000	-	Not Funded
Wall	4th Avenue Reconstruction - CAG	DOT	\$600,000	\$600,000	Awarded
Westberry Trails Water Users	Water System Improvements - SWP	DANR	\$3,380,418	NA	Approved
Westberry Trails Water Users	Water System-wide Improvements - DWSRF	DANR	\$3,427,000	\$1,665,000	Awarded
Western Dakota Rural Water System, Inc.	Feasibility Study for Missouri River Expansion- ARPA	DANR	\$8,000,000	\$8,000,000	Awarded
			TOTAL	\$193,003,000	

Recent Work Activities

- Prepared and assisted in the development of the 27 applications listed above in Pennington County.
- Completed assistance to Pennington County and all cities for CARES money allocated by the State. Pennington County was initially allocated \$7,515,950. The total amount received by cities in Pennington County was \$20,502,363.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Pennington County and cities within were \$22,099,460.
- Provided assistance to Wall with their redistricting process using GIS mapping and 2020 Census information.
- Continued administration of Box Elder Well #10 and Water Main CDBG funding.
- Continued administration of Box Elder Well #10 and Water Main SRF funding.
- Continued administration of Green Valley connection to City of Rapid City sewer project.
- Completed income survey of Green Valley for SRF funding eligibility.
- Completed funding scenarios for Green Valley sewer project.
- Completed preliminary environmental review for Homeless Shelter Relocation project at six (6) potential site locations in Rapid City.
- Provided information to Rapid City and Elevate for potential funding for Homeless Shelter Relocation project.
- Provided information to Rapid Valley Sanitary District regarding potential funding for various projects.
- Provided information to Valley Heights Water Association regarding potential funding for projects.
- Provided information to Carriage Hills Water Association regarding potential funding for backup generator for water system.
- Continued Davis-Bacon administration of Rapid City Area Schools - South Middle School project.
- Continued work on the Wall Comprehensive Plan.
- Provided Scope of Services to Wall for Zoning Ordinance update.
- Provided technical assistance and review of Industrial District for Wall Zoning Ordinance.
- Continued participation in discussions for regionalization of infrastructure and possible regional master plan for utilities and roads.
- Provided information to Freshman Impact for possible funding to acquire property for use by their program and/or relocation.
- Continued participation in Rapid City TIF policy review committee.
- Continued participation in Rapid City Sustainability Committee.
- Completed Keystone Comprehensive/Vision Plan.
- Provided technical assistance to Rapid City Fire Department for AFG funding for radios.
- Provided technical assistance to Rapid Valley Fire Department for AFG funding for tower.
- Facilitated meetings with BHNF Counties for BHNF Forest Plan Revision.
- Completed administration of Keystone CDBG for Wastewater Improvements Phase I and Well #3 Retrofit project.
- Provided technical assistance to Rapid City for landfill improvements funding application.
- Completed administration of Owanka Rural Water Very Small Systems Compliance Grant.
- Provided technical assistance to Ascent Innovation Campus for EDA funding award.
- Assisted with preparation of a LIIP grant application for Box Elder Yorktown Boulevard project.
- Assisted Valley Heights Sanitary District and Copper Oaks #1 Water Association with UEI and SAM registration.

- Completed SRF administration and Davis-Bacon administration of Pine Cliff Estates Drinking Water System Improvements project.
- Completed SRF administration for Sheridan Lake Highlands Water System Financing and Improvements project.
- Provided information to Box Elder on multiple funding sources for infrastructure and other community projects.
- Provided information to Box Elder on mitigation programs to address flooding.
- Provided assistance to Central South Dakota Enhancement District (CSDED) for SRF funding application for West River Lyman-Jones Rural Water system expansion to Wall.
- Provided technical assistance for the Black Hills Resilient Forest Strategy.
- Completed Environmental Review for Pennington County Housing - West Fulton Street Office Remodel Project.
- Completed Environmental Review for Pennington County Housing - West Fulton Street Storage and Maintenance Building Project.
- Completed Environmental Review for Pennington County Housing - Phase 1 North Area (32 properties).
- Completed Environmental Review for Pennington County Housing - Phase 2 South & West Areas (101 properties).
- Completed Environmental Review for Pennington County Housing - Ivy and Queens Heights Roof Replacement Project.
- Completed Environmental Review of Rapid City CDBG Black Hills Works Accessibility Modifications project.
- Completed Davis-Bacon administration of Rapid City CDBG Black Hills Works Accessibility Modifications project.
- Completed Davis-Bacon administration of Rapid City CDBG Black Hills Works Bathroom Renovation.
- Completed Environmental Review for Rapid City CDBG 1008 Howard Street Water Heater project.
- Completed preliminary environmental review for Rapid City CDBG 1018 N. Maple Avenue project.
- Completed Environmental Review for Rapid City CDBG WAVI Window Replacement project.
- Completed Davis-Bacon administration for Rapid City CDBG WAVI Window Replacement project.
- Conducted a Noise Assessment for Rapid City CDBG Common Bond Housing project.
- Completed Environmental Reviews for Rapid City CDBG House Acquisition projects - 3 locations.
- Completed re-evaluation of Rapid City CDBG Sunshine Mobile Home Park Environmental Review.
- Completed Environmental Review for Rapid City CDBG Curtis Street project.
- Completed Davis-Bacon administration for Rapid City CDBG Curtis Street project.
- Continued Davis-Bacon administration for Rapid City Sunshine Mobile Home Park.
- Completed Environmental Review for Rapid City CDBG 2212 Maple Avenue Sewer project.
- Completed Davis-Bacon administration for Rapid City CDBG Feeding South Dakota Generator.
- Completed Environmental Review for Rapid City CDBG RAI Fence project.
- Completed Davis-Bacon administration for Rapid City CDBG RAI Fence project.
- Completed preliminary environment review for Rapid City CDBG 627 St. Cloud Acquisition project.
- Completed Environmental Review for Rapid City CDBG YFS Condensing Unit project.
- Completed Davis-Bacon administration for Rapid City CDBG YFS Condensing Unit project.
- Completed Environmental Review for Rapid City CDBG YFS Kitchen Air Handler Unit Replacement project.
- Completed Davis-Bacon administration for Rapid City CDBG YFS Kitchen Air Handler Unit Replacement project.

Perkins County



Return on Investment 2000-2022

Assistance Obtained \$19,937,368
 Dues Paid \$19,510

Return on Investment = 1,021 to 1

Recent Applications – Since January 1, 2020

Applicant	Project	Funding Agency	Amount Requested	Amount Approved	Status
Bison	Wastewater System Improvements - SWP	DANR	\$3,826,319	NA	Approved
Bison	Wastewater System Improvements (Updated) - SWP	DANR	\$4,765,034	NA	Approved
Bison	Wastewater System Improvements - CWSRF	DANR	\$4,765,034	\$2,241,000	Awarded
Bison	Bison VFD Generator - HMGP	OEM	\$12,726	-	Pending
Perkins County	Mitigation Plan Update - HMGP	OEM	\$7,500	\$7,500	Awarded
Perkins County Rural Water System	Water Tanks & Pipeline Improvements - SWP	DANR	\$4,106,500	NA	Approved
Perkins County Rural Water System	Water Tanks & Pipeline Improvements - DWSRF	DANR	\$7,060,000	\$7,060,000	Awarded
			TOTAL	\$9,308,500	

Recent Work Activities

- Prepared and assisted in the development of the seven (7) applications listed above in Perkins County.
- Completed assistance to Perkins County and all cities for CARES money allocated by the State. Perkins County was initially allocated \$189,261. The total amount allocated to cities in Perkins County was \$338,209.
- Assisted counties and cities with ARPA allocated funding. Initial allocations for Perkins County and cities within were \$556,493.
- Provided assistance to Perkins County and Lemmon with their redistricting process using GIS mapping and 2020 Census information.
- Provided assistance to Lemmon on Comprehensive Plan evaluation.
- Assisted Bison VFD with registering for FEMA GO so they could apply for AFG in the future.
- Discussed possible funding options for road improvements to future location of Bison VFD.
- Completed Perkins County Mitigation Plan Update.
- Provided zoning ordinance administrative assistance and example marijuana regulations to Lemmon.
- Completed Lemmon Voting Precincts Map.



2727 N Plaza Dr.
Rapid City, SD 57702

Phone 605-348-6529 Fax 605-342-1160

Quote

No.: **69344**

Date: **2/9/2023**

Prepared for:

Dave Weishaupl
Fall River County Sheriffs Office
906 N River
Hot Springs, SD 57747 USA

Account No.: 1885
Phone: (605) 745-4444
Fax: (605) 745-7591

Qty	Description	UOM	Sell	Total
1	HP ProDesk 600 G6 Desktop Mini - i5-10500T, 2.30GHz - 16GB RAM - 256GB NVMe - Win11 Pro - DisplayPort - 3yr. Warranty	EA	\$999.00	\$999.00
1	DisplayPort Male to VGA Female Adapter - Black - 8in.	EA	\$24.96	\$24.96
1	Project Installation & Configuration	EA	\$525.00	\$525.00

Your Price: **\$1,548.96**

Total: **\$1,548.96**

Prices are valid for 30 days from quote date.

Prepared by: Chris Bernard, chrisbernard@goldenwest.com

Date: 2/9/2023

Accepted by: _____ **Date:** _____

Disclaimer

Unless otherwise specified, all labor is charged on a time and materials basis. Any additional service charge or travel will apply.

Any quoted cable runs assume that there is an available cable pathway; if not, additional charges may apply.

Applicable taxes and/or shipping charges may be added to the invoice.

Terms: A 30% down payment may be required for sales of \$10,000 or more, with the balance due 15 days from the invoice date.

Large, long-term projects are subject to progress billing.



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

February 16, 2023

Governor Kristi Noem
500 East Capitol Avenue
Pierre, SD 57501

Representative Dusty Johnson
1714 Longworth HOB
Washington, DC 20515

Senator John Thune
US Senate SD-511
Washington, DC 20510

Senator Mike Rounds
Hart Senate Office Building, Suite 716
Washington, DC 20510

Dear Governor Noem and Legislators,

A recent article from PBS News Hour indicated that the “Environmental Protection Agency is studying whether it will toughen regulation of large livestock farms that release manure and other pollutants into waterways.”

A concern for this EPA study is that it never seems to end with large feedlot operations. We have found in numerous cases that it then moves to smaller farms and ranches. Feedlots have been very aggressive in managing the discharge of animal wastes and in general, have done an excellent job in preventing leaching into stream flows.

Every new restriction is paid for by someone. The Government does not generate income. In most cases, it is the consumer. These wastes from feedlot operations are reapplied to the fields and help to grow crops, cut down on the financing of fertilizer and are an excellent form of sustained farming.

Nearly all operations in animal husbandry are located near some streams that are either intermittent or continuous flow. These are the areas that provide the best shelter for livestock during inclement weather. It never stops with simple regulations and it would be devastating for our farm and ranch industry to have additional requirements and regulations regarding runoff from these operations.

Please watch judiciously where these various studies lead and help protect our farm and ranch industry, including commercial feedlots from more Government overreach.

Sincerely,

Joe Falkenburg, Chair
Fall River County Commission



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

February 16, 2023

Governor Kristi Noem
500 East Capitol Avenue
Pierre, SD 57501

Representative Dusty Johnson
1714 Longworth HOB
Washington, DC 20515

Senator John Thune
US Senate SD-511
Washington, DC 20510

Senator Mike Rounds
Hart Senate Office Building, Suite 716
Washington, DC 20510

Dear Governor Noem and Congressional Representative and Senators,

In recent articles from Western Livestock Journal and Western Ag Reporter, it was indicated that the EPA was deciding if they were going to change the definition of "Waters of the United States." In that proposed definition change, private ponds, intermittent streams, and ditches would be under EPA regulations. Therefore, they could be and would be controlled, including not allowing livestock on farmsteads that have these structures on them.

It is conceivable that farmsteads would be forced to not allow livestock in the most sheltered areas and restriction of the amount of water impounded could also be of vast importance. It has been shown that the EPA has a very strict, difficult, set of rules for wetlands. If this were followed, it would mean disaster for agricultural producers.

Water and its uses are the lifeline of our nation. Any more Government interference would cause undue expense and hardship for everyone involved. We the Commissioners of Fall River County are ardently opposed to allowing the EPA any further control of the Waters of the United States.

Please help us to control the proposed changes in definition of waterways and EPA control.

Sincerely,

Joe Falkenburg, Chair
Fall River County Commission



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

February 16, 2023

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

Andy Bruels
SD DNR
523 East Capitol Ave.
Pierre, SD 57501

Mark Mayer
SD DNR
523 East Capitol Ave
Pierre, SD 57501

Daniel Nebelsick
DGR Engineering
1302 S. Union St.
Rock Rapids, IA 51246

Dear Governor Noem, Andy Bruels, Mark Mayer, and Daniel Nebelsick,

It's come to our attention that there is the availability of some funds, perhaps for water development. Fall River County has been notoriously short of water over the many years. One large housing development down Hwy 71 hauls most all of their water. We are inquiring as to the availability of these funds, what might be necessary to apply, and what types of projects are available.

The area South of Hot Springs has hauled water for many years and now we are seeing a huge housing development along Angostura Dam. There is also a large area in the Western part of our County that has very poor water availability and quality. Over the years, there have been numerous unsuccessful attempts to provide potable water for households which have largely failed, due to lack of funding.

We would very much appreciate any follow up information you could provide. These areas are in dire need of financial assistance to complete these projects.

Sincerely,

Joe Falkenburg, Chair
Fall River County Commissioners

Oglala Lakota - Fall River County Contract - 2023

THIS CONTRACT is made and to become effective the 1st day of January, 2023, by and between Oglala Lakota County, a political subdivision of the State of South Dakota, hereinafter referred to as "Oglala Lakota," and Fall River County, a political subdivision of the State of South Dakota, hereinafter referred to as "Fall River," and the Fall River County State's Attorney, Auditor, Register of Deeds and Treasurer, hereinafter referred to as "County Officials."

WHEREAS, prior to July 1, 1979, Oglala Lakota was an unorganized County pursuant to South Dakota law, but was attached to Fall River for the purposes of receiving governmental services; and

WHEREAS, a Consent Decree was executed which authorize the organization of Oglala Lakota County, South Dakota, pursuant to House Bill 1197; and

WHEREAS, the Unorganized Counties Act granted to the Oglala Lakota County Board of Commissioners, in addition to all other statutory powers, the power to contract for necessary governmental services with an adjoining County; and

WHEREAS, the Oglala Lakota County Board of Commissioners has assessed the needs, feelings, and views of its constituents to the extent possible, and it appears at this time to be in the best interests of Oglala Lakota County to contract for the provision of necessary governmental services to serve the residence of Oglala Lakota County; and

WHEREAS, Oglala Lakota is ~~desirous~~ of contracting with Fall River, an adjoining County to Oglala Lakota, for providing of necessary governmental services for Oglala Lakota inasmuch as such would best meet the needs of the residents of Oglala Lakota County; and

WHEREAS, Fall River, an adjoining County to Oglala Lakota, is ~~desirous~~ of contracting with Oglala Lakota for providing necessary governmental services for Oglala Lakota; and

WHEREAS, Oglala Lakota has amended its Home Rule Charter to allow Oglala Lakota to elect a full-time Sheriff; and

WHEREAS, the 2010 census determined that Oglala Lakota had approximately 13,672 residents and that Fall River had approximately 6,973 residents; and

WHEREAS, pursuant to SDCL 7-7-9.1, the minimum salary for the county treasurer, auditor and register of deeds for a county with a population of 14,309 is \$34,543; and

WHEREAS, pursuant to SDCL 7-7-12, the minimum salary for the State's Attorney for a county with a population of 14,309 is \$44,492; and

WHEREAS, pursuant to SDCL 7-7-12, where there is no elected State's Attorney, the Board of County Commissioners may contract for legal services and negotiate for the compensation to be paid and the terms and conditions upon which contracted;

NOW THEREFORE, based upon the hereinafter considerations given each party, one to the other, the parties hereby mutually agree that Fall River shall provide the necessary governmental services required by Oglala Lakota.

1.

The parties agree that the necessary governmental services to be provided by Fall River for the benefit of Oglala Lakota shall be for the officers of State's Attorney, Auditor, Director of Equalization, Register of Deeds, and Treasurer, as those offices in their respective duties are defined by South Dakota law. The parties further agree and understand that the above identified necessary governmental services to be provided shall be provided at the Fall River County Courthouse located at Hot Springs, South Dakota.

2.

Oglala Lakota agrees to appoint the Fall River County State's Attorney, Auditor, Director of Equalization, Register of Deeds, and Treasurer with all the powers, rights and responsibilities set forth under all applicable South Dakota statutes and regulations.

3.

Oglala Lakota shall not attempt to remove any County Official, unless the County Official has committed misconduct, malfeasance, nonfeasance, crimes in office, drunkenness, gross incompetency, corruption, theft, oppression or gross partiality. If said misconduct is suspected Oglala Lakota shall refer said matter to the proper authorities for investigation. Only after said investigation is completed shall Oglala Lakota County take action.

4.

The parties agree that Oglala Lakota shall, on the day before the last business day of each month, during the term of this contract beginning January 1, 2023, pay directly to the officers listed below one-twelfth (1/12) of the following annual amounts as payments of gross salaries for providing said services to Oglala Lakota during the year:

<u>OFFICE</u>	<u>2023 AMOUNT</u>
Auditor	\$21,335.00
State's Attorney	\$29,160.00
Deputy State's Attorney	\$10,000.00
Register of Deeds	\$21,335.00
Treasurer	\$21,335.00

Oglala Lakota shall, at the regular monthly commission meeting of each month beginning January 1, 2023, for the year 2023, and subsequent years during the term of this contract pay the actual costs for supplies, expenses, office staff and travel for providing said necessary governmental service to Oglala Lakota. Said expenditures shall not exceed the following amounts:

<u>OFFICE</u>	<u>2023 AMOUNT</u>
Auditor	\$51,445.00
State's Attorney	\$11,250.00
Register of Deeds	\$29,353.00
Treasurer	\$69,295.00
Director of Equalization	\$46,413.00
Data Processing	\$13,150.00
Commissioners, Postage Meter	\$1,500.00
Emergency Management	\$3,755.00
GIS	\$1,500.00

6.

The County Officials and/or Fall River employees providing services pursuant to this contract are not required to travel to Oglala Lakota County for monthly meetings. The County Officials and/or employees may travel to Oglala Lakota County for an Oglala Lakota County Commission meeting if they are compensated for mileage at the rate of \$0.51 cents per mile, or paid per diem of \$26.00 and are given at least two weeks prior notice of the meeting in Oglala Lakota County, and the purpose of said meeting. ~~In addition to the compensation provided herein, any County Official and Fall River employee shall receive \$100 for attendance of any Oglala Lakota meeting held in Oglala Lakota County.~~

7.

Oglala Lakota is familiar with the amount of work required by the State's Attorney, Auditor, Director of Equalization, Register of Deeds, and Treasurer to provide services for the residents of Oglala Lakota County and Oglala Lakota specifically acknowledges that the sums paid pursuant to this contract are appropriate and reasonable. ~~The sums described herein are substantially less than Oglala Lakota would have to expand of Oglala Lakota had to staff and supply its own offices of State's Attorney, Auditor, Director of Equalization, Register of Deeds, and Treasurer.~~ Oglala Lakota acknowledges that it is not being required to pay for the office staff for the State's

Attorney but is specifically compensating for said deficiency by paying \$6000 towards the State's Attorney's Victim's Assistance Program.

8.

All files, records, documents, books and official minutes of Oglala Lakota shall be maintained at the Fall River County Courthouse, Hot Springs, South Dakota during the term of this contract at no additional cost to Oglala Lakota.

9.

Court proceedings shall be held at the Fall River County Courthouse, Hot Springs, South Dakota during the term of this contract at no additional cost to Oglala Lakota.

10.

Any request for office equipment or machinery of a capital nature made by said County Official providing said services to Oglala Lakota shall be made directly to the Oglala Lakota County Board of Commissioners, who shall have the full and exclusive authority to grant or disapprove same in accordance with performing their official function as County Commissioners according to South Dakota law.

11.

Oglala Lakota shall comply with all federal and state election laws and regulations and all orders and agreements entered in all courts having jurisdiction over voting/election issues. Oglala Lakota shall fully fund all voting/election operations so as to comply with all federal and state election laws and regulations and all orders and agreements entered in all courts having jurisdiction over voting/election issues. Oglala Lakota shall bear all expenses and costs associated with operating and maintaining a satellite office for early voting in Oglala Lakota County. At the end of each month, Oglala Lakota shall reimburse Fall River for any extraordinary wages, overtime, benefits, meals, mileage or other expenses necessarily incurred for the staffing of a satellite office. Oglala Lakota's approval of a satellite office for early voting shall be at least three months prior to the start of early voting. The purpose of the three months' notice is to allow the Auditor and Fall River to plan for the satellite office and to hire the necessary employees and adjust employee schedules accordingly.

12.

In the event of a vacancy in the office of Oglala Lakota Sheriff, Oglala Lakota must contract with a South Dakota certified law enforcement officer to provide Sheriff services to Oglala Lakota County.

13.

The period of this Contract shall be from January 1, 2023, until December 31, 2023, inclusive, and this Contract may be extended or renewed upon the mutual written consent of the parties hereto.

14.

Time is of the essence for this Contract.

15.

This Contract and all of its terms and conditions shall be binding upon all successors in interest of the parties hereto.

16.

All signed copies of this Contract shall be construed the same as the original hereof.

17.

Written notices required to be given hereunder, or any written notices required to be given under South Dakota law, shall be made by certified mail, return receipt requested, to the respective parties at the Auditor's Office, Fall River County Courthouse in Hot Springs, South Dakota.

18.

In the event that Oglala Lakota or Fall River determines that this Contract has been or will be breached, then and in that event, the non-offending party shall send written notice to the offending party, stating the grounds, facts and circumstances that the non-offending party believes led to the breach of this Contract.

The party receiving the notice of breach shall have sixty days from the date that notice was delivered to them, as indicated on the return receipt, to correct said breach, and in the event said breach is not corrected within said time period, the non-offending party may seek to enforce the remedies provided them under the provisions of this Contract and under South Dakota law.

19.

In the event that this contract is terminated, Fall River shall make available to Oglala Lakota all of the files, records, documents, books and official minutes of Oglala Lakota County at the Fall River County Courthouse, Hot Springs, South Dakota, for an immediate removal of the same by Oglala Lakota from said Fall River County Courthouse.

In the event of a breach of this Contract, the Fall River County State's Attorney and his authorized deputies, shall be removed from such dispute and each of the parties shall thereafter be solely responsible for retaining independent counsel or attorneys for purposes of representation in said dispute. ~~Regardless of fault or liability, Oglala Lakota~~ In the event of a dispute between the Fall River County and Oglala Lakota County, the County found to be at fault shall reimburse any County official and or ~~Fall River~~ employee for all attorney fees, expenses or

costs associated which may be incurred as a result of any action related to this Contract and/or the duties to be performed pursuant to this contract.

20.

The parties agree that even if a party does not enforce the other party's breach of a provision of this Contract, the failure to do so shall not be deemed a waiver of that party's right to enforce any subsequent breach or default of the same or similar nature. Any waiver by a party of a right provided for in this Contract must be in writing and signed by the parties to be effective.

21.

This Contract shall be construed in accordance with the substantive laws of the State of South Dakota.

22.

Any dispute arising between the parties shall be brought before the Seventh Judicial Circuit Court, State of South Dakota, and the parties hereto consent to the jurisdiction of said court. ~~The parties specifically waive any jurisdiction that may vest in the Oglala Sioux Tribal Courts.~~

23.

This Contract may be modified only if said modification is in writing and signed by all the parties.

24.

Fall River, the County Officials and Oglala Lakota hereby give their informed consent to authorize Fall River County State's Attorney to draft this Contract and to negotiate the terms and conditions of the same. Fall River, the County Officials and Oglala Lakota represent that there is no dispute currently pending between the parties hereto and there is no claim by one against any of the others. Fall River, the County Officials and Oglala Lakota, knowingly and voluntarily, waive any conflict of interest there may be in the Fall River County State's Attorney and or his Deputy States Attorneys in the drafting of this Contract and the negotiation of the terms and conditions of the same.

25.

The foregoing Contract constitutes the entire agreement between the parties and there is no other oral or collateral agreement between the parties.

DATED this ____ day of _____, 2023.

Chairman, Board of County Commissioners
Fall River County, South Dakota, a political
subdivision of the State of South Dakota

DATED this ____ day of _____, 2023.

Chairman, Board of County Commissioners
Oglala Lakota County, South Dakota, a political
subdivision of the State of South Dakota

DATED this ____ day of _____, 2023.

SUE GANJE
Auditor of Fall River County, South Dakota

DATED this ____ day of _____, 2023.

LANCE RUSSELL
State's Attorney of Fall River County,
South Dakota

DATED this ____ day of _____, 2023.

TERESA PULLEN
Treasurer of Fall River County, South Dakota

DATED this ____ day of _____, 2023.

MELODY ENGBRETSON
Register of Deeds of Fall River County,
South Dakota

Black Hills National Forest Rapid Stakeholder Assessment Report in Preparation for Plan Revision September 2021

Overview

In preparation for forest plan revision and in accordance with the 2012 Planning Rule, the Black Hills National Forest (Black Hills) conducted a rapid stakeholder assessment from July 01 to September 13, 2021. Forest Service personnel met with or received written input from 42 interested parties to:

- gain the public's perspective on past planning revision efforts and opinions about updating older assessment material,
- discuss priority issues and public values pertaining to the National Forests, and
- garner suggestions to guide the upcoming planning processes in terms of outreach and public meetings.

Assessment Approach

Potential participants were identified with assistance from Black Hills staff, from lists of past participants in Black Hills planning processes, and through recommendations from other assessment participants. 113 stakeholders were contacted via email to explain the assessment goals and solicit their participation. Those who agreed to participate were asked to sign up for a virtual meeting time via online scheduling poll, after which they were sent invites to Microsoft Teams virtual meetings. Participants were also invited to respond in writing via email or post, or over the phone if they so desired. During the assessment, Forest Service personnel either met virtually or received written response from 42 stakeholders who agreed to participate. All but one participated via Microsoft Teams. These individuals represent a diversity of interests, affiliations, and geographic ties associated with the Black Hills. Meetings typically lasted 30 – 45 minutes, and were recorded, transcribed, and reviewed to provide the summary information herein. The assessment discussion prompts are in Appendix A on page 11.

Findings

Content from the assessment is presented below in three main categories. These include perspectives on past planning efforts, priority issues to address during forest planning, and communication.

Past Planning Efforts

The Black Hills has a long history of stakeholder surveys and interviews, both for previous plan revision efforts and for other forest projects. More detailed information about these processes can be found at <https://www.fs.usda.gov/main/blackhills/landmanagement/planning>. During the 2001-2005 Forest Plan amendment process, the Black Hills conducted a multi-pronged, multi-phased public engagement strategy relying on news releases, newsletters, and in-person

meetings. Between December of 2001 and October of 2005 the Forest made 8 news releases regarding various phases of the Plan amendment process.

- Dec 03, 2001 “Forest Seeking Comments on Forest Plan Amendment”
- Aug 26, 2002 “BHNF to Host Phase II Open Houses”
- Sep 7, 2004 “Plan Amendment Draft Released for Public Comment”
- Sep 16, 2004 “BHNF Plans Government-to-Government Phase II DEIS Open House”
- Oct 29, 2004 “Research Natural Areas Not New but Protective”
- Dec 6, 2004 “Beaver a Big Part of New Forest Plan”
- Dec 10, 2004 “Phase II Amendment Comment Period Extended”
- Oct 31, 2005 “Phase II Amendment Decision”

The Forest also disseminated six newsletters regarding various phases of the Plan Amendment process.

- Dec 2001 Scoping
- Aug 2002 Alternative Development Open House Notification
- Dec 2002 Alternative Identification
- Jul 2003 Progress Report
- Sep 2004 DEIS Publication Announcement and Comment Period Opening
- Oct 2005 FEIS Summary/Final Newsletter

Between April 2002 and October 2004, the Black Hills held four tribal consultation meetings and ten open houses.

Tribal consultation meetings:

- April 2002 - Oglala Lakota College, South Dakota
- October 2002 - Black Hills Visitor Information, South Dakota
- April 2003 - Sinte Gleska University, South Dakota
- February 2004 - Rapid City, South Dakota

Open Houses were advertised in local newspapers and direct mailings (newsletters), and on the Forest website.

- September 9, 2002 - Rapid City, SD
- September 10, 2002 - Spearfish, SD
- September 12, 2002 - Sundance, WY

September 13, 2002 - Custer, SD
 October 1, 2004 (tribal) - Rapid City, SD
 October 5, 2004 - Custer SD
 October 6, 2004 – Spearfish, SD
 October 12, 2004 - Rapid City, SD
 October 19, 2004 - Sundance, WY
 October 20, 2004 - Newcastle, WY

For the present effort, participants provided their perspective on these earlier processes and offered their recommendations on updating the previous resource assessments.

Views of the plan revision process

Past Involvement:

Few participants reported heavy involvement in previous Forest Plan revision or amendment processes, although several identified that the organizations they represent were involved. Even for established organizations, internal turnover has reduced the number of individuals with first-hand involvement. Most participants reported involvement in project level planning in the Black Hills. Levels of past involvement ranged from cooperating agencies, to National Forest Advisory Board (NFAB) members, to concerned citizens.

Knowledge of the 2012 Planning Rule:

Only a handful of participants were extensively knowledgeable about the 2012 planning rule, although most had heard or were aware of it. All participants, even those with extensive knowledge, indicated that they and/or their organizations were interested in learning more about the 2012 planning rule and how it effects forest plan revision.

Updating Previous Assessments:

Participants generally felt that previous assessment material should be used as a starting point, but that conditions have changed since the last assessments and that they should be updated with new information and the latest science. Multiple participants indicated that they would be interested in viewing previous assessment material and assisting with updates. There was a consensus that any assessments used or updated should be publicly available.

Key Issues

Participants were asked which topics and issues they believed were most important to address in the upcoming forest plan revision. Most participants described multiple issues. Many participants also recognized and discussed the interconnectivity of the various issues raised and stressed the need for multiple-use oriented, long-range approaches to forest management. Issues discussed fell into the following categories, beginning with those most frequently raised.

- Timber sustainability (21 times)
- Off-highway vehicle management (20 times)

- Fire hazards and communities at risk (14 times)
- Grazing, rangeland, and forage management (11 times)
- Social and economic sustainability for local communities (9 times)
- Insect and disease management (7 times)
- Water resource and riparian area management (6 times)
- Recreation management (6 times)
- Mining (5 times)
- Invasive species management (4 times)
- Forest access (4 times)
- Wildlife habitat management (4 times)
- Climate change (3 times)
- Identification, designation, and management of species of concern (3 times)
- Monitoring (2 times)
- Special botanical area designation and management (2 times)
- Beaver restoration (1 time)
- Multiple use – Equality (1 time)

Existing Conditions and Trends

Most participants identified timber management as a priority issue. Depending on their personal stance, they either identified a trend of harvesting too much timber, not harvesting enough timber, or needing to reevaluate timber harvest to find a more suitable compromise approach. Social and economic sustainability for local communities was almost universally discussed in relation to timber harvest. The amount and sustainability of timber harvest was also a concern for participants in the contexts of fuel and fire hazard management, general forest health, and insect/disease management.

Another trend that many participants identified is proliferation of Off-highway Vehicle (OHV) use. Most participants mentioned this trend and associated impacts as a priority issue. Participants also noted that the Black Hills has many inholdings and a large amount of wildland urban interface (WUI) which has expanded in recent years due to increased development adjacent to Forest lands. This has led to increased urgency for management activities in WUI; particularly timber, fuel, pest, and invasive species management.

Several participants identified water resources as a priority issue, particularly water quality and availability. These participants were particularly concerned about mining affects to water resources.

Grazing and range management was also commonly identified as a key issue. Participants generally did not identify specific trends that the Forest plan should address, but rather that range and associated resources remain highly important in the Black Hills.

Available Knowledge and Data

Stakeholders identified and recommended the following data for inclusion in forest plan revision planning:

- Black Hills Timber Sustainability General Technical Report (GTR 422).
- Adaptive grazing techniques.
- Crook County, Wyoming has authorized a socio-economic study of the Forest's impact to the local economy.
- US Fish and Wildlife data on implications of climate change for pollinator species.

- Black Hills Trails data on non-motorized trails and illegal trail inventory.
 - Updated sensitive plant species data.
 - Assessments from previous Forest Plan amendment efforts (updated).
 - Rocky Mountain Research Station Goshawk Study.
 - Rocky Mountain Research Station Mountain Pine Beetle technical report.
 - Rocky Mountain Research Station Ponderosa Pine research.
 - Research studies conducted by the Rocky Mountain Research Station unit in Rapid City.
 - Negron, Jose F.; Allen, Kurt K.; Ambourn, Angie; Cook, Blaine; Marchand, Kenneth.
2017. Large-scale thinning, ponderosa pine, and mountain pine beetle in the Black Hills, USA. Forest Science. doi: <http://dx.doi.org/10.5849/FS-2016-061>
- Black Hills Backcountry Horsemen history and use data for equestrian campgrounds.
 - Review how structural stage 5 has been treated under current Forest Plan.
 - Revisit/review how Recreation Opportunity Spectrum and Scenic Integrity Objectives were developed under the current Forest Plan.
 - Northern Research Station Forest Inventory and Analysis.
 - Region 2 Sensitive Species and Species of Local Concern (developed during previous amendment process).
 - The Nature Conservancy LANDFIRE dataset.
 - Community Wildfire Protection Plans (county level).
 - South Dakota Forest Action Plan.
 - Wyoming Forest Action Plan.
 - South Dakota Wildlife Action Plan.
 - Wyoming Wildlife Action Plan.
 - Results of Multiple Indicator Monitoring of Stream Channels and Streamside Vegetation.
 - County Governments and the USDA Forest Service: A Guidebook for Working Together. https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd903056.pdf

Communication

Desire for Involvement

Nearly all participants expressed a desire to be as involved as possible in the upcoming plan revision process.

Perspectives on Collaborating with the Forest Service

Participants felt that local Forest staff were responsive but overworked. They expressed frustration that unfilled positions and rapid staff turnover can stall communication and progress. Stakeholders who had participated in the NFAB or who had collaborated at a project level with the Forest reported positive experiences, and favorably viewed collaboration with the Forest Service. Overall, stakeholders desired to have more collaboration with the Forest Service and expressed frustration at the Forest's inability or perceived inability to collaborate at the level desired.

Recommendations for Communication and Public Meetings

Participants overwhelmingly preferred in-person meetings to virtual meetings, although most recognized virtual meetings as useful tools to supplement in-person meetings. Several

participants recommended that the revision process should be delayed until in-person meetings are possible. Those who liked virtual meetings appreciated not having to drive long distances to attend. Several participants recommended using a trained facilitator or mediator to manage meetings.

Participants were split on public meeting format. Some preferred a presentation followed by a public forum because everyone present receives the same information and hears all comments. Others preferred an open-house format because it allows participants to focus on issues or resources that they are concerned about. All participants agreed upon the need for two-way, face to face public discourse, and frequently commented that the opportunity for and quality of dialogue at in-person meetings is better than virtually.

Participants recognized the difficulties of holding in-person meetings during the COVID pandemic. They also recognized the strengths as well as the weaknesses of virtual platforms, and recommended a mixed approach using in-person and virtual formats. Several mentioned that virtual meetings were more effective when participants had previously met and established rapport in person, or for follow-on meetings when the topics had already been introduced in-person. They also stated that over-reliance on any one format could limit the audience.

Stakeholders recommended frequent meetings of short duration (1-2 hours), at multiple locations across the planning area, occurring throughout the revision process rather than only at major milestones. They also recommended holding meetings with smaller groups in addition to larger public meetings, to allow for more two-way discussion.

Some participants stressed the need to consider the time of year and time of day when scheduling meetings, to avoid winter weather and times of low visibility or increased wildlife activity. Some recommended not holding public meetings in August, because it is difficult to travel due to Sturgis Motorcycle Rally traffic, and many locals either hunker down at home or leave the area.

Table 1: Public meeting locations suggested by participants

Town	Location
Sundance, WY	Courthouse basement
	A central location in Lawrence County, South Dakota
	Crook County, Wyoming
	Weston County, Wyoming
	Southern Black Hills
	Central Black Hills
	Northern Black Hills
	At Tribal Reservations

Recommendations for Reaching Underrepresented Populations

The Black Hills will make a concerted effort to reach out to underserved and underrepresented populations to engage in plan revision efforts, and participants were asked to identify and provide recommendations on reaching these communities. Many stated that they were unaware of the best methods for reaching out to minority, low-income, and youth populations, or that they believe that using the same methods used to reach the public are sufficient. They did identify the following underrepresented populations, listed in order of prevalence.

-Tribes (8 times)

- Private landowners. (3 times)
- Recreation groups (3 times)
- Hispanic population (2 times)
- Range permittees (1 time)
- Religious communities/groups (1 time)
- People under the age of 30 (1 time)
- Lawrence County (1 time)
- Law enforcement agencies (state/local/county) (1 time)
- Search and rescue (SAR) organizations (1 time)
- Recreation concessionaires. (1 time)
- Casual recreational users not associated with organized groups. (1 time)
- Single track motorized users, off-road motorcyclists. (1 time)

Participants offered the following recommendations for reaching out to underrepresented populations. For Native American Tribes, they recommended relying heavily on formal consultation and government to government communication. They also recommended holding meetings at the reservations, at the request of the tribal governments, to facilitate maximum participation. One participant recommended inviting tribal members for a week of free camping or visiting sacred sites as part of outreach. Other recommendations included maintaining a high online presence through websites, social media, and email, and assigning a dedicated tribal liaison for the revision process.

Several participants recommended close collaboration with state, county, and local governments to extend outreach to private landowners and other populations embedded in local communities. Similarly, they recommended reaching out to membership organizations that represent or provide social support to sub-groups within the community. These organizations have their own contact lists and may be able to reach people who otherwise would not receive information through other channels.

Partners with knowledge of current forest conditions and additional suggested partners.

The Black Hills has a good list of partners moving forward, but to ensure no one is missing, stakeholders were asked to identify key organizations that should be involved moving forward in the plan revision process, or that have valuable knowledge or data sets about current forest conditions that should be involved in the assessment phase of plan revision. Participants were also asked to identify organizations that might be able to assist in outreach to underrepresented populations. Responses included:

- South Dakota Game, Fish, and Parks
- Rocky Mountain Elk Foundation
- Public Lands Council
- Forest Resources Association
- Black Hills Multiple Use Coalition
- State forestry departments
- South Dakota state government
- Wyoming state government
- South Dakota Soil Health Coalition
- Range Allotment Association

- Project Learning Tree
- Native American tribes
- Prairie Hills Audubon Society
- Norbeck Society
- South Dakota and Wyoming county governments
- The Nature Conservancy, Rapid City Office
- South Dakota Department of Transportation
- Federal Highways
- Northern Hills Trails Organization
- Homestake Mining Company
- Barrick Gold Corporation
- Black Hills Trails
- South Dakota State University
- South Dakota Resource Conservation and Forestry
- Custer State Park
- Sierra Club (Black Hills Group)
- South Dakota Department of Wildland Fire
- Black Hills Association of Fire Departments
- Black Hills Forest Resources Association
- County Governments
- South Dakota Family Forests Association
- South Dakota Livestock Association
- Spearfish Livestock Association
- Black Hills Clean Water Alliance
- Dakota Rural Action
- Wyoming State Forestry
- Conservation Leaders Group
- Crook County Natural Resources District
- Weston County Natural Resources District
- Retired Forest Service employees
- Western Watershed Project
- Great Plains Tribal Chairmen's Association
- South Dakota Trails Development Corporation
- Black Hills Women in Timber
- Black Hills Log Haulers
- National Wild Turkey Federation
- Wyoming Tree Farm
- Cattleman's Association
- Rapid Creek Watershed Action
- NDN Collective
- Thunder Valley Community Development Corporation
- National Association of Tribal Historic Preservation Officers
- Intertribal Buffalo Cooperative
- Great Plains Tribal Chairmen's Health Board
- Volunteer fire departments
- Rocky Mountain Research Station

- Wyoming and South Dakota State Historical Preservation Offices
- Wyoming Department of Game and Fish
- Wyoming State Parks and Trails
- Black Hills Energy
- Strider Bikes (Rapid City)
- Quarq (subsidiary of SRAM, cycling equipment manufacturer in Spearfish, SD)
- Black Hills area irrigation districts
- Offroad Riders Association (Rapid City SD) <https://www.offroadriders.club/>

Outreach

Participants provided recommendations for the best tools to reach their communities to engage in planning efforts, stating that it is important to utilize a wide range of methods to reach the widest population to encourage participation. Below are specific suggestions related to local media sources.

- *Newspapers*

Participants recommended disseminating information through all available local newspapers throughout the Black Hills. They mentioned that some people who are otherwise difficult to reach receive their news from local newspapers.

- *Radio*

Recommendations included using local National Public Radio affiliates, KBFS radio in Belle Fourche, South Dakota, and KBHB in Sturgis, South Dakota.

- *Flyers*

Few participants mentioned flyers or handouts, but those that did recommended minimizing the use of hard-copy communications. They deemed them a large cost to produce for low circulation; that people might read them once, then throw them away. Information posted on bulletin or information boards at community gathering places was likewise considered to be well-meaning and “not hurting anything” but of dubious value.

- *Internet*

Multiple participants recommended a robust plan revision website, updated frequently, with wide dissemination through all other communications. They also recommended that the plan revision website be liberally hyper-linked, to serve as a “one stop shop” for those interested in learning about or participating in plan revision.

- *Email lists*

Build an email list of interested people throughout the process. People should be able to sign up for the email list through the website and through social media in addition to in person. Do not rely solely on email, however. Some participants indicated that phone calls are better than email for some segments of the population who do not have internet or do not often use email. People wishing to be notified of upcoming plan revision processes should be offered the opportunity to indicate their preferred method of notification.

- *Social Media*

Plan revision should have a robust social media presence on Facebook and Twitter. Social media outlets and posts should include links to the Forest Plan revision website, and social media accounts should also be accessible from the website. Consider assigning one person or a small team to coordinate the social media presence for Forest Plan revision. Some participants recommended using social media to post short videos (one minute or less) about plan revision.

- *Television*

Several participants mentioned that some areas of the Black Hills receive their television news from non-local markets, or stations from larger cities further afield that do not typically broadcast Black Hills-specific information. They recommended remaining cognizant of this situation when or if using television stations to disseminate information.

- *Reaching Underrepresented Populations*

Participants did not have many specific suggestions for reaching underrepresented populations. They recommended broad, concise, and continuous outreach over the widest possible variety of communications platforms. Participants cautioned against overreliance on any one communication method, instead recommending use of all available methods to reach the most people.

Appendix A: Assessment Prompts

1. Views of the plan revision process:
 - a. What is your, or your organization's current or past involvement on BKNF with forest planning, projects, or processes?
 - b. What is your level of knowledge about the forest plan revision process as governed by the 2012 Planning Rule? For example, are you aware of the assessment, planning, monitoring cycle?
 - c. Would assessments, materials, or techniques from previous forest planning efforts be useful to inform the upcoming forest plan revision effort? Do you have any specific examples?

2. Key issues:
 - a. What are the most important issues that the forest plan should address?
 - b. What are some existing conditions and their influence on communities?
 - c. Are there organizations with valuable knowledge or data sets about current forest conditions who should be involved?

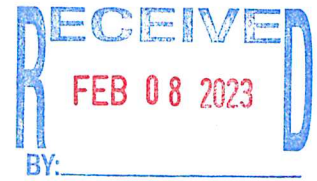
3. Communication:
 - a. At what level of participation would you or your organization like to be involved in the forest plan revision process?
 - b. What are your expectations for a public meeting (format, forum, location, etc.)?
 - c. What are some strengths and weaknesses in you or your organization's previous communications with the BKNF?
 - d. Are there any specific communications platforms or techniques that you or your organization would recommend for inclusion or emphasis in the BKNF Plan Revision Communication Strategy? Vice versa?
 - e. Are there groups/populations that have been underrepresented in previous BKNF planning efforts? (e.g., low-income, minority groups, youth populations?)
 - f. Do you have any recommendations for reaching underrepresented populations?

4. Additional questions:
 - a. Who are additional people who should be included in this process? Who are key partners going forward?

Appendix B: Participant Names and Affiliations

Name	Affiliation
Scott Guffey	Pennington County, South Dakota
Dave Mertz	Retired Forest Service Employee
James Halverson	South Dakota Stockgrowers Association
Lilias Jarding	Black Hills Clean Water Alliance
Sandra Seberger	Sierra Club, South Dakota Chapter
Jeanne Whalen	Crook County, Wyoming
Craig Bobzien	Retired Forest Service Employee
Danielle Wiebers	Pete Lien and Sons (mining)
David Miller	Engaged Citizen
Amity Bass	US Fish and Wildlife Service
Bruce Outka	Lawrence County, South Dakota
Randy Deibert	Lawrence County, South Dakota
Richard Sleep	Lawrence County, South Dakota
Sam Greear	Black Hills Trails
Eric Jennings	South Dakota Cattlemen's Association
Beth Burkhart	Norbeck Society
Mary Zimmerman	Norbeck Society
Andy Bernard	Black Hills Energy
Bill Coburn	South Dakota Family Forests Association
Dave Thom	Custer County Conservation District and Retired Forest Service Employee
Mike Baldwin	Custer County Weed and Pest Department and Office Manager for Custer County Conservation District
Ben Wudtke	Black Hills Forest Resource Association, Black Hills Multiple Use Coalition
Bruce Ellison	Landowner, Involved Citizen
Sarah Anderson	Crook County, Wyoming Natural Resources District
Alice Allen	Backcountry Horsemen of South Dakota, Sunday Drivers
Rebecca Terk	Dakota Rural Action
Nancy Hilding	Prairie Hills Audubon Society
Jim Nieman	Nieman Enterprises (timber)
Marcus Nieman	Nieman Enterprises (timber)
Dan Bueller	Nieman Enterprises (timber)
Paul Pierson	Nieman Enterprises (timber)
Bill Hearne	South Dakota Trails Development Corporation

Carla Marshall	Involved Citizen, Member of Cheyenne River Sioux Tribe
Marcus Warnke	South Dakota Department of Agriculture and Natural Resources
Hunter Roberts	South Dakota Department of Agriculture and Natural Resources
Greg Josten	South Dakota State Forester
Bill Smith	South Dakota Department of Agriculture and Natural Resources
Kevin Robling	South Dakota Game, Fish, and Parks
Tom Kirschenmann	South Dakota Game, Fish, and Parks
John Kanta	South Dakota Game, Fish, and Parks
Kirk Easton	Superintendent, Spearfish School District, Spearfish SD
Carol Galbraith	Superintendent, Todd County School District, Mission SD



303 North River Street Hot Springs, South Dakota 57747

Tracy Bastian
Public Works Engineer/ Utilities Director

Re: Lead and Copper Rule, General conditions for service line replacements

To: Hot Springs water customers,

The purpose of this letter is to provide you, as a property owner and water customer, information regarding the recommendations regarding replacement of lead service lines. Lead pipes were commonly used during the late 1800's and early 1900's to serve as the connecting line to the water main.

If your home or business structure was built prior to the 1930's it is likely that the original water service line would have been made of lead. Many such services have been replaced over time but it is possible that some still do exist. Standard operation of most municipalities provides that the water service line is owned and maintained by the water provider (i.e. City) between the water main and the point of "first shut off" which is either a curb stop or a valve in a meter pit. The remaining portion of the service line is the property and responsibility of the customer. The City maintains records of the type and size of pipes utilized in the mains as well as locations of curb stops and meter pits but does not have records regarding the status of the privately owned service lines. The water system in Hot Springs was privately owned and operated by the Hot Springs Water Company through the mid-1970's.

During the process of utilities replacements such as the major project currently in progress on North River Street as well as during future projects in other areas of the community, it is possible that lead service lines may be discovered.

If a lead service line is discovered it may be the entire line from the main to your building or it may only be a portion of the line. If all or part of the City owned portion of the line is made of lead, the City covers the replacement. Any portion of the service line that is privately owned that is discovered to be lead is the responsibility of the property owner. The following discussion explains your options and requirements for replacement of the line.

The most recent version of what is often referred to as the Lead and Copper Rule is publicly accessible and is contained in 40 CFR Part 141 Subpart I Sections 141.80 through 141.93.

In accordance with the statute it is not mandated that the privately owned portions of lead services be replaced immediately. However, it is highly recommended that property owners replace any lead piping soon after it is discovered. There are several motivations for replacement as soon as practical.

- Service line is at least 90 years old or older with the possibility of leaking increasing over time.
- Having a known lead service line is likely to be a required disclosure in the event of any real estate transaction.
- Lead is known as a health hazard especially for children. This is why lead is no longer used in various manufacturing processes.
- The cost of replacing a service line is less now than in the future. This is especially true where active construction is underway. Any street or sidewalk impacted by future service line replacement would be required to be fully restored which would be the financial responsibility of the property owner.

In the case of privately owned lead service lines the best course of action is to have the line replaced while the utility replacement project is still active and permanent structures such as sidewalk and street surfacing has not yet been installed. Your licensed plumber of choice will then coordinate with the utility contractor to accomplish the replacement. The City can also conduct a test for the presence of lead at a faucet tap in your building.

You may contact the City for advice on how to proceed regarding lead service lines. As a reminder the portion of the service line from the main to the curb stop or meter pit valve is the responsibility of the City with the remaining service line being the responsibility of the property owner.